

**CITY OF OREGON CITY
CITY COMMISSION
MEETING MINUTES**

February 7, 2007

1. Convene Regular Meeting of February 7, 2007 and Roll Call

Mayor Norris called the regular session of the City Commission to order at 7:03 p.m. in the City Commission Chambers in City Hall, 320 Warner Milne Road, Oregon City.

Roll Call: Commissioners Trent Tidwell, Daphne Wuest, and Doug Neeley; Commissioner Damon Mabee was excused

Staff Present: Larry Patterson, City Manager; Ed Sullivan, City Attorney; Mike Conrad, Police Lieutenant; Nancy Kraushaar, City Engineer and Public Works Director; Dan Drentlaw, Community Development Director; Scott Archer, Community Services Director; David Wimmer, Finance Director; and Nancy Ide, City Recorder

2. FLAG SALUTE

3. CEREMONIES, PROCLAMATIONS, PRESENTATIONS

a. Presentation to Brad Smith, 2006 Citizen of the Year

The City Commission recognized Oregon City School District teacher and basketball coach who put the City on the map in some very positive ways. The tournaments he arranged have brought hundreds of people to the City that boosted the local economy. He was the most winning girls' basketball coach in Oregon history and was named national high school coach of the year three times by *USA Today* and Oregon Coach of the Year six times. His work has instilled a sense of pride in Oregon City and gave people a set of positive values.

Mayor Norris, with the consent of the Commissioners, moved the McLoughlin Boulevard Plan discussion forward on the agenda.

9c. Discussion and Direction on the McLoughlin Boulevard Plan

Mr. Patterson reported there was a controversy around the McLoughlin Boulevard Plan as well as a certain degree of confusion and misinformation. He urged coming together to discuss what was a great opportunity for Oregon City to reconnect to its waterfront. He proposed a walk-through of the project site on Friday plus a backup date. There would be people available during the walk-through to discuss the project and the vegetation and perhaps identify alternatives. On Monday there would be a joint meeting of the Natural Resource Committee (NRC) and the Parks and Recreation Advisory Committee (PRAC) to debrief on the walk-through to determine if there was consensus. At 6:00 p.m. there would be a meeting of the Citizens Advisory Committee (CAC) to determine if unity could be achieved among the groups. The City Commission would meet on the following Friday.

Ms. Kraushaar reported on the latest conversations with the Oregon Department of Transportation (ODOT) its right-of-way maintenance program. ODOT monitored tree health along its right-of-way and scheduled tree removal that included one large tree. ODOT had made the final decisions on the tree removals. ODOT's concern, as was hers, was public safety. There were highly qualified people working on the project team including David Evans & Associates (DEA), water quality experts, and landscape architects whose goal was to do the right thing for the Willamette River. These representatives would participate in the walk-through as well as the subsequent meetings. She understood the area was clear-cut many years ago,

and the stumps were never removed. Some of the trees had grown back with multiple trunks making a weaker tree. The walk-through would be a good opportunity for people to see the trees up close. She expressed safety concerns for those on the multi-use path. It appeared the current landscape was not healthy, and this project could be considered a revegetation program resulting in improved health, wildlife habitat, water quality, downtown amenities, and multi-modal transportation. She hoped there would be a meeting of the minds at some point where common goals could be reached.

Mr. Patterson added the intent of the Plan had always been to revegetate the area but leave the stumps for erosion control. This project had tight timeframes, and this was a test of the community's ability to come together. With so many interests he did not anticipate 100% agreement, but without a consensus to rally behind, the City might lose funding for this and future phases.

Ms. Kraushaar said the current replanting plan included over 300 trees, 1,500 shrubs, and over 4,000 groundcover plants.

Mayor Norris noted the City Commission discussed this matter at its Monday work session, and the members were unanimous in directing staff to come up with a process that included the NRC. Most of the funding was federal, and the City would be fighting for additional funds to complete the McLoughlin Boulevard project that made the River accessible to the community and slowed traffic in the downtown.

Commissioner Tidwell asked when the clear cutting occurred.

Ms. Kraushaar replied she did not know. She noted the trunks would be left to address erosion and archeological concerns but treated so they would not grow back.

Commissioner Tidwell understood ODOT had identified a number of trees that needed to be cut, and the City could do nothing about that.

Ms. Kraushaar replied ODOT had identified certain trees as being hazardous. She understood one large tree had multiple trunks, and removing that one impacted the area around it. The State Forester was involved with the decisions about all the trees along the corridor, and ODOT maintenance had observed the conditions of the trees for a number of years. ODOT was the agency responsible for safety in its right-of-way. Staff would meet with ODOT to prepare a map showing the trees recommended for removal for the project and those that ODOT intended to remove for safety reasons.

Commissioner Neeley understood in terms of the project a certain number of trees would need to be removed for construction. Were these ODOT-determined removals?

Ms. Kraushaar said that was correct. The City identified the trees, and ODOT issued the right-of-way permit. The plaza was located in a spot that minimized construction on steep slopes and was central to the downtown and Jon Storm Park. The CAC and project team would meet to discuss citizen comments. The final design would go to ODOT for review in May or June.

- **Betsy Torell, Oregon City**

Ms. Torell, NRC 2006 Chair, requested documentation be provided to the Committee members prior to the site visit. She asked for a figure of the current project footprint, location of the test pits and staging areas, the resource assessment completed for compliance with federal regulations, the landscape design plan with the figures, the mitigation plan with the figures, a differentiation of the arborist's tree list and incorporating the information on which trees would be removed by ODOT anyway, the arborist's list of those trees removed for construction that fell

within the footprint versus the test pits versus the pit excavator access and the 25-foot buffer, identify the hazards, and trees that would be removed to provide the view.

- **Jackie Hammond-Williams, Oregon City**

Ms. Hammond-Williams provided letters from the Willamette Riverkeeper and the Sierra Club. She was disappointed in Oregon City and the notion of clear-cutting the banks of the Willamette River by removing 77 trees out of 83. Mayor Norris was re-elected on a sustainability platform, and she thought there was a good team to direct the future of the City. She thought development would be intelligent, well thought out, and sustainable. The newly disclosed tree cutting plan was a real slap in the face, and it did not seem the Mayor and City Commission, the Planning Commission, and the NRC understood the magnitude. This plan was not available at the recent open house. City officials and those they appointed to boards and commission were supposed to watch over the City on behalf of the residents. Who was running the City if these people were not informed? In July 2004, Oregon City lost one of its most beautiful hillsides where 123 mature white oaks and maples were smashed. City Planner Cook admitted he had never visited the site. About 800 trees were removed on Glen Oak, and now this. She attended a meeting where Mr. Patterson replied to complaints about the lack of communication forthcoming from City staff. He said it was a woeful lack of staff that put in long hours and did not have time to communicate and attend all the meetings people wanted them to. He suggested Mr. Patterson delegate more to the Mayor and City Commissioners, refer to the Planning Commission, and allow the NRC to do the job it was supposed to do. Oregon City has so much development going on, how can staff keep the City Commission informed so it can make good decisions for the City? She urged the City leaders to improve communication with staff and stop the clear cut.

