

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
November 18, 2008**

CALL TO ORDER

Mayor Bernard called the 2042nd meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Council President Joe Loomis and Councilors Deborah Barnes, Greg Chaimov, and Susan Stone

Excused: Mayor Jim Bernard

Staff present: City Manager Mike Swanson, City Attorney Bill Monahan, Finance Director Ignacio Palacios

PLEDGE OF ALLEGIANCE**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

It was moved by Councilor Chaimov and seconded by Councilor Stone to adopt the resolution recognizing Mary Rowe for her service to the City of Milwaukie as Human Resources Director. Motion passed with the following vote: Councilors Stone, Barnes, and Chaimov, and Council President Loomis. [4:0]

CONSENT AGENDA

It was moved by Councilor Barnes and seconded by Councilor Stone to adopt the consent agenda.

Resolution 85-2008: A Resolution of the City Council of the City of Milwaukie, Oregon, Awarding a Contract for \$59,400 to Structures in Landscape for Construction of Homewood Park, Located at 10821 SE Home Avenue in Milwaukie, and Authorizing the City Manager to Sign a Personal Services Agreement with the Firm

Motion passed with Councilors Stone, Barnes, Chaimov, and Council President Loomis voting 'aye.' [4:0]

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING**A. Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3 – Ordinance**

Mr. Swanson reported this was a monthly action regarding code amendments proposed in June 2006 by the Planning Commission. A number of code amendments and some Comprehensive Plan amendments were adopted. These two code amendments had been continued so they could be brought up monthly and acted upon fairly quickly by the City Council. One code amendment would add Section 19.321.3 that defined as unpermitted uses major utility facilities including wastewater treatment plants. Section 19.321.7 discussed nonconforming community service uses and

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declared that any of those unpermitted uses, for example the wastewater treatment plant mentioned in the preceding section, may remain in use through December 31, 2015, but may not be enlarged, upgraded, remodeled, or altered in any way except as needed to abate nuisances declared by the City or as needed to comply with federal or state statutes, regulations or permits. Those were not adopted at the time because parties were in the middle of the Citizens Advisory Committee (CAC), and it was thought best not to stick a stick in the hornets' nest and raise unnecessary issues. These have been continued in the past year on a monthly basis. Mr. Swanson recommended that the City Council continue consideration of both sections 19.321.3 and 19.321.7 to the second regular meeting in December.

It was moved by Councilor Chaimov and seconded by Councilor Stone to continue the amendments to the Milwaukie Municipal Code Sections 19.321.7 and 19.321.3 to the regular City Council meeting on December 16, 2008.

Councilor Barnes reported the small regional solutions group would meet this week. At the last meeting the CAC representative spent more time agreeing with Milwaukie than with West Linn. She felt the CAC actually understood Milwaukie's position on this issue and was giving some support. The West Linn City Manager had shown no interest in accommodating the City of Milwaukie, so the next big hurdle was explaining to Tri-City that this was a regional issue. Milwaukie still had a trump card it could play.

Motion passed with Councilors Stone and Chaimov and Council President Loomis voting 'aye' and Councilor Barnes voting 'no.' [3:1]

OTHER BUSINESS

A. Amend Milwaukie Municipal Code Chapter 2.04, City Council – Ordinance

Mr. Monahan reported this was first in a series of proposed code amendments that would come before the Council. The City last published its code in 1986 and was working on a project to republish in May 2009. This was Chapter 2.04, City Council that dealt with process issues of how the Council conducted meetings and recorded them. This was a housekeeping measure to modify the code to reflect current practices, changes in technology, and statutory changes. It dealt with the signing of documents, confidentiality, staff attendance at meetings, and minute keeping. There was also a section on modifying discussion of business which did not restrict the Council's ability to accept public testimony at any time. The Council still retained discretion in that matter. This section also addressed Government Ethics Laws which were modified in 2007 with a change in name from Oregon Government Standards and Practices Laws. The City Council would be seeing over the course of the next several months other proposed changes to ordinances to come up to speed with current practices and statutes.

It was moved by Councilor Chaimov and seconded by Councilor Stone for the first and second readings by title only and adoption of the ordinance amending Milwaukie Municipal Code Chapter 2.04, City Council. Motion passed with Councilors Stone, Barnes, and Chaimov and Council President Loomis 'aye.' [4:0]

Mr. Swanson read the ordinance two times by title only.

The City Recorder polled the Council: Councilors Stone, Barnes, and Chaimov and Council President Loomis voting 'aye.' [4:0]

ORDINANCE NO. 1988:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 2.04, CITY COUNCIL

B. Amend Milwaukie Municipal Code Chapter 5.08, Business Taxes Generally – Ordinance

Mr. Palacios reported this was an administrative action to amend a section of the code that had not been reviewed since 1999. The action requested was to adopt the ordinance amending Milwaukie Municipal Code (MMC) 5.08, Business Taxes Generally. He requested amendments to Sections 5.08.30.A.1, 2, and 3 that would increase the annual fee base fee by \$10 and the mid-year fee by \$5. It would increase the FTE by \$2 and remove the reduced rate for businesses with gross revenues of less than \$10,000. Section 5.08.030.C added language that allowed business registration fees to become part of the annual fee resolution. Section 5.08.040 clarified multiple business locations and excluded residential homeowners from the business tax who rented one or two homes. The fiscal impact was approximately a 5% increase to allow for increased administrative costs. Clarification of the code would allow staff to more efficiently answer questions and provide guidance as needs arose.

Councilor Barnes discussed nonprofits such as the high school that sold fireworks on July 4.

Mr. Palacios explained nonprofits were excluded.

Councilor Stone was curious about the removal of the reduced rate for businesses with gross revenues less than \$10,000. What was the reduced rate?

Mr. Palacios replied the reduced rate was \$40 instead of \$100.

Councilor Stone asked how much was collected annually from the business tax.

Mr. Palacios replied the revenue budgeted for this year was approximately \$174,000.

