



22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

# WEST LINN CITY COUNCIL MEETING NOTES March 19, 2018

## [Call to Order and Pledge of Allegiance](#)

### **Council Present:**

Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.

### **Council Excused:**

Council President Brenda Perry and Councilor Bob Martin.

### **Staff Present:**

City Manager Eileen Stein, Assistant to the City Manager Dylan Digby, City Recorder Kathy Mollusky, Assistant City Attorney Megan Thornton, Community Development Director John Williams, Public Works Director Lance Calvert, Parks & Recreation Director Ken Worcester, and City Attorney Tim Ramis.

## [Approval of Agenda](#)

Councilor Richard Sakelik moved to Add to the agenda this evening finalizing our verbiage and dollar allocations for the GO Bond projects as noted on our last project spreadsheet edited on 3-1-18 and discussed at the 3-5-2018 Council Meeting. Councilor Teri Cummings seconded the motion.

Mayor Axelrod would like to wait until there is a fuller Council. He does not want to finalize the numbers without Council President Perry, he would like to talk about it at a work session. This was not identified as an item to discuss. Council can still communicate with citizens. Council does not need to finalize the numbers until they get as much input as possible.

Councilor Cummings would be more comfortable finalizing the numbers. She feels Council was pretty much there on March 1. If they are not, Council needs to telecommute with Council President Perry this week. It is difficult to campaign without certainties on the numbers. Council President Perry is not back until April 9 and time is of the essence. If Council meets around 6:00 pm, it will be 2:00 pm where she is. She does not want to wait until April 9. When Councilors go on vacation, items are approved without them. She asked Mayor Axelrod to check with Council President Perry to see if she is willing to participate in the discussion. She is willing to wait a week; however, April 9 is a long time to wait.

Councilor Sakelik stated Council has discussed the numbers numerous times. Council does not agree on everything, so the fair thing to do would be to take the average numbers. The verbiage is something they need to work on. To wait until April 9 does not help Council move this forward. Council needs specifics to talk to citizens about. He is open if Council can get Council President Perry on the phone for a conference call this week. Council does not have the luxury of going past this week. The ballots go out April 5 so Council has 16 days to go out and talk to citizens. Council has to set things up with the neighborhood associations. He has been wanting to do this. The dollars are not going to change. He will wait for a special session this week.

City Attorney Ramis explained if Council has reached an agreement about an alternative, then they can withdraw the motion and pursue the alternative. If Council has not reached agreement, then Council is still deliberating on the motion.

Mayor Axelrod will email Council President Perry to get her feedback. He wants to be clear to the community also. He would like to follow the process and have further discussion. Council can advocate and let citizens know their opinions. Citizens can look on the website and communicate with Council to get all the information they need.

Councilor Sakelik stated Council has been discussing this for two months and have numbers. Council is just wasting time and could be out advocating for the things they believe in. Council has had contentions about city facilities and parks. He has no problem scheduling a date now and getting Council President Perry's input. He does not want to wait until April 2.

Councilor Cummings agrees to delay if April 2 is a special meeting.

Mayor Axelrod agrees.

City Manager Stein reminded Council they have a Planning Commission Joint Meeting at 6:00 pm. The special meeting could start at 5:00 pm or earlier.

Council Sakelik would like to have the special meeting at 6:00 pm and the joint meeting at 7:00 pm. It is difficult for citizens to come at 5:00 pm.

Mayor Axelrod would like the General Obligation Bond discussion first at 5:00 pm. With a weeks' notice, citizens can be there by 5:00 pm. He does not want to move the joint meeting.

Councilor Sakelik withdrew his motion.

Councilor Teri Cummings moved to Withdraw the article about the Committee for Citizen Involvement (CCI) from the Agenda. Councilor Richard Sakelik seconded the motion.

Mayor Axelrod would like to leave this item on the agenda. He would like to discuss the March 13 letter received from the CCI that is attached to the agenda. He would also like to briefly discuss the bylaws. He does not see this as controversial. He would like to honor the CCI's recommendation.

Councilor Cummings is not prepared to talk about it. It has not been discussed with the CCI or Neighborhood Association Presidents (NAPs). The CCI bylaws need more work.

Councilor Sakelik would like to discuss it at the same time and not piecemeal it. He recommends it be added to the April 2 agenda and the different stakeholders can speak about it. He does not want to spend time on it tonight.

City Manager Stein reminded Council it will be a change to the Council Rules.

Mayor Axelrod would like to move the letter forward. Council is not going to vote on the other issue, just have a discussion, set the stage. He does not understand why Council does not want to discuss the bylaws. He could talk about it under the Mayor report. CCI has been discussing this for one month to six weeks. He wants to honor the CCI request.

Councilor Cummings is okay with having the discussion regarding the one little rule. The bylaws need to be worked on more and brought back later. Council has not heard from the groups that are affected.

City Attorney Ramis explained, in a single motion, Council could delete this agenda item and replace it with consider the CCI submittal to narrow scope of the conversation.

Councilor Cummings withdrew the motion.

Councilor Teri Cummings moved to withdraw 6.b. and consider the CCI submittal in place of that. Councilor Richard Sakelik seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

Councilor Teri Cummings moved to Approve the agenda as amended. Councilor Richard Sakelik seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

### [Community Comments \[10 min\]](#)

Joe Durbin re: high school parking and how proud he is of the Youth Advisory Council's professionalism. He believes Council is letting the kids down because of preconceived notions of kids needing to reduce car trips and kids not needing cell phones or cars. He thinks the Youth Advisory Council's recommendation was fair.

Michele Thornton re: high school parking. It is necessary for kids with extracurricular activities to drive, it is not a luxury. Activity busses are not an option for all kids. Some work or have other activities. These ambitious kids should be supported.

David Baker re: high school parking. The City should incentivize and optimize options and not pass judgment. The neighborhood concerns should be taken in consideration, but not prohibit changing the zones. He supports Council adopting the Youth Advisory Council options.

John Cahill re: high school parking. He is disappointed in the Council's lack of support of the Youth Advisory Council compromise. Some kids are harassed on the bus so they do not want to ride it.

Scott Huskey re: high school parking. He has built lots of streets and paid System Development Charges. He is disappointed Council closed off streets to the kids.

Rory Bialostosky re: high school parking. The school is in compliance with the Code and the Conditional Use Permit.

Alice Richmond re: high school parking. She does not like the hostility from the residents towards the students.

[Alice Richmond submittal](#)

Gary Walvatne re: CCI Bylaws: CCI discussion did not raise to the level of wanting to change the CCI Bylaws.

Ken Pryor re: CCI Bylaws. They should be reviewed by the CCI and having two Council Members might be disproportionate. Re: high school parking. Driving to school is a privilege. The institution conditional use cannot negatively impact the area around them.

Ramiah Ramasubramanian re: CCI Bylaws. For transparency, it should be said who had the problem with the voting and quorum.

Mayor Axelrod clarified Council is very appreciative of the Youth Advisory Council information. Council is having a meeting with the school board on April 16. He asked the citizens who testified to contact him.

Councilor Cummings explained she is not against kids in cars or kids having cell phones. A lot of things have changed, except the number of parking spaces at the high school. Even if every space was opened up, they would only have 600 spaces, is that enough for approximately 2,000 drivers? School policy has consolidated lunch hours and removed activity busses. Kids do not want to take the activity bus because it can take an hour on the bus when it is only a 10 minute drive. Forest Grove has an intercity shuttle. She is the liaison to the Youth Advisory Council, they produced a report, but need to explain where we are going to put all the cars. She wants to get the students, neighbors, and school district together. We do not need people attacking each other and not working on the problem. We need to come together and look at the issue. The school has a limited site. She asked people to come together, listen to each other, respect each other, and bring ideas.

### [Proclamations, Recognitions and Scheduled Presentations to the Council \[20 min\]](#)

#### [Arbor Week Proclamation](#)

Mayor Axelrod read the Arbor Week Proclamation.

Councilor Cummings explained Arbor Week is April 1-7. She read all the events the City is participating in.

#### [Arbor Week Events](#)

Parks and Recreational Director Worcester introduced Samantha Wolf from Clackamas County, representing the Arbor Day Foundation.

Samantha Wolf informed Council that 2018 is a benchmark year for West Linn. West Linn has been a Tree City USA for 25 years. To be a Tree City, you have to meet four standards. You must have: (1) A Tree Board or Department; (2) A Tree Care Ordinance; (3) A Community

Forest Program with an annual budget of at least \$2 per capita; and (4) Arbor Day Observation and Proclamation. She congratulated and presented West Linn with a 25 year flag.

**[Consent Agenda \[5 min\]](#)**

**Agenda Bill 2018-03-19-01: Approval of Meeting Notes for March 5, 2018.**

**[Draft Notes](#)**

Councilor Richard Sakelik moved to approve the Consent Agenda for the March 19, 2018, West Linn City Council Meeting which includes the March 5, 2018, meeting notes as revised. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

**Business Meeting [45 min]**

**[Agenda Bill 2018-03-19-02: ORDINANCE 1673, RELATING TO CITIZEN ADVISORY GROUPS AND AMENDING WEST LINN MUNICIPAL CODE SECTIONS 2.020\(4\) and 2.075\(11\)](#)**

**[ORD 1673 Information](#)**

Assistant City Attorney Thornton staff report.

Councilor Richard Sakelik moved to approve First Reading for Ordinance 1673 relating to citizen advisory groups and amending West Linn Municipal Code Sections 2.020(4) and 2.075(11), and set the matter for Second Reading. Councilor Teri Cummings seconded the motion.

Councilor Cummings explained Council changed the language from "Arts" to "Arts and Culture" because they want to include the Confederated Tribes and Historical Societies.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

Councilor Richard Sakelik moved to approve Second Reading for Ordinance 1673 relating to citizen advisory groups and amending West Linn Municipal Code Sections 2.020(4) and 2.075(11), and adopt the ordinance. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

[Agenda Bill 2018-03-19 COMMITTEE FOR CITIZEN INVOLVEMENT LETTER](#)

[RES 2018-08 CCI Bylaws Information](#)

[CCI Submittal](#)

[Citizen submittals re CCI bylaws](#)

Mayor Axelrod explained the March 13 Committee for Citizen Involvement letter recommended Community Comment, Public Comment, and Citizen Comment be changed to be "Public Comment" on all agendas to be consistent.

Councilor Sakelik thinks consistency in all records is important.

City Manager Stein clarified amending the Council Rules to make this happen will be on the April 9 agenda.

[Agenda Bill 2018-03-19-04: RESOLUTION 2018-09, SUPPORTING HISTORIC WILLAMETTE MAIN STREET BECOMING A "TRANSFORMING COMMUNITY" UNDER THE OREGON MAIN STREET PROGRAM.](#)

[RES 2018-09 Historic Main Street Information](#)

Community Development Director Williams introduced Rae Gordon from Historic Main Street.

Rae Gordon explained there are three steps. The first step was "exploring" which is showing your interest and following the guidelines in the program. Now they are in the "transforming" step which gives us more opportunity for tools and technical assistance. The next level is "performing" which is what Oregon City has done in its downtown area.

[Historic Willamette Main Street Handout](#)

Councilor Richard Sakelik moved to Adopt Resolution 2018-09 supporting Historic Willamette Main Street becoming a "Transforming Community" under the Oregon Main Street program. Councilor Teri Cummings seconded the motion.

Mayor Axelrod read the resolution.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

[Agenda Bill 2018-03-19-05: Contract Award for the 2018 Slurry Seal Project \(PW-17-04\)](#)

[Slurry Seal Information](#)

Public Works Director Calvert staff report.

Councilor Richard Sakelik moved to Authorize the City Manager to sign a contract with Blackline, Inc. in the amount of \$220,883.08 for the 2018 Slurry Seal Project. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

**[Agenda Bill 2018-03-19-06: Contract Award for the Valley View and Suncrest Improvements \(PW-17-02\)](#)**

[Valley View & Suncrest Information](#)

Public Works Director Calvert staff report.

