

AGENDA

**WILSONVILLE CITY COUNCIL MEETING
MARCH 6, 2017
7:00 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr -Excused
Councilor Susie Stevens-Excused

Councilor Kristin Akervall
Councilor Charlotte Lehan

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

Executive Session is held in the Willamette River Room, City Hall, 2nd Floor

- | | | | |
|------------------|--|-----------|---------|
| 5:00 P.M. | EXECUTIVE SESSION | [20 min.] | |
| A. | Pursuant to ORS 192.660 (2)(e) Real Property Transactions
ORS 192.660(2)(f) Exempt Public Records
ORS 192.660(2)(h) Litigation | | |
| 5:20 P.M. | REVIEW OF AGENDA | [5 min.] | |
| 5:25 P.M. | COUNCILORS' CONCERNS | [5 min.] | |
| 5:30 P.M. | PRE-COUNCIL WORK SESSION | | |
| A. | Cost of Services Analysis for SMART (Loomis/Brashear | [15 min.] | Page 1 |
| B. | Frog Pond Infrastructure Financing Discussion (Neamtzu) | [45 min.] | Page 36 |
| C. | Water Treatment Plant Master Plan and WWSP
Coordination Briefing (Mende) | [10 min.] | Page 61 |
| 6:50 P.M. | ADJOURN | | |
-

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, March 6, 2017 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on February 21, 2017. Remonstrances and other

documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

7:00 P.M. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:05 P.M. MAYOR'S BUSINESS

- A. State of the City Address Presented by Mayor Knapp
- B. Upcoming Meetings

7:50 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

8:00 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

- A. Council President Starr
- B. Councilor Stevens
- C. Councilor Lehan
- D. Councilor Akervall

8:10 P.M. CONSENT AGENDA

- A. Minutes of the February 23, 2017 Council Meetings. (staff – King) Page 63

8:10 P.M. NEW BUSINESS

- A. Adopt 2017-19 Council Goals Page 95
- B. Adopt Revised City Council Protocol Manual
 - Redlined Version Page 98
 - Clean Version Page 175

8:30 P.M. CITY MANAGER'S BUSINESS

8:40 P.M. LEGAL BUSINESS

8:50 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:- Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual

2/28/2017 3:25 PM Last Updated

interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or king@ci.wilsonville.or.us



MEMO

Date: February 28, 2017

To: Mayor Knapp and members of the City Council

From: Stephan Lashbrook, Transit Director

Subject: Work Session on TMP Route and Schedule Cost Analysis

Purpose

SMART staff has now completed calculating the costs of proposed routes for the Transit Master Plan update. This new information will be added to the Future Bus Routes and Services chapter starting on page 75 of the current draft Plan. SMART staff will be presenting this information to the City Council in your work session on March 6th 2017.

Action

Given the importance of this new information, staff has asked to continue the Planning Commission hearing on the TMP until April 12th, 2017. This will give decision makers and the public sufficient time to consider this new information before the Planning Commission hearing.

A handwritten signature in black ink, appearing to read "Stephan Lashbrook", is written over a horizontal line.

Stephan Lashbrook

February 28, 2017

Attachment – New Information Included

New Service Priorities

The implementation of new service changes is dependent on availability of funding and the progress of new development projects in and around Wilsonville. Choices have to be made about the level of service to be provided. Relatively minor changes can be implemented by the Transit Director after reasonable public outreach. Major changes to routes or schedules are likely to warrant City Council consideration and may require formal public hearings. The following section looks at SMART’s future routes and service levels from three different perspectives:

Service change priorities, based on funding:

- **Changes that can be implemented with little or no financial impact:**
 - a. Drop Barbur Transit Center in favor of the Tigard Transit Center and provide service only during the hours when the WES is not in service.
 - b. Reconfigure route 4 to provide more rapid cross-town service. Add some Saturday hours on route 4.
 - c. Reconfigure route 7 to provide more direct connections between Villebois and SMART Central.
 - d. Delete Charbonneau stops from route 3 and replace those stops with a Charbonneau shuttle.

New Service Priorities		Annual Cost		Notes	
Priority Level	Description of Service	Current	Projected		
a	Switch service from Barbur TC to Tigard TC	\$1,322,119	2	\$383,024	Increased connections with TriMet
			2X	\$726,550	
			Total	\$1,109,574	
b	Reconfigure route 4 & expand evening & Saturday service	\$931,259	\$991,982	*Skipping SMART Central during non-peak hours and more direct route along Wilsonville Rd	
c	Villebois & route 7 reconfiguration	\$35,174	\$47,970	Mileage and hours essentially stay the same	
d	i	Separate Canby & Charbonneau Service	\$212,424	\$192,160	Increased Connections with CAT
	ii	Initiate Charbonneau pilot Shopper Shuttle service	\$0	\$78,038	Costs would be taking resources (driver/vehicle for 6 hrs/weekday) away from DAR resources
DAR**	ADA Required Paratransit	\$0	\$69,968	Paratransit service to meet ADA guidelines	
Total		\$2,500,976	\$2,489,692		

****DAR is not among the "New Service Priorities, however, ADA requires paratransit service be provided within 3/4 miles of any fixed route service. With items 2b, 4, 5, & 6 expanding fixed route service, SMART's DAR budget reflects those additional costs of added paratransit service.**

- **If SMART has more available revenue, the first service enhancements will be:**
 - a. Add Saturday service and hours of service on the 2X to Tualatin and/or Tigard.
 - b. Add more Saturday service and hours of service on route 4.
 - c. Add mid-day or late-morning service on the 1X.
 - d. Add frequency of service on route 5 or more service to improve connections with TriMet's route 96.
 - e. Expand service to Villebois.
 - f. Add service to Coffee Creek and Frog Pond growth areas.
 - g. Begin service to Downtown Portland.
 - h. Begin service to Woodburn.
 - i. Acquire battery-electric buses, especially for in-town use.

Priority Level	Estimated Cost	Notes
a	\$60,489	Service to Tigard for all route 2X Saturday trips
b	\$114,650	Service frequency change from hourly to half hour
c	\$372,000	Hourly mid-day service to Salem on route 1X
d	\$0	Service on route 2 (In-Town) being added to improve TriMet route 96 connections (no additional cost to the proposed route 2 In-Town)
e	\$168,000	Hourly service all day from Villebois to connections at SMART Central
	\$118,480	Current Villebois Shopper Shuttle would be replaced by all day route 7
	\$49,520	Cost after route 7 replaces the Villebois Shopper Shuttle
f	\$184,967	Added service to both route 5 & 6 to serve Coffee Creek & Frog Pond
g	\$194,513	Continue 2X from Tigard to Downtown Portland
h	\$35,981	Cost to stop in Woodburn for north & southbound trips on 1X route
i	\$86,250	Estimated cost difference between one diesel bus and electric bus IF purchased with grant funding
Total	\$1,384,849	Total cost of all projects if annual operating funding were available.

- **If SMART has to make cuts because of increased operating expenses, or decreased revenue, the first cuts will be:**
 - a. Reduce geographic area for out-of-town medical (Dial-a-Ride) trips.
 - b. Drop one morning trip on the 1X, returning to 30-minute headway.
 - c. Reduce services to Tualatin, or to Tigard, on the 2X.
 - d. Reduce service to Canby on route 3.

Priority Level	Estimated Cost Savings	Notes
a	\$65,430	Half of current revenue mile and reduced service by 1/4
b	\$61,917	Reducing morning service to Salem that was added in previous fiscal year
c	\$46,714	Bypassing Tualatin Park & Ride
d	\$53,000	Decrease route 3 to Canby by two trips
Total	\$227,061	Total annual savings if all cuts were executed

Recommended SMART Routes

The new services proposed in this plan are determined by three main factors: funding, public input, and ridership. Based on these factors, combined with the existing demand and projections of future demand, SMART has designated the following prioritized fixed-route service changes to meet the transit needs of Wilsonville:

- Switch service from Barbur Transit Center to Tigard Transit Center, with service at off-peak times only to provide service when WES does not operate.
- Separate Canby and Charbonneau service. Initiate a pilot shuttle for Charbonneau at its commercial center and Spring Ridge to Town Center for shopper service.
- Streamline crosstown route 4 services and reduce wait time at SMART Central.
- Expand route 4 with the addition of weekday evening service from 7:42 to 9:10 p.m.
- Add one half-hour of morning service and one hour of evening service on Saturdays to route 4.
- Villebois service will retain shopper shuttle with slight reconfiguration to fixed-route.

Recommended SMART Routes Cost Analysis					
New Service Priorities		Annual Cost			Notes
Priority Level	Description of Service	Current	Projected		
1	Switch service from Barbur TC to Tigard TC	\$1,322,119	2	\$383,024	Increased Connections with Trimet
			2X	\$726,550	
			Total	\$1,109,574	
2	a	\$212,424	\$192,160		Increased Connections with CAT
	b		\$0	\$78,038	
3 & 4	Streamline route 4 services & expand evening service	\$931,259	\$972,846		*Skipping SMART Central during non-peak hours and more direct route along Wilsonville Rd
5	Expand route 4 Saturday service	\$0	\$19,136		2 extra hours added to Saturday route 4 service (at overtime wages)
6	Villibois & route 7 reconfiguration	\$35,174	\$47,970		Mileage and hours essentially stay the same
DAR**	ADA Required Paratransit	\$0	\$69,968		Paratransit service to meet ADA guidelines
Total		\$2,500,976	\$2,489,692		
*The cost of expanding route 4 evening service is approximately \$182,409, which is included in the cost in #3 above.					
**DAR is not among the "New Service Priorities, however, ADA requires paratransit service be provided within 3/4 miles of any fixed route service. With items 2b, 4, 5, & 6 expanding fixed route service, SMART's DAR budget reflects those additional costs of added paratransit service.					

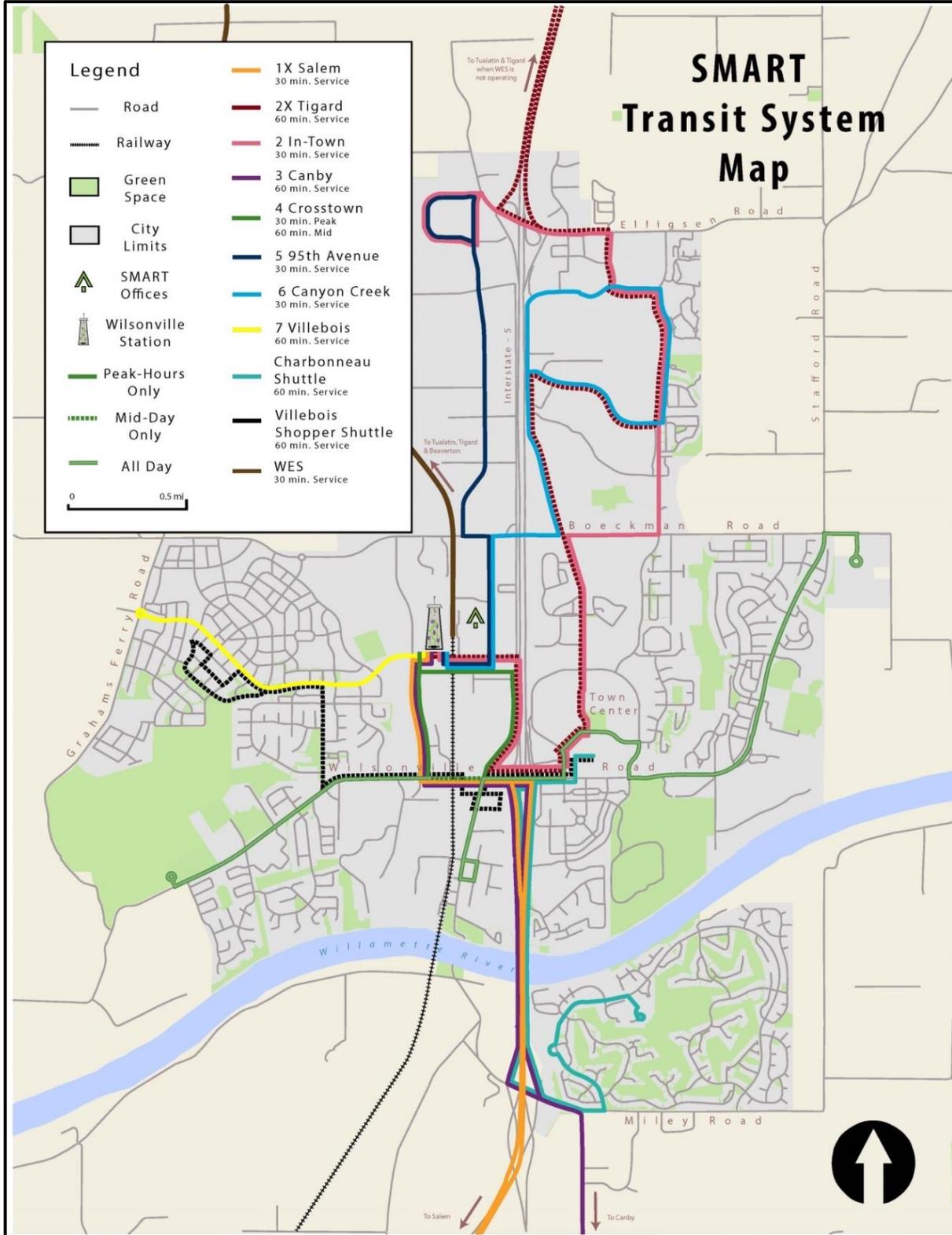
Expansions of fixed-route service increase the area where SMART is required to provide complementary demand-response (Dial-a-Ride) service. This federal requirement can mean that SMART must provide DAR service up to ¾ of a mile outside City limits, in some instances.

In an ideal world, SMART would be able to provide frequent bus service to Downtown Portland, Tigard, Salem, Woodburn, West Linn, Oregon City, Sherwood and Newberg. It would provide closely coordinated connections with Cherriots, TriMet and CAT (Canby Area Transit). All of those connections would be made with a single fare at an affordable price. Transit service throughout the Portland region and the northern Willamette Valley really would be convenient, frequent, accessible and affordable.

The unfortunate reality is that the circumstances surrounding public transit in this area are somewhat less than ideal. Choices have to be made about which services (and what level of service) will be provided and which services will not be provided based on the priorities on the previous page.

In order to balance the various divergent needs for transit service, individual routes are designed with a primary purpose. For example, one route may be designed primarily as an inter-city commuting route whereas another is designed primarily as a local service route. A mix of primary purposes ensures that there are routes to serve the widest possible range of needs. In cases where fixed-route transit cannot meet the access needs of a passenger, Dial-a-Ride service is available during normal service hours and within program parameters. SMART supports the use of vanpools and other transportation options to provide service which is competitive with the automobile for commuters in areas where fixed-route service cannot meet all commuters' needs.

Proposed System Map



Page intentionally left blank.

DRAFT

Route 1X – Salem (service provided jointly by SMART and Cherriots)

Primary Purpose: Provide express commuting service between Wilsonville and Downtown Salem. Enhance regional connectivity with Cherriots routes in Salem.

Possible Secondary Purposes: Commuting service between Woodburn and Wilsonville. Commuting service between Keizer and Wilsonville. (Note that neither service is available today.)

If additional funding becomes available for SMART operations, adding late-morning and/or mid-day service on the 1X is one of the highest priorities. Given the large numbers of commuters moving in both directions, especially public employees who work in Salem, the 1X tends to be a very busy route. This service is provided by SMART and Salem Cherriots who then share the revenue generated by 1X fares and pass sales. SMART provides 16 daily trips while Cherriots provides 10, mainly because so many State employees live in Wilsonville. That practice has recently been questioned as the public has asked for the addition of mid-day service on the 1X. It is reasonable to expect Cherriots to provide at least as much as SMART to expand service on the 1X. Similarly, if SMART is forced to reduce service because of budgetary constraints, cutting back on 1X service to less than half-hour frequency is something that SMART staff would work to avoid.

Service to Woodburn has been in SMART's plans for more than ten years, but there is no clear funding stream to make it happen. Also, Wilsonville's payroll tax-payers may be reluctant to foster improved access to Woodburn's outlet shopping mall by Wilsonville shoppers.

