



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, November 09, 2021 at 6:00 PM

CONVENE WORK SESSION AND ROLL CALL

Mayor Lyles Smith convened the meeting at 6:03 PM.

PRESENT: 5 - Mayor Rachel Lyles Smith, Commissioner Rocky Smith, Commissioner Denise McGriff, Commissioner Frank O'Donnell, and Commissioner Adam Marl

STAFFERS: 11- City Manager Tony Konkol, Asst. City Recorder Jakob Wiley, Community Development Director Laura Terway, Econ. Dev. Manager James Graham, Library Director Greg Williams, Finance Director Matt Zook, Parks & Rec. Director Kendall Reid, Public Works Director John Lewis, City Attorney Bill Kabeiseman, Human Resources Director Patrick Foiles, and Asst. to the City Manager Lisa Oreskovich

FUTURE AGENDA ITEMS

1. List of Future Work Session Agenda Items

Tony Konkol, City Manager, mentioned some changes for the December 7th Work Session related to receiving American Rescue Plan Act of 2021 (ARPA) funds. The City Commission and Mr. Konkol also discussed the planned meeting topics in early-2022.

DISCUSSION ITEMS

2. Presentation Regarding FCS Rate/SDC Benchmarking Study

John Lewis, Public Works Director, introduced John Ghilarducci, principal with the FCS Group and provided the presentation, which outlined the key characteristics of rates and system development charges (SDCs). the benchmarking study plan which consists of twenty Oregon cities and evaluates on three sets of customer characteristics.

Commissioner O'Donnell commented that he is interested in looking at cities that are comparable in city size. Commissioner Marl would like to see Gladstone and Happy Valley added to the list of cities. Commissioner McGriff would like to see Portland, Gresham and Beaverton as outliers. There was discussion on other comparable cities to consider.

Commissioner O'Donnell asked clarification on the customer characteristics and there was discussion on what businesses should be considered in the study, in light of economic development efforts. The City Commissioners agreed to add retail and hotels as a category. Commissioner Smith commented that he agreed with the two additions.

Mr. Ghilarducci reviewed additional development considerations regarding developer priorities, which include workforce availability, land prices and zoning flexibility. When priorities are met, developers are generally willing to pay reasonable connection charges and will choose SDCs rather than building off-site

infrastructure.

3. Discussion of the Mayoral Appointment Process to City Positions

Mr. Konkol provided the background. For at least the last two decades the practice in the City has been that the Mayor appoints the members for almost all City committees and positions, largely based on Section 20 of the Oregon City Charter. The Commission has now asked what limits there are on the Mayoral appointment power and whether the Commission as a whole may place limits or be required to be consulted as part of the appointment process.

Mayor Lyles Smith commented that she felt the City Commission was ready to discuss the topic and that she had not made appointments to many of the committees mentioned in the memorandum provided by William Kabeiseman, City Attorney, and felt that many of the committees were no longer active.

Commissioner Marl wanted to concentrate on the Planning Commission and the Historic Review Board (HRB) for the discussion and that the discussion should have taken place awhile ago. Commissioner Marl did receive feedback from the West Linn and Gladstone City Council members regarding the topic.

Commissioner Smith had mixed feelings on the topic and felt that it is the prerogative for any mayor to make appointments on their own or seek input from City Commissioners.

Commissioner Marl felt requiring other Commissioners' input on appointment would be a good checks-and-balance process to ensure consistency.

Commissioner O'Donnell felt the entire Commission should share the decision-making on appointments for the Planning Commission and the HRB.

Commissioner McGriff also agreed with Commissioners O'Donnell and Marl but also felt there should be a more thorough approach of examining applicants and their ability to get along with other committee members.

Mr. Konkol asked the Commission if they were interested in seeing the appointment process changed without requiring a public vote, through changing the municipal code by way of an ordinance and not changing the City Charter.

The Commissioners discussed the pros and cons of either approach and general consensus was reached to make a change to the City Charter regarding appointments. There was also discussion on cleaning up existing City Code language on removal of committee members and some general language changes to the section in the City Charter.

4. Discussion of Alternatives to the Current Method of Electing Commissioners to Fill Certain "Positions"

Under the Oregon City Charter Commissioners are elected to the Commission to fill certain "positions." The Commission wanted to explore alternative methods to elect commissioners, including a system that, when multiple commission positions are on the ballot, the two top vote-getters would be elected, rather than election by position.

Mayor Lyles Smith reviewed the prior occasions this discussion had been considered. Commissioner Marl felt the top two vote getters is the fairest approach.

Commissioner O'Donnell agreed with Commissioner Marl's comment and discussed the scenario of a third position vacancy and how that would be filled as outlined by Mr. Kabeiseman's memo. Commissioner Smith felt neutral on the topic.

