

Work Session

WS

Milwaukie City Council

COUNCIL WORK SESSION

Zoom Video Conference
www.milwaukieoregon.gov

AGENDA

OCTOBER 20, 2020

Video Meeting: due to the governor's "Stay Home, Stay Healthy" order, the City Council will hold this meeting through Zoom video meetings. The public is invited to watch live on the [city's YouTube channel](#), Comcast Cable channel 30 in city limits, or by joining the Zoom webinar (visit <https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-264> for details).

Written comments may be submitted by email to ocr@milwaukieoregon.gov. Council may take limited verbal comments. **To speak during the meeting**, see the Zoom webinar login information (see meeting page link above).

Note: agenda item times are estimates and are subject to change.

Page #

- | | |
|--|-----------|
| 1. City Hall Blue Ribbon Committee (CHBRC) - Update (4:00 p.m.)
Staff: Alison Wicks, Development Project Manager, and
Scott Stauffer, City Recorder | 1 |
| 2. Design and Landmarks Committee (DLC) - Annual Report (4:30 p.m.)
Staff: Brett Kelter, Associate Planner | 8 |
| 3. North Clackamas Parks and Recreation District (NCPRD) District Advisory Board (DAB) Membership Changes - Discussion (5:00 p.m.)
Staff: Kelly Brooks, Assistant City Manager | 12 |
| 4. Adjourn (5:30 p.m.) | |

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



COUNCIL WORK SESSION

Zoom Video Conference
www.milwaukieoregon.gov

MINUTES

OCTOBER 20, 2020

Council Present: Council President Angel Falconer; Councilors Lisa Batey, Wilda Parks, Kathy Hyzy, Mayor Mark Gamba

<p>Staff Present: Assistant City Manager Kelly Brooks Associate Planner Brett Kelter City Attorney Justin Gericke City Manager Ann Ober</p>	<p>City Recorder Scott Stauffer Community Development Director Leila Aman Development Project Manager Alison Wicks Planning Manager Laura Weigel</p>
--	--

Mayor Mark Gamba called the meeting to order at 4:06 p.m.

1. City Hall Blue Ribbon Committee (CHBRC) – Update

Ms. Wicks noted she and Mr. Stauffer were staff liaisons to the CHBRC which was made up of members from city boards, committees, and neighborhoods. She reviewed the committee's purpose to help decide how the current city hall site should be used in the future. She noted the project timeline to find a new user for the current city hall. She reviewed the CHBRC schedule, including meetings and online open houses.

Mr. Stauffer reported that the first CHBRC meetings focused on learning about the site and public engagement strategies. **Ms. Wicks** noted this would be one of the first city projects to use the new online public engagement software. **Tracy Orvis**, CHBRC member, noted her excitement to be part of the process.

Councilor Batey, **Ms. Wicks**, and **Councilor Hyzy** discussed the CHBRC's plans for community outreach. **Ms. Ober** summarized that Council believed staff was moving in the right direction.

2. Design and Landmarks Committee (DLC) – Annual Review

Mr. Kelter noted the DLC's work to review the downtown design guidelines. He explained the goal was to align the guidelines and the downtown design standards. He highlighted changes that would lead to more flexibility such as adding more approved exterior building materials, allowing a choice for setbacks and an additional building story for affordable housing to help achieve the city's goals.

Mr. Kelter noted DLC members present at the meeting were Ms. Orvis, Mary Nuestadter, Vice Chair Brett Laurila, and Chair Cynthia Schuster.

Mayor Gamba was intrigued by the idea of a bonus floor for affordable housing. **Ms. Orvis** noted that the DLC had conversations about context for how to set standards and guidance to create a downtown area that has variation without it feeling too intentional.

Councilor Hyzy observed that the city would begin urban renewal area (URA) work in downtown and thought DLC may want to keep it on their radar.

Mr. Kelter asked if Council had specific design considerations or proposals they would like to bring to the table. **Council President Falconer** noted Council had recently discussed the construction excise tax (CET) and affordability requirements.

Councilor Hyzy agreed that variability of building height was important. She acknowledged that some people were uncomfortable with taller buildings and thought it would be helpful if the DLC could explain and promote why buildings of variable heights were important. She remarked that adding more space for people to live and work downtown could keep downtown charming while also supporting local businesses.

Councilor Batey discussed activating the sidewalk. She believed the DLC did a great job negotiating the art on the Axletree building to create a building front that had no windows. She thought keeping the sidewalk active and windows open was important.

Mayor Gamba discussed variability of height and wondered if any city had tried an approach where there were certain design aspects to choose from and the requirement that a building could not be identical to adjacent buildings or buildings within the same block. **Ms. Schuster** noted that the past code language was more restrictive and believed there would now be more variation of choice. **Ms. Orvis** agreed that the goal was to give people options while setting up parameters to follow. She discussed the DLC's goal to help designers and developers to create a variation.

Councilor Hyzy discussed activating the downtown area and wanted to keep moving towards encouraging people to visit downtown to make it a thriving place. The group discussed the importance of having a streamlined process for developers.

Mr. Kelter asked if there was a tipping point where a building's size or scale would be so large that even if the developer met all the administrative requirements the city would like to have the opportunity for a discretionary review.

The group discussed objectivity standards in determining how big could be too big for a downtown building.

Council President Falconer believed there had to be a clear and objective path for someone to develop a property. **Ms. Schuster** noted the City of Portland had a clear and objective path for buildings under a certain amount of square feet, and everything above that square footage still had to meet the standards and the city would get to review the design. The group discussed design standards.

Councilor Batey believed the city should keep in mind the need for bird-safe windows.

3. North Clackamas Parks and Recreation District (NCPRD) District Advisory Board (DAB) Membership Changes – Discussion

Ms. Brooks explained that the city's agreement with NCPRD stated that any substantive changes to the composition of the DAB must be reviewed by Council. She noted the number of DAB representatives under the current bylaws and the number of representatives in the draft membership proposal. She explained that Milwaukie would appoint its two city members and one member would be from the Milwaukie Center.

Ms. Brooks showed a map of the proposed NCPRD DAB boundaries. She suggested the city send a letter to NCPRD rather than edit the intergovernmental agreement (IGA). She noted additional topics and issues could come up during the negotiations. She asked Council if the proposed map addressed their concerns about district representation. She and **Councilor Parks** noted DAB member applications that had been received for the new areas.

The group discussed the proposed DAB boundaries and the need to fairly represent the different parts of the district.

Ms. Brooks confirmed there had been discussions to make sure there was a mechanism to talk about population growth and reassess that the DAB represented the population proportionally. **Council President Falconer** and **Councilor Parks** agreed there should be a trigger to reassess the representation.

Regulating Transportation Network Carriers (TNCs)

Ms. Brooks reported that the Portland Bureau of Transportation (PBOT) had asked if Milwaukie wanted to join them in regulating TNCs such as Uber and Lyft. She asked if Council believed it was worth staff time and effort. She explained that Portland charged \$0.50 a ride for trips that originate in Portland and use the funds to try to improve safety. She said if Milwaukie wanted to join it would need to adopt similar code and would opt into PBOT's system and pay them 7.5% of any revenue received.

Ms. Brooks noted there would be staff impacts on the compliance side. She noted the time needed to adopt code language and asked for Council's opinion and direction.

Mayor Gamba noted his concerns about the transition to driverless cars and the importance of regulation. He thought being engaged early was a good thing.

Councilor Batey asked why PBOT was asking Milwaukie to be involved. **Ms. Brooks** understood that it was becoming more of a regional conversation. She noted that one major city was about to adopt in. She expected that it would be lobbied.

Councilor Batey asked if it would lead to a change of relationship with PBOT in other areas. **Ms. Brooks** believed PBOT and Milwaukie had a good relationship and PBOT was working to scale this for Milwaukie. She and **Councilor Batey** discussed the electronic scooter conversation between PBOT and Milwaukie.

Mr. Gericke confirmed it was a Portland program that Milwaukie would be adopting. He said it was a specific and technical code. He noted that any other program, such as scooters, would be a result of the relationship with PBOT, not this specific program.

Ms. Ober asked if Council wanted staff to continue exploring this.

Councilor Hyzy asked if the incentive for this was to improve safety, how many Uber and Lyft drivers were not already captured by the PBOT system. **Ms. Brooks** confirmed that most drivers were driving in and out of Portland and were already captured by this program. She said the main benefit of the program would be revenue for Milwaukie. **Councilor Hyzy** did not know the impact of the tax on Uber and Lyft users in Milwaukie. She thought it could be valuable to investigate this program.

Ms. Ober confirmed Milwaukie would not receive a substantial amount of revenue from this program.

Ms. Brooks reiterated that PBOT charged \$0.50 per ride that originates in Portland. If Milwaukie joined then the city would bill Uber and Lyft for trips that originate in Milwaukie.

Councilor Batey and **Councilor Hyzy** noted they were both on the fence about staff pursuing this program.

Ms. Brooks noted that TNCs such as Uber and Lyft were not fans of this. She noted there could be conversations at the state level.

Council President Falconer asked Mayor Gamba if joining this program could make Milwaukie more prepared in other areas such as driverless vehicles. **Mayor Gamba** discussed the precedent established if cities have the right to regulate this form of

transportation. He noted TNCs were large companies that can lobby for themselves preemptively. He said it did not feel like a big deal now but believed Uber and Lyft would be dominate transportation forms in the future. He believed cities would not have the opportunity to regulate these types of companies unless cities drew a line in the sand.

Councilor Batey said Milwaukie could stand by Portland and oppose state legislation whether Milwaukie joined this program or not. **Mayor Gamba** noted the benefits of Milwaukie being involved in the conversations.

The group noted that part of the conversation would be where Milwaukie would use the funds earned from this program. **Ms. Brooks** believed code enforcement and transportation planning could be options.

Ms. Brooks summarized that PBOT is offering Milwaukie a pre-baked program. She noted a lot of staff work would still need to be done, likely in January and February 2021. She noted that she would try to keep it to that timeframe.

Ms. Ober confirmed it would be a significant amount of staff time and asked if Council wanted to pursue it. Council agreed that it would be helpful for staff to write a staff report with additional details about the program.


Councilor Hyzy noted her concern about equity for members of the Milwaukie community that use services like Uber and Lyft. **Council President Falconer** assumed that Portland may have some information about equity.

Ms. Brooks summarized she would work on this more and bring back additional details and ask Council if they wished to pursue it.

4. Adjourn

Mayor Gamba adjourned the meeting at 5:44 p.m.

Respectfully submitted,


 Amy Aschenbrenner, Administrative Specialist II

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Date Written: Oct. 1, 2020

Reviewed: Leila Aman, Community Development Director

From: Alison Wicks, Development Project Manager, and
Scott Stauffer, City Recorder

Subject: **City Hall Blue Ribbon Committee (CHBRC) Update**

ACTION REQUESTED

Council is asked to receive an update on the work of the CHBRC.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[January 7, 2020](#): Council directed staff to recruit individuals to serve on the CHBRC and provided feedback on the draft committee workplan.

[March 3, 2020](#): Council adopted [Resolution 18-2020](#) appointing members to the CHBRC.

After a delay due to the COVID-19 pandemic, the CHBRC met on [July 29](#) and [September 16](#). A third meeting is scheduled for [October 29](#). The committee has met via Zoom video conference and intends to do so for the foreseeable future.

ANALYSIS

The role of the CHBRC is to learn about the current city hall located at 10722 SE Main Street and consider the opportunities and constraints presented for future uses of the site. The CHBRC will review and assist with public engagement activities aimed at identifying potential future uses and help define community goals for the future of the current city hall. The community goals will be used to prepare a request for proposal (RFP) for the property. The goals identified by the CHBRC will be presented to Council for approval as a part of the municipal code requirement to conduct a hearing process to declare the property as surplus.

Information about city hall and the CHBRC's work is available online at <https://www.milwaukieoregon.gov/bc/chbrc>. To receive email updates on the committee's work, visit <https://www.milwaukieoregon.gov/subscribe>.