Staff Recommendation:

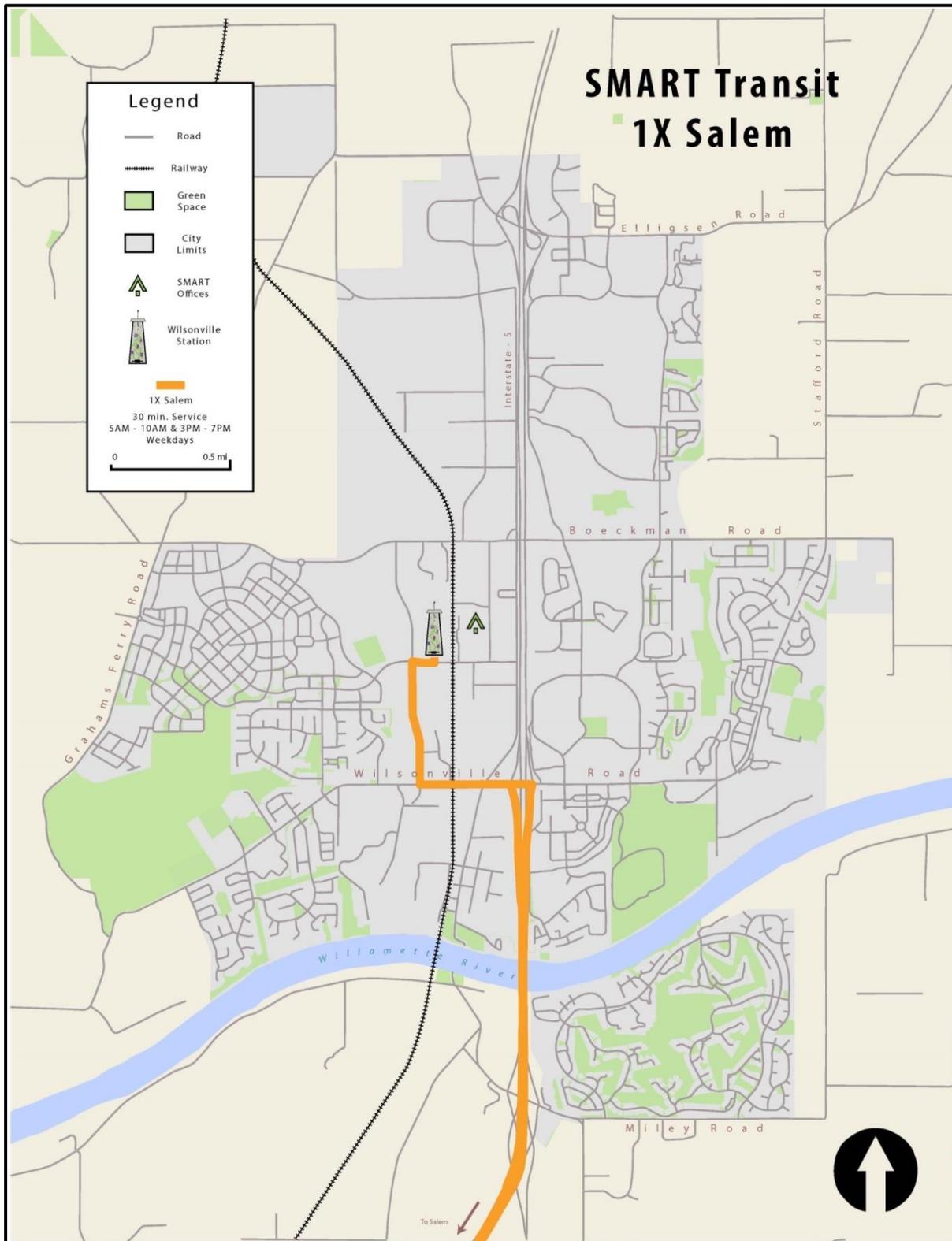
- SMART staff recommends that mid-morning and mid-day service to/from Salem not be implemented at this time. However, if Cherriots is willing to add that service, SMART should re-evaluate whether to join them in increasing service.

Estimated Total Cost: \$372,000

- Staff supports asserting that Cherriots should match SMART in the total number of daily trips between Salem and Wilsonville and also supports having the State pay for the majority of the costs of 1X service.
- Staff does not support the proposal to increase morning service while eliminating the last evening bus. Staff would not want to create a situation where people are stranded late in the day at either end of the route. If that change is to be made, adding morning service and reducing evening service, staff recommends a significant public information to avoid situations where people are left unaware that the last bus of the day will depart earlier than they have come to expect.
- The continuation of 1X service remains one of SMART's highest priorities. However, if commuter rail service from Wilsonville to Salem ever becomes a reality, it may replace bus service between the two cities.

- Adding Woodburn service cannot occur without a significant infusion of additional funding.
 - **Estimated Cost: \$232,593**
 - **With current route times, stopping in Woodburn would require 4 additional daily trips (two in the AM peak and 2 in the PM peak service hours) to make connections in Salem and Wilsonville.**

DRAFT



Proposed Route 1X

The current route 2X is proposed to be divided into express and in-town service...

Route 2X –Tigard

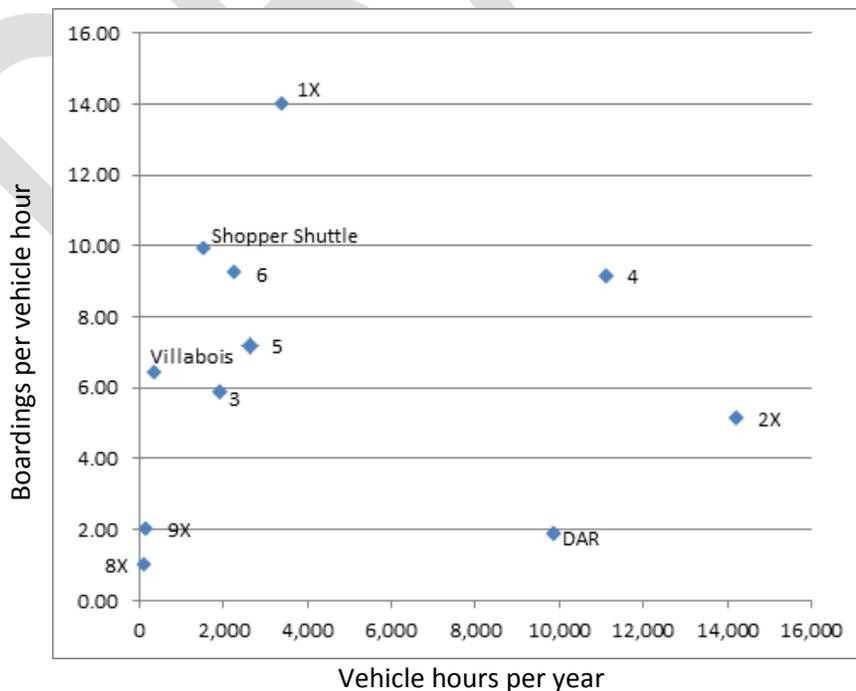
Primary Purpose: Commuter service linking Wilsonville, Tualatin, and Portland (or, potentially Washington County and Portland via Tigard).

Secondary Purpose: Enhance regional connectivity. Provide passengers with a link to commuter rail, TriMet buses, MAX, Amtrak, and C-Tran (Vancouver).

In recent years, bus travel between Wilsonville and Portland has relied on 2X service to the Barbur Transit Center or transfers to/from TriMet’s Route 96. Results from SMART’s recent outreach effort show that, although controversial, many riders would prefer to shift SMART’s service from the Barbur Transit Center to the Tigard Transit Center. By doing so, Wilsonville would gain improved connections with communities in Washington County, without completely losing connections to Portland. Rather than running at peak hours, a new 2X route to Tigard would rely on WES to provide peak-hour service, while SMART’s buses would fill the void when WES does not run, during mid-days and evenings.

Switching from Barbur to Tigard could increase wait/travel times for some current riders (who rely on the existing 2X service, including commuters coming to work in Wilsonville) up to 20 minutes. However, SMART has also received public feedback that this change would provide more options for more people. Due to the current inefficiencies of the 2X route (as seen in the graph below) SMART staff supports the switch from Barbur to Tigard.

Service Productivities Relative to Investment



Respondents to recent surveys expressed a strong interest in connecting with MAX and TriMet. It is known that approximately 16,000 people commute to work in Wilsonville from surrounding communities. A significant number live in Portland, Beaverton, Hillsboro and Gresham – all of which are served by MAX lines. The WES trains do provide that connection to MAX at the Beaverton Transit Center. If SMART buses take passengers to Tigard, they will have TriMet bus options to connect with MAX in Beaverton or Downtown Portland.

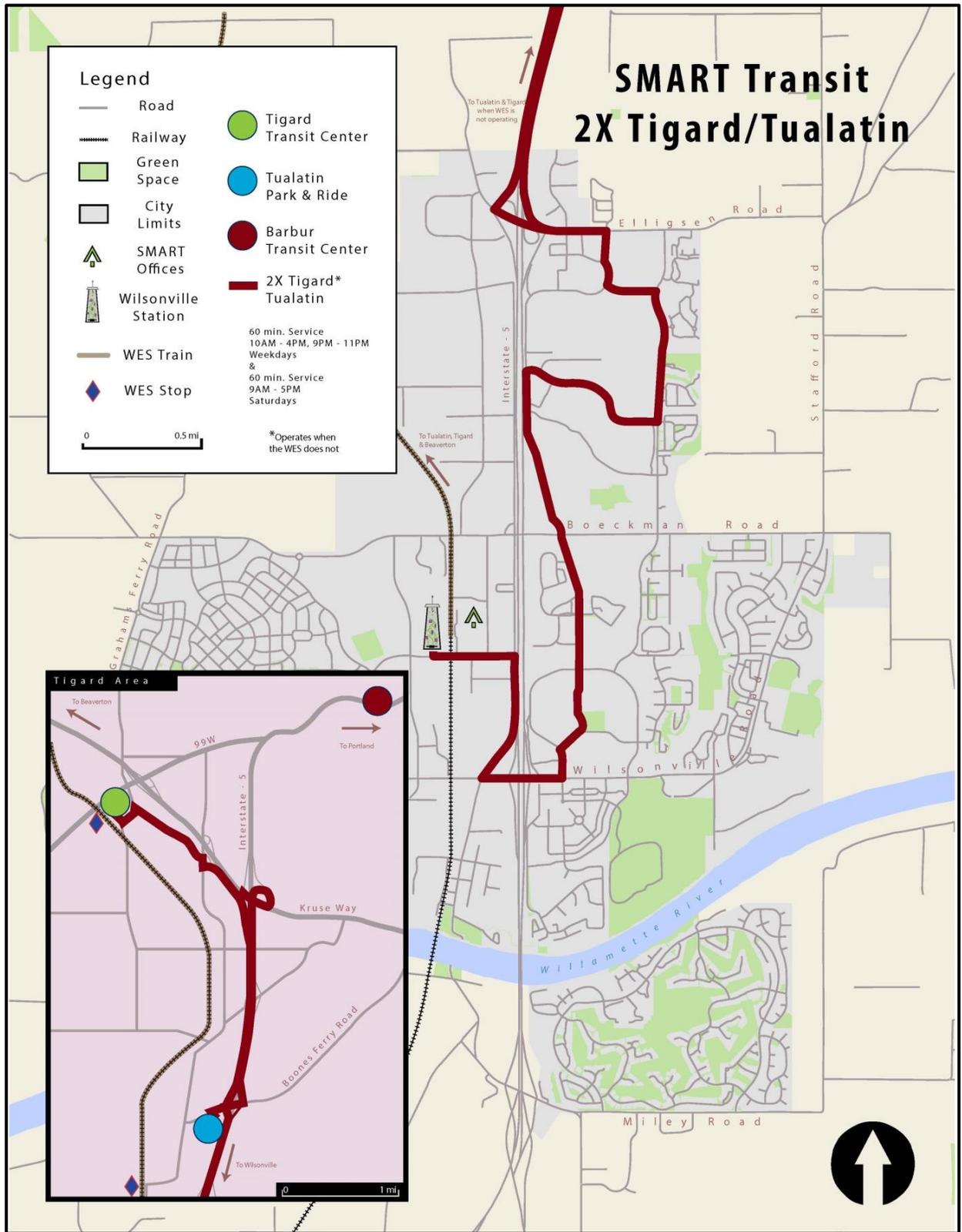
The 2X was never sufficiently funded to provide direct service to Downtown Portland, connecting with TriMet, MAX, and the Portland Streetcar. This service would have allowed transfer-free commuting between Downtown Portland and Wilsonville and would also have provided Wilsonville residents with more convenient access to the airport and various other transit connections. In addition to providing practical travel options for Wilsonville residents and employees, the Downtown Portland-Wilsonville service would have contributed greatly to the goal of an interconnected regional transportation network. Unfortunately, there are both financial and logistical issues with providing that service. It may someday happen, if the Wilsonville community makes it a priority for funding.

It should be noted that the switch from the Barbur Transit Center to the Tigard Transit Center may reduce the likelihood that SMART will provide direct service to Downtown Portland in the future. That is simply because Downtown service has previously been envisioned as either a replacement for the 2X service to the Barbur Transit Center, or an extension of that service from Barbur into Downtown.

Southwest Corridor planning now under way by TriMet and Metro is expected to result in a new light rail line being extended roughly parallel to Barbur Boulevard to Tigard and Tualatin, perhaps as soon as 2025. While it would be premature for SMART to base its current service planning on that planned MAX extension, having a MAX connection in Tualatin (and to a lesser extent, Tigard) will substantially alter how SMART does business. In simple terms, having frequent MAX service to Tualatin would obviate the need for SMART to provide any fixed route service north of Tualatin. This Master Plan should be updated well before service on that new MAX line begins. In the meantime, the City of Wilsonville should actively support regional efforts to bring light rail service to Tualatin because it will greatly enhance SMART's service options for the future.

Staff Recommendations:

- Staff supports the switch from the Barbur Transit Center to the Tigard Transit Center, with service at off-peak times only – on one-hour headways.
- SMART will continue to provide service to Tualatin. At this time, it is SMART's intention to provide that service only when WES does not operate.
- As planned, SMART will include stops at the Tualatin park & ride on trips to/from Tigard.
 - **Estimated Cost Savings: \$212,545**
 - **(Cost difference of route 2 (In-Town) peak service & Tigard TC service mid-day as compared to current 2X route)**
- The scheduling of the last evening trip to Tigard is still under consideration. Staff supports the plan to reroute the 2 (in-town) such that it will by-pass Printer Parkway in favor of Canyon Creek Road during peak times. This will need to be re-evaluated when the former Xerox campus is redeveloped with new businesses.
 - **Estimated Cost: \$54,717**
- Staff does not support providing service to Tualatin **during peak hours** at this time. If additional funding becomes available, staff would recommend adding service to Tualatin as one of the highest priorities.
 - **Estimated Cost : \$260,000**
- Staff recommends only a moderate increase in Saturday 2X service at this time. Additional Saturday service could be added if funds become available and the public supports that change.
 - **Estimated Cost : \$17,628**
- Most SMART services are tied to half hour or one hour headways, however, 40 minute headways may be an option on some routes.



Proposed Route 2X

Route 2 In-Town

Primary Purpose: Local service to link residential areas on the north and south sides of Wilsonville with commercial services, employment, and TriMet's route 96.

Secondary Purpose: Connect to other SMART routes and commuter rail.

Separate from route 2X that will only run mid-day service, route 2 would run only during peak times to provide service between the north and south sides of Wilsonville, along with connections to TriMet's route 96 at Commerce Circle. SMART would rely on WES to provide peak-hour service to the rest of the region north of Wilsonville, while SMART's buses would fill the void when WES does not run, during mid-days and evenings with the 2X route. Many have seen this as a logical change.

Staff Recommendations:

- Staff supports the plan to re-route the 2 (in-town) such that it will by-pass Printer Parkway in favor of Canyon Creek Road during peak times. This will need to be re-evaluated when the former Xerox campus is redeveloped with new businesses.
 - **Estimated Cost : \$726,550**
 - **(Replacing the current 2X route during peak service)**
- Staff does not support providing service to Tualatin during **peak hours** at this time. If additional funding becomes available, staff would recommend adding service to Tualatin as one of the highest priorities.
 - **Estimated Cost : \$260,000**
- Route 2 services are tied to half hour headways; however, 40 minute headways may be an option on this route.
- Route 2 will make connections with TriMet's 96, connecting the east and west Wilsonville at the north end of town.

