

Memorandum

Date: May 6, 2011

To: John Kovash, Mayor
Members, West Linn City Council

From: Chris Jordan, City Manager 

Subject: Miscellaneous Items

Metro Letter Regarding Urban Growth Boundary

This week I received a copy of a letter from Metro's Acting Chief Operating Officer Dan Cooper inviting us "to submit any additional urban reserve areas that you would like considered as part of the growth management discussions this fall." Previously, staff has informed Metro that there are no such areas that we would want considered. Council should advise staff if there is a desire to alter our previously stated position.

On this same subject, you may have received an e-mail this week from the address "Hidden Springs Neighborhood Associates." (Please note that this is not the Hidden Springs Neighborhood Association.) The e-mail indicated that Lake Oswego is considering requesting an amendment to bring the park and open space property at Luscher Farm into the UGB. This is not true – the Lake Oswego City Council has already decided not to take this action.

Possible Amendment to Ordinance No. 1518, Clackamas Cable Access Agreement

The Mayors of Oregon City and West Linn, along with the two City Managers and some West Linn appointees to the Clackamas Cable Access Board (CCAB), have been discussing possible changes to the IGA that formed the CCAB to more clearly define roles and responsibilities. The main issue is that the volunteer members of the CCAB have been put in a position where they not only establish cable access policies, but also become responsible for management and operations of the Willamette Falls Media Center. This creates a very difficult situation for these individuals who may have been appointed to the CCAB based on their interest in cable access television, but then are responsible for management, financial, and operational oversight of a studio with a budget of approximately \$600,000 annually that includes contracts with other public agencies.

While we continue to review several alternative means of providing this important service to our citizens (including the possibility of joining the Metropolitan Area Communications Commission which provides this service to all of Washington County, Lake Oswego, and Milwaukie), we believe it worth considering a amendment to the existing IGA to ensure appropriate financial and operational oversight. The amendment currently being reviewed by the City Attorney, is as follows:

"Section 9 of the CCA IGA dated June 15, 2005 is repealed. Further, there is created a Municipal Oversight Committee (MOC) consisting of the City Managers of Oregon City and West Linn, or their designees. Notwithstanding any other provision of the IGA, the MOC shall have

authority over all aspects of the CCA enterprise including but not limited to overseeing the CCAB, the personnel and the fiscal management of the enterprise. The MOC may delegate any of its responsibilities to the CCAB or the staff of the enterprise as it deems appropriate."

Provided that this language is approved as to form by the City Attorney and is agreed to by Oregon City, we will ask the Council to approve it (or something similar) in the very near future.

Police Station

As we continue to move forward on our planning for a new police station, we are hoping to initiate a community conversation about this project at an upcoming City Council meeting. We hope that this might be May 23, but is dependent upon several factors. We will let you know as soon as possible, and aggressively market the selected date for the community conversation so task force members and the community at large can attend and ask questions.



April 29, 2011

Mayors and County Chairs:

The Metro Council has directed me to deliver a recommendation to the Metro Council and the region for addressing the residential and large-site industrial capacity gaps identified in the 2009 Urban Growth Report. As you know, last year Metro staff initiated an assessment of the suitability of urban reserve areas for possible inclusion in the urban growth boundary (UGB) prior to the Land Conservation and Development Commission's partial remand of the urban and rural reserves in October 2010. Now that Metro and Clackamas, Multnomah and Washington counties have re-adopted urban and rural reserves for the region, it is time to re-start the assessment of the urban reserves for possible inclusion in the UGB.

I've attached a map indicating the study areas that were initially assessed by Metro staff in 2010. Also identified on the map are those supplemental areas that jurisdictions requested, which were also included as study areas by the Metro Council. These study areas will be carried forward for this year's efforts. With this email I'm inviting you to submit any additional urban reserve areas that you would like considered as part of the growth management discussions this fall. Local government support is critical for provision of infrastructure, governance, and planning, which is why I'm asking that all additional areas for consideration be sponsored by local governments.

