



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes - Draft

City Commission

Dan Holladay, Mayor
Rocky Smith, Jr., Commission President
Brian Shaw, Carol Pauli, Renate Mengelberg

Wednesday, April 20, 2016

7:00 PM

Commission Chambers

REVISED

1. Convene Regular Meeting and Roll Call

Mayor Holladay called the meeting to order at 7:00 PM.

Present: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

Staffers: 14 - City Manager Tony Konkol, City Attorney William Kabeiseman, John Lewis, Police Chief and Public Safety Director James Band, Human Resources Director Jim Loeffler, City Recorder Kattie Riggs, Finance Director Wyatt Parno, Eric Underwood, Community Services Director Scott Archer, Operations Manager Martin Montalvo, Operations Supervisor Eric Hand, ROW Manager Lance Powlison, Street Division Operations Supervisor Matt Powlison and Planner Christina Robertson-Gardiner

2. Flag Salute

3. Ceremonies, Proclamations and Presentations

3a. Proclamation Declaring May 15-20, 2016 as National Public Works Week

Mayor Holladay proclaimed May 15-20, 2016, as National Public Works Week.

3b. Metro Update - Councilor Carlotta Collette

Carlotta Collette, Metro Councilor, gave an update on the Willamette Falls Legacy Project, EPA grant for McLoughlin as an investment focus, regional snapshots, southwest corridor, Regional Leadership Forum on April 22, 2016, regional flexible funds, equitable housing grant program, solid waste roadmap, next steps for growth management, community enhancement grants, parks and nature system plan, naturehoods, access improvements at Canemah, trails grants, restoration grants now available, Convention Center hotel, Oregon Zoo Elephant Lands, and Portland's Centers for Arts.

3c. Clackamas Heritage Partners' Annual Report

Jim Austin, Clackamas County Tourism, was the Visitor Information Center Coordinator. He expressed support for Clackamas Heritage Partners and their continued efforts to come up with new and engaging ways to share heritage with local

partners and those around the state. He also thought they did a good job in providing visitor information services for the area. Combining the Visitor Information Center and Oregon Trail Interpretive Center was a great partnership.

Gail Yazzolino and Dan Fowler presented the Clackamas Heritage Partners' annual report. Mr. Fowler gave a comparison of the retail sales, group admissions, and general admissions from 2014 and 2015 and the first quarter of 2015 and the first quarter of 2016, which had all gone up. He thought the people who had been hired and trained were a good group of people and he thanked Ms. Yazzolino and Scott Archer, Community Services Director, for their work.

Ms. Yazzolino said the visitor numbers went up while there was a substantial increase in expenses due to the minimum wage increasing and reinvesting money in programs and projects. She then discussed the amenities in the Visitor Center, changes in admission, exhibit improvements, activities, history talks, proposed Westward Adventure Interpretive Trail, and events at the Interpretive Center.

4. Citizen Comments

There were no citizen comments.

5. Adoption of the Agenda

The agenda was adopted as presented.

6. Public Hearings

7. General Business

7a. Community Planning and Development Grant Intergovernmental Agreement Between Metro and the City of Oregon City for The Willamette Falls Legacy Project Development Strategy

Christina Robertson-Gardiner, Planner, gave an update on the development strategy for the Willamette Falls Legacy Project. The strategy was for private property integrated with the Riverwalk and the consultant budget was \$900,000, 50% public and 50% private. This would be a true public-private partnership. She explained why they were doing a development strategy and the next steps. At tonight's meeting there was a request to approve the Intergovernmental Agreement (IGA) with Metro for the Community Planning and Development Grant, grant agreement with Falls Legacy LLC, contract with Snøhetta, and revised governance IGA. In May, the IGA with Metro transferring the Riverwalk money and IGA with Clackamas County for the match for the Community Planning and Development Grant (CPDG) would come before the Commission.

There was discussion regarding the design standards and parking study for downtown.

A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the Community Planning and Development Grant Intergovernmental Agreement between Metro and the City of Oregon City for the Willamette Falls Legacy Project Development Strategy. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7b. Memorandum of Understanding and Development Strategy Grant Agreement Between Oregon City and Falls Legacy LLC

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to approve the Memorandum of Understanding and Development Strategy Grant Agreement between Oregon City and Falls Legacy LLC. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7c. Personal Services Agreement (PSA) with Snøhetta to Provide Consultant Services for the Willamette Falls Legacy Project Development Strategy

Ms. Robertson-Gardiner explained the contract for the development strategy and was requesting approval of the full extent of the \$900,000 so there would be flexibility as staff did not know who all the subcontractors would be yet. The City's contribution was \$25,000.