Current route 3 is proposed to be split into a Canby express service & Charbonneau shuttle.

Route 3X – Canby

Primary Purpose: Commuting service between Canby and Wilsonville.

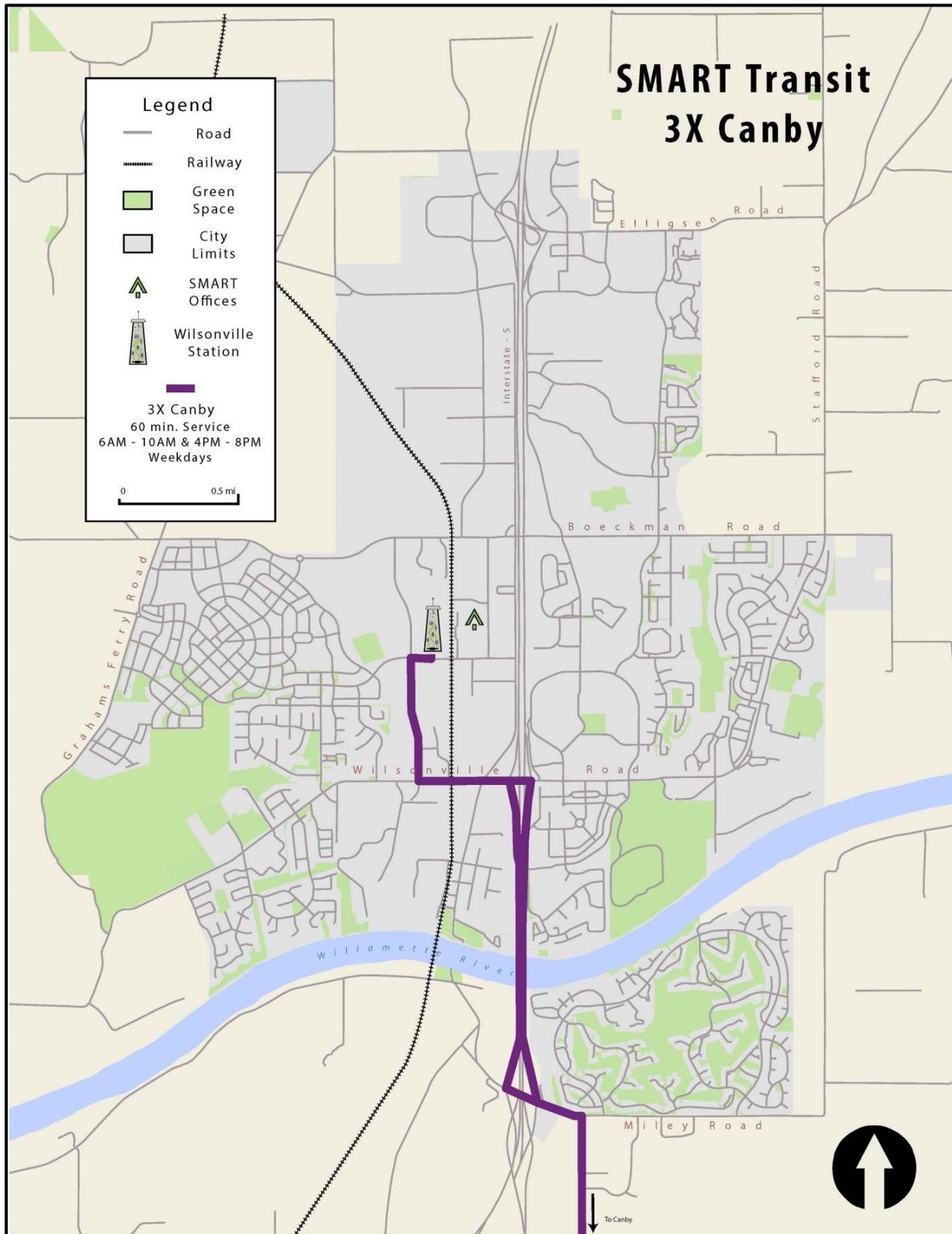
Secondary Purpose: Enhance regional connectivity by connecting SMART routes and commuter rail with CAT and SCTD – Molalla (as well as to services and facilities in Oregon City).

The Canby service connects passengers with commuter rail during peak hours and allows for connections to other local and inter-city bus routes. During peak hours, route 3 provides hourly service to the commuter rail station from Canby. Unfortunately, Canby Area Transit (CAT) services were reduced during budget cuts a few years ago, preventing them from providing mid-day service to Wilsonville. Long-term connections between the two transit systems are likely to remain limited until Canby can provide at least some portion of that service.

Recent public input indicated strong demand for transit service from Wilsonville to Oregon City, primarily for access to social services and the main campus of Clackamas Community College. SMART is in discussions with CAT staff and consultants about ways to make that feasible.

Staff Recommendation:

- Staff supports dividing the Canby route from Charbonneau service.
 - **Estimated Cost Savings: \$20,264**
- SMART is now providing 5:30 a.m. service from SMART Central to Canby.
- Delay any extension of service hours to Canby until we have more information from CAT and we have public input on the proposal to add hours. Note that we do not yet have details on CAT's planned grant-funded service to Wilsonville.
 - **Estimated Cost for mid-day service to Canby: \$159,318**



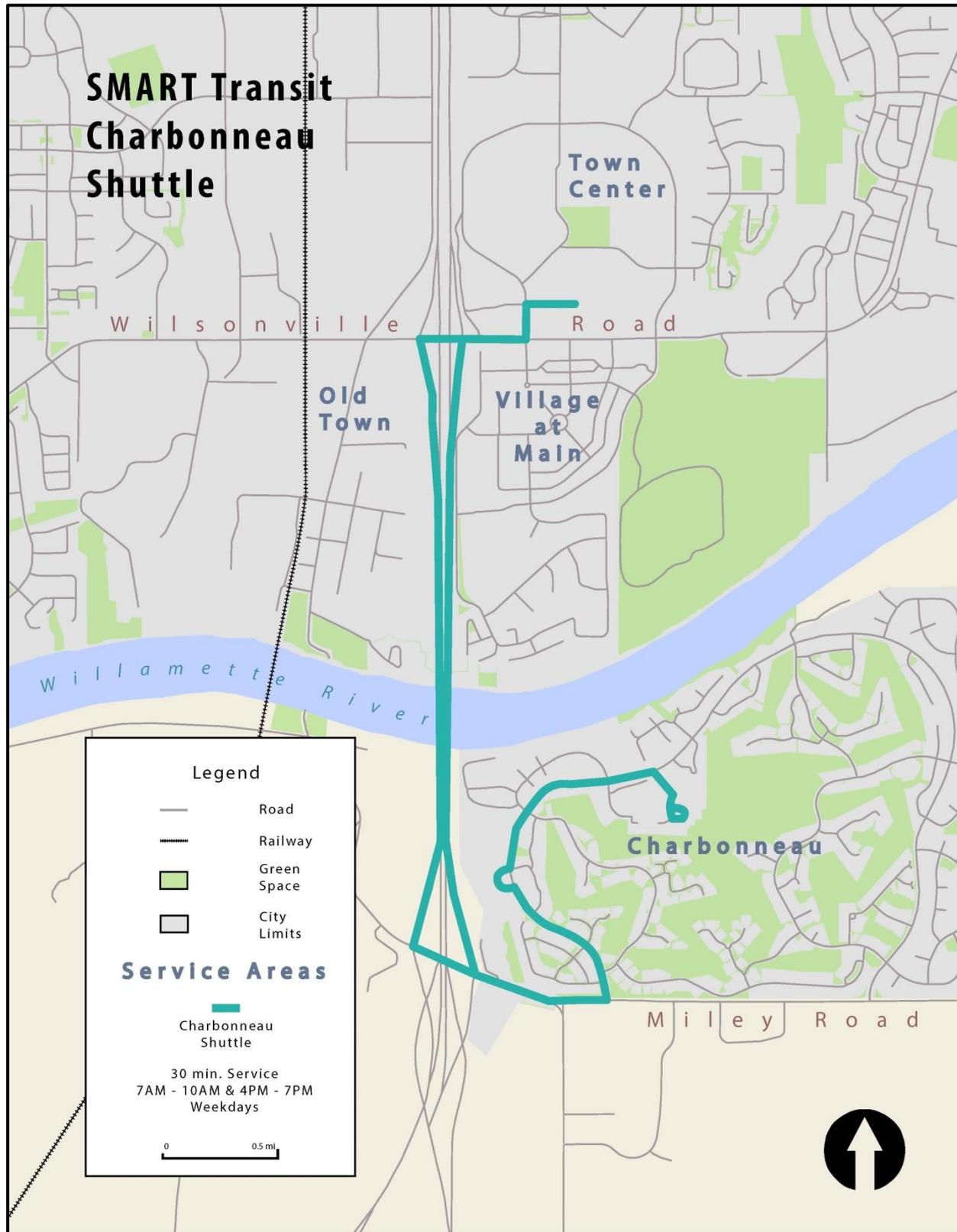
Proposed Route 3X

Charbonneau Shuttle

Currently, there are only two bus stops in Charbonneau. For many people who live on the east side of Charbonneau, this makes transit use impractical -- especially since there is no public parking available at the bus stop at SpringRidge. In recent years, SMART's route 3 has carried only a small number of people employed in Charbonneau, while residents tend to use SMART's Dial-a-Ride service when needed. Previously, SMART received feedback from Charbonneau residents in favor of adding a stop at Charbonneau Village Center and near the eastern entrance to Charbonneau. SMART is now considering operating a shuttle service on a pilot basis, in lieu of route 3 to serve Charbonneau. That shuttle service could loop around French Prairie Drive, if requested, and bring passengers to services on the north side of the river. Before implementing a Charbonneau Shuttle, SMART staff anticipates a focused outreach effort to gain input from Charbonneau residents on how the shuttle could best meet their needs.

Staff Recommendation:

- Staff supports dividing the Canby route from Charbonneau service.
 - **Estimated Cost Savings: \$20,264**
- Staff is prepared to implement a pilot project shuttle service to Charbonneau (with initial scheduling tied to the needs of SMART's regular Charbonneau riders).
 - **Estimated Cost of Pilot Project: 78,038**
- Part of the new shuttle service to Charbonneau will include "shopper service" to the Town Center area, with deviation to the west side of town on request.
- Shuttle service will focus initially on the commercial center of Charbonneau and on Spring Ridge, during peak times.



Proposed Charbonneau Shuttle Route

Route 4 – Crosstown

Primary Purpose: Local service to link residential areas on the east and west sides of Wilsonville with commercial services, the Wilsonville Library, schools and parks.

Secondary Purpose: Connect to other SMART routes and commuter rail.

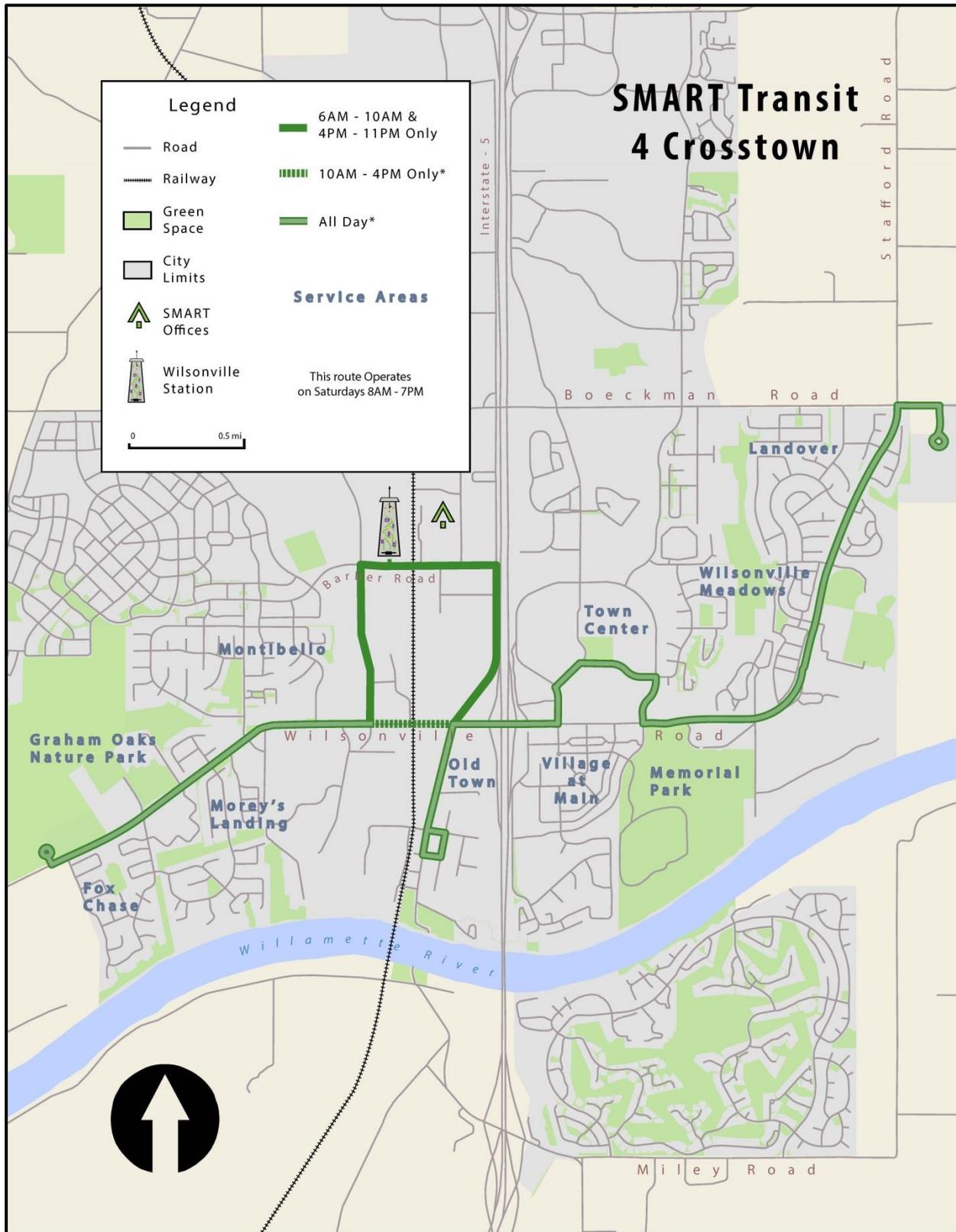
Route 4 will continue to provide crosstown service, while also serving an important role in connecting residents with commuter rail and transfers to inter-city service (1X Salem, 3 Canby, and 2X Barbur Boulevard or Tigard) at the SMART Central station. Passengers arriving on intercity service will be able to use route 4 to travel to jobs in Town Center.

During the public outreach effort for this Master Plan, SMART heard numerous complaints about the circuitous path taken by route 4 and its prolonged stops at SMART Central, causing people to state that they could walk from one side of Wilsonville to the other faster than they can get there via route 4. That has led to some streamlining of the route, recommended in this Plan.

Another change under consideration for route 4 will extend on the east side to accommodate additional growth, including development in the Frog Pond area. Service to Frog Pond will be needed as that area begins to build out. Frog Pond may also eventually need to be served by route 6 or some new route on Boeckman Road.

Staff Recommendation:

- Staff recommends reconfiguring route 4 as recommended by the consultants (see map).
 - **Estimated Cost Savings: \$171,223**
- SMART will use the new turn-arounds at each end of the route, as soon as possible. SMART staff believes it is time to run the west end turn-around through the Fox Chase neighborhood if we are unable to use Graham Oaks after hours. It may be inconvenient for the immediate neighbors, but it is much safer than having buses backing up in a school parking lot (the current practice).
- Staff supports the addition of weekday evening service from 7:42 to 9:10 p.m.
 - **Estimated Cost : \$182,409**
- Staff supports the addition of a half-hour of morning service (starting at 8:00 instead of 8:30 am) and one hour of evening service (from 5:52 p.m. to 6:52p.m.) on Saturdays.
 - **Estimated Cost : \$19,136**



Proposed Route 4

Route 5 – Coffee Creek

Primary Purpose: Local service to employment sites on the northwest side of Wilsonville.

Secondary Purpose: Enhance regional connectivity by linking with TriMet, Commuter Rail, and other SMART routes.

