



## Memorandum

Date: May 10, 2018

To: West Linn City Council, City Staff and Readers

From: Eileen Stein, City Manager

Subject: City Manager's Weekly Report – May 10, 2018

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### Schedule

- An Executive Session was added to the May 14 agenda to discuss pending litigation. It will start at 5:00 p.m. You also have one scheduled for May 22 from 1:00-3:00 p.m. also for litigation pending or likely to be filed.
- The Peace Pole Dedication event is scheduled for May 22 at 4:00 p.m.
- The June business meeting will continue to be held on June 18. The second work session is June 25.
- The next Town Hall will be held on June 20 at a location TBD. A lead-off topic is being determined.

### Information Items

- Citizen Advisory Group Vacancies. We have received seven applications to the Economic Development Advisory Committee and three applications to the Utility Advisory Board. We have not received any for the Public Safety Advisory Board, yet. The applications are in your Drop Box.
- High School Parking Mediation. The mediation session was held on Tuesday, May 8. The Council will receive a report on May 14 in Executive Session. (See schedule above.)
- Councilors as Employees. At your meeting this week, the question was raised about why councilors are considered employees that receive W-2s instead of 1099s like independent contractors. An elected official is a volunteer who is minimally compensated for the commitment. Federal tax regulations consider elected officials to be “public employees” for tax and payment purposes, which is explained at: <https://www.irs.gov/government-entities/federal-state-local-governments/tax-withholding-for-government-workers>. In contrast, an elected official is not an employee for purposes of Fair Labor Standards Act (wage & hour laws), ORPLRA (labor relations), Title VII of the Civil Rights Act (employment discrimination based on protected class), Age Discrimination in Employment Act, the Affordable Care Act (healthcare reform), or the Unemployment Insurance Act. In summary, there is not a universal determination of how members of a city council are treated by virtue of receiving compensation through a stipend.
- Implicit Bias Training Video. Officer Dana Gunnarson is currently enrolled in the law enforcement training academy in Salem. She is participating as one of the role players in a training video the academy is producing for statewide use on implicit bias awareness. This is great exposure for the West Linn Police Department, showing leadership on implicit bias training, that the department is

committed to training in this area, and will help with recruitment. Interim Chief Hennelly will share the video once it is available.

- Tri Met Listening Sessions. TriMet General Manager, Doug Kelsey will host a series of town hall listening sessions and wants to hear ideas, concerns, and answer questions about TriMet. Come by the session of your choice, have a snack and get a free \$5 Hop card (supplies limited). You can also meet the TriMet board member who represents your neighborhood. Learn more and RSVP at [trimet.org/hello](http://trimet.org/hello) or respond directly to [listeningessions@trimet.org](mailto:listeningessions@trimet.org).
- Forest Grove Field Trip. I reached out to the City of Forest Grove about a second field visit for the entire Council. The report came back that Forest Grove Councilors Rippe and Thompson thought the tour went great and they answered a lot of questions for the West Linn councilors. It is really up to West Linn if they still feel a need to come as a group later in June. The initial date of Wednesday, June 27, was tentatively scheduled with Ride Connection but I believe that date did not work for West Linn councilors. Let us know if there are other date options and they will check with Ride Connection staff and the Mayor Truax's calendar to see if they are available.
- Cigarette Retail Licensing Fee. I attended the monthly meeting of Clackamas County city managers and we received a presentation from Clackamas County Health Department staff about efforts being explored to implement a county-wide cigarette retail licensing fee to help pay for Health Department programming. More information will be forthcoming in the future, but cooperation will be needed from cities to capture information about every tobacco and vaping retail outlet in the county, including within the cities.
- Community Grants. The Citizens Budget Committee met this week, reviewed the grant applications and made funding recommendations. Their recommendations will be presented to the Council at the June 4 work session.

That's it for this week.

*Eileen*