A motion was made by Commissioner Smith, seconded by Commissioner Pauli, to approve the Personal Services Agreement (PSA) with Snøhetta to provide consultant services for the Willamette Falls Legacy Project Development Strategy. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7d. Willamette Falls Legacy Project REVISED Governance Intergovernmental Agreement Among the State of Oregon, through the Oregon Parks and Recreation Department, Clackamas County, Metro, and the City of Oregon City

Mr. Konkol said the state had some minor changes to the governance agreement that were for clarification purposes.

A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the Willamette Falls Legacy Project REVISED Governance Intergovernmental Agreement among the State of Oregon, through the Oregon Parks and Recreation Department, Clackamas County, Metro, and the City of Oregon City. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7e. Intergovernmental Agreement (IGA) Between the City of Gladstone and Oregon City for Rights-of-Way (ROW) and Geographical Information Systems (GIS) Management

Mr. Konkol said the City of Gladstone approached the City of Oregon City for help in implementing a right-of-way program and GIS systems management. This agreement would provide those services. He thought Oregon City could provide the services with the current level of staffing and resources and would recapture the costs plus a little extra. He was requesting approval to negotiate the agreement.

Mayor Holladay thought once the agreement had been negotiated, it should be brought back to the Commission before it was signed.

A motion was made by Commissioner Shaw, seconded by Commissioner Mengelberg, to continue the Intergovernmental Agreement (IGA) between the City of Gladstone and Oregon City for Rights-of-Way (ROW) and Geographical Information Systems (GIS) Management. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

7f. Furniture and Shelving Purchase for Library Expansion

Mr. Konkol said staff was requesting approval of expenditures for furniture and shelving for the new library addition which would happen in two phases. The expenditures were already in the budget.

A motion was made by Commissioner Shaw, seconded by Commissioner Smith, to approve the furniture and shelving purchases for the Library expansion. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

8. Consent Agenda

A motion was made by Commissioner Pauli, seconded by Commissioner Smith, to approve the consent agenda. The motion carried by the following vote:

Aye: 5 - Commissioner Brian Shaw, Commissioner Rocky Smith, Commissioner Carol Pauli, Mayor Dan Holladay and Commissioner Renate Mengelberg

- 8a.** Resolution No. 16-09, Relating to a 401(a) Money Purchase Plan
- 8b.** Personal Services Agreement for Contracted Public Works Construction Inspection Services with DRW - LLC
- 8c.** Personal Services Agreement for Landscape Maintenance Services for the Stormwater Division of Public Works with ValleyScapes, Inc.
- 8d.** Personal Services Agreement for Landscape Maintenance Services for the Street Division of Public Works with ValleyScapes, Inc.
- 8e.** Minutes of the March 16, 2016 Regular Meeting

9. Communications

a. City Manager

Scott Archer, Community Services Director, reminded the Commission about Measure 3-479, which would allow a property owner adjacent to the northwest end of

Wesley Lynn Park to build a new public road and a stormwater underground pipe on the park property. He was resigning from the City effective mid-May to be the new director of the North Clackamas Park and Recreation District.

Mr. Konkol announced the Earth Day Celebration would be held on April 23, 2016. The Commission would have a joint Work Session with the Planning Commission in May regarding marijuana regulations and affordable housing.

Bill Kabeiseman, City Attorney, discussed public meeting policies and how a quorum of the governing body could not meet in private for the purpose of deciding on or deliberating towards a decision on a matter. He then discussed current court cases where these issues had come up. A series of discussions might rise to the level of deliberation or decision and it was a fine line. The gathering of a quorum was lawful as long as it was social, but could become unlawful if the discussion took on the character of a deliberative purpose. The fine line was moving from information gathering to deliberation. Three people did not have to be in a room at the same time for a quorum. If three people were involved in a discussion, whether through text messages or two Commissioners met and then met other Commissioners and the discussion was deliberation on a decision, that was the problem. He explained the definition of deliberation as a discussion that would effect a decision.

b. Commission

Commissioner Shaw attended the TAC workshop and Library tour. He asked about the recent car crashes on 12th and Washington Street. Jim Band, Police Chief, said it was on the list of dangerous intersections, but it did not fit the criteria for a signal. A new traffic officer would be done with training soon which would give them two full time traffic patrol officers and one half time traffic patrol officer. There was a need to target enforcement in certain areas.

Commissioner Smith also attended the Library tour.

Commissioner Pauli attended the Library tour, Main Street Volunteer Open House, regular meeting, executive meeting, and retreat, and Willamette Falls Working Group meeting. The Willamette Falls Heritage Area Coalition would be meeting tomorrow.

c. Mayor

Mayor Holladay met with a group about a whitewater river park as part of the Willamette Falls Legacy Project. They had submitted the idea to the design collective. He was excited about the collaboration with Gladstone. He thanked John Lewis for the Public Works tours he gave.

10. Adjournment

Mayor Holladay adjourned the meeting at 8:50 PM.

Respectfully submitted,

Kattie Riggs, City Recorder