Councilor Stone asked Mr. Palacios how he came up with the language in 5.08.040 about excluding residential homeowners from the business tax who rented one or two homes. How did you come up with that number rather than three or four for example?

Mr. Palacios said he and the City Attorney came up with this language based on the fact that those renting one or two homes were not in the business and just did it on the side. Typically they did this for extra income or because they were not able to sell their homes.

Councilor Stone said it had come to her attention from citizens who had houses for rent that a business tax for a multi-family apartment of 30-units for example was \$110. Someone who was renting a single-family residence was paying \$100 per each home. It did not seem equitable. That was their complaint too. How could someone who owned a 30-unit apartment complex only pay \$100?

Mr. Palacios explained this excluded individuals with only one or two homes from going through this process. The basis of a fee should be to recapture costs. Whether or not the individual had one unit or 30 units the administrative costs would be the same.

Councilor Stone thought the point was that one business was so small comparatively speaking. How did it work if someone had three homes?

Mr. Palacios replied Councilor Chaimov suggested language that would clarify that. Anyone over the two home limit would pay \$110.

Councilor Chaimov proposed an amendment and asked the best way to incorporate it.

Mr. Swanson replied the best way was to adopt the ordinance and have the City Manager read it twice with the amendment.

It was moved by Councilor Chaimov and seconded by Councilor Barnes for the first and second readings by title only and the adoption of the ordinance

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amending Milwaukie Municipal Code Chapter 5.08, Business Taxes Generally with the amendment set forth as an additional agenda item 6.B subsection J. of code number 5.08.110 to read: "An owner who offers for rent not more than two single-family residences." Motion passed with the following vote: Councilors Stone, Barnes, and Chaimov and Council President Loomis voting 'aye.' [4:0]

The City Manager read the ordinance two times by title with the amendment.

The City Recorder polled the Council: Councilors Stone, Barnes, and Chaimov and Council President Loomis voting 'aye.' [4:0]

ORDINANCE NO. 1989:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 5.08, BUSINESS TAXES GENERALLY

Mr. Parecki said it was a moot point to make any comments at this juncture since the Council already passed the resolution.

Mr. Swanson said if Mr. Parecki brought up points which the City Council felt should be incorporated that another ordinance could be prepared for the next Council hearing. It was not a moot point if it was something the Council wanted to adopt.

Mr. Parecki replied there may not be anything, but he found it curious he was not able to make any statements before the resolution passed. In the last three or four years he had been working with the City there had been an increase in the garbage tax, increase in the gas tax, an increase in electricity tax, a street improvement tax, and public area improvements which he considered a tax. Now we have a 10% increase in a business tax. The only comment he wanted to make to the Council was to think about all of these taxes and how it kept mounting up on small businesses. He felt the City staff should be working more on how to reduce expenses rather than how to raise income from the City dwellers and business owners and property owners and even apartment owners. He suggested shifting the focus from increasing income to decreasing expenses to work things out without burdening everyone at every juncture. A 10% increase was pretty huge especially with times the way they were. It was only \$10, but that was \$10. The percentage increase was huge. When you multiplied it by the number of employees it could make a difference. He had few employees who were full time, so it did not affect him directly. There were a lot of people it would affect. He did not think people were notified of this potential business tax increase and if they had any input. It just happened. Now we had to let people know it happened. There was not a good way to let people know it happened without giving them a chance to make comments or statements or send emails. He just found out about it last night when he happened to look at the agenda. It was not a good way to communicate with the audience.

Councilor Barnes understood Mr. Parecki had a downtown group he met with.

Mr. Parecki replied it was not his group but it did meet once a month.

Councilor Barnes asked if he had contact with them.

Mr. Parecki responded he did if he showed up for the meeting.

Councilor Barnes asked that he go to the meeting and get input from local businesses in the downtown area and reach out and find a new way to communicate with Mr. Parecki's group and this other group more effectively because he made a valuable point.

Mr. Parecki said he would do that, and although the meeting was a 7:30 a.m. he would be there to bring up this matter.

Councilor Stone thought he raised a good point about letting people know what was coming down the pike. It appears the City did not do that in this case. It was a tax. Especially since the last the last election we will be paying more for lots of things. It did make a big difference. She thanked Mr. Parecki for his comments, and the City will do a better job.

Councilor Loomis asked if there was a mechanism for notifying business owners.

Mr. Palacios said there was a roster and apologized as he was not aware it needed to be done.

Councilor Barnes added it was part of public relations to let the community know about upcoming decisions. She suggested an article in *The Pilot*.

Mr. Palacios commented this did take care of Councilor Stone's concerns with one or two rentals.

C. Oregonians for Working Families Earned Income Tax Credit (EITC) Proposal

Mr. Swanson would take this matter up with Mayor Bernard.

D. Council Reports

Councilor Barnes discussed the live election night coverage with Councilor Chaimov and Sabin Schellenberg students.

Councilor Chaimov attended the Ardenwald Neighborhood meeting.

Councilor Stone went to the Ardenwald Neighborhood meeting which was attended by at least 120 people including Rep. Carolyn Tomei, County Commissioner Lynn Peterson, County representatives, and Columbia Care. It was a well-run meeting but got tenuous at times. It was evident there was a lot of concern about the mental health facility being proposed to go in the Neighborhood, and she was sure we had not heard the last of it. She attended the Milwaukie Poetry Series reading and commended the Library Board for its effort.

ADJOURNMENT

It was moved by Councilor Chaimov and seconded by Councilor Stone to adjourn the meeting. Motion passed with the following vote: Councilors Stone, Barnes, and Chaimov and Council President Loomis voting 'aye.' [4:0]

Council President Loomis adjourned the regular session at 7:33 p.m.

Pat DuVal

Pat DuVal, Recorder

REGULAR SESSION

AGENDA

MILWAUKIE CITY COUNCIL
NOVEMBER 18, 2008

MILWAUKIE CITY HALL
10722 SE Main Street

2042ND MEETING

REGULAR SESSION – 7:00 p.m.