The existing route 5 provides an important link between TriMet's route 96 and employment sites on the west side of Wilsonville. Unfortunately, the scheduling of commuter rail has resulted in timing conflicts where the route 5 bus meeting the WES train cannot simultaneously meet the route 96 bus at Commerce Circle. This is seen as only a minor inconvenience for some riders, but a major problem for others, many of whom choose to drive rather than wait for a bus at Commerce Circle.

SMART has been fortunate to receive federal grant money to make sidewalk improvements where those improvements will enhance ADA access to bus stops. Adequate funding should be available to make sidewalk and bus shelter improvements on Commerce Circle, directly across from the current SMART and TriMet stops.

SMART's route 5 continues to provide early-morning service to the Coffee Creek Correctional Facility (CCCF), in spite of the fact that CCCF remains within TriMet's District boundaries. That service is provided primarily to avoid having former prisoners released into a remote part of the community with no other means of transportation. Many of those former prisoners need to make connections with TriMet or Cherriots. A large percentage of CCCF employees and family members of prisoners live outside of the Wilsonville area and lack transit service to and from the facility. Direct contacts with SMART indicate that there is a demand for service to CCCF.

Future annexation of industrial lands will require new service or extension of existing routes on the northwest side of Wilsonville near the prison. An extension of route 5 will be needed to serve the Coffee Creek area fairly soon, based on the progress of development in that area. Further development of the Basalt Creek area north of Day Road will require additional service to meet demand. However, that area north of Day Road is within TriMet territory and the Mass Transit District has expressed no interest in allowing Wilsonville to provide service and collect payroll taxes from businesses within that area. (See Appendix C for Resolution 2562).

Staff Recommendation:

- Staff supports retaining the current configuration of route 5 with only a minor directional change at Commerce Circle.
- Connections to TriMet 96 are a priority for SMART riders and we are committed to facilitate those connections when feasible.

- SMART staff still must determine how, and when, we provide service to the Coffee Creek industrial area – especially given the new hospital that is about to begin construction on Day Road.
- Given that SMART provides service to various sites within TriMet’s service territory (where TriMet does not), SMART staff takes the position that TriMet can continue to provide service via their route 96 along Boones Ferry Road to Commerce Circle until SMART is prepared to provide service along Day Road to the Coffee Creek area.
 - **Estimated Cost : \$184,967**
 - **Added service to both route 5 & 6 to serve Coffee Creek & Frog Pond**

DRAFT

Route 6 – Canyon Creek

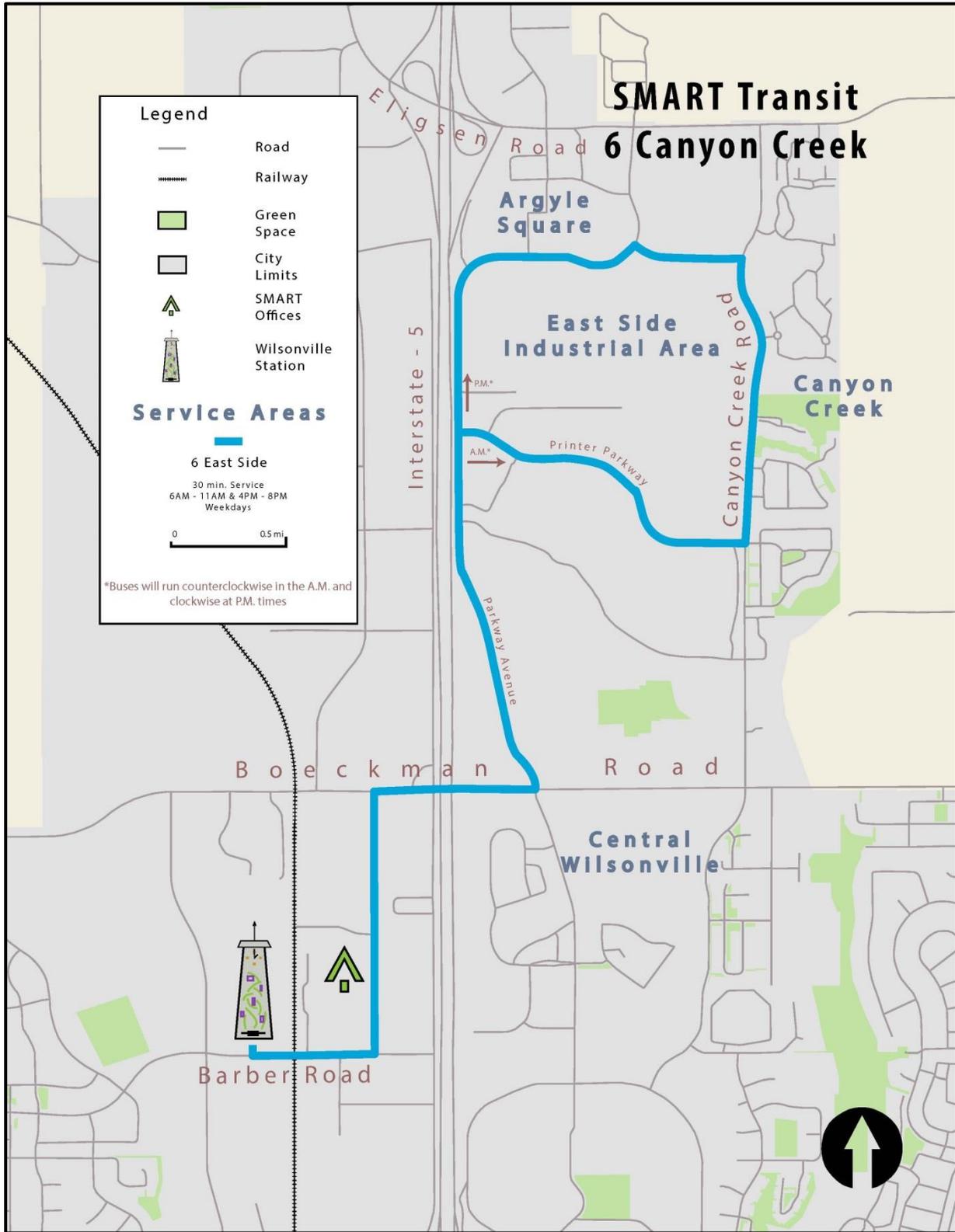
Primary Purpose: Local service to connect commuter rail with employment, shopping, and residential areas on the east side of Wilsonville.

Secondary Purpose: Connect to other SMART routes.

Route 6 helps to provide an efficient connection between commuter rail and employment sites in the northeast quadrant of Wilsonville. It also provides a connection to outbound commuter rail for residents in the Canyon Creek area of Wilsonville. Route 6 offers hourly service connecting commuter rail with recent and planned development along Canyon Creek North as well as employment sites such as Mentor Graphics, FLIR, DW Fritz, Sysco, and Argyle Square. Service runs with half-hour headways during peak periods.

Staff Recommendation:

- Staff supports retaining most of the current configuration of route 6 with a minor reroute such that it will by-pass the parking lots of Mentor Graphics, Oregon Tech, etc. in favor of Parkway Avenue.
 - **Estimated Cost : \$17,007**
- Buses will run counterclockwise in the A.M. and clockwise at P.M. times.



Proposed Route 6

Route 7 – Villebois and Villebois Shopper Shuttle

Primary Purpose: Local service to connect Villebois with commuter rail and other transit routes.

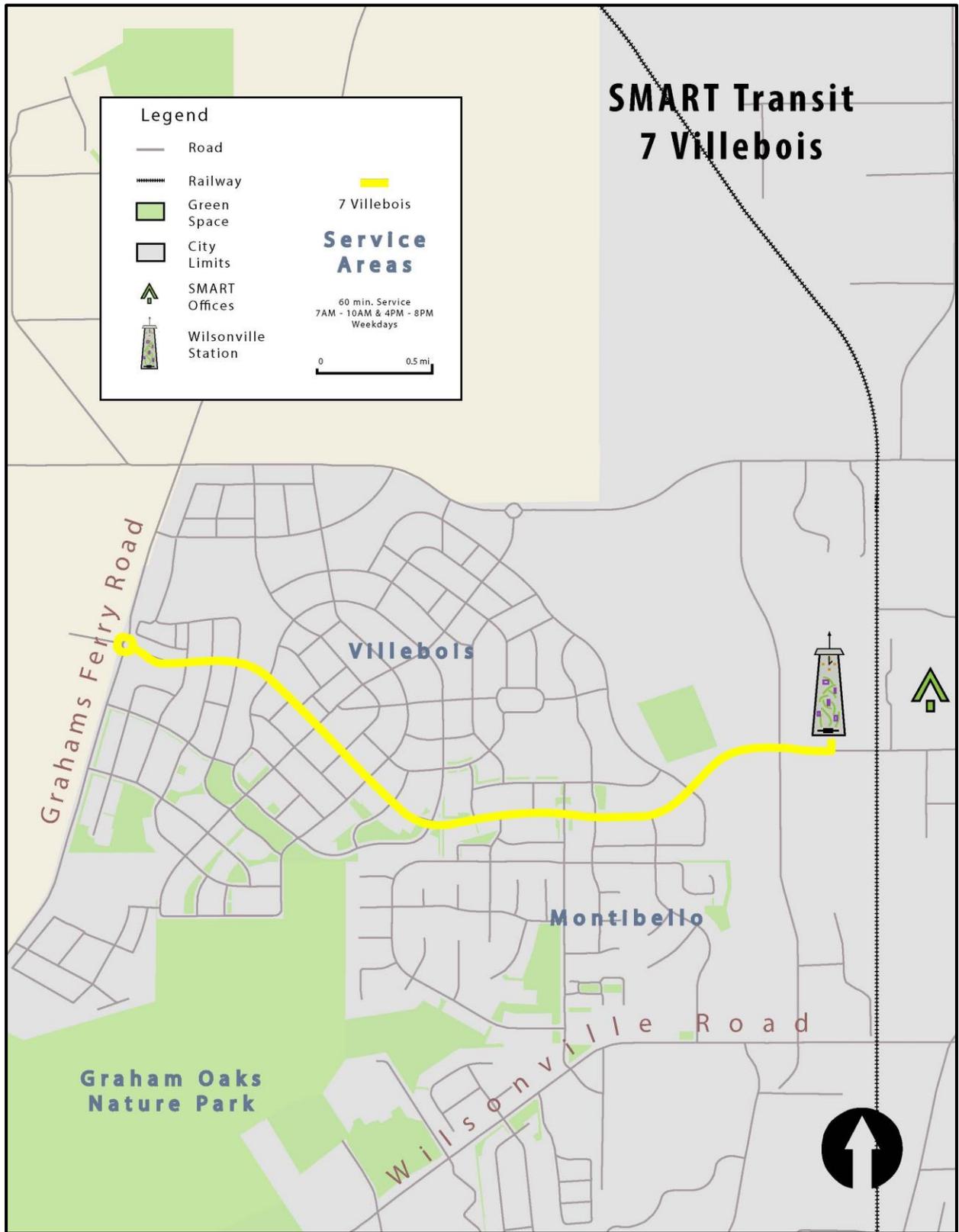
Secondary Purpose: Route 7, Villebois, currently operates only Monday through Friday during peak commute hours. Service demands are increasing, however, as Villebois continues to grow. Also, the shuttle service that has been operating as a Dial-a-Ride pilot project is expected to become an additional fixed route in the near future.

Staff Recommendation:

- At this point in time, staff supports retaining route 7 and the separate Villebois Shopper Shuttle. In the future, there is potential to replace them both with a single deviated fixed-route system.
 - **Estimated Cost to merge route 7 & Villebois Shopper Shuttle: \$49,520**
- Continued Villebois growth is likely to require significant changes in the future.
- There are three options for a reconfigured route 7 at this time:
 - a) A route to stay on Barber Road that loops at the Grahams Ferry Road roundabout.
 - b) Using Costa Circle as the turn-around in the route, versus running straight up and down Barber St. This configuration is not as efficient as “a” above, but will provide better coverage for the growing Villebois area.
 - c) Taking Barber Street to Grahams Ferry Road to Tooze Road and returning on Villebois Drive. This would make a much larger loop, with much more coverage.

Note: All three options serve different areas within the Villebois neighborhood and are similar in cost.

Estimated cost of reconfiguring the current route 7 into one of the three options: \$12,796.



Proposed Route 7



Proposed Villebois Shopper Shuttle Route

FY 15/16 Cost per Route								
Route	Annual Operating Costs	Annual Hours	Miles	Single Round Trips	Avg. Round Trip Hour	Avg. Round Trip Mile	Single Round Trip (Daily Cost)	Avg Total Daily Cost
1X	\$416,909	3,406	111,852	8	1.70	55.9	\$208	\$1,668
2X	\$1,322,119	13,710	212,641	27	2.03	31.5	\$196	\$5,288
2X Sat.	\$48,197	498	7,839	8	1.20	18.8	\$116	\$927
3	\$197,931	1,910	38,793	8	0.96	19.4	\$99	\$792
4	\$931,259	10,682	99,710	25	1.71	16.0	\$149	\$3,725
4 Sat.	\$38,375	429	4,655	9	0.92	9.9	\$82	\$738
5	\$253,411	2,651	39,624	18	0.59	8.8	\$56	\$1,014
6	\$210,881	2,285	29,119	17	0.54	6.9	\$50	\$844
7	\$35,174	387	4,570	4	0.39	4.6	\$35	\$141
8X	\$27,492	210	8,089	1	0.84	32.4	\$110	\$110
9X	\$29,691	259	7,163	1	1.04	28.7	\$119	\$119
Other (Special)	\$17,824	228	758					\$71
Fixed Route Total	\$3,529,263	36,655	564,813					\$15,436
Demand Response	\$1,002,631	11,193	122,379					\$4,011
Totals	\$4,531,894	47,848	687,192					

Proposed Cost per Route for TMP using Projected FY 17/18 Budget								
Route	Annual Operating Costs	Estimated Annual Hours	Estimated Miles	Single Round Trips	Avg. Round Trip Hour	Avg. Round Trip Mile	Single Round Trip (Daily Cost)	Avg Total Daily Cost
1X	\$496,421	4,054	112,500	8	1.70	60.0	\$248	\$1,985.68
2X	\$383,235	4,875	42,000	7	2.00	30.0	\$219	\$1,533
2 (In-Town)	\$726,839	7,250	63,000	22	1.32	13.0	\$132	\$2,907
2X Sat.	\$64,619	546	10,525	11	0.97	18.4	\$113	\$1,243
3	\$212,567	2,017	35,600	8	0.90	17.8	\$106	\$850
4	\$973,239	9,063	97,600	32	1.21	12.2	\$122	\$3,893
4 Sat.	\$57,350	559	6,240	12	0.90	10.0	\$92	\$1,103
5	\$290,307	2,500	36,000	18	0.59	8.8	\$65	\$1,161
6	\$227,877	2,250	20,000	16	0.54	6.9	\$57	\$912
7 (Option A)	\$47,987	379	4,200	4	0.49	4.2	\$48	\$192
Villebois Shopper Shuttle	\$118,523	1,000	10,500	7	0.69	6.0	\$68	\$474
Charbonneau Shopper Shuttle	\$101,591	750	9,000	6	0.69	6.0	\$68	\$406
Other (Special)	\$21,067	238	796					\$84
Fixed Route Total	\$3,721,620	35,481	447,961					\$16,744
Demand Response	\$1,142,783	11,500	108,023					\$4,571
FY 17-18 Projected Operating Budget*	\$4,864,403	46,981	555,984					

*The projected budget excludes any assumed grant funding that SMART may receive for capital improvement

DRAFT



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 6, 2017		Subject: Frog Pond West Master Plan Residential Neighborhood (RN) Zone	
		Staff Member: Chris Neamtzu, Planning Director Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: NA	
Staff Recommendation: Staff recommends that Council review the draft Residential Neighborhood Zone and provide the project team with direction in preparation for a public hearing before the Planning Commission.			
Recommended Language for Motion: NA			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities Adopt the Frog Pond Master Plan	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL: A new section of the development code has been created as part of the Frog Pond West Master Plan to guide future residential development in the West Neighborhood. This worksession will be focused on the draft Residential Neighborhood (RN) Zone.

