



# CITY OF MILWAUKIE

## REVISED AGENDA

April 28<sup>th</sup>, 2022

6:00 pm

## PUBLIC SAFETY ADVISORY COMMITTEE

### ZOOM MEETING ONLY

~~Public Safety Building~~

~~3200 SE Harrison St, Milwaukie, OR 97222~~

Zoom:

<https://us02web.zoom.us/j/83097393221?pwd=ZXlwNmRCd2tuZzZtMmxh4MWZMz09>

Meeting ID: 830 9739 3221

Passcode: 231575

For any questions, please contact the staff liaison Jennifer Backhaus at  
[BackhausJ@milwaukieoregon.gov](mailto:BackhausJ@milwaukieoregon.gov).

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- |      |                                      |                |
|------|--------------------------------------|----------------|
| I.   | CONSENT AGENDA                       | PSAC Members   |
|      | A. Approve Minutes from:             | All            |
|      | 03/24/2022                           |                |
| II.  | REPORTS                              |                |
|      | A. Clackamas County Fire Report      |                |
|      | B. Milwaukie Police Report           | Captain Graves |
|      | C. NDA Concerns                      | PSAC Members   |
|      | D. Capital Improvement Plan Projects | Steve Adams    |
|      | E. Emergency Management              | Dan Harris     |
| III. | ACTION ITEMS                         |                |
| IV.  | DISCUSSION                           |                |
|      | A. Native Lands Acknowledgement      | All            |
|      | B. Operating Manual                  | All            |
|      | C. By-Laws                           | All            |

D. Work Plan All

V. Public Comments (Limited to 3 min per person) All

VI. FUTURE MEETING DATE/AGENDA ITEMS All

Next regular meeting May 26<sup>th</sup>, 2022

VII. ADJOURN

Attachments:

1. Minutes from: 03/24/2022
2. Draft Operation Manual
3. Updated By-Laws Draft

PSAC Meeting 3/24/2022

CONSENT AGENDA

I. PSAC Members

Jennifer Backhaus-engineering technician  
Shimron Tubman-Linwood  
Jukie King-Island road  
Christine-Lake Rd  
Jay-Chair  
Elvis-Ardenwald  
Ryan Burdick-police  
Jack Tanz-Clackamas fire  
Steve Adams-city engineer  
Philip Stose-TSP Representative  
Lance Lindahl-vice chair  
Ashley Akerberg-at large  
Aaron Maples-Lewelling  
Beth Britell  
Pam Denham-Island station  
Christina

II. A. Approve Minutes from: All 2/24/2022  
REPORTS A. Clackamas County Fire Report Jack Tanz

- District facilities and meeting rooms are meant to open soon.
- wildfire town-hall meetings will be held (Clackamas fire in May) in coming months
- Clackamas fire, 1800 calls for service last year-we are trending less calls than last year-
- Year to date numbers for calls totals for 2020-3933calls; 2021-4431calls; 2022-4208calls

B. Milwaukie Police Report Captain Graves

- steady month with a few calls of note
- 2/28/22-triple carjacking (Clackamas car center)-man was hurt but not killed; same subject robbed a man and stole his car, then came into Milwaukie, assaulted a third person, and stole her car—subject went into wetlands and was taken safely into custody (attempted murder, robbery 1,)
- 3/21/22-a man showed up and walked up to Milwaukie residence with firearm in hand. Officers were called-man left and returned several hours later-subject came down 42<sup>nd</sup> through railroad, and crashed car on railroad track—week before car-jacking same person damaged k-9 vehicle—suspect has been taken into custody.

C. NDA Concerns PSAC Members

- Ardenwald-No parking on Wake from 32<sup>nd</sup>-is marked on one side (code enforcement issue)
- Lake Rd-No current issues
- Historic Milwaukie-no current issues

-Island Station-no current issues

-Linwood-No current issues

-Lewelling-most conversations are concerts in the parks, which will be moving forward; Applied for the SAFE routes to school grant (successful); ODOT safe routes to school planning management had 7 confirmed applications; question about how to ADA ramps—Intern will start on Monday to help identify Ramps that need to get done but don't have any projects that are currently working on them. We know for certain Stanley Rd North (between Stanley and south side of King).

