

COUNCIL ORDINANCE No. 2252

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MUNICIPAL CODE (MMC) TO ADOPT COMMUNITY UTILITY ADVISORY COMMITTEE AS THE NEW NAME OF THE CITIZENS UTILITY ADVISORY BOARD.

WHEREAS the city has worked in recent years to use more inclusive language that reflects the City Council's equity and inclusion goals; and

WHEREAS the Citizens Utility Advisory Board (CUAB) completed a multi-year project to review and update its bylaws, which were adopted by City Council on March 4, 2025, and which includes a new committee name of Community Utility Advisory Committee (CUAC); and

WHEREAS to fully adopt and implement the CUAC's new name, the MMC must be updated to accurately reflect this new committee name.

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. MMC Chapters 2.10.010 Applicability, 2.11 Citizens Utility Advisory Board, 2.11.010 Established-Purpose, 2.11.020 Membership-Qualifications, and 13.14.050 Stormwater Charges-Billing, as outlined in Attachments A (redline) and B (clean), are adopted.

Section 2. These changes to the MMC will take effect 30 days after adoption of this ordinance.

Read the first time on **6/17/25** and moved to second reading by **5:0** vote of the City Council.

Read the second time and adopted by the City Council on **6/17/25**.

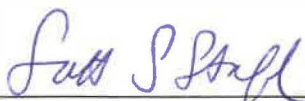
Signed by the Mayor on **6/17/25**.



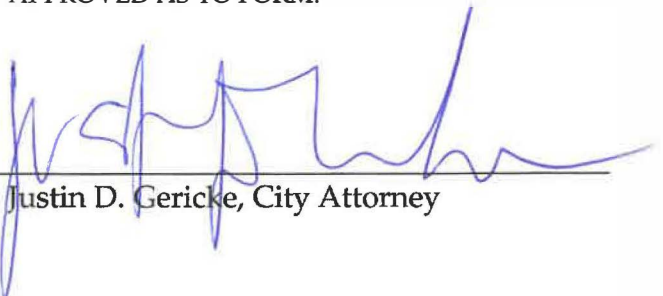
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:



Scott S. Stauffer, City Recorder



Justin D. Gericke, City Attorney

**Proposed Changes to the Milwaukie Municipal Code (MMC)
related to the renamed Community Utility Advisory Committee (CUAC)**

§ 2.10.010 APPLICABILITY.

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

- A. Budget Committee (ORS 294.336 and MMC 2.14, exclusive from monthly meetings);
- B. Center/Community Advisory Board (MMC 2.20 and IGA);
- C. ~~Citizens-Community~~ Utility Advisory ~~Board Committee~~ (MMC 2.11);
- D. Library Board (ORS 357.400 to 357.621 and MMC 2.28);
- E. Park and Recreation Board (MMC 2.12);
- F. Planning Commission (ORS 227.010—227.030 and MMC 2.16);
- G. Public Safety Advisory Committee (MMC 2.24);
- H. Milwaukie Arts Committee (MMC 2.17); and
- I. Tree Board (MMC 2.18).

Chapter 2.11 ~~Citizens-Community~~ Utility Advisory ~~Board Committee~~

§ 2.11.010. ESTABLISHED—PURPOSE.

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

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

§ 2.11.020. MEMBERSHIP—QUALIFICATIONS.

The ~~Board Committee~~ shall consist of five members appointed at large by the Mayor with consent of the Council, all of whom must be either Milwaukie residents, own a business within the city limits, or reside outside city limits but is a ratepayer served by a Milwaukie utility (water or wastewater) throughout their term.

**Proposed Changes to the MMC
related to the renamed CUAC**

§ 13.14.050 STORMWATER CHARGES—BILLING.

A. Charges for stormwater service supplied by the City to any customer will be charged for and billed to each such customer in accordance with rates established by the City Council. Prior to the establishment of stormwater service fees and charges by the City Council, the ~~Milwaukie CitizensCommunity~~ Utility Advisory ~~Board-Committee~~ will prepare and deliver a report and recommendation on rates to the City Council. The Committee must prepare and deliver its recommendation to City Council on an annual basis, according to the rules established by City Council. Stormwater service fees and charges as established by the City Council will be added to and made a part of the billings for water and sewer service.