CHBRC Meetings

The committee has met twice after a delay due to the pandemic.

CHBRC Meeting #1 was held on July 29. The agenda included an overview of the site and city hall history, an overview of the committee schedule and charter, a review of the International Association for Public Participation (IAP2) community engagement principals, and a community engagement exercise.

CHBRC Meeting #2 was held on September 16. The agenda included adoption of the charter, a presentation on historic preservation of public buildings provided by Robert Olguin from the

State Office of Historic Preservation (SHPO), and a presentation from the city's Community Engagement Coordinator Jason Wachs about online community engagement tools.

The committee's third meeting is scheduled for October 29. The agenda will include a review of the city's operations and maintenance budget for the current city hall, financial goals and constraints, and an overview of the Milwaukie real estate market.

Upcoming Community Engagement

A web-based open house will launch in November that will be open for community comment. The open house will be hosted on Bang the Table, a community engagement platform. The purpose of the open house is to introduce the project to the general public, share background information, and gather community input for the future of the site. Participants in the web-based open house will be asked to complete a short demographic questionnaire that requests information about age, gender identity, race and ethnicity, and income levels. Staff will use the demographic data to understand who in the community is participating.

BUDGET & WORKLOAD IMPACTS

Staff anticipates that the historic preservation process will require the city to hire an architectural consultant to complete the Oregon SHPO Clearance Form. Based on the current schedule, that work would occur in FY 2022. The budget for a similar scope of work for the Ledding Library was \$36,000.

COORDINATION, CONCURRENCE, OR DISSENT

Staff is coordinating with the city manager's office, the strategic communications team, the community development director, finance director, and the fleet and facilities supervisor.

STAFF RECOMMENDATION

None.

ALTERNATIVES

None.

ATTACHMENTS

1. CHBRC Charter
2. CHBRC Meeting #1 Notes
3. CHBRC Meeting #2 Notes (draft)

City Hall Blue Ribbon Committee (CHBRC) Charter

Background and Purpose

In 2023, the City of Milwaukie will relocate administrative offices from facilities at 10722 SE Main Street (the current city hall site) and 6101 SE Johnson Creek Boulevard (community development offices) to 10501 SE Main Street. The move will create a new centralized location for city staff and for the public to access city resources.

On March 3, 2020, the City Council approved [Resolution 18-2020](#), which appointed 12 members to the City Hall Blue Ribbon Committee (CHBRC). The role of the CHBRC is to learn about the current city hall site, opportunities and constraints for future uses, including financial constraints, to review public engagement activities for repurposing the site, and to help define community goals for the future of the current city hall site.

In 2020-2021, the city will conduct technical research and public engagement to inform the community goals and the future use of 10722 SE Main Street. The CHBRC's work will be used to inform a request for proposals (RFP) process the city will undertake to select a new use and/or user for the current city hall site.

The CHBRC will interact with city staff, particularly the city recorder and the development project manager. The CHBRC will meet monthly or every other month, with a presentation of project goals to the City Council scheduled for early summer 2021. Subcommittees may also be established to work on specific tasks and will hold meetings as necessary.

The CHBRC is encouraged to promote opportunities for public engagement, disperse information to the Milwaukie community, and solicit feedback concerning the city hall project.

Committee Responsibilities

1. Learn about operations and maintenance costs for the existing city hall building;
2. Learn about city financial requirements to ensure long term city hall site viability;
3. Learn about state historic preservation processes;
4. Learn about site history and property conditions including any easements and encumbrances;
5. Learn about the Portland metro region real estate market conditions;
6. Develop project goals for an RFP for the City Council to consider;
7. Nominate two CHBRC members to participate in the RFP review process; and
8. Participate in citywide public engagement events.

Ground Rules for CHRBC meetings

1. Listen carefully and speak honestly
2. Respect the views of others
3. Keep an open mind
4. Critique issues, no people
5. Allow everyone to speak without dominating the conversation

July 29, 2020
Zoom Video Meeting

CHBRC Present: Val Ballestrem, Ernestina Fuenmayor, April Gracz, Alicia Hamilton, Martha Germany, Greg Hemer, Haley McCoy, Tory McVay, Tracy Orvis, Wilda Parks, Mark Stehn, Nancy Tice

CHBRC Absent: Donna Baten

City Staff: Scott Stauffer, Alison Wicks

Audience: Margaret Branson, Elvis Clark

The meeting was called to order 6:05 p.m.

Welcome and Introductions

The group discussed meeting logistics and all attendees introduced themselves.

City Hall Site History and Virtual Tour

Mr. Stauffer provided a history and photographic tour of the City Hall site. **Ms. Fuenmayor** asked that staff provide the committee with a floor plan of the City Hall building.

Committee Role and Charter

Ms. Wicks reviewed the committee's charge and the proposed committee charter document. She presented proposed ground rules for committee interactions.

The group discussed whether to adopt the charter at the present meeting and whether the charter should refer to state historic preservation "requirements," "regulations," "guidelines," or "processes." They noted that the North Clackamas School District's (NCSD's) predecessor district, when it had sold the City Hall site to the city in 1937, had placed a restriction on the deed that part of the property be maintained as a park. The group agreed that the charter's historic preservation reference needed to be reworded and a commitment to investigate all legal requirements on the site should be added.

It was moved by **Ms. Hamilton** and seconded by **Mr. Hemer** to adopt the charter with the two noted corrections. After group discussion as to process, **Ms. Hamilton** withdrew her motion to allow the group time to consider the charter and look at adopting it at the committee's next meeting.

Ms. Wicks reviewed the project timeline for the committee's meeting and public engagement work. The group discussed how the committee could conduct community engagement work during the pandemic while observing social distancing requirements. The group participated in a brainstorming activity and submitted their comments to staff via the Zoom chat. **Ms. Tice** suggested that the Milwaukie Masonic Lodge be asked to participate in the process.

Ms. Fuenmayor commented on how to best present a photographic tour of the building. **Ms. Wicks** and **Mr. Stauffer** agreed with the need to develop a virtual site tour.

Wrap-Up and Next Steps

The group noted next logistical steps and that the next meeting would likely be in September 2020.

The meeting was adjourned at 7:54 p.m.

September 16, 2020
Zoom Video Meeting

CHBRC Present: Val Ballestrem, Donna Baten, April Gracz, Alicia Hamilton, Greg Hemer, Haley McCoy, Tory McVay, Tracy Orvis, Wilda Parks, Mark Stehn, Nancy Tice

CHBRC Absent: Tina Fuenmayor, Martha Germany

City Staff: City Recorder Scott Stauffer, Community Engagement Coordinator Jason Wachs, Development Project Manager Alison Wicks

Audience: Elvis Clark

The meeting was called to order at 6:03 p.m.

Welcome and Introductions

Committee members introduced themselves and reported how they had distracted themselves during the ongoing coronavirus (COVID-19) pandemic and wildfires.

The group reviewed the summary notes from the committee's first meeting. It was noted that Councilor Parks had been left off the attendee list and would be added. There were no other changes proposed.

Mr. Stauffer and **Ms. Wicks** acknowledged that the committee had received a letter from Mr. Clark regarding the deed restriction on the city hall site requiring part of the site to be dedicated for use as a park. They noted that the deed restriction would be part of the committee's future discussions.

Charter Discussion, Continued

The group reviewed the draft committee charter and the changes proposed at the first meeting. It was noted that no further changes were proposed, and the final version would be posted online.

State Historic Preservation Office (SHPO) Presentation

Robert Olguin, SHPO National Register and Tax Programs Coordinator, provided an overview of SHPO's role in the repurposing of historic publicly owned buildings. He noted who should be involved, what the mitigation process looked like, and what state and federal rules need to be considered when evaluating a new use for a historic building.

The group discussed the applicability of state preservation laws on the interior and exterior of a building and noted how involved SHPO could be in determining renovation design elements.

Mr. Hemer, **Mr. Stauffer**, and **Ms. Orvis** commented on the possibility of finding and using historic preservation documentation and analysis that had been done for the planned, but canceled, renovation of the city hall fire bay.

The group noted that a historic preservation review process can take up to a year. They remarked on whether the city had undergone such a process for the recent sale of the Pond House property. **Mr. Olguin** reported that consulting SHPO was free, but the city may want to hire a preservation expert to help prepare the required documentation and forms.

SHPO Work on the Ledding Library Project

Ms. Wicks provided an overview of how the city's new Ledding Library building had mitigated the loss of the previous historic library structure by including cultural and historical displays and design elements.

Community Engagement Strategy

Ms. Wicks provided a summary of the public engagement ideas and activities suggested by the committee at the first meeting. She reviewed the CHBRC's work schedule and noted first public engagement event, a community values open house exercise, was scheduled for fall 2020. She explained that due to the pandemic the event would be held online.

Mr. Wachs discussed the logistics of conducting online engagement events and noted virtual tools and software that could be used. The group remarked on the importance of reaching out to specific groups in the community and several members offered the use of their work and/or community groups to help promote the online open house.

Mr. Hemer noted that former City Councilor Scott Churchill, an architect, had given a presentation on city hall's architectural history during the building's 75th anniversary celebration in 2013. **Mr. Stauffer** noted he would find Councilor Churchill's video and share it with the committee.

To view the program and presentation videos from the 2013 City Hall 75th Anniversary Diamond Jubilee Celebration, click here: <https://www.milwaukieoregon.gov/cityrecorder/city-hall>.

Ms. Wicks asked for volunteers to help review the questions to be posed in the online open house. It was noted that Ms. Tice, Mr. Ballestrem, Ms. Hamilton, and Mr. McVay volunteered to review the questions.

Ms. Wicks remarked on the importance of promoting the online open house through the committee's neighborhood, community, and professional groups. **Mr. Hemer** noted that he and **Ms. McCoy** could provide the committee with access to the Milwaukie Historical Society's files on city hall.

Wrap-up and Next Steps

The group noted next steps and scheduling the next committee meeting in October 2020.

The meeting was adjourned at 7:19 p.m.

City Hall Blue Ribbon Committee Update

Scott Stauffer, City Recorder
Alison Wicks, Development
Project Manager



City Hall Blue Ribbon Committee

- CHBRC Charter
- Project Schedule
- CHBRC Meetings 1 & 2
- Upcoming Public Engagement



City Hall Blue Ribbon Committee

Position/Group Representing	Member Name
Ardenwald Neighborhood	Val Ballestrem
Arts Committee	Alicia Hamilton
Design and Landmarks Committee (DLC)	Tracy Orvis
Downtown Business Area	Mark Stehn
Historic Milwaukie Neighborhood	Donna Baten
Island Station Neighborhood	April Gracz
Lake Road Neighborhood	Ernestina Fuenmayor
Linwood Neighborhood	Nancy Tice
Milwaukie Historical Society	Haley McCoy
North Clackamas School District Board	Tory McVay Jenna Benologo (alternate)
Park and Recreation Board (PARB)	Martha Germany
Planning Commission	Greg Hemer
City Council Liaison	Wilda Parks



CHBRC Charter

Committee Purpose

1. Learn about operations and maintenance costs for the existing city hall building;
2. Learn about city financial requirements to ensure long term city hall site viability;
3. Learn about state historic preservation processes;
4. Learn about site history and property conditions including any easements and encumbrances;
5. Learn about the Portland metro region real estate market conditions;
6. Develop project goals for an RFP for the City Council to consider;
7. Nominate two CHBRC members to participate in the RFP review process; and
8. Participate in citywide public engagement events.



