

City Council Orientation Handbook

Milwaukie, Oregon



November 2018

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Office of the City Recorder – Milwaukie Oregon

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1. Administration

1.1.

Milwaukie

Acronym

Dictionary – MAD

Milwaukie Acronym Dictionary – MAD

ADA	Americans with Disability Act
AFSCME	American Federation of State, County and Municipal Employees
ALA	American Library Association
APWA	American Public Works Association
artMOB	art – Milwaukie on Board
BCC	Boards, Commissions and Committees
BCD	Building Codes Division
BO	biological opinion
C4	Clackamas County Coordinating Committee
CAC	Citizens Advisory Committee
CAFR	Comprehensive Annual Financial Report
CCB	Construction Contractors Board
CCFD	Clackamas County Fire District
CCSD#1	Clackamas County Services District #1
CCTV	Closed Circuit Television7/12/2013
CD	Community Development
CDBG	Community Development Block Grant
CERT	Community Emergency Response Teams
CH	City Hall
CIP	Capital Improvement Project
CIS	City County Insurance Services
CMGC	Construction Management General Contractor
CMI	Celebrate Milwaukie Inc.
CPTED	Crime Prevention through Environmental Design
CUAB	Citizens Utility Advisory Board
DEA	David Evans and Associates
DEQ	Oregon Department of Environmental Quality
DLC	Design and Landmarks Committee
DLCD	Oregon Department of Land Conservation and Development
DPSST	Department of Public Safety Standards and Training
DSL	Oregon Division of State Lands
ELGL	Engaging Local Government Leaders
EOC	Emergency Operations Center
EOP	Emergency Operations Plans
FEIS	Final Environmental Impact Statement
FFGA	Full Funding Grant Agreement
FMLA	Family Medical Leave Act
FOLL	Friends of Ledding Library
FRA	Federal Railway Administration
FSA	Flexible Spending Account
FTA	Federal Transit Authority
GAAP	Generally Accepted Accounting Principles
GIS	Geographic Information Systems
HR	Human Resources
IGA	Intergovernmental Agreement
IST	Information Systems Technology
JCB	Johnson Creek Boulevard (Public Works and Community Development facility)
JPACT	Joint Policy Advisory Committee on Transportation (Metro)

LCDC	Oregon Land Conservation and Development Commission
LINCC	Libraries in Clackamas County
LL	Ledding Library
LOCOM	Lake Oswego Communications (our Police dispatch center)
LPA	Locally Preferred Alternative
MFM	Move Forward Milwaukie
MMC	Milwaukie Municipal Code
MPAC	Metro Policy Advisory Committee
MPEA	Milwaukie Public Employees Association
MPSF	Milwaukie Public Safety Foundation
MS4	Municipal Separate Storm Sewer System
MTAC	Metro Technical Advisory Committee
MTIP	Metropolitan Transportation Improvement Program
MUST	Milwaukie Understands Sustainable Transitions
NCPRD	North Clackamas Parks and Recreation District
NCSD	North Clackamas School District
NDA	Neighborhood District Association
NEPA	National Environmental Policy Act
NESE	North East Sewer Extension
NIMS	National Incident Management System
NMIA	North Milwaukie Industrial Area
NOD	Notice of Decision
NPDES	National Pollution Discharge Elimination System
NSFR	New Single Family Residence
OAPA	Oregon Chapter of the American Planning Association
OAR	Oregon Administrative Rules
OBOA	Oregon Building Officials
OCR	Office of the City Recorder
ODOT	Oregon Department of Transportation
OFLA	Oregon Family Leave Act
OGFOA	Oregon Government Finance Officers Association
OHA	Oregon Health Authority
OHBA	Oregon Home Builders Association
OHSU	Oregon Health Sciences University
OLA	Oregon Library Association
OLCC	Oregon Liquor Control Commission
OMB	Oregon Marine Board
OPTA	Oregon Permit Technician Association
ORPAT	Oregon Physical Abilities Test
ORS	Oregon Revised Statutes
PAA	Personnel Action Authorization
PAFR	Popular Annual Financial Report
PAR	Public Area Requirements
PARB	Parks and Recreation Board
PE	Preliminary Engineering
PERS	Public Employer's Retirement System
PI	Public Information
PMG	Project Management Group
PMLR	Portland-Milwaukie Light Rail
PNCA	Pacific Northwest College of the Arts
PSAC	Public Safety Advisory Committee

PSB	Public Safety Building
PSU	Portland State University
PW	Public Works (formerly OPS – Operations)
RFFA	Regional Flexible Fund Allocation
RFP	Request for Proposal
RFQ	Request for Qualifications
RIM	Records and Information Management
ROD	Record of Decision
RS	Regular Session (City Council meeting)
RTF	Riverfront Task Force
RTP	Regional Transportation Plan
SAFE	Safe Access For Everyone
SDC	Systems Development Charge
SDEIS	Supplemental Draft Environmental Impact Statement
SHPO	State Historic Preservation Office
SS	Study Session (City Council meeting)
SSMP	Street Surface Maintenance Program
TSA	Transit Security Agency
TPAC	Transportation Policy Advisory Committee
TSL	Type Size Location (used for bridge design at 30% design completion)
TSP	Transportation Systems Plan
UGB	Urban Growth Boundary
UGMA	Urban Growth Management Agreement
VEBA	Voluntary Employee Benefit Association
VOIP	Voice Over Internet Protocol
WES	Water Environmental Services
WFMC	Willamette Falls Media Center
WPCF	Water Pollution Control Facility
WRBAC	Willamette River Bridge Advisory Committee
WS	Working Session (City Council meeting)

1.2.

City Charter

MILWAUKIE CHARTER

CHAPTER I

NAMES AND BOUNDARIES

Section 1. TITLE OF ENACTMENT. This charter may be referred to as the Milwaukie charter of 1975.

Section 2. NAME OF CITY. The municipality of Milwaukie, Clackamas County, Oregon, continues under this charter to be a municipal corporation with the name "City of Milwaukie."

Section 3. BOUNDARIES. The city includes all territory encompassed by its boundaries as they now exist or hereafter are modified pursuant to state law. The custodian of the city's records shall keep an accurate, current description of the boundaries and make a copy of it available for public inspection in the city during regular city office hours.

CHAPTER II

POWERS

Section 4. POWERS OF THE CITY. The city has all powers which the constitutions, statutes, and the common law of the United States and of this state now or hereafter expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

Section 5. CONSTRUCTION OF POWERS. In this charter, no mention of a particular power is construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state constitution. All powers are continuing unless a specific grant of power clearly indicates the contrary.

CHAPTER III
FORM OF GOVERNMENT

Section 6. DISTRIBUTION OF POWERS. All powers of the city are vested in the council except as otherwise specifically provided in this charter. In all instances deemed appropriate by the council, the council may cause an investigation of the administration of any department through a formal hearing or otherwise.

Section 7. COUNCIL. The council is composed of a mayor and four councilors. Each council position is numbered one (1) through four (4), and each candidate shall run either for the mayor position or a specific numbered council position. All councilors are elected from the city at large. Councilors shall hold office for a term of four years. No person shall serve more than two consecutive terms as councilor.

Section 8. MAYOR. The term of office of the mayor elected in November, 1990, shall be for four (4) years. Every four years thereafter, a mayor shall be elected at the general election for a term of four (4) years. No person shall serve more than two consecutive terms as mayor.

Section 9. QUALIFICATIONS OF ELECTIVE OFFICERS. No person is eligible for an elective office in the city unless at the time of the election, the person is a qualified elector of the state and has resided in the city during the six months immediately preceding the election. If during the term of office, the officer ceases to reside in the city, the office shall be deemed vacant.

Section 10. OTHER OFFICERS. Appointive officers of the city are the city manager, city attorney and municipal judge. Each such officer is appointed and removed by a majority vote of the entire council. In the case of the municipal judge, the council may designate a state court to perform the judicial functions of the city.

Section 11. COMPENSATION. The council shall prescribe the compensation of city officers. The council may prescribe a plan for reimbursing city personnel for expenses that they incur in serving the city.

CHAPTER IV
ELECTIONS

Section 12. ELECTIONS. City elections are held in accordance with applicable state election laws. The city manager or manager's designee, pursuant to directions from the council, shall give at least ten days notice of each city election by posting notice thereof at a conspicuous place in the city hall and publishing notice at least once in a newspaper of general

circulation in the area. The notice shall state the officers to be elected and the ballot Title of each measure to be voted upon.

Section 13. ELECTION RETURNS. The results of all elections shall be made a matter of record in the record of the proceedings of the council, which shall contain a statement of the total number of votes cast at each election, the votes cast for each person or proposition, the name of each person elected to office, the office to which they have been elected and a reference to each measure enacted or approved. The city manager or manager's designee shall make, sign and deliver a certificate of election for each person elected.

Section 14. PROCEDURE WHEN TIE VOTE. When two or more candidates for the same office have an equal and the highest number of votes, the city manager or manager's designee shall have the candidates meet publicly to decide by lot who is elected.

Section 15. COMMENCEMENT OF TERMS OF OFFICE. The term of office of each person elected to office at a city election commences at the first council meeting of the first January following the election.

Section 16. OATH OF OFFICE. Each officer, before entering into the duties of the office, shall swear or affirm that they will support the Constitution and laws of the United States, the State of Oregon and the City of Milwaukie and that they will faithfully perform the duties of the office.

Section 17. NOMINATIONS. A qualified elector who has resided in the city during the six months immediately preceding the election may be nominated for an elective city position. Nominations shall be made by petition. Such petition shall be signed by not fewer than 20 electors. The form of the petition and the gathering of signatures shall be in manner described by state law. No elector shall sign more than one petition for each position to be filled. If an elector does so, the elector's signature is valid only on the first sufficient petition filed for the position. All nomination papers comprising a petition shall be assembled and filed with the city manager or manager's designee as one instrument not earlier than 100 nor later than 70 days before the election. If the petition is not signed by the required number of qualified electors, the city manager or manager's designee shall notify the candidate and the person who filed the petition within five days after the filing. If the petition is insufficient in any other particular, the city manager or manager's designee shall return it immediately to the person who filed it, certifying in writing wherein the petition is insufficient. Such deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed within the regular time for filing nomination petitions. The city manager or manager's designee shall notify an eligible person of their nomination, and such person shall file with the city manager or manager's designee a written acceptance of nomination and agreement to serve if elected within five days of notification of nomination. Upon receipt of the acceptance, the city manager or manager's designee shall cause the nominee's name to be printed on the ballots. The petition of nomination of a successful candidate at an election shall be preserved until the term of office for which the candidate was elected expires.

CHAPTER V

VACANCIES IN OFFICE

Section 18. WHAT CREATES A VACANCY. An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony or unlawful destruction of public records; resignation; recall from office; or ceasing to possess the qualifications for the office and, in the case of the mayor or a councilor, the qualifications set forth in Section 9; upon failure of the person elected or appointed to qualify therefor within ten days after the time for that person's office to commence; or in the case of the mayor or a councilor, upon that person's absence from the city for 30 days without the consent of the council or upon that person's absence from meetings of the council for 60 days without like consent, and upon a declaration by the council of the vacancy.

Section 19. FILLING OF VACANCIES. A vacancy on the council shall be filled for the remainder of the unexpired term, if any, at the next election following not less than 60 days upon the occurrence of a vacancy, but the council by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office, notwithstanding the quorum requirement in Section 21. If the council fails to do so within 30 days following the occurrence of a vacancy, the city manager or manager's designee shall call an election on the date provided by state law.

CHAPTER VI

COUNCIL

Section 20. MEETINGS. The council shall hold a regular meeting at least twice each month in the city at a time and place which it designates. The mayor by motion may, or at the request of at least two members of the council shall, by giving notice thereof to all members of the council then in the city, call a special meeting of the council. Special meetings of the council may also be held at any time by the common consent of all members of the council. By general ordinance, the council shall prescribe rules governing its meetings and procedures.

Section 21. QUORUM. A majority of the members of the whole council authorized by law—three of the five authorized members—constitutes a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided for by ordinance.

Section 22. RECORD OF PROCEEDINGS. The council shall cause a record of its proceedings to be kept.

Section 23. MAYOR'S DUTIES AT COUNCIL MEETINGS. The mayor shall be chairman of the council, shall preside over its deliberations, and shall have authority to preserve order,

enforce the rules of the council and determine the order of business, subject to the rules of the council. The mayor is a voting member of the council.

Section 24. PRESIDENT OF THE COUNCIL. At the first meeting following the seating of any new duly elected members of the council, the council shall elect a president from its membership. In the mayor's absence from the council meeting, the president shall preside but shall have no more than one vote.

Section 25. VOTE REQUIRED. The concurrence of a majority of the whole council shall be required to determine any matter before the council. The council does not have the power to provide by rule that an extraordinary majority is required to determine any matter before the council.

CHAPTER VII

POWERS AND DUTIES OF CITY OFFICERS

Section 26. MAYOR. The mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body. The mayor shall sign all ordinances and written resolutions and orders approved by the council and shall have no veto power. The mayor shall sign all instruments and writings authorized by this charter, the laws of the state, or the council.

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.

(b) **TERM.** The manager shall be appointed for an indefinite term but may be removed at the pleasure of the council. Upon any vacancy or prospective vacancy occurring in the office of manager the council shall at its next meeting adopt a resolution of its intention to appoint another manager. The council shall appoint a manager within reasonable time after the adoption of the resolution of intention to fill the vacancy.

(c) **POWERS AND DUTIES.** The city manager:

(1) shall devote the entire work time to the discharge of official duties and shall attend all meetings of the Council, unless excused therefrom by three councilors or by the mayor, and keep the council advised at all times of the affairs and needs of the city and shall make annual reports, or more frequent if requested by the council, of all the affairs and departments thereof;

(2) shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the city are fully observed;

Section 28

(3) shall appoint all city officers and employees and remove them, except as otherwise provided by this charter, and have general supervision and control over them and their work with power to transfer an employee from one department to another and shall exercise supervision and control over the departments to the end of obtaining the utmost efficiency in each of said departments, provided that the city manager shall have no control over the council or the municipal judge regarding judicial functions, and shall be subject to and abide by all of the sections of this charter and the duly enacted ordinances and rules enacted thereunder;

(4) shall act as purchasing agent for all departments of the city, all purchases to be made by requisition signed by the manager;

(5) shall be responsible for the preparation and submission to the budget committee of the general budget estimate and such reports as may be required by that body;

(6) shall have control, subject to such ordinances as may from time to time be adopted, of all public utilities owned and operated by the city, and shall have general supervision over all city property; and

(7) shall perform such other duties as may be required by this charter or as the council may require of the city manager within the provisions of this charter.

(d) SEATS AT COUNCIL MEETINGS. The manager and such other officers as may be designated by vote of the council shall be entitled to seats with the council, but shall have no vote therein. The manager shall have the right to take part in the discussion of all matters coming before the council.

(e) MANAGER PRO TEM. During the absence of the manager from the city, during a temporary disability to act as manager, or during the interim when the council is seeking a manager, the council may appoint a manager pro tem who shall possess the powers and discharge the duties of the manager during such absence or disability only. A manager pro tem may be appointed initially for a term of up to six months; at the end of which period such pro tem manager may be reappointed for an additional period of up to three months, but may not be reappointed as pro tem after that time.

(f) INTERFERENCE IN ADMINISTRATION. No member of the council shall directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal of any officer or employee or in the purchase of supplies; or attempt to extract any promise relative to any appointment from any candidate for manager; or discuss directly or indirectly with him the matter of specific appointments to any city office or employment. Nothing in this section shall be construed, however, as prohibiting the council from fully and freely discussing with or suggesting to the manager anything pertaining to city affairs or the best interests of the city.

(g) INELIGIBLE PERSONS. No person related to the manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the city, excepting an office or employment in the career service.

Section 28. MUNICIPAL JUDGE.

(a) The municipal judge shall be the judicial officer of the city. The municipal judge shall be appointed by and hold office during the pleasure of the council. The municipal judge shall be a member in good standing of the Oregon State Bar during the entire term of office. Disbarment shall be a basis for removal from office. The municipal court judge shall hold a court within the city which shall be known as the municipal court for the city of Milwaukie, Clackamas County,

Oregon. The court shall be open for transaction of judicial business for such days and hours as the council may establish.

(b) Except as this charter or city ordinance prescribes to the contrary, procedures of the court shall conform to the general laws of this state governing justice of the peace and justice courts.

(c) All area within the city and, to the extent provided by state law, area outside the city is within the territorial jurisdiction of the court.

(d) The municipal court has original jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by any ordinance of the city. The municipal judge may:

(1) render judgments and, for enforcing them, impose sanctions on persons and property within the court's territorial jurisdiction;

(2) order the arrest of anyone accused of an offense against the city;

(3) commit to jail or admit to bail anyone accused of such an offense;

(4) issue and compel obedience to subpoenas;

(5) compel witnesses to appear and testify and jurors to serve in the trial of matters before the court;

(6) penalize contempt of court;

(7) issue process necessary to effectuate judgments and orders of the court;

(8) issue search warrants; and

(9) perform other judicial and quasi-judicial functions prescribed by ordinance.

(e) A municipal judge may appoint municipal judges protem which judges shall serve at the pleasure of the council.

(f) Notwithstanding this section, the council may transfer some or all of the functions of the municipal court to an appropriate state court.

Section 29. OTHER OFFICERS. The council shall fix the powers and duties of all appointive officers other than those provided for in this chapter.

CHAPTER VIII

ORDINANCES

Section 30. ENACTING CLAUSE. The enacting clause of an ordinance hereafter passed shall be "The city of Milwaukie does ordain as follows."

Section 31. MODE OF ENACTMENT.

(a) Except as the second and third subsections of this section provide to the contrary, every ordinance of the council shall before being put upon its final passage, be read fully and distinctly in open council meeting on two different days.

(b) Except as the third subsection of this section provides to the contrary, an ordinance may be enacted at a single meeting of the council by unanimous vote of all council members present, upon being read first in full and then by title.

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(c) Any of the readings may be by title only if no council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for each council member and three copies are provided for public inspection in the office of the city manager or manager's designee not later than one week before the first reading of the ordinance and if notice of their availability is given forthwith upon the filing by written notice posted at the city hall and two other public places in the city or by advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open council meeting as finally amended prior to being approved by the council.

(d) Upon the final vote on an ordinance, the council shall be polled and the members' votes shall be taken and entered in the record of proceedings.

(e) Upon the enactment of an ordinance the recorder shall sign it with the date of its passage and his or her name and title of office, and the mayor shall sign it with the date of his or her signature, his or her name and the title of the office.

Section 32. WHEN ORDINANCES TAKE EFFECT AND PUBLICATION THEREOF. Each ordinance passed by the council shall take effect 30 days after its passage. When, however, the council deems it expedient, an ordinance may provide a different time when it shall take effect. In case of an emergency, an ordinance may take effect immediately. All ordinances, immediately after being passed, shall be posted for 10 days in conspicuous places in the city hall and the city library.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 33. SPECIAL ASSESSMENT. The procedure for levying, collecting, and enforcing special assessments to be charged against real property for public improvements or other services shall be governed by ordinance.

Section 34. IMPROVEMENTS. The procedure for making, altering, vacating, or abandoning a public improvement shall be governed by general ordinance, or, to the extent not so governed, by the applicable general laws of the state. Action on any proposed public improvement, except a sidewalk or except an improvement unanimously declared by the council to be needed at once because of an emergency, shall be suspended for six months upon a remonstrance thereto by the owners of two-thirds of the property to be specially assessed therefor. For the purpose of this section "owner" shall mean the record holder of legal title to the land, as shown on the current county assessment roll, except that if there is a purchaser of the land according to a recorded land sale contract or according to a verified writing by the record holder of legal title to the land filed with the city manager or manager's designee, the said purchaser shall be deemed the "owner."

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 35. EXISTING ORDINANCES CONTINUED. All ordinances and regulations passed by the city and in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect, and until they are amended or repealed.

Section 36. LIMITATIONS ON INDEBTEDNESS. The city's indebtedness may not exceed debt limits imposed by state law. A city officer or employee who creates or officially approves indebtedness in excess of this limitation is jointly and severally liable for the excess. A charter amendment is not required to authorize city indebtedness.

Section 37. INITIATIVE, REFERENDUM, AND RECALL. There is hereby reserved to the electors the power of initiative and referendum, and of recall of elective officers. The provisions of the Constitution of Oregon and the general laws of the State of Oregon, as the same now exist or hereinafter may be amended, governing initiative and referendum, and recall of elective officers, shall apply in the City of Milwaukie.

CHAPTER XI.

Section 38. TIME OF EFFECT OF CHARTER. This charter shall take effect as of June 23, 1975.

1.3.

City Council Roster

Current City Council Roster (as of 9/13/2018)

POSITION, TERM	NAME	ADDRESS	PHONE/EMAIL
Mayor First Elected: 5/19/2015 Term Expires: 12/31/2018	Mark Gamba	1651 SE Lave Drive #69 Milwaukie, OR 97222	971-404-5274 (cell) gambam@milwaukieoregon.gov
Councilor, Position 1 First Elected: 11/8/2016 Term Expires: 12/31/2020	Angel Falconer	2948 SE Sherrett Street Milwaukie, OR 97222	513-807-0502 (cell) falconera@milwaukieoregon.gov
Councilor, Position 2 First Elected: 11/4/2014 Term Expires: 12/31/2018	Lisa Batey	11912 SE 19 th Avenue Milwaukie, OR 97222	503-353-1825 (home) 503-860-1156 (cell) bateyl@milwaukieoregon.gov
Councilor, Position 3 Appointed: 6/16/2015 First Elected: 11/3/2015 Re-Elected: 11/8/2016 Term Expires: 12/31/2020	Wilda Parks	6605 SE Hemlock Street Milwaukie, OR 97222	503-957-9093 (home) parksw@milwaukieoregon.gov
Councilor, Position 4 Appointed 1/17/2017 First Elected: 5/16/2017 Term Expires: 12/31/2018	Shane Abma	10465 SE 37 th Avenue Milwaukie, OR 97222	971-209-2262 (home) abmas@milwaukieoregon.gov

1.4.

NDA Rosters

Neighborhood District Association (NDA) Positions

Ardenwald-Johnson Creek NDA

Name	Title
Matt Rinker	Chair
Jeff Davis	Vice Chair
Bryan Dorr	Secretary
Mark Taylor	Treasurer

Lake Road NDA

Name	Title
Vince Alvarez	Chair
VACANT	Vice Chair
VACANT	Secretary
Susanna Pai	Treasurer

Hector Campbell NDA

Name	Title
David Aschenbrenner	Chair
Heather Ray	Vice Chair
Melanie Bocek	Secretary
Melanie Bocek	Treasurer

Lewelling NDA

Name	Title
Stephan Lashbrook	Chair
Howie Oakes	Vice Chair
Paul Klein	Secretary
Howie Oakes	Treasurer

Historic Milwaukie NDA

Name	Title
Ray Bryan	Chair
Tom Madden	Vice Chair
Lindsey Duncan	Secretary
Christi Cawood	Treasurer

Linwood NDA

Name	Title
Zac Perry	Chair
Jason Start	Vice Chair
Jesse Tremblay	Secretary
Janet Cartmill	Treasurer

Island Station NDA

Name	Title
Milo Denham	Chair
Yvonne Tyler	Vice Chair
Adria Decker	Secretary
Colin Hyzy	Treasurer

1.5.