EXECUTIVE SUMMARY: The Planning Commission has conducted nine work sessions on the Frog Pond West Master Plan, including many hours spent specifically working on the language that is contained in the Residential Neighborhood (RN) Zone (attached). Over the course of numerous work sessions, the Commission has encouraged the participation of citizens, property owners, planning consultants and the development community to help shape and test the draft code. This collaborative approach has led to the draft version that is the subject of the Council worksession.

The project team approached the code with an eye toward creating a simple to implement, clear and objective set of standards that embody the best of the existing residential Planned Development Regulations and the Villebois Village zone, resulting in a hybrid code that is the first of its kind for Wilsonville. The Code contains many familiar provisions, and several new concepts including: sub-district mapping that results in minimum and maximum dwelling units consistent with the adopted Area Plan; small lot development standards; open space standards; design guidelines for entries and garages; a residential design menu to achieve attractive architecture; and, lot development standards tailored to the unique aspects of the neighborhood.

The topic of most conversation has focused on whether or not to require a percentage of open space in the small lot category, which in the case of Frog Pond West are lots between 4,000-6,000 SF in size. The general premises are: (1) the neighborhood master plan provides for 27% open space through the neighborhood park, linear park, Significant Resource Overlay Zone areas, and potential wetland retention; and, (2) the larger lots will have ample yards and will not need additional open space to add light and air as well as usable open space into the fabric of each individual development. With the announcement of a future school being cited in the West Neighborhood, additional open space that was not initially envisioned has been added to the Master Plan area. Also, with a willingness to work with the city on a site specific park location, the Master Plan now has more detail than originally drawn. The draft version that you have before you includes new language that came from Planning Commission direction at the February 8th work session.

The packet also includes a memorandum prepared by DKS Associates that evaluates an off-set intersection at the corner of SW Boeckman Road and SW Willow Creek Drive to the south. This information has been prepared at the request of Councilor Starr.

EXPECTED RESULTS: Adoption of the Frog Pond West Master Plan will set the stage for the next generation of great Wilsonville neighborhoods.

TIMELINE: The Planning Commission is scheduled to hold the first public hearing on the Frog Pond West Master Plan on March 8th. The Council conducted a worksession on February 6th and March 6th. A tentative Council hearing date has been set for April 17th pending completion of the infrastructure funding plan, which will be the subject of a future worksession.

CURRENT YEAR BUDGET IMPACTS: The Frog Pond Master Plan is largely a grant funded project, with funds being provided by Metro's Community Planning and Development Grant program.

FINANCIAL REVIEW / COMMENTS:

n/a

LEGAL REVIEW / COMMENT:

n/a

COMMUNITY INVOLVEMENT PROCESS: Throughout the worksession process on the Master Plan there has been excellent collaboration between the project team, the Commission and interested parties. This collaboration has allowed for vetting of many issues resulting in the draft code that has been produced. As the project enters the public hearing phase, there will be additional opportunities for community involvement.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): The creation of a new neighborhood in the Frog Pond West area will provide citizens with new housing choices as well as a future school, parks, trails and open spaces.

ALTERNATIVES: The Area Plan process included many alternatives. The Master Plan is honing in and refining the adopted concepts contained in the Concept Plan.

CITY MANAGER COMMENT:

ATTACHMENTS:

1. 2/22/17 version of the Frog Pond West Residential Neighborhood Zone
2. DKS memo on access



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

Section 4.127 Residential Neighborhood (RN) Zone	Comments
<p>(.01) Purpose. The Residential Neighborhood (RN) zone applies to lands within Residential Neighborhood Comprehensive Plan Map designation. The RN zone is a Planned Development zone, subject to applicable Planned Development regulations, except as superseded by this section or in legislative master plans. The purposes of the RN Zone are to:</p> <ul style="list-style-type: none"> A. Implement the Residential Neighborhood policies and implementation measures of the Comprehensive Plan. B. Implement legislative master plans for areas within the Residential Neighborhood Comprehensive Plan Map designation. C. Create attractive and connected neighborhoods in Wilsonville. D. Regulate and coordinate development to result in cohesive neighborhoods that include: walkable and active streets; a variety of housing appropriate to each neighborhood; connected paths and open spaces; parks and other non-residential uses that are focal points for the community; and, connections to and integration with the larger Wilsonville community. E. Encourage and require quality architectural and community design as defined by the Comprehensive Plan and applicable legislative master plans. F. Provide transportation choices, including active transportation options. G. Preserve and enhance natural resources so that they are an asset to the neighborhoods, and there is visual and physical access to nature. 	<p>All section numbering and formatting is preliminary.</p> <p>C and D are from the Frog Pond Area Plan vision statement.</p>
<p>(.02) Permitted uses:</p> <ul style="list-style-type: none"> A. Open Space. B. Single-Family Dwelling Unit. C. Attached Single-Family Dwelling Unit. In the Frog Pond West Neighborhood, a maximum of 2 dwelling units, not including ADU's, may be attached. D. Duplex E. Multiple-Family Dwelling Units, except when not 	<p>For clarity, "Permitted Uses" is used here.</p> <p>The Code defines SF dwellings as including Attached. This provision limits them to 2 attached units. ADU clarification</p>

ATTACHMENT 1



FROG POND AREA PLAN
 Creating a great community

Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p>permitted in a legislative master plan, subject to the density standards of the zone. Multi-family dwelling units are not permitted within the Frog Pond West Master Plan area.</p> <ul style="list-style-type: none"> F. Cohousing G. Cluster Housing. H. Public or private parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot. I. Manufactured homes. <p>(.03) Permitted accessory uses to single family dwellings:</p> <ul style="list-style-type: none"> A. Accessory uses, buildings and structures customarily incidental to any of the principal permitted uses listed above, and located on the same lot. B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex. C. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11). D. Home occupations. E. A private garage or parking area. F. Keeping of not more than two (2) roomers or boarders by a resident family. G. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work. H. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear- 	<p>added.</p> <p>No Multi-family, per the Area Plan.</p> <p>Cohousing will require a new definition (see last page of this draft code). For regulatory purposes, it is treated the same as Cluster Housing.</p>
--	---



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p>most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.</p> <p>I. Livestock and farm animals, subject to the provisions of Section 4.162.</p> <p>(.04) Uses permitted subject to Conditional Use Permit requirements:</p> <p>A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.</p> <p>B. Commercial Recreation, including public or private clubs, lodges or meeting halls, golf courses, driving ranges, tennis clubs, community centers and similar commercial recreational uses. Commercial Recreation will be permitted upon a finding that it is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of Section 4.124(.04) (Neighborhood Commercial Centers).</p> <p>C. Churches; public, private and parochial schools; public libraries and public museums.</p> <p>D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents. Neighborhood Commercial Centers are only permitted where designated on an approved legislative master plan.</p> <p>(.05) Residential Neighborhood Zone Sub-districts:</p> <p>A. RN Zone sub-districts may be established to provide area-specific regulations that implement legislative master plans.</p> <p>1. For the Frog Pond West Neighborhood, the sub-districts are listed in Table 1 of this code and mapped on Figure ___ of the Frog Pond West Master Plan. The Frog Pond West Master Plan Subdistrict Map serves as the official subdistrict map for the Frog Pond West Neighborhood.</p>	<p>The Frog Pond Area Plan includes a neighborhood commercial center in the East Neighborhood, with the location subject to further study. This text would preclude a neighborhood commercial center in the West Neighborhood, which is consistent with the Area Plan.</p>
---	--



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

(.06) Minimum and Maximum Residential Units:

- A. The minimum and maximum number of residential units approved shall be consistent with this code and applicable provisions of an approved legislative master plan.
 - 1. For the Frog Pond West Neighborhood, Table 1 and Frog Pond West Master Plan Figure ___ establish the minimum and maximum number of residential units for the sub-districts.
 - 2. For parcels or areas that are a portion of a sub-district, the minimum and maximum number of residential units are established by determining the proportional gross acreage and applying that proportion to the minimums and maximums listed in Table 1.
- B. The City may allow a reduction in the minimum density for a sub-district when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses, and similar physical conditions.

A “proportional acreage” method is used to determine the density requirements for a specific property.

Table 1. Minimum and Maximum Dwelling Units by Sub-District in the Frog Pond West Neighborhood

Area Plan Designation	Frog Pond West Sub-district	Minimum Dwelling Units in Sub-district	Maximum Dwelling Units in Sub-district
R-10 Large Lot Single Family	3	26	32
	7	24	30
	8	43	53
R-7 Medium Lot Single Family	2	20	25
	4	86	107
	5	27	33
	9	10	13
	11	46	58

Table 1 reflects the revised sub-district map minimum and maximum densities exclusive of the primary school and neighborhood park sites.



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

R-5 Small Lot Single Family	1	66	82
	6	74	93
	10	30	38
Civic	12	0	7 ^a
Public Facilities (PF)	13	0	0

a These metrics apply to infill housing within the Community of Hope Church property, should they choose to develop housing on the site. Housing in the Civic subdistrict is subject to the R-7 Medium Lot Single Family regulations.

(.07) Lot Development Standards:

- A. Lot development shall be consistent with this code and applicable provisions of an approved legislative master plan.
- B. Lot Standards Generally. For the Frog Pond West Neighborhood, Table 2 and Frog Pond West Master Plan Figure __ establish the lot development standards unless superseded or supplemented by other provisions of the Development Code.
- C. Lot Standards for Small Lot Sub-districts. The purpose of these standards is to ensure that development in the Small Lot Sub-districts includes: varied design that avoids homogenous street frontages, active pedestrian street frontages, and open space that is integrated into the development pattern.

Standards. Planned developments in the Small Lot Sub-districts shall include one or more of the following elements on each block:
 - 1. Alleys
 - 2. Residential main entries grouped around a common green or entry courtyard (e.g. cluster housing).
 - 3. Four or more residential main entries facing a pedestrian connection allowed by an applicable legislative master plan.
 - 4. Garages recessed at least 4 feet from the front façade or 6 feet from the front of a front porch

No minimum development for civic area, added footnote.

Due to its size, Table 2 included at the end of the code.

These standards promote livability and compatibility in the Small Lot areas.

The reference to "pedestrian connection" here is the same as used in the draft street cross-sections. Standard 4



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p>section. If the Development Review Board finds, based upon substantial evidence in the record, that there is a need for open space, they may waive this exemption and require open space proportional to the need.</p> <p>2. Properties within the R-5 Small Lot Single Family subdistricts, Open Space Area shall be provided in the following manner:</p> <ul style="list-style-type: none"> a. Ten percent (10%) of the net developable area shall be in open space. Net developable area does not include land for non-residential uses, SROZ-regulated lands, streets and private drives, alleys and pedestrian connections. Open space must include at least 50% usable open space as defined by this Code and other like space that the Development Review Board finds will meet the purpose of this section. b. Natural resource areas such as tree groves and/or wetlands, and unfenced low impact development storm water management facilities, may be counted toward the 10% requirement at the discretion of the Development Review Board. Fenced storm water detention facilities do not count toward the open space requirement. Pedestrian connections may also be counted toward the 10% requirement. c. The minimum land area for an individual open space is 2,000 square feet, unless the Development Review Board finds, based on substantial evidence in the record, that a smaller minimum area adequately fulfills the purpose of this Open Space standard. d. The Development Review Board may waive the usable open space requirement in accordance with Section 4.118(.03). e. The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to 	<p>space is required for Large and Medium lots, as it is in the PDR zones.</p> <p>For Small Lot subdistricts, 10% common open space is required to: supplement the small yards; add variety to streetscapes; and, increase light and air to homes.</p> <p>The 10% standard may be revised or waived through the PDR waiver process in Section 4.118(.03). Waiver factors will be added to guide decision making, including: proximity to other publically accessible open space; the amount of usable open space provided; and provision of "creative play" opportunities.</p> <p>A draft definition of "useable open space" is included at the end of this code.</p>
---	---



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p style="text-align: center;">recording.</p> <p>(.09) Block, access and connectivity standards:</p> <p>A. Purpose. These standards are intended to regulate and guide development to create: a cohesive and connected pattern of streets, pedestrian connections and bicycle routes; safe, direct and convenient routes to schools and other community destinations; and, neighborhoods that support active transportation and Safe Routes to Schools.</p> <p>B. Block, access and connectivity shall comply with adopted legislative master plans.</p> <p>1. Within the Frog Pond West Neighborhood, streets shall be consistent with Figure ____, Street Demonstration Plan, in the Frog Pond West Master Plan. The Street Demonstration Plan is intended to be guiding, not binding. Variations from the Street Demonstration Plan may be approved by the Development Review Board, upon finding that one or more of the following justify the variation: barriers such as existing buildings and topography; designated Significant Resource Overlay Zone areas; tree groves, wetlands, or other natural resources; existing or planned parks and other active open space that will serve as pedestrian connections for the public; alignment with property lines and ownerships that result in efficient use of land while providing substantially equivalent connectivity for the public; and/or, site design that provides substantially equivalent connectivity for the public.</p> <p>2. If a legislative master plan does not provide sufficient guidance for a specific development or situation, the Development Review Board shall use the block and access standards in Section 4.124 (.06) as the applicable standards.</p> <p>(.010) <u>Signs</u>. Per the requirements of Sections 4.156.01 through 4.156.11 and applicable provisions from adopted legislative</p>	<p>A purpose statement has been added to help guide future decision making.</p> <p>This provision makes the PDR standards the backstop if they are needed.</p>
---	--

ATTACHMENT 1



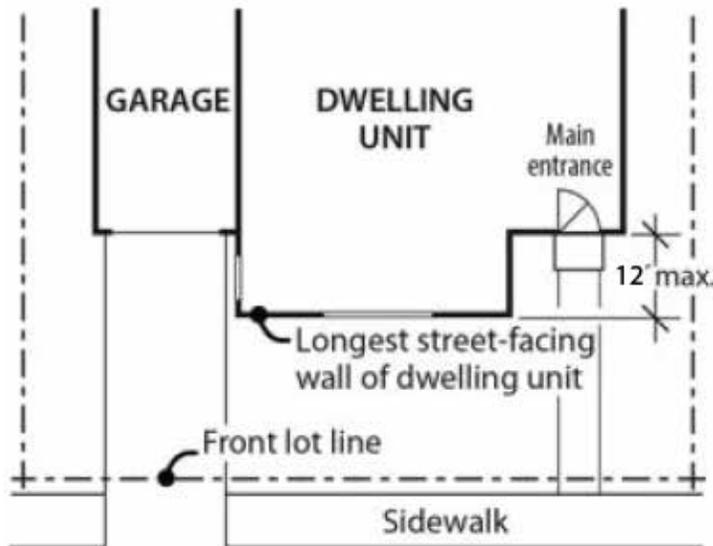
FROG POND AREA PLAN
Creating a great community

Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

- B. Location. At least one main entrance for each structure must:
1. Be within 12 feet of the longest street-facing front wall of the dwelling unit; and
 2. Either:
 - a. Face the street
 - b. Be at an angle of up to 45 degrees from the street; or
 - c. Open onto a porch. The porch must:
 - (1) Be at least 6 feet deep
 - (2) Have at least one entrance facing the street; and
 - (3) Be covered with a roof or trellis

Together, these standards create a strong relationship between the front door, front yard, and street.

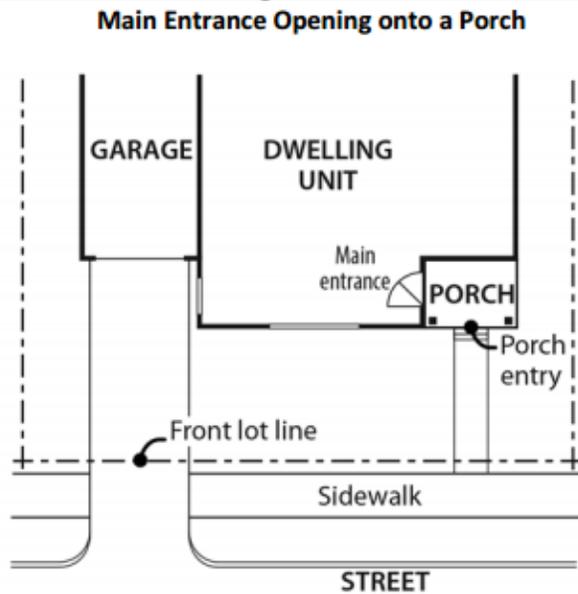


Residential Neighborhood Zone – Draft 2/22/17



FROG POND AREA PLAN
Creating a great community

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session



(.014) Garages

A. Purpose

1. Ensure that there is a physical and visual connection between the living area of the residence and the street;
2. Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
3. Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
4. Provide for a pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
5. Enhance public safety by preventing garages from blocking views of the street from inside the residence.

