



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

AGENDA

Virtual Meeting
Tuesday, May 11, 2021 at 6:00 PM

VIRTUAL MEETING INFORMATION:

This meeting will be held online via Zoom and streamed live on the City's YouTube Channel: <https://www.youtube.com/channel/UC2MMAG8hRJFBtVY1i3WinoA>; please contact recorderteam@orc.org for any questions.

The Commission does not typically take public testimony at Work Sessions, you may submit written comments any of the following ways:

- Email at any time up to 12 p.m. the day of the meeting to recorderteam@orc.org.
- Phone call (Monday – Friday, 8 am – 5 pm) to 503-496-1505, all messages will be relayed.
- Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045

CONVENE WORK SESSION AND ROLL CALL

FUTURE AGENDA ITEMS

The Commission's adopted goals and available staff resources shall be considered when recommending future agenda items. The Commission may add an item to a future agenda with consensus of the Commission.

1. List of Future Work Session Agenda Items

DISCUSSION ITEMS

2. Clackamas Fire District #1 Wildfire/Park Place Update
3. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Update
4. House Bill 2001: More Housing Choices for Oregonians Presentation by Ethan Stuckmayer Senior Planner of Housing Programs at Department of Land Conservation and Development
5. Municipal Court Judge Recruitment and Selection Process

CITY MANAGER'S REPORT

COMMISSION COMMITTEE REPORTS

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

B. Brownfield Grant Committee - *Commissioner Frank O'Donnell*

C. Citizen Involvement Committee Liaison - *Commissioner Denyse McGriff*

D. Clackamas County Coordinating Committee (C4) - *Mayor Rachel Lyles Smith*

E. Clackamas County I-205 Tolling Diversion Committee - Appointed: *Mayor Rachel Lyles Smith* Alternate: *Commissioner Frank O'Donnell*

F. Clackamas Heritage Partners - *Commissioner Rocky Smith, Jr.*

G. Clackamas Water Environment Services Policy Committee -
Appointed: *Commissioner Rocky Smith, Jr.* Alternate: *Commissioner Denyse McGriff*

H. Downtown Oregon City Association Board - *Commissioner Denyse McGriff*

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

J. OC 2040 Project Advisory Team - Appointed: *Commissioners Denyse McGriff and Rocky Smith, Jr.*

K. Oregon Governor's Willamette Falls Locks Commission - *Vacant until State Appoints Mayor Rachel Lyles Smith*

L. Oregon City Tourism Stakeholder's Group - Appointed: *Commissioners Denyse McGriff and Rocky Smith, Jr.*

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

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

O. Willamette Falls and Landings Heritage Area - *Commissioner Denyse McGriff*

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

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 05/11/2021

SUBJECT:

List of Future Work Session Agenda Items

BACKGROUND:

May 24, 2021 – Special Work Session

Geologic Hazard Code Changes – Public Works Code Amendments Package #3

June 8, 2021

Possible Joint Work Session with Planning Commission – Comprehensive Plan Update

Metro Update on Transfer Station Progress and Site Selection

Parks Department Cost Recovery Policy and Discussion

Police Department Annual Report

Willamette Falls Trust and Willamette Falls Legacy Project Updates

July 13, 2021

Abandon and/or Semi-Abandon Buildings

Compatible Change Update

Land Use Training

August 10, 2021

City Boards & Committee Orientation Manual Changes

Commission Policies Review and Rules of Procedures

Cross Street and Utility Pole Banners

Follow-up on the Request for Recording Pre-Application Meetings

Additional Upcoming Items (These items are in no particular order)

Beavercreek Road Concept Plan (Thimble Creek) Funding Discussion

Canemah Area - Encroachments in the Right-of-Way Policy Discussion

Charter Park Discussion (Sportcraft Landing, McLoughlin Promenade, Ermatinger House, Dement Park/Property, and Clairmont Way)

Clackamas County Water Environmental Services (WES) Rate Differential

Clackamette Park Boat Ramp

Climate Action Plan Presentation (City of Milwaukie)

Code Enforcement Complaint Process

Construction Excise Tax

Ethics Training

Metro Food Waste Program Requirements - Annual Review

Oregon Main Street Update by Sheri Stuart

Parks Special Event Fees and Application Process

Parking Rate Increase for Permitted Parking in Downtown Oregon City (Green, Purple, Orange, etc. Zones)

South Fork Water Board - Mountain Line Easements Vacation

Street Tree/Sidewalk Discussions (Trailview)

Transportation Demand Management (TDM) Plan Implementation Update

Water System Risk and Resiliency Review

Willamette Falls Legacy Project Operations and Maintenance Discussion



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/11/2021

SUBJECT:

Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Update

EXECUTIVE SUMMARY:

The purpose of the Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan is to get an update on public engagement, discuss the two most promising potential bridge locations, and provide opportunities for community and local agency conversations to reimagine a new crossing.