- **Bill Pankonin, Oregon City**

Mr. Pankonin would hate to see any mature trees destroyed because of this project. He was also concerned with the reconfiguration which would slow traffic enormously. Big trucks would have difficulty making that sharp turn. He recommended keeping the ramp because it kept vehicles moving and not back up traffic through the town. He addressed pedestrian access and suggested using the existing bike paths behind the shopping center. He thought too much emphasis was put on bike and pedestrian traffic in these new projects when none existed. Most people came to this meeting in a car yet projects were heavily oriented toward pedestrians. He talked with Tom Weatherford at ODOT about his concern that a major road would become more congested than it needed to.

4. CITIZEN COMMENTS

- **Kathy Hogan, Clackamas County**

Ms. Hogan voiced her concern on the annexations and double taxation of those coming into her neighborhood association.

- **Christine Kosinski, Oregon City**

Ms. Kosinski had heard a lot of comments about money and staff issues. She understood Mr. Patterson and many of his staff wore many hats. She was married, had grandchildren, puppies, operated a small business with her husband, and worked about 20 hours per week on the Park Place Concept Plan. She worked because she could not retire, and many were in the same position. Topography had dealt the Holly Lane area and other parts of the City some lemons. In Park Place they talked a lot about not wanting to be like other cities and wanted to make a statement with small organic farms that supplied farmers' markets. She urged Oregon City to take courage and think about being a leader. Show Happy Valley that Oregon City was not an

ugly city. She had a lot to say about money issues and history and suggested she have a private meeting to discuss her ideas. Was there a flag for the end of the Oregon Trail to bring attention to Oregon City? She urged people to volunteer to help staff.

- **Janet Hochstatter, Clackamas County**

Ms. Hochstatter said the current method of obtaining signatures for petitions on impossible annexations falling under the double majority rule was grievously flawed. Individuals were not informed, and in this instance their signatures constituted a vote that could not be changed. Usually signatures on a petition placed something on the ballot for voting purposes. Individuals signing the petition were at the mercy of the individuals seeking their signatures in regards to the accuracy of the information being presented. The information might be inaccurate, misleading, and biased, yet the signature was a vote. She had solicited signatures to place an initiative on the ballot, and a copy of the ballot statement was required plus a fact sheet that explained the effect of the measure. In other words the voter was informed. Under the current methodology the voter was not informed. She recommended developing a template that outlined and explained the pro and con that the annexation would have on the affected property owners property. Those would include taxes, utility costs, availability of services, and fire services. The voters should be able to initial the fact sheet and indicate they understood the results of the annexation if it did take place.

Mr. Sullivan explained the City followed state statute and did not have any regulations in place on annexation petitions.

- **Phil Yates, Oregon City**

Mr. Yates thought good government depended on a strong level of public involvement, and he heard the City Commission and staff express the same opinion. He was impressed by Mr. Patterson's work session presentation about the issues facing the City and how difficult it was to communicate those to the public. Unfortunately, public involvement was one of the last things on the agenda. It further involved a commitment by the public. One of his ideas was to create a Web site where political thoughts could be expressed, and another Web site that was an Oregon City encyclopedia.

- **Jerry Herrmann, Clackamas County**

Mr. Herrmann wanted to work things out with the City. It was all about trusting the information flow and making a rational decision. He discussed the water resource overlay ordinance and developmental services. Some of this controversy could have been avoided if the project went through the water resource overlay process. It put a whole new twist on this project if it was considered a public works project. If the pipe was no longer safe, then Water Environment Services (WES) would have to look at that issue closely. The real question was working together, and he was willing to commit his time to turn this matter in a positive direction and renew trust.

- **Sha Spady, Clackamas County**

Ms. Spady discussed citizen involvement and her experience over the past 15 years. The same sorts of things were occurring now as had occurred during the Newell Creek Canyon issue. She hoped the citizens would take heart and be involved in this community in an effective way that would make a difference. She constantly looked for ways to interact effectively. On March 2, the sustainability group would host a leadership workshop, and she provided registration information. Ms. Spady urged the City Commission to encourage the NRC to participate in reviewing water resource issues, unstable slopes, trees, and those matters that impacted the community and do the job the Committee was created to do.

- **Paul Edgar, Oregon City**

Mr. Edgar looked at the tree issue as one of sustainability and walking the talk. In Canemah five trees were marked to be cut for a house, but some of those trees could be saved if the house could be shifted. This did not need to happen if leadership made it clear that saving trees was important.

- **Bob Nelson, Clackamas County**

Mr. Nelson was a member of the NRC. He noted the City goals did not include improved communication with City residents to foster trust. There was a lot of animosity in the public and loss of trust, and part of that was due to the lack of communication. He understood when people were overworked it was important to get the project done and that input was messy and time consuming. Adding a few good ideas was worth the time and effort put into communicating. Under goal 5 he encouraged the City Commission to add the object of fostering trust with the citizens through honest and open communication and allowing time for citizen input on projects.

Mayor Norris noted the goals had not been fleshed out at this point and appreciated Mr. Nelson's suggestion.

- **Bill Daniels, Oregon City**

Mr. Daniels suggested the Urban Renewal Commission (URC) consider establishing a date or two each month for Commission meetings so people and neighborhood associations could put those dates on their calendars. He wanted to ensure citizens were included in developing the URC budget^[P1].

Commissioner Neeley noted most of the citizen comments addressed communication which was part of the City Commission's number one goal of citizen participation. The McLoughlin Neighborhood Chair informed him they were not getting notice of all the URC meetings. Most of the issues brought up had to do with NRC meeting, and he understood there was an intent to schedule a joint meeting of the City Commission and the NRC. There have been problems with restoration and tree plantings on the Willamette River because trees had died. Mr. Nelson pointed out to him that the steep slopes ordinance said nothing about landslides, and Commissioner Neeley thought the NRC should look at that matter. He discussed conservation easements by which citizens could gain some benefit by declaring certain areas as important habitat. The proposed tree ordinance needed to come forward. He encouraged the City Commission to meet with the NRC to talk about issues that had frustrated the members.