Milwaukie
Municipal Code
(MMC) Title 2 –
Administration
and Personnel

TITLE 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.04 City Council
- 2.05 Municipal Court Administration
- 2.06 Personnel Administration
- 2.07 Acting City Manager
- 2.10 Boards, Commissions, and Committees Generally
- 2.11 Citizens Utility Advisory Board
- 2.12 Park and Recreation Board
- 2.14 Budget Committee
- 2.16 Planning Commission
- 2.17 Milwaukie Arts Committee
- 2.18 Design and Landmarks Committee
- 2.20 Center/Community Advisory Board
- 2.24 Public Safety Advisory Committee
- 2.28 Public Library
- 2.32 Elections
- 2.35 City Records
- 2.36 Unclaimed Property
- 2.40 Milwaukie Redevelopment Commission

CHAPTER 2.04

CITY COUNCIL

Sections:

Article I Authority

- 2.04.010 Authority**
- 2.04.020 Purpose**
- 2.04.030 Adoption and Amendment of Rules**
- 2.04.040 Presiding Officer—Designated**
- 2.04.050 Presiding Officer—Powers and Duties**
- 2.04.060 Signing of Documents**

Article II Meetings

- 2.04.070 Regular Meetings**
- 2.04.080 Special Meetings**
- 2.04.090 Executive Sessions**
- 2.04.095 Confidentiality**
- 2.04.100 Quorum**
- 2.04.110 Agenda**
- 2.04.120 Staff Attendance of Meetings**
- 2.04.130 Minutes**
- 2.04.140 Order of Business**
- 2.04.150 Discussion of Business**
- 2.04.160 Motion Procedure**
- 2.04.170 Motion to Postpone or Table**
- 2.04.180 Motion to Recess or Adjourn**
- 2.04.190 Point of Order**
- 2.04.200 Procedure in Absence of Rules**
- 2.04.210 Effect and Suspension of Rules**
- 2.04.220 Attendance of Council Members**
- 2.04.230 Seating Arrangements**
- 2.04.240 Right to Speak**
- 2.04.250 Dissents and Protests**
- 2.04.260 Right of Appeal**
- 2.04.270 Decorum**
- 2.04.280 Question of Personal Privilege**
- 2.04.290 Government Ethics**
- 2.04.300 Voting Requirements**

Article III Ordinances and Resolutions

- 2.04.310 Preparation and Introduction**
- 2.04.320 Distribution of Copies**
- 2.04.330 Reading at Council Meetings**
- 2.04.340 Effective Date**
- 2.04.350 Posting**

2.04.010

Article IV Communication With Council

2.04.360 Oral Communications

2.04.370 Written Communications

2.04.380 Public Hearings

Article V Miscellaneous

2.04.390 Council-Staff Relations

2.04.400 Complaints

2.04.420 Council Chambers

ARTICLE I AUTHORITY

2.04.010 AUTHORITY

These rules are adopted pursuant to Section 20 of the Milwaukie Charter, which requires that the Council adopt rules governing its meetings and procedures by general ordinance. (Ord. 1812 § 1, 1996; Ord. 1480 § 1(A), 1981)

2.04.020 PURPOSE

The rules set forth in this chapter are adopted for the purpose of providing guidance for Council action, providing fair and open deliberation on all questions before the Council, expediting Council business and ensuring good relationships between the Council and the City staff. (Ord. 1480 § 1(B), 1981)

2.04.030 ADOPTION AND AMENDMENT OF RULES

These rules may be amended or new rules adopted by ordinance. Any proposed changes shall be distributed to the Councilors in advance and considered under "other business" on the regular Council agenda. (Ord. 1812 § 2, 1996; Ord. 1480 § 1(C), 1981)

2.04.040 PRESIDING OFFICER—DESIGNATED

The Mayor, or in the absence of the Mayor, the Council President, shall be the presiding officer at all meetings. The Council President shall be elected at the first meeting following the seating of any new duly elected members. In the case of the absence of the Mayor and the Council President, the City Recorder shall call the meeting to order and the Council shall elect a chairperson by majority vote. (Ord. 1779 (part), 1995; Ord. 1480 § 2(A), 1981)

2.04.050 PRESIDING OFFICER—POWERS AND DUTIES

The presiding officer shall conduct all meetings, preserve order, enforce the rules of the Council and determine the order and length of discussion on any matter before the Council, subject to these rules. The presiding officer may move, second, debate, and vote and shall not be deprived of any of the rights and privileges of a Councilor. (Ord. 1480 § 2(B), 1981)

2.04.060 SIGNING OF DOCUMENTS

The Mayor shall sign all ordinances, resolutions, contracts, and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager, and all ordinances and resolutions shall be attested to by the City Recorder. (Ord. 1988 § 1, 2008; Ord. 1480 § 2(C), 1981)

ARTICLE II MEETINGS

2.04.070 REGULAR MEETINGS

Regular meetings shall be held on the first and third Tuesday of each month at 6:00 p.m. in the Council chambers at City Hall, 10722 SE Main. Regular meetings may be held at a different time and place by giving appropriate notice at least twenty-four (24) hours in advance. Two (2) regular meetings shall be held each month. (Ord. 1840 § 1, 1998; Ord. 1480 § 3(A), 1981)

2.04.080 SPECIAL MEETINGS

Special meetings may be called by the Mayor or two (2) other Councilors, and appropriate notice shall be given to the remaining Councilors, the City Manager, City Attorney, and the public. The notice shall specify the meeting time and place and a description of the business to be transacted at the meeting. If a special meeting is called to deal with an emergency involving danger to life or property, notice is not required. No general legislation may be considered at a special meeting except that for which the meeting is called. (Ord. 1480 § 3(B), 1981)

2.04.090 EXECUTIVE SESSIONS

All meetings shall be held in compliance with ORS 192.610 to 192.690 (Public Meeting Law). The Council may hold closed meetings (executive sessions) pursuant to ORS 192.660. A motion or notice calling for an executive session shall identify the specific statutory authorization. Media representatives will be allowed to attend executive sessions, but the Council may require that certain information shall not be disclosed. Final action on any matter discussed in executive session must be taken at an open meeting. (Ord. 1812 § 3, 1996; Ord. 1592 § 1, 1986; Ord. 1480 § 3(C), 1981)

2.04.095 CONFIDENTIALITY

- A. Councilors will keep all written, electronic, digital, and verbal information provided them on matters of confidentiality under law in complete confidence to insure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager, or the City Attorney.
- B. If the Council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with the other parties shall be made by designated staff or representatives handling the negotiations or litigation. A Councilor will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.
- C. If a Councilor does not refrain from disclosing such information as required by the Council rules, the Council shall convene and discuss the matter in an executive session. (Ord. 1988 § 2, 2008; Ord. 1807 § 1, 1996)

2.04.100 QUORUM

Three (3) members of the Council constitute a quorum for the conduct of business, but a smaller number may meet to compel the attendance of absent members. (Ord. 1480 § 3(D), 1981)

2.04.110 AGENDA

Documents to be submitted to the Council shall be delivered to the City Manager no later than twelve noon on the third working day preceding a regular meeting and no later than twenty-four (24) hours prior to a special meeting. Copies of the agenda materials shall be distributed to each Councilor, the City Manager, City Attorney, and others as designated by the Council or City Manager at least forty-eight (48) hours prior to any regular meeting. Copies of the printed agenda page will be made available to the public at the meeting. (Ord. 1480 § 3(E), 1981)

2.04.120 STAFF ATTENDANCE OF MEETINGS

Unless excused by three (3) Councilors or the Mayor, the City Manager shall attend all Council meetings. The City Attorney shall attend all Council meetings unless the City Manager excuses the City Attorney based on the Manager's determination that legal issues are unlikely to arise at the meeting. City department heads shall attend Council meetings if the Manager determines that their presence would assist the Council. City employees shall attend Council meetings if their department head determines that their attendance would assist the Council. (Ord. 1988 § 3, 2008; Ord. 1480 § 3(F), 1981)

2.04.130 MINUTES

All open regular and special meetings and work sessions shall be sound, video, or digitally recorded and shall be made available to the public within a reasonable time after the meeting in the office of the City Recorder. The recorder shall prepare written minutes of all open regular and special meetings and work sessions, which shall be approved by the Council and made available for public inspection within a reasonable amount of time. Written minutes shall include all members of the governing body present; all motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition, the results of all votes and the vote of each member by name, the substance of the discussion of any matter, and references to any documents discussed. (Ord. 1988 § 4, 2008; Ord. 1812 § 4, 1996; Ord. 1480 § 3(G), 1981)

2.04.140 ORDER OF BUSINESS

- A. All regular meetings shall have the following order of business:
 - 1. Call to order;
 - 2. Proclamations, commendations, special reports and awards;
 - 3. Consent agenda;
 - 4. Audience participation (for items not on the agenda);
 - 5. Public hearings;
 - 6. Other business;
 - 7. Information items;
 - 8. Adjournment of regular session; and
 - 9. Executive sessions, as necessary.
- B. The order of business may be changed by the presiding officer or majority vote of the remaining Councilors. (Ord. 1790, 1995; Ord. 1779 (part), 1995; Ord. 1678, 1990; Ord. 1480 § 7(A), 1981)

2.04.150 DISCUSSION OF BUSINESS

- A. The Council invites comments on all matters for Council consideration. Public comments on matters not on the agenda or on the consent agenda are to be presented during the audience participation portion of the agenda in accordance with the rules established by Council. Public hearings shall be conducted under the regulations applicable to the particular type of hearing. During other business, the Council may allow statements from those wishing to speak prior to deliberation. The right to deliberate is reserved to the Council. The City Manager has the right to take part in discussion but shall have no vote. The Council may invite staff and others to participate. Statements by others may be limited in duration by the Council and shall normally be limited to one (1) statement per person per agenda item.
- B. The presiding officer may recognize any City staff member or member of the audience for discussion of any matter before the Council. (Ord. 1988 § 5, 2008; Ord. 1480 § 7(B), 1981)

2.04.160 MOTION PROCEDURE

When a motion is moved and seconded, it shall be stated by the presiding officer for debate. A motion once made may not be withdrawn by the mover without the consent of the Councilor seconding it and the approval of the Council. The presiding officer may rule an improper motion out of order or, if the question involves two or more propositions, divide it into two (2) separate questions. No Councilor shall be allowed to speak more than once on a particular question until every other Councilor has had an opportunity to do so. (Ord. 1480 § 7(C), 1981)

2.04.170 MOTION TO POSTPONE OR TABLE

A motion to postpone may be debated and amended and may specify a time when the question will be considered. A motion to table precludes all amendments or debate and if the motion prevails, consideration of the question may be resumed only upon the motion of a member voting with the majority. (Ord. 1480 § 7(D), 1981)

2.04.180 MOTION TO RECESS OR ADJOURN

- A. A motion to adjourn shall be in order at any time except:
1. When repeated without intervening discussion;
 2. When made to interrupt another member;
 3. When the previous question has been called;
 4. When a vote is being taken.
- B. A motion to adjourn is debatable only as to time of adjournment. When the meeting agenda includes one or more public hearings, meetings may be adjourned no later than 11:00 p.m. If there are no public hearings scheduled, meetings may be adjourned no later than 10:00 p.m. However, the adjournment time may be extended by majority vote. (Ord. 1812 § 5, 1996; Ord. 1480 § 7(E), 1981)

2.04.190 POINT OF ORDER

Any member may raise a point of order at any time and the presiding officer shall determine all points of order, subject to the right of any Councilor to appeal the decision to all Council members present. (Ord. 1812 § 6 1996; Ord. 1480 § 7(F), 1981)

2.04.200 PROCEDURE IN ABSENCE OF RULES

In the absence of a rule to govern a point or procedure, reference shall be made to accepted practice in parliamentary bodies. Disputes involving procedural matters shall be settled by reference to Robert's Rules of Order, Revised. (Ord. 1480 § 7(G), 1981)

2.04.210 EFFECT AND SUSPENSION OF RULES

The rules in this chapter are procedural only, and the failure to strictly observe them shall not invalidate any action taken. Any rule contained in this chapter may be temporarily suspended at any meeting by majority vote of all Council members present. (Ord. 1812 § 7, 1996; Ord. 1480 § 7(H), 1981)

2.04.220 ATTENDANCE OF COUNCIL MEMBERS

Members are expected to attend all meetings. In the event a member is absent from a meeting the Council shall determine whether the member's absence will be excused. No member may leave during a meeting without the consent of the presiding officer. (Ord. 1489 § 3, 1981; Ord. 1480 § 4(A), 1981)

2.04.230 SEATING ARRANGEMENTS

Members shall occupy seats in the Council chamber assigned to them by the Mayor. New Councilors will occupy the seats of the individuals they replaced unless instructed otherwise. (Ord. 1480 § 4(B), 1981)

2.04.240 RIGHT TO SPEAK

Members shall have the right to speak on any matter properly before the Council and shall not be interrupted unless called to order by the presiding officer or unless a point of order or personal privilege is raised by another member. (Ord. 1480 § 4(C), 1981)

2.04.250 DISSENTS AND PROTESTS

Any member shall have the right to express dissent from or protest against any ordinance or resolution and have the reasons therefor entered in the minutes in summary form. (Ord. 1480 § 4(D), 1981)

2.04.260 RIGHT OF APPEAL

Any Councilor may appeal from a ruling of the presiding officer, and the ruling may be overruled by majority vote. (Ord. 1480 § 4(E), 1981)

2.04.270 DECORUM

During Council meetings, Council members shall preserve order and decorum and shall neither by conversation nor otherwise delay or interrupt the proceedings. Councilors shall confine their remarks to the question under debate and avoid all personalities and indecorous language. (Ord. 1480 § 4(F), 1981)

2.04.280 QUESTION OF PERSONAL PRIVILEGE

A Councilor may interrupt another Councilor and address the Council on a question of personal privilege in cases where the member's integrity, character, or motives are questioned, if the presiding officer recognizes the privilege. (Ord. 1480 § 4(G), 1981)

2.04.290 GOVERNMENT ETHICS

- A. Councilors shall review and observe the requirements of the Oregon Government Ethics Law (ORS 244.010 to 244.400) dealing with the use of public office for private financial gain. Councilors shall give public notice of any potential conflicts of interest, and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Councilors shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before Council. This general obligation includes the duty to refrain from:
1. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public;
 2. Making decisions involving business associates, customers, clients, and competitors;
 3. Violating Council rules;
 4. Appointing relatives, clients, or employees to boards and commissions;
 5. Requesting preferential treatment for themselves, relatives, associates, clients, co-workers, or friends;
 6. Seeking employment of relatives with the City;
 7. Actions benefitting special interest groups at the expense of the City as a whole;
 8. Attending meetings or participating in decisions of City boards and commissions where there is a possibility of appeal of the matter to the Council;
 9. Expressing an opinion which is contrary to the official position of the Council without so stating.
- B. In general, Councilors shall conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring nondiscriminatory delivery of public services, keeping informed concerning the matters coming before the Council, and abiding by all decisions of the Council, whether or not the member voted on the prevailing side. (Ord. 1988 § 6, 2008; Ord. 1812 § 8, 1996; Ord. 1480 § 4(H), 1981)

2.04.300 VOTING REQUIREMENTS

- A. Requirement
- The concurrence of a majority of the whole Council shall be required to determine any matter before the Council. Each Councilor must vote on all questions before the Council unless the member has a conflict of interest which would disqualify the member from voting. If a member abstains, the reasons for the abstention shall be entered in the record. Unless a Councilor abstains, the member's silence when the vote is taken shall be considered an affirmative vote.
- B. Statement of the Question
- Immediately prior to the vote, the presiding officer shall restate the question. Following the vote, the presiding officer shall announce whether the question carried or was defeated. The presiding officer may also publicly state the effect of a vote for the benefit of the audience.
- C. Roll Call Vote
- At the request of any Councilor, any question shall be voted on by roll call.

2.04.310

D. Tie Vote

In the case of a tie vote on any proposal, the proposal shall be considered lost.

E. Changing Vote

A Councilor may change his or her vote only if the action is taken immediately following the last vote cast and prior to the time that the result of the vote is announced. A Councilor shall not be allowed to withdraw an abstention.

F. Motion to Reconsider

A motion to reconsider any action may be made only at the same meeting where the action was taken, by a Councilor on the prevailing side of the question. Any Councilor may make a motion on the same question at any subsequent meeting.

G. Record of Votes

Unless the vote is unanimous, the ayes and nays of each Councilor shall be entered in the minutes. (Ord. 1918 § 1, 2003; Ord. 1812 § 9, 1996; Ord. 1480 § 5(A—G), 1981)

ARTICLE III ORDINANCES AND RESOLUTIONS

2.04.310 PREPARATION AND INTRODUCTION

All ordinances and resolutions shall be prepared under the supervision of the City Attorney and shall be approved as to form by the City Attorney. Ordinances and resolutions may be introduced by a member of the Council, the City Manager, the City Attorney, or any department head. Each proposed ordinance or resolution shall be accompanied by a written summary of the action proposed in a form approved by the City Attorney. (Ord. 1480 § 6(A), 1981)

2.04.320 DISTRIBUTION OF COPIES

Whenever possible, copies of a proposed ordinance or resolution shall be made available for public inspection one (1) week prior to the first meeting where they are to be considered. The City Recorder shall make sufficient copies for distribution with the agenda packets and for posting for public inspection at the time the ordinance or resolution is considered. (Ord. 1480 § 6(B), 1981)

2.04.330 READING AT COUNCIL MEETINGS

Unless the motion for adoption provides otherwise, resolutions shall be adopted by reference to the title only. Before being considered for adoption, an ordinance shall be read in full at two (2) separate Council meetings, except that an ordinance may be adopted at a single meeting by unanimous vote of all Council members present after being read once in full and once by title. Both of the readings may be by title only if no Councilor objects or if copies are provided each Councilor and three (3) copies are available for public inspection one (1) week before the first reading and notice is given as provided in Section 31.c of the City Charter. (Ord. 1812 § 10, 1996; Ord. 1480 § 6(C), 1981)

2.04.340 EFFECTIVE DATE

Ordinances shall be effective on the 30th day following the date of adoption, unless the ordinance provides that it will become effective at a later time. An emergency ordinance which includes a provision that the ordinance is necessary for the immediate preservation of the public

peace, property, health, safety, or morals may provide that it will become effective upon adoption. Resolutions shall be effective upon adoption. (Ord. 1480 § 6(D), 1981)

2.04.350 POSTING

All ordinances shall be posted for ten (10) days after the date of adoption in conspicuous places in City Hall and the Library. (Ord. 1480 § 6(E), 1981)

ARTICLE IV COMMUNICATION WITH COUNCIL

2.04.360 ORAL COMMUNICATIONS

Comments from persons other than the Council, City Manager, or City Attorney will be entertained only during the part of the agenda where public comments are permitted or at the discretion of the presiding officer. The person addressing the Council shall first ask to be recognized and then give his or her name and address for the record. Persons addressing the Council shall also complete an information card for the record and return it to the City Recorder. 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. In the event a member of the audience refuses to abide by the presiding officer's order, that person may be denied further opportunity to address the Council and may be removed upon order of the presiding officer. The order in which audience comments are received is left to the discretion of the presiding officer, subject to these rules. The presiding officer may request that a spokesman be selected for a group of persons wishing to speak. (Ord. 1480 § 7(A), 1981)

2.04.370 WRITTEN COMMUNICATIONS

Written communications addressed to the Council shall be forwarded to the Council by submission to the City Manager prior to the meeting to be placed with the agenda materials or by submission to the presiding officer during the meeting. The presiding officer shall announce the submission of any written communication and reference shall be entered in the minutes. (Ord. 1480 § 7(B), 1981)

2.04.380 PUBLIC HEARINGS

A. Public hearings include all items on the agenda on which the public has the right to be heard by law. The order of presentation of testimony at public hearings is as follows:

1. Staff report;
2. Correspondence;
3. Applicant's presentation;
4. Other testimony in favor of the application;
5. Opponent's testimony;
6. Neutral testimony;
7. Additional staff comments;
8. Questions and answers and general comments (at the discretion of the presiding officer); and
9. Applicant's final remarks.

2.04.390

- B. Following the presentation of testimony, the presiding officer shall close the hearing and ask for discussion among the Councilors. No further testimony or evidence will be accepted without approval of the presiding officer. All hearings shall be conducted in a fair and open manner. Councilors shall particularly observe the requirements of hearings on land use matters dealing with ex parte contacts. (Ord. 1812 § 11, 1996; Ord. 1480 § 7(C), 1981)

ARTICLE V MISCELLANEOUS

2.04.390 COUNCIL-STAFF RELATIONS

Councilors shall respect the separation between policy-making and administration by:

- A. Not attempting to influence or coerce the City Manager concerning personnel or purchasing, as outlined in Section 27.f of the City Charter;
- B. Addressing all inquiries and requests for information from staff to the City Manager or City Attorney and allowing sufficient time for response. At the discretion of the manager or attorney, inquiries may be forwarded to the full Council for consideration;
- C. Limiting individual contacts with City officers and employees so as not to influence staff decisions or recommendations, undermine the authority of supervisors, or prevent the full Council from having the benefit of any information received;
- D. Honoring the confidentiality of discussions with the City Attorney;
- E. Attempting to work together with the staff as a team in a spirit of mutual confidence and support. (Ord. 1812 § 12, 1996; Ord. 1480 § 9(A), 1981)

2.04.400 COMPLAINTS

Complaints concerning City policies shall be addressed to and heard by the Council. Complaints concerning actions of City boards and commissions shall be referred to the particular body for comment. All complaints with respect to the management of the City or the actions of any City employee shall be referred to the City Manager for action. The Manager may be requested to provide the Council a written report of the resolution of the complaint. In all instances deemed appropriate by the Council, the Council may investigate or cause to be investigated through a formal hearing or otherwise the administration of any department. (Ord. 1480 § 9(B), 1981)

2.04.420 COUNCIL CHAMBERS

The Council chambers shall be under the supervision and control of the City Recorder when Council is not in session. The Recorder shall establish procedures for use of the Council chambers by other City bodies and private groups and shall have authority to schedule or cancel such use as necessary. (Ord. 1480 § 9(D), 1981)

CHAPTER 2.05**MUNICIPAL COURT ADMINISTRATION****Section:****2.05.010 Court of Record****2.05.020 Appointment of Municipal Court Judge Pro Tem****2.05.010 COURT OF RECORD**

The Milwaukie Municipal Court is hereby declared a court of record, effective September 1, 2015. A prosecution commenced in the Milwaukie Municipal Court before August 31, 2015 shall be deemed a prosecution in a court not of record notwithstanding that part of the prosecution may occur in the Milwaukie Municipal Court after effective date of this declaration. (Ord. 2102 § 3, 2015)

2.05.020 APPOINTMENT OF MUNICIPAL COURT JUDGE PRO TEM

The City Council may provide for the appointment of a Municipal Court Judge Pro Tem, referred to as the "Judge Pro Tem." The Judge Pro Tem shall hold court in the Milwaukie Municipal Court at the request of the City Council or City Manager. The Judge Pro Tem will have the same authority and duties as the Municipal Court Judge while holding court. (Ord. 2128 § 1, 2016)

CHAPTER 2.06

PERSONNEL ADMINISTRATION

Sections:

2.06.010 City Manager Responsibilities

2.06.020 Compensation

2.06.010 CITY MANAGER RESPONSIBILITIES

The City Manager, pursuant to Section 27.C.3 of the City Charter, has the authority and responsibility for all aspects of the City's personnel administration system for all City officers and employees except the City Attorney, Municipal Judge, and City Council. The City Manager shall adopt rules by written directive, containing procedures and practices governing the City's personnel administration system. The City Manager may from time to time amend those rules by written directive. The City Manager shall advise the City Council of the adoption or amendment of City personnel rules. The City Manager may delegate to one or more persons authority to act for the Manager in the administration of the City's personnel system. (Ord. 1699 § 1 (part), 1991)

2.06.020 COMPENSATION

The City Council shall prescribe the compensation for the City Manager, City Attorney, and Municipal Judge. Compensation for all other City officers and employees shall be established as prescribed by the personnel rules adopted by the City Manager, subject to any applicable collective bargaining process and the City's normal budgeting process. (Ord. 1699 § 1 (part), 1991)

CHAPTER 2.07
ACTING CITY MANAGER

Sections:

2.07.010 Purpose

2.07.020 Appointment of Acting City Manager

2.07.030 Powers and Duties of the Acting City Manager

2.07.010 PURPOSE

The purpose of this chapter is to ensure continuity of management authority and responsibility during such time as the City Manager is temporarily unavailable. (Ord. 1943 § 1 (Exh. A) (part), 2004)

2.07.020 APPOINTMENT OF ACTING CITY MANAGER

In the event of the temporary unavailability of the City Manager, the City Manager may designate a management employee of the City to serve as the acting City Manager. The designation shall be for a specific period of time not to exceed fifteen (15) consecutive work days, and it may be revoked at any time without notice. (Ord. 1943 § 1 (Exh. A) (part), 2004)

2.07.030 POWERS AND DUTIES OF THE ACTING CITY MANAGER

The acting City Manager shall assume the duties of and possess the powers of the City Manager during the designation made pursuant to this chapter. In the event the Council appoints a Manager Pro Tem as authorized by Charter Section 27, the Manager Pro Tem and not the acting City Manager shall have the duties and powers of the City Manager. (Ord. 1943 § 1 (Exh. A) (part), 2004)

CHAPTER 2.10

BOARDS, COMMISSIONS, AND COMMITTEES GENERALLY

Sections:

2.10.010 Applicability

2.10.020 Definitions

2.10.030 Board, Commission, and Committee Appointments

2.10.040 Removal

2.10.050 Organization and Operation

2.10.010 APPLICABILITY

This chapter applies to all City boards, commissions, and committees unless mandated otherwise by State statute or City ordinance, including but not limited to the following boards, commissions and committees:

- A. Budget Committee (ORS 294.336 and MMC 2.14, exclusive from monthly meetings);
- B. Center/Community Advisory Board (MMC 2.20 and IGA);
- C. Citizens Utility Advisory Board (MMC 2.11);
- D. Design and Landmarks Committee (MMC 2.18);
- E. Library Board (ORS 357.400 to 357.621 and MMC 2.28);
- F. Park and Recreation Board (MMC 2.12);
- G. Planning Commission (ORS 227.010—227.030 and MMC 2.16);
- H. Public Safety Advisory Committee (MMC 2.24); and
- I. Milwaukie Arts Committee (MMC 2.17). (Ord. 2042 § 1, 2011; Ord. 1995 § 2, 2009; Ord. 1979 § 1, 2008; Ord. 1936 § 1 (Exh. 1), 2004; Ord. 1923 § 3, 2003; Ord. 1917 § 2 (Exh. A), 2003; Ord. 1908 § 1, 2002; Ord. 1869 § 2, 2000; Ord. 1793 § 3, 1996)

2.10.020 DEFINITIONS

“Board” means a public body created by ordinance or resolution which acts in an advisory capacity to the Council in all matters set forth by the enactment establishing the board.