Councilor Richard Sakelik moved to Authorize the City Manager to sign a contract with 3 Kings Environmental, Inc. in the amount of \$835,947.50 for the Valley View and Suncrest Improvements. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 3 - 0**

**[Agenda Bill 2018-03-19-07: Potential Sale of Surplus Properties at 6123 & 6175 Skyline Drive](#)**

[Suplus Property Information](#)

[Councilor Sakelik suggestions](#)

[Councilor Cummings submittal](#)

[Public Comments](#)

Alice Richmond stated the houses around the Bolton Reservoir were purchased with water funds so they need to be sold and the money put back into the water funds.

[Alice Richmond submittal](#)

David Baker, as a member of the Utility Board, he supports the funds of \$600,000 being returned to the water fund. As a member of Rosemont Neighborhood Association, he would have liked the neighborhood to be consulted if there were to be a change for that land use. The intent is to restore the neighborhood feel.

Public Works Director Calvert staff report.

Councilor Cummings said the neighborhood went through a lot with construction. This area is the same distance from the school as the mill. The school board has not talked about this and leave it up to facilities to get parking for them.

Councilor Sakelik said these prices are flat and real estate has gone up. Does his idea of using this property for a pole barn to store things in work? It is zoned residential, so if the school district wanted it, would the zone have to be changed?

Public Works Director Calvert responded these are the initial listing prices, the minimum price the City would accept, the final price could be substantially higher. The goal is to recoup our costs and the final sale price might be higher. There are issues and state statutes when building a public facility. We have to have solar/alternative energy, art, and there are costs and constraints where we do not want to build something temporary. There is contention regarding the Public Works yard, an industrial use, in a residential neighborhood. If the school district wanted to use it, it would be a conditional use so they would have to go through the process unless there was a change in the zoning code and they would have to do offsite improvements, like a sidewalk.

Councilor Sakelik asked if the City needs to use a real estate agent or if the City could do it, we have attorneys who can take care of the paperwork. Would the City receive the estimated \$600,000 after they pay commissions?

Public Works Director Calvert explained the City previously used a real estate agent to market the property and guide the City through the process. They have familiarity with both the residential and builder market and other potential buyers. The \$600,000 is just an estimate. The agent receives a commission of 5%, the standard commission is 6%.

City Manager Stein explained it is not just doing the paperwork, but doing marketing.

Councilor Sakelik wants to wait until this is discussed with the school board to see if they're interested.

City Manager Stein spoke with the superintendent and facilities department, they are not interested. Council is welcome to raise this with the school district and the school district is welcome to submit a bid along with everyone else. She would like Council's consent to get the marketing underway.

Mayor Axelrod reminded Council in the email Councilor Cummings had with school board member, she said it is up to facilities. We spoke with facilities and they said not interested in the property.

Public Works Director Calvert could reach out to school facilities and ask if they want to pursue. It takes a couple of months to market and go through the process. The school would rather buy something adjacent to the school.

Mayor Axelrod thinks it is important to honor the original intent. The school district made it clear it is not interested in developing parking separate from their facility. He is not interested in a zoning change. He would like to restore it to neighborhood use, proceed with the sale, use

a professional real estate agent and provide the funds back to the water fund.

Councilor Cummings agrees, she does not want to rezone. If the school board, school district, and facilities had in their plans to find parking, it would be different. She thinks the neighborhood would be nervous about having a parking lot that far away. She does not want to hold this up. Council can tell the school board about it in April. She does not think they are interested. It is okay to put it on the market.

Mayor Russ Axelrod moved to Authorize staff to move forward as necessary to advance the sales of the surplus properties at 6123 and 6175 Skyline Drive. Councilor Teri Cummings seconded the motion.

Councilor Sakelik is not against doing it, he would just like to hear what the school board said before proceeding with formal action. We are not under a time crunch.

**Ayes: Mayor Russ Axelrod and Councilor Teri Cummings.**

**Nays: Councilor Richard Sakelik.**

**The motion carried 2 - 1**

#### [Mayor and City Council Reports \[15 min\]](#)

Councilor Sakelik mentioned the Economic Development Committee approved the County Tourism Grants, \$12,000 out of \$20,000 was allotted for West Linn. He took a class on civil discourse. His key takeaway was that in our jobs as councilors, we are never going to satisfy everyone's desires. He wants residents to understand it is not easy to be in these positions knowing someone is not going to be happy.

Councilor Cummings went to Washington, DC. They had good key speakers. She shared ideas with councilors from all over the country and came home inspired. She went to an art event with someone interested in the arts and asked anyone interested in arts, culture, or history contact her.

Mayor Axelrod went to Washington, DC also. He experienced the frustration of our leaders in DC. Not only senators, but congressional leaders too. This president is supposed to be an infrastructure president. Things we want, like I-205 improvement, we cannot do on our own. The funding is being cut and most of it is supposed to come from local sources. He is writing letters to support infrastructure. On the CCI matter, he apologized to the CCI and anyone else, the message from the Neighborhood Association President was there is a need to change the bylaws. He believed the CCI agreed with it. He has taken a very active role in the CCI and is bothered that some people were offended. He meant no offense. He will step aside if the CCI wants fewer members. He needs to hear from the Neighborhood Association Presidents about what their concerns are. He wants to talk about it with them at a work session. He is committed and supportive of the CCI work. He met with Commissioner Humberston about the tolling movement that the Oregon Department of Transportation (ODOT) is pushing forward.

He would like a draft letter of support from the Council about their concern by the April 2 Work Session.

Councilor Cummings thanked Mayor Axelrod for his advocacy on the Locks, the Abernathy Bridge, I-205, and the infrastructure items.

#### **City Manager Report [10 min]**

City Manager Stein said there was 47 applications for the Chief of Police recruitment, we have whittled it down to six finalists. The interviews will be Wednesday, March 28 and will include stakeholders such as the Public Safety Advisory Board, the Business Community, and the West Linn Alliance.

#### **City Attorney Report [5 min]**

City Attorney Ramis stated there is no change from the last report, no new projects.

Councilor Sakelik said there was a Tidings article regarding a claim because of the Cedaroak Boat ramp. He would like an executive session regarding this and the high school parking.

#### **Adjourn**

Gentlemen / Ladies —

it is a no brainer to  
speak on this issues  
of about our High  
School students  
parking situation —

this is a nasty; pestering  
selfish; disturbing  
altercation from these  
west LINN residents who  
show hostility and lack  
of care and concern for  
our young adults in  
school who needs to  
finish and graduate and  
90% of them work to  
support themselves and  
30% of them go to local  
College for extra credits.

How ignominious of these  
residents to protest a  
parking piece of land  
outside of their properties,  
they bogger the mind of  
the majority residents by  
their illiberal attitude with  
their self-indulgence / these  
unneighborly neighbors of  
self-denial have become  
a thorn in our Community,  
where as, one can drive

II

by L.O.'s 2 Highschools or/  
and by Oregon City Highschool  
these unfriendly neighbors  
would see how our  
neighbor cities give great  
substantial propitiousness  
to their student.

West Lin N has now  
succeeded to add another  
uncovered and undesirable  
dispute. - Yet last I  
check my property taxes  
I and thousand other  
residence pay city streets  
rates and bonds and levies  
ect. et.

This High School was  
built long before I became  
a resident - etc. so my  
message = one does not like  
our High Schooler, please  
do not purchase or rent  
next to this one -

the epitome of my  
statement on controversial  
neighbors is distraughted and  
unamerican -

Alice Richmond

3-19-18.

Council meeting.

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Arbor Week West Linn Oregon, Tree City USA  
April 1-7, 2018

Events include:

- *Tree Protection Project* - Monday, April 2<sup>nd</sup> at Mary S. Young Park from 3 - 6 pm
- *Volunteer Planting Project* - Wednesday, April 4th at Marylhurst Heights Park from 2- 4 pm
- *Tree Education and Native Tree/Shrub Giveaway Sponsored by Bartlett Tree Experts Legacy Tree Program*- Saturday, April 7th at Mary S. Young Park from 9 am- noon
- SOLVE Work Day Oak Savanna Restoration - Saturday, April 7<sup>th</sup> at Mary S. Young Park from 9 am – noon
- International Beaver Day with Beaver Ambassadors - Saturday, April 7<sup>th</sup> at Mary S. Young Park from 2- 4 pm

These activities are in celebration of West Linn as a recipient of the Tree City USA award from the National Arbor Day Foundation. West Linn has earned the award every year for 25 years. To qualify for the award, West Linn observes Arbor Day, has an ordinance governing tree removal, and a dedicated budget to care for the City's tree canopy and to staff the oversight of tree policies and care.

Please contact our Parks and Recreation Department at 503-557-4700 for more information.



Spectator  
PIZZA & PUB



# CITY OF West Linn

March 13, 2018

Mayor Axelrod and City Councilors  
City of West Linn

RE: CCI recommendation on the use of consistent terms on the agenda: "public comment"

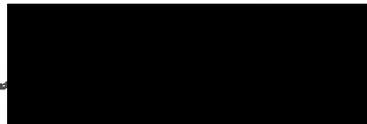
Dear Mayor Axelrod:

At the February 6, 2018 meeting, the CCI discussed a request to clarify the use of terms. The proposal considered the use of the term "public" as it related to the comment section of the agenda. The CCI discussed other terms (i.e. resident versus citizen) that Committees could use as part of their meeting materials. Only one change was proposed for recommendation to council.

The CCI moved to recommend to City Council that agendas for City Council and all advisory boards use the term "Public Comment" and the motion passed unanimously.

Please accept this letter as a formally submitted request for consideration at a future Council meeting.

Thank you



Ken Pryor  
Chair, Committee for Citizen Involvement

## Mollusky, Kathy

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**From:** Rosemont Summit Neighborhood Association  
**Sent:** Monday, March 19, 2018 12:07 PM  
**To:** Axelrod, Russell  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Hi Russ,

I agree about the importance of having one individual from the NAP assigned to the CCI. Consistency with a in-depth topic like land use is important. It would be good for the NAP group to consider voting on their representative to the CCI instead of the position being allocated to the chairman by default. I'll bring this idea up at our next NAP meeting.

Regards,

David

David Baker | President  
Rosemont Summit Neighborhood Association

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**From:** Axelrod, Russell  
**Sent:** Monday, March 19, 2018 11:20 AM  
**To:** Rosemont Summit Neighborhood Association  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Thanks David. I am open to hearing more about any concerns of the NAP and how best to address them. My main concern is establishing a protocol for voting on significant matters - if we follow other typical public committee structures that should be the role of the appointed individual from the NAP and not a rotating door of 11 possible individuals.

Russ

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**From:** Rosemont Summit Neighborhood Association  
**Sent:** Monday, March 19, 2018 10:25 AM  
**To:** Axelrod, Russell  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Hi Russ,

This conversation is a bit problematic because the Neighborhood Association Presidents (NAP) group has been operating by informal rules rather than by a standard established with bylaws. The NAP is currently working to remedy this. Perhaps the NAP can make a recommendation to City Council on how the group would like to be represented on the Committee for Citizen Involvement when the NAP is a little further along with that work?

Regards,

David

David Baker | President  
Rosemont Summit Neighborhood Association

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**From:** Axelrod, Russell  
**Sent:** Sunday, March 18, 2018 9:43 PM  
**To:** Pryor, Ken; City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed  
**Cc:** Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Ken,  
My recollection is the issue came up more than once, I believe first with Karie and then at the latest meeting with Gail,. At the latest meeting I thought there was general consensus indicated that the council should clarify the bylaws. You are correct there was no vote, but my recollection is a vote wasn't requested or needed.

I apologize for perhaps using the wrong words in my quick response as I meant no intent to dismiss any CCI members or our voting record, but honestly since my tenure there have been few actual votes on significant items other than typical things like meeting notes approval, schedules etc.

Anyway, if folks want to revisit the membership that's fine and I think I'll just step away from things myself because I'm getting awful tired of all the negative energy from folks around what is really great progress and change and good things from our efforts overall to reform and address land use issues directly.

Russ

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**From:** Ken Pryor <paragon399@yahoo.com>  
**Sent:** Sunday, March 18, 2018 9:10 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed; Axelrod, Russell  
**Cc:** Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Russ,

I take exception to your perception a change in CCI by-laws was requested by CCI?  
There was polite discussion but no motion to from the floor to make any such request. As I recall in the past both yourself and Councilor Martin have voted on every matter before the CCI. It does raise the specter of CCI

independence and if members of the council, participating in CCI should have two (2) votes. Considering a quorum of 4 , where 2 votes are Council members, suggests under representation of citizens.