Commissioner Tidwell reported that many people who attended the "Conversations with a Commissioner" at the Black Pointe Inn were at this meeting. The common theme was communication, and he requested that the issue of improving trust levels be put on the next work session agenda. He recommended the City Commission set some goals and outline a process to improve communication and trust. The Commission members concurred with his suggestion.

Commissioner Neeley thought the failure of the open house project and juxtaposition of timing of getting the report created the problem. He noted staff had acted quickly to stop the tree cutting complimented it in its quick response in pulling the community involvement process together.

5. ADOPTION OF THE AGENDA

Mayor Norris noted item 8a was continued to the February 21, 2007 meeting, but she would open the hearing if anyone present wished to comment. The minutes of the December 20, 2006

meeting would be removed from the consent agenda for separate discussion. General Business item 9b was removed as the matter was currently in litigation.

6. RESOLUTIONS

- a. Resolution No. 07-01; Vacation Initiation of a Terminus Section of Promontory Avenue and the Southerly 10-Foot Section of McKinley between Promontory and Brighton Avenue (SV06-005)

Ms. Kraushaar reported the property owner of 702 McKinley Avenue requested the complete vacation of Promontory Avenue on the north side of his property line above Waterboard Park. He also requested the vacation of 10-feet of McKinley along his property line that was also along the property line of his neighbor on Brighton Avenue. The proposal was taken to PRAC for comment as the vacation request abutted a City park. The remaining right-of-way on McKinley would be 50-feet. The ordinance would be considered on March 21, 2007 to ensure all legal documents were in order.

Mayor Norris noted she lived in that neighborhood, and her husband had signed the petition. Neither she nor her family stood to gain financially from her participating in the discussion. Her property did not abut the area.

Commissioner Wuest understood in a traditional street vacation the property was divided 50/50. Would this be a two-step process and why the 10 feet?

Ms. Kraushaar replied the 10 feet would become part of the adjacent property. The other 50 feet would remain as right-of-way until someone wanted to vacate more. It appeared that Promontory Avenue was never part of the Park plat, and when it was vacated it would go into the other plat.

Commissioner Neeley thought the map with the "cloud" of the vacated area was very confusing. He assumed the hatched area with the solid border going into the right-of-way was the area of interest, but only one resident was asking for a vacation. The map left the impression that there were two properties requesting a vacation.

Ms. Kraushaar replied the first property owners requested that the right-of-way along both properties be vacated, but he needed the support of the second property owner. The slashes on the other side of McKinley defined a boundary of a plat. McKinley was removed from the plat that established tax lots 1800 and 1900.

Commissioners Tidwell/Wuest m/s to approve Resolution 07-01 initiating the subject proposed public street right-of-way vacation as corrected with the hearing date of March 21, 2007. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

- b. Resolution No. 07-05; Vacation of the Remainder Sanitary and/or Storm Sewers Easement Located in the East Half of Vacated Park Street (EV07-0001)

Ms. Kraushaar reported these sanitary and storm sewers easements were created when this plat was created, and the City never needed to use those easement. The area was currently served by storm and sanitary coming from other locations, so the property owners asked that the easements be lifted. This was done by resolution because it was not public right-of-way.

Commissioner Wuest visited the site and understood it was 25 feet on the side of the house. The property owner could not partition it, but it could it for a driveway of something of that nature subject to City regulations.

Commissioners Neeley/Tidwell m/s to approve Resolution 07-05. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

7. ORDINANCES FOR INTRODUCTION

- a. Second Reading of Ordinance 07-1000, Deleting the Business License Fee on State-Owned Video Lottery Machines

Mr. Sullivan read the ordinance by title.

Commissioners Neeley/Tidwell m/s to approve the second reading of the ordinance. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

- b. Second Reading of Ordinance 07-1001, Ninth Amendment to the Downtown/North End Urban Renewal Plan

Mr. Patterson reported staff was directed to include additional parking areas or properties located between 7th and 8th Streets between Main Street and McLoughlin Boulevard, so those were added to the list of properties that may be acquired in the plan. If this were the first reading, the City Commission would need the executive session but the URC meeting would be cancelled.

Ms. Kraushaar said the additional properties included the parking lot north of the bridge, 108 A Street, and Urb's parking lot on Main Street.

Mr. Patterson explained this did not mean the Urban Renewal District would buy those particular properties but did give the URC the ability to do so or to work with the owners to put together a project.

Commissioner Tidwell appreciated the clarification because some of the businesses were alarmed that the City was going to buy their properties.

Mr. Sullivan read Ordinance 07-1001 for the first time with the three amendments to exhibit A.

Commissioners Neeley/Wuest m/s to approve the amended first reading of ordinance 07-1001. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

Mayor Norris recessed the meeting at 8:31 p.m. and reconvened the meeting at 8:41 p.m.

8. PUBLIC HEARINGS

- a. Public Hearing and First Reading of Ordinance 07-1002; Approval of a Zone Change from R-10 Single Family Dwelling District to R-6 Single Family District and an 8-lot Subdivision on the Property Identified as Clackamas County Map 3S-2E-4DB, Tax Lot 600 (Planning Files ZC06-03 & TP06-11)

Mayor Norris announced this would be continued to February 21, 2007. No one present wished to testify on this matter.

Commissioners Wuest/Tidwell m/s to continue the hearing and first reading of Ordinance 07-1002 to February 21, 2007. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

- b. Public hearing of Resolution No. 07-03 to Set Election Date for AN06-05, Proposed Annexation of 27-Acres Located on Both Sides of Thayer Road, one side of Beaver Creek Road and Maplelane.

Mayor Norris outlined the hearing process.

Mr. Sullivan explained this was a de novo hearing, and the criteria were found in the staff report. He outlined the rules applicable to this hearing. No members of the City Commission announced any ex parte contacts or biases.

There were two issues the City Commission might want to keep in mind. One was the policy issue expressed in this and other sessions about whether the City Commission should or should not remove properties from the Fire District. There would also be some issues over whether some requests for annexation could be withdrawn. The recommendation from the Planning Commission was that the City Commission authorize two elections. The City Charter required a vote by the citizens of the City on any annexation. State law allowed but did not require an election amongst the people who were within the affected area.