Timeline

Current City Hall (10722 SE Main)

Public
Engagement

Define
Community Goals

Public Hearing &
Declare Property
Surplus

Issue Request for
Proposals &
Select New User

New User Due
Diligence

New User Takes
Possession

New City Hall (10501 SE Main)

Advantis Leaseback Period

City Hall Tenant
Improvements
& New City Hall Opens



Timeline

Current City Hall (10722 SE Main)

Public
Engagement

Define
Community Goals

Public Hearing &
Declare Property
Surplus

Issue Request for
Proposals &
Select New User

New User Due
Diligence

New User Takes
Possession



WE ARE HERE



SPRING 2021



2023

New City Hall (10501 SE Main)

Advantis Leaseback Period

City Hall Tenant
Improvements
& New City Hall Opens

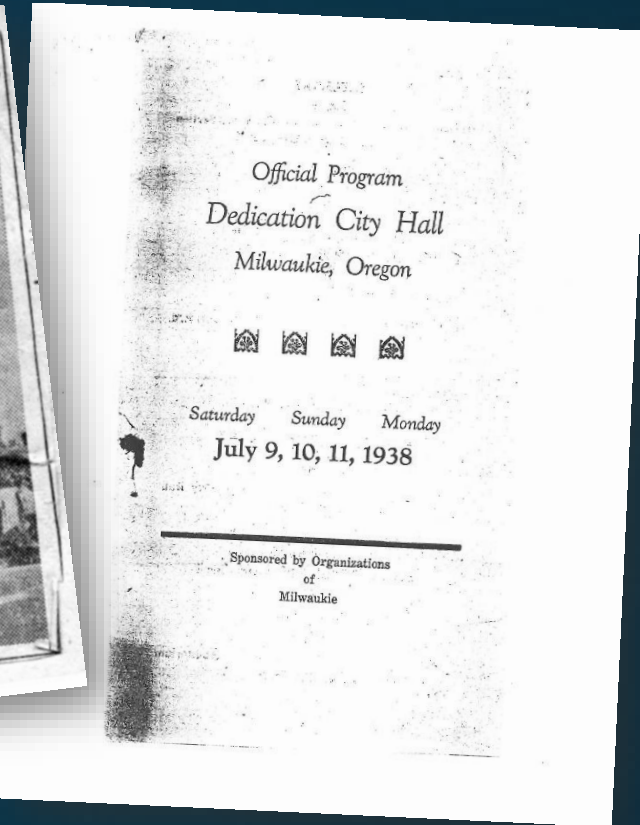


CHBRC Schedule

JUL 2020	Meeting #1 – Site History, Charter, Public Engagement
SEP 2020	Meeting #2 – Historic Preservation
OCT 2020	Meeting #3 – Operations and Maintenance Budget, Financial Goals and Constraints, Milwaukie Real Estate Market
NOV - DEC 2020	Public Engagement Activity #1 – Values
DEC 2020	Meeting #4 – Review Public Engagement Findings & Draft Goals
JAN - FEB 2021	Public Engagement Activity #2 – Draft Goals
FEB 2021	Meeting #5 – Draft Goals for recommendation to City Council, Select members for RFP review committee
MAR 2021	City Council Meeting – Present Draft Goals
SPRING 2021	City Council Meeting – Hearing, Declare Property Surplus, Resolution to set RFP goals



Meeting #1 – History & Public Engagement

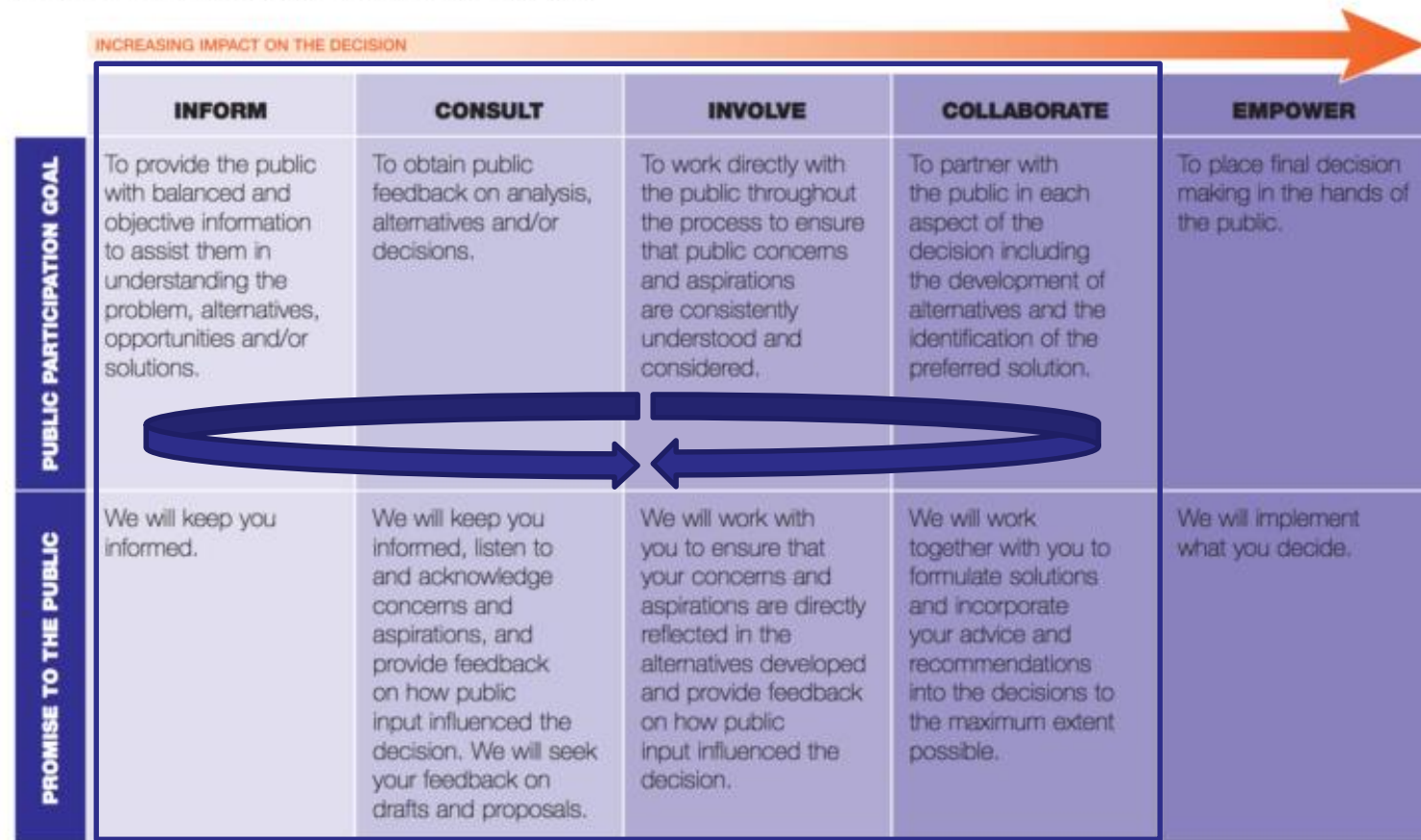


80 years of service...



IAP2'S PUBLIC PARTICIPATION SPECTRUM

The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.



Meeting #1 – History & Public Engagement

Typical Tool	COVID Alternatives
In-Person Committee Meetings	Zoom Committee Meetings
Building and Site Tours	Photo / Virtual Tour
Open House	Web-based Open House
First Friday & Milwaukie Farmers Market	Small Zoom Focus Group
Online Survey	Online Survey!
Project Website	Project Website!
Pilot Article	Pilot Article!
Mailers	Mailers!



Meeting #2 – State Historic Preservation Office

Milwaukie & Cultural Resources Consultation



Image from: <https://www.milwaukieoregon.gov/cityrecorder/city-hall>

Oregon Parks and Recreation
Department



Meeting #2 – State Historic Preservation Office



Up Next – Open House with ‘Bang the Table’



**LET'S TALK,
WILSONVILLE!**

Wilsonville's "virtual City Hall" is always open. Visit periodically to provide input on City projects.



Urban Forest Mgmt. Plan Survey

© September 30 2020

Open for public comment



Plan de administración del bosque urbano

© August 21 2020

Contribución de la comunidad



Submit 'Community Enhancement' Ideas

What's your big idea?



Charbonneau Shuttle Pilot Service Cancellation

© September 30 2020

Open for public comment



I-5 Pedestrian Bridge

© December 22 2019


80% Design




Wilsonville Town Center Streetscape Plan

© August 28 2020

Project Kick-Off - Initial Plan




**ENGAGE
EUGENE**



Santa Clara Community Park Master Plan

Perks and Open Space will host three public meetings to help create a vision and gather input on conceptual plans for this 35-acre park in Santa Clara. See meeting information and take a survey.


[Read more](#)



Urban Reserves

Urban Reserves planning identifies land outside of Eugene's urban growth boundary (UGB) so we are better prepared if we need to expand in the future for new homes, jobs, schools, and more.

[Read more](#)




MUNICIPAL CLIMATE RECOVERY ORDINANCE GOALS

1. Fuel Use 2. Reduce Community-wide Emissions

In February 2020, the City reconvened the Mayor's Climate Recovery Ordinance Ad Hoc Work Group to help with revisions as we work towards a finalizing up the Plan. Provide your input.


[Take the survey](#)



Climate Action Plan (CAP) 2.0

In February 2020, the City reconvened the Mayor's Climate Recovery Ordinance Ad Hoc Work Group to help with revisions as we work towards a finalizing up the Plan. Provide your input.

[Take the survey](#)



COVID-19 (Coronavirus)

Learn the steps the City of Eugene is taking to slow the spread of the coronavirus.

[Find out the latest news.](#)



Up Next – Open House with ‘Bang the Table’

- CHBRC Meeting #3 OCT 29
- Open House: NOV – DEC 2020

www.milwaukieoregon.gov/bc/chbrc



Questions?



COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Reviewed: Leila Aman, Community Development Director, and
Laura Weigel, Planning Manager

From: Brett Kelter, Associate Planner

Subject: **Design and Landmarks Committee (DLC) Annual Update**

Date Written: Oct. 9, 2020

ACTION REQUESTED

Council is asked to review and comment on the draft DLC work program for 2020-21.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

- **2007-2018:** DLC met with Council ten times to review annual work programs.
- [January 21, 2020:](#) Most recent annual DLC update to Council.

ANALYSIS

The DLC meets annually with Council to discuss the DLC's work program and to seek Council concurrence.

The DLC serves the city by reviewing and advising on matters of urban design, architecture, historic preservation, and compliance of projects in the downtown zones with the Downtown Design Guidelines. It does this by making recommendations to the Planning Commission regarding development in downtown Milwaukie and by reviewing and recommending appropriate design guidelines and design review processes to Council. Planning staff works closely with the DLC to make progress in these areas.

During the previous year, the DLC has continued its focus on the effort to update the city's downtown design review code and processes. This work is nearing completion and is expected to conclude in the coming year. The DLC will provide an overview of the amendments that the group intends to present to the Planning Commission and Council as well as an estimated timeline for the process of adoption.

BUDGET IMPACT

Staff is budgeted to attend monthly meetings and provide support. The planning department's budget also includes some limited funding for consultant assistance on special projects like the downtown design review code amendment effort.

WORKLOAD IMPACT

The city's adopted budget includes limited staff time for support of the DLC. Staff support includes scheduling and staffing monthly DLC meetings, preparing materials, providing public notice of DLC meetings, providing information about projects requiring DLC review, and drafting meeting minutes for DLC review and approval. Over the past several years, the workload has also included support for the downtown design review code amendment effort and coordination with associated consultants.

CLIMATE IMPACT

Council's concurrence with the DLC's annual workplan has no direct impact on climate.

COORDINATION, CONCURRENCE, OR DISSENT

The DLC has reviewed and concurs with the proposed work program.

ATTACHMENTS

1. DLC draft 2020-21 Work Program

Milwaukie Design and Landmarks Committee

2020-21 WORK PROGRAM

To be Confirmed by City Council on October 20, 2021

Accomplishments of 2019-20

Between January 2020 and October 2020, the Design and Landmarks Committee (DLC) met 10 times, including two special meetings outside the Committee's regular monthly schedule. The group remained busy after a two-and-a-half-month hiatus in the spring due to the COVID pandemic, transitioning smoothly into the world of virtual meetings.