“Commission” means a public body created by ordinance or resolution which acts as a decision-making body on behalf of the City Council in all matters set forth by the enactment establishing the commission.

“Committee” means a public body other than a board or commission. Each committee has the authority and responsibility established for it by this code and by State law as applicable. (Ord. 1936 § 1 (Exh. 1), 2004; Ord. 1793 § 3, 1996)

2.10.030 BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS

- A. Any individual or group is encouraged to submit names for consideration to boards, commissions and committees.
- B. An appointment to a board, commission or committee must comply with any ordinances, bylaws, Charter provisions, or state or federal laws concerning the board, commission, or

2.10.040

committee. If this chapter is inconsistent with any chapter relating to a specific board, commission, or committee, the specific chapter controls.

- C. To become more familiar with an applicant's qualifications, the Council may interview the applicant for a vacancy.
- D. The Council will consider all guidelines in this chapter when considering reappointment to a board, commission, or committee, together with the type of service the individual has already given to the board, commission, or committee and the applicant's stated willingness to continue. No person may serve more than:
 - 1. Two (2) successive terms on the Budget Committee or Planning Commission unless there is an interval of at least one term before the reappointment.
 - 2. Three (3) successive terms on any other board, commission, or committee unless there is an interval of at least one term before the reappointment.
- E. The Council may consider residents outside the City. The Council is not required to appoint a resident outside the City.
- F. The Council may not appoint someone to a position on any board, commission, or committee if a conflict of interest may result as set forth in state law.
- G. The Mayor appoints board, commission, and committee vacancies with the consent of Council. An appointment may not exceed four (4) years and expires on March 31 unless mandated by state statute or by the City ordinance that established the board, commission, or committee. All board, commission, and committee members serve without compensation.
- H. It is the policy of the City Council to ensure opportunities for resident participation and diversity of perspective and opinion on City boards, commissions and committees, and therefore the Council should generally limit persons to serving on only one board, commission or committee at a time. However, the Council may appoint a person to a second position if the person has special expertise or satisfies any other criterion relevant to that particular appointment. (Ord. 2143 § 1, 2017; Ord. 2037 § 1, 2011; Ord. 2032 § 1, 2011; Ord. 1995 § 3, 2009; Ord. 1936 § 1 (Exh. 1), 2004; Ord. 1810 § 1, 1996; Ord. 1793 § 3, 1996)

2.10.040 REMOVAL

Members of a board, committee, or commission serve at the pleasure of the governing body. (Ord. 1936 § 1 (Exh. 1), 2004; Ord. 1793 § 3, 1996)

2.10.050 ORGANIZATION AND OPERATION**A. Bylaws**

The Council shall adopt bylaws for each board, commission, and committee's meetings and the performance of its duties. These bylaws shall be reviewed and updated annually by each board, commission, or committee. Bylaws and bylaw revisions shall be reviewed and accepted by Council and approved by Council resolution.

B. Annual Work Plan

Each board, commission, and committee shall prepare an annual work plan which will have elements of the City vision and City Council goals. These work plans shall be discussed with and approved by the City Council in a joint work session.

C. Staff Support

The City will provide for necessary staff support for the board, commission, or committee including postage, meeting place, administrative support service, and new member orientation and training.

D. Meetings

Each board, commission, or committee should meet at least once each month or as needed to conduct its business and shall meet on the call of the chairperson or on call by a majority of its members. All meetings shall be subject to the requirements of Oregon Revised Statutes 192.610 to 192.690 (Open Meetings Law). A majority of the voting members shall constitute a quorum for the conduct of business and concurrence of a majority of those members present shall be required to decide any matter. These meetings shall be an opportunity for public involvement in the discussion of issues relating to that particular board, commission, or committee.

E. Authority to Bind

Neither a board, commission, nor committee, as a whole, or any member or members individually or collectively, shall exercise authority to bind the City, its officers or agents to financial commitment or obligations. Any funding for projects must be budgeted by the Council, and authorized expenditures presented to the staff for payment. The City may enter into agreements with other public agencies, associations, and individuals for services which will assist the board, commission, or committee in carrying out elements of its work plan.

F. Annual Reports and Minutes

Each board, commission, or committee shall report on its activities in a work session with the City Council at least annually. The written minutes for each board, commission, or committee shall be made available to Council for information.

G. Ethics Law

Board, commission, and committee members appointed by the Mayor with the consent of Council are considered "public officials." As such, they are expected to abide by the Oregon Government Ethics Law of the State of Oregon (ORS 244.010 to 244.400).

H. Boards, commissions, and committees may be asked to provide comments to other advisory bodies and staff when matters under consideration relate to their functional area of expertise. (Ord. 1995 § 4, 2009; Ord. 1936 § 1 (Exh. 1), 2004; Ord. 1793 § 3, 1996)

CHAPTER 2.11

CITIZENS UTILITY ADVISORY BOARD

Sections:

2.11.010 Established—Purpose

2.11.020 Membership—Qualifications

2.11.010 ESTABLISHED—PURPOSE

The Citizens Utility Advisory Board is established for the purpose of advising the City Council on the methods and manner in which City utility rates and capital improvements are scheduled and carried out. The Board shall be responsible for, but is not limited to, the following activities:

- A. Reviewing existing rate structures and capital improvement programs for the various City sewer, water, and surface water utilities;
- B. Acting in an advisory capacity to the City Council in review and enactment of future utility rate structures and capital improvement programs;
- C. Promoting public knowledge, understanding, acceptance, and support of official utility programs proposed or instigated by the City; and
- D. Such other activities as the Council may assign. (Ord. 1798 § 1, 1996)

2.11.020 MEMBERSHIP—QUALIFICATIONS

The Board shall consist of five (5) members appointed at large by the Mayor with consent of the Council, all of whom must be either Milwaukie residents, own a business within the city limits, or reside outside city limits but is a ratepayer served by a Milwaukie utility (water or wastewater) throughout their term. (Ord. 2056 § 1, 2013; Ord. 1875 § 1, 2000; Ord. 1798 § 1, 1996)

CHAPTER 2.12

PARK AND RECREATION BOARD*

Sections:

2.12.010 Established—Purpose

2.12.020 Membership—Qualifications

* Prior ordinance history: Ord. 1696.

2.12.010 ESTABLISHED—PURPOSE

The City of Milwaukie is a part of the North Clackamas Parks and Recreation District (NCPRD), created in 1990 by a vote of the Service District Residents. NCPRD is responsible for operation and maintenance of the City's parks and recreation programs under an intergovernmental agreement signed in 1992 and amended in 2008.

The Park and Recreation Board is established for the purpose of advising and making recommendations to the City Council regarding Milwaukie's recreation programs and facilities. The City Council, or its designee, shall advise the North Clackamas Parks and Recreation District (NCPRD) Advisory Board and the Board of County Commissioners on these programs and facilities in the City. The Park and Recreation Board shall be responsible for, but is not limited to, the following activities:

- A. Surveying recreation and leisure time needs of City residents through the neighborhood associations and recommending the roles the City and the NCPRD should or ought to pursue in meeting such needs;
- B. Serving in an advisory capacity to the City Council and the NCPRD, through their regular master planning and capital improvement plan process, on the location, service areas, siting, standards, class, number and needs for existing and future parks within the community;
- C. Identifying desirable future park locations consistent with established plans and standards;
- D. Ensuring the development of a master plan for each park site;
- E. Exploring, along with NCPRD staff, the feasibility of meeting community park and recreation needs through consolidating grounds and programs with local public and private entities;
- F. Identifying park acquisition and development priorities and recommending current or potential locations and financing methods to the City Council and NCPRD;
- G. Participating in planning and development processes for regional park and recreation programs or facilities which provide services benefiting Milwaukie citizens;
- H. Establishing, evaluating and monitoring maintenance standards of City parks and advising Council and NCPRD of the status; and
- I. Such other activities as the Council may assign. (Ord. 2009 § 1, 2009; Ord. 1801 § 3 (part), 1996)

2.12.020 MEMBERSHIP—QUALIFICATIONS

The Board shall consist of seven (7) members, representing the geographic diversity of the City, appointed by the Council, all of whom must be City residents. Whenever possible, persons will

2.12.020

be appointed who have demonstrated interest, experience or expertise in some area of parks, recreation or related services. (Ord. 2009 § 1, 2009; Ord. 1801 § 3 (part), 1996)

CHAPTER 2.14

BUDGET COMMITTEE

Sections:**2.14.010 Established—Purpose****2.14.020 Membership—Qualifications****2.14.030 Officers****2.14.040 Meetings****2.14.010 ESTABLISHED—PURPOSE**

The Budget Committee is established in accordance with the provisions of ORS 294.336 to review the City budget document as prepared by the City Budget Officer and to recommend an approved budget to the City Council for adoption. (Ord. 1795 § 1, 1996)

2.14.020 MEMBERSHIP—QUALIFICATIONS

The Committee shall consist of the members of the governing body and an equal number of members appointed from the electors of the municipal corporation. No more than one individual from a household may be appointed to serve on the Committee at one time. The appointed members shall be appointed for terms consistent with ORS 294. Appointments will expire the last day of June. (Ord. 2047 § 1, 2012; Ord. 2035 § 1, 2011; Ord. 2029 § 1, 2011; Ord. 1795 § 1, 1996)

2.14.030 OFFICERS

In addition to the chair, a member is elected from among its membership to serve as secretary. (Ord. 1795 § 1, 1996)

2.14.040 MEETINGS

The Committee meets during the budget preparation season, and additional meetings are scheduled as needed. (Ord. 1795 § 1, 1996)

CHAPTER 2.16

PLANNING COMMISSION*

Sections:

2.16.010 Established—Purpose

2.16.020 Membership—Qualifications

2.16.030 Statement of Economic Interest

* Prior ordinance history: Ords. 1606 and 1726.

2.16.010 ESTABLISHED—PURPOSE

- A. The Planning Commission is lawfully established for the purpose of reviewing and advising on matters of planning and zoning according to the provisions of the Comprehensive Plan, Zoning Ordinance, and other planning implementation documents. The Commission shall be responsible for, but is not limited to, the following activities:
1. Keeping current the Comprehensive Plan and implementing ordinances for the City and Urban Growth Boundary as applicable;
 2. Preparing as necessary legislation that will implement the purposes of the Comprehensive Plan;
 3. Recommending to the City Council plans for regulating future growth, development, and beautification of the City, and to review and recommend on regional issues and concerns;
 4. Recommending and making suggestions to the Council concerning:
 - a. The laying out, widening, extending, and locating of public thoroughfares, parking of vehicles, and relief of traffic congestion,
 - b. Betterment of housing and sanitation conditions,
 - c. Establishment of districts for limiting the use, height, area, bulk, and other characteristics of buildings and structures related to land development,
 - d. Protection and assurance of access to incident solar radiation, and
 - e. Protection and assurance of access to wind for potential future electrical generation or mechanical application;
 5. Recommending to the City Council plans for regulating the future growth, development, and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of public utilities, and telecommunications utilities, including appropriate public incentives for overall energy conservation and harbor, shipping, and transportation facilities;
 6. Recommending to the City Council plans for promotion, development, and regulation of industrial and economic needs of the community with respect to business and industrial pursuits;

7. Considering and conducting public hearings on the Comprehensive Plans and zoning ordinances and similar matters which may include, but are not limited to, zone changes, condition uses, subdivisions, and partitions;
8. Performing all other acts and things necessary to properly carry out the provisions of ORS Chapter 227 that are not specifically addressed by local ordinances and procedures;
9. The Commission shall be responsible for the following historic preservation activities:
 - a. Carry out the duties described for it in this section and otherwise assist the City Council on historic preservation matters,
 - b. Review and make recommendations on all partitions and subdivisions of historic properties designated in Comprehensive Plan Appendix 1—Historic Resources Property List,
 - c. Disseminate information to educate the public as to State and federal laws protecting antiquities and historic places,
 - d. Act as a coordinator for local preservation groups such as the Milwaukie Historical Society, educational workshops, signing and monumentation projects, and other similar programs,
 - e. Assist the Milwaukie Historical Society in advising interest groups, agencies, boards, commissions and citizens on matters relating to historic preservation within the City,
 - f. Review and make recommendation on all applications requesting designation or deletion of a landmark and placement or removal on the cultural resources inventory, as provided under Zoning Ordinance Subsection 19.403.4,
 - g. Review and make recommendation on all applications requesting designation or deletion of an historic district as provided under Zoning Ordinance Subsection 19.403.4,
 - h. Review all development, which proposes to alter a landmark, subject to the procedures and criteria set forth in this section,
 - i. Review all demolition permits affecting landmarks, as provided under Zoning Ordinance Subsection 19.403.7,
 - j. Review and make recommendation on all conditional use applications related to landmarks,
 - k. Maintain an historic and cultural resources inventory and map of landmarks,
 - l. Develop regulations for the protection of landmarks, such as design guidelines for adoption by the City Council;
10. Reviewing the Historic Resources Element of the Comprehensive Plan;
11. Providing decisions and/or recommendations to the City Council regarding compliance with applicable design guidelines for development projects subject to design review under the Zoning Ordinance;
12. Reviewing and recommending appropriate design guidelines and design review processes and procedures to the City Council; and
13. Such other activities as the Council may assign.

B. Coordination with the Design and Landmarks Committee

The Planning Commission shall meet at least twice annually with the Design and Landmarks Committee for reviewing prospective work program tasks related to urban design, architecture and design guidelines, historic preservation, and other areas of responsibility assigned to the Committee in Section 2.18.010.A. (Ord. 2025 § 3, 2011; Ord. 1936 § 2 (Exh. 1), 2004; Ord. 1802 § 1, 1996)

2.16.020 MEMBERSHIP—QUALIFICATIONS

- A. The Commission shall consist of seven (7) members appointed by the Council, no more than two (2) of whom may be nonresidents. No more than two (2) members shall be engaged in the same kind of occupation, business, trade, or profession. No more than one (1) individual from a household may be appointed to serve on the committee at one time.
- B. No more than two (2) voting members of the Commission may engage principally in the buying, selling or developing of real estate for profit as individual, or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling or developing of real estate for profit. (Ord. 2034 § 1, 2011; Ord. 1802 § 1, 1996)

2.16.030 STATEMENT OF ECONOMIC INTEREST

Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission. (Ord. 1802 § 1, 1996)

CHAPTER 2.17

MILWAUKIE ARTS COMMITTEE

Sections:

2.17.010 Establishment

2.17.020 Membership

2.17.030 Term of Office

2.17.040 Responsibilities

2.17.010 ESTABLISHMENT

There is created a Milwaukie Arts Committee whose duties and responsibilities shall be as follows:

- A. Support and promote the arts, artists, and art education within the Milwaukie area;
- B. Work cooperatively with other community groups and sources including, but not restricted to, Milwaukie's neighborhood district associations, Design and Landmarks Committee, North Clackamas School District, North Clackamas Parks and Recreation District, Clackamas Arts Action Alliance, New Century Players, Portland Waldorf and other schools in and around Milwaukie, Ledding Library, local businesses, area arts guilds and other groups already existing, or hereafter established, to promote the arts in the community. (Ord. 1978 § 1, 2008)

2.17.020 MEMBERSHIP

The Committee shall consist of seven (7) members appointed by the Mayor with the consent of the City Council. The majority of members shall be residents of the City. (Ord. 2098 § 1, 2015; Ord. 1982 § 1, 2008; Ord. 1978 § 1, 2008)

2.17.030 TERM OF OFFICE

Initially five (5) members shall serve a three (3) year term and five (5) shall serve a two (2) year term. At the expiration of the initial terms, each position shall be filled for a two (2) year term. (Ord. 1982 § 1, 2008; Ord. 1978 § 1, 2008)

2.17.040 RESPONSIBILITIES

- A. The Committee shall update Council periodically regarding their activities.
- B. The Committee shall abide by guidelines established for all City committees as stated in Section 2.10.050 of the Municipal Code.
- C. Any other duties assigned by the City Council. (Ord. 1978 § 1, 2008)

CHAPTER 2.18**DESIGN AND LANDMARKS COMMITTEE****Sections:**

2.18.010 Established—Purpose, Appointment and Composition, Coordination with Planning Commission

2.18.020 (Repealed by Ord. 1936)

2.18.030 (Repealed by Ord. 1950)

2.18.010 ESTABLISHED—PURPOSE, APPOINTMENT AND COMPOSITION, COORDINATION WITH PLANNING COMMISSION

A. The Design and Landmarks Committee is established to advise the Planning Commission on all matters specified in Sections 2.16.010.A.9 through 2.16.010.A.12.

B. Appointment and Composition

The Design and Landmarks Committee shall have five (5) members appointed by the City Council for two (2) year terms. The Council shall have discretion to reappoint or remove Committee members. One (1) Committee member shall have demonstrated special interest, experience, training, or knowledge in the field of historic preservation or history. One (1) Committee member shall have demonstrated special interest, experience, training, or knowledge in the field of architecture, planning, landscape design, or similar field.

C. Annual Meetings

The Design and Landmarks Committee shall meet with the Planning Commission in accordance with Section 2.16.010.B.

D. Review and recommend appropriate design guidelines and design review processes and procedures to the City Council.

E. Any other duties assigned by the City Council. (Ord. 2033 § 1, 2011; Ord. 1936 § 3 (Exh. 1) (part), 2004; Ord. 1917 § 2 (Exh. A) (part), 2003; Ord. 1880 § 6 (Exh. A) (part), 2000; Ord. 1799 § 2 (part), 1996)

2.18.020 (Repealed by Ord. 1936)

2.18.030 (Repealed by Ord. 1950)

CHAPTER 2.20

CENTER/COMMUNITY ADVISORY BOARD

Sections:

2.20.010 Established—Purpose.

2.20.020 Membership—Qualifications

2.20.010 ESTABLISHED—PURPOSE.

The Center/Community Advisory Board (C/CAB) is established for the purpose of advising the City Council, NCPRD, the Board of County Commissioners (BCC) and Center staff regarding activities and operations of the Milwaukie Center. The Board will address the programs and facilities of the Milwaukie Center concentrating on the problems, desires, and needs of senior citizens and others in the Milwaukie area. The Board shall be responsible for, but not limited to, the following activities:

- A. Making recommendations to staff and to the NCPRD Board regarding capital improvements, programs, maintenance and operations; and
- B. Providing staff and the NCPRD Board of Directors with budget recommendations for operations, maintenance and capital improvements at the Milwaukie Center. (Ord. 2009 § 2, 2009; Ord. 1796 § 2 (part), 1996; Ord. 1582 § 1, 1985)

2.20.020 MEMBERSHIP—QUALIFICATIONS

- A. The C/CAB shall consist of twelve (12) members.
- B. Of the twelve (12) members, there will be one (1) member nominated by the Milwaukie City Council. This nominee shall be recommended by the C/CAB and the NCPRD Board to the BCC for approval. The BCC shall appoint the City's nominee unless there is good cause for rejection.
- C. Members shall be appointed for three (3)-year terms. Board members shall serve no more than two (2) consecutive full terms. The BCC may waive this limitation if it is the public interest to do so.
- D. Except for the nominees from the Cities of Milwaukie and Happy Valley, all remaining Board positions are at-large and applications may be made directly to the C/CAB, recommended by the C/CAB and the NCPRD Board, and appointed by the BCC.
- E. It is desirable that Milwaukie's nominee have an understanding of the needs of Milwaukie area citizens and the general community. (Ord. 2009 § 2, 2009; Ord. 1796 § 2 (part), 1996; Ord. 1582 § 2, 1985)

CHAPTER 2.24

PUBLIC SAFETY ADVISORY COMMITTEE

Sections:

2.24.010 Established—Purpose

2.24.020 Membership—Qualifications

2.24.010 ESTABLISHED—PURPOSE

The Public Safety Advisory Committee is established for the purpose of advising and making recommendations to the City Council and city departments regarding public safety needs in the City and its Urban Growth Boundary. The Committee shall be responsible for, but not limited to, the following activities:

- A. Review and make recommendations on community livability concerns related to public safety issues that affect public safety and neighborhood livability in Milwaukie and within its Urban Growth Boundary.
- B. Review and make recommendations for city-community partnerships to mitigate the negative influence of crime and traffic impacts on the community.
- C. Promote public education and awareness of the effects of traffic impacts and mobility issues in the community.
- D. Review and make recommendations on city infrastructure needs related to streets, sidewalks, trails, multimodal paths, traffic markers, traffic control devices, ADA and various transportation and transit related matters that affect pedestrian, cyclist, and driver safety.
- E. Collaborate with local, County, and State government agencies to develop strategies to mitigate negative community livability concerns by focusing partnership agency resources to reduce or eliminate specific problem areas, or concerns.
- F. Such other activities as the Council may assign. (Ord. 2115 § 1, 2016; Ord. 1906 § 2, 2002; Ord. 1869 § 3, 2000; Ord. 1797 § 3, 1996)

2.24.020 MEMBERSHIP—QUALIFICATIONS

- A. The Committee shall consist of one voting member representing each of the City's neighborhood associations plus four (4) at-large members. It is desirable that Committee members have an interest in solving community public safety problems through active involvement with city departments that are responsible for addressing public safety issues. Generally, the Engineering Director will act as the liaison between the Committee and city staff, however other departments such as the police department may occasionally assist or coordinate when appropriate.
- B. At-large members will be appointed to the Public Safety Advisory Committee by the City Council for two (2) year terms. Appointments will expire the last day of June. Up to two (2) additional two (2) year terms, for a total of four (4) additional years past the member's original appointment, may be approved by the City Council.
- C. Neighborhood district association members shall be appointed by the Council after nomination by the neighborhood association that the person will represent. The recommendation shall be reflected in the neighborhood district association minutes and provided to the City. The Council shall have discretion whether to appoint any person nominated by a

neighborhood district association. Neighborhood representatives will be appointed for two (2) year terms with no limit on the number of terms.