-Part of the PSAC will be to participate in the TPS plan—Thank you to Aaron for helping put together a redacted version of the Transportation study done by Lewelling. The idea is to have this study done by the PSAC group. The more information gathered by Neighborhood NDAs the more helpful. However Each NDA is encouraged to conduct their own respective safety survey.

#### D. Capital Improvement Plan Projects Steve Adams/Beth Britell

-Harvey street improvement project-on Harvey from 32<sup>nd</sup>-42<sup>nd</sup>

-replacing sidewalk

-Harvey street right-of-way—there is a survey that is asking for feedback whether there is a preference to have sidewalk on both north and south side—or to preserve street parking on one side—does not include bike

-take survey at <https://form.jotform.com/jlainvolve/HarveyStreet> between 3/21/22-4/11/22

-the narrow right of way and trying to accommodate bikes, pedestrians, trees, telephone poles, parked cars, and traffic.

-people drive slower closer to parked cars—example of how traffic calming may take effect.

-Most of 2022 is design phase—construction will be targeted for 2023.

42/43<sup>rd</sup>-most work has been completed

-project is progressing quickly

-Home/wood project has begun to mobilize—some issues with powerpoles not getting moved quickly enough—should take off soon

-Ardenwald North (west of 32<sup>nd</sup>) is at 60% design

-for the Lake Rd Project—temporary signs are still in place—only needed for 30 days after signal is activated.

-Still need final striping and signage on Linwood

#### E. Emergency Management Dan Harris-will show up every 3 months for update

### III. ACTION ITEMS-no action items

### IV. DISCUSSION

#### A. By-law revisions All

-Meetings will begin at 6:00 pm

Below are the additions/changes suggested by PSAC committee of the current bylaws:

-legally we must add that all meetings will be open to virtual attendees

-having a digital Operating Manual to give to people who are joining PSAC as a means to educate members on roles and responsibilities of members.

-Chair person and City Liason will retain copies of emails which qualify for retention under state law for a period of 2 years or required by state law.

-any correspondence by PSAC should have:

“PUBLIC RECORDS LAW DISCLOSURE”: this email is a public record of the city of Milwaukie and is subject to public disclosure unless exempt from disclosure under Oregon public records law. This email is subject to the State Retention Schedule.”

B. Public Comments (Limited to 3 min per person) All

-conversation about the face to face meeting and the zoom meeting—there is interest in bringing the Zoom members and the people in the room to be able to facilitate a more fluid interaction with the various people attending the meeting

-What is current update on TSP—currently waiting for approval of the document by ODOT and state of Oregon (allows us to spend the \$250k grant)

V. FUTURE MEETING DATE/AGENDA ITEMS All Next regular meeting 4/28/2022

In person meeting is held in the community room at the Milwaukie Public Safety Building located at 3200 SE Harrison Street.

VI. ADJOURN



# CITY OF MILWAUKIE

## **PUBLIC SAFETY ADVISORY COMMITTEE OPERATING MANUAL**



Updated April 2022

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# Milwaukie Public Safety Advisory Committee

Work Plan  
2020 – 2021

## **Summer 2020 – Fall 2020**

### Alternative Street Design Standards

PSAC will work with the City's Engineering Department regarding the design of alternative standards for greenways and other low-volume, low-speed streets. The city recently updated their Public Works Standards which includes a new low-volume street standard. PSAC will designate volunteer(s) to work with engineering to review this new standard and report back to the committee and NDAs for input.

## **2021- 2022**

### Transportation System Plan Updates

Work with the City's Engineering Department (and other relevant advisory bodies) regarding updates to the Transportation System Plan.

## **Continued/Ongoing**

### Disaster Preparedness

PSAC will work with CERT, Milwaukie Police, Clackamas Fire, and the City Emergency Management Coordinator to determine what the public should expect from these entities and how they can provide support to their community during an emergency. PSAC has a unique position that allows great communication between the City of Milwaukie, the NDAs, and the public. PSAC members will use this position to:

- Increase awareness of emergency protocols and evacuation orders
- Increase awareness of what can be expected of all city services during an emergency
- Provide education about CERT
- Work with the City's Emergency Operations Manager
  - Aid in the development and community awareness of key Emergency and Disaster Planning Resources and Procedures
  - Provide feedback and act as a bridge between the City's EOM and the NDAs
- Encourage each NDA to have their own Disaster Preparedness committee and supplies
- Assist with CERT membership advocacy
- Provide public education on general disaster preparedness that the public can do at home
  - ClackCo Public Alerts Registration (<https://www.clackamas.us/dm/publicalerts>)
  - "2 Weeks Ready"