For the first time in several years, the DLC membership remained consistent during the past year, with no changes and a full committee roster.

The group was presented with no land use applications for downtown design review or historic preservation that needed a public meeting for recommendations by the group.

The DLC's primary effort throughout the past year has been its work to draft proposed amendments to the Downtown Design Review process. In early 2020, City staff engaged Elizabeth Decker of JET Planning to assist in a final push to develop a draft amendment package. The DLC has continued to review and discuss and refine the draft.

Work Program for 2020-21

Downtown Design Review Update

The DLC will continue to focus on finalizing proposed amendments to the Downtown Design Review process, with the goal of wrapping up this project by the end of 2021.

The group has identified the following tasks and deliverables:

- Produce a proposed amendment package, including revised code language, applicability and process mechanisms, and graphics (Dec 2020)
- Provide a commentary document to explain proposed changes (Dec 2020)
- Present draft documents to Planning Commission and City Council in worksession settings to solicit feedback (Jan-March 2021)
- Revise draft as necessary and return to Planning Commission and City Council for adoption process (TBD)

Other Tasks

- The DLC continues to be prepared to respond as needed for review of the following types of applications:
 - Downtown Design Review. For development proposals in Downtown zones, conduct public design review meetings to advise the Planning Commission on implementation of the Downtown Design Guidelines.

- Post-Decision Limited Design Review. Conduct design review meetings on development proposals when the Planning Commission has made design review a condition of approval or to assist with other City projects.
 - Historic Resources Review. Review Historic Landmark alteration or demolition requests and advise the Planning Commission on applications when City approval is required by the Milwaukie Municipal Code (MMC).
- The DLC is interested in developing ideas and making a plan for action on Parking Lot Item #1 (Historic Preservation), below, once the committee has finished its work to prepare amendments to the Downtown Design Review process, potentially by spring 2021.

“Parking Lot” Items

There are several topics and tasks that the DLC would like to work on as time allows in 2020-21. Those items are captured in a “parking lot” of ideas for future activity:

1. Historic Preservation
 - a. Update the City’s inventory of Historic Resources.
 - b. Update code language for the Historic Preservation Overlay Zone (MMC Section 19.403) to clarify and strengthen the City’s protections for designated historic resources.
2. Development of Opportunity Sites

As opportunities present themselves, participate in the City’s development of its various “opportunity sites,” including Block 14 on Main Street between Harrison Street and Jackson Street, as well as the Coho Point site at Washington Street and McLoughlin Boulevard.
3. Take advantage of relevant training opportunities as they arise.

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Date Written: Oct. 8, 2020

From: Kelly Brooks, Assistant City Manager

Subject: **NCPRD District Advisory Board Bylaws**

ACTION REQUESTED

Council is asked to discuss proposed changes to the North Clackamas Parks and Recreation District (NCPRD) District Advisory Board (DAB) bylaws.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[January 7, 2020](#): Council discussed proposed changes to the DAB bylaws and asked staff and Councilor Parks to communicate the Council's opposition to certain elements; see Attachment 1.

ANALYSIS

- The DAB advises the NPCRD Board of Directors on planning, construction, and maintenance of district parks and facilities. The DAB paused for a long period of time due to ongoing negotiations between NCPRD and the City of Happy Valley. When Happy Valley's departure became very likely to proceed, the NCPRD Board reconvened the DAB to amend the bylaws. That process began in 2019. At their August 2020 meeting, the NCPRD Board issued a deadline of October 31, 2020 to complete this work.
- With the departure of Happy Valley members, a long-time member moving away, and multiple members being termed out, the board extended the terms of six members so that the DAB could meet through October. Those members include two-unincorporated members, NCPRD Board Member and Clackamas County Commissioner Paul Savas, Councilor Wilda Parks (who serves as chair of the DAB), a representative from the Milwaukie Center, and a Milwaukie community member.
- Section A, Paragraph 6, of Milwaukie's master agreement with NCPRD states that "[a]ny subsequent substantive changes to the composition of the DAB will be reviewed by the City Council." The scale of changes proposed are substantial and have been recognized by the district as requiring concurrence by Council.
- The most significant change proposed relates to board membership. In response to concerns raised by Milwaukie, the current proposal creates zones (see attached) to help ensure that members are distributed evenly across the district. Each zone or district has two members. Milwaukie will select its two members. The process for selecting the remaining members is still under active discussion.
- At the time of this report, it is unclear whether membership will be the only substantive change to the bylaws. The DAB is currently meeting weekly. Therefore, staff will provide updates on any decisions made at the October 14 DAB meeting at the October 20 Council meeting.

BUDGET, CLIMATE, & WORKLOAD IMPACTS

None.

COORDINATION, CONCURRENCE, OR DISSENT

Not applicable.

STAFF RECOMMENDATION

If Council finds the proposed changes to the DAB bylaws acceptable, it should direct staff to send a letter to the NCPRD Board stating the city's position to satisfy the terms of the city's agreement with the district.

ALTERNATIVES

Council could decide to:

- 1) Not send a letter and instead propose amendments to the city's agreement with NCPRD; or
- 2) Refuse to approve the proposed changes to the DAB bylaws.

ATTACHMENTS

1. January 2020 Email
2. City and NCPRD Agreement
3. March_2020 Parks Letter to Bernard
4. May_2020 Parks Letter to Bernard
5. Draft DAB Bylaws Changes (Prior to 10/14 changes. New version provided at council meeting.)
6. Proposed NCPRD Districts Map

Kelly Brooks

From: Kelly Brooks
Sent: Wednesday, January 8, 2020 12:20 PM
To: Archer, Scott
Cc: Wilda Parks (ParksW@milwaukieoregon.gov); Ann Ober
Subject: Feedback from Milwaukie City Council re: Draft Bylaws

Hi Scott,

Due to the holidays and general end of year craziness, Wilda didn't have a chance to talk with the full council about the proposed DAB Bylaws revisions until last night. I apologize for getting these to you on the day of the meeting. Wilda, please chime in if I've mischaracterized anything.

Here's what we heard.

- 1) Council would like to see some clarifying changes to the nominations and selection process to show that Milwaukie and the community centers nominate their own representatives. It may just be me but the asterisks were a little confusing in Erin's memo.
- 2) We need more documentation on the "severely underserved" term associated with that membership spot. When looking at the master plan it was hard to tell who exactly falls in that category or determine how that would continue on after the next master plan update. Perhaps staff could bring that info to the meeting tonight?
- 3) There was a lot of concern expressed about the absence of geographic zones within the unincorporated seats. Council wants to ensure that there are representatives from across the district, even in areas with dormant CPOs, so that their views are heard. Having them all be at-large provides no guarantee of balanced geographic representation

Lastly, council also expressed concern about elected representation from the NCPRD Board / Board of Commissioners. While we understand that this issue may not be able to be resolved at the DAB I want to let you now that it could pose a challenge as we move towards final adoption.

Scott, I'll give you a quick call to follow up and can also send over the video link if you'd like to watch it firsthand.

Sincerely,

KELLY BROOKS

Assistant City Manager
503.786.7573
City of Milwaukie
10722 SE Main St • Milwaukie, OR 97222

Amendment #1

**2008 Cooperative Intergovernmental Agreement
Between City of Milwaukie and North Clackamas
Parks and Recreation District**

1) The District shall maintain the areas of the Parks listed below as described in this amendment:

Riverfront Park - from McLoughlin Blvd to the River and between southern edge of Log dump property and Johnson Creek) -- NOTE: Parking strip on west side of McLoughlin and lawn area adjacent must be maintained at a high level. All other areas can be moderate to low -- unless there is a specific need or event preparation. As the Park or portions of the Park are improved, a high maintenance level will be applied to the improved portion(s). (The median strip in the center of McLoughlin Blvd will be maintained by the City of Milwaukie.)

Scott Park -- from north edge of sidewalk along north end of library building. Includes natural area within split rail fence but excludes pond. City covers lawn area south of Library and front landscape

40th and Harvey -- NCP areas only (NCP will maintain the grounds inside its fenced shop area including beds next to building. NCP will maintain the grounds inside the entire fenced area where the NCP vehicles are parked. NCP will maintain the unfenced grounds from the access road on the south of the building to the south property line and up to the west edge of the sidewalk on the east in front of the NCP shop.

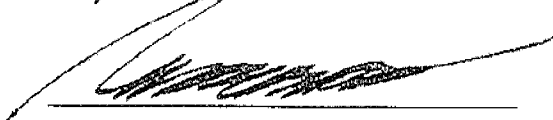
Robert Kronberg Park (including City-owned parcels to north and south)

2) "Minthorne North" shall be added to Attachment #1, under the header:

A. Milwaukie Parks to Be Maintained and Operated by the Service District

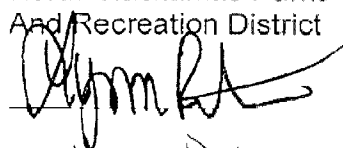
3) "Minthorne North" shall also be added to the list of sites in Attachment #2, listed under the header: "Natural Resource Areas"

City of Milwaukie



By:
Date:

North Clackamas Parks
And Recreation District



By: Lynn Peterson, Chair
Date: 1-21-2010 ~~III~~, 1.

10/28/2008

COOPERATIVE INTERGOVERNMENTAL AGREEMENT

This Cooperative Intergovernmental Agreement (this "Agreement"), made this 21st day of October 2008, is entered by and between North Clackamas Parks and Recreation District, a county service district formed under ORS Chapter 451 hereinafter referred to as "District," and the City of Milwaukie, hereinafter referred to as "City," pursuant to the provisions of the Intergovernmental Cooperation Act, ORS 190.003-190.250.

WHEREAS, City is part of the District; and

WHEREAS, the District provides park services for the benefit of City residents; and

WHEREAS, the parties desire to revise that certain intergovernmental agreement dated August 20, 1992 to better clarify the roles and relationship of the parties regarding the provision of park and recreation services; and

WHEREAS, when the District was established in 1990 by a vote of the Clackamas County residents, the District agreed to acquire land and develop regional parks and recreation facilities for the North Clackamas area including:

- A State-of-the Art Aquatics Complex;
- 4 Lighted Softball Fields;
- 2 Lighted Soccer Fields;
- 2 Multi-purpose fields;
- 1 Riverfront Park in Oak Grove;
- Approximately 75 Acres of Natural Areas;
- Walking Trails Linking North Clackamas Park, the Southern Pacific Property (now called North Clackamas District Park), and Mount Talbert; and

WHEREAS, the City maintained and operated the Milwaukie Center through August 31, 1992; and

WHEREAS, during the fiscal year 1991-92, the District provided the City of Milwaukie with the funding to maintain and operate the Milwaukie Center; and

WHEREAS, this "pass-through" of funding was equivalent at a minimum to the 1990 City of Milwaukie budget allocation for the Milwaukie Center (\$165,955) plus a 6% annual increase for inflation. Upon transition the Milwaukie Center's budget increased each year by at least 6% per year until June 30, 1995; and

WHEREAS, the District also provided the Milwaukie Center's budget with an additional funding of \$98,000 to maintain and operate the Milwaukie Center upon completion of the Center's expansion by the City of Milwaukie. Subsequently, this sum was increased annually by at least 6% per year until June 30, 1995; and

WHEREAS, as of September 1, 1992, the City transferred maintenance and operations responsibility of the Milwaukie Center to the District and the District assumed responsibility for the maintenance and operation of the Milwaukie Center; and

WHEREAS, upon assuming maintenance and operation of the Milwaukie Center, the District accepted and assigned employees for the Milwaukie Center staff in accordance with ORS 236 under which employees were to perform to District standards and abide by District personnel regulations; and

WHEREAS, at the time of transfer (September 1, 1992) all Milwaukie Center policies developed by the Milwaukie Center Community Advisory Board ("C/CAB") were adopted by the District. This Board continues its role as primary policy advisor with regards to the activities and operations of the Milwaukie Center; and

WHEREAS, The Board of County Commissioners is the governing body (referred herein as the "BCC") of the District.