- D. A quorum consists of one-half of assigned members to the Public Safety Advisory Committee. (Ord. 2115 § 1, 2016; Ord. 2049 § 1, 2012; Ord. 2028 § 1, 2011; Ord. 1906 § 3, 2002; Ord. 1869 § 4, 2000; Ord. 1797 § 3, 1996)

CHAPTER 2.28

PUBLIC LIBRARY

Sections:**2.28.010 Designated****2.28.020 Established—Purpose****2.28.030 Membership—Qualifications****2.28.010 DESIGNATED**

The Ledding Library of Milwaukie is designated the City Public Library according to the provisions of ORS 357.400 to 357.621. (Ord. 1800 § 2 (part), 1996)

2.28.020 ESTABLISHED—PURPOSE

The Library Board is established for the purpose of advising the City Council and the Ledding staff regarding library patrons' needs. The Board shall be responsible for, but not limited to, the following activities:

- A. Reviewing and commenting on rules and policies for the operation of the Library;
- B. Commenting on the acceptance or rejection of donations of real or personal property of funds donated to the library;
- C. Commenting on the annual operating budget for the Library;
- D. Commenting on sites for public library buildings or for location of Library facilities;
- E. The Library Board shall appoint one (1) of its members as the City's representative to the Library District of Clackamas County District Advisory Board, and the City Council shall affirm that action and forward it to the District governing body; and
- F. Such other activities as the Council may assign. (Ord. 2008 §§ 1, 2, 2009; Ord. 1800 § 2 (part), 1996)

2.28.030 MEMBERSHIP—QUALIFICATIONS

- A. The Board shall consist of seven (7) members, with a majority of members of the Board being City residents.
- B. It is desirable that an applicant be familiar with and willing to support the Library and its programs; understand the needs of the Milwaukie area Library patrons and the general community relative to the Library programs; have the ability to gather information regarding needs; and have experience in working with committees or other task groups. (Ord. 1800 § 2 (part), 1996)

CHAPTER 2.32

ELECTIONS

Sections:

2.32.010 Elections Officer Designated

2.32.020 Requirements for Proposed Legislation and Referendum

2.32.030 Election Dates for Initiative and Referendum Measures

2.32.010 ELECTIONS OFFICER DESIGNATED

The City Recorder is designated the local elections officer for the purpose of carrying out the election function under State law. (Ord. 1463 § 1, 1980)

2.32.020 REQUIREMENTS FOR PROPOSED LEGISLATION AND REFERENDUM

Signatures of fifteen percent (15%) of the qualified voters of the City shall be required to propose legislation by initiative petition and the signatures of ten percent (10%) of the qualified voters of the City shall be required to order a referendum on any legislation. The total number of qualified voters shall be determined as of the date of the last general election. (Ord. 1463 § 2, 1980)

2.32.030 ELECTION DATES FOR INITIATIVE AND REFERENDUM MEASURES

Initiative and referendum measures will be submitted to the voters at the next available election date. (Ord. 1641 § 1, 1988)

CHAPTER 2.35

CITY RECORDS

Sections:

2.35.010 Adoption of Oregon Administrative Rules, Chapter 166

2.35.020 Duties of the Records Officer

2.35.030 Duties of the City Departments

2.35.010 ADOPTION OF OREGON ADMINISTRATIVE RULES, CHAPTER 166

To insure continuation of government and open, efficient conduct of the public's business, the City adopts OAR Chapter 166, Archives Division. (Ord. 1786 § 1 (part), 1995)

2.35.020 DUTIES OF THE RECORDS OFFICER

The City Manager shall designate a records officer. The City Manager's designee is authorized to cause to have all papers, documents, records, and electronic records received in all City departments maintained and preserved, as necessary, to assure an effective and efficient records management program. The designee shall approve records destruction requests and maintain a file of certifications as a permanent record. The designee shall maintain and update, as needed, the Records Management Manual and the Disaster Recovery Plan for City Records. (Ord. 1786 § 1 (part), 1995)

2.35.030 DUTIES OF THE CITY DEPARTMENTS

Department heads have the primary responsibility for the implementation of and active compliance with the records management program for their departments, to include appointment of a records officer to carry out the program. The records officer shall be responsible for maintaining City records in conformity with the program. (Ord. 1786 § 1 (part), 1995)

CHAPTER 2.36

UNCLAIMED PROPERTY

Sections:

- 2.36.010 Request to Dispose of Property**
- 2.36.020 Notice of Public Sale**
- 2.36.030 Deposit of Proceeds**
- 2.36.040 Use of Property by City**
- 2.36.050 Found Property—Holding Period**
- 2.36.060 Found Property—Intent of Finder**
- 2.36.070 Proof of Ownership**
- 2.36.080 Found Property—Notice to Finder**
- 2.36.090 Destruction of Illegal Substances**
- 2.36.100 Claim of Ownership After Sale**

2.36.010 REQUEST TO DISPOSE OF PROPERTY

Whenever the Police Chief of the City has any property, including money, in his or her possession, the ownership of which is unknown, and which is unclaimed for a period of three (3) months after the property came into the possession of the Police Department, the Police Chief shall, unless the disposition of such property is otherwise specifically provided for by law, report the fact to the City Manager and request authority to dispose of it as provided in this chapter. (Ord. 1544 § 1, 1983)

2.36.020 NOTICE OF PUBLIC SALE

The City Manager shall act upon the request of the Police Chief within thirty (30) days after the receipt of the request. If the request is to have the property disposed of by public sale and if the City Manager approves the request, the City Recorder shall cause notice to be published in a newspaper of general circulation within the City at least ten (10) days prior to the date of sale or transfer. The notice shall describe the property, excluding money, and shall state the time and place of public sale, at which the property may be purchased by the highest bidder. Until the date of the sale, the property, excluding money, may be claimed at the office of the Police Chief. If ownership is proved, the Police Chief shall turn the property over to the owner, and cancel the sale insofar as the claimed property is concerned. (Ord. 1544 § 2, 1983)

2.36.030 DEPOSIT OF PROCEEDS

The Police Chief shall cause the sale to be conducted and shall deposit the proceeds thereof, together with any other money included in the notice, in the City Treasury to the credit of the City General Fund. (Ord. 1544 § 3, 1983)

2.36.040 USE OF PROPERTY BY CITY

In lieu of a sale of the property under the foregoing provisions of this chapter, the Police Chief, with the approval of the City Manager, may transfer any portion of the unclaimed property to the City for use by the City or other governmental agencies, or provide for destruction of the property. (Ord. 1544 § 4, 1983)

2.36.050 FOUND PROPERTY—HOLDING PERIOD

Persons finding property may present it to the police department for safekeeping. The City shall hold such property for a period of not less than six (6) months. (Ord. 1544 § 5, 1983)

2.36.060 FOUND PROPERTY—INTENT OF FINDER

Persons presenting found property to the Police Department shall advise the Department if they intend to claim the property at a later date. (Ord. 1544 § 6, 1983)

2.36.070 PROOF OF OWNERSHIP

The Police Department shall release property to its rightful owner upon a showing of satisfactory proof of ownership. (Ord. 1544 § 7, 1983)

2.36.080 FOUND PROPERTY—NOTICE TO FINDER

The Police Department shall send a notice to the finder of property after the six (6)-month waiting period advising that the property may be claimed within thirty (30) days of such notice. If after thirty (30) days the property is unclaimed, it shall be disposed of as provided in Sections 2.36.030 or 2.36.040. (Ord. 1544 § 8, 1983)

2.36.090 DESTRUCTION OF ILLEGAL SUBSTANCES

The Police Chief shall cause contraband or illegal drugs or other substances to be destroyed at the direction of the court after such property has been provided to the courts as evidence and is no longer required. Any unclaimed or found contraband, illegal drugs, or other substances shall be destroyed at the direction of the Police Chief and certification of destruction shall be placed in the case file jacket related to such found or unclaimed property. (Ord. 1544 § 9, 1983)

2.36.100 CLAIM OF OWNERSHIP AFTER SALE

If the property is sold as provided in this chapter and if within six (6) months after the sale, the owner of the property, including money, files with the City Manager a claim for the property, and proves his or her right to the same, the City Manager shall direct that the money or the amount received for the property, less expenses of the sale, shall be paid to the owner from the City Treasury. The City Manager shall not approve any claims filed more than six (6) months after the sale. If the property is transferred to the City, or other governmental agency, in lieu of sale, it may be claimed by the lawful owner thereof at any time within six (6) months from the transfer to the City, or other governmental agency. The Police Chief, in disposing of property in the manner provided in this chapter, shall not be liable to the owner thereof. (Ord. 1544 § 10, 1983)

CHAPTER 2.40

MILWAUKIE REDEVELOPMENT COMMISSION

Sections:

2.40.010 Activation

2.40.010 ACTIVATION

- A. The City Council finds and declares that blighted areas as defined in ORS 457.010 exist in the City and that there is a need for an Urban Renewal Agency to function in the City.
- B. The City Council elects to exercise the powers of the Urban Renewal Agency itself.
- C. The corporate name of the Agency activated by this chapter shall be the "Milwaukie Redevelopment Commission." (Ord. 1623 §§ 1 — 3, 1987)

1.6.

Council Goals

COUNCIL RESOLUTION No. 30-2018**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING COUNCIL GOALS FOR 2018.**

WHEREAS, the Council periodically establishes goals to guide its actions in carrying out the business of the City; and

WHEREAS, in 2017 the Council prioritized three goals to be worked toward during the 2017-2018 Biennium period, which ends on June 30, 2018; and

WHEREAS, the Council believes that these three updated goals continue to be the City's primary objectives and wishes to leave them in place for the remainder of calendar year 2018, through December 31, 2018.

GOAL 1: HOUSING:

WHEREAS, Milwaukie is in a housing state of emergency; and

WHEREAS, the Draft Milwaukie 2040 Vision calls for all residents to have affordable housing; and

WHEREAS, Milwaukie and the Metro Region are currently experiencing record low rental vacancies and extreme housing affordability issues generally, which are causing displacement, disruption of lives and in some cases homelessness.

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the City Manager is hereby directed to take every opportunity to address this housing crisis, including finding and working with partners to add new affordable housing units, and to encourage the private market to develop housing options that are affordable for Milwaukians at every income level and stage of life.

GOAL 2: CLIMATE CHANGE MITIGATION AND RESILIENCE ACTION:

WHEREAS, Climate Change is the single largest threat to the future citizens of Milwaukie; and

WHEREAS, the Draft Milwaukie Vision calls for Milwaukie to become a Net Zero City by the year 2040 as our contribution towards forestalling the worst effects of climate change; and

WHEREAS, the City has initiated the process of drafting and adopting a Climate Action Plan (CAP).

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the City will take aggressive steps to minimize climate change and increase climate-related resilience by implementing, in fiscally appropriate ways, specific actions

identified in the City's Climate Action Plan that provide the greatest impact possible given the city's financial resources.

Be it further Resolved, that in its actions and planning, the City of Milwaukie will strive to be a model for climate change reduction for both its residents and other cities.

GOAL 3: COMPLETION OF MILWAUKIE BAY PARK:

WHEREAS, Milwaukie Bay Park is our most prominent park and remains incomplete; and

WHEREAS, the citizens of Milwaukie called for its completion in the Draft Vision Action Plan.

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the City Manager is hereby directed to work with North Clackamas Parks and Recreation Department (NCPRD) and our Parks and Recreation Board (PARB) to explore potential changes to the current master plan and to prioritize the accumulation of funding necessary to complete Milwaukie Bay Park by 2022.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the following City Council goals are adopted for the remaining months of calendar year 2018:

- Housing Affordability: increase and produce a variety of housing;
- Milwaukie Bay Park; and
- Climate Change Mitigation and Resilience Action.

Introduced and adopted by the City Council on **April 17, 2018**.

This resolution is effective immediately.



Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



Scott Stauffer, City Recorder



City Attorney

COUNCIL RESOLUTION No. 64-2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
ADOPTING THE MAYOR/COUNCIL COMMUNICATION AGREEMENT.**

WHEREAS, open, direct, and positive communication among the Mayor and Councilors and between them and the staff and public is critical to ensuring clear and easily understood public information; and

WHEREAS, open, direct, and positive communication among the Mayor and Councilors and between them and the staff and public is essential to a healthy community debate on issues; and

WHEREAS, the Mayor/Council Communication Agreement as proposed is intended to ensure open public processes that leads to closure.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that:

Section 1: The Mayor/Council Communication Agreement (Exhibit A) is adopted.

Section 2: Resolution 29-2017 adopted February 21, 2017, is repealed.

Section 3: This resolution is effective immediately upon adoption.

Introduced and adopted by the City Council on **August 7, 2018**.

This resolution is effective immediately.

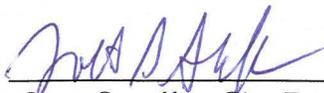


Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

Jordan Ramis PC



Scott Stauffer, City Recorder



City Attorney

1.7.

Mayor/Council
Communication
Agreement

Mayor/Council Communication Agreement

Guaranteed access to clear and easily understood information is a value of the City of Milwaukee. This agreement is intended both to foster conduct that realizes that value, while ensuring a healthy debate about competing ideas. Finally, it seeks closure and a community that moves forward together, secure in the knowledge that decisions were made openly and fairly.

This agreement has one common behavioral thread—mutual respect. Thus, if the list does not anticipate a situation, a response that is respectful of all concerned should suffice.

1. In all City business, in my role as a member of Council, I will:
 - a) demonstrate respect for all who are involved;
 - b) respect all thoughts and ideas and avoid denigrating others;
 - c) clarify facts and opinions to ensure understanding;
 - d) clearly state my own opinion as being mine;
 - e) look for ways to praise worthwhile efforts and accomplishments; and
 - f) stay focused and participate.
2. In working with the Mayor and other Councilors, I will:
 - a) provide prompt notice of items requiring Council action I am introducing at meetings;
 - b) always represent the City's position before other jurisdictions unless none has been adopted, in which case I will inform the Mayor and Council in a timely manner of the position(s) I have taken;
 - c) work toward consensus;
 - d) not publicly (including all internet and written content) criticize Council, individual members of Council, or Council decisions, but may respectfully disagree with a decision; and
 - e) first address a concern about either a violation of these agreements or any other matter in a direct, appropriate, private, and timely manner.
3. In working to seek broad-based community support, I will:
 - a) communicate with the community openly and freely to exchange information and ideas;
 - b) engage the community in a shared dialogue; and
 - c) listen and respond to well-founded and constructive criticism made to, or by, Council or City staff, or citizens.
4. In working with staff, I will:
 - a) provide direction through the City Manager with the concurrence of the Mayor and Council and with respect given to the City's chain of command;
 - b) respect the City's "one-hour" guideline, not requesting work product that takes more than an hour to produce without first securing the support of a majority of Council; and
 - c) never, in any public way, insult or denigrate any staff member, and if I have an unresolved disagreement concerning a staff member's actions, I will bring it to the City Manager.

5. In working with the City Attorney, I will:

- a) respect that the City Attorney represents the city as a whole, and if the council's direction to the City Attorney conflicts with the City Attorney's ethical obligations to the city, the City Attorney must resolve this conflict in favor of the city;
- b) remember that information a Council member shares with the City Attorney is not confidential with respect to other Council members, and the information may be disclosed to the entire Council;
- c) contain my requests for information or assistance to items that can be responded to quickly and will work to secure the support of the majority of Council for items taking more than an hour; and
- d) respect that all responses to legal questions will be sent to the entire Council, in an effort to protect all parties, keep all City Councilors informed, and ensure there is no perception of favoritism.

angel falconer

Council Position No. 1 – Angel Falconer

Lisa M. Batey

Council Position No. 2 – Lisa Batey

Wilda Parks

Council Position No. 3 – Wilda Parks

Shane Abma

Council Position No. 4 – Shane Abma

Mark Gamba

Mayor – Mark Gamba

1.8.

Council Member Role

1.8.1.

*Municipal Law

101

Municipal Law 101

Full Document: <https://www.milwaukieoregon.gov/citycouncil/city-council-online-handbook>

These training materials have been modified from work originally created by Jordan Schrader Ramis PC

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1.8.2.

*Handbook for
Oregon City
Councilors

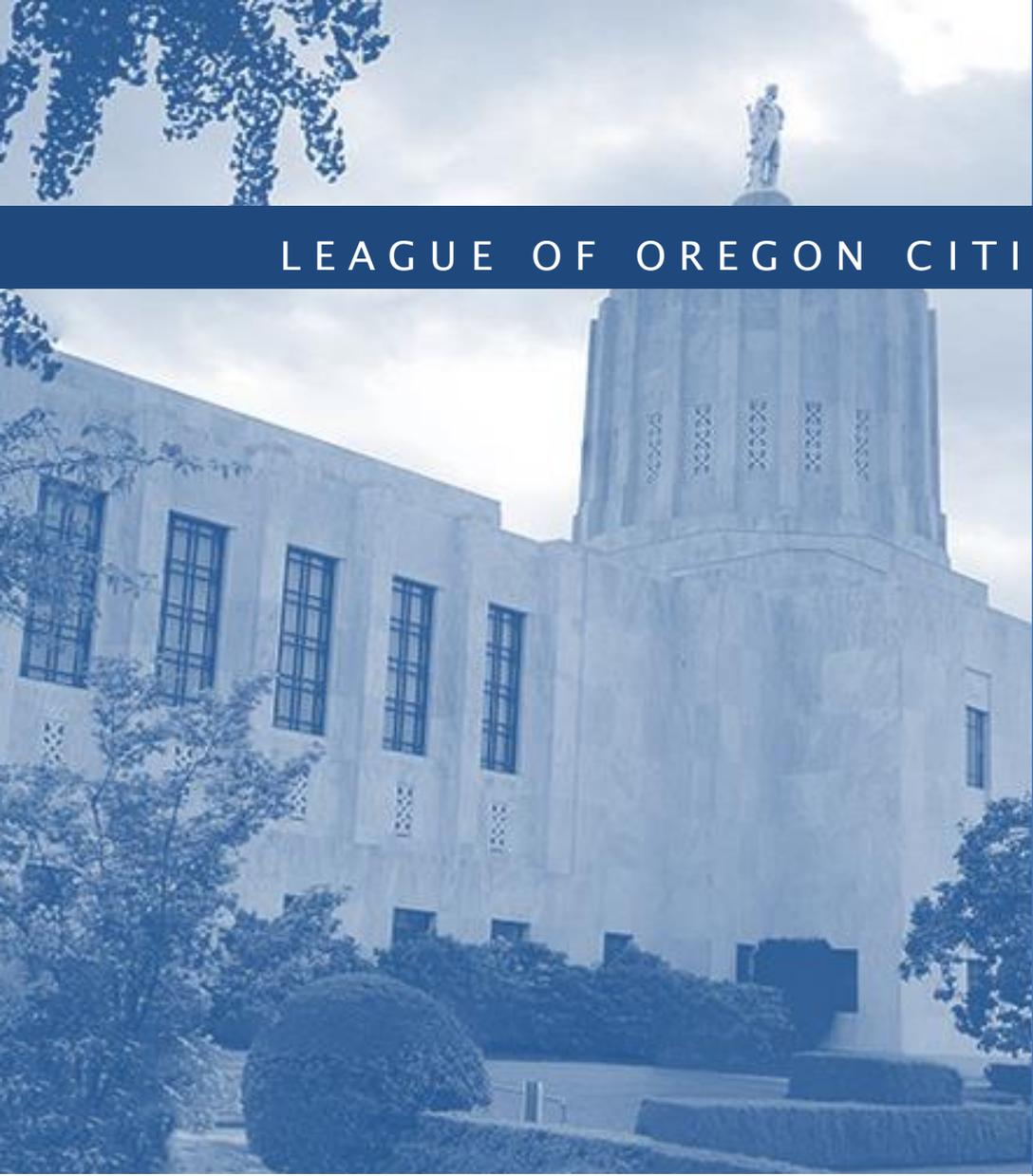
For your convenience:

The League of Oregon Cities City Handbook is available as a PDF via the Milwaukie City Council Online Handbook.

(<http://www.milwaukieoregon.gov/citycouncil/city-council-online-handbook>)

The PDF version contains:

- Clickable navigation (including Table of Contents)
- Embedded links to referenced documents



LEAGUE OF OREGON CITIES

CITY HANDBOOK

May 2013



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1.9.

Public Meetings
Law and
Executive
Sessions

OREGON PUBLIC MEETINGS LAW

192.610 Definitions for ORS 192.610 to 192.690. As used in ORS 192.610 to 192.690:

(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

(2) "Executive session" means any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.

(3) "Governing body" means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(4) "Public body" means the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

(5) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program. "Meeting" also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong. [1973 c.172 §2; 1979 c.644 §1]

192.620 Policy. The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly. [1973 c.172 §1]

192.630 Meetings of governing body to be open to public; location of meetings; accommodation for person with disability; interpreters. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, creed, color, sex, age, national origin or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Department of Human Services or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more such persons to provide interpreter services. [1973 c.172 §3; 1979 c.644 §2; 1989 c.1019 §1; 1995 c.626 §1; 2003 c.14 §95; 2005 c.663 §12; 2007 c.70 §52]

Note: The amendments to 192.630 by section 21, chapter 100, Oregon Laws 2007, are the subject of a referendum petition that may be filed with the Secretary of State not later than September 26, 2007. If the referendum petition is filed with the required number of signatures of electors, chapter 100, Oregon Laws 2007, will be submitted to the people for their approval or rejection at the regular general election held on November 4, 2008. If approved by the people at the general election, chapter 100, Oregon Laws 2007, takes effect December 4, 2008. If the referendum petition is not filed with the Secretary of State or does not contain the required number of signatures of electors, the amendments to 192.630 by section 21, chapter 100, Oregon Laws 2007, take effect January 1, 2008. 192.630, as amended by section 21, chapter 100, Oregon Laws 2007, and including amendments by section 52, chapter 70, Oregon Laws 2007, is set forth for the user's convenience.

192.630. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Department of Human Services or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more qualified interpreters to provide interpreter services.

192.640 Public notice required; special notice for executive sessions, special or emergency meetings. (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

192.650 Recording or written minutes required; content; fees. (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

(a) All members of the governing body present;

(b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;

(c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;

(d) The substance of any discussion on any matter; and

(e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.410 to 192.505.

(4) A public body may charge a person a fee under ORS 192.440 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

(a) To consider the employment of a public officer, employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063, 441.085, 441.087 and 441.990 (3) including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

- (j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.
- (k) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.
- (L) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.
- (m) To discuss information about review or approval of programs relating to the security of any of the following:
 - (A) A nuclear-powered thermal power plant or nuclear installation.
 - (B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.
 - (C) Generation, storage or conveyance of:
 - (i) Electricity;
 - (ii) Gas in liquefied or gaseous form;
 - (iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);
 - (iv) Petroleum products;
 - (v) Sewage; or
 - (vi) Water.
 - (D) Telecommunication systems, including cellular, wireless or radio systems.
 - (E) Data transmissions by whatever means provided.
- (3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.
- (4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board. [1973 c.172 §6; 1975 c.664

§2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134]

Note: The amendments to 192.660 by section 11, chapter 602, Oregon Laws 2007, take effect January 1, 2009. See section 13, chapter 602, Oregon Laws 2007. The text that is effective on and after January 1, 2009, is set forth for the user's convenience.

192.660. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

(a) To consider the employment of a public officer, employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063, 441.085, 441.087 and 441.990 (2) including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.

(L) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.

(m) To discuss information about review or approval of programs relating to the security of any of the following:

(A) A nuclear-powered thermal power plant or nuclear installation.

(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.

(C) Generation, storage or conveyance of:

(i) Electricity;

(ii) Gas in liquefied or gaseous form;

(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

(iv) Petroleum products;

(v) Sewage; or

(vi) Water.

(D) Telecommunication systems, including cellular, wireless or radio systems.

(E) Data transmissions by whatever means provided.

(3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

(4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the

governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board.