Residential Neighborhood Zone – Draft 2/22/17

FROG POND AREA PLAN
Creating a great community

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

B. Street-Facing Garage Walls

1. Where these regulations apply. Unless exempted, the regulations of this subsection apply to garages accessory to residential units.
2. Exemptions:
 - a. Garages on flag lots.
 - b. Development on lots which slope up or down from the street with an average slope of 20 percent or more.
3. Standards.
 - a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. For duplexes, this standard applies to the total length of the street-facing facades. For all other lots and structures, the standards apply to the street-facing façade of each unit. For corner lots, this standard applies to only one street side of the lot. For lots that are less than 50 feet wide at the front lot line, the standard in (b) below applies.
 - b. For lots less than 50 wide at the front lot line, the following standards apply:
 - i. The width of the garage door may be up to 50 percent of the length of the street-facing façade.
 - ii. The garage door must be recessed at least 4 feet from the front façade or 6 feet from the front of a front porch.
 - iii. The maximum driveway width is 18 feet.
 - c. Where a dwelling abuts a rear or side alley, or a shared driveway, the garage shall orient to the alley or shared drive.
 - d. Where three or more contiguous garage parking bays are proposed facing the same street, the garage opening closest to a side property line shall be



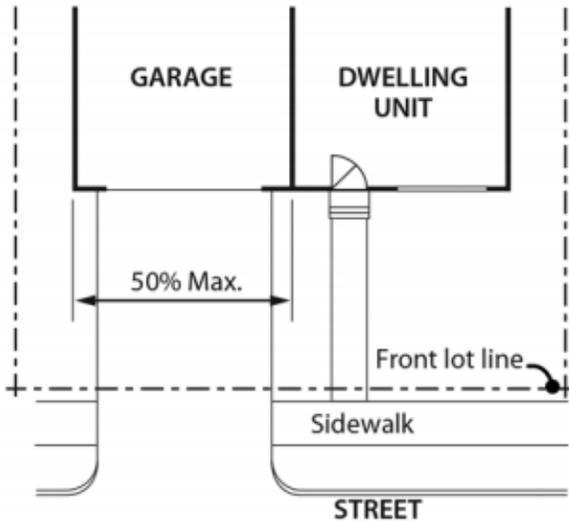
Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

recessed at least two feet behind the adjacent opening(s) to break up the street facing elevation and diminish the appearance of the garage from the street. Side-loaded garages, i.e., where the garage openings are turned away from the street, are exempt from this requirement.

- e. A garage entry that faces a street may be no closer to the street than the longest street facing wall of the dwelling unit. There must be at least 20 feet between the garage door and the sidewalk. This standard does not apply to garage entries that do not face the street.

Length of Street-Facing Garage Wall



(0.15) Residential Design Standards

A. Purpose. These standards:

1. Support consistent quality standards so that each home contributes to the quality and cohesion of the larger

These respond to testimony received at the September Planning



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p>neighborhood and community.</p> <p>2. Support the creation of architecturally varied homes, blocks and neighborhoods, whether a neighborhood develops all at once or one lot at a time, avoiding homogeneous street frontages that detract from the community’s appearance.</p> <p>B. Applicability. These standards apply to all facades facing streets, pedestrian connections, or elsewhere as required by this Code or the Development Review Board. Exemptions from these standards include: (1) Additions or alterations adding less than 50% to the existing floor area of the structure; and, (2) Additions or alterations not facing a street.</p> <p>C. Windows. Not less than 10 percent of the surface area of all street facing elevations. Windows used to meet this standard must provide views from the building to the street. Glass block does not meet this standard. Windows in garage doors count toward this standard.</p> <p>D. Articulation. Plans for residential buildings shall incorporate design features such as varying rooflines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, or similar elements that break up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 30 feet on facades facing streets, pedestrian connections, or elsewhere as required by this Code or the Development Review Board. Where a façade governed by this standard is less than 30 feet in length, at least one of the above-cited features shall be provided.</p> <p>E. Residential Design Menu. Residential structures shall provide a minimum of five (5) of the design elements listed below. Where a design features includes more than one element, it is counted as only one of the five required elements.</p> <p style="padding-left: 40px;">a. Dormers at least three (3) feet wide.</p>	<p>Commission work session. In short, the requirements are:</p> <p>Windows – minimum 10% on street sides.</p> <p>Articulation – required.</p> <p>Detailed design – design “menu”, 5 of the listed elements.</p> <p>House plan variety – required.</p> <p>The menu is sourced from the City of Sandy. Staff at Sandy report that the standards are working well and resulting in good design.</p> <p>A clarification for small homes.</p>
--	--



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

- b. Covered porch entry – minimum 48 square foot covered front porch, minimum six (6) feet deep, and minimum of a six (6) foot deep cover. A covered front stoop with minimum 24 square foot area, 4 foot depth and hand rails meets this standard.
- c. Front porch railing around at least two (2) sides of the porch.
- d. Front facing second story balcony – projecting from the wall of the building a minimum of four (4) feet and enclosed by a railing or parapet wall.
- e. Roof overhang of 16 inches or greater.
- f. Columns, pillars or posts at least four (4) inches wide and containing larger base materials.
- g. Decorative gables – cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets (does not include a garage gable if garage projects beyond dwelling unit portion of street façade).
- h. Decorative molding above windows and doors.
- i. Decorative pilaster or chimneys.
- j. Shakes, shingles, brick, stone or other similar decorative materials occupying at least 60 square feet of the street façade.
- k. Bay or bow windows – extending a minimum of 12 inches outward from the main wall of a building and forming a bay or alcove in a room within the building.
- l. Sidelight and/or transom windows associated with the front door or windows in the front door.
- m. Window grids on all façade windows (excluding any windows in the garage door or front door).
- n. Maximum nine (9) foot wide garage doors or a



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

<p>garage door designed to resemble two (2) smaller garage doors and/or windows in the garage door (only applicable to street facing garages).</p> <p>o. Decorative base materials such as natural stone, cultured stone, or brick extending at least 36 inches above adjacent finished grade occupying a minimum of 10 % of the overall primary street facing façade.</p> <p>p. Entry courtyards which are visible from, and connected directly to, the street. Courtyards shall have a minimum depth of 10 feet and minimum width of 80% of the non-garage/driveway building width to be counted as a design element.</p> <p>F. House Plan Variety. No two directly adjacent or opposite dwelling units may possess the same front or street-facing elevation. This standard is met when front or street-facing elevations differ from one another due to different materials, articulation, roof type, inclusion of a porch, fenestration, and/or number of stories. Where facades repeat on the same block face, they must have at least three intervening lots between them that meet the above standard. Small Lot developments over 10 acres shall include duplexes and/or attached 2-unit single family homes comprising 10% of the homes – corner locations are preferred.</p> <p>G. Prohibited Building Materials. The following construction materials may not be used as an exterior finish:</p> <p>a. Vinyl siding, wood fiber hardboard siding, oriented strand board siding, corrugated or ribbed metal, or fiberglass panels.</p>	
---	--

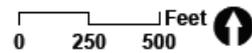
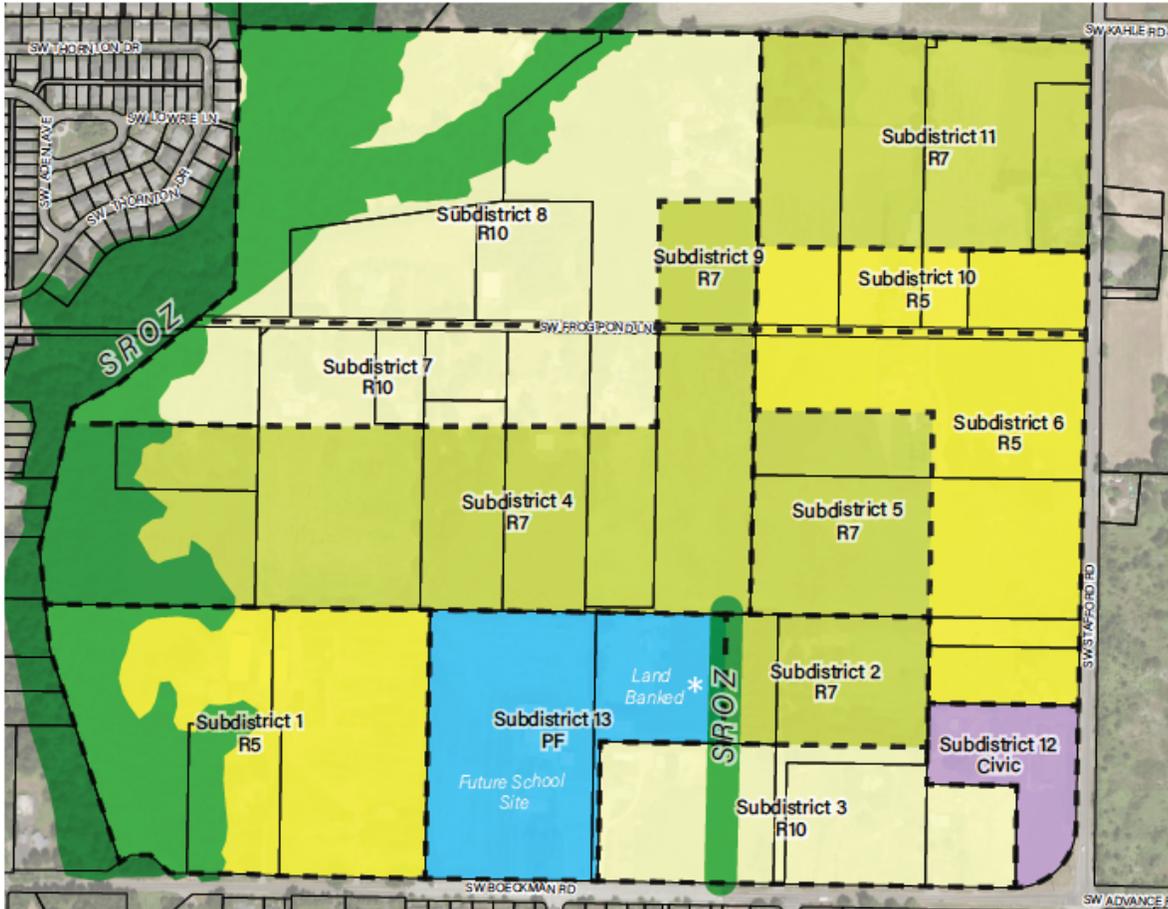
ATTACHMENT 1



FROG POND AREA PLAN Creating a great community

Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session



- | | | | |
|--|-------------------------------|--|---|
| | R5 - Small Lot Single Family | | Public Facilities |
| | R7 - Medium Lot Single Family | | Civic |
| | R10 - Large Lot Single Family | | Significant Resources Overlay Zone (SROZ) |

* Land banked for school facilities, a neighborhood park, and/or residential use.



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

Table 2: Neighborhood Zone Lot Development Standards

Neighborhood Zone Sub-District	Min. Lot Size (sq.ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (%)	Min. Lot Width ^{G,H,I} (ft.)	Max. Bldg. Height ^J (ft.)	Setbacks ^H				
						Front Min. (ft.)	Rear Min. (ft.)	Side Min. (note)	Garage Min Setback from Alley (ft.)	Garage Min Setback from Street ^K (ft.)
R-10 Large Lot Single Family	8000 ^A	60'	40% ^B	40	35	20 ^L	20	5'	18 ^U	20
R-7 Medium Lot Single Family	6000 ^A	60'	45% ^B	35	35	15 ^L	15	5'	18 ^U	20
R-5 Small Lot Single Family	4000 ^A	60'	60% ^B	35	35	12 ^L	15	5'	18 ^U	20

- Notes: A May be reduced to 80% of minimum lot size where necessary to preserve natural resources (e.g. trees, wetlands) and/or provide active open space. Cluster housing may be reduced to 80% of minimum lot size.
- B On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.
- C Front porches may extend 5 feet into the front setback.
- D The garage setback from alley shall be minimum of 18 feet to a garage door facing the alley in order to provide a parking apron. Otherwise, the rear or side setback requirements apply.
- F Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.
- G May be reduced to 24' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive or a public pedestrian access in a cluster housing development.
- H Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.
- I On lots greater than 10,000 SF with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 20 ft. with a minimum of 10 ft. On other lots, minimum side setback shall be 5 ft. On a corner lot, minimum side setbacks are 10 feet.
- J For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.
- K Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.



Residential Neighborhood Zone – Draft 2/22/17

Text and comments have been updated to reflect Planning Commission Direction from the 2/8/17 work session

Amendments to Definitions needed to support the Frog Pond West Master Plan and Residential Neighborhood Zone

The following amendments to definitions address issues discussed to date for the Neighborhood Zone. As part of preparing the hearings-ready code amendments, the team will go through the entire code to identify amendments required to fully integrate the Neighborhood Zone.

Definition 53A - Cohousing

Cohousing: Cohousing is an intentional community of private homes clustered around a shared space, with design features to promote frequent interaction and close relationships. Cohousing can be comprised of a single housing type or a variety of housing types, as permitted by the base zone. Applicable regulations are determined by the base zone, specific housing types involved, and applicable regulations such as master plans.

Definition 175 – Neighborhood

Neighborhood: An urban sector of residential or multiple uses served by a network of pedestrian-friendly streets and alleys within approximately ¼ mile in radius. Neighborhoods are generally defined by arterial or collector streets and/or open space at their edges and may include a park or Neighborhood Commons at their center.

Definition 196A – Usable Open Space

Usable Open Space: Open Space that serves a planned recreational, active transportation, environmental education or relaxation purpose and is of sufficient size and shape for the intended purpose. Usable open space does not include land that is an apparently remnant tract or otherwise unusable or oddly shaped area.

ATTACHMENT 2

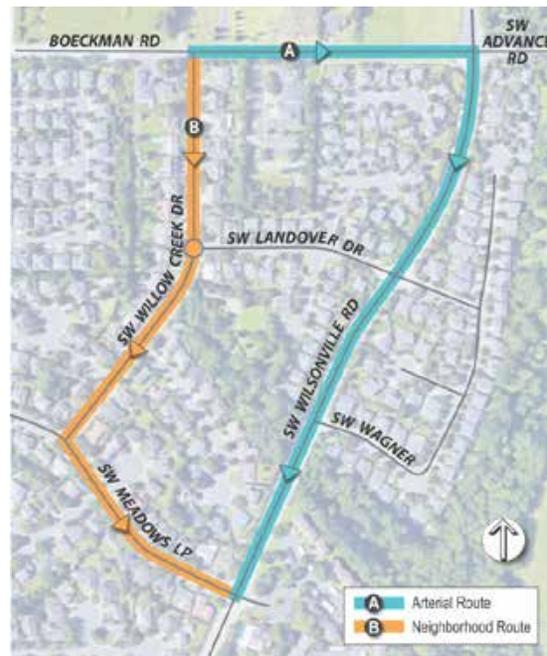


117 Commercial St. NE, Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

MEMORANDUM

DATE: February 28, 2017
TO: Joe Dills, APG
Chris Neamtzu, Planning Director, City of Wilsonville
FROM: Scott Mansur, P.E., PTOE
SUBJECT: Frog Pond Willow Creek Drive Alignment Transportation Evaluation P14033-001

This memorandum addresses issues raised related to the planned street extension of Willow Creek Drive north of Boeckman Road to serve the Frog Pond west neighborhood. The extension has been envisioned as one of several multimodal connections to the west neighborhood that includes residential single family units and a new primary school. Concerns have been expressed that this direct street connection may encourage cut-through vehicle traffic in the Meadows neighborhood rather than using adjacent arterial routes. To minimize this impact, it has been suggested that the Boeckman Road/SW Willow Creek Drive intersection be constructed as two offset tee-intersections, rather than a single, aligned, 4-legged intersection as shown in the adopted Frog Pond Area Plan and draft Frog Pond West Master Plan.



Arterial Route vs Neighborhood Route

The following sections highlight the tradeoffs to be considered in choosing between the planned 4-legged intersection and the proposed two offset tee-intersections. The primary arterial route and an alternative neighborhood route are illustrated above.