- What can we learn from the COVID-19 crisis?
- Promote National Preparedness Month (September)
  - Discuss how PSAC can participate
  - Booth at applicable public events and public-speaking opportunities with designated city personnel

#### Milwaukie Police, Clackamas Fire, CERT, MPSF

PSAC recognizes and appreciates the ongoing work of our police force, fire and rescue, as well as the important contributions of the volunteers of Community Emergency Response Team and Milwaukie Public Safety Foundation. PSAC will continue to respond to neighborhood concerns and act as the liaison between Police/Fire and the NDAs. PSAC will work to maintain the strong relationships it has built with these organizations by inviting a member from one of these groups to each meeting and by promoting important events throughout the year and/or designating volunteers to assist as our schedules allow:

- Officer of the Year Dinner - Each year in/around February
- Shred Day/Prescription Drug Drop Off Day - Each year in/around April
- Bike Giveaway - Each year in/around April
- 9K for K9 - Each year in/around July

#### Safe Routes to School

Continue to support efforts of SRTS in community outreach and awareness. Assist with communication to city neighborhoods.

#### Additional Tasks

- SAFE Outreach
- Work with Engineering on community member requests; consider adding time to each meeting to prioritize incoming community traffic control requests.
- Review Requests for Service applications for potential prioritization within the SAFE program
- Review requests for ADA improvements, acting as the Community Planning Advisory Council, for prioritization within the ADA transition plan.
- Maintain open communication and a positive relationship with the Milwaukie Police Department and Clackamas County Fire Department. Schedule some time during an upcoming meeting for an update about the police department (trends, policies, procedures, etc.).
- Support and aid Milwaukie's CAREFree Sundays event to establish communication between the two groups and see what opportunities exist for PSAC to participate.
- Work with Planning to ensure Neighborhood Hubs Project connects with proposed SAFE projects.

## 2022 Updated By-Laws



Thank you for serving on a city board, commission, or committee (BC). Your participation is a critical part of our government's decision-making process. This document is designed to provide a framework to guide BC members in their actions. If you have questions about BCs contact the Office of the City Recorder at [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) or at 503-786-7515.

## **ETHICS**

As a BC member you are a public official as defined in Oregon Revised Statute (ORS) 244.020(14). This code of conduct is a supplement to existing statutes governing conduct of public officials including Oregon's ethics law; see the state's [Guide for Public Officials](#). Adherence to ethics rules includes rejecting gifts, services, or other special considerations that are only offered to you because of your service as a public official. Ethics rules may also require you to excuse yourself from participating in decisions when the financial interests of a member of your immediate family or household, or your own, may be affected by your BC's action.

## **CARRYING OUT BOARD DUTIES**

It is important to remember that you represent the city and are held to a higher standard while performing your BC responsibilities. You may be faced with difficult decisions and situations. BC members are expected to be civil and diplomatic, and in general:

- All BC meetings are public meetings subject to the state's public meeting laws.
- You should always review materials provided in advance.
- You should always do your part to maintain the organization's transparency. Avoid even the appearance of a conflict of interest by declaring publicly if a potential or actual conflict of interest arises and take appropriate steps.
- Be aware of the public nature of written messages and e-mail. All materials created in your official capacity are subject to the state's public records laws.

Keep the following in mind when dealing with other BC members, city staff, and the public:

### **BC Member Conduct with One Another During Meetings**

- Difficult or contentious discussions may arise. Encourage civil and constructive discourse and refrain from belligerent language, personal attacks, slanderous, threatening, abusive or disparaging comments.
- Be honest with everyone. As a BC member you are a public official and have a responsibility to conduct the BC's public business in a transparent and open manner.
- Give credit to others' contributions to the process.
- Strive to make independent, objective, fair and impartial judgments.

### **BC Member Conduct Outside Public Meetings**

- Be respectful even in private. The same level of respect for differing points of view used in public discussions should be maintained in private conversations.
- Private conversations can become public. As public officials, BC members should be aware that they can be the focus of public attention. Even casual conversation about city business, other public officials, or staff may draw attention and be repeated.
- Understand proper political involvement. BC members, as private community members, may support political candidates or issues but such activities must be done separate from their role as a BC member.