192.670 Meetings by means of telephonic or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the governing body of the public body is present. [1973 c.172 §7; 1979 c.361 §1]

192.680 Enforcement of ORS 192.610 to 192.690; effect of violation on validity of decision of governing body; liability of members. (1) A decision made by a governing body of a public body in violation of ORS 192.610 to 192.690 shall be voidable. The decision shall not be voided if the governing body of the public body reinstates the decision while in compliance with ORS 192.610 to 192.690. A decision that is reinstated is effective from the date of its initial adoption.

(2) Any person affected by a decision of a governing body of a public body may commence a suit in the circuit court for the county in which the governing body ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of ORS 192.610 to 192.690, by members of the governing body, or to determine the applicability of ORS 192.610 to 192.690 to matters or decisions of the governing body.

(3) Notwithstanding subsection (1) of this section, if the court finds that the public body made a decision while in violation of ORS 192.610 to 192.690, the court shall void the decision of the governing body if the court finds that the violation was the result of intentional disregard of the law or willful misconduct by a quorum of the members of the governing body, unless other equitable relief is available. The court may order such equitable relief as it deems appropriate in the circumstances. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney fees at trial and on appeal, by the governing body, or public body of which it is a part or to which it reports.

(4) If the court makes a finding that a violation of ORS 192.610 to 192.690 has occurred under subsection (2) of this section and that the violation is the result of willful misconduct by any member or members of the governing body, that member or members shall be jointly and severally liable to the governing body or the public body of which it is a part for the amount paid by the body under subsection (3) of this section.

(5) Any suit brought under subsection (2) of this section must be commenced within 60 days following the date that the decision becomes public record.

(6) The provisions of this section shall be the exclusive remedy for an alleged violation of ORS 192.610 to 192.690. [1973 c.172 §8; 1975 c.664 §3; 1979 c.644 §6; 1981 c.897 §42; 1983 c.453 §2; 1989 c.544 §1]

192.685 Additional enforcement of alleged violations of ORS 192.660. (1) Notwithstanding ORS 192.680, complaints of violations of ORS 192.660 alleged to have been committed by public officials may be made to the Oregon Government Ethics Commission for review and investigation as provided by ORS 244.260 and for possible imposition of civil penalties as provided by ORS 244.350.

(2) The commission may interview witnesses, review minutes and other records and may obtain and consider any other information pertaining to executive sessions of the governing body of a public body for purposes of determining whether a violation of ORS 192.660 occurred. Information related to an executive session conducted for a purpose authorized by ORS 192.660 shall be made available to the Oregon Government Ethics Commission for its investigation but shall be excluded from public disclosure.

(3) If the commission chooses not to pursue a complaint of a violation brought under subsection (1) of this section at any time before conclusion of a contested case hearing, the public official against whom the complaint was brought may be entitled to reimbursement of reasonable costs and attorney fees by the public body to which the official's governing body has authority to make recommendations or for which the official's governing body has authority to make decisions. [1993 c.743 §28]

192.690 Exceptions to ORS 192.610 to 192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530. [1973 c.172 §9; 1975 c.606 §41b; 1977 c.380 §19; 1981 c.354 §3; 1983 c.617 §4; 1987 c.850 §3; 1989 c.6 §18; 1989 c.967 §§12,14; 1991 c.451 §3; 1993 c.18 §33; 1993 c.318 §§3,4; 1995 c.36 §§1,2; 1995 c.162 §§62b,62c; 1999 c.59 §§45a,46a; 1999 c.155 §4; 1999 c.171 §§4,5; 1999 c.291 §§25,26; 2005 c.347 §5; 2005 c.562 §23]

Note: The amendments to 192.690 by section 8, chapter 796, Oregon Laws 2007, take effect January 1, 2009. See section 9, chapter 796, Oregon Laws 2007. The text that is effective on and after January 1, 2009, is set forth for the user's convenience.

192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the Health Professionals Program Supervisory Council established under ORS 677.615, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530.

192.695 Prima facie evidence of violation required of plaintiff. In any suit commenced under ORS 192.680 (2), the plaintiff shall be required to present prima facie evidence of a violation of ORS 192.610 to 192.690 before the governing body shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of ORS 192.610 to 192.690 were complied with shall be on the governing body. [1981 c.892 §97d; 1989 c.544 §3]

Note: 192.695 was added to and made a part of ORS chapter 192 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

192.710 Smoking in public meetings prohibited. (1) No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences.

(2) As used in this section:

(a) "Public meeting" means any regular or special public meeting or hearing of a public body to exercise or advise in the exercise of any power of government in buildings or rooms rented, leased or owned by the State of Oregon or by any county, city or other political subdivision in the state regardless of whether a quorum is present or is required.

(b) "Public body" means the state or any department, agency, board or commission of the state or any county, city or other political subdivision in the state.

(c) "Smoking instrument" means any cigar, cigarette, pipe or other smoking equipment. [1973 c.168 §1; 1979 c.262 §1]

1.10.

Council/Staff
Communications
Policy



Personnel and Administrative Policy and Procedure

SUBJECT: Council/Staff Communications	EFFECTIVE DATE: July 1, 2003 REVIEWED: May 2011 REVISED:
CATEGORY: 100 POLICY NUMBER: 100.1	CROSS REFERENCE: Political Activities 600.5

Purpose: To clarify the city manager's expectations with regard to staff contact with individual Council members.

Objective: The objective is to encourage the free flow of information between Council and staff in order to ensure that the Council receives the information to enable them to discharge their responsibilities.

Policy: The free flow of accurate, constructive, and responsible information will lead to credible results. To that end, Council/staff communications are sanctioned, subject to the following guidelines.

Guidelines for Use

- Council communications are to be initiated by Council members.
- Do not use the opportunity to criticize or otherwise undercut another staff member or City department. (If you have issues or concerns of this nature, the discussion should be between you and your immediate supervisor).
- If a Council member requests that you take action, do not argue about the propriety of taking action based on the request of one Councilor. Rather, acknowledge the request and discuss it with your immediate supervisor. Under no circumstances are you or your staff to discuss either personnel actions (such as disciplinary matters) or collective bargaining.
- “Political” issues should not be discussed nor advice given in one’s role as an employee.
- If asked about a staff recommendation before the Council, answer truthfully but inform the manager and/or staff member making the recommendation in a timely manner. (The purpose is not to hold everyone to a “party line,” but, rather, to ensure that the person(s) making the recommendation is not surprised.)
- Council/staff communications should be reported to one’s supervisor – again to ensure that there are no surprises.

General: The city manager's authority for promulgating these guidelines can be found at Section 27(c)(3) of the Milwaukie Charter as follows:

Shall appoint all city officers and employees and remove them, except as otherwise provided by this charter, and have general supervision and control over them and their work with power to transfer an employee from one department to another and shall exercise supervision and control over the departments to the end of obtaining the utmost efficiency in each of said departments

1.11.

Council Agenda Forecaster

October 4

EVENT (not a noticed meeting)	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME	📄	ACTION
Council Candidate Orientation (confirmed)		Ober	1	60	5:00pm	Y	Discussion

October 9

STAFF REPORT
REVIEW DUE DATES:

Christina and OCR:
(for Attorney/Manager)

9/27

FINAL: 10/1

POSTED: 10/2

SS STUDY SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME	📄	ACTION
Municipal Court Judge Update		Graves/Dennis	1	30	5:15pm	N	Discussion
Social Media Presentation		Imlah/Brooks	2	60	5:45pm	N	Presentation
Board, Commission, Committee (BCC) Roles		Brooks	3	30	6:45pm	Y	Discussion
Adjourn		Gamba	4	0	7:15pm	N	Informational

October 16

STAFF REPORT
REVIEW DUE DATES:

Christina and OCR:
(for Attorney/Manager)

10/4

FINAL: 10/8

POSTED: 10/9

WS WORK SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME	📄	ACTION
Planning Commission Annual Update and Bylaws Review		Egner	1	30	4:00pm	N	JOINT MEETING
DLC Annual Update and Bylaws Review		Kelver	2	30	4:30pm	N	JOINT MEETING
Library Groundbreaking Ceremony		Aman/Newell	3	60	5:00pm	N	EVENT at LIBRARY SITE
RS REGULAR SESSION #2278	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME	📄	ACTION
Outstanding MHS Student		Gelman	2 Special A	10	6:01pm	N	Award
Legislative Agenda		Power/Taylor	2 Special B	60	6:11pm	Y	Discussion
Minutes		OCR	3 Consent A	1	7:11pm	N	Minutes
IGA with Gladstone for ROW Management Services		Crocker	3 Consent B	1	7:12pm	N	Resolution
South Downtown Unit A Contract Award		Eaton	3 Consent C	1	7:13pm	N	Resolution
Continuing Control Agreement with TriMet (tentative)		Flores	3 Consent D	1	7:14pm	N	Resolution
Audience Participation		Gamba/Ober	4 Audience	5?	7:15pm	N	Public Comments
Kronberg Park Project Update		Eaton/Brooks	6 Other A	45	7:20pm	Y	Discussion
South Downtown Plaza Design		Eaton/Garbely	6 Other B	30	8:05pm	Y	Discussion
Plain Language Drafting – MMC and Official Documents Text		Gericke/OCR	6 Other C	30	8:35pm	Y	Discussion
Opposition to Measure 105		Falconer	6 Other D	5	9:05pm	N	Resolution
Information and Adjourn		Gamba	7 & 8	5	9:10pm	N	Informational
192.660(2)(i) Performance Evaluation of a Public Officer...		Rebello	After RS	30	9:15pm	N	EXECUTIVE SESSION

November 6		STAFF REPORT <u>REVIEW DUE DATES:</u>		Christina and OCR: (for Attorney/Manager) 10/25		FINAL: 10/29		POSTED: 10/30
WS WORK SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Contracts Requiring Council Approval		Tucker	1	15	4:00pm	N	Discussion	
			2		4:15pm			
KGNC Annual Update and Bylaws Review		Passarelli	3	30	5:00pm	N	JOINT MEETING	
RS REGULAR SESSION #2279	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
NOTE: this is ELECTION NIGHT and the agenda will be kept short.								
Outstanding MHS Student		Gelman	2 Special A	10	6:01pm	N	Award	
Veterans Day		Legion	2 Special B	5	6:11pm	N	Proclamation	
Minutes		OCR	3 Consent A	1	6:16pm	N	Minutes	
Kronberg Park Path Contract Award (tentative)		Eaton	3 Consent B	1	6:17pm	N	Resolution	
Guaranteed Maximum Price Contract of Library Project (tentative)		Aman	3 Consent B	1	6:18pm	N	Resolution	
Audience Participation		Gamba/Ober	4 Audience	5?		N	Public Comments	
Information and Adjourn		Gamba	7 & 8	5		N	Informational	

November 13		STAFF REPORT <u>REVIEW DUE DATES:</u>		Christina and OCR: (for Attorney/Manager) 11/1		FINAL: 11/5		POSTED: 11/6
SS STUDY SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Tree Board Annual Update and Bylaws Review		Passarelli	1	30	5:15pm	Y	JOINT MEETING	
			2		5:45pm			
Adjourn		Gamba		0		N	Informational	

November 19		STAFF REPORT <u>REVIEW DUE DATES:</u>		Christina and OCR: (for Attorney/Manager) 11/6		FINAL: 11/9		POSTED: 11/12
BC BUDGET COMMITTEE	SUBJECT	ORDER	PRESENTER(s)	TIME	LAPTOP	ACTION		
Budget Committee Quarterly Meeting		5:30pm	Dennis					

November 20		STAFF REPORT REVIEW DUE DATES:		Christina and OCR: (for Attorney/Manager) 11/8		FINAL: 11/12		POSTED: 11/13
WS WORK SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
	Tree Code	Passarelli	1	60	4:00pm	Y	Discussion	
	PARB Annual Update and Bylaws Review	Brooks	2	30	5:00pm	N	JOINT MEETING	
RS REGULAR SESSION #2280	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
	Minutes	OCR	3 Consent A	1	6:01pm	N	Minutes	
	Guaranteed Maximum Price Contract of Library Project (tentative)	Aman	3 Consent B	1	6:02pm	N	Resolution	
	Audience Participation	Gamba/Ober	4 Audience	5?	6:07pm	N	Public Comments	
	Housekeeping Amendments #3	Kolias	5 Hearing A	30	6:37pm	Y	Ordinance	
	Legislative Session Preparation	Brooks	6 Other A	30	7:07pm	Y	Discussion	
	Information and Adjourn	Gamba	7 & 8	5	7:12pm	N	Informational	
MRC Meeting	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
	Minutes	OCR	2 Minutes	1	7:17pm	N	Minutes	
	Set Priorities	Flores	3 Business	60	7:18pm	Y	Resolution	
	Information and Adjourn	Gamba	4 & 5	0	8:18pm	N	Informational	

December 2		STAFF REPORT REVIEW DUE DATES:		Christina and OCR: (for Attorney/Manager) 11/19		FINAL: 11/21		POSTED: 11/26
CD COUNCIL DINNER	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
	Dinner at Councilor Parks or Abma's Home (TBD)	Council	1	120	5:30pm	N	Social Dinner	

December 4		STAFF REPORT REVIEW DUE DATES:		Christina and OCR: (for Attorney/Manager) 11/22		FINAL: 11/26		POSTED: 11/27
WS WORK SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Council Goal Update: Milwaukie Bay Park		Brooks	1	30	4:00pm	Y	Report	
			2		4:30pm			
			3					
RS REGULAR SESSION #2281	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Christmas Ships		Xmas Ships	2 Special A	5	6:01pm	N	Proclamation	
Minutes		OCR	3 Consent A	1	6:06pm	N	Minutes	
Library Project Guaranteed Maximum Price (GMP) Contract (tentative)		Aman	3 Consent B	1	6:07pm	N	Resolution	
Audience Participation		Gamba/Ober	4 Audience	5?	6:08pm	N	Public Comments	
Supplemental Budget Adoption		Dennis	5 Hearing A	15		Y	Resolution	
Extending the Housing Emergency (annual renewal)		Levitan	6 Other A	5		N	Resolution	
Maintaining Renter Protection Measures (annual renewal)		Levitan	6 Other B	5		N	Resolution	
Information and Adjourn		Gamba	7 & 8	5		N	Informational	

December 11		STAFF REPORT REVIEW DUE DATES:		Christina and OCR: (for Attorney/Manager) 11/29		FINAL: 12/3		POSTED: 12/4
SS STUDY SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
DMBA Quarterly Update		Keehner/Aman	1	30	5:15pm	N	Discussion	
Adjourn		Gamba	2	0	5:45pm	N	Informational	

December 18		STAFF REPORT REVIEW DUE DATES:		Christina and OCR: (for Attorney/Manager) 12/6		FINAL: 12/10		POSTED: 12/11
WS WORK SESSION	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Council Goal Update: Housing Affordability		Flores	1	30	4:00pm	Y	Report	
RS REGULAR SESSION #2282	SUBJECT	PRESENTER(s)	ORDER	MINs	TIME		ACTION	
Outstanding MHS Student		Gelman	2 Special A	10	6:01pm	N	Award	
Minutes		OCR	3 Consent A	1	6:06pm	N	Minutes	
Audience Participation		Gamba/Ober	4 Audience	5?		N	Public Comments	
Retiring Councilor(s) Recognition...		Gamba	6 Other (last)	10		N	Informational	
Information and Adjourn		Gamba	7 & 8	5		N	Informational	

1.12.

The Organization

1.12.1.

Department Missions and Functions

CITY MANAGER

MISSION STATEMENT

To efficiently and effectively manage all City operations

PURPOSE AND FUNCTION

The Milwaukie City Charter, Section 27, generally defines the function of the City Manager as being "the administrative head of the government of the City". The Charter specifically defines the powers and duties as:

Advise the Council of the affairs and needs of the City.

- Ensure that all ordinances are enforced and that the provisions of the franchises, leases, contracts, permits, and privileges granted by the City are fully observed.
- Appointment and removal of all City officers and employees and general supervision and control over them and their work.
- Act as purchasing agent and budget officer for the City.
- Control all public utilities owned and operating by the City, and general supervision over all City property.
- Other duties required by the Charter or City Council.

DUTIES OF CITY MANAGER'S OFFICE

- Public information/communication
- Neighborhood involvement
- Special/event coordination
- Oversight of Parks/Recreation services
- Management of the Integrated Transportation program and Engineering Division

COMMUNITY DEVELOPMENT

MISSION STATEMENT

The mission of the Community Development Department, in partnership and communication with residents, businesses, non-profits, and schools the Community Development Department is dedicated to improving the health and safety of all residents, businesses, and visitors while maintaining high standards for development, redevelopment, and infrastructure projects.

PURPOSE AND FUNCTION

The Community Development Department oversees and supports the City's Building Inspections, Economic Development, and Planning Departments. The Community Development Department Director is responsible for serving the public's interest in:

- Guiding how land and structures in Milwaukie are developed and served by infrastructure;
- Overseeing the developments and partnerships for enhanced economic development activities;
- Partnership development with state, regional, county, and local non-profit partners to address growth issues and regionally significant transportation projects;
- Proactive participation in community development activities that support and implement the City's 20-year vision and comprehensive plan;
- Facilitating community involvement that is inclusive to all people of diverse backgrounds, gender, socio-economic classes, race, ethnicity, disability, language, and cultures;
- Encouraging and partnering in the development of quality housing choices for residents of all income levels and need;
- Promoting a walkable, pedestrian, and bicycle-friendly City with complete streets, trails, and connections between neighborhoods, and community focal points;
- Providing opportunities for the community to be better prepared for emergencies;
- Promoting Milwaukie as a progressive, opportunity-rich city in the greater Portland Metropolitan region;
- Targeting brownfield opportunities, participating in the Brownfields Coalition, and sharing resources for the McLoughlin Corridor EPA Brownfields Grant;
- Capitalize on opportunities through bold and creative economic development strategies;
- Recruit and retain businesses to ensure a dynamic, diversified employment base;
- Nurture entrepreneurship and foster successful partnerships with businesses and community leaders;
- Leverage public/private resources to focus development on economic centers;
- Foster development of vibrant, sustainable, attractive, mixed-use neighborhoods in downtown and in key commercial centers and corridors throughout the city;
- Uphold a high standard of design and property maintenance;

- Advocate Milwaukie's interests through state and federal lobbying efforts, regional partnerships and other organizations;
- Pursue transportation and other improvements and services that improve quality of life;
- Balance development with environmental protection;
- Build connections with ALL communities that reflect the breadth and richness of the diversity in our City;
- Provide critical and relevant information on a timely basis and facilitate two-way dialogue between City government and the community;
- Plan and develop quality services, infrastructure, and amenities;
- Develop and maintain collaborative partnerships and investment strategies that improve services; and
- Respond to growing service demands through partnerships, innovation, and outcome management.

ENGINEERING

MISSION STATEMENT

The mission of the Engineering Services Department is to deliver high quality capital improvement projects, support development of the City through the development of standards, and implementation of City policies within the public right-of-way and other public facilities. Ensure that the needs of the community, especially long-term needs, are provided for at the lowest cost to ratepayers.

PURPOSE AND FUNCTION

The primary purpose of the Engineering Services Department is to manage the Capital Improvement Program (CIP) for the City's utility and transportation systems.

- The CIP is implemented through a 6-year Capital Improvement Plan that is updated with the budget. The Plan provides for the timely construction of projects needed to maintain facilities, utilities and transportation systems within the City. The Engineering Services Department does this by scheduling projects with consideration of available funding and need, providing engineering assistance to the Public Works Department, and overseeing the design and construction of all improvements within the public right-of-way (ROW). Guidance for the CIP is provided by adopted master plans and other projects approved by the City Council;
- Engineering is also responsible to manage the City's public rights-of-way. This involves administration of the permitting program for all work within the ROW. Including providing support to planning and building by the review of land use application and building permits to define the needed public utility and street improvements within the public ROW and other public facilities; and
- Engineering is currently in the process of implementing the new Safe Access For Everyone (SAFE) program which will construct 57 miles of sidewalks, trails, and bike paths totaling \$51 million over the next 25 years. The Council adopted program includes provisions for six full-time equivalents to pursue completion within nine years.

FINANCE

MISSION STATEMENT

Our mission is to ensure the fiscal integrity of the financial operations of the City.

PURPOSE AND FUNCTION

Below are the processes that Milwaukie Finance focuses on throughout the year:

- Audit Preparation and Reconciliation
- Budget Process and Monitoring
- Five-Year Forecast and Strategic Planning
- Accounts Payable, Accounts Receivable,
- Business Registration and Downtown Parking Administration
- Payroll
- Purchasing Contracts (Public Contracting Rules) and Purchase Card Administration
- Utility Billing
- Banking, Cash Flow and Investment Management
- Investment Management
- Debt Management
- Risk and Liability Insurance Management
- Internal Controls and Policies
- Capital Assets and Project Tracking

HUMAN RESOURCES

MISSION STATEMENT

The Department is a strategic partner with City management, employees and labor to enhance the engagement and effectiveness of the organization. The Department is focused on delivering exceptional service and quality products in a manner which promotes mutual respect and enhances the organization as a great place to work.

PURPOSE AND FUNCTION

- The Human Resources Department is responsible for providing a full-range of human resources services to the City to include:
 - Provide leadership and act as a resource to the organization in all aspects of human resources management.
 - Develop and administer recruitment and selection methods to enable the City to acquire, develop and retain a skilled, diverse and service oriented workforce.
 - Provide leadership to create and maintain cooperative labor/management relations with the City's represented employees; negotiate labor contracts and oversee administration and interpretation of labor contracts.
 - Develop and maintain the City's classification and compensation system.
 - Develop and implement human resource policies and procedures consistent with applicable law.
 - Deliver organizational and employee development programs and employee training.
 - Facilitate communication and aid in problem solving and conflict resolution; investigate and resolve employee grievances and claims.
 - Ensure managers and supervisors are trained in performance coaching and performance coaching is being practiced.
 - Serve as a resource on the administration of employee benefits and communicate benefit information to all eligible employees; manage the worker's compensation program.

INFORMATION TECHNOLOGY (IT)

MISSION STATEMENT

The mission of the IT department includes the following:

- Safeguard information assets
- Procure, deploy, and manage enterprise hardware devices and software applications
- Provide reliable daily operations of infrastructure, networks, and enterprise systems
- Implement technology upgrades as needed by departments serving the City.

PURPOSE AND FUNCTION

- *Centralized Help Desk* for users to report operational problems that require repair
- *Infrastructure technical support* to provide reliable ongoing operations of networks, servers, platforms, and communication devices
- *Asset management* by means of specification, procurement, deployment, and administration of computer assets used by City employees.

LIBRARY SERVICES

MISSION STATEMENT

The Ledding Library of Milwaukie upholds the principles of intellectual freedom and the public's right to know by providing people of all ages with access and personalized guidance to information technology and collections that reflect all points of view. The Library supports pursuit of education and personal goals by providing informational, recreational, and cultural materials and services including those utilizing advancing technologies.

PURPOSE AND FUNCTION

- Service to the community by providing reference and readers' advisory to access the collection; interlibrary loan; outreach to the homebound, Head Start, schools, and daycare providers.
- Service to children and teens to stimulate their appreciation for reading and providing support for their educational growth.
- Programming for all ages including preschool and toddler story times; programs for homeschooling families; book clubs for middle school students and adults; summer reading programs for children, teens and adults; music concerts; special performers and storytellers during the summer and school vacations for school aged children; poetry series and workshops; cultural forum series.
- Providing a collection that meets the demands and needs of the entire community.
- Providing electronic resources to access the internet and word processing; on-line reference databases; eBook/Library2Go instruction classes; AWE computers with educational games for children; computer use instruction for patrons.

MUNICIPAL COURT

MISSION STATEMENT

The Milwaukie Municipal Court is the judicial branch of the City government. Its mission is to provide a fair and impartial local forum for the resolution of minor traffic violations, parking citations, minors in possession of tobacco, and violations of City ordinances.