NOW THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the City and District hereby agree:

I. PARKS CAPITAL IMPROVEMENTS

A. DISTRICT

- 1) While the City continues to support the development of the parks and recreation facilities listed here it acknowledges that parks and recreation facility development priorities continue to grow and change. To this end, the District shall coordinate closely with City staff and its citizens when developing its annual budget, its capital improvement plan, when amending and reviewing its master plan and modifying its System Development Charges ("SDC"). Notices of all District Advisory Board (or subcommittees thereof) or BCC meetings pertaining to the District's budget, Capital Improvement Plan, Master Plan or SDC changes will be sent to the City Manager or his or her designee.
- 2) The District may undertake improvements to parks owned by the City. These improvements are subject to the approval of the Milwaukie City Council, or its designee.

B. CITY

- 1) The City will retain the deeds to all parks and facilities owned by the City and operated and maintained by the District as listed in Attachment #1 ("Joint Parks").

All proposed name changes to parks and facilities within the City of Milwaukie will be reviewed according to the City's naming policy.

All parks and facilities owned by the City, but maintained and operated by the District, will have signage explaining this dual relationship. Signs within these parks shall state: "This park owned by the City of Milwaukie and maintained by the North Clackamas Parks and Recreation District."

- 2) The City may, at any time, construct new parks or make improvements to parks currently under its jurisdiction. These improvements will be at the City's own expense unless the District agrees to provide funding for these improvements. The District shall have no obligation to maintain or operate such parks unless otherwise agreed in writing. City staff will coordinate with District staff on any proposed park modifications to ensure ease of maintenance and operation.
- 3) For any parks other than Joint Parks, the City and the District will negotiate a level of service to be provided and any additional compensation owed by the City to the District. In those cases where the District denies the City's request to enhance, operate or maintain parks or facilities, the City will have the exclusive right to the option to enhance, maintain and operate these facilities at the City's own expense.
- 4) The City's requests for District enhancement, maintenance or operation of new City facilities will be made in writing and addressed to the Director of the District. The District Director shall review the request with the District Advisory Board ("DAB") and respond to the City with a decision within two months of the City's request.

II. MAINTENANCE OF PARKS FACILITIES

A. DISTRICT

- 1) The District will maintain and operate all Joint Parks.
- 2) The District will maintain all Joint Parks at a level equal to or better than the Milwaukie maintenance standards as set forth on Attachment #2.
- 3) Joint Parks may be shifted among maintenance standard levels at the mutual agreement of the City and the District.

B. CITY

- 1) City shall maintain all parks owned by the City unless otherwise agreed to herein.

III. RECREATIONAL PROGRAMMING

A. DISTRICT

- 1) The District will provide aquatics and recreational programming including programs for all ages and differing abilities, coordination and scheduling of fields services, and summer youth recreation programs for the entire North Clackamas area.
- 2) Except for North Clackamas Park (and the Milwaukie Center), use of all City parks and recreation facilities will be on a first come, first served basis. The District will be responsible for scheduling and management of all North Clackamas Park and Milwaukie Center facilities.

B. CITY

- 1) The City may provide recreation programs in addition to those provided by the District. These programs will be at the City's own expense and will not be covered by District funds. The City will coordinate its recreational programs with the District in order to avoid scheduling or service conflicts.

IV. MILWAUKIE CENTER

A. DISTRICT

- 1) Under the jurisdiction of the District, the Milwaukie Center continues to administer and provide a combination of educational, recreational, and social services to the community. These programs shall be primarily geared towards the needs and interests of older residents in the North Clackamas area.

B. JOINTLY, CITY AND THE DISTRICT

- 1) The District and the City may use the Milwaukie Center facilities for such activities as public meetings consistent with building policies. All other governmental users will pay a fee consistent with building use policies approved by the BCC.
- 2) From September 1, 1992 to October 2008, half (9) of the C/CAB members were appointed by the BCC and half (9) were appointed by the Milwaukie City Council.
- 3) Effective on the signing of this agreement, the C/CAB will reorganize and consist of a minimum of twelve (12) members who live or work within the District boundaries.

Of the twelve C/CAB members, there will be representation of one member each appointed by the City and the City of Happy Valley. The C/CAB and DAB and agree to recommend to the BCC for approval the individuals nominated by the City and City of Happy Valley city councils to fill the City representative seats. The BCC agrees to appoint the individuals nominated by the city councils unless there is good cause for rejecting the nomination. All other C/CAB applications for any of the remaining at-large board positions may be made directly to the C/CAB.

The C/CAB members will be recommended by the C/CAB and DAB and appointed by the BCC. C/CAB members will be appointed to staggered three-year terms with terms ending in October of each year. Current members will continue to serve until their term ends.

- 4) During the annual budget process the C/CAB will provide budget recommendations for the operation and maintenance of the Milwaukie Center, and in addition, the C/CAB will identify and prioritize necessary capital projects and provide project recommendations to the DAB. The recommendations for maintenance and operations, and capital improvements shall be reviewed by the DAB, who will then forward their recommendations to the District Budget Committee. The Budget Committee will then submit recommendations to the BCC for final decision.
- 5) The City will continue to retain the deed to the Milwaukie Center and all name changes made by the District to parks and facilities within the City must be approved by the City Council, under advisement of the C/CAB.

V. ADMINISTRATIVE ISSUES

A. DISTRICT ADVISORY BOARD

- 1) The DAB currently consists of an eleven-member board with representation allocated as follows:
 - 3 members from east of I-205 (one of which may reside in the City of Happy Valley), with one member term expiring in 2009;
 - 3 members from west of I-205 (one of which may reside in the City of Milwaukie), with one member term expiring in 2009;
 - 1 member from the City of Happy Valley;
 - 1 member from the City of Milwaukie;
 - 1 member from the Milwaukie Center; and
 - 2 members at large (one from east of I-205 and one from west of I-205).
- 2) District agrees to appoint the individual nominated by the City Councils to fill the City's representative seat unless there is good cause for rejecting the nomination.
- 3) DAB composition will be revisited and adjusted, in the event of significant District boundary changes or major population changes.
- 4) DAB members will be appointed to staggered four-year terms and may be removed at will by the BCC.
- 5) Effective July 1, 2009, representation on the DAB shall change to a nine member board. As of July 1, 2009, composition will include two members each from east and west of I-205, one member from the City of Happy Valley, one member from

the City of Milwaukie, one member from the Milwaukie Center and two members at large (one from east of I-205 and one from west of I-205).

- 6) Any subsequent substantive changes to the composition of the DAB will be reviewed by the City Council.

B. The District Director or their designee will provide the City Council with an annual report describing District operations and maintenance of facilities and programs within the City.

VI. REMOVAL OF CITY PARKS AND RECREATION FACILITIES FROM DISTRICT MAINTENANCE RESPONSIBILITY

- 1) The City may choose at any time to remove some or all of the Joint Parks or the Milwaukie Center from the District's maintenance responsibility.

If the City removes one or more of the Joint Parks and/or senior facilities, no reduction in the District tax rate will be provided to City residents. City residents will continue to receive all of the benefits of in-District residents (e.g., lower user fees, priority use of facilities). Further, District residents will continue to receive all of the benefits (e.g., scheduling, priority use of facilities, equal or lower fees) of the removed facilities and will be treated equally with residents of the City.

- 2) If the City chooses to remove those parks currently under its jurisdiction and/or the Milwaukie Center, a pass-through regarding operations and maintenance support will be negotiated at that time.
- 3) Employees of the District primarily responsible for the operations or maintenance of these facilities will be transferred to the City per ORS 236. Contracts entered into by the District for operations and maintenance support for the subject facilities will be assigned, either in part or in whole depending on the scope of project, to the City for the remainder of the contract term. The Parties agree to enter into any additional agreements or documents necessary to effectuate such transfers and/or assignments.
- 4) The City may choose at any time to withdraw entirely from the District pursuant to ORS 222.524 or its successor statute.

VII. ADDITIONAL PROVISIONS

A. HOLD HARMLESS

Each party agrees to release, defend, indemnify and/or hold harmless the other, its officers, commissioners, councilors, employees, and agents from and against all damages, claims, injuries, costs or judgments which may in any manner arise as a result of such party's performance under this Agreement, subject to Oregon Tort claims limitations.

B. DISPUTES

- 1) Disputes/Attorney Fees. If a dispute arises between the parties regarding breach of this Agreement or interpretation of any term of this Agreement, the parties shall first attempt to resolve the dispute by negotiation followed by mediation if negotiation fails to resolve the dispute.
 - a) Step One. The City Manager and the District Director, or other persons designated by the governing bodies, will negotiate on behalf of the entities they represent. The nature of the dispute shall be reduced to writing and shall be presented to each representative who shall then meet and attempt to resolve the issue. If the dispute is resolved at this step, there shall be a written determination of such resolution, signed by each party's representative and ratified by each governing body, which shall be binding upon the parties.
 - b) Step Two. If the dispute cannot be resolved within ten (10) days at step one, the parties shall submit the matter to non-binding mediation. The parties shall attempt to agree on a mediator. If they cannot agree, the parties shall request a list of five potential mediators from an entity or firm providing mediation services that is mutually acceptable to the parties. The parties will attempt to mutually agree on a mediator from the list provided, but if they cannot agree, the parties shall submit the matter to the Presiding Court of Clackamas County and the Presiding Judge shall appoint such a mediator from the list of mediators submitted by the mediation entity or firm. The mediator's fees shall be borne equally by the parties and the parties shall each bear their own costs, attorney fees and fees associated with the mediation. If the issue is resolved at this step, a written determination of such resolution shall be signed by each representative and approved by the respective governing body.

C. GOVERNING LAWS

This Agreement shall be construed and governed in all respects in accordance with laws of the State of Oregon without giving effect to the conflict of law provisions thereof.

D. SEVERABILITY

Should any portion of this Agreement or amendment thereto be adjudged by a Court of appropriate final jurisdiction to be in violation of any local, state or federal law, then such portion or portions shall become null and void, and the balance of this Agreement shall remain in effect. Both parties agree to immediately renegotiate any part of this Agreement found to be in such violation by the Court and to bring it into compliance with said laws.

E. NOTICES

All notices required or permitted to be given shall be in writing and shall be deemed given and received upon personal service or deposit in the United States mail, certified or registered mail, postage prepaid, return receipt requested, addressed as follows:

To the City: City Manager
 10722 SE Main Street
 Milwaukie, OR 97222

To the District District Director
 150 Beavercreek Road
 Oregon City, Oregon 97045

The foregoing addresses may be changed by written notice, given in the same manner. Notice given in any manner other than the manner set forth above shall be effective when received by the party for whom it is intended.

F. TERM

This Agreement shall remain in effect to the end of the fiscal year in which both parties have signed and will be automatically renewed for successive one (1) year periods effective on July 1 of each year unless written notice of cancellation is given by either party to the other at least 180 days prior to the beginning of the next fiscal year.

G. REVIEW

Formal review of this Agreement shall take place either:

- 1) At any time during the term of this Agreement, at the request of either party the Agreement may be formally reviewed by either or both parties and amended as agreed;
- 2) Beginning on July 1 of 2013, and each five years after that date, the City will formally review the IGA and meet with the DAB to discuss potential amendments; or
- 3) At such time as the District Master Plan is amended, the City will review the IGA and propose amendments to the District within one year of the effective date of the amended master plan.

H. CONSTITUTIONAL LIMITS

This Agreement is subject to any applicable constitutional debt limitations and is contingent upon funds being appropriated thereof.

I. ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties and supersedes any and all other agreements, written or oral, expressed or implied, pertaining to the subject matter hereof.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by the duly authorized officers on the dates hereinafter written.