I also take exception to your quote "participation on the CCI which by the way also votes only rarely on anything meaningful".

I believe most members of the CCI s take issues/votes before the CCI far less dismissively .

Best

Ken Pryor  
CCI Chair

On Sunday, March 18, 2018, 4:29:53 PM PDT, Axelrod, Russell <RAxelrod@westlinnoregon.gov> wrote:

Ed,

Thanks for your comments. I believe there may be a misunderstanding on how this issue came to council's attentions and also the role of any CCI member when it comes to voting, but in this case the rep from/for the NAP.

The preference has always been that whomever represents the NAP on the CCI has at least some level of experience in the land use process in West Linn. The current bylaws indicate that the Chair of the NAP shall be the representative; however, if that assignment does not work for the Chair, either for schedule issues or lack of interest or background in land use, the NAP can assign another member to represent them on the CCI.

The assigned NAP rep to the CCI is the person with the voting rights on the CCI. Yes, if the assigned rep cannot make a particular meeting for some reason he/she can send a representative for that meeting that is being missed, but the voting rights remain with the 2-yr appointee only. Thus, the voting rights are not transferable, and that is how all other public appointed committees are managed elsewhere - for example MPAC, JPAC, C4 etc.

Our council is merely responding to a request to clarify the bylaws on this matter that came to us from the CCI and we thought from the NAP as well. It does appear that the clarification needs to be made to be more clear on this issue, and the council has no other objective than to try and clarify what appears to be a misunderstanding on the committee voting. I also don't believe this encumbers the NAP in anyway from it's important role and participation **on the CCI which by the way also votes only rarely on anything meaningful** and tries to do so only when all the members or group understanding is comfortably represented. In other words there is nothing clandestine about this clarification on voting roles.

I'm available to discuss this anything if helpful - my best,

Russ

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**From:** Ed Schwarz <ed.schwarz@gmail.com>  
**Sent:** Saturday, March 17, 2018 6:32 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen

**Cc:** 'Ken Pryor'; Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents

**Subject:** Regarding Agenda Bill 2018-03-19-03

Dear Mayor and City Council,

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Ed Schwarz

West Linn

**Russell Axelrod**

*Mayor*

City Council

22500 Salamo Rd

West Linn, OR 97068

RAxelrod@westlinnoregon.gov

westlinnoregon.gov

503-742-6002

 City of  
**West Linn**

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## **Mollusky, Kathy**

---

**From:** Axelrod, Russell  
**Sent:** Monday, March 19, 2018 11:20 AM  
**To:** Rosemont Summit Neighborhood Association  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Thanks David. I am open to hearing more about any concerns of the NAP and how best to address them. My main concern is establishing a protocol for voting on significant matters - if we follow other typical public committee structures that should be the role of the appointed individual from the NAP and not a rotating door of 11 possible individuals.

Russ

---

**From:** Rosemont Summit Neighborhood Association  
**Sent:** Monday, March 19, 2018 10:25 AM  
**To:** Axelrod, Russell  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Hi Russ,

This conversation is a bit problematic because the Neighborhood Association Presidents (NAP) group has been operating by informal rules rather than by a standard established with bylaws. The NAP is currently working to remedy this. Perhaps the NAP can make a recommendation to City Council on how the group would like to be represented on the Committee for Citizen Involvement when the NAP is a little further along with that work?

Regards,

David

David Baker | President  
Rosemont Summit Neighborhood Association

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**From:** Axelrod, Russell  
**Sent:** Sunday, March 18, 2018 9:43 PM  
**To:** Pryor, Ken; City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed  
**Cc:** Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

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Anyway, if folks want to revisit the membership that's fine and I think I'll just step away from things myself because I'm getting awful tired of all the negative energy from folks around what is really great progress and change and good things from our efforts overall to reform and address land use issues directly.

Russ

---

**From:** Ken Pryor <paragon399@yahoo.com>

**Sent:** Sunday, March 18, 2018 9:10 PM

**To:** City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed; Axelrod, Russell

**Cc:** Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents

**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

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CCI Chair

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**Sent:** Saturday, March 17, 2018 6:32 PM

**To:** City Council; Mollusky, Kathy; Stein, Eileen

**Cc:** 'Ken Pryor'; Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents

**Subject:** Regarding Agenda Bill 2018-03-19-03

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## Mollusky, Kathy

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**From:** Rosemont Summit Neighborhood Association  
**Sent:** Monday, March 19, 2018 10:26 AM  
**To:** Axelrod, Russell  
**Cc:** Mollusky, Kathy  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

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**To:** Pryor, Ken; City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed  
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**From:** Ken Pryor <paragon399@yahoo.com>  
**Sent:** Sunday, March 18, 2018 9:10 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed; Axelrod, Russell  
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**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

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**To:** Pryor, Ken; City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed  
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**From:** Ken Pryor <paragon399@yahoo.com>  
**Sent:** Sunday, March 18, 2018 9:11 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed; Axelrod, Russell  
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## Mollusky, Kathy

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**From:** Axelrod, Russell  
**Sent:** Sunday, March 18, 2018 4:44 PM  
**To:** Alan Smith; City Council; Stein, Eileen; Mollusky, Kathy; Tim Ramis; Thornton, Megan; David J. Baker; Holmes, Gail; Gilday, Tracy; O'Toole; Steve Miesen; Schwarz, Ed; Relyea, William; Boyd, John  
**Subject:** Re: Agenda Bill 2018-03-19-03: Article II section 3.

Mr. Smith,

Thank you for your comments. For your understanding, our council is merely responding to this issue at the request of the CCI and what we understood to be the NAP.

Second, a few minutes ago I responded to an email from Ed Schwarz about a question raised on the voting rights of an appointment to a public committee. FYI, I have copied my response below from that email. I'm also available to discuss any questions at your convenience.

Thanks,  
Russ

*"Ed,  
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**From:** Alan Smith <aalansmith57@gmail.com>

**Sent:** Saturday, March 17, 2018 5:17 PM

**To:** City Council; Stein, Eileen; Mollusky, Kathy; Tim Ramis; Thornton, Megan; David J. Baker; Holmes, Gail; Gilday, Tracy; O'Toole; Steve Miesen; Schwarz, Ed; Relyea, William; Boyd, John

**Subject:** Agenda Bill 2018-03-19-03: Article II section 3.

HI KATHY, PLEASE ADD MY COMMENT BELOW TO THE PUBLIC RECORD FOR THE ABOVE AGENDA BILL THANK YOU.

Since when does the Council, or for that matter any representative body, write by-laws for an independent committee? I know you can give them a mandate on why they are assembled, but the process of how such a committee gets there has always been historically that committee's determination. Your Bill treads where it is not your right. This is an example of a local government trying to abridge the right of the people "to peaceably assemble and to petition the government for a redress of grievances." (The U.S. Constitution, Amendment One.)

Not voting on this Bill until you take it through CCI and NAP is the honest and correct thing to do, and will ensure that you will not be emboldened to completely cut out the deliberations of the CCI and NAP.

The state mandates that each city has this type of committee, but how does this city's manifestation of Goal One help when you bind and gag it as your Bill does?

-Alan Smith,  
*Proud Resident, Voter, and Taxpayer of West Linn*

"Nearly all **men** can stand adversity, but if you want to test a **man's** character, **give him power.**" - Abraham Lincoln

## Mollusky, Kathy

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**From:** Axelrod, Russell  
**Sent:** Sunday, March 18, 2018 4:30 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen; Schwarz, Ed  
**Cc:** Pryor, Ken; Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Re: Regarding Agenda Bill 2018-03-19-03

Ed,  
Thanks for your comments. I believe there may be a misunderstanding on how this issue came to council's attentions and also the role of any CCI member when it comes to voting, but in this case the rep from/for the NAP.

The preference has always been that whomever represents the NAP on the CCI has at least some level of experience in the land use process in West Linn. The current bylaws indicate that the Chair of the NAP shall be the representative; however, if that assignment does not work for the Chair, either for schedule issues or lack of interest or background in land use, the NAP can assign another member to represent them on the CCI.

The assigned NAP rep to the CCI is the person with the voting rights on the CCI. Yes, if the assigned rep cannot make a particular meeting for some reason he/she can send a representative for that meeting that is being missed, but the voting rights remain with the 2-yr appointee only. Thus, the voting rights are not transferable, and that is how all other public appointed committees are managed elsewhere - for example MPAC, JPAC, C4 etc.

Our council is merely responding to a request to clarify the bylaws on this matter that came to us from the CCI and we thought from the NAP as well. It does appear that the clarification needs to be made to be more clear on this issue, and the council has no other objective than to try and clarify what appears to be a misunderstanding on the committee voting. I also don't believe this encumbers the NAP in anyway from it's important role and participation on the CCI which by the way also votes only rarely on anything meaningful and tries to do so only when all the members or group understanding is comfortably represented. In other words there is nothing clandestine about this clarification on voting roles.

I'm available to discuss this anything if helpful - my best,

Russ

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**From:** Ed Schwarz <ed.schwarz@gmail.com>  
**Sent:** Saturday, March 17, 2018 6:32 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen  
**Cc:** 'Ken Pryor'; Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Regarding Agenda Bill 2018-03-19-03

Dear Mayor and City Council,

I was just made aware of the subject Agenda Bill which **changes** (not “clarifies” as stated in Articles III and IV) the way the NAP has been operating.

Up until now the NAP representative to the CCI has been the NAP Chair. When the NAP Chair was unable to attend the CCI meeting, a substitute was named by the NAP Chair. That substitute had full voting power on the CCI. When I was the NAP Chair, I heard no complaints that this solution was not working or was incorrect.

Now, after what I am guessing was a complaint by one member of the NAP, the Council is taking into its own hands, without consulting the NAP, how the NAP representative is selected. Also changed is the voting power of the NAP representative if the representative cannot attend the CCI meeting.

**I am shocked that this has come up so fast without any warning to, or input from, the NAP.**

I am unavailable to attend Monday’s meeting, but I ask that you take a step back and reconsider what is being done here. **The NAP should first be consulted for its input before such a change is made.**

I am very disappointed in this Council for putting this forward in such a hasty manner.

Ed Schwarz  
West Linn

## Mollusky, Kathy

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**From:** Alan Smith <aalansmith57@gmail.com>  
**Sent:** Sunday, March 18, 2018 2:21 PM  
**To:** Stein, Eileen; Boyd, John; Thornton, Megan; Williams, John; Mollusky, Kathy; Tim Ramis  
**Cc:** City Council  
**Subject:** PLEASE ADD TO PUBLIC COMMENTS FOR MONDAY'S Agenda Bill 2018-03-19-03

*From Chapter One, What is Citizen Involvement? from Putting The People Into Planning ISSUED BY THE STATE OF OREGON*

Dear City Management,

In the first sentence of the *primer* above it states, the purpose of the primer is "**To help planners and local officials carry out** Oregon's Statewide Planning Goal 1: Citizen Involvement."

"Carry out" is not a choice. It is a directive. The city's choice to cut out the NAP, PC, and CCI in rewriting the by-laws of the CCI is wrong. I ask you to do the right thing.

I have needed your help to solve real problems and that is where you shine, but as far as publicly supporting Oregon's Goal One is sincerely lacking. But this can change.

Be that change at tomorrow's meeting and counsel Council to withdraw the Bill and send it to the citizen committees involved for their input to be completed by the end of March ready to give back to Council for consideration. Let's Work Together to keep Citizens First.

Sincerely,

Alan Smith

Taxpayer, voter and resident of West Linn

## **Mollusky, Kathy**

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**From:** Rebecca Adams <radams014@gmail.com>  
**Sent:** Sunday, March 18, 2018 12:59 AM  
**To:** City Council  
**Subject:** Written Testimony for MArch 19th, 2018 Council Meeting regarding : Resolution No. 2018-08 – Amendment to Committee for Citizen Involvement Bylaws

Please add this email as written testimony for the March 19th, 2018 City Council meeting topic: Resolution No. 2018-08 – Amendment to Committee for Citizen Involvement Bylaws

Dear Council,

There is a great and painful irony to the fact that without any consultation with the Committee for Citizen Involvement (CCI), The Planning Commission (PC), or the Neighborhood Association President's group (NAP), the City Council is suddenly poised to consider a Resolution altering the Bylaws of the CCI in a manner impacting all three groups in a potentially negative manner.