PURPOSE AND FUNCTION

- Administers court proceedings and docketing
- Respond to questions about the court schedule, bail amounts, and other administrative matters but does not give legal advice
- Administers truancy court
- Coordinates court matters with defendants, the judge, city prosecutor, finance, code compliance, police department, and other criminal justice and state agencies

PLANNING

MISSION STATEMENT

The mission of the Planning Department is to:

- Advance the community's vision of Milwaukie as a livable city, in collaboration with other City departments, residents and stakeholders;
- Provide timely, reliable information and assistance to customers;
- Facilitate and coordinate projects and discussions to arrive at community solutions and completion of projects; and
- Promote safety, livability and vitality through high quality development review and long-range planning services.

PURPOSE AND FUNCTION

- Support City Council, Planning Commission, the Design & Landmarks Committee, and other council appointed planning committees in achieving the community's vision;
- Administer City Zoning, Sign, and Land Division Ordinances, and state and federal laws regulating development within the city;
- Complete projects required for the City to comply with the Metro Urban;
- Growth Management Functional Plan and the Regional Transportation Plan;
- Provide information to customers about the City's regulations and development process and assist applicants as they refine the scope of their projects and with the permitting process;
- Support the Community Development Director in economic development, community enhancement, and capital improvement projects; and
- Promote livability and protect property and natural resources by seeking compliance with City regulations.

POLICE

MISSION STATEMENT

It is the Milwaukie Police Department's Mission to protect life and property and treat all citizens with respect and dignity. We strive to maintain and enhance community livability by implementing problem solving partnerships, actively educate the community to be safe and to maintain a public safety environment where integrity and high standards of professionalism prevail.

PURPOSE AND FUNCTION

The main functions of the Police Department are to:

- Respond to calls for service
- Traffic enforcement/investigation
- Criminal investigation
- Follow-up detective investigations
- Property room management
- Major crime investigations
- State and federal task force operations and support
- Preserve our neighborhoods through code compliance and nuisance abatement

PUBLIC WORKS

MISSION STATEMENT

The mission of the Public Works Department is to oversee the development, manage the operations and maintenance of the City's infrastructure and utility systems, oversees the City's Climate Action Plan and facilitates inter-departmental collaboration to support City Climate Action Plan goals and efforts. Public Works is entrusted with these responsibilities in partnership with the citizens, customers and system users for the benefit, welfare and safety of the community and the environment

PURPOSE AND FUNCTION

The Public Works Department provides management and administrative support for four utility divisions: Water, Wastewater, Storm, and Transportation; and the Fleet and Facilities divisions.

The Public Works Department carries out the following functions:

- Management, budgeting and financial oversight of the four utility divisions and the Fleet and Facilities divisions;
- Climate Action Plan Management and Implementation;
- Management of Milwaukie's Urban Forest
- Asset Management;
- Work Order management;
- GIS data maintenance; and
- City Emergency Management (alternating lead with the Police Department).

PUBLIC WORKS– FLEET SERVICES

MISSION STATEMENT

The mission of the Fleet Services Department is to recommend, purchase, and repair City vehicles and equipment to ensure the health and safety of our residents, and keep critical Police and Public Works vehicles performing. The Fleet Division maintains and repairs City vehicles and equipment to: maximize their economic service life, ensure the lowest lifetime maintenance and repair, produce the lowest environmental costs, and minimize vehicle and equipment downtime. The Fleet Department performs continual analysis of our Fleet to minimized both monetary and environmental costs while providing effective, well maintained vehicles.

PURPOSE AND FUNCTION

The Fleet Services Department provides the following functions:

- Vehicle and equipment maintenance and repair including technical, specialty, motorized, and heavy equipment;
- Operate and staff an organized full service shop providing timely repair and scheduled preventative maintenance for the City's fleet (approximately 100 vehicles and 140 pieces of equipment);
- Contract to provide fleet maintenance for the smaller vehicle fleets of Clackamas River Water (CRW) and Sunrise Water Authority (SWA), (about 60 vehicles and equipment total) on an as-requested basis and as City workload allows;
- Oversee specialty contract repair and maintenance such as bodywork, electrical, and software;
- Organize and analyze usage data to facilitate purchasing of new vehicles, software, and equipment; and
- Surplus City vehicles in a timely fashion

PUBLIC WORKS - FACILITIES

MISSION STATEMENT

The mission of the Facilities Department is to maintain and improve all City-owned buildings and properties. The Facilities Department shall assess condition, budget, plan and prioritize projects in a manner that not only demonstrates effective stewardship of public resources, but also supports greater City goals and vision. The Facilities Department demonstrates clear, professional communication, stellar customer service, timeliness and efficiency.

PURPOSE AND FUNCTION

The Department's purpose is to:

- Maintain, repair, construct, as well as oversee the remodeling and repair of buildings and properties;
- Create contracts and Manage Contractors for issues ranging from roof replacement to alarm systems;
- Recommend, scope, and manage CIP projects and funds;
- Make recommendations and decisions that lead to greater energy efficiency (from HVAC set points to new boilers and increased insulation);
- Align decisions with and pursue greater City goals. The Facilities division participates in Energy Trust's Strategic Energy Management Program to reduce energy use. Staff monitors and report on energy use, trends and opportunities;
- Perform preventive maintenance activities that ensure building and property systems are functioning properly to protect and preserve City assets;
- Provide comfortable, secure, clean and professionally maintained work areas for city employees;
- Respond promptly and professionally to service requests for heating, cooling, carpentry, painting, repair, electrical, moving, office reconfigurations, remodeling, plumbing, security, and cleaning issues;
- Provide 24/7 on-call service 365 days a year; and
- Perform general contracting work for repair and capital project completion including heating, cooling, ventilation, architectural, structural, landscaping, irrigation, painting, cleaning, electrical, plumbing, remodeling, and office reconfigurations.

PUBLIC WORKS - TRANSPORTATION

MISSION STATEMENT

The mission of the Transportation Department is to maintain and enhance the City's transportation infrastructure providing safe traveling conditions for pedestrians, bike, and vehicular travel.

PURPOSE AND FUNCTION OF DEPARTMENT

The purpose and function of the State Gas Tax program:

- To maintain the street network including pavement, signs, pavement markings, and signals. The street sweeping duties have been moved entirely to the stormwater budget since FY 16.
- The purpose and function of the Street Surface Maintenance Program (SSMP):
 - The Program provides for the capital needs of maintaining the street network. The program began in 2007 and has paved a large portion of the arterials and collectors in the City. Council revised the program to include residential streets in 2017 with the goal to upgrade the pavement condition by a measurable amount by the most cost-effective method throughout the City.
- The purpose and function of the Safe Access for Everyone Program (SAFE):
- The Program provides for the capital needs of the pedestrian and bicycle infrastructure and was developed to provide for a dedicated funding source to implement the Public R/W ADA transition plan and the Bicycle and Pedestrian Accessibility Plan. The fund was also identified as a supporting funding source to the SSMP program by being able to provide some funding of the mandatory ADA upgrades that accompany the SSMP program. The program began in 2017 and will construct infrastructure over 40% of the cities roadways. The goal is to implement the entire program within 25 years.

PUBLIC WORKS - STORMWATER

MISSION STATEMENT

The mission of the Stormwater Department is to provide for the effective management and financing of the stormwater system within the City's public Right-of-Way. The mission of the Stormwater Department is to protect the health, safety and welfare of the public by providing for the safe, efficient capture and conveyance of stormwater runoff; the correction of stormwater problems by designing, constructing, managing, operating, maintaining, inspecting, sweeping and enforcement of the City's stormwater rules and regulations.

PURPOSE AND FUNCTION OF DEPARTMENT

The Stormwater Department ensures that all:

- Maintenance work is done in compliance with its National Pollutant Discharge Elimination System (NPDES) permit;
- Permit for the storm system in general and the Water Pollution Control Facility (WPCF);
- Permit for Underground Injection Control (UIC) components such as drywells;
- Provides an ongoing education program for its employees to keep up with the evolving technology, rules and regulations;
- Manage 41 miles of storm main lines, 1603 catch basins, 210 drywells, 122 sedimentation manholes, 539 manholes, 5 detention ponds, and 46 Rain gardens; and
- Sweep city streets to maintain compliance with National Pollutant Discharge Elimination System (NPDES) permit, 1,128 lane miles swept in 2017.

PUBLIC WORKS - WASTEWATER

MISSION STATEMENT

The mission of the Wastewater Department is to provide for the effective management and financing of the wastewater collections system within the public Right-of-Way. The goal is to provide wastewater collection, pumping and collect revenue for treatment services to the residents, while protecting the environment and eliminating sanitary sewer overflows.

PURPOSE AND FUNCTION OF DEPARTMENT

The Wastewater Department is responsible to:

- Operating and maintaining the City's wastewater collections infrastructure efficiently and at the least cost to customers;
- Maintain 79 miles of public sanitary sewers, 5 sewer lift stations, and 1,692 manholes; and
- Provide an Environmental Services Coordinator to oversee and enforce the FOG (Fats, Oils and Grease) program that helps eliminate the amount of fats, oils, and grease in the wastewater collections system.

PUBLIC WORKS - WATER

MISSION STATEMENT

The mission of the Water Department is to provide the residents with safe drinking water, water for fire protection, and an adequate supply of water for essential daily needs. This is done by following stringent State and Federal distribution guidelines, such as the Safe Drinking Water Act originally passed by Congress in 1974.

PURPOSE AND FUNCTION OF DEPARTMENT

- Provide the City's residents with water that meets or exceeds all Federal and State water quality requirements;
- Maintain the water system infrastructure; and
- Provide staff with education needed to stay current with changing technology, rules and regulations.

OFFICE OF THE CITY RECORDER (OCR)

MISSION STATEMENT

The Office of the City Recorder (OCR) supports the City Council, administers the City's records management program, and coordinates City elections. The OCR is responsible for ensuring that all of Oregon's public meeting and records laws are enforced in a timely and efficient manner. In addition, the OCR supports the City administration and has the privilege of working with community partners to promote Milwaukie's unique heritage.

PURPOSE AND FUNCTION

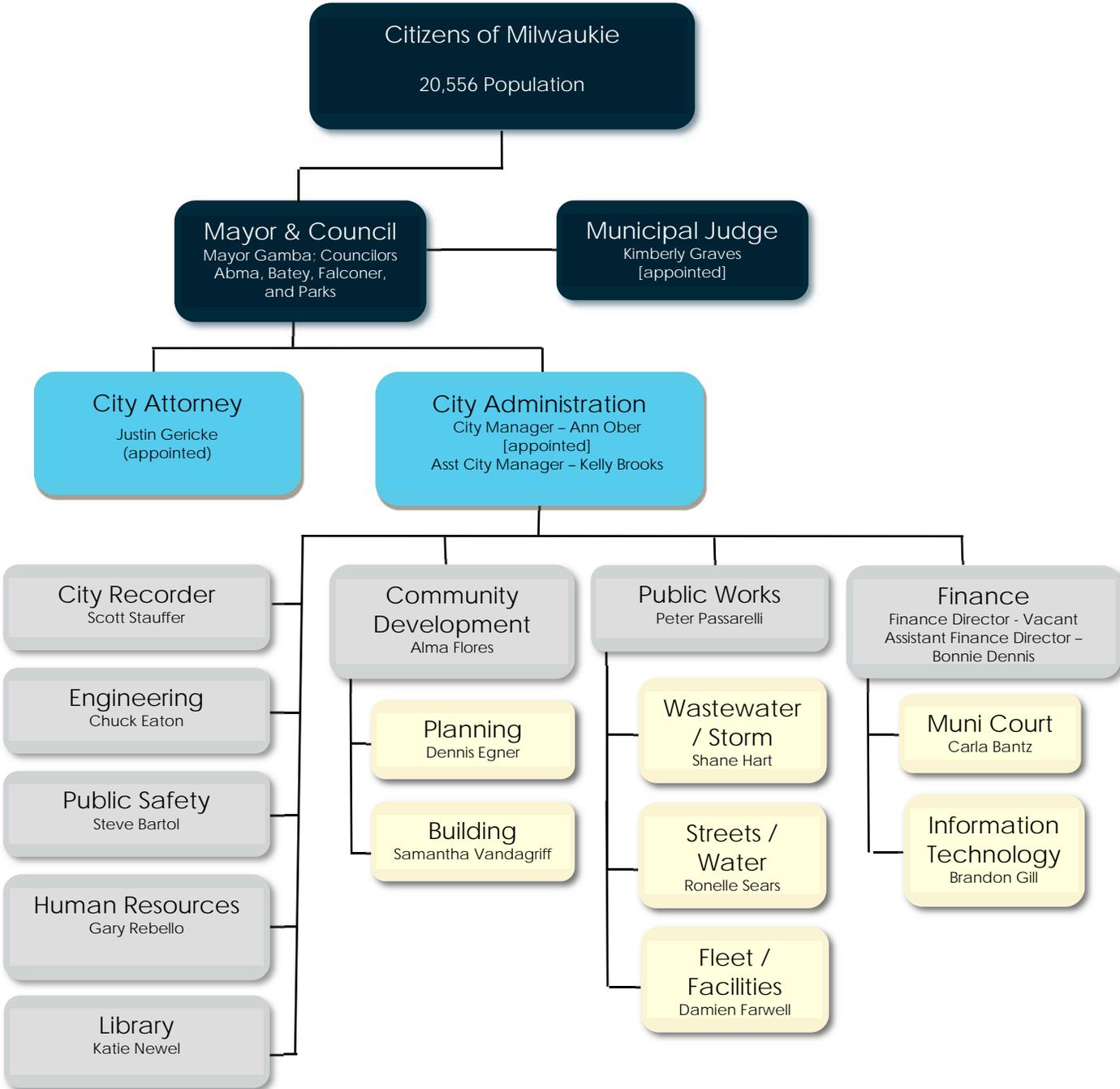
- Supporting the administrative needs of the City Council, its advisory boards, and constituents by maintaining access to information as it relates to the legislative process.
 - Supporting Oregon's open decision-making policies and statutes through the publication and distribution of meeting times and locations, relevant documentation, and preparation and maintenance of agendas, minutes, and supporting documentation.
 - Administering the City's regular standing board, commission, and committee (BCC) recruitment and appointment processes; this does not include ad hoc, special purpose, or short-term project advisory groups, which are administered by other departments.
- Administering the City's records management program so that operational goals are met by making information readily available for prompt and cost-effective delivery.
 - Using technology and best practices to enhance access to information.
 - Providing access to City records in as many mediums as possible while maintaining the City's electronic storage and retrieval systems.
- Administering municipal elections by accepting and verifying filing materials, preparing and submitting proposed ballot titles, providing forms and information to the public, publishing election notices, and certifying election results.
- Working with community partners to promote Milwaukie's heritage by collaborating on special events and making historic documents available to the public.

1.12.2.

Organizational Chart

CITY OF MILWAUKIE, OREGON

Organizational Chart



1.12.3.

Department
Heads Contact
Information &
Photos

Department Heads: Contact Information

NAME	DEPARTMENT	CELL	WORK PHONE	OFFICE LOCATION
Ann Ober	City Manager	503-753-6608	503-786-7501	City Hall
Kelly Brooks	City Manager	503-752-2130	503-786-7573	City Hall
Alma Flores	Community Development	503-729-2802	503-786-7652	Johnson Creek Building
Chuck Eaton	Engineering		503-786-7605	Johnson Creek Building
Bonnie Dennis	Finance (Municipal Court)		503-786-7505	City Hall
Gary Rebello	Human Resources	971-998-0099	503-786-7506	City Hall
Brandon Gill	Information Technology (IT)	503-683-1153	503-786-7404	Public Safety Building
Katie Newell	Library	No Cell	503-786-7584	Leading Library
Denny Egner	Planning	503-453-5251	503-786-7654	Johnson Creek Building
Steve Bartol	Police	971-563-6080	503-786-7416	Public Safety Building
Peter Passarelli	Public Works (Fleet & Facilities)	217-418-2950	503 786-7614	Public Works Building
Scott Stauffer	Records and Information Management	971-322-7378	503-786-7502	City Hall
Justin Gericke	City Attorney	971-221-6423	503-786-7529	City Hall



Ann Ober
City Manager
503.786.7501

OberA@mitwaukieoregon.gov



Kelly Brooks
Assistant City Manager
503.786.7573

BrooksK@mitwaukieoregon.gov



Alma Flores
Community Development
Director
503.786.7652

FloresA@mitwaukieoregon.gov



Bonnie Dennis
~~Assistant~~ Finance Director
503.786.7505

DennisB@mitwaukieoregon.gov



Gary Rebello
- Human Resources Director
503.786.7506

RebelloG@mitwaukieoregon.gov



Brandon Gill
IT Manager
503.786.7404

GillB@mitwaukieoregon.gov



Katie Newell
Library Director
503.786.7584

NewellK@mitwaukieoregon.gov



Denny Egner
Planning Director
503.786.7654

EgnerD@mitwaukieoregon.gov



Steve Bartol
Police Chief
503.786.7416

BartolS@mitwaukieoregon.gov



Peter Passarelli
Public Works Director
503.786.7614

PassarelliP@mitwaukieoregon.gov

v



Scott Stauffer
City Recorder
503.786.7519

StaufferS@mitwaukieoregon.gov



Damien Farwell
Fleet & Facilities Supervisor
503.786.7621

FarwellD@mitwaukieoregon.gov

2. City Maps

2.1.

General City Map



CITY OF MILWAUKIE

City of Milwaukie General Handout

-  City of Milwaukie
-  City Hall
-  Ledding Library
-  Milwaukie Center
-  Post Office
-  Providence Hospital
-  Public Safety Bldg
-  Public Works & Community Development
-  County Boundary
-  City of Portland

City Hall
10722 SE Main Street
503.786.7555

Public Safety
3200 SE Harrison Street
503.786.7400

Public Works
6101 SE Johnson Creek Blvd.
503.786.7600

Frequently Requested Numbers:

- City Recorder (503) 786.7502
- Code Enforcement (503) 786.7564
- Municipal Court (503) 786.7530
- Human Resources (503) 786.7507
- Ledding Library (503) 786.7580
- Mayor's Office (503) 786.7510
- Utility Billing (503) 786.7525
- City Manager (503) 786.7501

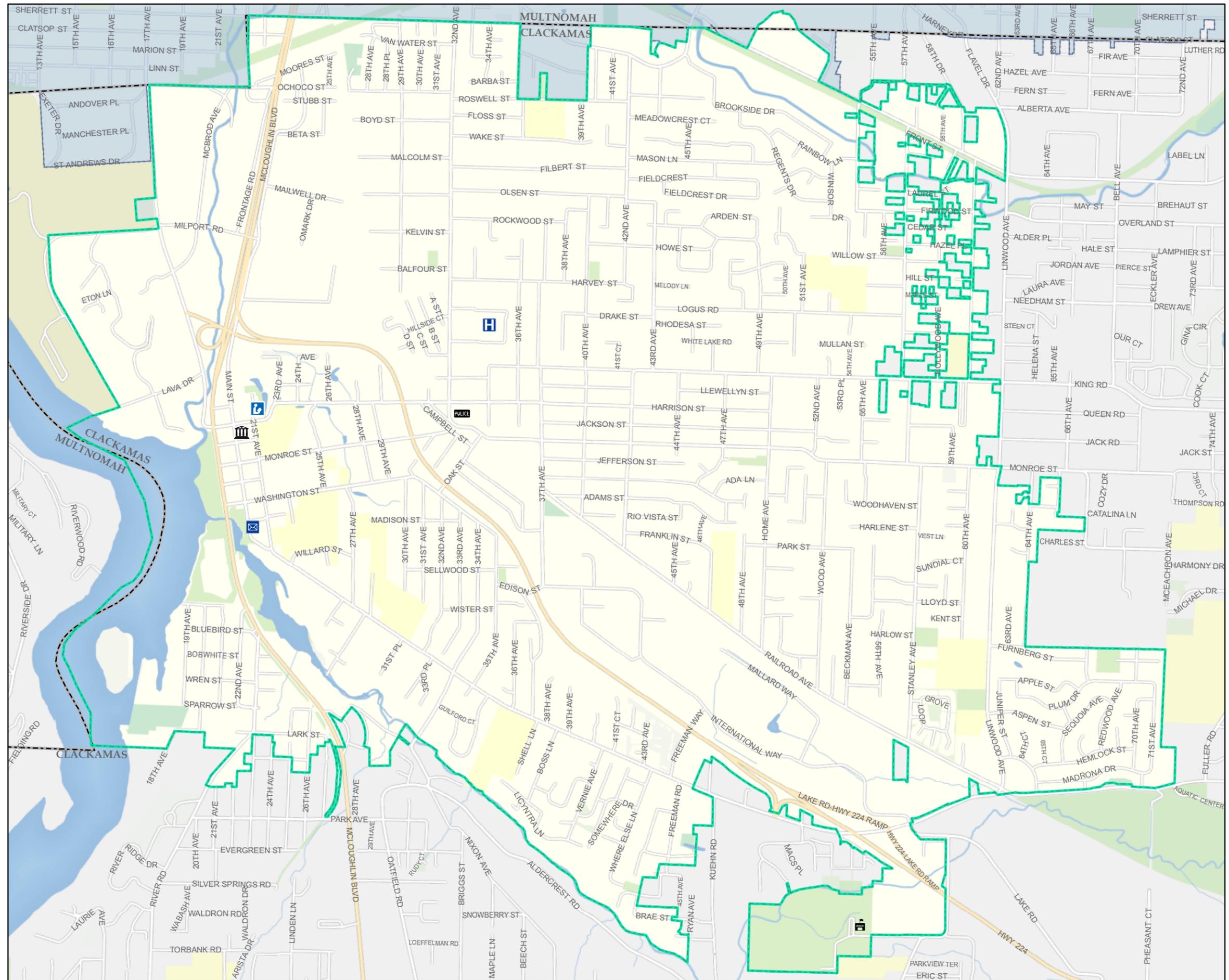
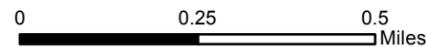


Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center

Date: Wednesday, April 25, 2018

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GIS Coordinator
City of Milwaukie
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206
(503) 786-7498



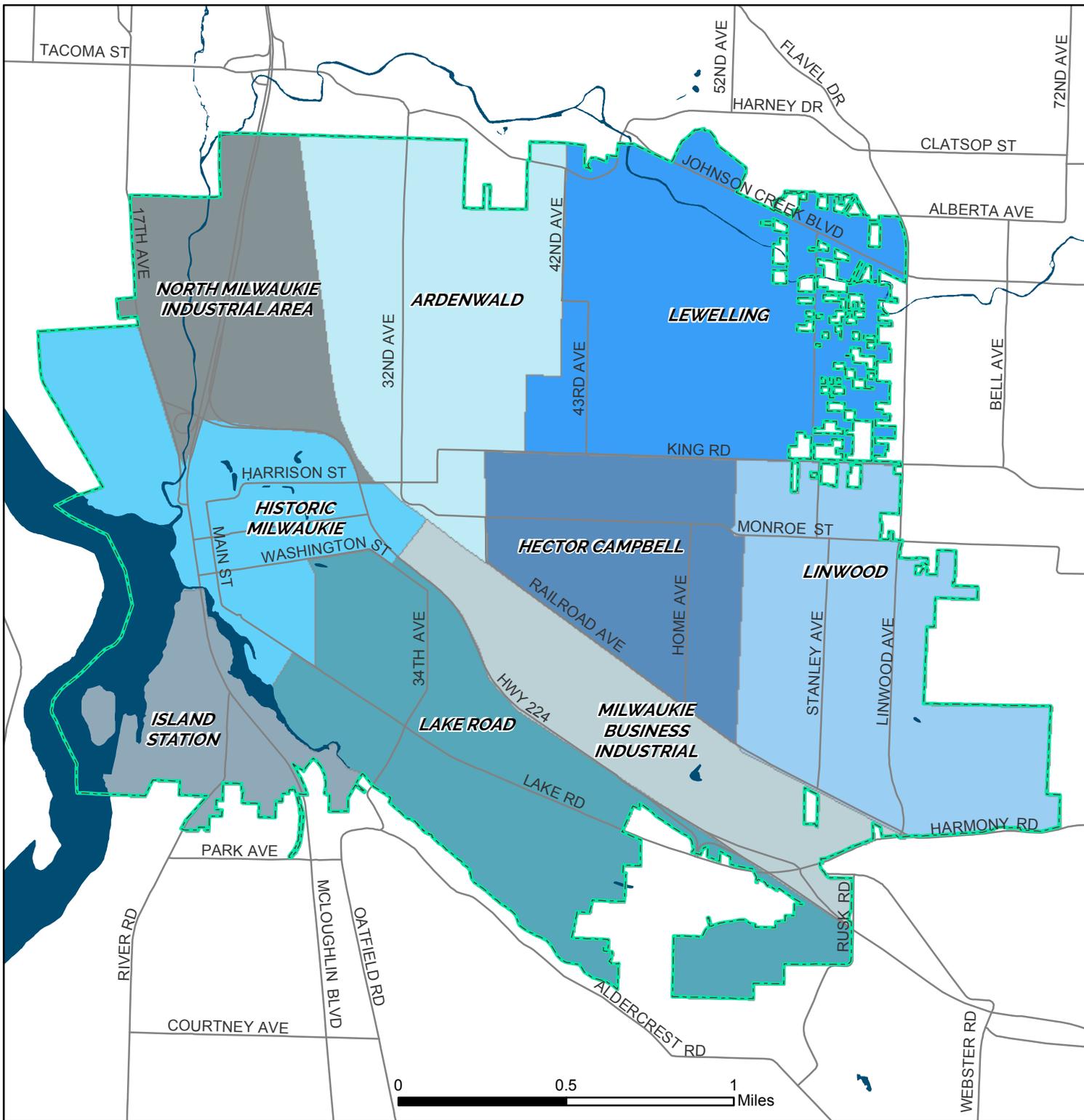
2.2.