Mayor Lyle Smith agreed with Commissioners Marl and O'Donnell and to keep the election process simple and fill any additional vacancy by Commission appointment.

There was discussion regarding the situation if a commissioner left a position early in a term and the pros and cons of appointing to complete the term of the departing Commissioner versus appointing and the appointee running for the position in the next election cycle.

Commissioner Marl commented that a "con" of a change is that voters may not understand or be aware and wind up not voting how they truly wish.

Commissioner McGriff commented that she felt it was important that the election process remain non-partisan. There was further discussion on balloting for elected positions and filling a position vacancy and that will depend on the amount of time remaining for the term.

Commissioners Marl and O'Donnell would like to see the elimination of term limits. There was further discussion on pros and cons of term limits and staff will return with recommendations and details at a future City Commission meeting.

CITY MANAGER'S REPORT

The City Manager did not have a report. Commissioner McGriff asked about the status of the November 2, 2021 vote on water infrastructure and Mr. Konkol indicated staff will be back to the Commission with recommendations based on the vote outcome. There was discussion on the ARPA funding and how the funds can and cannot be used.

COMMISSION COMMITTEE REPORTS

A. Beaver Creek Employment Area Blue Ribbon Committee - Commissioner Frank O'Donnell

Nothing to report.

B. Citizen Involvement Committee Liaison - Commissioner Adam Marl

A roundtable discussion was held and mixed comments were voiced. There was a feeling the City has much to work on.

C. Clackamas County Coordinating Committee (C4) - Appointed: Mayor Rachel Lyles Smith Alternate: Commissioner Adam Marl

The housing update, the housing implementation plan and multiple funding streams were discussed. ODOT will be presenting at the December 2021 meeting on the I-205 tolling.

D. Clackamas County I-205 Tolling Diversion Committee - Appointed: Commissioner Adam Marl Alternate: Commissioner Frank O'Donnell

A meeting is scheduled for November 15, 2021.

E. Clackamas Heritage Partners - Commissioner Rocky Smith, Jr.

There will be an upcoming event for the Grande Ronde Tribal Council to review the new film and an upcoming public premiere. They also discussed how to get the Trail Center reopened and on future

funding. There is also a discussion with the City on building a long house representation at the Trails End site.

F. Clackamas Water Environment Services Policy Committee –
Appointed: *Commissioner Rocky Smith, Jr.*

Nothing to report.

G. Downtown Oregon City Association Board - Commissioner Denyse McGriff

They are working on the four pillars of the Mainstreet program and also working on possible building façade improvements. Successful trick or treat event downtown before Halloween.

H. Metro Policy Advisory Committee (MPAC) - Appointed: Mayor Rachel Lyles Smith
Alternate: *Commissioner Denyse McGriff*

Mayor Lyles Smith attended the meeting on October 27th. The redistricting process is happening. Newell Creek Park grand opening is set for December 6th. There will be a presentation on the park opening at the November 17th City Commission meeting by Christine Lewis with METRO. There was discussion on the homeless population in the park as it is the jurisdiction of Clackamas County and not Oregon City. Regional solid waste rates and recycling were the primary meeting topics.

I. OC 2040 Project Advisory Team - Appointed: Commissioners Adam Marl and Denyse McGriff

A meeting will be held on November 10th. Results of the survey will be reviewed.

J. Oregon Governor's Willamette Falls Locks Commission - Mayor Rachel Lyles Smith

There was a meeting on October 27th. The commission is terming out at the end of December and clarification discussed on terms and they also elected new leadership. The new Locks Authority group will be forming.

K. Oregon City Tourism Stakeholder's Group - Appointed: Commissioners Frank O'Donnell and Rocky Smith, Jr.

Training for staff at tourism facilities have been held.

L. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Project Advisory Committee - Appointed: Commissioner Denyse McGriff

No meetings have been scheduled. Dialogue with West Linn Councilor Baumgardner on the topic.

M. South Fork Water Board (SFWB) - Mayor Rachel Lyles Smith, and Commissioners Frank O'Donnell and Rocky Smith, Jr.

They were able to go through the agenda. No meetings until January 2022. There was a discussion on the West Linn water supply issue and what the board can do to assist.

N. Willamette Falls and Landings Heritage Area - Appointed: Commissioner Denyse McGriff
Alternate: *Commissioner Frank O'Donnell*

First diversity training to be held on November 15th.

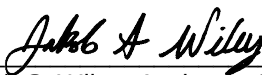
O. Willamette Falls Legacy Project Liaisons - *Mayor Rachel Lyles Smith and Commissioners Frank O'Donnell*

Nothing to report.

ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 8:26 PM.

Respectfully submitted,



Jakob S. Wiley, Assistant City Recorder