1. **CALL TO ORDER** Page #
Pledge of Allegiance
2. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**
3. **CONSENT AGENDA** *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the “Consent” portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*
 - A. **Bid Award for Homewood Park Construction – Resolution**
4. **AUDIENCE PARTICIPATION** *(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, only issues that are “not on the agenda” may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, “all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous.” The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.)*
5. **PUBLIC HEARING** *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3 – Ordinance (Mike Swanson)

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

- A. Amend Milwaukie Municipal Code Chapter 2.04, City Council – Ordinance (Bill Monahan)**
- B. Amend Milwaukie Municipal Code Chapter 5.08, Business Taxes Generally – Ordinance (Ignacio Palacios)**
- C. Oregonians for Working Families Earned Income Tax Credit (EITC) Proposal (Mayor Bernard)**
- D. Council Reports**

7. INFORMATION

8. ADJOURNMENT

Public Information

- Executive Session: The Milwaukie City Council may meet in executive session immediately following adjournment pursuant to ORS 192.660(2).
- All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503.786.7555
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

3.
CONSENT AGENDA



To: Mayor and City Council
Through: Mike Swanson, City Manager
From: JoAnn Herrigel, Community Services Director
Subject: Bid Award for Homewood Park Construction
Date: November 5, 2008

Action Requested

Approve a resolution awarding a contract to Structures in Landscape for \$59,400 for construction of Homewood Park, located at 10821 SE Home Avenue in Milwaukie, and authorizing the City Manager to sign a Personal Services contract with this firm for these services.

History of Prior Actions and Discussions

January 2006: Council work session discussion regarding the Metro Open Spaces Bond measure. Staff report included a draft list of local share projects, one of which was Homewood Park.

February 2006: Council approved a resolution supporting the list of local share projects to be funded by Metro's Open Space Bond measure proposed for the November 2006 ballot. Homewood Park completion was on this list.

Background

On November 7, 2006, Metro area voters approved the Natural Areas, Parks and Streams Bond Measure. This bond measure allocated \$220 million to purchase and enhance parks and open spaces in the region. \$44 million of these funds were allocated to Local Governments in the region for local projects. Milwaukie's share of these "Local Share" funds is \$657,751. Staff developed a list of projects to be completed using these

funds that was reviewed by Council, the City's Park Board and the neighborhood leadership in 2006. Homewood Park completion was on this list of projects.

During the summer and early fall of 2008, staff worked with Sarah Smith, of the Gardensmith, to refine the scope of work for the final phase of construction of Homewood Park. Once the scope was finalized, staff issued a Request for Proposals for construction of Homewood Park on October 6, 2006. The City received eleven proposals for the project by the October 17th deadline. The proposals were reviewed by staff and the landscape designer and Structures In Landscape was determined to be the bidder which best served the interests of the City for construction of Homewood Park.

Concurrence

The Hector Campbell neighborhood and the landscape designer for Homewood Park support the award of the bid to Structures in Landscape.

Fiscal Impact

\$50,000 to cover the Personal Services Contract for this project has been allocated in the 2008-09 budget. An additional \$10,000 will be contributed to this project by the Hector Campbell Neighborhood Association.

Work Load Impacts

The Community services Director will monitor the contract with the landscape firm. On-site project management will be done by Sarah Smith, of the Gardensmith.

Alternatives

Do not approve the resolution awarding this grant to the selected landscape firm.

Attachments

- Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AWARDING A CONTRACT FOR \$59,400 TO STRUCTURES IN LANDSCAPE FOR CONSTRUCTION OF HOMEWOOD PARK, LOCATED AT 10821 SE HOME AVENUE IN MILWAUKIE, AND AUTHORIZING THE CITY MANAGER TO SIGN A PERSONAL SERVICES AGREEMENT WITH THAT FIRM.

WHEREAS, the 2006 Metro Open Spaces measure allocated \$657,751 in local share funds to the City of Milwaukie for acquisition and park and open space development; and

WHEREAS, one of the projects listed by the City as fundable under this local share program was Homewood Park; and

WHEREAS, the City solicited bids for construction of Homewood Park through a formal Request for Bid process;

WHEREAS, staff and the site designer, through review of the bids received, have determined that Structures in Landscape would best serve the needs of the City in the project;

NOW, THEREFORE, BE IT RESOLVED that the contract for the construction of Homewood Park, located at 10821 SE Home Avenue in Milwaukie, be awarded to Structures in Landscape for \$59,400 and that the City Manager is authorized to sign a personal services agreement with that firm.

Introduced and adopted by the City Council on _____.

This resolution is effective on immediately.

James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney

WSPage 4

6.
OTHER BUSINESS



To: Mayor and City Council
Through: Mike Swanson, City Manager
From: Pat DuVal, City Recorder
Bill Monahan, City Attorney
Subject: Amendments to Milwaukie Municipal Code Chapter 2.04, City Council
Date: November 18, 2008

Action Requested

Adopt an ordinance amending Milwaukie Municipal Code (MMC) Chapter 2.04, City Council.

History of Prior Actions

- Milwaukie Charter of 1975, Section 20 requires that the Council prescribe rules governing its meetings and procedures
- January 1981, Ordinance 1480 adopted Council rules
- 1986 Milwaukie Charter and ordinances first codified
- June 1996, Ordinance 1807 adopted adding Section 2.04.095, Confidentiality
- October 1996, Ordinance 1812 adopted amending certain sections of Chapter 2.04

Background

At the City's request, the City Attorney's Office reviewed the current Code to identify areas that were out-of-date or otherwise might need to be changed. Former City Attorney Gary Firestone read the entire code at a basic level paying special attention to sections and chapters that appeared to have issues based on his experience with the City and knowledge of changes in the law over the years. As some time had elapsed since Mr. Firestone's, Mr. Monahan was asked for any additional comment on the initial Code review.