BACKGROUND:

Oregon Department of Transportation (ODOT) – in partnership with Oregon City, West Linn, Clackamas County, and Metro – is initiating a planning effort to investigate the feasibility of a pedestrian and bicycle bridge across the Willamette River connecting Oregon City and West Linn. This project will identify potential bridge locations and provide opportunities for community and local agency conversations to reimagine a new crossing. A key component of this project is to consider the historical significance of the study area and evaluate crossing options with minimal impacts to natural and cultural resources.

This planning effort supports community desires to connect the regional active transportation network in this area. Pedestrians and bicyclists currently use the historic Arch Bridge (OR 43) which is the existing multimodal crossing in this area. Agency partners are interested in identifying a safe and reliable option for a low-stress connection between the two cities.

Today, no existing local or regional plans call for the construction of a new pedestrian and bicycle crossing of the Willamette River between Oregon City and West Linn. There are multimodal planned facilities at various stages of development (planned but unfunded, designed but unfunded, funded awaiting construction) within the identified study area on each side of the river.

A new pedestrian and bicycle bridge will enhance access for people walking and biking and provide the region with opportunities to reconnect with the river and enhance the

connection in the regional bikeway and pedestrian system. Completing the multimodal network with a river crossing creates essential access to and along the Willamette River between Gladstone, Oregon City, and West Linn.

The project team began work in November 2020 which included determining decision-making structure, roles and responsibilities of participants, preparing a Public Involvement and Communications Plan, as well as identifying key stakeholders and interested parties.

The project team will be sharing the results of the two most promising alignments for the pedestrian and bicycle bridge. These alignments were reviewed with a wide range of groups and representation that included the Project Leadership Team, Project Management Team, Project Advisory Committee, Technical Workshops, Stakeholder Interviews, Tribal Briefings and Feedback, Walking Tour Feedback, Focus Group Feedback, and a Virtual Open House.

The project team will also share the results of the Virtual Open House.

More information about the project can be found on the project website:

<https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=OCWLPBBCP>



CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 05/11/2021
From: Community Development Director Laura Terway

SUBJECT:

House Bill 2001: More Housing Choices for Oregonians Presentation by Ethan Stuckmayer Senior Planner of Housing Programs at Department of Land Conservation and Development

STAFF RECOMMENDATION:

Ethan Stuckmayer will provide an overview of House Bill (HB) 2001.

EXECUTIVE SUMMARY:

House Bill 2001 aims to provide Oregonians with more housing choices, especially housing choices more people can afford. The law, passed by the 2019 Oregon Legislature, expands the ability of property owners to build certain traditional housing types, like duplexes and tri-plexes, in residential zones. These housing types already exist in most cities but were outlawed for decades in many neighborhoods. These limitations contribute to increased housing costs and fewer choices. House Bill 2001 will require updates to local laws that currently limit the types of housing people can build.

Oregon City's recent equitable housing code amendments, adopted by the City Commissions in 2019, have already implemented many of the requirements of House Bill 2001. However, additional updates will be needed for full compliance.

This presentation is intended to provide the community with background on HB 2001. Staff is currently assessing the gaps between our code and the requirements of HB 2001. An overview of the project timeline, approach and a request for general policy direction is tentatively scheduled for the July 13, 2021 City Commission work session. Planning Staff will be working with boards, commissions, and community members in the fall and winter of 2021 to bring additional housing options to residential zoning districts and meet the requirements of the new state law by June 30, 2022.

A link to the Oregon City project page can be found below:

<https://www.orcity.org/planning/housing-choices-code-update-house-bill-2001>

House Bill 2001: More Housing Choices for Oregonians

In 2019, the Oregon Legislature passed House Bill 2001, a bipartisan bill to help provide Oregonians with **more housing choices**, especially housing choices **more people can afford**.

The new law lets people build certain traditional housing types that already exist in most cities, instead of being limited to a single housing type.

House Bill 2001 requires updates of local rules that have limited what sorts of housing people could build. These limitations have led to increased housing costs.

The Need for More Diverse, Affordable Choices

People need a variety of housing choices. Today, too many Oregonians are paying too much for the housing they have and are limited to renting or buying detached single-unit homes. Meanwhile, the composition of Oregon households is shifting; more than a quarter of households today are a single person living alone.



