

## Memorandum

**Date:** January 13, 2012

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

**From:** Chris Jordan, City Manager 

**Subject:** January 17 Work Session

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The City Council is scheduled to meet in a work session on Tuesday, January 17 at 6:00. The agenda includes:

- The first part of the agenda is a Citizens Budget Committee Meeting. The agenda includes a discussion with representatives from the League of women Voters who have been doing a study of local budgets. Also included is a review of the quarterly financial report and the proposed Supplemental Budget which is on the Council's agenda for January 23.
- West Linn Charter Chapter XI. At the January 9 Council meeting, the Council postponed action on placing a ballot measure before the voters in order to have a discussion about another possible amendment to the same section of the Charter. The Mayor raised the concern about the underground utilities requiring a vote when the utility itself does not impact the use of the park or open space property for its intended purpose. In an effort to help facilitate this discussion, I've prepared a couple of options the Council may wish to consider. The attached options are for discussion purposes only and have not been reviewed by the City Attorney's Office. The City Attorney's office will have a representative at the work session to assist in this discussion and take direction from the Council.
- Review of the January 23 agenda. Parks and Recreation Director Ken Worcester will be in attendance to help describe the proposed changes to the tree code. The City Attorney's office will be there to highlight the proposed changes to the City's contracting rules.

We had intended to brief the Council on the Planning department's work plan and to have a discussion of the Highway 43/Willamette Falls Drive visioning process. However, due to staff illness, we have postponed that discussion to February 6.

### **Council Schedule**

The Council is scheduled to conduct interviews with candidates for the Planning Commission and Citizens Budget Committee at 5:30 on January 18 at the Library. Also, the Council will be meeting on January 23, and meeting with the Board of Tualatin Valley Fire and Rescue on January 24.

Attachment

West Linn City Charter

Chapter XI

Section 46:

Option 1:

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(b) For the purposes of this section the term “nonauthorized use” shall have the following meanings: (1) A nonauthorized use for a City owned park shall be the siting or construction of facilities that are not directly required for the park’s use. Only facilities directly necessary for the park’s use shall be considered authorized. Uses that shall be specifically considered to be nonauthorized in connection with parks are: water reservoirs, water tanks, telecommunication towers, residential housing, City offices, commercial buildings, parking facilities (excepting that parking needed for the use of the park) and roads (except as needed for park access). (2) A nonauthorized use for City owned open space shall be the siting or construction of facilities that are not directly required for the maintenance for the maintenance of the open space or use of said open space as open space. Only facilities directly necessary for the use of the open space shall be considered authorized. Uses that shall be specifically considered to be nonauthorized in connection with open space are: water reservoirs water tanks, telecommunication towers, residential housing, City offices, or commercial buildings. (3) The nonauthorized use designation shall be understood to exempt temporary constructions authorized by the West Linn parks Department for picnics, fairs, sports events, parades and community and neighborhood celebrations. (4) The construction of an underground utility through a City owned park or open space is an authorized use with the approval of the West Linn City Council as long as the easement site is restored to its pre-existing condition to ensure the continuation of public outdoor recreation use of the easement area within 12 months after the ground within the easement area is disturbed. (5) Uses that are in existence as of the effective date of this section shall not be considered nonauthorized uses.

Option 2:

(b) For the purposes of this section the term “nonauthorized use” shall have the following meanings: (1) A nonauthorized use for a City owned park shall be the siting or construction of facilities that are not directly required for the park’s use. Only facilities directly necessary for the park’s use shall be considered authorized. Uses that shall be specifically considered to be nonauthorized in connection with parks are: water reservoirs, water tanks, telecommunication towers, residential housing, City offices, commercial buildings, parking facilities (excepting that parking needed for the use of the park) and roads (except as needed for park access). (2) A nonauthorized use for City owned open space shall be the siting or construction of facilities that are not directly required for the maintenance for the maintenance of the open space or use of said open space as open space. Only facilities directly necessary for the use of the open space shall be considered authorized. Uses that shall be specifically considered to be nonauthorized in connection with open space are: water reservoirs water tanks, telecommunication towers, residential housing, City offices, or commercial buildings. (3) The nonauthorized use designation shall be understood to exempt temporary constructions authorized by the West Linn parks Department for picnics, fairs, sports events, parades and community and neighborhood celebrations, as well as underground facilities that do not permanently disturb the surface of the property. (4) Uses that are in existence as of the effective date of this section shall not be considered nonauthorized uses.