Because most of MMC Chapter 2.04, City Council, was written in 1981 with several amendments in 1996, staff found six sections in need of updating. Attachment 1 goes

into more detail of the amendments and why they are proposed, but essentially the recommendations have to do with current practices, technology, and statutory changes.

Staff is working with the City's codifier, Quality Code Publishing, to republish all sections of the Milwaukie Municipal Code in May 2009. It will be the first republication since 1986. Funds were budgeted in the 2008 – 2009 for the project, and adopting amendments, similar to these being recommended for Chapter 2.04, over the next several months will make the best use of the dollars allocated. The effort will clean up the Code based on City Attorney recommendations and improve current page numbering, formatting, and overall appearance of the document.

Concurrence

The City Manager and the City Attorney reviewed and commented on the amendments.

Fiscal Impact

Funds for the republication project were approved in fund 150-812-6020, contractual services, in the amount of \$10,000.

Work Load Impacts

Department time in reviewing Code sections, soliciting concurrence from affected departments, and City Attorney review.

Alternatives

Council may decide not to adopt the proposed amendments to MMC Chapter 2.04.

Attachments

1. Redline code sections and purpose for amendments
2. Proposed ordinance

Proposed Amendments to Chapter 2.04 and Rationale

2.04.060 Signing of documents.

The mayor shall sign all ordinances, resolutions, contracts and other documents, except where authority to sign certain contracts and other documents has been delegated to the city manager, and all ~~documents~~ ordinances and resolutions shall be attested to by the city recorder. (Ord 1480 § 2(C), 1981)

Reflects current practice; no statutory or Charter provisions prohibit this amendment.

2.04.095 Confidentiality.

A. Councilors will keep all written, electronic, and digital materials and verbal information provided them on matters of confidentiality under law in complete confidence to insure that the city's position is not compromised. No mention of the information read or heard should be made to anyone other than other councilors, the city manager or the city attorney. (Ord 1807 § 1, 1996)

Reflect current technology to include electronic and digital records as being confidential.

2.04.120 Staff attendance of meetings.

Unless excused by ~~council~~ three Councilors or the Mayor, the city manager ~~and city attorney~~ shall attend all ~~regular and special~~ Council meetings. The City Attorney shall attend all Council meetings unless the City Manager excuses the City Attorney based on the Manager's determination that legal issues are unlikely to arise at the meetings. ~~The city recorder, finance director and public works director shall attend all regular meetings and those special meetings where their attendance is required, unless excused by the city manager. In the event a staff member is unable to attend a particular meeting, an alternate may be required.~~ City department heads shall attend Council meetings if the Manager determines that their presence would assist the Council. City employees shall attend Council meetings if their department head determines that their attendance would assist the Council. (Ord 1480 § 3(F), 1981)

Reflects actual practice and Charter language; no statutory provisions prohibit this amendment.

2.04.130 Minutes

All open regular and special meetings and work sessions shall be ~~tape recorded, and tapes of all open meetings~~ sound, video, or digitally recorded and shall be made available ~~for to the public examination~~ within a reasonable time after the meeting in the office of the city recorder. The recorder shall prepare written minutes of all open regular and special meetings and work sessions, which shall be approved by the council and made available for public inspection within a reasonable amount of time. Written minutes shall include ~~the names of all councilors~~ all members of the governing body present, all motions, proposals,

resolutions, orders, ordinances and measures proposed and their disposition, the results of all votes, and the vote of each member by name, ~~with the vote of each councilor by name unless the vote is unanimous~~, the substance of the discussion of any matter and references to any documents discussed. (Ord 1812 § 4, 1996; Ord 1480 § 3(G), 1981)

Reflects current technology and language consistent with ORS 192.650, Recording or written minutes required.

2.04.150 Discussion of business.

A. ~~The right to discuss the business before the council is reserved exclusively for councilors, the manager and the city attorney with the following exceptions: (1) Public hearings; (2) Employee complaints; and (3) Audience participation agenda.~~ The Council invites comments on all matters for Council consideration. Public comments on matters not on the agenda or on the consent agenda are to be presented during the audience participation portion of the agenda in accordance with the rules established by the Council. Public hearings shall be conducted under the regulations applicable to the particular type of hearing. During other business the Council may allow statements from those wishing to speak prior to deliberation. The right to deliberate is reserved to the Council. The City Manager has the right to take part in discussion but shall have no vote. The Council may invite staff and others to participate. Statements by others may be limited in duration by the Council and shall normally be limited to one statement per person per agenda item.

Reflects current practice; clarifies that the Council will hear public comments on any non-executive session agenda item.

2.04.290 Government ~~Standards and Practices~~ Ethics.

A. Councilors shall review and observe the requirements of the Oregon Government ~~Standards and Practices~~ Ethics Law (ORS ~~224.390400~~ 224.010 to 244.400) dealing with the use of public office for private financial gain. Councilors shall give public notice of any potential conflict of interest, and the notice will be reported in the minutes. In addition to matters of financial interest, councilors shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before the council. This general obligation includes the duty to refrain from:

1. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public;
2. Making decisions involving business associates, customers, clients and competitors;
3. Violating Council rules;
4. Appointing relatives, clients or employees to boards and commissions;
5. Requesting preferential treatment for themselves, relatives, associates, clients, coworkers, or friends;

6. Seeking employment of relatives with the city;
7. Actions ~~benefitting~~ benefiting special interest groups at the expense of the city as a whole;
8. Attending meetings or participating in decisions of city boards and commissions where there is a possibility of appeal of the matter to the council;
9. Expressing an opinion which is contrary to the official position of the council without so stating.

Reflects 2007 Legislature's changing the name from Government Standards and Practices to Oregon Government Ethics. Corrects typographical errors.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 2.04, CITY COUNCIL

WHEREAS, Section 20 of the City Charter requires the City Council to adopt rules governing its meetings and procedures by general ordinance; and

WHEREAS, These rules may be amended or new rules adopted by ordinance with any proposed changes distributed to the Councilors in advance and considered under "other business" on the regular Council agenda;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.04.060, Signing of Documents, of the Milwaukie Municipal Code is amended to read as follows:

2.04.060 Signing of Documents. The Mayor shall sign all ordinances, resolutions, contracts, and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager, and all ordinances and resolutions shall be attested to by the City Recorder.