Operational Differences between the Arterial and Neighborhood Routes

DKS reviewed and compared various operational aspects of the two travel routes as summarized in Table 1 below, and illustrated on the previous page. The key differences between the two routes are in the background daily volumes, the posted travel speeds, and the number of fronting residential units. The overall travel times during peak hours would be similar to each other, averaging just over one minute each. However, the arterial route is estimated to be about 10 to 35 seconds faster than using the neighborhood route. The neighborhood route is slower due to the potential delays related to traveling through a residential area with a traffic circle, internal stop signs, roadway characteristics such as driveways and on-street parking, and other neighborhood activities.

Furthermore, the City of Wilsonville and West-Linn Wilsonville School District are currently constructing an eastbound right turn lane along with a new traffic signal at the Wilsonville Road-Stafford Road/Boeckman Road-Advance Road intersection that will improve operations for all movements at the intersection. The estimated delays from the planned traffic signal were used to help estimate the arterial route travel times.

Table 1 - Operational Data Summary

Operational Aspect	Arterial Route	Neighborhood Route
Route description	Boeckman Road to Wilsonville Road to SW Meadows Loop Road	Willow Creek Drive to SW Meadow Loop to Wilsonville Road
Functional class	Both roads are minor arterial roadways	Willow Creek is a local street Meadows Loop is a collector road
Posted vehicle speeds	40 MPH on Boeckman Road 35 MPH on Wilsonville Road	All facilities are 25 MPH
Travel distance	2,800 feet	2,200 feet
Estimated vehicle travel time during peak hour	SB Travel: 1 minute, 15 seconds NB Travel: 1 minute, 15 seconds	SB Travel: 1 minute, 25 seconds NB Travel: 1 minute, 50 seconds
Estimated daily traffic volumes (build out)	About 8,000 to 10,000 vehicles daily	About 1,000 vehicles daily
Fronting residential units	None	42 units

It should be noted that the current travel demand model developed for Wilsonville shows 20 vehicles traveling northbound and southbound (ten in each direction) at the SW Willow Creek Drive/Boeckman Road intersection during the p.m. peak hour. However, we are not able to

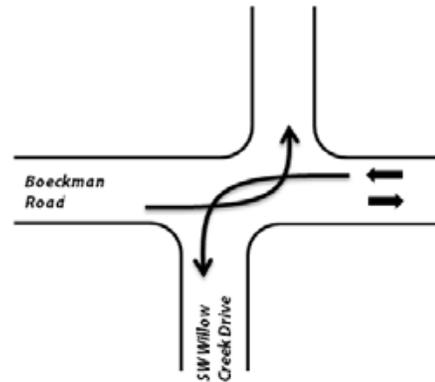
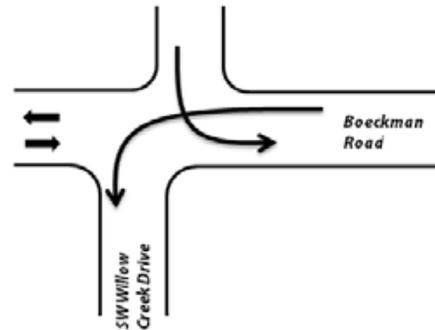


determine from the model whether all of these vehicles are neighborhood to neighborhood trips or whether they are using SW Willow Creek Drive as a cut-through route.

Impacts to Transportation Safety

Selecting two offset tee-intersections introduces several safety concerns and design limitations compared to the traditional four-legged standard intersection at this location. The adverse safety and design effects of the offset tee-intersections alternative include the following issues:

- The city's access spacing standard for Boeckman Road is a minimum of 600 feet between adjoining intersections (Public Works standards, section 201.2.15), which cannot be met with the proposed configuration and existing adjacent access points on Boeckman Road.
- SW Willow Creek Drive is only spaced 900 feet west of Wilsonville Road, so an offset intersection to the east is not practical given spacing requirements.
- The proximity of the adjoining school property and the environmental land (SROZ) precludes a compliant offset to the west.
- Two closely spaced tee-intersections degrade traffic safety by creating additional conflict points between turning movements (see figure on right). This configuration is particularly concerning given the nature of Boeckman Road (higher speed, two-lane arterial currently without turn pockets). If two opposing vehicles attempt to make simultaneous left-turns, resulting queues could block both movements, creating safety and operations issues.
- Offset tee-intersections result in staggered crossings that require out-of-direction travel and/or additional crossings for pedestrians and bikes.
- The offset intersections would eliminate future opportunity to enhance pedestrian crossings at this location (e.g., treatments such as rapid rectangular flashing beacons with one consolidated crossing). This type of enhancement would be desirable with the future Frog Pond primary school and Boeckman Road separating the Landover Neighborhood.



Problems arising from closely spaced access connections on opposite sides of an undivided roadway: (top) conflicting left turn in and left turn out and (bottom) opposing left turns in. (Adapted from Exhibit 14-18 in the 2014 Access Management Manual)



Applicable City Transportation Policies

Several policies of the city's Transportation System Plan (TSP) support enhanced multimodal connections for the system overall, and particularly between city neighborhoods. The offset tee-intersection configuration for Willow Drive would be a less effective solution than the conventional four-legged intersection in this regard. The supporting TSP policies noted in our review include the following:

- **System Design, Connectivity, Policy 10.** Add connectivity for all modes throughout the city's transportation system to improve access between neighborhoods
- **Active Transportation, Policy 39.** Improve and expand pedestrian and bicycle facilities throughout the community, with a focus on improved connectivity within the city ...
- **Active Transportation, Policy 42.** Provide more enhanced pedestrian crossings as a way to improve safety and connectivity in city's transportation system.
- **ADA Comprehensive Access.** Providing sidewalk connectivity between neighborhoods, businesses, transit stops, and other destinations.

Conclusion

- The Wilsonville Road-Boeckman Road arterial route has a lower estimated travel time as the additional delay incurred through the neighborhood route is estimated to be between 10-35 seconds during the peak hour.
- The intersection improvements at Wilsonville Road will provide a new traffic signal and an eastbound right-turn lane for Boeckman Road traffic. This will reduce travel time delays for the arterial route.
- Traffic volumes on the arterial route can be readily served even during peak hours of the day. Most hours of the day there will be minimal congestion on the arterial street in this area, making neighborhood routes less attractive for trips through the area.
- Keeping the proposed 4-way intersection is consistent with the city's TSP goals and policies and allows the development to conform to Public Works street standards.



CITY COUNCIL Work Session STAFF REPORT

Meeting Date: March 06, 2017		Subject: (Briefing) Water Treatment Plant Master Plan and Willamette Water Supply Program Coordination	
		Staff Member: Eric Mende Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments:	
Staff Recommendation: n/a			
Recommended Language for Motion: n/a			
Project / Issue Relates To: <i>[Identify which goal(s), master plans(s) your issue relates to.]</i>			
<input checked="" type="checkbox"/> Council Goals/Priorities Well Maintained Infrastructure	<input checked="" type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

ISSUES BEFORE COUNCIL: Water Treatment Plant master planning and coordination of City projects with Willamette Water Supply Program (WWSP) projects.

EXECUTIVE SUMMARY:

Capital Projects Engineering Manager Eric Mende will provide a short briefing on: 1) the recently completed Willamette River Water Treatment Plant 2015 Master Plan Update (a joint project with Tualatin Valley Water District and the cities of Hillsboro, Beaverton, Tigard, and Sherwood); 2) next steps for a more focused look at the existing WRWTP, and 3) coordination

efforts between the City and the WWSP for various near term projects such as the 5th St/Kinsman road project and Garden Acres Road project (Coffee Creek Urban Renewal).

EXPECTED RESULTS: n/a

TIMELINE: n/a

CURRENT YEAR BUDGET IMPACTS: n/a

FINANCIAL REVIEW / COMMENTS: n/a

LEGAL REVIEW / COMMENT: n/a

COMMUNITY INVOLVEMENT PROCESS: n/a

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): n/a

ALTERNATIVES: n/a

CITY MANAGER COMMENT:

ATTACHMENTS: none

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, February 23, 2017. Mayor Knapp called the meeting to order at 7:20 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Councilor Starr
Councilor Stevens - Excused
Councilor Lehan
Councilor Akervall

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Sandra King, City Recorder
Nancy Kraushaar, Community Development Director
Jon Gail, Community Relations Coordinator

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

City Attorney Employment Contract

Motion: Councilor Starr moved to revise and approve the extension of Barbara Jacobson's contract as City Attorney from December 21, 2016 to November 30, 2017, with a total compensation of \$161,297.68 as outlined in the employment agreement. Councilor Lehan seconded the motion.

The Councilors expressed their appreciation for the excellent job Ms. Jacobson has done the past year, for being proactive, professional, and protecting the city.

Vote: Motion carried 4-0.

The Mayor reported on the meetings and events he attended on behalf of the City.

COMMUNICATIONS

Jon Gail, Community Relations Coordinator introduced Ms. DeSouza and Annie VonDomitz of Oregon Travel Information Council/Oregon Travel Experience.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Ms. DeSouza provided information on the function of Oregon Travel Information/Oregon Travel Experience agency. Ms. DeSouza identified the many programs the agency is involved in including the Oregon Historical Marker Program and State Heritage Tree program as well as maintaining the state's many rest areas.

Ms. VanDomitz discussed the revitalization project for the Grove of the States located at the French Prairie Rest Area on I-5 which features a tree from each of the fifty states in the U.S. The Grove is being expanded and trees that have been lost due to overcrowding have been replaced. She spoke about the sponsorship program, and invited the Council to attend the re-dedication event scheduled for August 28th.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS - There were none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr announced the next meeting date of the Parks and Recreation Advisory Board and invited the public to attend the Family Heart Healthy event scheduled for Saturday at the Library.

Councilor Lehan noted she had attended a meeting of the French Prairie Forum where Matt Maletis spoke about his proposal to create a hub for growing, processing and researching marijuana. The Councilor also attended the French Prairie Bike Bridge Open House where the proposed bridge corridor alignments were discussed. She invited the public to attend the Town Center Master Plan kickoff event scheduled for the 28th and noted March 13th is the first day to reserve park facilities.

Councilor Akervall announced DRB Panel B will meet on February 27th. She reported on the dates the DRB will meet in March.

Mayor Knapp added the Council would be conducting a joint work session with the West Linn-Wilsonville School Board on the 27th starting at 5 p.m. and on March 6th he would give his State of the City Address.

CONSENT AGENDA

Ms. Jacobson read the Consent Agenda items into the record.

A. **Resolution No. 2614**

A Resolution Of The City Council Of The City Of Wilsonville Acting As The Local Contract Review Board, Authorizing Staff To Enter Into A Contract For The Purchase Of A Replacement Combination Sewer/Catch Basin Cleaning Truck.

B. Minutes of the February 6, 2017 Council Meeting.

Motion: Councilor Starr moved to approve the Consent Agenda. Councilor Akervall seconded the motion.

Vote: Motion carried 4-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CITY MANAGER'S BUSINESS

Mr. Cosgrove provided the following update:

- Council Goals for 2017-19 will be on the March 6th agenda for adoption, as will the revised Protocol Manual.
- Staff has been informed on the changes to the Liaison assignments.
- He is working on a Sanctuary City response.
- Management staff will be attending a retreat March 2-3 and will be out of the office.

LEGAL BUSINESS

Ms. Jacobson had no report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor



CITY COUNCIL GOAL SETTING RETREAT SUMMARY REPORT

PREPARED FOR:

CITY OF WILSONVILLE

BY

JENSEN STRATEGIES, LLC

FEBRUARY 2017

TABLE OF CONTENTS

INTRODUCTION	1
----- DAY 1 TRAINING -----,.....	2
COUNCILOR INTRODUCTIONS.....	2
EFFECTIVE CITY COUNCILS	3
EFFECTIVE CITY COUNCILS PRESENTATION	3
WILSONVILLE COUNCIL INTERNAL EXPECTATIONS	4
COUNCIL INTERVIEW DEBRIEF	4
COUNCIL ADMINISTRATIVE ISSUES	5
COUNCIL LIAISONS	6
COUNCIL MEETING AND WORK SESSION EFFECTIVENESS	6
COUNCIL PROTOCOL MANUAL	8
----- DAY 2 RETREAT-----	10
COUNCIL / STAFF EXPECTATIONS.....	10
COUNCIL EXPECTATIONS OF STAFF	11
STAFF EXPECTATIONS OF COUNCIL	11
SANCTUARY CITY DISCUSSION	12
COUNCIL GOAL SETTING	12
MISSION STATEMENT	13
KEY PERFORMANCE AREAS.....	13
LONG-TERM OBJECTIVES	14
2017-2019 COUNCIL GOALS	15
ADMINISTRATIVE DIRECTIVES	17
APPENDICES	18
APPENDIX A: EFFECTIVE CITY COUNCILS PRESENTATION	18
APPENDIX B: COUNCIL PROTOCOL MANUAL.....	28
APPENDIX C: KEY PERFORMANCE AREAS	60
APPENDIX D: NATIONAL CITIZEN SURVEY	61
APPENDIX E: WILSONVILLE LEADERSHIP ACADEMY INPUT.....	77

INTRODUCTION

On February 10 and 11, 2017, the Wilsonville City Council convened for a two-day organizational development process comprised of a training session and a goal setting retreat. The City retained Jensen Strategies, LLC (consultant) to facilitate the proceedings. The training session took place at Wilsonville City Hall (29799 Town Center Loop East) and the goal setting retreat was held at the Wilsonville Water Treatment Plant (10350 SW Arrowhead Creek Lane).

The February 10 training session was attended by the following individuals:

- Tim Knapp, Mayor
- Kristin Akervall, Councilor
- Charlotte Lehan, Councilor
- Susie Stevens, Councilor
- Bryan Cosgrove, City Manager
- Barbara Jacobson, City Attorney
- Sandra King, City Recorder
- Erik Jensen, Jensen Strategies
- Jeff Aprati, Jensen Strategies

On February 11, the above attendees were joined by:

- Scott Starr, Council President
- Jeanna Troha, Assistant City Manager
- Susan Cole, Finance Director
- Patrick Duke, Library Director
- Delora Kerber, Public Works Director
- Nancy Kraushaar, Community Development Director
- Eric Loomis, SMART Field Supervisor

DAY 1 TRAINING

COUNCILOR INTRODUCTIONS

The Council began the first session by offering insight into their points of view and perspectives. While Councilors spend a significant amount of time working together, they often do not have opportunities to discuss their values and aspirations as elected officials. The consultant encouraged each Councilor to share their reasons for running for Council the first time, the values they hold as a Councilor, and the highest priority item they would like the City to accomplish in the next year. Their answers were as follows:

Motivations for Running

- Providing commercial services – commercial zone planning.
- Continue shaping policy in the public interest.
- Continue the good work the City had been engaged in.
- Appointed – responsibility to serve.

Values

- Transparency and inclusion.
- Environmental protection, tree and farm land preservation, connectivity, preserving the community's heritage.
- Being proactive, promoting connectivity – both physical and social.
- Empathy and inclusion (x2).
- Honesty, integrity, and respect for the community.

Highest Priority for Accomplishment in Next Biennium

- Building the French Prairie Bridge, addressing the affordable housing challenge, addressing the traffic issues.
- Beauty and the Bridge, organize city archives and make accessible.
- Town Center Task Force (x2).
- Developing a clear set of goals.
- Facilitating riverfront objectives.

EFFECTIVE CITY COUNCILS

The consultant gave a presentation and subsequently facilitated a discussion on optimizing the effectiveness of the Council as a governing body. While it was noted the Council already functions effectively, it was recognized that regular focus and improvement of internal dynamics is critical for groups to function at a high level on an ongoing basis.

EFFECTIVE CITY COUNCILS PRESENTATION

The consultant framed the effective councils discussion by delivering a presentation on the ten characteristics of effective city councils. The presentation was adapted from material developed by Carl H. Neu Jr. of the Center for the Future of Local Governance. The ten characteristics presented are listed below. The PowerPoint slides from this presentation, which include details and sub-bullets, are included in [Appendix A](#).

Ten Characteristics of Effective City Councils

1. Think and act strategically
2. Understand and demonstrate the elements of teams and teamwork.
3. Master small group decision-making.
4. Clearly define roles and responsibilities.
5. Establish and abide by a Council-staff partnership.
6. Allocate Council time and energy wisely.
7. Set and maintain clear rules and procedures for Council meetings.
8. Conduct systematic assessments of policy implementation.
9. Solicit the public's feedback on the Council's performance.
10. Practice continuous personal learning and leadership development.