### **BC Member Conduct with the Public**

- Be welcoming and respectful to speakers. For many community members, speaking in front of a BC is a new experience. BC members should listen and make comments or ask questions appropriately, respectfully, and professionally.
- Make no promises on behalf of the BC in unofficial settings. BC members may be asked to explain an action or to give their opinion about an issue. It is appropriate to give a brief overview, but overt or implicit promises of specific actions are to be avoided. In the case of quasi-judicial land use matters, additional prohibitions on communications apply, on which the Planning Commission receives further guidance.
- Be mindful of what you say. Anything said in a public meeting may end up in print. In discussions about city business with the press or through social media, be careful to not represent a personal opinion as if it were the city or BC position. In general, be careful what you post online – remember the old adage: if you don't want to see it on the front page of the newspaper don't type it or say it.

### **BC Member Conduct with City Staff**

- Respect city staff and their role in the process. BC members should not disrupt staff from carrying out administrative duties, attending meetings, or implementing policy. BC members should not make belligerent, personal, slanderous, threatening, abusive, or disparaging comments to or about staff.

### **MEETING ATTENDANCE**

Members are expected to attend all BC meetings; however, the community understands that conflicts may prevent a member from attending up to 25% of the meetings a year. For these purposes, “year” refers to the twelve-month period beginning from the start date of the member’s BC term. For instance, many terms start on April 1 while others begin July 1.

### **MILWAUKIE MUNICIPAL CODE (MMC) AND BOARD BYLAWS**

Most of the city’s BCs were established by the City Council as authorized by the MMC and some were established by Council resolution. Each BC also has its own set of bylaws for members to follow; see the city website or contact the BC’s staff liaison for a copy of the bylaws.

### **DISCIPLINARY ACTION AND REMOVAL**

Pursuant to MMC Chapter 2.10, BC members may be removed at any time by the City Council for misconduct, nonperformance of duty, or failure to obey the federal, state, or local laws. If a BC member violates this code of conduct or any applicable laws the Council may choose to take the following steps:

- 1) The BC chair, or other appropriate officer if the issue involves the chair, will meet with the member in violation.
- 2) If the issue continues, the member in violation will meet with a City Council member to discuss the issue and an email about the issue will be sent to the entire Council.
- 3) If steps 1 and 2 do not resolve the issue, Council will take necessary actions to remove the member in violation from the BC as authorized by MMC Chapter 2.10.040.

### **IMPLEMENTATION**

All BC members will review this code of conduct and affirm in writing that they understand its provisions and pledge to conduct themselves by the guidelines listed. A periodic review by Council of this document will be conducted to ensure that it is an effective and useful tool.

**CODE OF CONDUCT CERTIFICATION**

As a member of a city board, commission, or committee (BC), I affirm that:

- ✓ I have read and understand the Milwaukie Code of Conduct for Boards, Commissions and Committees, and its application to my role and responsibilities while serving on a city BC.
- ✓ I have read and understand the Milwaukie Public Records Overview (available online at <https://www.milwaukieoregon.gov/bc> under "Supporting Documents") for members of BCs and how my actions on behalf of the city are governed by the applicable laws of the State of Oregon.
- ✓ I pledge to conduct myself by the code of conduct.
- ✓ I understand that I may be removed from my position if my conduct falls below these standards.

Print Name:

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Signature:

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Date:

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BCC:

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Oregon's open government laws promote democracy by ensuring that government conducts its business in a transparent manner. Oregon residents have a right to know how their government is spending their tax dollars and exercising the powers granted by the people. The following information is for members of city boards, committees, and commissions so they are aware of these legal requirements and how they apply to their service to Milwaukie.

## **PUBLIC RECORDS**

### **WHAT IS A PUBLIC RECORD?**

A public record includes any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by a public body regardless of physical form or characteristics. Public records can be in many formats, including a document, book, paper, photograph, file, or sound recording. It is important for members to be aware that any message, including emails that relate to city business are public records that belong to the public, regardless of whether they were sent or received on a public or private email system.

### **PUBLIC RECORDS LAW**

Oregon's Public Records law is divided into two parts. The first part dictates how long a public record must be kept (retention) and requirements for its disposition. Retention is determined by the content of the record. For example, an email notification about a meeting date/time/location can be deleted after it is read; however, minutes from that meeting must be retained permanently. The second part of the law establishes every person's right to inspect any non-exempt public record of a public body. Very few records in Oregon are exempt from disclosure.