I am requesting that all submittals be received by my office by **Friday, May 20, 2011**. All proposals received will be forwarded to the Metro Council for their determination of urban reserve areas to be studied. This decision will be made on May 24, 2011. The Council's determination of urban reserve study areas will provide the basis for my recommendation, which is scheduled for July 5, 2011. Your submittals should include the following:

- A formal letter of support from the governing body of your jurisdiction;
- A map of the subject area; and
- An assessment of how the subject area is responsive to Metro's legislative UGB amendment criteria, contained in Metro Code Section 3.07.1425(C), which is attached.

Thank you for your continued partnership and please contact me if you have any questions. Your staff should contact Tim O'Brien, Principal Regional Planner at Tim.O'Brien@oregonmetro.gov or 503-797-1840 to discuss details regarding the assessment process.

Sincerely,

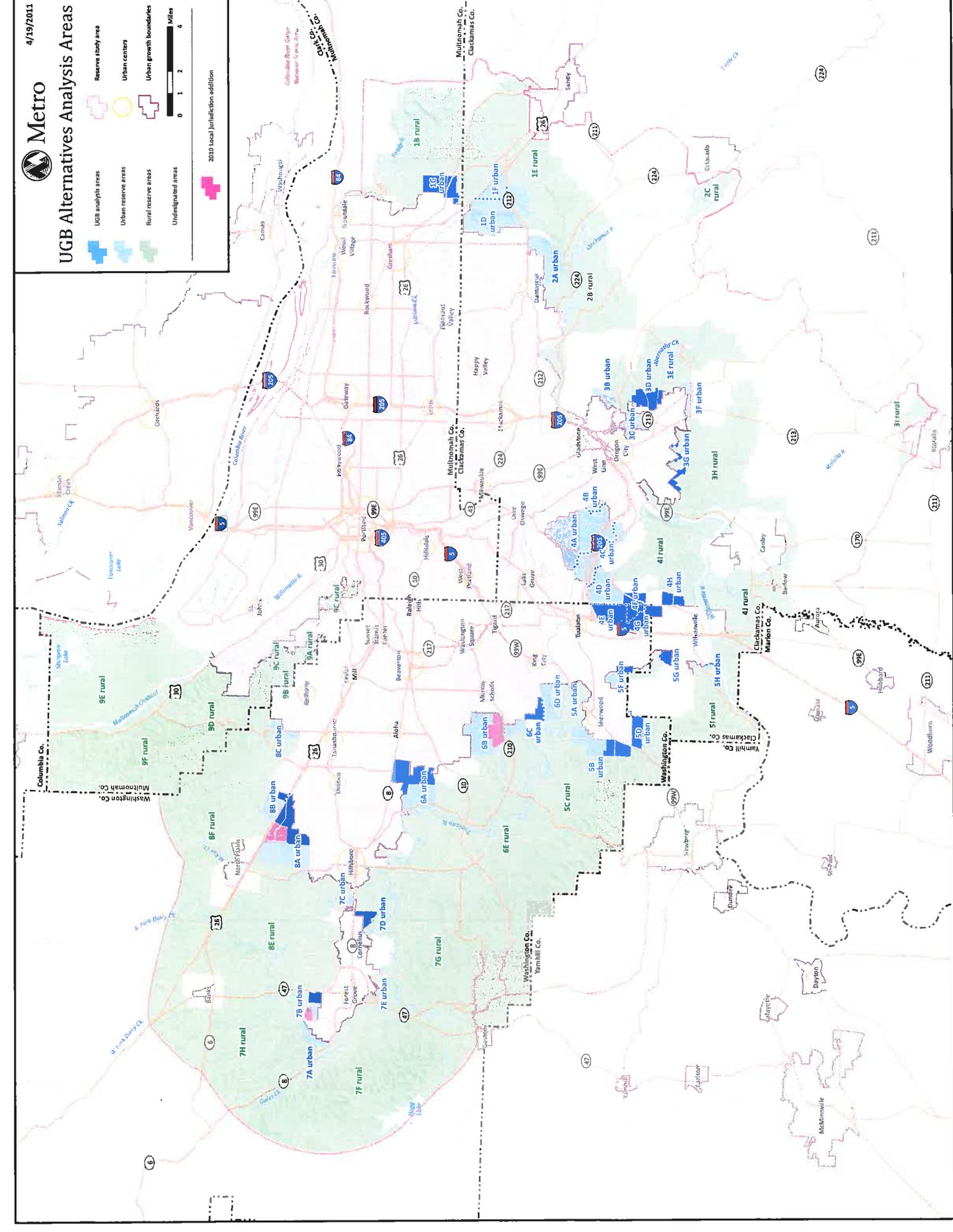
Dan Cooper

Acting Chief Operating Officer



UGB Alternatives Analysis Areas

- UGB analysis areas
- Urban reserve areas
- Rural reserve areas
- Undesignated areas
- Reserve study area
- Urban centers
- Urban growth boundaries



Memorandum

Date: May 6, 2011

To: John Kovash, Mayor
Members, West Linn City Council

From: Chris Jordan, City Manager *cf*

Subject: May 9 Agenda Update and Pre-meeting Work Session

The council is scheduled to hold a regular meeting at 6:30 on May 9 and a pre-meeting work session at 6:00. Based on the May 2 work session, we have attached the following information:

- For the pre-meeting, attached is a letter from Metro Councilor Barbara Roberts discussing re-districting of Metro districts. If the Council wishes to submit comments on any proposed re-districting, it should be discussed on May 8.
- Intergovernmental Agreement with the Secretary of State. Per the Council's request, attached is the Proposed Workflow for the transition to the electronic records management system. The Council also asked for information about the rebate once 20,000 users are subscribing to the system. According to the Secretary of State's office, the rebate will be \$8.76 per month per user meaning that the City will be charged \$1.78 per month per user rather than the projected \$10 for everyone else using the system. This would likely mean a savings of about \$1,000 per month. I'd also like to point out that there was small error on the agenda bill: the total budgeted for this project in the approved biennial budget is \$97,000, not \$46,000.
- Parliamentary Procedure: At the Mayor's request we have included in your packet the following documents: "*Robert's Rules for Raising a Point of Order*", by C. Alan Jennings; and a four page pamphlet entitled "Parliamentary Procedure."