Mr. Patterson suggested the City Commission consider the policy after hearing public testimony about leaving the property in the District. He spoke with Fire Chief Ed Kirchhofer and thought this issue would come to a head soon. Certain recently annexed properties were left in the District in consideration of the tax impacts. If the properties were withdrawn, then the District would lose assessed value. It also increased the area of Oregon City which the District had to cover, and the current payments were not covering costs. The District was losing between 2% and 4% annually. The Board will discuss that issue in March and would likely want to revisit the contract. He understood the City Commission had given direction that the entire property be brought into Oregon City and be withdrawn from the District. The Comprehensive Plan indicated the City Commission would not create islands, but on the other hand the Commission had not taken the position of forcibly annexing individuals. In this particular annexation there were individuals who likely did not wish to be annexed.

Mayor Norris suggested discussing that in the context of the annexation rather than having a separate policy discussion.

Mr. Cullison reported the applicant was Anthony Marnella and represented by Tom Sisul and others. He requested an approval of an annexation of 29 properties on 27-acres located generally on the south side of the City on both sides of Thayer Road and on one side of Maplelane Road and Beaver Creek Road. There were three Comprehensive Plan designations on this area, and they were depicted on the second map in the packet. Those designations were residential low-density west of Maplelane Road, residential medium-density north of Thayer Road, and residential high-density between Thayer Road and Beaver Creek Road. The medium density would result in an automatic R-3.5 designation when annexed. He pointed out four City-owned lots that had a new storm pond built for the Beaver Creek Road project. By ORS those were excluded from double-majority calculations. The lower section would result in an automatic R-2 designation upon annexation. The overall recommendation was for the City Commission to evaluate this annexation against the criteria, adopt the resolution, and set the election for May 15, 2007. This annexation was initiated by consent petition of a double majority of property owners and voters as outlined in attachment C of the staff report. The four City-owned lots were outside the calculations totaled 1.9 acres.

A few of the owners who signed the petition appeared at the Planning Commission meeting and shed doubt on whether the applicant had a majority of owners and voters. As a result, the Planning Commission recommended that the City Commission require that the applicant's proposal for annexation to be set for election on May 15, 2007 in the form of an additional election measure for just the electors of the proposed annexation territory. Exhibit B from the Planning Commission should be reviewed and taken into consideration against the criteria listed in the Oregon City Municipal Code OCMC Chapter 14, section 6. Those factors were adequacy of access to the site; conformity with the Comprehensive Plan; adequacy and availability of

public facilities and services to serve potential development; compliance with applicable sections of ORS Chapter 222 and Metro Code 3.09; natural hazards identified by the City such as wetland, floodplains, and steep slopes; any significant adverse impacts on officially designated open space, scenic, historic, or natural resource areas by urbanization of the subject property at the time of the annexation; and lack of any significant adverse effects on the economic, social, and physical environment of the community by the overall impact of annexation. All of the criteria were discussed in Exhibit B. If the City Commission felt this annexation should be considered then it would be required by the Charter to submit the annexation to the electors of the City. If the necessary party, defined as a public agency or special district such as Clackamas River Water raised concerns at or prior to the City Commission's public hearing, then the necessary party may appeal the annexation to the Metro Appeal Commission within 10 days of the City Commission's decision. Citizens may appeal the decision to the Land Use Board of Appeals (LUBA).

Mr. Cullison reviewed the recommendations. The Planning Commission recommended approving the proposed annexation findings and setting the proposal for election by the electors of the City on May 15, 2007; requiring the applicant to pay for an additional election measure for just the electors of the proposed annexation territory to be set for that same date; requiring the applicant to pay for a City-sponsored ballot measure explanatory statement explaining details of the police and fire issues regarding the voluntary supplemental police funding and the taxing issues of not removing the new territory from the District; withdrawing the territory from the Enhanced Law Enforcement District as allowed by statute if the annexation was approved; concurring with the Tri-City Service District annexation of the subject property in the enacting ordinance upon voter approval of the annexation; taking under advisement the issue of not withdrawing from the Clackamas County RFPD #1; and requiring all consenting property owners to sign a waiver of Measure 37 rights and annexation agreements for providing supplement police funding.

Staff overall recommended that the City Commission adopt Resolution 07-03 if it agreed the annexation should be considered for election. He had two options for Exhibit C. One was to send the question to the City electors, and the second was to send it to the territory voters. The City rules required that the applicant take the petition to the people living in the territory. Staff told them to try not to create an island. The signed petition along with other legal documents were taken to the assessor's office who certified it as to the correctness of who owned those properties and validated that 50% of the owners had signed. The property boundaries were taken to the County elections office where the petition signatures were certified. There may be testimony saying that was not true. The City Commission could go on the recommendation to have two votes, or it may discuss creating an island. He pointed out those properties he believed may not have signed the petition or changed their minds after signing.

Mayor Norris asked how the boundary of the annexation area was determined.

Mr. Cullison was demonstrating what would have to be taken in to not create an island.

Mr. Drentlaw added the City worked toward regular boundaries.

Mr. Cullison said staff worked with the applicant to help him understand the boundaries he would have to go after in order not to create an island. He pointed out the connectivity.

Mr. Sullivan said the City Commission still had the ability to say it did or did not want the annexation and could weight that in its determination of whether this went to the voters or to which voters.

Mr. Cullison thought the prime reason for a petition was to establish the validity of an application. He did not accept an application if it did not meet the double majority criteria. That and the two County certifications validated the application.

Commissioner Neeley asked if there were standards that dictated what had to be in the petition.

Mr. Cullison replied the City did not have those standards. Staff did give a sample to the applicant, but it had not been formally adopted. A Centex attorney recommended language, and Mr. Cullison read it into the record. He would welcome any direction on clarifying or enhancing the form.

Commissioner Neeley understood one alternative was to remove those properties whose owner had not agreed to the petition.

Mr. Cullison replied that was an option if the Commission wished to create an island.

Commissioner Neeley noted islands were not created because the City provided service to those islands at no cost, but there was an unnecessary tension by bringing those properties in. He would never recommend creating an island on a parcel-by-parcel basis. He read the policy statement from Comprehensive Plan 14.4.3 referring to annexations and islands.

Commissioner Wuest asked the relationship between the applicant, owner, and developer when an annexation was brought to the City.