It is certainly within the Council's powers to redo the CCI bylaws on whim without consulting these committees, but these alterations, in fact, reduce citizens' right to representation during CCI decision making by stripping the substitute representatives of their right to vote when the PC chair or NAP chair is absent. Having listened to many CCI tapes, the input and power to vote of Mr. Farrell, Ms. Pellet, and Ms. Oakes has been absolutely invaluable to the process in the last two years. Since the rewrite of the CCI bylaws one year ago was meant to address the lack of quorum due to the Chamber of Commerce and Historic Review Board representatives not showing up, the stripping of voting rights of the substitute delegates seems not just perverse, but insensitive and unwise. Why recreate your quorum problem by hobbling the delegates and treating volunteers with disrespect?

For the record, I noticed that a few weeks ago some people were going around mischaracterizing how the NAP representative was to be chosen, insisting the Mayor would appoint the person after the NAP recommended them, which was just ludicrous to anyone who has followed CCI and read the the bylaws. This falsehood ended up on a NAP agenda which was how I noticed it, and I even heard a staff person repeat the falsehood on a CCI tape and later heard about other people pushing that idea at NAP. Gail Holmes by virtue of being the elected NAP chair is the NAP representative on the CCI according to the bylaws which are crystal clear on this count. Some people purported there to be an ambiguity in the bylaws which was really no ambiguity at all, simply that in one line the CCI representative from NAP was called the "NAP Chair" and in a second line was referred to as the "NAP Representative." The only real ambiguity in the bylaws was that the PC language clearly stated that the PC Chair could delegate the task, and that the NAP chair was not written to have specific delegating power, but did in practice delegate during the first year when Mr. Schwarz had to be gone a lot.

If the CCI actually wishes to alter their own bylaws on this or any count, that is their business, but I do think it is inappropriate for anyone to attempt such a sudden alteration that appears blatantly targeted at eliminating one specific person's participation on the committee. Why should anyone volunteer in this city if this sort of gamesmanship is tolerated. I know one extremely capable professionally endowed applicant for CCI that was passed over in favor of an inexperienced one, and perhaps the singling out of Ms. Holmes is also because she is richly endowed with experience and capability and thus would be able to decide matters independently. Ms. Holmes has added greatly to the discussion and brings a calm manner and an unusual depth of experience

concerning land-use that no one else on the Committee matches. As a known advocate for both business interests and for average citizens, and as a former Planning Commission for both the city and county, her capability in CCI matters is beyond question. So, one must ask why there is this extended set of machinations to invalidate her participation and what can this mean for the independence of the CCI?

For anyone who wonders why it is a big deal if the Council oversteps its role toward the CCI, the CCI is not an advisory committee UNDER the council, and its power to advocate for citizens derives from the State itself. The CCI exists by the powers of the state of Oregon to help West Linn fulfill its obligation the Goal 1 of the State's Planning Goals. I urge any citizen or staff person to take 30 minutes to read the handbook, "Putting People in Planning," produced by the State which explains how important an independent and knowledgeable CCI is:

<http://pages.uoregon.edu/rgp/PPPM613/CitizenInvolvement/toc.htm>

There is a PDF version online which is slightly easier to read due to formatting.

Citizen Involvement is intended to be both meaningful and timely according to the State and part of the CCI function is to be a watchdog for citizens rights. City volunteers work very hard and make great sacrifices to prepare for and attend the CCI, NAP, and PC. These volunteers should be treated with dignity as valued community members who bring their collective wisdom to the table. They are a vital resource to our city. The CCI's watchdog function requires some degree of independence and intellectual autonomy, this function cannot co-exist with being treated as the lap dog of council or staff. Altering their bylaws without their input represents a flagrant abuse of Council authority similar to the abuse of authority evident when the Council destroyed the NAP's spending power based upon an older policy document which had never been adopted or implemented, but which was falsely presented as policy. We are now moving backward with regard to meaningful citizen engagement and clearly need an independent CCI more now than at any time in the last two years.

Therefore, I urge the Council to refer the bylaw issues to the CCI itself and issue an immediate apology to Ms. Holmes, the CCI, the PC, and the NAP, all of whom deserve no less than that.

Rebecca Adams  
West Linn Resident  
Address on Record

## Mollusky, Kathy

---

**From:** Ed Schwarz <ed.schwarz@gmail.com>  
**Sent:** Saturday, March 17, 2018 6:32 PM  
**To:** City Council; Mollusky, Kathy; Stein, Eileen  
**Cc:** 'Ken Pryor'; Willamette Neighborhood Association; #Committee - Neighborhood Association Presidents  
**Subject:** Regarding Agenda Bill 2018-03-19-03

Dear Mayor and City Council,

I was just made aware of the subject Agenda Bill which **changes** (not “clarifies” as stated in Articles III and IV) the way the NAP has been operating.

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Now, after what I am guessing was a complaint by one member of the NAP, the Council is taking into its own hands, without consulting the NAP, how the NAP representative is selected. Also changed is the voting power of the NAP representative if the representative cannot attend the CCI meeting.

**I am shocked that this has come up so fast without any warning to, or input from, the NAP.**

I am unavailable to attend Monday’s meeting, but I ask that you take a step back and reconsider what is being done here. **The NAP should first be consulted for its input before such a change is made.**

I am very disappointed in this Council for putting this forward in such a hasty manner.

Ed Schwarz  
West Linn

## Mollusky, Kathy

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**From:** Alan Smith <aalansmith57@gmail.com>  
**Sent:** Saturday, March 17, 2018 5:18 PM  
**To:** City Council; Stein, Eileen; Mollusky, Kathy; Tim Ramis; Thornton, Megan; David J. Baker; Holmes, Gail; Gilday, Tracy; O'Toole; Steve Miesen; Schwarz, Ed; Relyea, William; Boyd, John  
**Subject:** Agenda Bill 2018-03-19-03: Article II section 3.

HI KATHY, PLEASE ADD MY COMMENT BELOW TO THE PUBLIC RECORD FOR THE ABOVE AGENDA BILL THANK YOU.

Since when does the Council, or for that matter any representative body, write by-laws for an independent committee? I know you can give them a mandate on why they are assembled, but the process of how such a committee gets there has always been historically that committee's determination. Your Bill treads where it is not your right. This is an example of a local government trying to abridge the right of the people "to peaceably assemble and to petition the government for a redress of grievances." (The U.S. Constitution, Amendment One.)

Not voting on this Bill until you take it through CCI and NAP is the honest and correct thing to do, and will ensure that you will not be emboldened to completely cut out the deliberations of the CCI and NAP.

The state mandates that each city has this type of committee, but how does this city's manifestation of Goal One help when you bind and gag it as your Bill does?

-Alan Smith,  
*Proud Resident, Voter, and Taxpayer of West Linn*

"Nearly all **men** can stand adversity, but if you want to test a **man's** character, **give him power.**" - Abraham Lincoln

## Mollusky, Kathy

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**From:** Sakelik, Richard  
**Sent:** Tuesday, January 09, 2018 10:14 PM  
**To:** Stein, Eileen  
**Cc:** City Council  
**Subject:** Input on questions for Skyline Surplus properties- please do not reply all to this email

Eileen,

Last night you asked for input/questions regarding the above. Here's what I think would be useful to know before taking a final direction.

1) Would the School district be interested in working with us on these properties to potentially be used as auxiliary parking for the high school. This could be the sale of the property to them or a lease to give them time to see if the idea works should we both desire to move in that direction. This would be an excellent item to discuss when we meet face to face.

2) Would it make sense to use 1 or both of these properties to build an inexpensive storage/etc. facility for Parks and Rec and other city uses. This would consolidate and free up what's filling up the Old Bolton Fire Station as well as other items that may be laying around the city.

Of course both of the above would need to be vetted with the neighborhood to make sure they are patched in and ok with these potential uses. Of course.....as we discussed last night any funds received would go back to the water fund. Looks like we paid \$385k for one property and \$220k for the other.

My preference is we determine if either of these or any other creative ideas are possible before we move forward with an agent to list and sell. Better yet, I would think since we have 2 attorneys at our disposal that we could save the city an enormous amount (maybe ~\$50k) of funds if we sell the properties without a real estate firm (real estate sales agreements are pretty straight forward) should we go that route. It's a strong market and if priced fairly they will move quickly. I'm sure we could find a good use for any savings.

Of course...this is not for discussion online..I only copied all so they can see my ideas.

Thanks!

Richard Sakelik  
West Linn City Councilor

Richard Sakelik  
West Linn City Councilor

City Council  
#6023<ciscotel://6023>

[[https://westlinnoregon.gov/sites/all/themes/aha\\_responsive\\_2016/logo.png](https://westlinnoregon.gov/sites/all/themes/aha_responsive_2016/logo.png)]<http://westlinnoregon.gov>>

Please consider the impact on the environment before printing a paper copy of this email.  
This e-mail is subject to the State Retention Schedule and may be made available to the public

on this issue I'd like to speak as A appointed  
member for city's surplus properties.

The house & other facilities purchased around  
the Bolton reservoir was purchased with  
water issues - it needs to be resold and  
this revenue return to city water funds.

Thank to see and respect the rules  
of dept -

Alice Richmond

3-19-18-

503 723 0101

Alice



CITY OF  
**West Linn**

**I wish to speak during Community Comments (limited to five minutes):**

Please specify topic (required): High School parking

**I wish to speak during the Business Meeting (limited to five minutes):**

Please specify agenda report number(s) or topic(s) (required):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please print:**

Name: Joe Durbin Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): \_\_\_\_\_ Phone (Optional): \_\_\_\_\_

This form is subject to public records laws. If requested, it may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law.



CITY OF  
**West Linn**

**I wish to speak during Community Comments (limited to five minutes):**

Please specify topic (required): High School Parking

**I wish to speak during the Business Meeting (limited to five minutes):**

Please specify agenda report number(s) or topic(s) (required):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please print:**

Name: Michele Thornton Email (optional): Michele Thornton@gmail.com

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 3612 Lands St Phone (Optional): 503-756-6953

This form is subject to public records laws. If requested, it may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law.

I wish to speak during **Community Comments** (limited to five minutes):

Please specify topic (required): High School Parking

I wish to speak during the **Business Meeting** (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
Parking

Please print:

Name: John Cahill

Email (optional): TOCAHILLE@AOL.COM

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 5045 Gregory CT

Phone (Optional): 503-741-5214

I wish to speak during **Community Comments** (limited to five minutes):

Please specify topic (required): School Parking

I wish to speak during the **Business Meeting** (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
Parking on Public Streets paid for by tax payers. Developers, SDC, Response ability of all the streets that are available for parking

Please print:

Name: Scott Huskey

Email (optional): scotthuskey60@gmail.com

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): \_\_\_\_\_

Phone (Optional): \_\_\_\_\_

I wish to speak during **Community Comments** (limited to five minutes):

Please specify topic (required): School District / CDC

I wish to speak during the **Business Meeting** (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please print:**

Name: Rory Bialostozek Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): \_\_\_\_\_ Phone (Optional): \_\_\_\_\_

I wish to speak during **Community Comments**.

Please specify topic (required): \_\_\_\_\_ 

I wish to speak during a **Public Hearing**.

Please specify agenda bill number or topic (required): \_\_\_\_\_

I do not wish to speak however, I would like to have standing on this item.