Before being outlawed, non-single-unit homes have long been built in our cities; this is a Salem triplex.

At different times in their lives, we have different needs. Imagine what sort of housing a young adult might want or be able to afford, or think of the needs of a retired person.

The Bill: Traditional Housing Types Allowed in Most Neighborhoods Soon

Under the bill, by June 30, 2021, Oregon's medium-sized cities must allow Oregonians to build duplexes in areas zoned for single-family dwellings. Most cities already allowed duplexes in certain circumstances.

By June 30, 2022, cities in the Portland Metro region and Oregon's other largest dozen cities (those over 25,000 population), must allow people to build duplexes, triplexes, fourplexes, cottage clusters, and townhouses in residential areas.

These houses can be more affordable and meet the housing needs of many younger people, older people, and people who work hard but can't afford a large detached house of their own.

The bill also provided \$3.5 million for technical assistance to cities, and has other details. Read the bill for details: olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2001/Enrolled

Siting and Design Flexibility; Transformation Expected to be Gradual

While the bill re-legalizes certain housing types, the bill is about choices. People can still build detached single-family homes. We expect most homes in residential areas to be built as such.

Cities can set reasonable siting and design requirements on the houses, including making sure there is adequate infrastructure. The bill directs the Department of Land Conservation and Development (DLCD) to help cities figure this out.

While the law allows traditional housing types, DLCD expects the transformation of housing choices to be gradual. Cities have allowed some of these types in certain areas. Not many have been built. Local knowledge of how to build these housing types will grow over time. The building of them will depend on local housing markets.

Learn More and Sign Up to Stay Informed

www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx

Ethan Stuckmayer, Senior Housing Planner, ethan.stuckmayer@state.or.us (503) 934-0619



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Human Resources Director, Patrick Foiles

Agenda Date: 05/11/2021

SUBJECT:

Municipal Court Judge Recruitment and Selection Process

STAFF RECOMMENDATION:

Staff recommends that the City Commission review and provide direction on the proposed Municipal Court Judge recruitment and selection process.

EXECUTIVE SUMMARY:

On April 7, 2021, Judge Laraine McNiece notified the Commission that she will be retiring effective June 1, 2021. This work session is an opportunity for the Commission to review, discuss and consider a proposed recruitment and selection process.

Staff has presented two draft documents for consideration and discussion.

1. Recruitment and selection process outline
2. Draft Job announcement/Job Description

The City Charter states that the Commission holds the authority to appoint the Municipal Court Judge. The Judge is hired as a City employee with an employment agreement with the City Commission.

The proposed process follows best practices, provides input from multiple perspectives, and allows the Commission to gather adequate information to make an appointment.

The job announcement document outlines the duties and responsibilities of the Judge, as well as the qualifications and experience expected of the position. The document provides candidates a clear understanding of the position and also acts as criteria to be judged and assessed throughout the selection process.

OPTIONS:

1. Direct staff to move forward with proposed recruitment process.

2. Provide staff with direction and any changes needed to meet the needs of the Commission.

Oregon City Municipal Court Judge Recruitment and Selection Process Outline

Item 5.

1. May 11 – Commission Work Session
 - Recruitment process timeline
 - Draft job announcement
 - Template employment agreement
2. Post job announcement for 3-4 weeks (May 15 – June 7)
 - Oregon State Bar job board
 - Clackamas County Bar Association
 - The Oregon Municipal Judge’s Association
 - City Website / Indeed.com / governmentjobs.com
3. Application review (week of June 14)
 - Team of four - Two commissioners, Judge McNiece, HR Director
 - Will review the applications based on criteria identified in the job announcement to identify top 8-10 candidates
4. Semi-finalist interviews
Panel of six conduct first round interviews.
 - Two Commissioners
 - *Two outside professionals – Retired Circuit Court Judge with City experience, Neighboring Judge, DA’s Office Attorney*
 - Two Staff – Court Manager / Police Chief
5. Final Round of Interviews – End of July
Top two or three candidates to be interviewed by whole Commission at a public meeting
6. Opportunity for public comment following interviews
7. Consideration of Employment Agreement (Executive Session) – Early August
8. Approval of final draft of Employment Agreement (City Commission Meeting)

City of Oregon City - Municipal Court Judge

Job Announcement

Oregon City is seeking an experienced and qualified attorney to perform the function of Municipal Court Judge. The Municipal Court Judge is the judicial officer for the city, presides over the Oregon City Municipal Court and is responsible for maintaining court procedures.