### **WHO IS SUBJECT TO PUBLIC RECORDS LAWS?**

The law applies to every "governing" and "public" body. In Milwaukie, this includes city staff, the City Council, and members of all advisory boards, commissions, and task forces.

### **USE OF PERSONAL EMAIL / PERSONAL DIGITAL DEVICES**

Members may use privately-owned e-mail accounts or personal digital devices (PDDs) for sending and receiving messages related to city business; however, members should forward these communications to city staff, so they are retained. Members must also realize that when private accounts and PDDs are used for city business, those accounts or devices may be subject to public disclosure. Whenever city business is done on a PDD there is no expectation of privacy.

### **WHAT DOES THIS MEAN FOR MEMBERS?**

Public records generated as part of business related to a city advisory board, committee, or commission are maintained by the city staff liaison assigned to that body. In other words, the city is charged with the responsibility for maintaining public records in accordance with the law. If you generate a public record or receive a public record from a third party, you must send it to the city staff liaison or appropriate city department staff so it may be included in the record file. For example, if your neighbor knows you are on the Planning Commission and they send you an email with information that relates to city business, simply forward a copy of that email communication to staff in the Planning Department so it may be appropriately filed and retained. Similarly, if someone provides you with a hard-copy letter addressed to the Planning Commission, please be sure to forward it to city staff.

## **PUBLIC MEETINGS**

### **WHAT IS A PUBLIC MEETING?**

A public meeting is the convening of any governing body (in person, via email, via telephone, via online chat) for which a quorum (majority) is required in order to make a decision or to deliberate toward a decision *on any matter*. Reasonable notice must be provided to inform the public and all interested parties about the time, place, and agenda of public meetings. The city is committed to providing equal access to all public meetings and information per the requirements of the Americans with Disabilities Act (ADA) and Oregon Revised Statutes (ORS); accordingly, the city strives to be as accommodating as possible to ensure that all public meetings are as accessible as possible for persons with disabilities.

Governing bodies also must comply with these requirements when their members use electronic communication in lieu of face-to-face official meetings. For example, communications between a quorum of members of a governing body convening electronically are subject to the Public Meetings Law. If the communications constitute a decision or deliberation toward a decision for which a quorum is required the meeting would be subject to the Public Meetings Law. Given these requirements, the use of email and other online communication to conduct public business creates the risk of violating Oregon's open meeting laws and should be avoided.

A gathering of less than a quorum of a committee or other body is not a "meeting" under the Public Meetings Law. While a gathering of less than a quorum is not a "meeting," members should not gather (or communicate) as a group to discuss city business outside a public meeting. Such a gathering could create a "serial" quorum, may give the appearance of impropriety, and runs contrary to the policy of the Public Meetings Law which supports keeping the public informed of the deliberations of governing bodies. Discussions and decisions need to be conducted at meetings, even though it is not always convenient.

### **WHAT DOES THIS MEAN FOR MEMBERS?**

It is important to understand what constitutes a public meeting so members do not inadvertently violate the law. Meetings scheduled by city staff will be appropriately noticed; however, online discussions by a quorum of members violate public meetings law and should not occur.

### **FOR MORE INFORMATION**

For further reading on Oregon's public records and meetings laws, please see the Attorney General's Public Records and Meetings Manual (link below).

[http://www.doj.state.or.us/public\\_records/manual/pages/index.aspx](http://www.doj.state.or.us/public_records/manual/pages/index.aspx)

If you have questions about any of the above material contact the Office of the City Recorder at [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) or at 503-786-7502.

MILWAUKIE PUBLIC SAFETY ADVISORY COMMITTEE (PSAC)  
BY-LAWS

Adopted by the Milwaukie City Council under Resolution \_\_\_\_\_ on

~~April 17, 2018~~ TBD

## ARTICLE I: MEMBERS AND VOTING PROCEDURES

Membership of the Committee shall be as established by the Milwaukie Municipal Code and appointed by City Council. There are seven residential neighborhood association representatives and four members-at-large. Members-at-large contribute a broad perspective based on experience, property ownership, business or nonprofit partnerships, or an area of expertise relating to crime prevention, traffic safety, and public safety.