Please specify agenda bill number or topic (required): \_\_\_\_\_

**Please print:**

Name: Alice Richmond Date: 3-19-18

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 3939 Parker Rd Phone (Optional): 503 7230101

Email address (Optional): West Linn 97068



CITY OF  
**West Linn**

7

I wish to speak during **Community Comments** (limited to five minutes):

Please specify topic (required): CCI Bylaws

I wish to speak during the **Business Meeting** (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
Resolution 2018-08

Please print:

Name: Gary Walvatne

Email (optional): gwaltne@comcast.net

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 2650 Renaissance Court  
West Linn, OR 97068

Phone (Optional): 503.656.4236



CITY OF  
**West Linn**

8

I wish to speak during **Community Comments** (limited to five minutes):

Please specify topic (required): By-Law Change to CCI

I wish to speak during the **Business Meeting** (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
By - Law Change to NPA # CCI  
#03

Please print:

Name: Ken Peyor

Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 2119 Greene West Linn

Phone (Optional): \_\_\_\_\_



CITY OF

# West Linn

I wish to speak during Community Comments (limited to five minutes):

Please specify topic (required): H.S. Traffic/Parking

I wish to speak during the Business Meeting (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
H.S. Parking

Please print:

Name: Ken RYOR Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): West LINN Phone (Optional): \_\_\_\_\_

This form is subject to public records laws. If requested, it may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law.



CITY OF

# West Linn

I wish to speak during Community Comments (limited to five minutes):

Please specify topic (required): CCB Bylaw

I wish to speak during the Business Meeting (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):  
CCB Bylaw

Please print:

Name: RAMATH RAMSUBRAMANIAN Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: RAMA

Address (Optional): \_\_\_\_\_ Phone (Optional): \_\_\_\_\_

This form is subject to public records laws. If requested, it may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law.

I wish to speak during **Community Comments (limited to five minutes):**

Please specify topic (required): \_\_\_\_\_

I wish to speak during the **Business Meeting (limited to five minutes):**

Please specify agenda report number(s) or topic(s) (required):

agenda 6 - E - Skyline Property

**Please print:**

Name: Alice Richmond Email (optional): \_\_\_\_\_

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): 3939 Parker Rd Phone (Optional): 503 723 0101  
97068

I wish to speak during **Community Comments (limited to five minutes):**

Please specify topic (required): HIGH SCHOOL PARKING

I wish to speak during the **Business Meeting (limited to five minutes):**

Please specify agenda report number(s) or topic(s) (required):

POTENTIAL SALE OF SURPLUS PROPERTIES @ 6123 & 6175 SKYLINE DRIVE

**Please print:**

Name: DAVID BAKER Email (optional): INFO@DAVIDSBAKER.COM

Phonetic spelling, if difficult to pronounce: \_\_\_\_\_

Address (Optional): \_\_\_\_\_ Phone (Optional): \_\_\_\_\_



22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

## CITY COUNCIL AGENDA

Monday, March 19, 2018

5:00 p.m. – City Council Special Meeting – Council Chambers

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1. Call to Order and Pledge of Allegiance
2. Approval of Agenda
3. Community Comments [10 min]
4. Proclamations, Recognitions and Scheduled Presentations to the Council [20 min]
  - a. Arbor Week Proclamation
5. Consent Agenda [5 min]
  - a. Agenda Bill 2018-03-19-01: Approval of Meeting Notes for March 5, 2018.
6. Business Meeting [45 min]
  - a. Agenda Bill 2018-03-19-02: ORDINANCE 1673, RELATING TO CITIZEN ADVISORY GROUPS AND AMENDING WEST LINN MUNICIPAL CODE SECTIONS 2.020(4) and 2.075(11)
  - b. Agenda Bill 2018-03-19-03: RESOLUTION 2018-08, ESTABLISHING REVISED BYLAWS FOR THE WEST LINN COMMITTEE FOR CITIZEN INVOLVEMENT
  - c. Agenda Bill 2018-03-19-04: RESOLUTION 2018-09, SUPPORTING HISTORIC WILLAMETTE MAIN STREET BECOMING A “TRANSFORMING COMMUNITY” UNDER THE OREGON MAIN STREET PROGRAM.
  - d. Agenda Bill 2018-03-19-05: Contract Award for the 2018 Slurry Seal Project (PW-17-04)
  - e. Agenda Bill 2018-03-19-06: Contract Award for the Valley View and Suncrest Improvements (PW-17-02)
  - e. Agenda Bill 2018-03-19-07: Potential Sale of Surplus Properties at 6123 & 6175 Skyline Drive
7. Mayor and City Council Reports [15 min]
8. City Manager Report [10 min]
9. City Attorney Report [5 min]
10. Adjourn

# PROCLAMATION

## West Linn, Oregon

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this holiday called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor day is now observed throughout the nation and the world; and

**WHEREAS**, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, by planting trees we emphasize views, direct pedestrian traffic and complement or enhance architecture; and

**WHEREAS**, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal; and

**WHEREAS**, the City of West Linn is recognized as a Tree City USA by the National Arbor Day Foundation and desires to expand its tree-planting and stewardship practices.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY OF WEST LINN**, that the first full week of April each year is

### ARBOR WEEK

And we call upon all citizens and civic organizations to celebrate trees by planting, maintaining, studying, and enjoying trees in our community. The City will celebrate Arbor Week by offering many community events focused towards the maintenance of existing trees and the planting of new trees.

DATED THIS 19TH DAY OF MARCH, 2018

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MAYOR RUSSELL B. AXELROD

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

**Agenda Bill 2018-03-19-01**

Date: March 8, 2018

To: Russ Axelrod, Mayor  
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: Eileen Stein, City Manager *ES*

Subject: Consent Agenda

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**Purpose**

Approval of City Council Notes

**Question(s) for Council:**

Does Council wish to approve these City Council Meeting Notes?

**Public Hearing Required:**

None required.

**Background & Discussion:**

The mentioned City Council Meeting Notes are ready for Council approval.

**Budget Impact:**

N/A

**Council Options:**

1. Approve Council Notes
2. Revise and approve Council Notes

**Staff Recommendation:**

Approve Council Notes

**Potential Motions:**

Approval of the Consent Agenda will finalize this set of notes.

**Attachments:**

1. March 5, 2018 Council Meeting Notes



CITY OF  
**West Linn**

22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

# **WEST LINN CITY COUNCIL MEETING NOTES March 5, 2018**

## **Call to Order**

### **Council Present:**

Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.

### **Council Excused:**

Councilor Bob Martin.

### **Staff Present:**

City Manager Eileen Stein, City Recorder Kathy Mollusky, Assistant to the City Manager Dylan Digby, and Citizen Engagement Coordinator Courtney Flynn.

## **Community Comments [10 min]**

There were none.

## **Proclamations, Recognitions and Scheduled Presentations to the Council [1.5 hours]**

### **Arts and Economic Prosperity Study Presentation – Brian Wagner**

Brian Wagner, the Oregon Arts Commission, presentation.

### **Presentation**

### **Arts Commission Handouts**

## [High School Parking – Youth Advisory Council Recommendation](#)

### [High School Parking Information](#)

#### [Citizen submittals re: high school parking](#)

Hunter Shepersky, Andrew Brown, Advay Koranne, Kaden Carpenter, Olivia Swartz, and Mac Graves presented the High School Parking Information.

### [Public Comment](#)

Alan Smith and Jenni Romano read the Bolton Neighborhood Resolution.

Lotte Edgel re: safety when she is driving out of her driveway, sustainability when more kids have cars, and stakeholders who need to talk to the neighbors.

Don Carver re: maintaining the parking zone.

#### [Don Carver submittal](#)

Rory Bialostosky re: neighbors' encroachment onto public property in the parking zone.

#### [Rory Bialostosky submittal](#)

Mike McLaughlin re: addressing parking to address safety concerns.

Jake Heinenan re: the lack of high school parking, how early students have to arrive to get a parking spot, and that he pays a resident \$50/month for parking.

Steve Miesen re: carpooling.

Alice Richmond re: being in support of the students.

### [Consent Agenda \[5 min\]](#)

#### [Agenda Bill 2018-03-05-01: Approval of Meeting Notes for January 22, 31, and February 12, 2018.](#)

#### [Draft Notes Information](#)

Council President Brenda Perry moved to approve the Consent Agenda for the March 5, 2018, West Linn City Council Meeting which includes the January 22, 31, and February 12, 2018, meeting notes. Councilor Richard Sakelik seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 4 - 0**

### [Business Meeting \[30 min\]](#)

#### [Agenda Bill 2018-03-05-02: General Obligation Bond Explanatory Statement Approval](#)

#### [GO Bond Information](#)

#### [Citizen submittals re: GO Bond](#)

#### [Project Listed edited by Council 3-1-18](#)

### [2018 Explanatory Statement - Final](#)

Alan Smith re: [www.bloomberg.com](http://www.bloomberg.com) news articles regarding municipal bonds mispricing costing taxpayers up to \$25 billion.

City Manager Stein explained this statement reflects Council's last Thursday work session revisions.

Council President Brenda Perry moved to approve the General Obligation Bond Explanatory Statement as approved by Bond Counsel. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 4 - 0**

### [Agenda Bill 2018-03-05-03: City Manager Contract Approval](#)

#### [Amended Employment Agreement](#)

Council President Brenda Perry moved to have the City Council authorize the Mayor to execute the City Manager's Amended Employment Agreement in the form presented to us by the City Attorney. Councilor Richard Sakelik seconded the motion.

City Attorney Ramis explained the contract incorporates the changes agreed to that relate to salary, severance, phone allowance, term, and annual evaluation for performance and compensation.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 4 - 0**

### [Mayor and City Council Reports \[20 min\]](#)

#### [Stafford Intergovernmental Agreement Update](#)

##### [Stafford IGA Information](#)

Mayor Axelrod met with Tualatin and Lake Oswego on February 28. There is general agreement on the guiding principles. He thinks it is essential to have more context about the urban reserve factors that still are not met. None of the cities are interested in development in this area, the interest is in developing criteria around those factors, like traffic and how it is going to be approached. One of the questions is where are the boundaries going to be for the three cities? Councilor Cummings and he believes West Linn should go all the way to Stafford Road. The area north of Rosemont is clearly Lake Oswego. He cannot imagine Tualatin going

north of the river and years ago, they did not want to go east of I5, now they do. Lake Oswego and West Linn are in agreement on the rough boundaries between our two cities. We need to have a discussion with Tualatin because we want to control the area around Borland. They also expressed an interest in the area around 65th. Jeff Condit, attorney, is willing to represent West Linn.

Councilor Cummings explained the meetings have been the Mayors, City Managers, and Planners; she has not attended these meetings. She emphasized that nothing will happen without the agreement of all three cities since any development would affect all three cities. She read (3) of the agreement.

City Manager Stein explained there has been discussion about doing no harm and each city, in the spirit of Home Rule, would be responsible for its particular planning area.

Mayor Axelrod added it had to be about getting to the quality of life. The criteria we have would play into the issue of harm, presenting a problem for a neighboring city. In particular the limitations of Stafford and Rosemont Roads do not allow for development. The two meetings they have had has been with the Mayors and City Managers, no Planners. They need to discuss how the criteria fits for compatibility and legality.

Councilor Sakelik wants the agreement to be kept simple so there is less chance of misinterpretation. He believes one city can veto another city's development because there needs to be clear agreement.

City Manager Stein explained there was discussion about what is able to be done in 2018, for instance jurisdictional area and the criteria. This would not include master planning the entire basin and that each jurisdiction can move forward at its own pace as long as these guiding principles of doing no harm were met, but not a veto.

Mayor Axelrod said there has to be criteria of why it is not acceptable to the city, for instance traffic. We can master plan our area and the greater area we have, the more we can protect the area and control the growth. The development has to occur in the Borland area where it makes more sense.

Councilor Cummings reiterated the main thing needs to be all three cities agreeing and we need to establish that is how we are going to move forward. It is important to put a lot of information in because a different group could look at the same document and think it means something completely different. The Stafford area does not meet the suitability for urbanization designation.

Mayor Axelrod spoke about how the Oregon Department of Transportation (ODOT) does not have funding to continue the I205 study, so they have to wait until 2019.

Councilor Sakelik did not see consultation with Stafford in the document. Mayor Axelrod incorporated the Stafford Hamlet and their vision plan in his version. They are not a city so they are not a party to the agreement.