- Changes to Meeting Notes. Council President Carson had a few minor changes to the minutes set for approval. Those changes are attached.

Attachments

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700
503-797-1804 TDD
503-797-1797 fax

www.oregonmetro.gov



April 29, 2011

The Honorable John Kovash
Mayor, City of West Linn
22500 Salamo Road
West Linn, OR 97068

Dear Mayor Kovash:

As the Metro Councilor who is leading the effort to reapportionment of Metro Council districts, I am writing to request your prompt comments and **feedback**—and those of your **colleagues**—on a set of three options the Council is considering.

Every ten years, following the completion of the U.S. Census, the Metro Council is required to evaluate whether each of its six districts are of relatively equal population and adjust the district boundaries as necessary to provide for equal representation. The results of the 2010 U.S. Census indicate that the populations of a few of the Metro Council districts vary significantly from the average district population, which is now 248,362.

Federal law requires that no district will vary in population more than five percent above or below the average population. The Council will also give consideration to existing precincts and, to the greatest extent possible, will maintain communities of interest. Such communities of interest are represented in cities under 15,000 in population, regional centers, town centers, school districts, established neighborhood associations, neighborhood planning organizations, community planning and participation organizations and other similar groups as specifically defined by the Metro Council.

We have posted three maps to our website at www.oregonmetro.gov/redistricting for public review and consideration. The website includes descriptions of how each of the three proposals differs from the current district boundaries. The Metro Council is scheduled to adopt a final reapportionment map on Thursday, May 19. The ordinance with a preferred map will be introduced for a first reading on Thursday, May 12, so we would especially appreciate your comments and feedback, and those of your colleagues, before May 12 if possible. (Please remember that any suggestion to make changes on any of the maps impacts other Metro districts, so if you recommend changes to any one district on any of the options presented, please indicate what other areas you would change to bring all six districts close to equal population.)

Written comments should be directed to Tony Andersen in the Metro Council office through e-mail at tony.andersen@oregonmetro.gov or by regular mail at 600 NE Grand Ave., Portland, 97232.