Mr. Cullison replied the applicant was typically the person submitting the application and paying the fee. Theoretically there may be multiple applicants. He did not believe the applicant in this case owned the property but wanted to purchase the property if annexed.

Mayor Norris called the public hearing to order.

Applicant's Presentation

- **Roger Alford, Perkins Coie, Portland**

Mr. Alford supported the staff recommendation as well as the Planning Commission's. This was an annexation that made sense given the location of the property, connectivity, contiguity to other areas already in the City, and was an overall good package to come into Oregon City. The one issue with the recommendation related to the second election requirement. This annexation was undertaken through the double majority statute that provided an area could come in without needing a vote of the people living in the territory if there were a double majority. That was a majority of the electors residing in the territory and a majority of the owners of the property. In this case there was a majority on both counts meaning that under statute there was no need for an actual election because those living in the territory had already voted in favor. Mr. Alford understood requiring another election under these circumstances would not be something the City had done before and believed this was not the time to start that precedent. The applicant had the requisite double majority, and essentially the vote had already occurred.

- **Tom Sisul, Clackamas County**

Mr. Sisul had nothing to add but would respond to any questions from the Commission.

Commissioner Neeley asked about the petition process^[P2]

Mr. Sisul replied it was completed by a woman named Sara.

Public Testimony

- **Janet Hochstatter,**

Ms. Hochstatter assumed the City Commission had read her testimony before the Planning Commission included the staff report. She illustrated several errors in the majority worksheet and particularly #5. Ms. Hochstatter argued with the person circulating the petition about tax increases. That person had argued the annexation would provide public services if she wanted to develop her property in the future and that there would be no fees for annexation. There would be no increases in taxes. The information she gave was wrong, and Ms. Hochstatter challenged her on it. When she went through the sheet she found errors. She was a registered voter and voted in every election, and she was not listed as such. She asked the City Commission to look at those two pertinent issues. She spoke with several neighbors, and they were all given misinformation, which was why she brought up the need for a fact sheet. This was actually a vote.

Two of the criteria listed were not met. One was adequacy and availability of public facilities and services to service potential development. From previous testimony and packet information, the Ramsperger property wanted annexation for development, yet the City did not have funds to provide for adequate police and fire services. The answer to that concern was to have the County continue to provide fire services. However, property owners would be charged an additional \$2.25 per \$1,000 assessed valuation for fire services. She and her neighbors would be paying the additional fee to receive the same fire services they were currently receiving. This constituted double taxation in her opinion. Chief Huiras indicated a lack of funds to provide adequate expansion of police services into the area. During the Planning Commission testimony, Mr. Cullison indicated previous properties owners seeking annexation recognized their applications would be denied because of the City's lack of resources to provide for adequate police and fire services. They voluntarily offered to pay \$3,500 per single-family dwelling for police services. Chief Huiras emphasized this was voluntary from the property owners and developers who saw the writing on the wall, and it was not solicited by the City. To accommodate for the lack of funding for fire services, the City entered into the agreement with the County to provide services for the affected properties. As she listened to the testimony and read the packet the word 'bribe' kept coming to mind. It was defined as something as money or a favor given or promised to a person to influence conduct. She was concerned the City would have a serious liability issue, and she knew the City Commission members were all honest people who volunteered a lot of time. What kind of image was this for the City? In this case there were 22 single-family dwellings that would be annexed as part of these properties. What did that do to police and fire services? She was also concerned about schools, roads, and infrastructure. The Walnut Grove estates development had 3,000 square foot houses on 3,500 square foot lots, and there was no green space where the children could play.

Mayor Norris said the property would be removed from the District, so the comments about the additional tax would not occur. The aberration was the properties annexed in November.

Commissioner Neeley added the City Commission had been discussing that matter but had not voted on it yet. He noted Ms. Hochstatter was not being repetitive and suggested she be given additional time to complete her comments.

Ms. Hochstatter said most of the new development had big houses on small lots, and there was a very libelous situation at Thayer Estates because there was no space. Mr. Cullison suggested that the property owners could have a small space where kids could throw ball or have a picnic. If the property owners did not maintain it, then the responsibility would fall on the City, but it did not have the resources to do that. She was concerned about the environment and livability. Maybe these annexations needed to be slowed down until Oregon City had more

resources to do it right. She requested that the City Commission create an island for those who did not wish to be annexed. It was taxation without representation.

Commissioner Neeley understood a fact sheet was being distributed.

Ms. Hochstatter said it was a fact sheet that discussed the nature of the double majority and listed the property owners, the voters, and whether they voted 'yes' or 'no.' Two property owners on the list were deceased.

Commissioner Tidwell commented on the hostility created when there were islands and asked Ms. Hochstatter if she understood the variety of problems.

Ms. Hochstatter was concerned about people being forced to annex. She understood her property taxes would increase 28.5%. The result would be that most residents would not vote on any tax increases for quite a long time. There would be hostility on both sides.

Mayor Norris noted that fire district tax would need to be taken out.

- **Matt Fagan, Oregon City**

Mr. Fagan was one of the property owners and spoke in opposition to annexation. His taxes would increase, but he would not see any services he was not already getting. Sewer service ended at Walnut Grove. He was concerned about the Fire District costs and the \$4 per month storm drain charge. It was tax increase with which he did not wish to be involved. He was surrounded by woods before Walnut Grove, but now it was clear cut. He hated to see things move away from the City and be one big open plain. He had lived in the area for 25 years and did not want to leave, but if he was sucked into the City he would head further out.

- **Phillip and Tanya Hickman, Oregon City**

Mr. Hickman was opposed to the annexation and wanted to be part of the island.

Ms. Hickman did not understand why the petition could not be thrown out if it was misrepresented. She did not feel it was legal. The woman who came to her house had no documentation to back up what she was telling people. What she said was not really what was coming about. If they had known what would really happen she doubted people would have signed the petition. People tended to sign things without reading the fine print. The woman with the petition said she was too tired to go over the information. She said she would come back but did not.

Commissioner Neeley understood the signature gatherer did not bring other papers with her.

Ms. Hickman said that was correct. She was just saying things verbally. She was hired to do this, so that brought up other questions.

- **Unidentified**

He said his neighbor Bill voted 'no' and Bernice voted 'yes', but it was counted as a 'yes' vote.