Section 2. 2.04.095, Confidentiality, of the Milwaukie Municipal Code is amended to read as follows:

2.04.095 Confidentiality. A. Councilors will keep all written, electronic, digital, and verbal information provided them on matters of confidentiality under law in complete confidence to insure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager, or the City Attorney.

Section 3. 2.04.120, Staff Attendance at Meetings, of the Milwaukie Municipal Code is amended to read as follows:

2.04.120 Staff Attendance at Meetings. Unless excused by three Councilors or the Mayor, the City Manager shall attend all Council meetings. The City Attorney shall attend all Council meetings unless the City Manager excuses the City Attorney based on the Manager's determination that legal issues are unlikely to arise at the meeting. City department heads shall attend Council meetings if the Manager determines that their presence would assist the Council. City employees shall attend Council meetings if their department head determines that their attendance would assist the Council.

Section 4. Section 2.04.130, Minutes, of the Milwaukie Municipal Code is amended to read as follows:

2.04.130 Minutes. All open regular and special meetings and work sessions shall be sound, video, or digitally recorded and shall be made available to the public within a reasonable time after the meeting in the Office of the City Recorder. The

recorder shall prepare written minutes of all open regular and special meetings and work sessions, which shall be approved by the council and made available for public inspection within a reasonable amount of time. Written minutes shall include all members of the governing body present; all motions, proposals, resolutions, orders, ordinances and measure proposed and their disposition, the results of all votes and the vote of each member by name, the substance of the discussion of any matter, and references to any documents discussed.

Section 5. 2.04.150, Discussion of Business, is amended to read as follows:

2.04.150 Discussion of Business. A. The Council invites comments on all matters for Council consideration. Public comments on matters not on the agenda or on the consent agenda are to be presented during the audience participation portion of the agenda in accordance with the rules established by Council. Public hearings shall be conducted under the regulations applicable to the particular type of hearing. During other business, the Council may allow statements from those wishing to speak prior to deliberation. The right to deliberate is reserved to the Council. The City Manager has the right to take part in discussion but shall have no vote. The Council may invite staff and others to participate. Statements by others may be limited in duration by the Council and shall normally be limited to one statement per person per agenda item.

Section 6. 2.04.290, Government Standards and Practices, is amended to read as follows:

2.04.290. Government Ethics. A. Councilors shall review and observe the requirements of the Oregon Government Ethics Law (ORS 244.010 to 244.400) dealing with the use of public office for private financial gain. Councilors shall give public notice of any potential conflicts of interest, and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Councilors shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before Council. 7. Actions benefiting special interest groups at the expense of the City as a whole;

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Ignacio Palacios, Finance Director

Subject: Amend Municipal Code Section 5.08 – Business Taxes Generally

Date: November 5, 2008 for November 18, 2008

Action Requested

Adopt the ordinance amending Milwaukie Municipal Code Section 5.08, Business Taxes Generally.

Background

The current Municipal Code that administers the City of Milwaukie Business Registration and sets the rates for fees for the issuance of the City's business registration has not been reviewed nor have rates been adjusted since 2002.

The Finance Department is requesting amendments to the following sections of the City of Milwaukie Municipal Code 5.08 – Business Taxes Generally:

1. 5.08.30.A.1, 2, 3 – an increase in the annual base fee of \$10, an increase of \$5 to the base fee for businesses beginning after July 1, and an increase of \$2 to the FTE requirement and the removal of the reduced rate for businesses with gross revenues less than \$10,000.
2. 5.08.030.C – language added that allows the business registration fees to be adjusted via resolution as part of the annual approval of the City's fees and charges schedule as needed.
3. 5.08.040 – language added that clarifies multiple business locations and excludes residential homeowners from the business tax who rent one or two homes.

Concurrence

Finance Director and the language and form has been reviewed and approved by the City Attorney.

Fiscal Impact

A minor increase to Business Registration revenues (~5%) to allow for increases in costs of administering the program.

Work Load Impacts

The clarification in the Municipal Code 5.08 – Business Taxes Generally administering business registrations should allow staff to efficiently answer questions and provide guidance to businesses and individuals as the need arises.

Alternatives

None.

Attachments

1. Revised Chapter 5.08 Business Taxes Generally
2. Ordinance

Chapter 5.08

BUSINESS TAXES GENERALLY

Sections:

- 5.08.010 Purpose.**
- 5.08.020 Definitions.**
- 5.08.030 Imposed.**
- 5.08.040 Multiple businesses or premises.**
- 5.08.050 Tax year and payments.**
- 5.08.060 Delinquency charge.**
- 5.08.070 Inspection of business records.**
- 5.08.080 Transfer or relocation of business.**
- 5.08.090 Issuance and display of receipt.**
- 5.08.100 Administration.**
- 5.08.110 Exclusions.**
- 5.08.120 Violation—Penalties.**

5.08.010 Purpose.

~~The business taxes imposed by this chapter are for revenue purposes only. The fees shall be in addition to and not in lieu of any other license, permit fee, charge or tax required under any other ordinance of the city, with iwht~~
The business taxes imposed by this chapter are for revenue purposes only. The fees shall be in addition to and not in lieu of any other license, permit fee, charge or tax required under any other ordinance of the city. (Ord. 1349 § 1, 1976)

5.08.020 Definitions.

The following words or phrases, except where the context clearly indicates a different meaning, shall be defined as provided in this section:

A. "Business" means an enterprise, establishment, store, shop, activity, profession, management company or undertaking of any nature conducted directly or indirectly for private profit or benefit. Peddlers and solicitors are specifically included in this definition.

B. "City" means the city of Milwaukie, Oregon.

C. "City manager" means the city manager or designee.

D. "Doing, engaging in or transacting business" means any act or series of acts performed in the course of the pursuit of a business activity.