CITY OF MILWAUKIE

Pat Duval / AIC

By: Pat Duval

Date: 10/28/08

NORTH CLACKAMAS PARKS AND
RECREATION DISTRICT

Lynn Peterson

By: Lynn Peterson

Date: December 18, 2008

ATTACHMENT #1

A. MILWAUKIE PARKS TO BE MAINTAINED AND OPERATED BY THE SERVICE DISTRICT

SITE

Ardenwald Park
Jefferson Street Boat Ramp
Spring Park (enhanced)
Stanley Park (excluding well site)
Century Park
Water Tower Park (excluding well site and water tank)
Furnberg Park
North Clackamas Park
Dogwood Park
Wichita Park
Scott Park
Robert Kronberg Park (enhanced)
40th and Harvey – NCP areas only
Lewelling Community Park
Homewood Park
Riverfront Park (enhanced)
Balfour Property (local share 2008)
Lake Rd Property (local share 2008)
Monroe Street Triangle (at 37th Ave)

B. MILWAUKIE OPEN SPACES TO BE MAINTAINED AND OPERATED BY THE CITY OF MILWAUKIE

Old Shop (40th & Harvey)
City Hall Grounds and Parking Lot
Well #8
New Century Player/Historic Society Building
Stanley Well area behind fence
Monroe/Washington Triangles
Water Tower Well areas behind fences and access road

If the City of Milwaukie so chooses, it may contract with the District to maintain some or all of the facilities listed above in Section B. If the City contracts with the District to maintain a facility listed in Section B, the District will charge the City a fee that will allow the District to cover (but not exceed) its maintenance costs.

ATTACHMENT #2

Park Maintenance Standards City of Milwaukie

The Milwaukie Parks facilities are divided into several categories. The categories include: High Maintenance, Moderate Maintenance, Basic Maintenance, Special Use Facilities, Infrastructure and Natural Resource Maintenance.

HIGH MAINTENANCE AREAS

High Maintenance Areas include: Ardenwald Park, Dogwood Park, Lewelling Community Park, the Milwaukie Center, North Clackamas Park, Riverfront Park, Scott Park and Water Tower Park.

High Maintenance areas are those associated with City buildings, located in the downtown area, located at an entry point into the City or are high use areas. These areas are mowed a minimum of once per week, edged twice per month and fertilized two times per year. Tree rings and flowerbeds are edged with string trimmers bi-weekly. Broadleaf weeds will be treated as needed. Flower beds are weeded and sprayed as needed. Trash and litter will be picked up weekly. All high maintenance areas are irrigated. Irrigation will be programmed, maintained and winterized. Trees and shrubs will be pruned as needed. Leaves will be removed annually in the fall. Picnic tables, playground equipment and signage will be monitored and repaired. Fencing will be repaired as needed. Mowing in these areas should be performed March through November as weather permits.

MODERATE MAINTENANCE AREAS

Moderate Maintenance areas include: Century Park, Furnberg Park, Homewood Park, Stanley Park, and 40th Avenue Maintenance Area.

Moderate maintenance areas are typically neighborhood parks. These facilities are mowed an average of once a week, trimmed and edged with a weed-eater monthly. Fertilizers are not applied. Trash and litter is collected on a weekly basis. Playgrounds are inspected on a weekly basis. Herbicides are applied as needed. Picnic tables, playground equipment and signage will be monitored and repaired when needed. Mowing in these areas should be performed March through November as weather permits.

BASIC MAINTENANCE

Basic Maintenance areas include: Balfour St, Jefferson Street Boat Ramp, Lake Rd, Robert Kronberg Park, Spring Park, Wichita Park and Balfour St.

Basic maintenance includes weekly litter and trash removal. Mowing will occur twice

yearly. Restrooms will be cleaned and stocked weekly. Parking lot islands will be string trimmed as needed. Signage and picnic tables will be monitored and repaired as needed. Herbicides will be applied as needed. Mowing in these areas should be performed March through November as weather permits.

SPECIAL USE FACILITIES

Special use facilities: There are a variety of special use facilities. The facilities are treated differently based on the activities that occur within them. These facilities range from the Cemetery to the Boat Ramp. Pieces of larger facilities are included within this category. An example of this would be the horse arena at North Clackamas Park. Although North Clackamas Park is listed as a High maintenance area, many of its amenities fit within the special use category. For the purpose of establishing a standard, Special use facilities will be listed independently and defined separately.

Boat Ramp: The boat ramp is primarily a parking lot. It does have some planting area between the upper and lower lots which are kept clear of vegetation. The vegetation removal is done both manually and chemically. To the southern end of the parking lot is a small grass area. This area is mowed on an as-needed basis. Litter and garbage is collected twice a week during the non-fishing season and three times a week during fishing season. The heaviest use time for this facility is during the Spring Chinook run. During this time of year, the ramp area is patrolled on a daily basis for litter.

North Clackamas Park (NCP) Horse Arena: The horse arena at NCP is offered on both a reservation and drop in basis. The critical elements of the arena include the fencing and the footing. Footing is replaced on an ongoing basis. Fencing is repaired as needed.

NCP Ballfields: The Softball fields are mowed on a weekly basis. This begins in late March or early April. Lighting maintenance is performed on an annual basis when the ground is firm enough to support the needed truck. Historically, these facilities are fertilized annually.

NCP Picnic areas: The three picnic areas in NCP are rented on a daily basis beginning the week after May 1st through September 30th. The shelter tables are washed before every picnic.

INFRASTRUCTURE

Infrastructure: This heading includes such items as roads, irrigation, and restrooms.

Restrooms: There are ten restrooms. The first eight restrooms are located at NCP. These block-constructed restrooms are washed and sanitized using a mixture of chlorine bleach on a weekly basis. During days of scheduled events they are inspected at regularly scheduled intervals depending on the size and type of the event. The other two restrooms are all steel and are located at the boat ramp. These restrooms are

cleaned at least once per week. During high use time, such as the spring Chinook run, the restrooms are cleaned and inspected on a daily basis.

Sidewalks and Parking Lots: All debris is blown from sidewalks on a weekly basis. Parking lots and roadways are swept and repaired on an as needed basis by City of Milwaukie Public Works. The city street sweeper will sweep NCP and Milwaukie Center parking lots twice monthly.

NATURAL RESOURCE AREAS

Natural areas are found in the following City parks: Furnberg Park, Homewood Park, Spring Park, Kronberg Park, Dogwood Park, Scott Park, North Clackamas Park and Riverfront Park.

Natural areas are characterized as being largely undeveloped landscapes, with relatively intact ecosystem structure and functions, and used primarily for passive recreation. Natural areas are considered to have limited or minimal human disturbance and provide habitat for Lower Willamette Valley biotic communities in an urban setting.

The District will provide staff, organize volunteers or coordinate contract workers to enhance park ecosystems utilizing methods such as removing invasive and/or dangerous plants and trees, litter collection on an as-needed basis, replacing or planting native plants and clearing pathways in a manner fitting natural areas. The use of chemicals shall be minimized in these areas.

Where practical and safe, the District will consider the impacts of maintenance to natural cycles of succession, disturbance, and wildlife habitat needs. For example, dead or declining trees in a natural area may create opportunities for standing snags, nurse logs and brush piles. Aquatic features like pools or in stream woody debris are maintained even if doing so decreases drainage. Every effort should be taken to retain or increase available enhancement resources on a given site while maintaining a safe environment for the public.

Natural and sensitive areas shall be monitored for the following:

- Public use, such as high impact, vandalism, graffiti, or illegal activity
- Silt or debris loading and drainage of wetlands, ponds, and streams
- Presence of invasive plants
- Water quality and upstream impacts
- Dog or other pet impacts to turf, trails and wetlands

Natural areas are subject to litter and dumping activity. Park visitors are less likely to dump or litter if a site is clean and appears well maintained. Maintenance activities may discourage this activity through these routine tasks:

- Weekly to semi-monthly inspection of trailheads and street ends
- Quick response clean-up when incidents are reported
- Inspection of dumped materials to identify the perpetrator
- Prompt removal of encampments (Milwaukie Code Enforcement staff should be contacted to assist with this)



Jim Bernard, Chair
Clackamas County Board of Commissioners
2051 Kaen Road
Oregon City, OR 97045

March 10, 2020

Chair Bernard,

Since the inception of the North Clackamas Parks and Recreation District (NCPRD), a member of the Milwaukie City Council has had the opportunity to serve as a member of the District Advisory Board (DAB). I have had the honor of being a member of the DAB since 2015 and have served as the chair since 2016.

This direct connection between the Milwaukie City Council and the DAB has been essential in maintaining and fostering productive communication between our two entities. Unlike other members of the DAB, the city owns all our park property, provides direct funding for parks projects, and has multiple intergovernmental agreements with the district. Given the budgetary and policy role played by council in managing our parks, the opportunity to have a direct connection between the district and council remains an important priority. In addition, I believe my predecessors and I have served the district well and will continue to do so.

After a two-year hiatus, the DAB resumed meeting in 2019 to begin crafting bylaws in response to both the likely departure of Happy Valley from the district and a desire from some to increase representation from unincorporated Clackamas County. Our group made great progress on several fronts, including an agreement on the total number of unincorporated members and a process by which those members would be selected.

A recent opinion piece in the Clackamas Review by Commissioner Savas stated that the City of Milwaukie opposes representation for unincorporated areas; this could not be farther from the truth. The table below compares the existing DAB makeup with the structure proposed by the DAB in late 2019. The current bylaws draft increases the percentage of representatives from unincorporated Clackamas County while decreasing the percentage from the City of Milwaukie. The city has supported this because we



have heard from, and recognize the interest of, unincorporated residents wanting to have greater representation on the board.

DAB Membership

Existing		Proposed	
East of I-205 (1 may be in Happy Valley)	2	City of Milwaukie (1 elected councilmember and 1 non-elected person appointed by council)	2
West of I-205 (1 may be in Milwaukie)	2	Unincorporated residents	6
City of Happy Valley (appointed by Council)	1	District Master Plan Identified as Severely Underserved	1
City of Milwaukie (appointed by Council)	1	Community Center Advisory Board Member	1
Milwaukie Center	1	District Board Member (County Commissioner)	1
At-Large	2		
TOTAL	9	TOTAL	11
Milwaukie & Happy Valley representatives (combined)	44%		
Max Milwaukie %	22%	Milwaukie %	18%

On January 7, I provided an update on the progress of the DAB bylaws to the Milwaukie City Council. While council was generally supportive of the overall framework, they provided the following feedback:

- Better documentation and understanding of “severely underserved” is required if the seat designated as such is to remain.
- Geographic zones within the six unincorporated seats are required to ensure that there are representatives from across the district, even in areas with dormant Community Participation Organizations.
- While the city is in strong support of a nonvoting liaison from the board of directors, we view a voting membership as redundant given that the DAB is advisory to the NCPRD Board.



These concerns were relayed in an email to staff in advance of the January 8 DAB meeting and shared by me at the meeting itself. While I view most of the requested changes and comments to be largely acceptable to the group as a whole, the issue of elected representation continues to be a major source of disagreement and frustration.

I appreciate the board's leadership in raising and tackling the issue of elected representation from the board so that the DAB can move past the issue. I also hope that you can help us quickly and productively settle on a geographic distribution of the unincorporated seats so that Milwaukie's concerns can be allayed and our work on the DAB can move forward.

Sincerely,

Councilor Wilda Parks

cc: Clackamas County Commission, Milwaukie City Council, DAB, Milwaukie Parks and Recreation Board

May 15, 2019

Jim Bernard, Chair
North Clackamas Parks and Recreation District Board of Directors
150 Beaver Creek Road
Oregon City, OR 97045

Chair Bernard,

As a founding member and growing city within the North Clackamas Parks and Recreation District (NCPRD), Milwaukie requests that the District Advisory Board (DAB) be reconstituted to include a voting representative from Milwaukie's Parks and Recreation Board.