Council President Perry went to the Portland Metro Area Value Pricing Meeting. House Bill 2017, the Keep Oregon Moving Bill, directed ODOT to look into tolling I205 and I5 from the Columbia Rivers Bridge down to where they intersect. They have narrowed it down to five concepts: (1) Toll from Portland to I5; (2) Toll at the Rose Quarter; (3) Toll all I205 & I5; (4) Toll Stafford to Oregon City over the Abernathy Bridge; and (5) Toll Abernathy Bridge. The next meetings are April 11 from 1:30 pm to 4:30 pm, May 14 from 9:00 am to noon, and June 25 from 9:00 am to noon. The location is at 123 NW Flanders Street in the ODOT Region 1 Building. She invited everyone to come and testify because Clackamas County was under-represented. You can also send comments in.

Mayor Axelrod expressed concerns about how tolling affects areas, the cities next to the tolls, and wondered why they were only tolling I205 and I5.

Councilor Cummings said it is a funding mechanism, but they have to look at what the consequences are.

[City Manager Report \[20 min\]](#)

[Review March 20 Agenda](#)

[Draft March 19 Agenda](#)

Mayor Axelrod informed everyone this meeting has been moved back to Monday, March 19.

City Manager Stein read the items on the agenda.

Council President Perry reminded Council they did not appoint an alternate to the Committee for Citizen Involvement (CCI). She would like to leave it as is with just one vote (Mayor Axelrod) for now.

Councilor Cummings was the alternate last year and offered to continue it until Councilor Martin's situation gets cleared up. When she was at the meeting, the CCI did take a vote and she asked them if it were okay for her to vote.

Councilor Sakelik thinks there should be proxies while someone is out on leave.

Council President Perry does not vote when she is an alternate, the CCI appointment is different from being a liaison to a committee.

Mayor Axelrod stated in the interim, Councilor Cummings could represent Councilor Martin.

Council President Perry does not want to set a precedent to have someone just show up and

vote. Some organizations designate a representative when they cannot attend. Mayor Axelrod said the CCI Bylaws are being brought back to Council. Council should address this when we look at the bylaws.

Councilor Sakelik said in general there is a proxy, and they have proxy privileges. His disagrees there are two councilors on the board, but someone should fill in as a proxy whether it is as voting member or liaison.

City Attorney Ramis stated it is completely up to Council as to how they want to structure this. The Planning Commission has rules. When you create other bodies, you can create it however you want.

Councilor Cummings feels there needs to be a process when there is an absence. Just being at the meeting is not fulfilling the intent to have a quorum.

Council President Perry stated we do not have backup for other committees, like the Planning Commission, you just vote with the members you have there.

Councilor Richard Sakelik moved to appoint Councilor Cummings as a temporary, voting member of the CCI until Councilor Martin's situation is resolved. Councilor Teri Cummings seconded the motion.

Council President Perry does not want to do temporary, she would appoint Councilor Cummings as the permanent member of the CCI. It does not say in their bylaws that they can do an interim appointment.

Councilor Cummings does not like the idea of permanently replacing Councilor Martin, she is doing it just because there is an absence.

Councilor Sakelik has no problem making it permanent because they can reappoint at any time.

Councilor Sakelik withdrew his motion and Councilor Cummings withdrew her second.

Council President Brenda Perry moved to appoint Councilor Cummings to the CCI. Councilor Richard Sakelik seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 4 - 0**

### Robinwood Station Update

City Manager Stein informed Council the MacKenzie report status and receiving other quotations will be discussed with the GO Bond if the Robinwood Station ends up as a project on that list. Back in the fall, the City had a meeting with the Friends of Robinwood Station (FORS) about things that needed to be done in order for them to be treated like the McLean House. (1) Provide a Master Plan to be approved and adopted by Council. The City received a 2013 concept plan and a 2017 renovation list. (2) Rental and Fee structure. This will be incorporated into the City's next Master Fees schedule to be adopted in July. (3) Insurance liability. Has been provided. (4) Rules of Use. These need to be approved by Council. (5) Usage fees for future use. These will be incorporated into the use agreement which will be submitted to FORS. (6) Wi-Fi. Wi-Fi has been provided. (7) FORS requested funding for the building assessment by MacKenzie, Tom Isemen, and KPFF. (8) Parks & Recreation Guide. Inclusion in the guide is in progress. (9) Repair Fair. Advertisement is in progress. (10) Article. An article is being submitted to the League of Oregon Cities (LOC).

### Key Activities and Schedules

City Manager Stein has added the Council Request Tracking log to the third Council Work Session to use as a check in on key activities.

### City Attorney Report [5 min]

City Attorney Ramis informed Council that the Land Use Board of Appeals upheld the Upper Midhill decision in all regards. The appeal period is over, it was not appealed.

Council asked about the serial meeting law. The Supreme Court has not recognized it; however, we do have a Court of Appeals case that says it is possible. He is drafting a memo to Council to explain it.

There has been a case filed out of the Mr. Ruff tragedy. The City is represented by City County Insurance (CIS).

Councilor Martin is taking a leave of absence. He asked Council to pass a motion that consents to his absence from Council. The Charter has a provision that there is a vacancy in office if you have not participated in 60 days.

Council President Brenda Perry moved to consent to Councilor Martin's leave of absence from Council for 60 days from the date of his request. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Richard Sakelik.**

**Nays: None.**

**The motion carried 4 - 0**

Adjourn

DRAFT



## **Agenda Bill 2018-03-19-02**

Date: March 1, 2018

To: Russell Axelrod, Mayor  
Members, West Linn City Council

From: Megan Thornton, Administration

Through: Eileen Stein, City Manager *ES*

Subject: Potential Modification to West Linn Municipal Code (WLMC) 2.020(4) – Council Liaison and WLMC 2.075 (11) Arts Commission

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### **Purpose**

This ordinance proposes changes to the Council Liaison and Arts Commission provisions in the WLMC.

### **Question(s) for Council:**

Should the Council adopt the revisions to the WLMC related to Council Liaisons and the Arts Commission?

### **Public Hearing Required:**

None required.

### **Background & Discussion:**

At the City Council's 2018 Goal Setting Retreat, the Council identified that the WLMC and Council Rules are inconsistent regarding whether council liaisons for each citizen advisory group must change annually. The Council discussed the possibility of modifying the WLMC and the Council Rules to eliminate any conflicts that exist between the two documents.

At the January 22, 2018, Council Meeting, Council directed staff to amend WLMC Section 2.020(4) to allow Council liaisons to continue to support the citizen advisory group for more than one year and WLMC Section 2.075(11) to change the Arts Commission to the *Arts and Culture* Commission.

### **Budget Impact:**

None.

### **Council Options:**

1. Approve the proposed ordinance.
2. Postpone consideration of the ordinance.
3. Reject the proposed ordinance.
4. Request additional information or revisions.

### **Potential Motions(s):**

1. Move to approve First Reading of Ordinance 1673, "An Ordinance Amending the West Linn Municipal Code Section 2.020(4) Council Liaison and Section 2.075(11) Arts Commission," and set the matter for Second Reading.
2. If the motion passes unanimously, the Council may: Move to approve Second Reading of Ordinance 1673, "An Ordinance Amending the West Linn Municipal Code Section 2.020(4) Council Liaison and Section 2.075(11) Arts Commission," thereby adopting the ordinance.

**Attachments:**

1. Ordinance 1673

**ORDINANCE NO. 1673**

**AN ORDINANCE RELATING TO CITIZEN ADVISORY GROUPS AND AMENDING  
WEST LINN MUNICIPAL CODE SECTIONS 2.020(4) and 2.075(11)**

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~**bold lined through**~~ and additions are **bold underlined**.

**WHEREAS**, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

**WHEREAS**, the City Council established during its meeting January 22, 2018, that West Linn Municipal Code (“WLMC”) 2.020(4) should be amended to allow Council liaisons to support the same citizen advisory group for more than one year if desired; and

**WHEREAS**, the City Council also requested an amendment to the WLMC to make culture a component of the Arts Commission.

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:**

**SECTION 1. Amendment.** West Linn Municipal Code Section 2.020(4), Council Liaison, is amended to read as follows:

**2.020 Relationship to City Council.**

(1) **Council Authority.** The City Council is the elected legislative and policy-making body of the City. Unless governed by a specific State mandate, citizen advisory groups are appointed pursuant to the Council’s authority and shall have only those powers and functions expressly delegated by the Council. With the exception of certain delegated quasi-judicial actions, most advisory commissions and boards do not make final decisions but instead make recommendations, act in an advisory capacity to the Council, and help the Council implement the Council goals. The City Council is the final decision maker on all city policies and the use of City resources.

(2) **Council as Final Decision Maker.** No citizen advisory group shall have the authority to expend City funds, or to obligate the City for payment of any sum of money, except as expressly delegated or authorized by prior approval of the City Council. Proposals by boards and commissions for endorsement or sponsorship of events, activities or programs must receive approval by City Council as provided by resolution.

(3) **Council members may attend meetings of any citizen advisory group.** Council members may not chair a citizen advisory group. A councilor may not speak on behalf of the City

Council at a citizen advisory group meeting unless authorized to do so by the Council. Council members may not vote at any meeting of any citizen advisory group.

(4) Council Liaison. Each year the Mayor may appoint a liaison from the Council to each citizen advisory group. The purpose of the Council liaison is to provide a direct line of communication between the citizen advisory group and the City Council. The Council liaison and the chair of the affected citizen advisory group shall have joint obligation to keep the Council and the citizen advisory group informed of relevant City or citizen advisory group information. The Council liaison to each citizen advisory group ~~shall~~ may change annually.

(5) Additional Duties and Projects. In addition to the duties and responsibilities established for citizen advisory groups in Section 2.025, the City Council may from time to time assign other duties or projects as the Council deems appropriate.

(6) A member of any citizen advisory group may testify before the Council only as an individual citizen, not on behalf of the citizen advisory group, unless the member has been designated as a spokesman for the citizen advisory group on the applicable issue or topic.

**SECTION 2. Amendment.** West Linn Municipal Code Section 2.075, Citizen Advisory Groups, is amended to read as follows:

**2.075 Citizen Advisory Groups.**

Establishment. The following citizen advisory groups are established in accordance with the provisions of Sections 2.005 to 2.099:

- (1) Citizens' Budget Committee;
- (2) Economic Development Committee;
- (3) Historic Review Board;
- (4) Library Board;
- (5) Parks and Recreation Board;
- (6) Planning Commission;
- (7) Sustainability Advisory Board;
- (8) Transportation Advisory Board;
- (9) Utility Advisory Board;
- (10) Public Safety Advisory Board; and
- (11) Arts and Culture Commission.

**SECTION 3. Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 4. Savings.** Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

**SECTION 5. Codification.** Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections **[3-6]**) need not be codified and the City Recorder or his/her designee is authorized to correct any cross-references and any typographical errors.

**SECTION 6. Effective Date.** This ordinance shall take effect on the 30<sup>th</sup> day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 19th day of March, 2018, and duly PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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RUSSELL B. AXELROD, MAYOR

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY



## **Agenda Bill 2018-03-19-03**

Date: March 8, 2018

To: Russell Axelrod, Mayor  
Members, West Linn City Council

From: Eileen Stein, City Manager *ES*

Subject: Resolution No. 2018-08 – Amendment to Committee for Citizen Involvement Bylaws

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### **Purpose**

This resolution proposes changes to the Bylaws for the Committee for Citizen Involvement (CCI)

### **Question(s) for Council:**

Should the Council adopt the revisions to the bylaws for the CCI?

### **Public Hearing Required:**

None required.

### **Background & Discussion:**

Over the course of the last month, questions have been raised about attendance and voting rights of CCI members. These questions relate to how the representative of the Neighborhood Association Presidents is selected and voting eligibility. Changes have been recommended to the bylaws as proposed in this resolution. Specifically, the changes suggested are:

Article III – Membership: Clarifies that the Neighborhood Association President’s Committee representative will be chosen by the NAP Committee.

Article V – Voting: Clarifies that participants who are substitutes for the officially designated member will not participate in voting.

### **Budget Impact:**

None.

### **Council Options:**

1. Approve the proposed resolution.
2. Postpone consideration of the resolution.
3. Reject the proposed resolution.
4. Request additional information or revisions.

### **Potential Motions(s):**

I move to adopt Resolution No. 2018-08, a resolution amending the bylaws for the West Linn Committee for Citizen Involvement.