- **Katherine Kehoe, Clackamas County**

Ms. Kehoe thought the City might want to change its policy about the petition. She did not understand how the applicant could be so uncertain about the petition but so certain about the vote. Oregon City residents should also have a say about annexing properties because took away from some City services. If the petition did not tell the whole story, then the ballot measure would not tell the whole story either. Both of those needed to be improved. Mayor Norris told her it was not the City's policy to annex properties of those people who were not interested.

Mayor Norris said it was a practice but not a policy.

Ms. Kehoe said the property owners were not interested because of the expense, and most people could not afford the tax increase. There was a bill before the legislature where the taxes would be phased over 10 years to ease the burden on the newly-annexed property owner. It was not true that the roads were annexed along with the properties. According to the urban growth management agreement (UGMA), if the County did not bring the road up to urban standards then it was not in the City's jurisdiction. She appreciated that the City Commission was going to reconsider the fire annexation. The reasons for wanting to keep the property in the District were so the property taxes could go toward payment of other services. If the entire City annexed to the District, a lot of money could go to other services. In the Planning Commission minutes of January 8, 2007, Mr. Cullison stated that the property would not be removed from the Fire District. If the applicant did not provide the supplementary \$3,500 Chief Huiras would recommend denial, and the City Commission would agree. Commissioner Groener said he did not like setting that precedent. It was like a bribe. As a solution, the legislature was also looking at changing SDC regulations to include schools, and she felt that should extend to police services.

Commissioner Neeley understood SDCs were only used for capital projects related to growth. The City could build a new police station but not hire officers.

Ms. Kehoe said if the entire City annexed to the District, then there would be money to hire new officers. There was more than one solution.

- **Kathy Hogan, Clackamas County**

Ms. Hogan agreed with all the previous comments. She did not agree with Commissioner Tidwell that Oregon City residents were angry or that people were angry about being annexed. This was all one community. They could boycott the roads and going to the Oregon City stores and the Library which would reduce County funding. The Clackamas County people would be boycotting if they were angry. There were intergovernmental agreements such as the one with the Clackamas County Sheriff to house prisoners. People needed to know they had to pay for sewer hookups and that there was a big fee the developer was not paying. The true costs should be made clear before people signed the petitions.

Mr. Alford offered his rebuttal. In response to a question by Commissioner Neeley, the annexation worksheet was attached and included a list of the property owners and registered voters.

Mayor Norris responded the Commission had not seen those lists.

Mr. Alford read the summary that indicated there were 35 registered voters, and 19, 54%, signed the petition in favor of the annexation. Approximately 17 of the 24 acres were in favor of the annexation, which was 58% of the total. It was important to point out that the second election was recommended for fear there were people who had signed the petition but wished they had not. The only Planning Commission testimony was from those who voted 'no' anyway. There was one person who testified before the Planning Commission, Heidi Walker, who said she was confused about the sewer service and wanted to change her vote. The applicant told Ms. Walker that sewer would be available to her, so she was fine and did not testify at this meeting. One could draw the conclusion that everyone who voted 'yes' had intended to do so. Ms. Hochstatter stated she was not on the list of registered voters; however, that was the list Clackamas County Elections provided the applicant. The information was believed to be reliable, so it was not done intentionally. There was a comment about a split vote between a husband and wife. The property was included in the 'yes' column by the County. There will be

a Citywide vote on this annexation, and it was the City Commission's decision about the second vote unless it wanted to create an island.

Commissioner Neeley had a couple of questions that were not addressed in the Planning Commission's recommendation. Ms. Kehoe brought up the issue of the \$3,500, and he asked who paid it and when it was paid.

Mr. Alford understood the \$3,500 was paid on the annexed property at the time the building permit applications were submitted.

Commissioner Neeley understood this was a pass through. He was concerned that this might be some kind of pressure device put on the applicant or whomever if they believed the City Commission might deny the application based upon a staff person's position. He was not aware of any policy that required the \$3,500. It was called a contribution, but according to the Planning Commission minutes, Ms. Kehoe implied there would be a staff recommendation to deny the annexation. That was apparently a quote from staff that was of great concern to him. There was no such policy. Without that policy he doubted the City Commission would ever move to deny based on those requirements. He was concerned this matter was being brought forward in several of the annexation applications. He asked Mr. Alford how it was presented to the applicant.

Mr. Alford was not part of the initial discussion that Mr. Marnella had with staff. He thought there was a perception that something needed to be done to provide adequate police service, and this was one way of accomplishing that. He understood this issue went back a couple of election cycles with an annexation applicant that ultimately failed. It seemed to be part of the cost of doing business to be annexed.

Commissioner Neeley said Ms. Hickman made reference to the notion that the person collecting the signatures said there was a sheet she had not brought with her. Was there a sheet that gave the pros and cons of annexation?

Mr. Alford had not seen such a sheet, and he had never met the woman collecting the signatures.

Mayor Norris closed the public hearing. She observed this was a messy application, and there were things about it she did not like. It had always been represented to the City Commission that the \$3,500 was a voluntary contribution, and she had no understanding that it was a way to persuade staff to make a recommendation one way or another as the Planning Commission minutes indicated. She had always been grateful because it seemed to help solve a problem.

Commissioner Tidwell perceived the contribution as a courtesy to the community to help alleviate funding problems. The word 'bribe' was a new perspective for him.

Mr. Patterson made several comments; however his microphone was not on. A one-time contribution did not solve the problems, and there was a lot of misinformation in the community. There was a service increase if people annexed to the City in terms of policing. The officers were spread thin, but Oregon City was staffed better than the County. People needed to understand what they had and if they wanted the increased service level. Any time someone annexed to the City, they would pay the higher tax rate.

Mr. Sullivan said the City Commission did not have to send this to the voters either way. There was discretion built into the voter-adopted Charter amendment. The City Commission makes the determination of whether the question goes out for the vote. Generally it was a timing issue, and that decision, with the right findings, would be upheld. The issue for the City Commission was one of policy. He suggested taking a break to think about it because there were other annexations like this coming down the pike.

Commissioner Neeley said the implication of the bribe was triggered by what was in the Planning Commission minutes.

Mr. Drentlaw drew an analogy to a developer's making traffic improvements in order to get an application approved. He saw it as a developer's offering to meet a level of service.

Commissioner Neeley said there was no guarantee the \$3,500 would meet any level of service. It was implied the recommendation would be put forward by Chief Huiras as stated in the minutes, and the City Commission would agree. That disturbed him.