Before talking about the DAB, we would first like to acknowledge the many ways that NCPRD fulfills an essential role for Milwaukie parks. From attending our monthly Parks and Recreation Board (PARB) meetings to hosting multiple public conversations about Milwaukie Bay Park, NCPRD faces are a regular sight here in the city. In the past two years alone, NCPRD has helped us open a wonderful new park, managed Elk Rock Island which is now within the city, redesign Milwaukie Bay Park, and provided critical input to the various parks impacted by capital projects downtown including Scott, Dogwood, and Kronberg parks.

Advancing large scale regional priorities like Milwaukie Bay Park and addressing some of the long-term funding challenges faced by the district, however, will require consistent and balanced communication between the residents of Milwaukie, City Council, NCPRD staff and its leadership. We believe the best forum for such conversation is the DAB. Unfortunately, the DAB has been dormant for roughly two years. Please reestablish the DAB as soon as is practicable so that all of the district can weigh in on common issues of importance.

Milwaukie is unique within the district because we are one of only two cities, we own all of our parks, and have an active parks advisory board. To ensure engagement with both the property owner (the city) and our advisory body (PARB), we ask that when the DAB is reconstituted that it includes a voting seat for both a Milwaukie City Councilor and a Milwaukie PARB member.

Sincerely,


Mayor Mark Gamba


Council President Angel Falconer


Councilor Lisa Batey


Councilor Wilda Parks


Councilor Kathy Hyzy



North Clackamas Parks and Recreation District Advisory
Committee BYLAWS

Commented [1]: Proposal: Add preamble referencing the original ballot measure and establishing intentions: consistency with voter understanding, reference to Master Plan.

ARTICLE I

NAME. The name of this board is the North Clackamas Parks & Recreation District Advisory Committee (DAC)

ARTICLE II

PURPOSE. The purpose of the DAC is to advise the North Clackamas Parks & Recreation Board of Directors (Board of Directors) on the acquisition design, planning, and development of parks and facilities within the district, and to advise the Board of Directors on programs, maintenance and operations; to meet with the Board of Directors once yearly; and to ~~publish review and provide input prior to the publication of the~~ NCPRD annual report ~~presented each August.~~

GOALS. The goals of the DAC are as follows:

- a) The DAC will address the programs and facilities of the North Clackamas Parks & Recreation District concentrating on the annual work plan that addresses challenges, desires and needs of all district residents;
- b) Make policy-level recommendations regarding acquisitions, assets, capital improvements, programs, maintenance, and operations to be approved by the Board of Directors.
- c) During the annual budget process, the DAC will provide budget recommendations for the acquisition, development, operation, and maintenance of the North Clackamas Parks & Recreation District facilities and programs. In addition, the DAC will identify and prioritize necessary capital projects and provide project recommendations to the Board of Directors. The recommendations for maintenance and operations, and capital improvements shall be reviewed by the District Budget Officer, who will then forward their recommendations to the North Clackamas Parks & Recreation Budget Committee. The North Clackamas Parks & Recreation Budget Committee will then submit recommendations to the Board of Directors.

ARTICLE III

MEMBERSHIP. The DAC shall consist of eleven (11) members. The Board of Directors shall appoint all members. Membership shall not be limited by race, creed, color, sex, age, heritage, national origin or income. All members must be residents of the district.

- a) The 11-member board representation will be as follows:
 - i) 2 members from the City of Milwaukie,
 - ii) 8 members who are residents of unincorporated areas within the District,
 - iii) 1 member from a District community center advisory board(s)

b) The Board of Directors shall appoint one of its members as a non-voting liaison to the DAC.

c) Each of the 11 members may also have an alternate member.

d) The composition of the DAC will be revisited and adjusted, in the event of significant District boundary changes or major population changes.

e) Terms are for a period of four fiscal (4) years, beginning on July 1st of the first fiscal year and ending on June 30th of the fourth fiscal year. Board terms will be staggered among the eleven DAC members. At the end of each four (4) year term, DAC members, who are not partner city appointees and who wish to continue their service for a second term, will need to participate in the recruitment process used to fill all vacancies and may be reappointed by the Board of Directors. The ~~seven (7) representatives of the District zones plus the representative from the Milwaukie Center~~ representatives appointed under subsections (a)(i) – (iii) above, may serve a maximum of two consecutive terms. Representatives may reapply for vacancies on the committee following a four (4) year break in service (one full term).

The City of Milwaukie, may choose to reappoint their designees for both the primary and alternate positions, or submit new representatives for Board of Directors approval. All recurring four (4) year terms require Board of Directors approval, however there are no limits on terms served for partner cities.

f) Vacancies are filled in the same manner as the original appointments and for the unexpired term of the vacant position. In the event a “primary” representative from one of the ~~three (3)~~ appointed partner organizations is unable to complete their term, the “alternate” will be designated to fulfill the remainder of the term.

g) Upon failure of any member to attend two consecutive meetings without a valid excused absence, the DAC may recommend termination of that appointment to Board of Directors, and the Board of Directors may remove the incumbent from the DAC and declare the position vacant to be filled in the manner of a regular appointment. A valid excused absence requires that the DAC member notify a DAC officer or North Clackamas Parks & Recreation District staff member prior to the meeting to be missed except for the case of an emergency.

Commented [3]: We reference 3 meetings below in the “officers and staffing” - “vacancy” section.

Commented [4]: Question: Are absences grounds for dismissal?

Commented [5R4]: I think so, but only if they are unexcused (no communication), and it is still up to DAB to make a determination.

h) All DAC members shall serve without compensation.

g) The Board of Directors shall provide liability coverage for volunteer DAC members.

ARTICLE IV

OFFICERS & STAFFING. The officers and staffing of the DAC shall include the following:

a) **Chairperson.** The chair person shall have general supervisory and directional powers over the DAC. The chair person shall preside over all DAC meetings, assist the NCPRD Director with setting the DAC Meeting agendas, and establish committees and appoint committee chair persons. The chair will serve as the DAC representative in meetings with the Board of Directors or at various community meetings when appropriate, or if unable to serve that role will appoint a representative from among the DAC members. The chair will also serve as the official spokesperson for the DAC whenever there is an issue or statement required when it is appropriate for the DAC to make that response or statement;

b) **Vice-Chairperson:** The vice chair person shall execute all powers of the chair person in the absence of the chair person;

b) **Secretary:** The secretary shall maintain minutes and attendance records of business meetings. Additionally the secretary will initiate the recruitment process to fill vacancies upon term expirations. The secretary position is neither elected nor appointed but rather filled by the parks director administrative staff support.

c) **Board of Directors Liaison:** The Board of Directors may elect to appoint a liaison/liaisons to the DAC in an ex-officio capacity with no voting powers or rights but who has the authority to speak on behalf of the Board of Directors and to participate in discussions about actions under consideration for recommendation to the Board of Directors. The liaison is present as a representative of the Board of Directors and not as an individual party.

The DAC shall provide the County Public and Government Affairs Department with a current list of officers.

SELECTION OF OFFICERS. The officers shall be selected by the DAC membership by simple majority vote. Elections shall be annually as the first order of business at the first DAC meeting of the fiscal year in July. The outgoing chair will conduct the election, and immediately following results, turn the meeting over to the newly elected chair.

TERM OF OFFICE. The term of office for all officers shall be one (1) year, however, the officer shall continue to serve until a successor is elected or appointed to that office. Officers may be re-elected and may serve a maximum of two consecutive terms.

Commented [6]: Are we certain about this? Should be confirmed.

Commented [7R6]: Input from County Counsel requested

Commented [8]: Question: Is this redundant to the language in (a) above that says "or if unable to serve that role will appoint a representative from among the DAB members"

Commented [9R8]: I think this language needs to remain. (a) does not specifically address the role of vice-chair

Commented [RE10]: Should this come out given the District Board has a voting member?

Commented [11]: Question: Who appoints?

Commented [12R11]: DAB – see above "Selection of Officers". I believe this covers what you're asking.

VACANCIES. A vacancy occurs when an officer dies, resigns, is removed, or has more than three (3) unexcused absences from meetings during a ~~calendar~~ **fiscal** year. The person appointed to fill the vacancy shall serve the remainder of the unexpired term and until a successor is elected or appointed to that office.

Commented [13]: Question: Who appoints?

ARTICLE V

MEETINGS. The DAC shall meet at least once each month (a “regular meeting”). All meetings shall be subject to the requirements of the Oregon Public Meetings Law.

Special meetings may be called by any two DAC Members and a ~~residing~~ **Presiding Officer**. Only business specified in the agenda for the special meeting may be considered. Notice of all meetings shall be provided as required by ORS 192.640 of the Oregon Public Meetings Law. Minutes of all meetings shall be kept and shall be available for public inspection as required by ORS 192.650 of the Oregon Public Meetings Law. A copy of all meeting minutes shall be provided to the County Public and Government Relations Office.

Commented [14]: We should define this term. Is “presiding officer” any officer present? The “chairperson”? If it is any officer present, consider changing this to just read “two DAB members and an Officer”.

Commented [15R14]: I would suggest the presiding officer is the Chair, or the vice-chair in the Chair’s absence

QUORUM and VOTING. ~~Fifty-one percent of the voting membership~~ **Six members** of the DAC shall constitute a quorum. The concurrence of a majority of the DAC members present shall be required to decide any matter.

Commented [16]: Recommendation: Change to a number instead of percent.

Commented [17R16]: My concern with this is, what if we do not have a full board at any given time, and can’t field six members? I think there needs to be consideration around this possibility, to allow for a lower number constituting a quorum under that circumstance.

RECORDS. All records of the DAC shall be subject to disclosure except as allowed by exemptions of the Oregon Public Records Law.

Commented [18R16]: Input from Jeff Munns (Co. Counsel): I see it as there are eleven positions required. If there is a vacancy the quorum would remain the same number. Having resignations would put the group in a bind, but it also deters refusing to fill vacancies to give greater power to those remaining.

ARTICLE VI

HEARING PROCESS AND PROCEDURE. The principles of parliamentary rules of procedures such as Robert’s Rules of Order shall govern proceedings at any meeting of the DAC. The Chair shall be guided by these principles in deciding any procedural questions. The Chair’s decision on procedural matters may be overruled by a majority of the members voting on the question. The DAC may establish a more detailed hearing procedure to provide for an orderly process for holding a public hearing. All meetings shall comply with the Oregon Public Meetings Law.

ARTICLE VII

COMMITTEES. The chair may appoint special committees or ask the DAC to appoint special committees on issues or topics where a committee is deemed to be needed or appropriate. ~~The following standing committees are established:~~

Budget Subcommittee

Commented [19]: Proposal: Establish a Budget Subcommittee, connect to Article III(a).

Commented [20R19]: Erin, I’m recommending striking this proposal. This group’s mission should remain high level/policy issues. Budget review with DAB is part of their mission, however, if we set up this type of budget sub-committee we are going to invite them to work in the weeds. I think our current language/practice of reviewing our budget with the whole committee is sufficient.

a) **Nomination Subcommittee:** the Nomination Subcommittee will work with NCPRD Staff to evaluate and nominate residents with an intent for DAC membership to reflect the diversity of residents of the District, including but not limited to geography, age (senior and youth),

Commented [21]: Proposal: Establish a Nomination Subcommittee consistent with PGA’s established recruitment process. Input from Jeff Munns (Co. Counsel): We should attach the PGA process, or reference the official process.

disabled, low income, immigrant/refugees, BIPOC, and LGBTQ+.