B. The customer is responsible for all stormwater service fees and charges, except as allowed by Section 13.14.040. The City may require deposits prior to providing stormwater service or in lieu of a deposit, obtain a signed agreement from the property owner, whether the customer or not, that they will be ultimately liable for the charges and that the City may use a lien as one method to secure payment if the charges are not paid. However, the City may not require a property owner to sign such an agreement.

C. Billings may be prorated. The proration will be a daily rate determined by dividing the annual minimum billing by 365 days times the number of days of occupancy from last meter reading and/or billing date.

D. A reduced stormwater service charge may be charged for customers who qualify as low income utility customers under the provisions of Chapter 13.20 of this code.

E. All money collected through stormwater fees and charges will be deposited in the stormwater utility account as established and maintained by the City's Finance Director.

F. Funds collected under this chapter will be used for the purpose of designing, acquiring, developing, constructing, maintaining, improving, and operating both manmade and nature-based stormwater systems.

**Proposed Changes to the Milwaukie Municipal Code (MMC)
related to the renamed Community Utility Advisory Committee (CUAC)**

§ 2.10.010 APPLICABILITY.

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

- A. Budget Committee (ORS 294.336 and MMC 2.14, exclusive from monthly meetings);
- B. Center/Community Advisory Board (MMC 2.20 and IGA);
- C. Community Utility Advisory Committee (MMC 2.11);
- D. Library Board (ORS 357.400 to 357.621 and MMC 2.28);
- E. Park and Recreation Board (MMC 2.12);
- F. Planning Commission (ORS 227.010—227.030 and MMC 2.16);
- G. Public Safety Advisory Committee (MMC 2.24);
- H. Milwaukie Arts Committee (MMC 2.17); and
- I. Tree Board (MMC 2.18).

Chapter 2.11 Community Utility Advisory Committee

§ 2.11.010. ESTABLISHED—PURPOSE.

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

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

§ 2.11.020. MEMBERSHIP—QUALIFICATIONS.

The Committee shall consist of five members appointed at large by the Mayor with consent of the Council, all of whom must be either Milwaukie residents, own a business within the city limits, or reside outside city limits but is a ratepayer served by a Milwaukie utility (water or wastewater) throughout their term.

**Proposed Changes to the MMC
related to the renamed CUAC**

§ 13.14.050 STORMWATER CHARGES—BILLING.

A. Charges for stormwater service supplied by the City to any customer will be charged for and billed to each such customer in accordance with rates established by the City Council. Prior to the establishment of stormwater service fees and charges by the City Council, the Community Utility Advisory Committee will prepare and deliver a report and recommendation on rates to the City Council. The Committee must prepare and deliver its recommendation to City Council on an annual basis, according to the rules established by City Council. Stormwater service fees and charges as established by the City Council will be added to and made a part of the billings for water and sewer service.

B. The customer is responsible for all stormwater service fees and charges, except as allowed by Section 13.14.040. The City may require deposits prior to providing stormwater service or in lieu of a deposit, obtain a signed agreement from the property owner, whether the customer or not, that they will be ultimately liable for the charges and that the City may use a lien as one method to secure payment if the charges are not paid. However, the City may not require a property owner to sign such an agreement.

C. Billings may be prorated. The proration will be a daily rate determined by dividing the annual minimum billing by 365 days times the number of days of occupancy from last meter reading and/or billing date.

D. A reduced stormwater service charge may be charged for customers who qualify as low income utility customers under the provisions of Chapter 13.20 of this code.

E. All money collected through stormwater fees and charges will be deposited in the stormwater utility account as established and maintained by the City's Finance Director.

F. Funds collected under this chapter will be used for the purpose of designing, acquiring, developing, constructing, maintaining, improving, and operating both manmade and nature-based stormwater systems.