Mr. Patterson discussed the taxation without representation comment. There was still a vote, and this was representative democracy whether one won or lost. That comment had a negative connotation that was not true. It was important to get over the emotional statements that did not help solve issues.

Commissioner Neeley did not disagree with that point. There were certain elements, however, that were very disturbing.

Mr. Patterson agreed. It was important to get to the facts because some of these comments were over that top.

Mayor Norris recessed the meeting at 10:01 p.m. and reconvened it at 10:08 p.m.

Mayor Norris stated on behalf of the applicant Tony Marnella, Mr. Alford requested the opportunity to submit final written argument on this matter.

Mr. Sullivan said there was a provision in state law for quasi-judicial hearings that the applicant could have the last written word with an argument only and no new facts. Since the applicant requested the final written argument, then the City Commission would have to decide the matter at its next meeting.

Commissioner Neeley thought the double majority was a viable process. There were some questions, and he presumed the applicant's written argument could address this discussion but not introduce any new facts. People were frequently approached on the street to sign an initiative petition which may or may not be presented truly. From the City's standpoint he thought there could be a requirement to provide a written statement that included costs and benefits. The City Commission could evaluate whether or not the presentation was fair and factual. He discussed how people changed their minds after signing a petition to close a pedestrian access between a cul-de-sac and a nearby street. He did not object to a petition or presentation having to do with the potential benefits of annexation, but he thought as a matter of policy it was important for the City Commission to know what was being presented to those being asked to sign the petition.

Mayor Norris asked if the applicant could be asked to bring the City Commission another petition.

Mr. Sullivan said the City Commission could do that if it rejected this application.

Mayor Norris would like clarity on those who wished to be included in the annexation and those who did not.

Commissioner Neeley had no problem with putting the applicant through more process, but he did not wish to see the applicant pay additional fees to the City.

Mr. Sullivan said the applicant's representative would have to make a choice in the final argument as to whether they wanted to go to a vote or bring something back in another proceeding.

Mayor Norris understood the written argument would outline the direction in which the applicant wished to proceed based on City Commission discussion.

Commissioners Neeley/Wuest m/s to hold Resolution No. 07-03 to the February 21, 2007. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

- c. Public Hearing and Resolution No. 07-04 to Set Election Date for AN 06-06, Proposed Annexation of 16 Acres Located on Both Sides of Pease Road and One Side of McCord Road.

Mayor Norris announced the procedures were the same as the previous hearing.

No Commissioners declared ex parte contacts on this matter or bias on this matter.

Mr. Cullison reported the proposed annexation included eight properties. The territory was generally located on the south central side of the City on both sides of Pease Road and on one side of McCord Road. In this case there were two Comprehensive Plan designations. The first was R-10 low density on both, and he pointed those out on a map. The second was R-3.5 on Pease Road. The area was a total of 16 acres. The recommendation was to evaluate the annexation against criteria, adopt Resolution 0-04, and set the election for May 15, 2007.

This was initiated by consent petition by a double majority of property owners and voters and met the requirements as set out in state statute. The Planning Commission reviewed the proposal and recommended that the City Commission approve the resolution and set an election date. The Planning Commission recommendation included withdrawing the territory from the Enhanced Law Enforcement District, concurring with Tri-City Service District annexation of the subject property, taking under advisement the issue of not withdrawing the territory from the Fire District, requiring all consenting property owners to sign a Measure 37 waiver, and accepting the annexation agreements for supplemental police funding. There was one property that did not sign the petition but was silent.

Commissioner Wuest understood there was an agreement to provide the supplement police funding.

Mayor Norris called the public hearing to order.

- **Matt Sprague, SFA Design Group, Tigard**

Mr. Sprague represented the applicant. The property owner that did not sign was not opposed to the annexation but did not wish to remove some of their rights related to a Measure 37 claim. That household had four registered voters. This was an opportunity to fill in a horseshoe area that was within the urban growth boundary (UGB). It was a good application in terms of its location as it did not create island or controversy.

He addressed the \$3,500 and where it would come from. The applicant in this case had never been told by any staff member or City employee that the Commission would not approve the application without the voluntary payment. The origin of the \$3,500 came from this applicant came from a previous annexation. The applicant realized there were concerns about the Police Chief's ability to make a positive recommendation on a previous annexation. The applicant and his attorney voluntarily approached Chief Huiras to discuss the City's needs for police protection and how the annexation impacts might be mitigated. This contribution was completely voluntary and was one way for a property owner to mitigate future impacts. Mr. Sprague had never seen this as a bribe, and no staff had ever said the City Commission would not approve an application if the payment were not made.

Commissioner Neeley understood the payment arose from a previous annexation, and the applicant was following through on a new annexation with the same voluntary contribution. Was that the annexation that triggered this voluntary payment?

Mr. Sprague believed the first was the one that began triggering this contribution. It was simply a way to make everyone happy. The applicant was never told he would be denied if he did not make this voluntary contribution. He believed people volunteered to do this to mitigate impacts to police services.

Mayor Norris closed the public hearing as no one wished to speak on the application.

Commissioner Wuest asked how the Commissioners felt about voting this in since one party had not signed the petition. She understood it would not be an island since the property owner was not present to testify in opposition.

Mayor Norris replied if a party did not feel strongly enough to testify, then the City Commission did not have a way to interpret the intent.

Commissioner Tidwell added that was the criteria the City Commission followed.

Commissioner Neeley did not feel there was any indication in the Planning Commission minutes of the proposal being misrepresented. He suggested that the final recommendation be held and a statement made that the City Commission understood there was an offer to make the voluntary contribution. It sounded as if they would be forced to abide by what they said they would do.

Mr. Sullivan explained there was no obligation to do anything.

Commissioner Neeley understood that, but there was some uncertainty connected with the previous annexation proposal. He suggested pulling the final recommendation and expressing some degree of gratitude for the applicant's making this offer. He had concerns about how this had evolved as a policy by fiat with the expectation that because someone had once made that offer everyone else had to.

Mayor Norris noted this applicant seemed to have originated the voluntary contribution.

Commissioner Neeley said with that in mind he did not have a particular problem. He understood the payments would be collected at the time of permitting, so those buying the houses would have no idea they had paid the City \$3,500^[P3]. He discussed the focused remedy related to traffic issues, but police services did not have that kind of focus. The voluntary payment did not deal with any long-term issues.

Mayor Norris agreed it was a goodwill gesture.