E. "Nonprofit organization" means a religious, philanthropic, patriotic and/or charitable organization. An organization shall be considered to be nonprofit if it meets the tests of a tax-exempt organization as specified by the Internal Revenue Service.

F. "Person" means and an includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or firm or corporations or any officers, agents, employees or any kind of personal representatives thereof, in any

capacity, either on that person's own behalf or for any other person, under either personal appointment or pursuant to law.

G. "Rental property" means a building, portion of building, or group of buildings within the city which are rented, leased or let for any purpose, including but not limited to dwelling or business purposes. Rental property includes, but is not limited to, a hotel or motel, automobile or tourist court, rooming or lodging house, mobile home or trailer park, private residence, office or warehouse. (Ord. 1863 § 2, 1999; Ord. 1349 § 2, 1976)

5.08.030 Imposed.

A. No person shall maintain, operate, engage in, conduct, or carry on any business within the city without first having paid the business tax as established by this chapter.

B. ~~The business tax rate is as follows~~ As of the effective date of this ordinance fees shall be:

1. All businesses shall pay an annual fee of one hundred-ten dollars (\$110)
2. The first year rate for businesses starting after July 1 will be fifty-five dollars (\$55)
3. An additional rate of \$5 will be assessed on each FTE employee
4. The fee for temporary businesses (with a duration of two (2) weeks or less) shall be twenty-five dollars (\$25).

C. Revisions to the ordinance fees shall be set as part of the City's Fee and Charges Resolution.

Base Rates:

Standard rate (applicable unless exempt or otherwise specified)	one hundred (\$100.00) dollars
Rate for taxpayers with gross income less than \$10,000	forty (\$40.00) dollars
First year rate for businesses starting after July 1	fifty (\$50.00) dollars
Temporary business (two (2) weeks or less)	twenty-five (\$25.00) dollars

Additional Rate:

Additional amount for	three (\$3.00) dollars
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each FTE	
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C. As used in subsection B of this section, "FTE" means "full-time equivalent employee." Each business taxpayer must pay the FTE amount in addition to the applicable base rate. ~~For example, a taxpayer with ten (10) full-time employees and two (2) half-time employees has eleven (11) FTEs and would pay thirty-three (\$33.00) dollars per year, in addition to the base rate.~~ The number of FTEs for which payment is required is based on the number of full-time equivalent employees as of January 1 for full-year taxpayers, and on the first day of business for other taxpayers. No additional payments or refunds are applied for changes in the number of employees during the tax year.

D. A penalty of ten percent (10%) of the base fee shall be paid for each calendar month, or fraction thereof, in which the tax is due and unpaid. (Ord. 1951 § 1, 2005: Ord. 1349 § 3, 1976)

5.08.040 Multiple businesses or premises.

If a person is engaged or doing business at more than one establishment, branch or location this specifically includes but is not limited to rental houses, apartment complexes, commercial business complexes and retail shopping centers, each such establishment, branch or location shall be deemed a separate business and each such business shall be subject to the business tax. An owner of one or two single family residences that are offered for rent is not doing, engaging in or transacting business and not subject to a business tax. If two (2) or more businesses are carried on at the same location each shall be required to pay a separate business tax, except in situations where it can be shown where the individual businesses are in fact one (1) business. In determining whether different activities at the same location are in fact one business, normal and ordinary customs and usages of business shall be considered. (Ord. 1349 § 4, 1976)

5.08.050 Tax year and payments.

- A. The tax year is from January 1 to December 31.
- B. The business tax shall be paid annually in advance of the business tax year. For businesses starting after January 1 of any year, the business tax must be paid within one (1) month of commencing business.
- C. Businesses shall be liable for the tax from the date they commence doing business within the city and not from the date of the tax is paid or the tax form submitted. (Ord. 1951 § 2, 2005: Ord. 1349 § 5, 1976)

5.08.060 Delinquency charge.

- A. The business license tax shall be deemed delinquent if not paid by February 1st of the applicable business tax year. If a person begins engaging in business after the start of the business tax year, the business tax shall be deemed delinquent if the tax is not paid within thirty (30) days after commencement of the business activity.
- B. Whenever the business tax is not paid on or before the delinquent date a delinquency charge equal to ten percent (10%)

of the original business tax due and payable shall be added for each thirty (30) day period or fraction thereof during which the business tax and any accumulated delinquency charges remain unpaid. The total amount of the delinquency charge for any tax year shall not exceed one hundred percent (100%) of the business tax due and payable for such year.

C. The date that the business tax is received by the city or the date of the postmark if remittance is made by mail shall be used in determining when the business tax is paid.

D. Notwithstanding the date of receipt of the business tax, the tax shall be held to be delinquent if a complete information form has not been filed with the city. Completeness of the form will be judged by the completeness of the information requested on the form.

E. The city manager or designee shall have the authority to waive a delinquency charge when, in the manager's judgment, circumstances are such that a delinquency charge should not be assessed. (Ord. 1863 § 3, 1999; Ord. 1379 § 1, 1977; Ord. 1349 § 6, 1976)

5.08.070 Inspection of business records.

The city manager is empowered to investigate and examine pertinent records of businesses as required to determine violations of this chapter. (Ord. 1349 § 7, 1976)

5.08.080 Transfer or relocation of business.

Upon sale or other transfer of a business, the new owner shall inform the city of the change in ownership and pay a change in business ownership fee but shall not have to pay an additional business tax. If a business is relocated within the city without a change in ownership, the owner shall inform the city of the new location and pay a business relocation fee but no additional business tax shall be required. The city council shall establish the amount of the change of business ownership fee and the business relocation fee by resolution. (Ord. 1909 § 1, 2002; Ord. 1379 § 2, 1977; Ord. 1349 § 8, 1976)

5.08.090 Issuance and display of receipt.

A. Upon payment of the business tax a person or business shall be issued a receipt by the city for such payment. The receipt shall be kept posted in a conspicuous place on the business premises at all times. If there is no regular place of business in the city, the receipt shall be in the possession of a representative of the business present within the city at all times during which the business is being transacted by an employee, agency or representative within the city.