### **Attachments:**

1. Resolution No. 2018-08

## RESOLUTION NO. 2018-08

### A RESOLUTION ESTABLISHING REVISED BYLAWS FOR THE WEST LINN COMMITTEE FOR CITIZEN INVOLVEMENT

**WHEREAS**, citizen involvement and two-way communication with residents is a West Linn priority;

**WHEREAS**, State law requires the City maintain a citizen involvement program that ensures the opportunity for citizens to be actively involved in the land use process;

**WHEREAS**, Goal 1 of Oregon's Statewide Planning Goals & Guidelines states that governing bodies shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process;

**WHEREAS**, effective citizen involvement is essential to good government and responsible land use decisions;

**WHEREAS**, the following guiding principles are the cornerstones to West Linn's citizen involvement program:

- We believe active citizen involvement is essential to the future of West Linn.
- We respect and consider all citizen input.
- We encourage involvement opportunities that reflect our diversity.
- We promote participation, based on citizen involvement opportunities, of individuals and of community, business, and special interest groups.
- We provide communications to encourage citizen participation in city processes that are understandable, timely and broadly distributed.
- We organize involvement activities to make the best use of citizens' time and effort.
- We assure that citizens feel valued and respected through the process.
- We strive to achieve the highest value and efficient use of taxpayer dollars.

**WHEREAS**, prior to 2008 there are no City records indicating that the City Council of West Linn delegated the duties of the City's Committee for Citizen Involvement ("CCI") to any body;

**WHEREAS**, the City Council recognized the West Linn Planning Commission as the City's CCI in September 2008 thereby delegating the duties of complying with Goal 1 to the Planning Commission;

**WHEREAS**, the City Council reevaluated its program for citizen involvement at the beginning of 2014;

**WHEREAS**, the City Council decided that the importance of citizen involvement required a broader cross-section of interests be represented on the CCI;

**WHEREAS**, the City Council adopted Resolution 2014-07 on August 11, 2014, which established Bylaws for the Committee for Citizen Involvement;

**WHEREAS**, the City Council repealed Resolution 2014-07 and adopted Resolution 2016-05 on May 9, 2016, to better establish the purpose, work and representation of the CCI;

**WHEREAS**, the City Council repealed Resolution 2016-05 and adopted Resolution 2017-02 on February 6, 2017, to modify the committee's composition to reduce the frequency of meeting cancellations do lack of quorum.

**WHEREAS**, the City Council wishes to further modify the committee's bylaws to clarify how certain members are selected and who constitutes a voting member.

**NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1.** Resolution 2017-02 is repealed.

**SECTION 2.** The City of West Linn formally recognizes the CCI in accordance with Attachment A, the City of West Linn CCI Bylaws.

**SECTION 3.** The City of West Linn CCI Bylaws are adopted.

This resolution was PASSED and ADOPTED this 19th day of March 2018, and takes effect upon passage.

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RUSSELL B. AXELROD, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

**ATTACHMENT A**  
**BYLAWS FOR THE COMMITTEE FOR CITIZEN INVOLVEMENT FOR**  
**THE CITY OF WEST LINN, OREGON**

**ARTICLE I - NAME**

The name of this organization shall be the Committee for Citizen Involvement of West Linn, Oregon; hereinafter called the CCI.

**ARTICLE II - PURPOSE**

The CCI is an independent body intended to function as a watchdog and advocate for citizen involvement. It is responsible for advising the City Council and other bodies on the development, implementation, and evaluation of a Citizen Involvement Plan that:

1. Promotes and enhances citizen involvement in land use planning as required by Oregon State Planning Goal 1 (OAR 660-015-000(1));
2. Evaluates the citizen involvement process; and
3. Makes recommendations to the City Council to improve the citizen involvement process.

**ARTICLE III - MEMBERSHIP**

The committee shall consist of:

1. Two members of the City Council
2. The chair of the Planning Commission
3. Two citizens appointed at large
4. A business community member appointed at large
5. A member of the Neighborhood Association Presidents Committee.

At large members of the CCI are appointed by the City Council. The Neighborhood Association Presidents Committee will select its own representative. If the chair of the Planning Commission is unable to serve for the Commission, the chair will select a member to serve in his or her place.

**ARTICLE IV - TERM OF OFFICE**

The membership term shall be for the duration of the term of service on the City Council, Planning Commission, or as the Neighborhood Association President Committee Chair for such members. The two at large citizen members and the at large business community member shall each serve a two year term.

**ARTICLE V - VOTING**

A quorum shall be a majority of the current CCI members. A vote shall be decided by a majority of the CCI members present at a meeting at which a quorum is present. A person designated as a substitute for a CCI member at a meeting shall not be counted towards the quorum or participate in voting on committee business.

**ARTICLE VI - MEETINGS**

Meetings of the CCI shall be publicized in advance of the meeting date and conducted in accordance with applicable state and local law. The CCI shall meet at least once a month at a designated time and place.

**ARTICLE VII - PRESIDING OFFICER**

The Chair and the Vice Chair of the CCI shall be elected from its membership as soon as practicable each calendar year. The Chair, and when appropriate the Vice Chair or designee selected by the CCI, will preside over all CCI meetings.



**Agenda Bill 2018-03-19-04**

Date Prepared: February 22, 2018

Meeting Date: March 19, 2018

To: Russ Axelrod, Mayor  
Members, West Linn City Council

From: John R. Williams, Community Development Director *JRW*

Through: Eileen Stein, City Manager *ES*

Subject: Resolution 2018-09, Historic Willamette Application to the Oregon Main Street Program

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**Purpose**

Historic Willamette seeks Council’s support of their application to become a “Transforming Community.”

**Question(s) for Council:**

Does Council support Historic Willamette’s application?

**Public Hearing Required:**

None required.

**Background & Discussion:**

The Oregon Main Street Program works with communities to develop comprehensive revitalization strategies to build high quality, livable and sustainable communities with a strong sense of place. Communities involved in the program are divided into four tiers depending on their level of commitment and sustained results. West Linn’s Historic Willamette Main Street is currently a member of Oregon Main Street at the “Exploring Downtown” level (3<sup>rd</sup> highest) but wishes to move up to the “Transforming Downtown” level (2<sup>nd</sup> highest) to gain access to tools and resources includes technical assistance grants.

A Resolution of Support from West Linn’s City Council and a letter of commitment from the Mayor is required as part of the application process. Drafts of each of these are attached to this report for Council consideration.

**Budget Impact:**

The resolution and letter do not commit the City to long-term direct financial support for Historic Willamette, which received a total of \$40,000 in the 2018-2019 Biennial Budget.

**Council Options:**

1. Council may choose to support the application via approving Resolution 2018-09, and may choose to edit the language in the Resolution and accompanying letter from the Mayor.

**Staff Recommendation:**

Staff recommends approval of Resolution 2018-09 because the Mayor and Council have historically expressed strong support for Historic Willamette’s work, and because the proposed action does not commit the City to future direct financial support.

**Potential Motion:**

Move to adopt Resolution 2018-09, expressing support for Historic Willamette’s application to Oregon Main Street and authorizing the Mayor to submit a letter of commitment on behalf of the City.

**Attachments:**

1. Resolution No. 2018-09
2. Draft letter of commitment to Oregon Main Street

**RESOLUTION NO. 2018 - 09**

**A RESOLUTION SUPPORTING HISTORIC WILLAMETTE MAIN STREET BECOMING A  
“TRANSFORMING COMMUNITY” UNDER THE OREGON MAIN STREET PROGRAM**

**WHEREAS**, the Oregon Main Street Program works with communities to develop comprehensive revitalization strategies to build high quality, livable and sustainable communities with a strong sense of place; and

**WHEREAS**, West Linn’s Historic Willamette Main Street is currently a member of Oregon Main Street at the “Exploring Downtown” level but wishes to move up to the “Transforming Downtown” level to gain access to tools and resources includes technical assistance grants; and

**WHEREAS**, a Resolution of Support from West Linn’s City Council and a letter of commitment from the Mayor is required as part of the application process; and

**WHEREAS**, the City wishes to continue to grow a livable, walkable town center with opportunities to shop, work, play, live, and explore heritage, culture and recreation; and

**WHEREAS**, the City recognizes that an economically healthy and vibrant downtown is a primary community asset contributing to the community’s overall economic health; and

**WHEREAS**, the City acknowledges the positive results of the Main Street program and the benefits of said program to citizens, visitors and local government, not only in West Linn, but in surrounding communities;

**NOW, THEREFORE, THE WEST LINN CITY COUNCIL RESOLVES AS FOLLOWS:**

**SECTION 1.** The City Council declares its support for Historic Willamette’s application to become a “Transforming Downtown” program and pledges continued cooperation and partnership to the Historic Willamette program.

**SECTION 2.** The City Council authorizes the Mayor to submit of letter of commitment on behalf of the City in support of the Main Street application.

This resolution was PASSED and ADOPTED this 19th day of March, 2018, and takes effect upon passage.

\_\_\_\_\_  
RUSSELL B. AXELROD, MAYOR

ATTEST:

\_\_\_\_\_  
KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

Katie Henry  
Shari Stuart  
Oregon Main Street  
725 Summer Street NE, Suite C  
Salem, Oregon 97301

March XX, 2018

Re: Support for Historic Willamette Main Street Becoming a Transforming Community

To Oregon Main Street,

The City of West Linn has supported and funded the Historic Willamette Main Street program for two biennial budget cycles and has seen the success of the Main Street Approach four-point approach in action in our own community.

The group now known as Historic Willamette Main Street was a volunteer resident and business group for five years on their own before they received funding from the city and hired a staff person. Historic Willamette Main Street has been instrumental in both community, government and business engagement and offering assistance to city and staff, through design, event and promotions and other lead work as needed.

They put together and presented a new streetscape plan that would increase the overall appeal and use of the downtown core. They helped change zoning for allowing new business that would attract visitors and offer new dining experience to residents. Events including parades, the Farmers Market and activities on Halloween have added a sense of community pride to the area.

I am writing on behalf of the West Linn City Council in support the Historic Willamette Main Street organization in working towards being self-sustainable and in continuing their efforts to work under this time tested and proved approach to become a "Transforming Community," and gaining access to further support from both Oregon Main Street and Main Street America.

Sincerely,

Russell B. Axelrod, Mayor  
City of West Linn



## **Agenda Bill 2018-03-19-05**

Date: March 8, 2018  
To: Russ Axelrod, Mayor  
Members, West Linn City Council  
From: Morgan Coffie, Management Analyst  
Through: Lance Calvert, P.E., Public Works Director/City Engineer - *LEC*  
Eileen Stein, City Manager *ES*  
Subject: Contract Award for the 2018 Slurry Seal Project (PW-17-04)

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### **Purpose**

Public Works requests Council approval for the 2018 Slurry Seal Project.

### **Question(s) for Council:**

Should the City spend capital funds on road maintenance and improvements?

### **Public Hearing Required:**

None required.

### **Background & Discussion:**

The 2018 Slurry Seal Project provides approximately 129,000 square feet of slurry seal. The slurry seal will be applied to various city streets.

The project was advertised and bid in accordance with the West Linn Local Contracting Rules. A bid opening was held on January 31, 2018 at 11 A.M. with a total of four bids received as indicated on the bid results form attached. Blackline, Inc. was the lowest responsive and responsible bidder with a bid of \$220,883.03. The City has past positive experience with Blackline, Inc. who performed slurry seal 2 years ago as a subcontractor to the road program low bidder.

### **Budget Impact:**

\$220,883.08 to the Streets Fund. The bid is within the anticipated project budget.

### **Council Options:**

1. Award the contract to the lowest responsive and responsible bidder, Blackline, Inc.
2. Cancel the bid solicitation and retain the capital funds.

### **Staff Recommendation:**

Approve the contract with Blackline, Inc.

### **Potential Motion:**

I move to authorize the City Manager to sign a contract with Blackline, Inc. in the amount of \$220,883.08 for the 2018 Slurry Seal Project.