Thank you in advance for your comments and insights.

Regards,

Barbara Roberts
Metro Councilor, District 6

Proposed Workflow Draft City of West Linn

May 10th

IGA with Secretary of State reviewed and signed by West Linn City Council. Agreement is sent to the State Archives for Mary Beth Herkert's signature. At some point prior to record entry into TRIM, the City of West Linn will enter into a Service Level Agreement with Chaves Consulting in Baker City Oregon.

Week of May 16th or May 23rd

Archives staff will meet with West Linn Project Team to go over roles and responsibilities and set up a project schedule and start date. West Linn will provide the Archives with a current organizational chart, showing Department, programs and staffing.

Once a start date has been agreed upon the following will occur:

A meeting will occur on the start date to determine the order of meetings with the city's departments. Once this has been determined, meetings will be scheduled with the departments at the top of the list to start developing file structure. Initial meetings will be one hour in which Archives staff meets with a representative of the program to go over business processes and types of records created. We will also take this time to ask if there are any new processes that they want to add or any that they would like to change. We may ask to look at existing file servers to see how things are currently organized and may ask for a print of this to help us ensure that we can construct the most accurate file structure. We will follow this process until we have met with every program in every department of the City. Actual time needed to complete this task will depend upon the number of programs and departments in the City.

Once the above information has been gathered, the State Archives staff will build the following and review it with the City:

File classifications – are based on the work that the city performs and will carry retention and access information.

Record types will be built by Archives staff based upon feedback from the City regarding its filing structure and other City needs.

User Profiles - Every user will have a profile. Profiles will be determined by the City's Project Team. The Project Team should meet, prior to this step, with each department to determine user rights and access within each Department and within the city.

When Record Types and User Profiles are determined, TRIM will be configured for West Linn. When the configuration has been completed, records are ready to be put into TRIM. Training will be given to each West Linn user designated as Information Manager as well as training for end users, by Archives staff. Records will be put into TRIM and retrieved from TRIM during the training sessions with each user.

Project phase ends.



AGENDA BILL 2011-05-09-03

Subject: Secretary of State Intergovernmental Agreement

For Council: May 9, 2011

Land Use Case Number: N/A

Public Hearing: No

City Manager's Initials: CJ

Attachments:

1. Staff Memorandum to City Manager
2. Intergovernmental Agreement between the Oregon Secretary of State (SOS) and the City

Initiated by:

- City Recorder Kathy Mollusky

Budget Impact:

- There is no cost for the Initial Term with the Secretary of State.
- The cost will be \$37.02 per user per month with a projected cost of \$10.54 per user per month in the fifth year of the program.
- The City has around 100 users (Parks 9; Finance 7; Court 3; Police 30; IT 3; Public Works 5; Engineering 10; Human Resources 3; Library 10; Planning 7; Administration 5) for an estimated cost of \$3,702/month or \$44,424/year.
- There is \$46,000 budgeted for FY 2012 and \$51,000 for FY 2013.

Sustainability Considerations:

- Oregon PERS records office used to use 10 cases of paper per week, after switching to the Electronic Records Management System (ERMS) they use 1 case per month. The City of West Linn uses between 10 to 14 cases per month, we estimate our use will go down to 1 case every 3 months after moving to this system if we are as adept as Oregon PERS records office.

Policy Question(s) for Council Consideration:

- Are the benefits of automatically complying with State public records law, greater transparency, and easily retrievable records by both citizens and staff worth the expense to implement this system?

Summary:

- Currently, records requests are a labor intensive, potentially liable process for the City. Having the SOS Archives Division assisting the City in implementing the ERMS will ensure our records are stored, retained, and destroyed as required by State law.

Recommended Motion:

- *I move to approve the Intergovernmental Agreement with the State of Oregon, Secretary of State Archives Division and authorize the City Manager to sign it.*

Robert's Rules for Raising a Point of Order

By C. Alan Jennings, PRP

5 of 8 in Series: The Essentials of Robert's Rules for Subsidiary Motions

Rules are put in place to protect members' rights, and when the rules aren't followed, those rights can get trampled. Fortunately, Robert's Rules says that any member who notices a breach of the rules has a right to call immediate attention to the fact and insist that the rules be enforced by raising a point of order.