The Nomination Subcommittee will include:

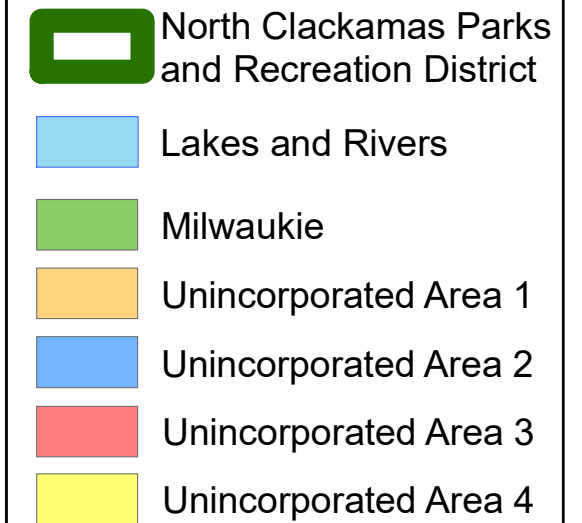
i) 2 Clackamas County staff; ii) 2 members of the DAC

3) 2 representatives of Community Planning Organizations within the District

ARTICLE VIII

AMENDMENTS. Bylaws may be amended at any regular DAC meeting providing written notice of the proposed amendment is submitted at a prior, regular meeting. In order to be effective such amendments must also be approved in writing by County Counsel and further submitted to the Board of Directors for final approval. The DAC may not amend Article IV Membership in any way that differs with the requirements of the IGA between NCPRD and the City of Milwaukie.

The amended bylaws shall supersede all previous bylaws and become the governing rules for the DAC.



10/5/2020



The information on this map was derived from digital databases from Clackamas County's GIS. Care was taken in the creation of this map but is provided "as is". Clackamas County cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Surveys may have been used in the creation of this product, in no way does this product represent or constitute a Land Survey. Users are cautioned to field verify information on this product before making any decisions.

NCPRD – District Advisory Board Update

Kelly Brooks

Assistant City Manager

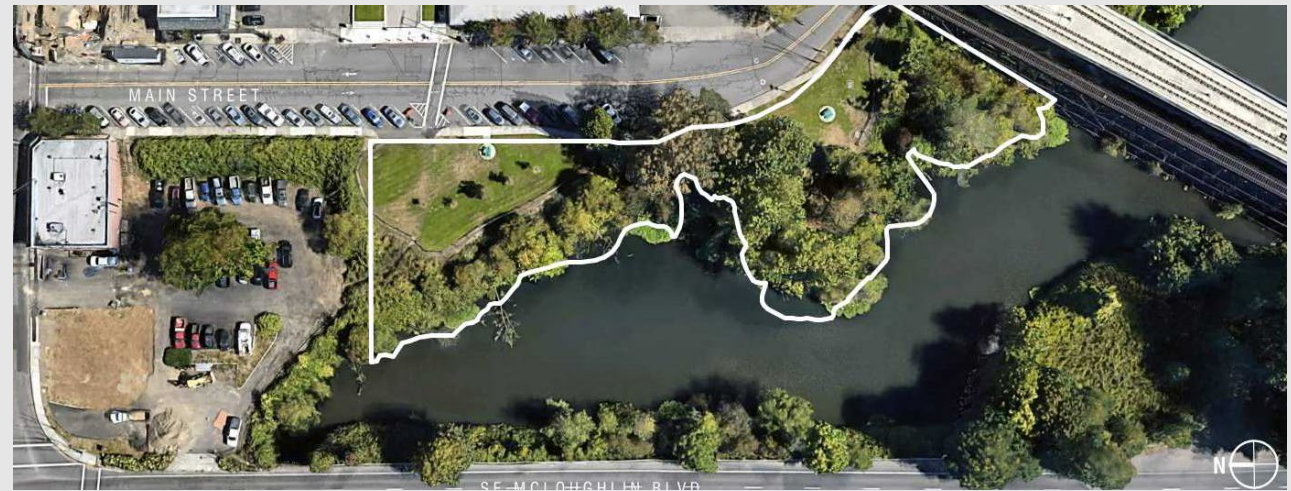
10.20.2020



Background

Milwaukie's master agreement with NCPRD states that...

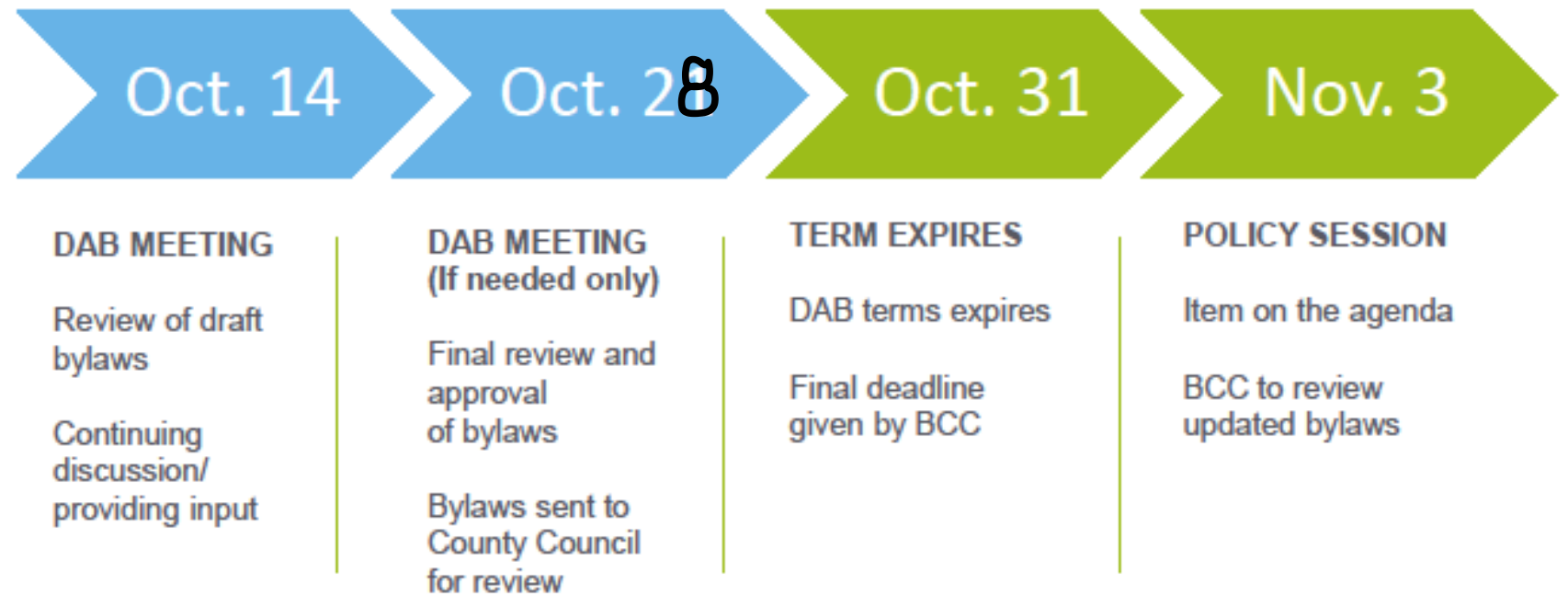
“Any subsequent substantive changes to the composition of the DAB will be reviewed by the City Council.”



Timeline

October Deadline

The BCC reinstated the DAB to revise bylaws by Oct. 31, 2020





Existing Bylaws








Entity / Area	Number of Representatives
East of I-205 (1 may be in Happy Valley)	2
West of I-205	2
City of Happy Valley (appointed by council)	1
City of Milwaukie (appointed by council)	1
Milwaukie Center	1
At-Large	2
TOTAL	9



Draft Membership Proposal

Entity / Area	Number of Representatives
City of Milwaukie	2
Community Centers (Milwaukie Center)	1
Area 1	2
Area 2	2
Area 3	2
Area 4	2
TOTAL	11

Proposed NCPRD
Advisory Board Boundaries:
Option 2

-  North Clackamas Parks and Recreation District
-  Lakes and Rivers
-  Milwaukie
-  Unincorporated Area 1
-  Unincorporated Area 2
-  Unincorporated Area 3
-  Unincorporated Area 4

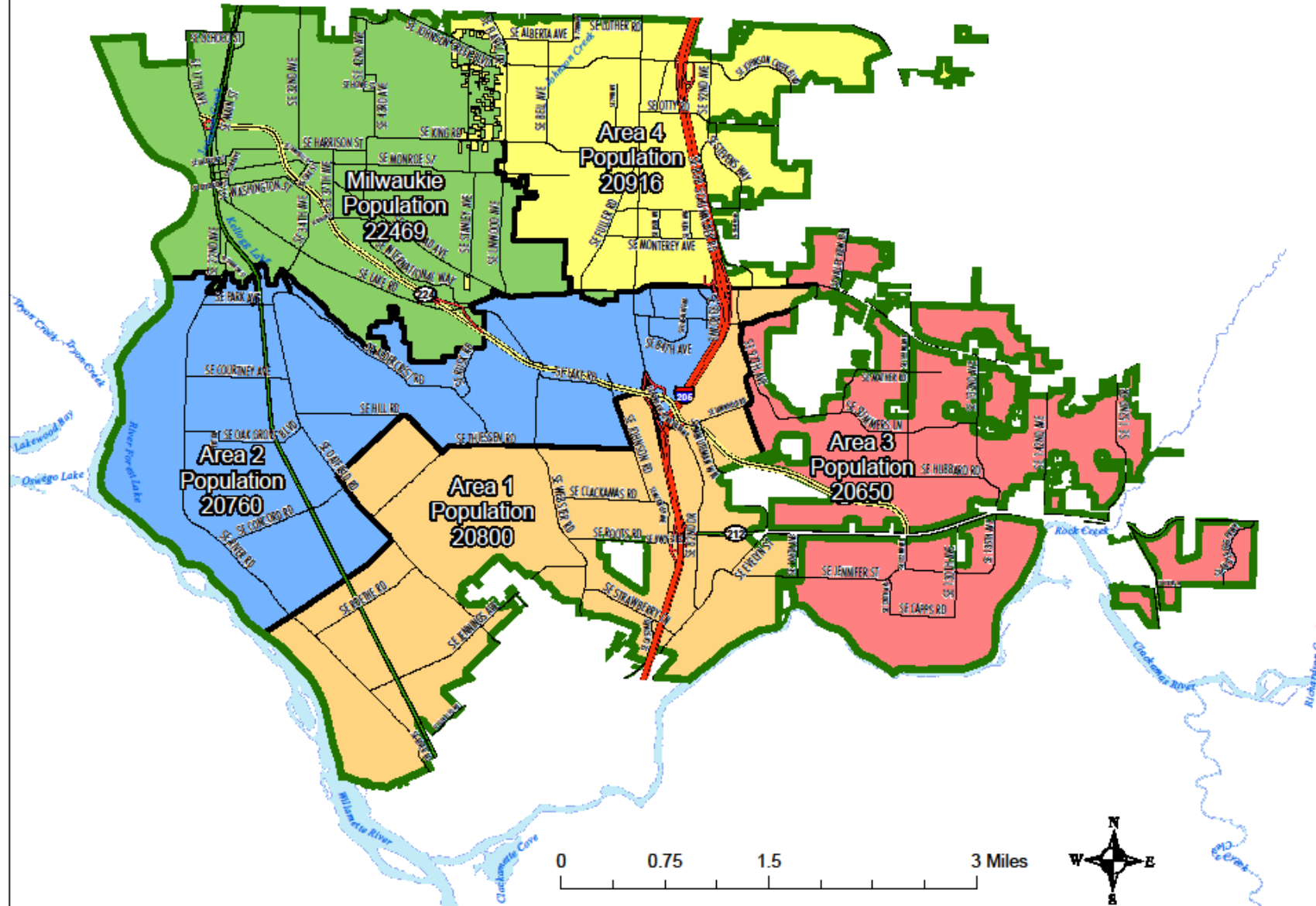
DRAFT

10/5/2020



CLACKAMAS COUNTY GEOGRAPHIC INFORMATION SYSTEMS
CLACKAMAS COUNTY, OREGON
CLACKAMAS COUNTY, OREGON 97006

This information was prepared for the Clackamas County Board of Commissioners. It is not to be used for any other purpose without the written permission of the Clackamas County Board of Commissioners. The information is provided as a service to the community and is not a guarantee of accuracy. The information is provided as a service to the community and is not a guarantee of accuracy.



Next Steps

- Final DAB meeting on Oct. 28
- NCPRD will provide draft language
- City Council will send a letter to the NCPRD Board of Directors