B. Payment of the business tax by a person does not authorize any conduct that violates any applicable provision of local, state or federal law. Possession of a receipt for payment of the business tax shall not be asserted as a defense in any enforcement action other than an action related to payment of the business tax. (Ord. 1863 § 4, 1999; Ord. 1349 § 9, 1976)

5.08.100 Administration.

A. The city manager shall be responsible for the administration of this chapter. The manager may adopt reasonable rules and regulations relating to any matter pertaining to the administration of this chapter, as well as preparing, adopting and making available to the taxpayer all forms necessary for compliance with this chapter. The application form shall, at a minimum, require the following information:

1. Name and address of business;

2. Whether the business is a home occupation, as defined by the city Zoning Ordinance;
3. Type of business (i.e., retail, office, warehouse, manufacturing);
4. Owner and/or manager of business;
5. Start date of business;
6. A description of any change in business use from previous year;
7. Business location square footage;
8. Number of employees at business;
9. Whether business uses or stores hazardous or combustible materials;
10. Emergency contact person's name, home phone number, cell phone number, pager number and any other after hours number available.

B. No person shall violate or fail to comply with any rule or regulation adopted by the city manager; refuse to allow the examination of books, papers and records; or wilfully make any false or misleading statements to the city manager regarding the computation of the amount of business tax due and payable under this chapter.

C. To the extent allowed by law, the city manager shall keep all information furnished or secured under the authority of this chapter in strict confidence. Such information shall not be subject to public inspection and shall be kept so that the contents thereof shall not become known except to the persons charged with the administration and enforcement of this chapter. (Ord. 1863 §§ 5, 6, 1999; Ord. 1349 § 10, 1976)

5.08.110 Exclusions.

The following situations are specifically excluded from the requirement of paying a business tax:

- A. Wholesalers selling or delivering goods to merchants of the city for the purpose of resale. This exclusion pertains only if the wholesaler does not maintain a place of business within the city and also does not engage in retail trade within the city;
- B. Nonprofit organizations;
- C. Persons engaged in delivery of goods or services from points outside the city, providing sales contacts and actual sales take place outside the city;
- D. Newspaper carriers;
- E. Representatives of public utilities;
- F. Garage sales, yard sales, and other similar activities. Such exclusion shall not apply, however, if either of the following conditions is met:
 1. More than two such sales take place within any one calendar year at the same location;
 2. The sale has a duration of more than seventy-two consecutive hours.
- G. The sale of personal assets such as a personal automobile, residence, appliance, or other articles. Such exclusion shall not apply when such sales are conducted on a regular and continuing basis. That will be assumed to be the case if an individual or family sells its personal residence more than twice or his personal automobile more than four times in any given calendar year. Other items shall be determined by the city manager on the basis of reasonableness on a case-by-case basis.
- H. Licensed real estate salespeople or associate real estate brokers who engage in professional real estate activity only as an agent of a real estate broker or real estate organization.
- I. Construction contractors or landscape contractors when their principal place of business is outside of the city and they have proof that they have obtained a

business license from the metropolitan service district. (Ord. 1924 § 1, 2003; Ord. 1863 § 7, 1999; Ord. 1349 § 11, 1976)

J. Rental of one or two single family residences owned by the same individuals.

5.08.120 Violation—Penalties.

A. A violation of this chapter shall be punishable by a mandatory fine not to exceed two hundred dollars. A violation of this chapter shall be processed pursuant to Chapter 1.08 of this code.

B. Each violation of a separate provision of this chapter shall constitute a separate offense and each day that a violation of this chapter is committed or permitted to continue shall constitute a separate offense.

C. The conviction of any person for violation of this chapter shall not act or relieve such person from payment of any unpaid business tax including delinquent charges for which such person is liable. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the city under other sections of this chapter.

D. In the event any provision of this chapter is violated by a firm or corporation, the officer or officers or person or persons responsible for the violation shall be personally subject to the penalties imposed by this section. (Ord. 1863 § 8, 1999; Ord. 1349 § 12, 1976)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 5.08, BUSINESS TAXES GENERALLY

WHEREAS, the City Council finds that the city's business tax regulations periodically require review and updating; and

WHEREAS, the business tax regulations have not been updated since 1999; and

WHEREAS, the City Council finds that the business tax fees require adjustment; and

WHEREAS, the City Council finds that the code requires adjustment to clarify which businesses are required to pay a tax; and

WHEREAS, the City Council finds that the rental of one or two single family residences owned by the same individuals should be excluded from the requirements of paying a business tax;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.08.010, Purpose, of the Milwaukie Municipal Code is amended to read as follows:

5.08.010 Purpose. The business taxes imposed by this chapter are for revenue purposes only. The fees shall be in addition to and not in lieu of any other license, permit fee, charge or tax required under any other ordinance of the city

Section 2. Section 5.08.020, Definitions, of the Milwaukie Municipal Code is amended to read as follows:

5.08.020 Definitions. The following words or phrases, except where the context clearly indicates a different meaning, shall be defined as provided in this section:

A. "Business" means an enterprise, establishment, store, shop, activity, profession, management company or undertaking of any nature conducted directly or indirectly for private profit or benefit. Peddlers and solicitors are specifically included in this definition.

B. "City" means the city of Milwaukie, Oregon.

C. "City manager" means the city manager or designee.

D. "Doing, engaging in or transacting business" means any act or series of acts performed in the course of the pursuit of a business activity.

E. "Nonprofit organization" means a religious, philanthropic, patriotic and/or charitable organization. An organization shall be considered to be nonprofit if it meets the tests of a tax-exempt organization as specified by the Internal Revenue Service.

F. "Person" means and includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or or corporations or any officers, agents, employees or any kind of personal representatives thereof, in any capacity, either on that person's own behalf or for any other person, under either personal appointment or pursuant to law.