### **Attachments:**

1. Bid Results Form
2. Project location map





# 2018 Street Slurry Seal Locations

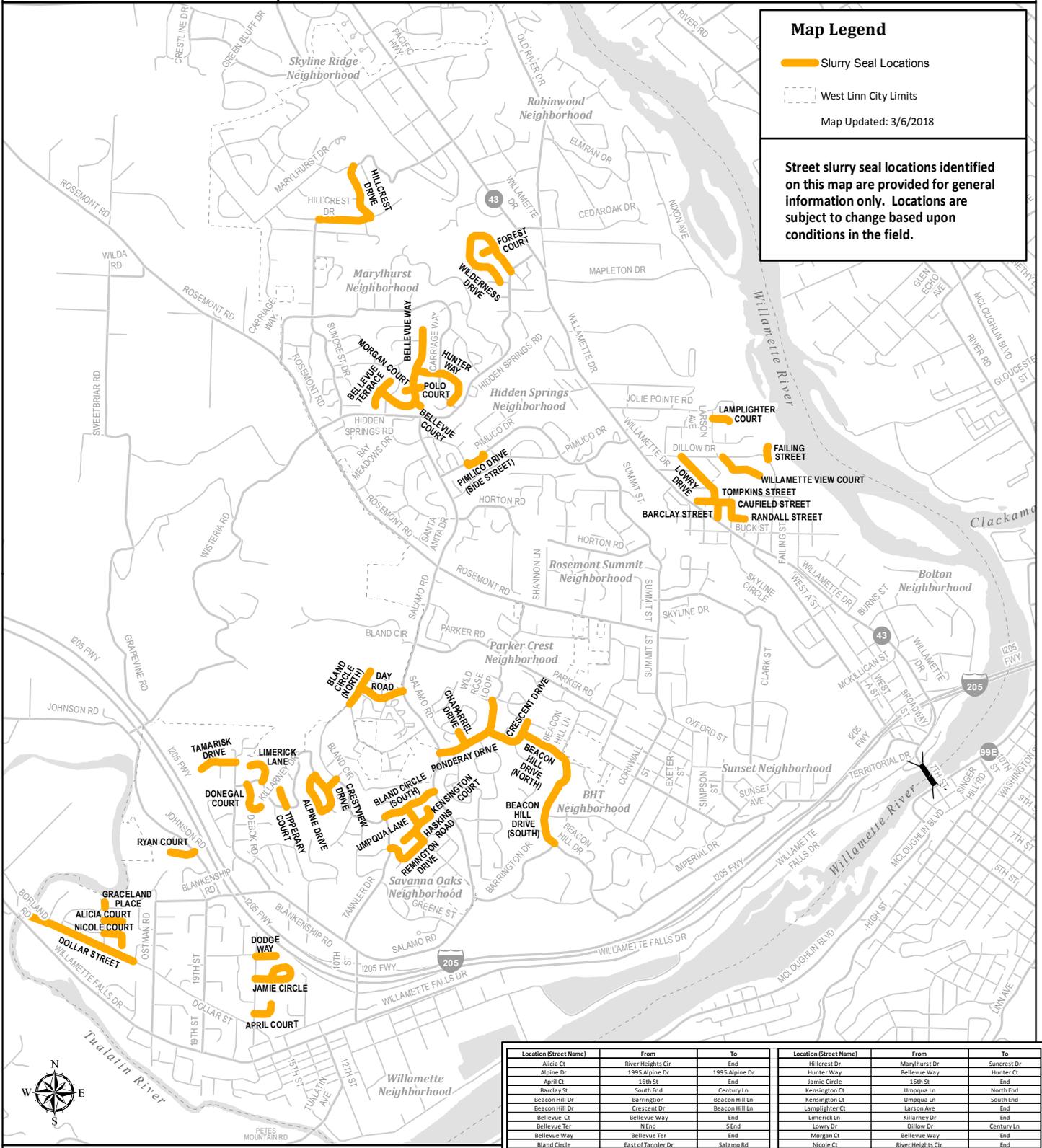
## Map Legend

Slurry Seal Locations

West Linn City Limits

Map Updated: 3/6/2018

Street slurry seal locations identified on this map are provided for general information only. Locations are subject to change based upon conditions in the field.



0 0.125 0.25 0.5 Miles

## Street Slurry Seal List

Map Published: 3/6/2018

GIS\STREETPROJECTS\SUMMER2018\

PROJECTS\_2018\_SLURRY\_SEAL\_SEP\_MAP.MXD | KAHA | v1

Map provided by West Linn Public Works GIS

\*More information about the City of West Linn's Public Works Department is available on our web site: <http://westlinnoregon.gov/publicworks>

Location (Street Name)	From	To	Location (Street Name)	From	To
Alicia Ct	River Heights Cir	1995 Alpine Dr	Hillcrest Dr	Marylhurst Dr	Suncrest Ct
Alpine Dr	16th St	Jamie Circle	Bellevue Way	Bellevue Way	Hunter Ct
April Ct	16th St	End	Jamie Circle	16th St	End
Barclay St	South End	Century Ln	Kensington Ct	Umqua Ln	North End
Beacon Hill Dr	Barrington	Beacon Hill Ln	Beacon Hill Ln	Umqua Ln	South End
Beacon Hill Dr	Crescent Dr	Beacon Hill Ln	Lamplighter Ct	Larson Ave	End
Bellevue Ct	Bellevue Way	End	Limerick Ln	Killarney Dr	End
Bellevue Ter	N End	S End	Lowry Dr	Dillow Dr	Century Ln
Bellevue Way	Bellevue Ter	End	Morgan Ct	Bellevue Way	End
Bland Circle	East of Tanner Dr	Salamo Rd	Nicole Ct	River Heights Cir	End
Bland Circle	Westwell Rd	North End	Pimlico (Side Street)	2317 Pimlico	2387 Pimlico
Caufield St	Randall St	Tompkins St	Polo Ct	Bellevue Way	End
Chaparral Dr	Ponderay Dr	Chelan Dr	Ponderay Dr	Salamo Rd	Wild Rose Loop
Crescent Dr	Ponderay Dr	Sabo Ln	Randall St	Davenport	Caufield St
Crescent View Dr	Alpine Dr	Bland Circle	Remington Dr	Tanner	HasKins
Day Rd	Bland Circle	Salamo Rd	Ross Ct	Johnson Rd	End
Dodge Way	16th St	End	Tamarisk Dr	Debok Rd	End
Dollar St	West End (Past Brandon)	Fields Dr	Tipperary Dr	Killarney Dr	End
Donegal Ct	Killarney Dr	End	Tompkins St	Barclay St	Caufield St
Falcon Dr	Dillow Dr	North End	Tompkins St	Barclay St	West End
Forest Ct	Bland Circle	Tanner	Umqua Ln	Bland Circle	Kensington Ct
Forest Ct	Wilderness Dr	End	Wilderness Dr	Top View Ct	Hidden Springs Rd
Graceland Pl	Wendy Ct	End of City ROW	Willamette View Ct	Dillow Dr	End
Haskins Rd	Remington	Kensington Ct			

**Agenda Bill 2018-03-19-06**

Date: March 8, 2018

To: Russ Axelrod, Mayor  
Members, West Linn City Council

From: Morgan Coffie, Management Analyst

Through: Lance Calvert, P.E., Public Works Director/City Engineer - *LEC*  
Eileen Stein, City Manager *ES*

Subject: Contract Award for the Valley View and Suncrest Improvements (PW-17-02)

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**Purpose**

Public Works requests Council approval for the Valley View and Suncrest Improvements.

**Question(s) for Council:**

Should the City spend capital funds on road maintenance and improvements?

**Public Hearing Required:**

None required.

**Background & Discussion:**

The Valley View and Suncrest Improvement Project will generally include cement treated subgrade, asphalt pavement mill and overlay, storm sewer improvements, along with concrete sidewalk and curb ramp installation.

The project was advertised and bid in accordance with the West Linn Local Contracting Rules. A bid opening was held on March 1, 2018 at 11 A.M. with a total of two bids received as indicated on the attached bid results form. 3 Kings Environmental, Inc. was the lowest responsive and responsible bidder with a bid of \$835,947.50. The City has past positive experience with 3 Kings Environmental, Inc.

**Budget Impact:**

\$835,947.50 to the Streets, Environmental, and Park Funds. The bid is within the anticipated project budget.

**Council Options:**

1. Award the contract to the lowest responsive and responsible bidder, 3 Kings Environmental, Inc.
2. Cancel the bid solicitation and retain the capital funds.

**Staff Recommendation:**

Approve the contract with 3 Kings Environmental, Inc.

**Potential Motion:**

I move to authorize the City Manager to sign a contract with 3 Kings Environmental, Inc. in the amount of \$835,947.50 for the Valley View and Suncrest Improvements.

**Attachments:**

1. Bid results form



**Agenda Bill 2018-03-19-07**

Date: March 8, 2018

To: Russell Axelrod, Mayor  
Members, West Linn City Council

From: Morgan Coffie, Management Analyst

Through: Lance Calvert - LEC  
Eileen Stein, City Manager *ES*

Subject: Potential sale of Surplus Properties at 6123 & 6175 Skyline Drive

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**Purpose**

Continued Council discussion and direction with regards to marketing and selling of surplus properties located at 6123 & 6175 Skyline Drive.

**Question(s) for Council:**

Should the City Manager continue forward with the sale and marketing of surplus properties located at 6123 & 6175 Skyline in accordance with Resolutions 2018-02 and 2018-03?

**Public Hearing Required:**

None required.

**Background & Discussion:**

- The City purchased the referenced properties in 2015 as part of the Bolton Reservoir Replacement Project in order to provide adequate onsite staging areas for construction. The property located at 6175 Skyline Drive was purchased for \$220,000. The property located at 6123 Skyline Drive was purchased for \$385,000. The purchase price of both properties was set in accordance with their respective 2014 appraised values. Both properties were purchased with water enterprise funds.
- The purchase of the properties was approved by the City Council in 2015 (Resolution 2015-02) which states: "The City Council authorizes the purchase of these properties with the intent to surplus and sell the properties after the Bolton Reservoir replacement is completed. Any proceeds received from the future sale of the properties would be deposited into the water fund."
- In accordance with Municipal Code section 2.875, once the Council determines the property surplus, the City Manager may undertake any reasonable methods for pricing, advertising, marketing, and selling the property. Public notice in the local newspaper and a second Council hearing will be needed to approve the sale of the property (Municipal Code section 2.880).
- Both properties were declared surplus by the City Council through Resolution 2018-02 and 2018-03 on January, 8, 2018.
- The City has tentatively retained a locally operated real estate agency (Lovell & Hall Realty) to handle the marketing and sale of the property. Lovell & Hall assisted the city on a similar past sell providing a smooth transaction with a final sale price above market rate with multiple bidders. They are recommending an initial listing of \$220,000 for 6175 Skyline Drive (due to the

additional buyer's expense of the required removal of the existing manufactured home) and \$400,000 for 6123 Skyline Drive. Staff anticipates final sale prices based on actual bids to be equal to or above the preliminary listing price. In addition, an option for lease will be made available for potential buyers to consider as requested by Council.

- Council inquired if the school district would be interested in the property for additional student parking. The school district has indicated to staff that they have no interest in buying or leasing the property.
- Council also inquired if the city could build an inexpensive storage facility at this location for Parks (and other city uses) that would free up space elsewhere. Staff has determined that this would not be a good location for a storage facility. One, the parcel isn't big enough for operational use. Two, the cost of a new facility would be considerable and beyond any current budget. Three, the change in use wouldn't be consistent with prior discussions and assurances with nearby residents. Four, use of the facility for Parks purposes would be tantamount to a sale of the property from the Parks Fund to the Water Fund. This purchase is not reflected in the Parks Fund budget.

**Budget Impact:**

All proceeds from the properties will be returned to the Water Fund as revenue as the Water Fund purchased the property. Using the appraised values, the sale of the properties to the Parks Fund would impact that fund by \$600,000.

**Council Options:**

1. Move forward with the sale of the properties in accordance with the prior resolution and Municipal Code requirements.
2. Continue discussion and explore alternative uses or methods of marketing and selling of the properties.

**Staff Recommendation:**

Move forward with the sale of the properties in accordance Resolution 2018-02. This will require a public notice and another Council hearing prior to the sale in accordance with the Municipal Code.

**Potential Motions:**

Not applicable, no motion is required at this time, but Council direction is needed.

**Attachments:** N/A