



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No. 36-2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
TO SUPPORT MILWAUKIE'S HOME RULE AUTHORITY AND ITS ABILITY TO  
CONTROL AND MANAGE ITS PUBLIC RIGHTS OF WAY.**

**WHEREAS**, Milwaukie's public rights of way (ROW) are public assets that belong to the people of Milwaukie; and

**WHEREAS**, Milwaukie—like every city—should have the authority to control and manage its public assets, including its ROWs; and

**WHEREAS**, it is important to protect and preserve Milwaukie's home rule authority; and

**WHEREAS**, proposed state legislation threatens Milwaukie's authority to control and manage its ROWs, it seeks to weaken Milwaukie's home rule authority, and it would significantly restrict Milwaukie's ability to charge reasonable and fair compensation for use of its public ROWs, which continues to fall short of costs associated with managing them;

**Now, Therefore, be it Resolved that**

1. The City of Milwaukie opposes any state legislation that infringes upon its home rule authority.
2. The City of Milwaukie opposes any state legislation that inhibits its ability to control and manage its public rights of way.
3. The City of Milwaukie supports efforts by the League of Oregon Cities and others to protect home rule authority for cities with respect to a city's public rights of way.

Introduced and adopted by the City Council on 3/21/17.

This resolution is effective on 3/21/17.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

Scott S. Stauffer, City Recorder

City Attorney