Commissioner Neeley suggested language that expressed the Commission's appreciation rather than acceptance of the contribution. It was never a condition of annexation. He assumed that if the agreements were accepted, then the property owner was obligated to make the contribution.

Mr. Sullivan suggested the Commission give him direction. First of all withdrawal from the Fire District was not in the notice of election, so that had to be added if that was the Commission's intent. Second he would need to revise the findings both in light of what was done with the Fire District and anything the Commission decided to do with the \$3,500. The City Commission could waive any condition of the annexation agreement to relieve the applicant of the \$3,500. He needed direction in order to draft the ballot title.

None of the Commission members had an objection to withdrawing the territory from the Fire District. The City Commission would appreciate but did not require the annexation agreements for supplemental police funding.

Commissioner Neeley thought using the word 'accept' made the payment a requirement.

Mr. Sullivan suggested a motion to instruct the City Attorney to come back to the City Commission on February 21, 2007 with a revised Resolution that withdrew the property from Clackamas County R.F.P.D. #1 and to acknowledge the offer for the \$3,500 but not make it a requirement for the annexation.

Commissioner Neeley moved to instruct the City Attorney to come back to the City Commission on February 21, 2007 with a revised Resolution that withdrew the property from Clackamas County R.F.P.D. #1 and to acknowledge the offer for the \$3,500 but not make it a requirement for the annexation. There was no second.

Mr. Drentlaw wanted to know if staff should charge the applicant or not.

Mayor Norris would reserve the right to do this case-by-case basis. If this was truly a donation and goodwill offer from the applicant, she understood the property owners knew that.

Mr. Sullivan said the issue was whether that contribution was a condition of the annexation. Mr. Drentlaw needed to know whether or not he needed to collect that money.

Mr. Sprague clarified the non-consenting property owners would not be making the contributions and would not sign the Measure 37 waiver. The property owner did not care one way or another about the annexation but did not want to contribute the \$3,500. The consenting owners were looking toward future development, so agreed to make the payment at the time of permitting.

Mayor Norris had no problem with accepting what had already been offered.

Commissioner Neeley was concerned about what would happen if the non-consenting property owner applied for a building permit. He was inclined to agree with Mayor Norris's statement because there was an understanding that this was the same applicant that came forward with a truly voluntary contribution to begin with. It was the one from the different applicants that caused him concern because it seemed policy was being set by fiat.

Mr. Sullivan was advised by Mr. Cullison that the applicants had signed annexation agreements containing that requirement. The issue was whether or not the City Commission wanted to accept the offer in the annexation agreement.

Commissioner Neeley would throw out his objection but believed a policy should be developed.

Mr. Sullivan suggested a motion to approve the staff recommendation with two changes. One was to withdraw the property from Clackamas County R.F.P.D. #1 with fire services provided by the City. Second to accept the annexation agreements of the consenting property owners which included the donation.

Commissioners Tidwell/Neeley m/s to approve the staff recommendation with two changes. One was to withdraw the property from Clackamas County R.F.P.D. #1 with fire services provided by the City. Second to accept the annexation agreements of the consenting property owners which included the donation.

Commissioner Neeley thought the important distinction was that the consent was on a property-by-property owner basis.

A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

9. GENERAL BUSINESS

- a. Third Agreement to Extend the License Agreement with Sportcraft Landing, Inc.

Mr. Archer explained this would extend the current agreement through April 12, 2007, and the terms and conditions would remain the same. Staff had sufficient direction from the City Commission and PRAC to draft the next agreement.

Commissioners Wuest/Neeley m/s to extend the license agreement with Sportcraft Landing, Inc. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

10. CONSENT AGENDA

- b. Minutes of the January 3, 2007 Regular Meeting
- c. Restrictive Non-Remonstrance Agreement for the Sequoia Landing Subdivision Project (TP 05-07)
- d. OLCC: Liquor License Application – New Outlet, Limited On-Premises Sales and Off-Premises Sales, Applying as a Corporation, Beacon Light, Inc., DBA Lighthouse – Berry Hill, Located at 19007 S. Beaver Creek Road, #14, Oregon City

Commissioner Tidwell/Wuest m/s to approve consent agenda items b, c, and d. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Neeley and Mayor Norris voting 'aye.' [4:0]

- a. Minutes of the December 20, 2006 Regular Meeting

Commissioner Tidwell/Wuest m/s to approve the minutes of the December 20, 2006 regular meeting. A roll call was taken, and the motion passed with Commissioners Wuest, Tidwell, and Mayor Norris voting 'aye' and Commissioner Neeley abstaining [3:0:1]

11. COMMUNICATIONS

- a. City Manager

The group agreed on a time for the McLoughlin Boulevard walk-through and subsequent City Commission meeting.

Mr. Patterson provided the City Commission a memo on the labor bills going through the legislature. Mr. Archer was also looking into the SDC legislation. The League of Oregon Cities asked Mr. Patterson to serve on several legislative following committees, and he had agreed.

- b. Mayor

Mayor Norris appointed Karen Andrews to the Parks and Recreation Advisory Committee for the term February 7, 2007 to December 31, 2008.

- c. Commissioners

Commissioner Tidwell reported on the first "Conversations with a Commissioner" attended by about 40 people. He felt that showed a real need for community dialogue and thanked Mr. Patterson for attending. The hot topics had to do with communications, misleading information, and collaboration with the advisory boards and committees. The next Conversation would be on March 6 at the Black Pointe Inn.

Mayor Norris attended the US Mayors Conference and commented on the Climate Agreement signed by 375 mayors. The agenda for the year was "strong cities, strong families for a strong America." The first policy point was on climate change, and the second was a reinstatement of the COPS program. She attended the recent Shape of the Region Conference in Hillsboro, and it would be important to be informed on the agricultural lands issues. Much of the farmland just outside the City limits was conflicted, and there was a discussion about how to keep the land more productive.

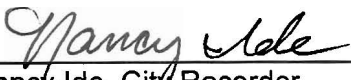
Commissioner Neeley thought the City needed to consider its urban farm policy because there was a potential to operate profitable agricultural enterprises on small pieces of land. He attended a Tourism Development Council meeting that was called to strategize about the potential of *National Geographic* doing a follow up story on the Willamette River.

Mayor Norris announced the City Commission would meet in executive session as the Urban Renewal Commission pursuant to ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions following adjournment and a five-minute break.

12. ADJOURNMENT

Mayor Norris adjourned the meeting at 11:00 p.m.

Respectfully submitted,



Nancy Ide, City Recorder