If you notice a breach of the rules, especially if that breach impinges on your rights or the rights of other members, you rise — quickly, mind you, even if you interrupt a speaker, or you'll be too late — and say, "Point of order, Madam President!" or "Madam President, I rise to a point of order!"

When you're recognized, you state your reasons for thinking your organization's rules aren't being followed correctly. The president, hopefully, recognizes the validity of your point and goes back to following the rules.

A point of order can be raised at any time when any member notices a violation of the rules. The chair's duty is to make a decision, called a *ruling*, on the point of order. She may need to check the rules or the bylaws, or ask the parliamentarian for advice, but in any case, a point of order is usually ruled on in one of two ways: The point is declared either "Well-taken," or "Not well-taken," and a short explanation of the ruling is given.

Sometimes, however, the point being raised is not as clear as whether a member's motion is being handled correctly. The point of order may, for example, be that a proposed amendment is not germane to the main motion. In that case, the chair may reasonably be in doubt (or may just prefer to let the assembly decide the point in the interest of harmony). If that's the case, she responds, "The chair is in doubt on the member's point. All those who consider the amendment germane will say aye . . . Opposed, no . . . The ayes have it and the amendment is germane."

A point of order

- Can interrupt a speaker who has the floor.
- Doesn't need to be seconded.
- Isn't debatable.

- Can't be amended.
- Is decided by the chair.
- Can't be reconsidered.

Related

Robert's Rules on Basic Motions

The Essentials of Robert's Rules for Establishing a Deliberative Body

Robert's Rules for Conducting Elections

The Principles of Parliamentary Procedure according to Robert's Rules

The Different Types of Rules that an Organization Creates

Robert's Rules for Voting by Ballot

Robert's Rules for Productive Meetings: Use an Agenda

Robert's Rules for Participating in Meetings

The Robert's Rules Process for Handling a Main Motion

Robert's Rules on Absentee Voting

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Proclamations, Recognitions and Presentations

Community Comments

Alice Richmond expressed concern about the tragedy that happened. She is worried about the unlocked Council door and lack of security cameras. Regarding the Lake Oswego-Portland transit, Monday, January 24 at Lakewood theatre is another chance for public comment and later downtown at Metro. She would like citizens in West Linn to cooperate with and watch each other. It is nice to have different opinions, but no more animosity.

Bob Stowell voted no on the water measure because he is on a fixed income. Gas, PGE, street fees, food, etc. costs are increasing. Citizens cannot afford an aquatic center. He feels the YMCA should build the aquatic center like they did in Sherwood. He inquired as to where the water rate increase of 5% per year goes. He wants Council to think about how these things affect citizens in the community who are on fixed incomes.

Bob Thomas hopes there will be more civility with the new Council. He feels improvements made to the Horton and View Drive pump stations fulfill the need for build out and does not believe the booster station is needed. He asked Council to review the 2004 and 2008 Water Master Plans cover to cover.

Report from the City Manager

None.

Business from the City Council

Appointment to South Fork Water Board

Council President Carson informed everyone that Mayor Kovash recommended appointing Councilors Jones and Carson to the South Fork Water Board. Mayor Kovash is automatically appointed to the South Fork Water Board.

Councilor Jenni Tan moved to appoint Councilors Jones and Carson to the South Fork Water Board. Councilor Mike Jones seconded the motion.

Ayes: Councilor Mike Jones, Council President Jody Carson, and Councilor Jenni Tan.

Nays: None.

The motion carried 3 - 0

Council President Carson reminded citizens that the Oregon City-West Linn Arch Bridge is closing this Saturday, January 15. The Willamette Falls Heritage Commission is hosting a bridge closing event from 2:00 p.m. to 4:00 p.m.