The Judge is appointed by the City Commission per The Charter of Oregon City Chapter V - Section 22.

Summary

The Municipal Court Judge's key function is to adjudicate violations of the Oregon Vehicle Code, misdemeanor crimes, and City Ordinances and to oversee court proceedings. The Judge is also responsible for applying relevant Supreme Court rules, State statutes, City ordinances, and case law when presiding over bench and jury trials, pre-trial conferences, arraignments, motions and other hearings. Municipal Court Judges are responsible for imposing sentences commensurate to offenses and within the parameters allowed by law. The Judge, in addition, works with other pro-tem judges and members of the greater Court team to establish the General Orders of the Court, to create and operate new programs for community enhancement, and to plan for the future evolution of the Court and its programs.

Essential Duties and Responsibilities

- Preside over trials and render judgements for misdemeanor crimes, violations of City ordinances, traffic violations, and any other cases within the jurisdiction of the Municipal Court. Provide for the orderly conduct of proceedings before the Court and before its officers.
- Perform duties related to arraignments, pretrial conferences, changes of plea, motions, trials, and other hearings.
- Maintain Court policy and procedures, including to review new laws, and adjust court policy and procedures to ensure conformity.
- Conduct contested-case hearings on alleged zoning, community development, nuisance, and building codes as well as other civil infractions.
- Review evidence and issue administrative warrants.
- Promulgate and update court rules and public information about court procedures.
- Communicate with the Mayor, City Commission, and designated individuals to keep them informed through quarterly reports on court operations.
- Establish and maintain effective working relationships with City Commission, court staff, City Prosecutor, City Attorney, and the public.
- Communicate complex legal ideas and/or decisions verbally and in writing to a variety of audiences in a clear, comprehensive, and professional manner.
- Actively support an inclusive and respectful work environment.
- Operate the Truancy/Attendance Court program and EVADD program.
- Perform other directly related duties consistent with the role and function of Municipal Court Judge.

Qualifications

Education, Training and Experience

- Juris Doctor law degree
- 5 years of experience in the area of criminal law, trial practice and/or as a judge, administrative hearings officer or arbitrator, or any equivalent combination of experience and training that demonstrates possession of the knowledge, skills and abilities to successfully perform the duties and responsibilities listed.
- Membership in good standing with the Oregon State Bar
- Strong knowledge of city ordinances, state of Oregon Traffic codes, and laws related to criminal misdemeanor offenses and violations.

Knowledge, Skills and Abilities

- Ability to establish positive working relationships with the public, City Commission and City Staff.
- Ability to build and maintain trust in our judicial system.
- Strong knowledge of court room procedure and trial operations.
- Knowledge and ability to create an inclusive workplace culture and advance equity principles.
- Ability to utilize technology and develop court room operations.
- Ability to listen with patience and communicate well with individuals from diverse backgrounds.
- Ability to be a fair and impartial arbiter of justice.

Other requirements

- Able to pass reference check and background check
- Must receive Oregon Criminal Justice Information Services certification within 30 days of hire.

Employment Term

The term of employment for this position is two years, unless sooner terminated as provided within the employment agreement. After the initial term, the contract may be renewed for successive two-year periods, unless the City or incumbent give notice of their intention to renegotiate the terms of the agreement or allow the agreement to expire.

Schedule and Hours

Oregon City Municipal Court schedules court every Tuesday of the month and expects two (2) to three (3) additional Wednesdays per month to hold Jury trial or Bench trials.

The Judge can generally expect to work 8 to 12 hours per week. (32 - 48 hours per month)

Hours are primarily worked at the Municipal Court offices located in the Robert Libke Public Safety Building. Additional time may be required outside of the office to include preparation, research, or communication.

Compensation

This is an exempt position and monthly salary range of \$4,000 to \$5,500 per month

Equal Opportunity Employer

The City of Oregon City is an Equal Opportunity employer. The City will continue to recruit, hire, train, and promote into all job levels without regard to race, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income, or protected veteran status. It is the City's policy to prohibit workplace harassment, discrimination and retaliation on the basis of protected status. The City of Oregon City is committed to creating a respectful and professional work environment that is free of harassment, discrimination, and retaliation and that promotes employment opportunities.

Persons of color, women and qualified individuals with disabilities are strongly encouraged to apply. If you wish modification of the selection process in order to accommodate a disability, please make your request in writing and submit it with your required application materials.

Veteran's preference

To be considered with Veteran's preference, please attach DD214 and any other supporting documentation.