G. "Rental property" means a building, portion of building, or group of buildings within the city which are rented, leased or let for any purpose, including but not limited to dwelling or business purposes. Rental property includes, but is not limited to, a hotel or motel, automobile or tourist court, rooming or lodging house, mobile home or trailer park, private residence, office or warehouse.

Section 3. 5.08.030, Imposed, of the Milwaukie Municipal Code is amended to read as follows:

5.08.030 Imposed.

A No person shall maintain, operate, engage in, conduct, or carry on any business within the city without first having paid the business tax as established by this chapter.

B. As of the effective date of this ordinance fees shall be:

1. All businesses shall pay an annual fee of one hundred-ten dollars (\$110)
2. The first year rate for businesses starting after July 1 will be fifty-five dollars (\$55)
3. An additional rate of \$5 will be assessed on each FTE employee
4. The fee for temporary businesses (with a duration of two (2) weeks or less) shall be twenty-five dollars (\$25).

C. Revisions to the ordinance fees shall be set as part of the City's Fee and Charges Resolution.

D. As used in subsection B of this section, "FTE" means "full-time equivalent employee." Each business taxpayer must pay the FTE amount in addition to the applicable base rate. The number of FTEs for which payment is required is based on the number of full-time equivalent employees as of January 1 for full-year taxpayers, and on the first day of business for other taxpayers. No additional payments or refunds are applied for changes in the number of employees during the tax year.

E. A penalty of ten percent (10%) of the base fee shall be paid for each calendar month, or fraction thereof, in which the tax is due and unpaid.

Section 4. Section 5.08.040, Multiple businesses or premises, of the Milwaukie Municipal Code is amended to read as follows:

5.08.040 Multiple businesses or premises If a person is engaged or doing business at more than one establishment, branch or location this specifically includes but is not limited to rental houses, apartment complexes, commercial business complexes and retail shopping centers, each such establishment, branch or location shall be deemed a separate business and each such business shall be subject to the business tax. An owner of one or two single family residences that are offered for rent is not doing, engaging in or transacting business and not subject to a business tax. If two (2) or more businesses are carried on at the same location each shall be required to pay a separate business tax, except in situations where it can be shown where the individual businesses are in fact one (1) business. In determining whether different activities at the same location are in fact one business, normal and ordinary customs and usages of business shall be considered.

Section 5. 5.08.110, Exclusions, is amended by adding new subsection (J) as follows:

J. Rental of one or two single family residences owned by the same individuals.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney

OREGONIANS FOR
**WORKING
 FAMILIES**

October 1, 2008

Mayor Tom Hughes
 City of Hillsboro
 150 E Main St.
 Hillsboro, OR 97123

Dear Mayor Hughes and City Council Members,

Oregonians for Working Families, a coalition seeking to increase the state Earned Income Tax Credit (EITC), invites your city council to endorse this effort to improve opportunity for over 200,000 low- and moderate-income households throughout our state.

The federal EITC was signed into law under President Ford and expanded significantly by Presidents Reagan and Clinton. Each year the federal EITC lifts 4.4 million people – over half of them children – out of poverty. Targeted mostly to low- and moderate-income working families with children, it provides a refundable tax credit that helps struggling families afford one-time expenses for getting ahead, such as car repairs and education, and basic necessities like gas, rent and groceries.

Oregon is one of 24 states supplementing the federal EITC with a state Earned Income Tax Credit. Oregon's credit was created in 1997 with strong bipartisan support. Currently calculated as 6% of the federal EITC, Oregon's credit is among the lowest of the 24 state earned income credits.

Oregonians for Working Families is proposing an increase in the state EITC to 18% of the federal credit. This increase will:

- Supplement the earnings of the average EITC household by about \$180. For a family of four living at the poverty line, it will mean about \$480 in additional income each year.
- Lift Oregon's EITC from near the bottom to the middle of the pack of state earned income credits.
- Benefit over 200,000 households (about one in seven Oregon taxpayers). From Astoria to Malheur County and from Hood River to Klamath Falls, expanding the EITC will boost working families' incomes and their ability to spend in their local economies.

Expanding the Oregon Earned Income Tax Credit is a targeted and effective way to make Oregon's tax system fairer for low- and moderate-income working families, giving them and their communities throughout the state a much needed boost.

We hope your organization will sign on as an endorser of this campaign. We have enclosed a copy of the endorsement form. For additional information contact Lee Mercer at 503-873-1201, e-mail info@oregoniansforworkingfamilies.org or visit our website at www.oregoniansforworkingfamilies.org.

Thank you for your time and consideration in this matter. We look forward to hearing from you.

Sincerely,



Mike Leachman. OWF Co-Chair
 Oregon Center for Public Policy



Patti Whitney-Wise- OWF Co-Chair
 Oregon Hunger Relief Task Force

WSPage 24

DuVal, Pat

From: James Bernard [bgarage@bernardsgarage.com]
Sent: Tuesday, October 28, 2008 11:46 AM
To: DuVal, Pat
Cc: Swanson, Mike
Subject: FW: EITC example of a city letter

Pat,

Could we consider this on Tuesday?

From: John Mullin [mailto:jmullin@oregonlawcenter.org]
Sent: Monday, October 27, 2008 11:17 AM
To: bernardj@ci.milwaukie.or.us
Subject: EITC example of a city letter

Hi Jim – I called you about this today. Cities and counties are giving consideration to signing on as a coalition member. We have about 60 or so right now. I'm representing the Human Services Coalition of Oregon and the Coalition for a Livable Future in this effort. The Oregon Law Center will be working on this issue during the session. I'm hoping Milwaukie can support this. By the way, the Clackamas County Community Action Board is signing on in endorsement.

Thanks for your consideration,

John Mullin
Oregon Law Center
921 SW Washington St. Suite 516
Portland, OR 97205
503-473-8681
503-867-6236 (cell)
jmullin@oregonlawcenter.org

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

WSPage 25

10/29/2008