1. The term of office for members shall be from July 1st to June 30th (to allow NDA's to elect officers and representatives at the same meeting). Each term equals two years. Members may be reappointed to the same position by City Council based on the original application (updated if necessary).
2. Members are expected to attend all meetings. Failure to attend at least seventy-five percent (75%) of the regularly scheduled meetings in a 12-month period shall be grounds for a recommendation for removal. An NDA representative shall not be recommended for removal without first notifying and consulting with the NDA which is represented. Any recommendation for removal is presented to City Council which must make the final decision.
3. A quorum consists of six of the eleven members of the committee. If all the officers are unable to attend a meeting, the members present may appoint a temporary presiding chairperson and secretary. If a quorum is not attained fifteen minutes of the scheduled time of call to order, the meeting will be considered advisory. Approval of business and minutes of an advisory meeting shall be discussed and approved by a full quorum at the next regularly scheduled meeting.
4. All eleven members who are present at committee meetings are each allotted one vote on all motions.
5. One member must make a motion and another member must second that motion in order for the Committee to vote. A motion is passed by a majority of the Committee members present. All members who are present at committee meetings may submit or second a motion.



## ARTICLE II: DUTIES OF OFFICERS

The committee shall elect a Chair, Vice Chair, and Secretary.

1. The election of PSAC officers shall take place at the July meeting. The term of office for officers shall be from their election at the July meeting until the corresponding meeting 12 months later. In the event that an officer cannot complete a term, an emergency election shall be held for the completion of the term.
2. The Chairperson shall set the agenda, preside over meetings, appoint sub-committees as needed, and call special meetings or executive sessions as described in Article III.
3. In the event the Chairperson cannot attend a scheduled meeting, another elected officer shall act as the presiding officer, either as appointed by the Chair or by agreement of the members attending.
4. The Presiding Officer shall preserve the order and decorum of the meeting; direct discussion and comment to relevant issues; establish and enforce time limits for discussion and comment as appropriate; encourage citizen input, and ensure that each person is treated with respect.

## ARTICLE III: MEETINGS

Regular meetings shall be held at ~~6:15~~6:00 PM on the fourth Thursday of each month in the Public Safety Building. Meetings shall also be held online and open to virtual attendance by members, guests, and staff. The time, date, and/or location of a particular meeting may be changed by a majority vote of a quorum of the membership at least three weeks prior to the meeting.

1. The public shall be notified of all Committee meetings by the City's general notification procedures.
2. The secretary shall be responsible for taking the minutes for each meeting and forwarding to designated staff responsible for keeping records and attendance.
3. The Chairperson and/or a designated city staff member shall be responsible for sending the agenda and all meeting materials to members and interested members of the public at least six days before the next scheduled meeting.
4. Special Meetings may be called at the request of the Chairperson or a majority of the Committee unless good cause exists for delaying until the next regularly scheduled

meeting. Good cause may include such factors as staff availability, meeting room availability, and budgetary considerations.

5. Executive Sessions may be held consistent with City Council Meeting Provisions, Section 2.04.090 of the City of Milwaukie Code and applicable state law as stated in ORS 192.660.

## ARTICLE IV: OPERATING PROCEDURES

1. An Operating Manual shall be ~~adopted and~~ provided to each member, ~~along with a copy of the most current by-laws and the current year's work plan.~~ The purpose of the Operating Manual is to provide consistency, clarity, and an open record of information needed to conduct the business of PSAC.
2. The Operating Manual shall contain:
  - a. the most current by-laws;
  - b. the current year's work plan;
  - ~~a.c.~~ the purpose and duties of PSAC as determined by the City Council;
  - ~~b.d.~~ details useful for conducting business, including communications with members, sub-committee duties, and any other regularly used procedures;
  - ~~c. names, addresses, email addresses, phone numbers, and terms of office of the committee members, however, personal information shall be kept confidential by committee members unless written permission to share is provided to the chairperson.~~
3. Changes and additions to the manual may be suggested by any member and adopted by majority vote at any regular meeting.
4. The Operating Manual must be consistent with PSAC by-laws, the policies of City Council, and state law where applicable.

## ARTICLE V: COMMUNICATION

PSAC, as a committee appointed by Milwaukie City Council, is subject to Oregon's Public Meetings Law.