Neighborhood
District
Associations
(NDA) Map



Milwaukie Neighborhood Districts

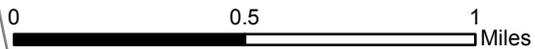
-  Milwaukie City Limits
-  Ardenwald
-  Hector Campbell
-  Historic Milwaukie
-  Island Station
-  Lake Road
-  Lewelling
-  Linwood
-  Milwaukie Business Industrial
-  North Milwaukie Industrial Area



Data Sources: City of Milwaukie GIS,
Metro Data Resource Center

Thursday, June 28, 2018

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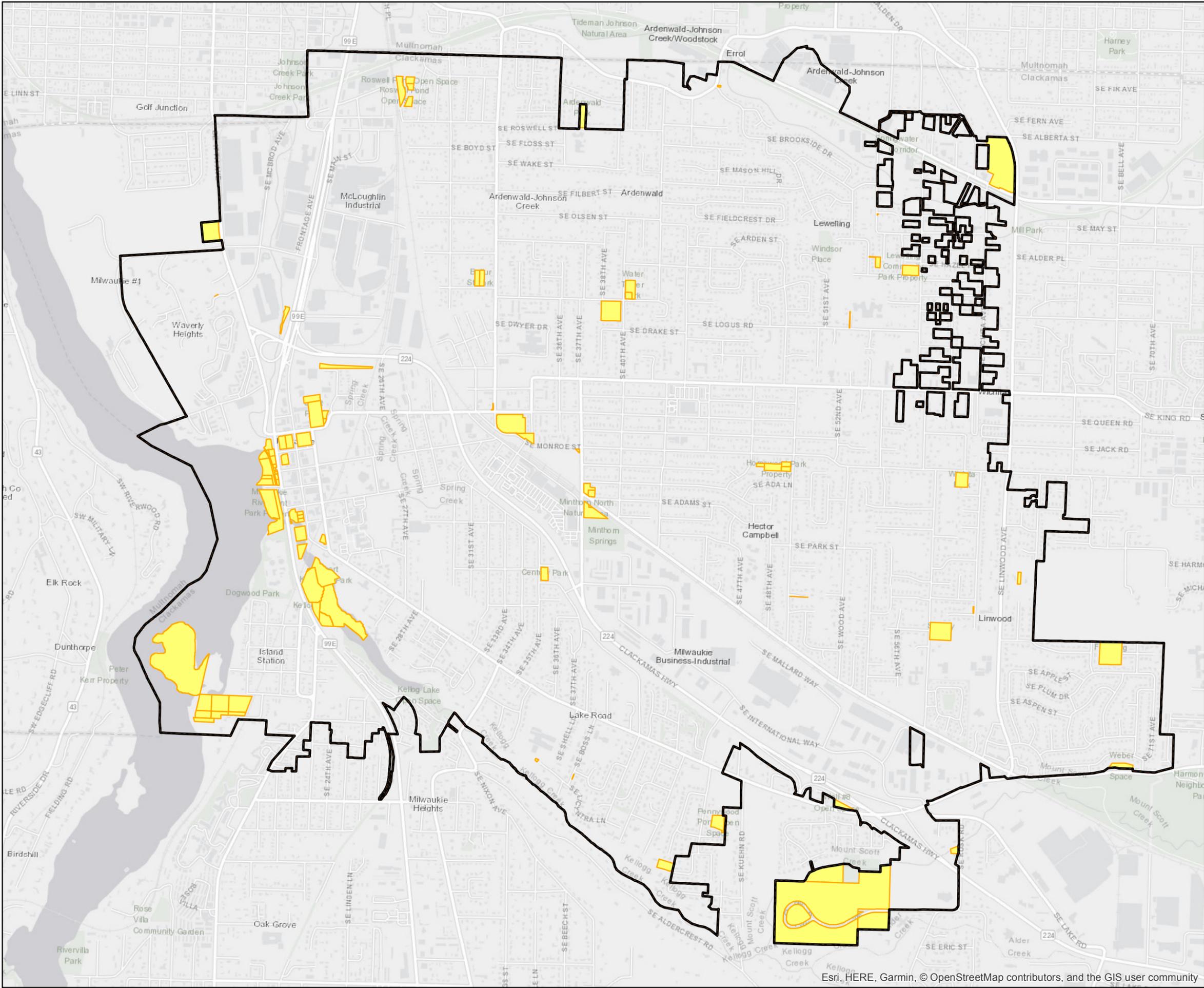
2.3.

City-Owned Property



City of Milwaukie Owned Property

- Milwaukie City Limits
- City of Milwaukie Owned Properties



Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center
 Date: Monday, August 06, 2018

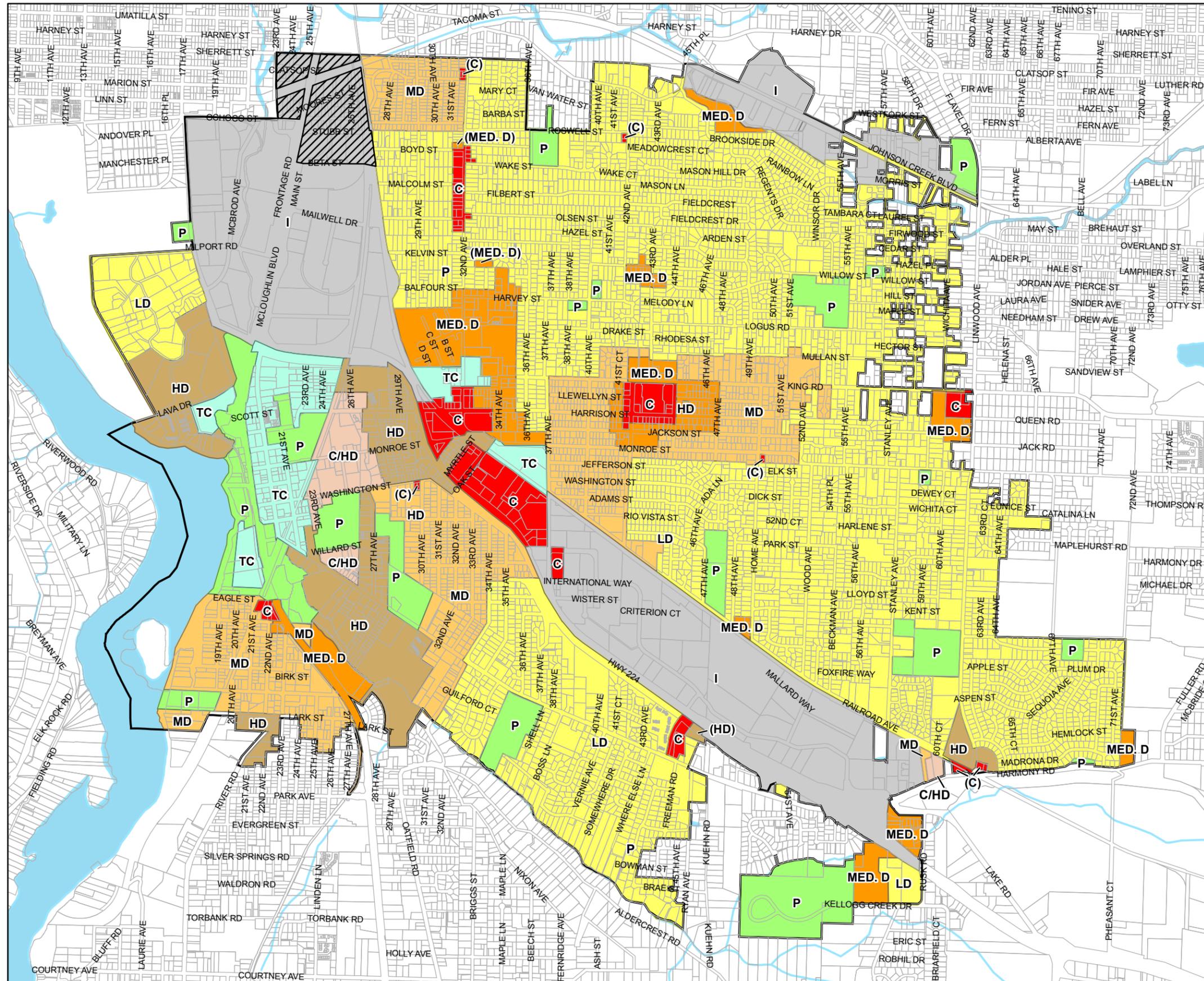
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GIS Coordinator
 City of Milwaukie
 6101 SE Johnson Creek Blvd.
 Milwaukie, OR 97206
 (503) 786-7687



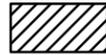
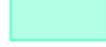
2.4.

Land Use



LAND USE

Milwaukie Comprehensive Plan Map 8

-  Tacoma Station Area
-  City Boundary
-  Water Body
-  LD - Low Density
-  MD - Moderate Density
-  MED. D - Medium Density
-  HD - High Density
-  C - Commercial
-  C/HD - Mixed Use
-  I - Industrial
-  P - Public
-  TC - Town Center



Revised Ord. # 2163, effective October 20th, 2018

Data Sources: City of Milwaukie GIS, Metro Data Resource Center

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Please check with Planning Department for most up-to-date information.
503-786-7630
planning@milwaukieoregon.gov



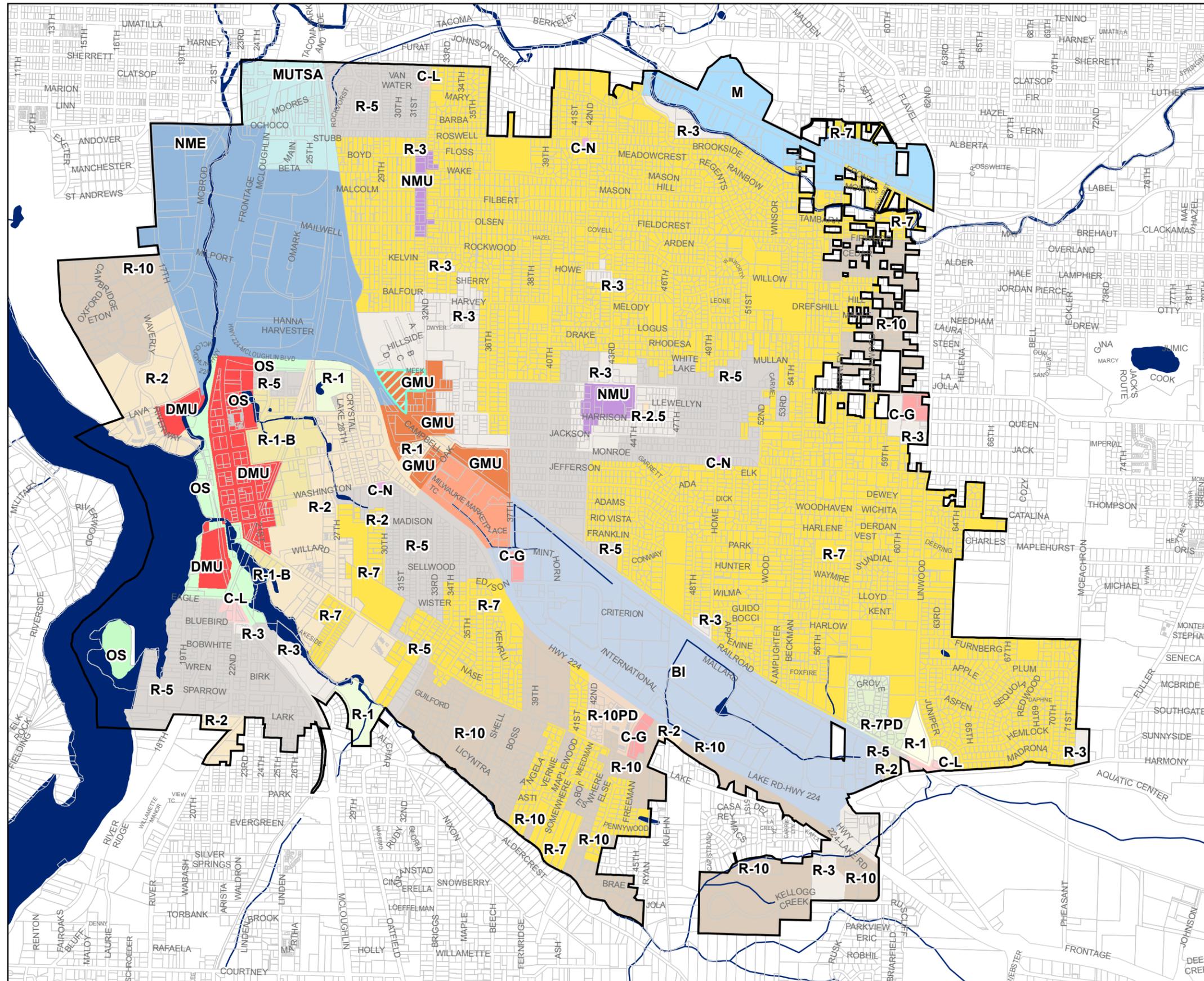
CITY OF MILWAUKIE



2.5.

City Zoning

ZONING



- | | |
|--------------------|---------------------------------|
| Industrial | Commercial and Mixed Use |
| BI | NMU |
| M | C-N |
| MUTSA | C-L |
| NME | C-G |
| | C-CS |
| | GMU |
| Residential | Downtown |
| R-1 | DMU |
| R-1-B | OS |
| R-2 | |
| R-2.5 | |
| R-3 | |
| R-5 | |
| R-7 | |
| R-7PD | |
| R-10 | |
| R-10PD | |
| | Flex Space Overlay |
| | City Boundary |
| | Water Body |



Adopted by Ord. #1438, effective Dec. 5, 1979
 Rev. as of Ord. #2163, effective October 20, 2018

Data Sources: City of Milwaukie GIS, Metro Data Resource Center
 10/9/2018
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 503-786-7630
 planning@milwaukieoregon.gov



2.6.

Zoning –
Resource
Overlays

2.7.

Zoning – Urban
Growth
Management
Area (UGMA)

2.8.

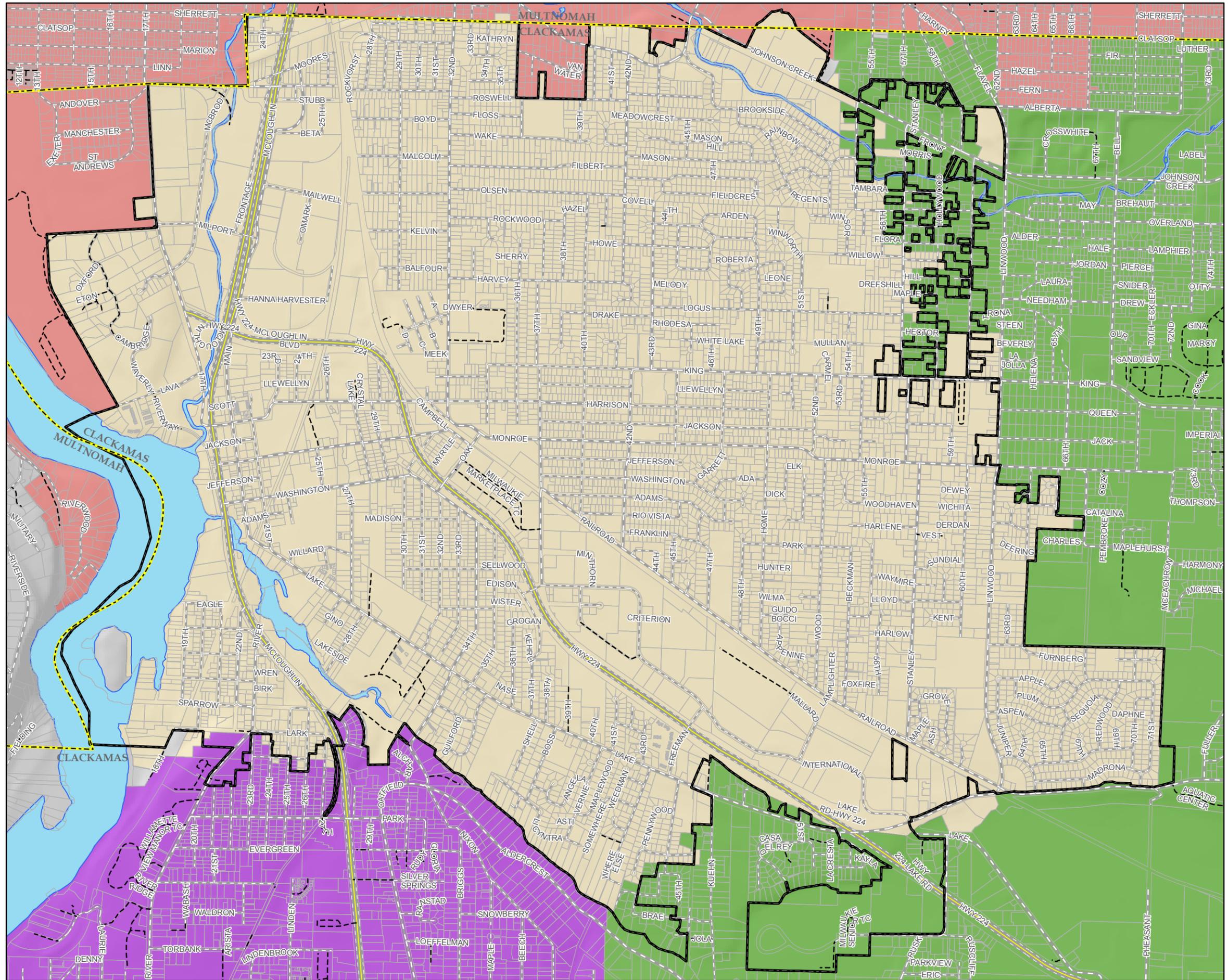
Water Service Areas



CITY OF MILWAUKIE

City of Milwaukie Water District

-  County Boundary
-  City of Milwaukie
-  Milwaukie Water
-  Portland Water Bureau
-  Clackamas River Water
-  Oak Lodge Water Services

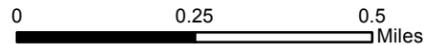


Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center

Date: Friday, September 14, 2018

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GIS Coordinator
City of Milwaukie
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206
(503) 786-7498



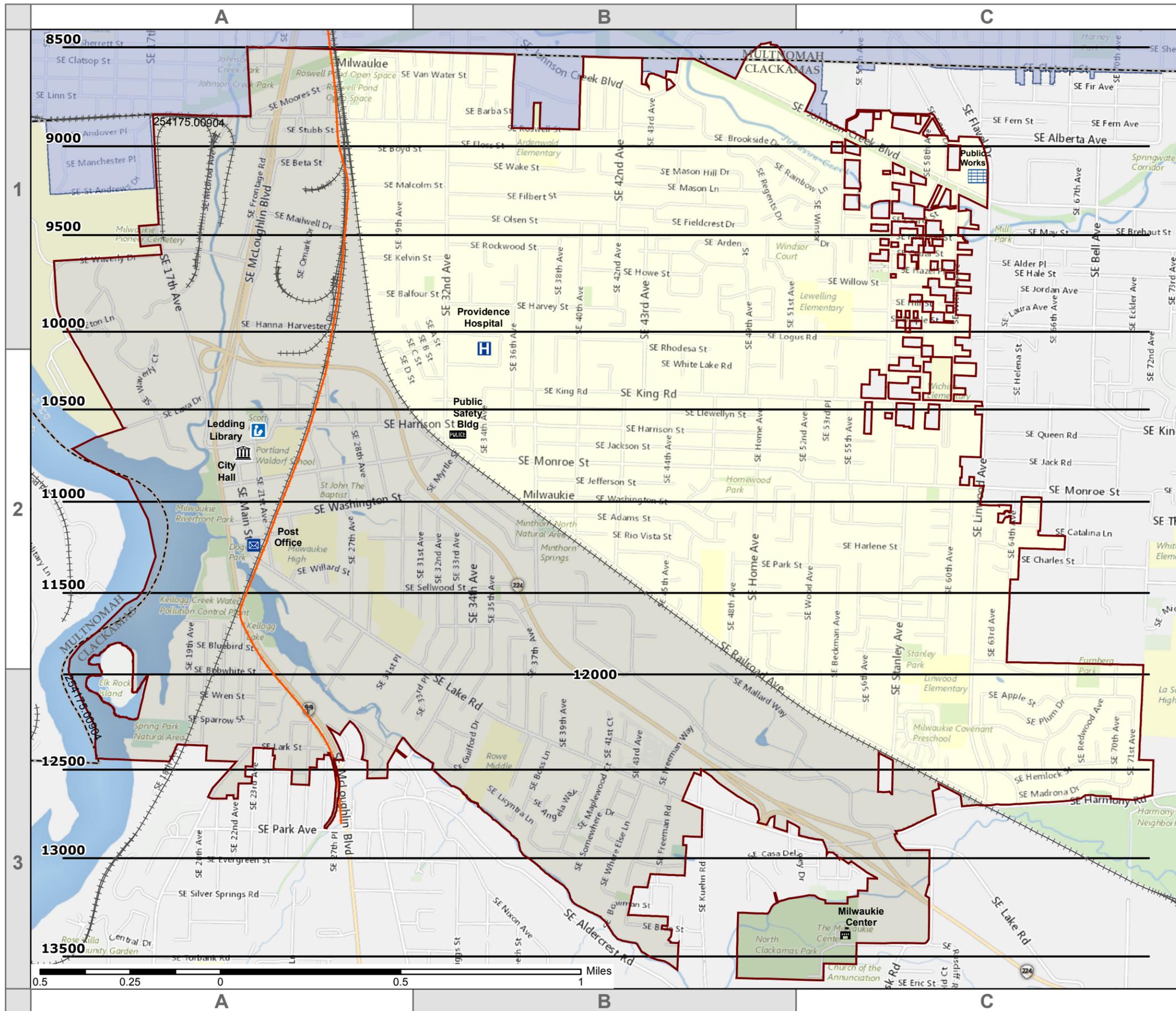
2.9.

Police Patrol Map



Police Patrol Map

-  City of Milwaukie
-  Milwaukie Light Rail
-  Railroads
-  City Hall
-  Ledding Library
-  Milwaukie Center
-  Post Office
-  Providence Hospital
-  Public Safety Bldg
-  Public Works
-  Patrol Area East
-  Patrol Area West



Data Sources: City of Milwaukie GIS, Metro Data Resource Center 12/23/2015
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Please check with GIS for most up-to-date information.
 503-786-7498
_GISHelp@milwaukieoregon.gov

2.10.