Area Coalition

Final Action: Election Law Penalty

Councilor Mike Jones moved to lessons learned. The City Council has reviewed the elections division penalty against the City Manager and considers it lessons learned. The lessons learned are that all submittals will be pre-approved by the attorney general's office and that staff will be given adequate time to do a thorough job. The Council recognizes that election law is complex as well as subjective and therefore requires the Council, City Attorney, and City Manager to be diligent in the future. The lessons learned were that there were several errors and the City Manager ended up being responsible for those errors. Council President Jody Carson seconded the motion.

Councilor Tan reviewed the City Manager's employment file. There is no documentation of past violations or history of this type of issue. Councilor Tan believes the appropriate governing body has issued their penalty and this will go into the City Manager's permanent file. Councilor Tan supports this motion.

Councilor Cummings reviewed the full report. It gives more detail about what non-persuasive, completely factual language the City may use. Councilor Cummings would like documents such as resolutions, ordinances, etc. reviewed by the City Attorney before they are sent out. Councilor Cummings is not convinced this matter is completely over with. She advises Council to investigate what else was involved, like how much money was spent.

Mayor Kovash feels the motion will put this behind us. The City has learned and gained benefit from this unfortunate situation. It is a subjective issue on what is persuasive. The City will submit information to the State in the future.

Ayes: Council President Jody Carson, Councilor Mike Jones, Mayor John Kovash, and Councilor Jenni Tan.

Nays: Councilor Teri Cummings.

The motion carried 4 - 1

Council President Carson gave a brief report on the Regional Water Consortium. The Consortium focuses on three main areas. The first one is how citizens can conserve water. The second thing the Consortium does is regional mapping - a map of all the interties between all the different water facilities so if there is an emergency they will have the ability to make sure areas impacted will have water. The third function is to develop a statewide integrated water resources strategy to focus on understanding Oregon's water quality, water quantity, and ecosystem needs which will be adopted by December 31, 2012. More information can be found on their website www.conserveH2O.com

Councilor Cummings reminded everyone there is an upcoming meeting regarding the Lake Oswego-Portland transit project. She wants Council to come up with group statement voicing Council concerns. She feels Council needs to clarify that we do not see a benefit to West Linn and this could be detrimental to our area.

Write out which motion, not just change.

(1) 99.030B the word president be deleted; (2) 52.109E(1)a be deleted and rest of the items be re-lettered; (3) 52.109E(1)e which now becomes 52.109E(1)d be amended "...parking meters, with the exception of stake signs which can be placed in the ground." Councilor Mike Jones seconded the motion.

Ayes: Council President Jody Carson, Councilor Teri Cummings, Councilor Mike Jones, Mayor John Kovash, and Councilor Jenni Tan.

Nays: None.

The motion carried 5 - 0

Agenda Bill 2011-02-14-08: Authorize the City Manager to sign the Intergovernmental Agreement (IGA) with the City of Milwaukie

City of Milwaukie IGA

Finance Director Richard Seals and Assistant Finance Director Casey Camors staff report.

Councilor Jones appreciates that the Intergovernmental Agreement (IGA) is easy to read and understand.

Councilor Cummings asked staff to explain what the plan is if West Linn needs the staff back. Mr. Seals clarified there is a 60-day written termination clause for either city.

Councilor Jones inquired what is the effect on City revenues? Mr. Jordan stated revenues increase by \$100,000 for the first year and 3% every year after. There are some costs associated with that which gets to the next item on the agenda, a resolution increasing salaries. The net is around \$60,000 to \$65,000 revenue.

Mayor Kovash expressed appreciation to the City Manager for his creativity. This gives opportunities to two of our employees and it helps the cities of West Linn and Milwaukie.

Council President Jody Carson moved to approve the Intergovernmental Agreement (IGA) with the City of Milwaukie and authorize the City Manager to sign it. Councilor Jenni Tan seconded the motion.

Ayes: Council President Jody Carson, Councilor Teri Cummings, Councilor Mike Jones, Mayor John Kovash, and Councilor Jenni Tan.

Nays: None.

The motion carried 5 - 0

Agenda Bill 2011-02-14-09: Resolution 2011-03 Creating the position of Chief Financial Officer (CFO) and Amending City's Compensation Plan