1. Meetings: The officers of PSAC, with the assistance of the designated staff liaison, will be responsible for adhering to the Public Meetings Law regarding:
  - a. providing notices of regular and special meetings in a timely manner;

- b. determining if and when public input will be given at a meeting and the process for doing so;
  - c. providing public access to the agenda and minutes of all meetings (except executive sessions);
  - d. proper use of executive sessions;
  - e. access to meetings by the media (media representatives are legally not excluded from executive sessions but may be asked not to reveal what is said).
2. Withholding Certain Information: All verbal and written communication distributed at meetings should be considered public unless confidentiality is requested and an executive session is called. Unless otherwise prohibited by law, identifying information may be withheld from examples given when the purpose of a discussion is to brainstorm solutions or locate resources to deal with a community safety issue and the committee and/or designated staff liaison believe it is necessary in order to:
- a. protect someone's privacy;
  - b. avoid jeopardizing an ongoing investigation;
  - c. comply with a personal safety request by a party involved.

*If such information cannot legally remain confidential, all parties should be notified in advance and given the option to withdraw from discussion or record.*

3. Communication without Email Access: The primary form of communication outside of meetings will be by email. Any member who does not have internet access or email available is responsible for notifying the Chairperson and Secretary so that an alternate way of distributing notices, agendas, minutes, and other documents to that member can be determined.
4. Email Decorum: Emails should be clearly written and expressed in a manner in keeping with expected conduct at PSAC meetings.
5. Email Retention: Email exchanges between members (communicating as members) are considered public records. Emails will be used primarily for notification, clarification, proposing agenda items, meeting suggestions, and reminders. Copies are to be sent to the whole group in order to avoid confusion and simplify compliance with the law. The Chairperson and Secretary will determine how and where to retain copies of emails which qualify for retention under state law.
6. Unsolicited Emails: Emails from outside PSAC to any member and which refer to PSAC related business, actions, or discussion (past, present, or future), shall be acknowledged

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as received by the recipient in a reply to the sender and a copy forwarded immediately to the Chairperson and designated staff liaison who will decide:

- a. whether the email is best handled by an email reply or an invitation to be on the agenda at a meeting;
- b. who should handle the follow-up communication.

This is to ensure compliance with the Public Meetings Law and to continue the practice of including all members. If all members receive a copy of an unsolicited email concerning PSAC, the Chair and designated staff liaison will be responsible for the reply.

7. Forwarding Internal Emails: To avoid misinterpretation and confusion, discussion sorts of emails should not be forwarded outside the PSAC membership without the permission of each writer, and should always include an explanation which puts the email in a proper context. The preferred response is to encourage others to contact the Chair or Secretary for specific information rather than having an individual forwarding emails. Emails containing only meeting reminders, the agenda, and minutes may be forwarded to anyone, anytime.
8. Public Information Requests: Requests from a non-member to view emails which qualify as public records should be directed to the Chair and Secretary.
9. Public Notice: Members are encouraged to add a notice when appropriate to the PSAC emails they send informing the recipients that the email is subject to disclosure. Here is a sample:

*PUBLIC RECORDS LAW DISCLOSURE: This e-mail is a public record of the City of Milwaukie and is subject to public disclosure unless exempt from disclosure under Oregon Public Records law. This email is subject to the State Retention Schedule.*

10. Emergency Communication: An emergency which makes the internet temporarily inaccessible (such as in a power outage) may require the use of the telephone or regular mail. Members should be sure the Secretary has their current phone number and address at all times. Members are also encouraged to be sure their current phone number is on the City of Milwaukie Code Red calling list.
11. Members' Personal Information: The Oregon legislature has determined that the phone number, mailing address and/or residence and other personal privacy information of a public employee is not "public information." It is assumed that volunteers are subject to the same privacy protection. Each member may choose whether their personal information may be provided to the public on the city website or by any other means. PSAC members who are provided with personal information about other members (such

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as for a telephone tree) are expected to keep that information confidential. This information may be updated to comply with revised Oregon laws or other policies, as needed in the future.

## **ARTICLE VI: BY-LAW CHANGES**

1. By-laws need to be reviewed annually at the January or February meeting.
2. By-laws may be amended, repealed or altered by a majority of a quorum of the committee, subject to approval by the City Council. A copy of the proposed changes must be sent to all members before a vote may be taken.

These by-laws approved by PSAC on March 22, 2018.