Bike Map

MILWAUKIE BIKE MAP



- Bike Shop
- Schools
- MAX Stop
- TriMet Bus Stops
- City Hall
- Ledding Library
- Milwaukie Center
- Providence Hospital
- Public Safety Bldg
- Bike Repair Stations
- Railroad
- Orange Line MAX
- Off-Street Paths
- Bike routes - Labels
- Shared Roadway Low Traffic (Less than 25mph)
- Shared Roadway Medium Traffic (Greater than 25mph)
- Shared Roadway High Traffic (Greater than 35mph)
- Bike with Caution (Narrow Lanes, High Traffic, Sharp Curves)
- Bike Lanes

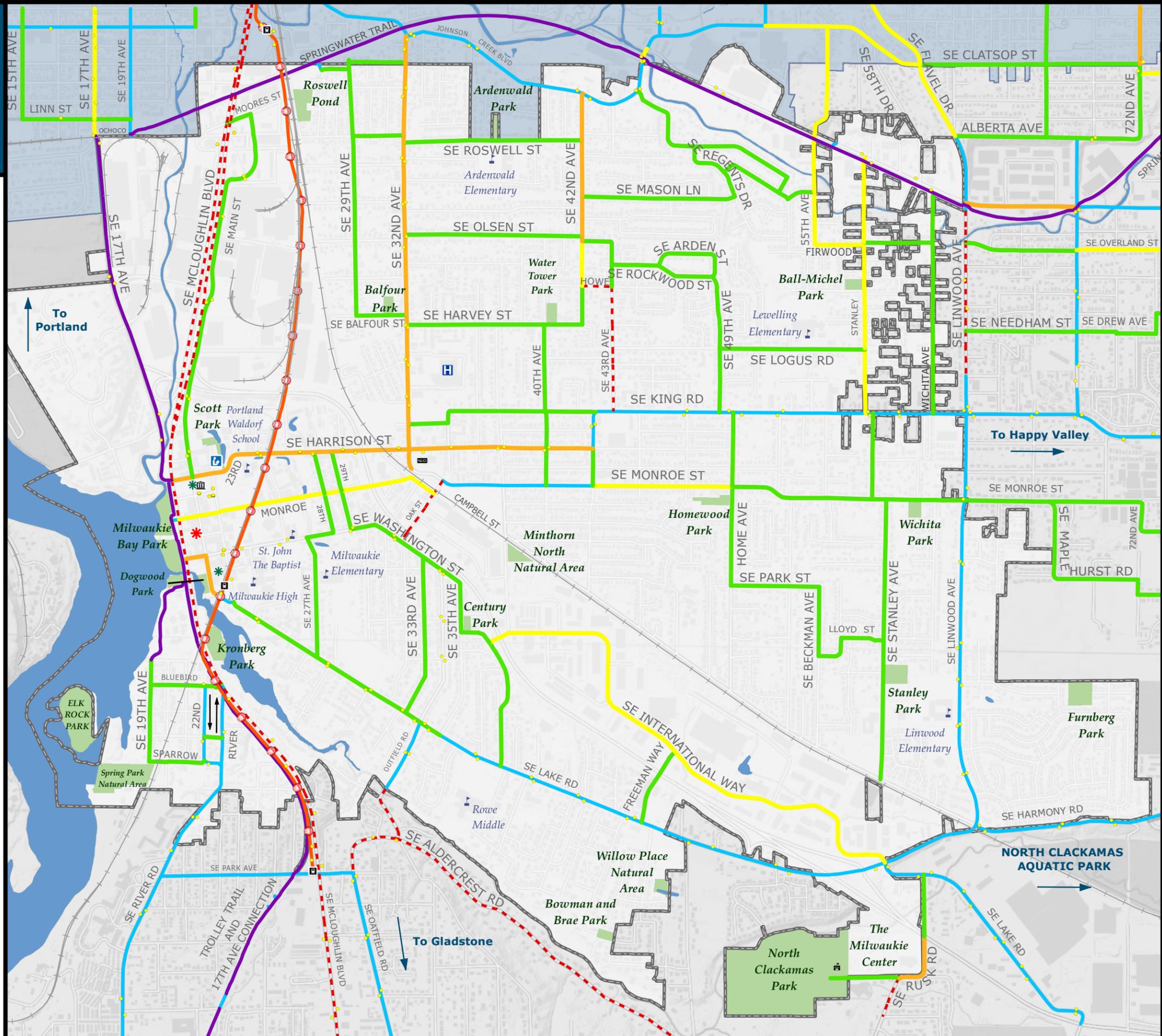
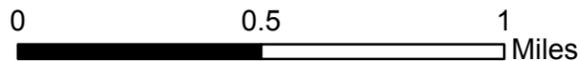


Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center

Date: Monday, November 27, 2017

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GIS Coordinator
City of Milwaukie
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206
(503) 786-7498



Street	Location	Street	Location	Street	Location	Street	Location	Street	Location	Street	Location	Street	Location
13TH AVE	A1	56TH AVE	C1, C2, C3	CAMPANARIO RD	C3	FRONTAGE RD	A1	LAMPHIER ST	C1	NEEDHAM CT	C1	SNOWBERRY ST	B3
15TH AVE	A1	57TH AVE	C1	CAMPBELL ST	B2	FURNBERG ST	C2, C3	LAMPLIGHTER AVE	C3	NEEDHAM ST	C1	SOMEWHERE DR	B3
15TH PL	A1	58TH AVE	C1	CAPISTRANO CT	B3	GARRETT CIR	B2	LARK ST	A3	NIXON AVE	B3	SPARROW ST	A3
16TH AVE	A1	58TH DR	C1	CARMEL CT	C2	GARRETT DR	B2	LAURA AVE	C1	NORBERT DR	C2	ST ANDREWS DR	A1
16TH PL	A1	59TH AVE	C2	CARRIE LYN LN	C3	GINA CIR	C2	LAUREL ST	C1	NORTHRIDGE CT	B3	STANLEY AVE	C1, C2, C3
17TH AVE	A1, A2	60TH AVE	C2	CASA DEL REY DR	B3, C3	GINO LN	A2	LAURIE AVE	A3	NORTHRIDGE DR	B3	STANLEY CT	C2
18TH AVE	A2, A3	60TH CT	C3	CATALINA LN	C2	GLORIA CT	B3	LAVA DR	A2	NORTHVIEW DR	A3	STANLEY PL	C1
19TH AVE	A1, A2, A3	62ND AVE	C1	CEDAR ST	C1	GROGAN AVE	B2	LENA AVE	B3	OAK ST	B2	STANLEY ST	C1
20TH AVE	A2, A3	63RD AVE	C1, C2	CEDARCREST DR	C3	GROVE CT	C3	LEONE LN	B1	OATFIELD RD	A3, B3	STEEN CT	C1
21ST AVE	A1, A2, A3	63RD CT	C2	CHARLES ST	C2	GROVE LOOP	C3	LICYNTRA CT	B3	OCHOCO ST	A1	STUBB ST	A1
22ND AVE	A2, A3	64TH AVE	C1, C2	CHELSEA ST	B3	GUIDO BOCCI DR	B2	LICYNTRA LN	B3	OLSEN ST	A1, B1	SUNDIAL CT	C2
23RD AVE	A1, A2, A3	64TH CT	C2, C3	CHESHIRE LN	B3	GUILFORD CT	B3	LINDEN LN	A3	OMARK DR	A1	TAMBARA CT	C1
24TH AVE	A1, A2, A3	65TH AVE	C1, C2	CINDERELLA CT	A3, B3	GUILFORD DR	B3	LINDEN PL	A3	OUR CT	C2	THOMAS CT	C2
25TH AVE	A1, A2, A3	65TH CT	C3	CLATSOP ST	A1, C1	HALE ST	C1	LINDENBROOK CT	A3	OVERLAND ST	C1	TORBANK RD	A3
26TH AVE	A2, A3	66TH AVE	C1, C2	CONWAY ST	B2	HARLENE ST	C2	LINN ST	A1	OXFORD LN	A1	TRONA LN	C1
27TH AVE	A2, A3	67TH AVE	C1, C2, C3	COVELL ST	B1	HARLOW ST	C2	LINWOOD AVE	C1, C2, C3	PARK AVE	A3	UNNAMED RD	C1
27TH PL	A3	67TH CT	C3	COZY DR	C2	HARMONY RD	C3	LLEWELLYN ST	A2, B2	PARK ST	B2, C2	VAN WATER CT	B1
28TH AVE	A1, A2, A3	69TH CT	C3	CRITERION CT	B2	HARNEY DR	C1	LLOYD ST	C2	PARKVIEW TER	C3	VAN WATER ST	A1, B1
28TH PL	A1	70TH AVE	C1, C2, C3	CROSSWHITE WAY	C1	HARRISON ST	A2, B2, C2	LOEFFELMAN RD	B3	PEMBROKE CT	C2	VERNIE AVE	B3
29TH AVE	A1, A2, A3	71ST AVE	C3	CRYSTAL LAKE LN	A2	HARVESTER DR	A1	LOGUS RD	B1, C1	PENNYWOOD CT	B3	VERNIE CT	B3
30TH AVE	A1, A2, B1	72ND AVE	C1, C2	D PL	A2	HARVEY ST	B1	MACS PL	B3	PENNYWOOD DR	B3	VEST LN	C2
31ST AVE	A3, B1, B2	A ST	B1	D ST	A2	HAZEL PL	C1	MADEIRA DR	C3	PENZANCE ST	A2, B2	VIVALDI CIR	B3
31ST PL	A3	ADA LN	B2	DAHPNE CT	C3	HAZEL ST	B1, C1	MADIRA RD	C3	PHEASANT CT	C3	WABASH AVE	A3
32ND AVE	B1, B2, B3	ADAMS ST	A2, B2	DARLINGTON AVE	C1	HECTOR ST	C2	MADISON ST	A2, B2	PIERCE ST	C1	WAKE CT	B1
33RD AVE	B1, B2	ALBERTA AVE	C1	DEERING CT	C2	HELENA ST	C1, C2	MADRONA DR	C3	PLUM DR	C3	WAKE ST	B1
33RD PL	A3, B3	ALCHAR DR	A3	DENNY ST	A3	HEMLOCK ST	C3	MAILWELL DR	A1	QUEEN RD	C2	WALDRON DR	A3
34TH AVE	B1, B2	ALDER PL	C1	DERDAN CT	C2	HILL ST	C1	MAIN ST	A1, A2	RAILROAD AVE	B2, B3, C3	WALDRON RD	A3
34TH CT	B1	ALDERCREST RD	B3	DEWEY CT	C2	HILLSIDE CT	A1, B1	MALCOLM ST	A1, B1	RAINBOW CIR	B1	WASHINGTON PL	B2
35TH AVE	B1, B2	ALDERHURST ST	C1	DICK ST	B2	HILLSIDE MANOR TC	A1	MALLARD WAY	B3, C3	RAINBOW LN	B1, C1	WASHINGTON ST	A2, B2
35TH CT	B3	ANDOVER PL	A1	DOVE ST	A3	HOLLYWOOD AVE	C1, C2	MANCHESTER PL	A1	RANSTAD CT	B3	WAVERLY CT	A2
36TH AVE	B1, B2, B3	ANGELA WAY	B3	DRAKE ST	B1	HOME AVE	B2	MAPLE CT	C3	REDWOOD AVE	C3	WAVERLY DR	A1
37TH AVE	B1, B2, B3	APPENINE WAY	B2, B3, C3	DREFSHILL ST	C1	HOWE LN	B1	MAPLE LN	B3	REGENTS CIR	B1	WAYMIRE ST	C2
38TH AVE	B1, B2, B3	APPLE ST	C3	DREW AVE	C1	HOWE ST	B1	MAPLE ST	C1	REGENTS DR	B1, C1	WEEDMAN CT	B3
39TH AVE	B1, B3	ARDEN ST	B1	DWYER DR	B1	HUNTER CT	B2	MAPLEHURST RD	C2	RHODESA ST	B1	WEEDMAN ST	B3
39TH CT	B3	ARISTA DR	A3	EAGLE ST	A2	HWY 224	A1, A2, B2, B3, C3	MAPLEWOOD CT	B3	RIO VISTA ST	B2	WEIKO WAY	C3
40TH AVE	B1, B2, B3	ASH CT	C3	ECKLER AVE	C1	INTERNATIONAL WAY	B2, B3, C3	MARION ST	A1	RIVER RD	A2, A3	WEST FORK AVE	C1
41ST AVE	B1	ASPEN ST	C3	EDISON ST	B2	JACK RD	C2	MARY CT	B1	RIVER RIDGE DR	A3	WHERE ELSE LN	B3
41ST CT	B2, B3	ASTI CT	B3	ELK ST	B2	JACKSON ST	A2, B2, C2	MASON CIR	C1	RIVERWAY LN	A2	WHITCOMB DR	A3
42ND AVE	B1, B2	B ST	B1, B2	ELSEWHERE LN	B3	JEFFERSON ST	A2, B2	MASON HILL DR	B1	RIVERWOOD RD	A2	WHITE LAKE RD	B2
42ND CT	B3	BALFOUR ST	A1, B1	ETON LN	A1	JOBES CT	B3	MASON LN	B1, C1	ROBERTA LN	B1	WICHITA AVE	C1, C2
43RD AVE	B1, B2, B3	BARBA ST	B1	EUNICE ST	C2	JOHNSON CREEK BLVD	B1, C1	MAY ST	C1	ROCHVORST ST	A1	WICHITA CT	C2
43RD CT	B1	BECKMAN AVE	C2, C3	EVERGREEN AVE	A3, B3	JOLA LN	B3	MCBROD AVE	A1	ROCKWOOD ST	B1	WILLAMETTE VIEW MANOR TC	A3
44TH AVE	B1	BECKMAN TER	C2	EVERGREEN ST	A3	JORDAN ST	C1	MCEACHRON AVE	C2	ROSWELL ST	A1, B1	WILLARD ST	A2
44TH AVE	B2	BEECH ST	B3	EXETER DR	A1	JUNIPER ST	C3	MCLOUGHLIN BLVD	A1, A2, A3	RUDY CT	B3	WILLOW AVE	B1
44TH CT	B1	BELL AVE	C1, C2	FERN AVE	C1	KATHRYN CT	B1	MEADOWCREST CT	B1	RUSCLIFF RD	C3	WILLOW ST	B1, C1
45TH AVE	B1, B2, B3	BETA ST	A1	FERN ST	C1	KAYLA CT	C3	MEEK ST	B2	RUSK RD	C3	WILMA CIR	B2
45TH CT	B2	BEVERLY LN	C2	FERNRIDGE AVE	B3	KEHRLI DR	B2	MELODY LN	B1	RYAN AVE	B3	WINSOR CT	C1
46TH AVE	B1, B2	BIRK ST	A3	FIELDCREST	B1	KELLOGG CREEK DR	B3, C3	MICHAEL DR	C2	RYAN CT	B3	WINSOR DR	C1
46TH CT	B2	BLUEBIRD ST	A2	FIELDCREST DR	B1	KELLOGG RD	B3	MILPORT RD	A1	SANDVIEW LN	C2	WINWORTH CT	B1
47TH AVE	B1, B2	BOBWHITE ST	A3	FILBERT ST	B1	KELLOGG ST	B3	MILWAUKIE MARKETPLACE TC	B2	SANDVIEW ST	C2	WISTER ST	B2
48TH AVE	B1, B2	BOSS LN	B3	FIR AVE	C1	KELVIN ST	A1, B1	MILWAUKIE SENIOR TC	C3	SCOTT ST	A2	WOOD AVE	C2, C3
49TH AVE	B1, B2	BOWMAN ST	B3	FIRWOOD ST	C1	KENT ST	C2	MINTHORN LOOP	B2	SELLWOOD ST	A2, B2	WOOD CT	C2
50TH AVE	B1	BOYD ST	A1, B1	FLAVEL DR	C1	KING RD	B2, C2	MINTONE DR	B3	SEQUOIA AVE	C3	WOODHAVEN ST	C2
51ST AVE	B1, B2, B3	BRAE ST	B3	FLORA DR	C1	KUEHN CT	B3	MONROE ST	A2, B2, C2	SEQUOIA PL	C3	WREN ST	A3
52ND AVE	B2, C2	BREHAUT ST	C1	FLOSS ST	B1	KUEHN RD	B3	MONTGOMERY DR	C2	SHELL LN	B3		
52ND CT	B2	BRIARFIELD CT	C3	FOXFIRE WAY	C3	LA CRESTA DR	C3	MOORES ST	A1	SHERRETT ST	A1, B1, C1		
53RD PL	C2	BRIIGGS ST	B3	FRANKLIN ST	B2	LA JOLLA ST	C2	MORRIS ST	C1	SHERRY LN	B1		
54TH CT	C1	BROOKSIDE DR	B1	FREEMAN RD	B3	LAKE RD	A2, B3, C3	MULLAN ST	B2	SILVER SPRINGS RD	A3, B3		
54TH PL	C2	C ST	A1, B2	FREEMAN WAY	B3	LAKESIDE ST	A3	MYRTLE ST	B2	SILVERLEAF CT	C3		
55TH AVE	C1, C2	CAMBRIDGE LN	A1, A2	FRONT ST	C1	LAKESIDE ST	A3	NASE CT	B3	SNIDER AVE	C1		

3. City Manager's Office

3.1.

City Events

CareFree Sunday/Special Events

- CareFree Sunday will be held on August 4th from 11AM to 4PM. The route will be a 5.5-mile loop. Activity areas under consideration include Water Tower Park and the city-owned 40th and Harvey campus, Wichita Park and Ball-Michel Park. The number of activity areas that are programmed will depend on funding, available volunteers and staffing, however, staff do not expect to program more than two areas for the inaugural year.
- The city's other signature events include the Umbrella Parade, Winter Solstice, Volunteer Appreciation Dinner, and Earth Day / Arbor Day.

3.2.

CIP

Tracking/Manag

ement

Committee

Milwaukie CIP Steering Committee

The Milwaukie CIP Steering Committee:

1. Validates that programmed capital projects have sufficient plans and resources to deliver on the city's commitments
2. Ensures that CIP projects have documented scopes, schedules and budgets in signed project charters.
3. Provides a venue for cross program and department prior to CIP project scope or schedule changes that impact another program or could result in jeopardizing or cancelling a CIP project.
4. Develops performance measures to track our progress on capital project delivery.

The Members of the Steering Team Are:

- City Manager's Representative – Assistant City Manager
- CIP Program Managers – Engineering Director, Public Works Director, Community Development Director
- Finance Director

Scope Changes That Fall Within the Scope of the CIP Steering Team

The CIP Steering Team will discuss any changes to the scope as defined by a signed project charter. Program Managers are encouraged to draft project charters that allow for expected, and reasonable, scope changes.

Schedule Changes That Fall Within the Scope of CIP Steering Team

Any schedule change that moves **obligation of a phase into a new fiscal year**. Some program managers may choose to include a set of contingency projects (as part of the red, yellow, green project tracking document) that can be moved up for delivery. In this case, the program manager would notify the committee of the change but it would be considered pre-approved.

Budget Changes That Fall Within the Scope of the CIP Steering Team

Any budget changes that result in delaying or cancelling another CIP project.
Any budget changes that require additional funds from other program managers.

3.3.

Rights of Way (ROW) Usage Fees

Overview of Title 21 – Right-of-Way Management

In January of 2016 the City created and hired staff to manage the City's Rights-of-Way (ROW) for use by utility providers (telecom, electric, gas, and solid waste). The City Council knew that the ROW was being used by telecommunication providers, and the City was not receiving fair and just compensation for the use of the public's property.

In September of 2016 City Council adopted Title 21 to address the use of the Right-of-Way. This Chapter became effective on January 1, 2017.

This code requires all utility users (telecommunications (Phone, Internet, Wireless), cable, electric, gas) of the ROW to pay usage fees, weather they own the facility or just rent facilities. This code also changes the requirement of only paying fair and just compensation to rent or use the public's rights-of-way if revenue is earned from the provision of service. For example, a private system that is using the ROW to connect buildings together, for telecom reasons, may not earn revenue, however that system still uses the public's ROW. Additionally, the ROW code now requires that the owner of the facility pay usage fees even if they do not provide services or have gross revenue.

Prior to 2016 the City was receiving revenue from 16 telecommunication companies. As of July 2018, the City is receiving revenue from 61 telecommunication companies. This has resulted in additionally yearly revenue of over 500,000 per year in usage fees and another 36,000 in licensing/application fees. Telecommunication revenue alone has increased from 3% (FY15-16 - \$60,500) to over 18% (FY17-18 -\$453,000) of the City's ROW usage fees.

Management of the City's ROW is provided and overseen by one FTE.

Right-of-Way revenue is the largest source of revenue within the City's control. Property taxes are the highest source of revenue.

All revenue produced by ROW management is applied to the general fund (with the exception of PEG funds, which are federal restricted).

For more information, please contact Reba Crocker.

3.4.

Potential Update to Solid Waste Code

Overview of Solid Waste – MMC 13.24.160

Milwaukie has three Solid Waste Haulers; Waste Management, Hoodview Disposal & Recycling, Inc., and Clackamas Garbage Company, Inc. Solid Waste haulers are franchised within the City. The franchise term is a rolling ten-year term.

Every year, in or around July, City Council approves the solid waste rates. Rates are set to provide an expected rate of return (ROR) of 10%. While the code allows a ROR of 8% to 12%, the goal is 10%.

Milwaukie has a service agreement with Bell & Associates to review and analyze the data and provide a composite to staff. Staff works with the contractor and the haulers to adjust rates to provide the prescribed ROR. Staff then prepares and provides City Council with the information and recommends rate adjustments.

It is important to note that while Milwaukie sets the rates for the City, Milwaukie is located within Metro's jurisdiction. As such, some policies are mandated. Additionally, being located within Clackamas County, the City works with County staff to provide some consistency for the residents.

Staff also is a member of Metro's Solid Waste Alternative Advisory Committee and Association of Oregon Recyclers; attends meeting of Clackamas County Refuse & Recycling Association and DEQ's Solid Waste Director's.

In addition to the rates, staff also manages the yearly curbside bulky waste event.

Solid Waste franchise fees are approximately \$200,000 per year and applied to the general fund.

Solid Waste management is provided and overseen by one FTE.

For more information, please contact Reba Crocker.

3.5.

Parks

Current City Park Projects

Emerging Master Plans – Scott Park and Dogwood Park

Although a schedule and scope of work for master planning at Scott Park and Dogwood Park have not been established, the Ledding Library and Coho point developments have triggered the need to revisit, or in the case of Dogwood Park establish, master plans for these areas in the near term.

Wichita Park

Wichita Park is a 1-acre parcel in the Linwood neighborhood of Milwaukie. The original master plan was adopted into the Milwaukie Comprehensive Plan in 1999. The Wichita Park Master Plan was subsequently updated by the Linwood Neighborhood Association and passed by the Milwaukie Planning Commission in 2014.

In May 2015, NCPRD and the City completed the initial set of construction drawings with detailed cost estimate. In October 2016, NCPRD and the City were awarded a \$265,000 grant from the State of Oregon's Land and Water Conservation Fund to cover roughly half of the cost to develop the Park. An Intergovernmental Agreement between NCPRD and the City was approved by both the NCPRD Board and Milwaukie City Council in March 2017.

Work to complete the initial set of construction drawings began in May 2017. Construction on Wichita Park began in summer 2018 following a groundbreaking ceremony. The project is expected to be completed by the end of that year.

Spring Park Boundaries

The City of Milwaukie, adjacent property owner and residents of the Island Station neighborhood have been in discussions about the southern boundary of Spring Park for decades. At the request of the Island Station neighborhood, the city commissioned an updated survey of the property line in 2017. The survey, which was largely consistent with previous surveys of the property, show the following:

- 1) A significant portion of the lawn behind the adjacent property owner's home is city property.
- 2) A portion of the neighbor's front yard is also encroaching upon public right of way as well. That property is currently under the ownership of the county.

The current proposal is to place a series of steel posts with signs attached that will tell the public when they are on public versus private property. Once the boundary is clearly marked, the city will direct the Arnell's to remove all encroachments in that area and discontinue mowing city property. NCPRD will then take over all maintenance responsibility for property mowed by the Arnell's today.