WILSONVILLE COUNCIL INTERNAL EXPECTATIONS

Building upon the effective councils presentation and discussion, the Council established a set of its own internal expectations. These are intended to serve as ongoing mutual commitments between the Council members to guide their work together as productively and effectively as possible. The expectations, as agreed at the retreat, are listed below:

Wilsonville Council Internal Expectations

1. Come to meetings familiar with the material.
2. Assume everyone's best intentions.
3. Assist fellow Councilors with procedural issues – be open to giving and receiving constructive criticism.
4. Vote your conscience and then move on – accept the decision of the Council once it is made.
5. Promote collegiality, positivity, and fun.
6. Study pros and cons before making policy decisions.
7. Come to meetings with an open mind.
8. Actively share in Council dialogues.
9. Vote within your interpretation of the City's Mission Statement.

COUNCIL INTERVIEW DEBRIEF

Prior to the retreat, the consultant conducted interviews with each member of the Council to solicit their input and individual perspectives on the state of the City, their mutual working relationships, and preliminary ideas for future policy goals. The individual interviews were confidential; however, common themes emerged in the responses of the participants, which were shared with the whole Council at the retreat. The common themes included:

General City Status

- Overall, things are going well for the City.

- Long-term planning and growth management has generally been successful.
- Finances are strong.
- Satisfaction with City services is high.

Key Words Used to Describe Wilsonville

- Progressive
- Livable
- Affluent
- Safe
- Appealing
- Personable
- Growing

Council Dynamics

- Works together very well – respectful of diverse opinions and perspectives.
- Able to make difficult decisions together.
- Assertive with opinions while maintaining decorum.

Policy Challenges

- Traffic.
- Housing mix.
- Continuing to plan for the long-term future.
- Remaining focused, given the many day-to-day demands.

COUNCIL ADMINISTRATIVE ISSUES

Building upon the progress made in enhancing their internal dynamics, the Council utilized the training session to address several administrative issues related to Council efficiency and effectiveness. These included (1) reexamining the Council liaison system, (2) assessing the effectiveness of Council meetings and work sessions, and (3) reviewing and revising the Council Protocol Manual.

COUNCIL LIAISONS

The Council's practice has been to designate liaisons to the City's various boards, commissions, committees, and task forces. According to chapter nine of the Protocol Manual, the purpose of liaisons has been "to provide a direct communication channel between the Board, Commission, or Committee and the City Council; aid in the understanding by the Councilor of the operations of and any recommendations made by the Board, Commission, or Committee to which the Councilor has been appointed as liaison; and as may from time to time arise, provide the experience of the Councilor as may benefit the Board, Commission, or Committee."

In an effort to continually improve the efficiency of the City's policy making structure, the Council engaged in a conversation analyzing the current effectiveness of the Councilor liaison system. The Council determined that (1) minimal value is being added from the liaison communication function; (2) contact with certain internal appointed boards/commissions, such as the Development Review Board, creates potential ex parte contact challenges; and (3) Council reports to/from these groups are not providing significant value or timely input.

In light of these difficulties, the Council recommended a new coordination approach in lieu of the previous liaison system. Specifically, the Council suggested that formal designated Councilor liaisons to individual boards and committees may no longer be necessary. Instead, future engagement with these internal groups should include facilitated annual retreat with the Council and all boards and commissions, Council work session reports from boards and commissions on an as-needed basis, and regular updates on board and commission activities through the City Manager and staff members. The Council also encouraged boards and commissions be given an opportunity to provide feedback on this alternative approach to engagement.

COUNCIL MEETING AND WORK SESSION EFFECTIVENESS

The Council continued its review by discussing the effectiveness of their meetings and work sessions.

Regular Sessions: The consultant first asked the Council to gauge the strengths of Council meetings as they are currently conducted, as well as the ways in which the meetings could be more effective. Their findings included:

Council Meeting Strengths

- Debates and discussions at meetings are generally positive and constructive.
- The Mayor is effective at ensuring everyone at the dais has a chance to speak.
- Councilors consistently refrain from deliberating on policy decisions until informational questions have been asked of staff.
- Councilors maintain professional demeanor and decorum.
- Citizen input and concerns are valued.
- The City Attorney's legal advice provides important insight.
- The City Recorder provides efficient and excellent support.
- The City Manager's tact and expertise has been essential.
- The information provided by staff before meetings is comprehensive and useful.

Opportunities to Enhance Council Meeting Effectiveness

- Brief staff, as needed, on protocols for hearings in which their participation is required.
- Provide citizens and guests a chance to speak before the Mayor's and Councilor's comment periods.
- Make citizens feel comfortable at meetings and help them understand the meeting process. Brochures outlining citizen comment procedures should be readily available.
- Ensure that participants wait for recognition from the Mayor before speaking.
- Provide a rolling calendar of upcoming City events for the following two weeks should be displayed during the Mayor's comments.

Work Sessions: Subsequently, the consultant asked the Council to examine the effectiveness of Council work sessions. As before, Councilors were first asked to evaluate the strengths of work sessions as they are currently conducted, as well as the ways in which they could be improved. Their determinations are below:

Work Session Strengths

- Staff reports are useful; increased focus on required Council decision points has been helpful.
- Staff does an excellent job coordinating packets and business agendas.

Opportunities to Enhance Work Session Effectiveness

- Consider Councilor commute schedules when setting start times.
- Reserve sufficient time for Council discussion after presentations.

COUNCIL PROTOCOL MANUAL

To complete the administrative section of the training session, the Council considered possible amendments to its Protocol Manual, which was adopted in 2011 with the goal of “conduct[ing] its meetings in a manner that is courteous, effective and efficient, while fostering an environment that is fair, open and responsive to the needs of the community.” The Protocol Manual, along with its City Code and other source material, can be referenced in Appendix B. Regular review and updating of the manual is prudent given the myriad of contextual and technological changes that can arise over a several-year period. In its consideration of the Protocol Manual, the Council was mindful of the assessments it previously made of its liaison system, regular meetings and work sessions. The Council agreed the following proposed manual revisions are warranted:

Adherence to Protocols (Protocol Manual Ch. XI ¶ 4)

The City Attorney should provide suggested language clarifying the Mayor’s role in ensuring Council adherence to the adopted procedures and protocols.

Alternative Meeting Locations (Protocol Manual Ch. I ¶ 1(a))

The Council suggested exploring the possibility of holding occasional meetings at other locations within the city, particularly at park facilities during the summer months.

Council Liaisons (Protocol Manual Ch. IX; VII ¶ 1)

As explained above, after assessing and analyzing the Council’s communication and coordination practices with boards and commissions, the Council suggested

that formal designated Councilor liaisons to individual boards and committees may no longer be necessary. Instead, future emphasis should be placed on holding a facilitated annual retreat with the Council and all boards and commissions, Council work session reports from boards and commissions on an as-needed basis, and regular updates on board and commission activities through the City Manager and staff members. Boards and commissions should be given an opportunity to provide feedback on this alternative approach to engagement. It was recommended the City Attorney draft alternative language delineating this new board/commission engagement strategy.

Disturbances at Meetings (City Code 2.003(17)(b))

Due to recent court decisions regarding disturbances at council meetings, the City Attorney should draft replacement language reflecting the ability of the Council to bar individuals from meetings.

Dress Code (Protocol Manual Ch. III ¶ 19)

The Council suggested that the majority of language in this subsection is unnecessary and could be eliminated, with the exception of the first sentence: “It is the policy of Council to create a dignified and professional environment for Council meetings and should dress accordingly.”

Email Correspondence (Protocol Manual Ch. X ¶ 1)

As email is now an extremely common medium of correspondence received by Councilors, it was suggested the City Attorney provide additional language outlining policies for processing email communications.

Order of Business (Protocol Manual Ch. II ¶ 1; City Code 2.003(8)(1-12))

The Council suggested that for maximum expediency, the order of business for Council meetings should reflect the list below. The Protocol Manual should be updated to reflect this amended order, and to facilitate any future revisions, the City Code should no longer explicitly list the order.

- Call to Order
 - Roll Call
 - Pledge of Allegiance
 - Motion to approve the order of the agenda
- Communications
- Citizen Input & Community Announcements
- Mayor's Business
- Councilor Comments, Liaison Reports & Meeting Announcements
- Consent Agenda
- New Business
- Continuing Business
- Public Hearing
- City Manager's Business
- Legal Business
- Adjourn

Policies on Use of Electronic Devices During Meetings (P. Manual Ch. III ¶ 20):

In contrast with previous years, Councilors now regularly use City-issued electronic devices during meetings as part of discharging their official duties. Such use generates discoverable public records and is to be for Council business only. It was recommended the City Attorney draft proposed language to reflect this new reality.

DAY 2 RETREAT

COUNCIL / STAFF EXPECTATIONS

With the addition of the City's department managers, the second day of the retreat was designed to enhance working relationships between the Council and staff. To this end, the staff and Council were divided into separate groups and led through facilitated discussions wherein they developed sets of expectations of the other group. These expectations identified mutual commitments to help both staff and elected officials perform their City roles as productively and effectively as possible.

COUNCIL EXPECTATIONS OF STAFF

The Council developed the following set of expectations of the staff, intended to promote a high-functioning City organization:

Council Expectations of Staff

1. Keep the Council informed in a timely manner.
2. Be good stewards of public money and operate efficiently.
3. Effectively use in-house resources to maximize any outsourced services.
4. Be sensitive to community needs/issues and be responsive – practice high quality customer service.
5. Be aware of Council priorities when conducting work.
6. Work as a team and maintain a positive working environment – maintain the City’s current excellent reputation.
7. Exercise high professional standards.
8. Present information succinctly to the Council.
9. Be innovative to achieve enhanced outcomes.
10. Maintain a culture of pride, service, and passion.

STAFF EXPECTATIONS OF COUNCIL

The staff developed the following expectations of the Council to maximize their ability to perform their functions effectively:

Staff Expectations of Council

1. Give honest, clear, proactive, and timely communication and feedback.
2. Start meetings on time having read the material.
3. Trust staff expertise and recognize everyone is on one team.
4. Create well thought out policy for the greater good; recognize when to say no.

5. Set clear priorities from the Council as a whole.
6. Give clear direction on next steps.

SANCTUARY CITY DISCUSSION

Given the rising interest throughout the country, the Council briefly discussed sanctuary cities, and specifically whether the Council should take a position for or against Wilsonville designating itself as such. It was noted that Wilsonville does not have a police department and contracts with the Clackamas County Sheriff's Office for police services. Accordingly, the ability of the City to promote sanctuary policies through its law enforcement would be limited.

During the discussion, the Council acknowledged the option of publically affirming the current Clackamas County Sheriff policies regarding immigration status, and reinforcing that City services such as water, library, and recreation programs are administered without requiring proof of legal residency. The Council agreed any formal action or decision would need to be made at a regular Council business meeting which would afford the public opportunities to provide input.

COUNCIL GOAL SETTING

The City's practice has been to adopt Council Goals every two years for the subsequent biennium. These goals serve as overarching policy guidance for the Council and City organization; they assist the City in focusing its time and resources toward achieving strategic outcomes, despite the day-to-day challenges that inevitably arise.

To begin the discussion, the consultant led the Council through a holistic, outcome-focused goal setting process designed to foster integrative, vertical connections. This approach was designed to link any and all outcomes back to the Mission Statement. Starting with the Council's previously adopted Key Performance Areas, long-term objectives would be developed that would lead to the 2017-2019 biennium goals. These different levels of detail offer an opportunity to develop goals in the context of the City's overall mission and long-term direction. The following figure illustrates the interconnected structure:



MISSION STATEMENT

The consultant asked the Council to confirm the continued applicability of its Mission Statement, adopted in the late 1990s. The Council confirmed that despite the passage of time, the statement still accurately describes the aspirations and long-term direction of Wilsonville. The City’s Mission Statement is:

Wilsonville Mission Statement

“To protect and enhance Wilsonville’s livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.”

KEY PERFORMANCE AREAS

Subsequently, the consultant asked the Council to revisit the Key Performance Areas adopted for the 2015-17 biennium. These twelve areas further define the Mission Statement, articulating key elements that, together, characterize the ideal community to which Wilsonville aspires. As with the Mission Statement, the Council affirmed that the Key Performance Areas remain relevant. The twelve areas are listed below and are further defined in Appendix C.

Wilsonville Key Performance Areas

1. Quality education
2. Fiscal discipline
3. Environmental stewardship
4. Clear vision and community design
5. Thoughtful land use
6. Well-maintained infrastructure
7. Community amenities and recreation
8. Welcoming, engaged, and satisfied residents
9. Multi-modal transportation network
10. Safe, healthy, and aesthetically pleasing community
11. Economic development
12. Regional awareness and influence

LONG-TERM OBJECTIVES

With the overarching guiding elements reaffirmed, the Council began the process of developing its long-term objectives, intended to provide broad policy direction for the City for approximately a ten-year period. The consultant led the Council through a brainstorming process to develop an initial list of objective ideas; this longer list was then condensed and synthesized into a final set of 13 objectives.

To help set the discussion context, the consultant made resources and input available to the Council, starting with the results of the National Citizen Survey conducted in Wilsonville in 2016, asking respondents what they think is “the biggest priority facing the City of Wilsonville in the next five years.” This content can be referenced in [Appendix D](#). The consultant also provided input from the Wilsonville Leadership Academy participants, who were asked by the consultant at a meeting on January 18 to describe their long-term vision for the city. Their responses are included in [Appendix E](#). The final list of objectives developed by the Council is displayed below:

Long-Term Objectives

1. Revise the Development Code to streamline and modernize it.
2. Promote stronger connectivity and access to the Willamette River.
3. Enhance tourism, recreation, resiliency, redundancy, economic development, and connectivity.
4. Promote and make available numerous options for convenient sustainable choices.
5. Create a parks and recreation system, in conjunction with partners, that includes high-capacity use, multi-use facilities, and revenue generating capabilities.
6. Pursue a balanced housing mix with a variety of choices to meet the needs of current and future residents of varying financial levels.
7. Develop a robust, attractive, and viable commercial center with amenities to serve the community.
8. Promote vibrant arts, cultural, and heritage programs and facilities.
9. Build fully interconnected and effective transportation modes enabling all kinds of movement among neighborhoods, commercial/employment areas, schools, parks, library, and government.
10. Promote farm and forest land protection.
11. Promote a healthy urban forest.
12. Enable and promote healthy living.
13. Embrace technology proactively in future planning, operations, and customer service.

2017-2019 COUNCIL GOALS

After establishing the long-term objectives, the Council began developing goals for the 2017-2019 biennium. The consultant led the Council through a brainstorming process to develop a list of goal ideas, which was then synthesized into a final list of goals for the coming biennium. The final list of the Council's 2017-2019 goals was as follows:

2017-2019 Council Goals

- A. Complete the French Prairie Bridge feasibility study.
- B. Install interpretive signage for Beauty and the Bridge and on Murase architectural features; inventory all public art with interpretive recognition.
- C. Organize Library archives; capture history as it happens and before it changes, including coordinating photography.
- D. Explore the establishment of an Arts and Culture Commission, based on the results of the Arts and Culture Commission Study, and develop a strategy to reinstitute the sculpture program.
- E. Conduct a study of the Arrowhead Creek Area considering river access options, transportation, and land use issues.
- F. Complete the Parks Master Plan and, subsequently, master planning for Boones Ferry Park.
- G. Complete design work and seek funding for the East-West Bridge.
- H. Continue to negotiate with TriMet to adjust its service boundaries.
- I. Complete the preliminary work necessary to begin soliciting bids on Phase I of the Boones Ferry / Brown Road project.
- J. Evaluate the results of the housing affordability study and begin policy development, including addressing housing mix.
- K. Hold educational town hall / summit meeting(s) regarding traffic challenges, affordable housing, building elevation, and density policy trade-offs.
- L. Complete form-based code work currently underway.
- M. Complete the fiber business plan.
- N. Update the solid waste franchise agreement and consider curbside composting options.
- O. Become a bee city.
- P. Develop and implement a street tree replacement program.
- Q. Improve Wilsonville's Walk Score.
- R. Complete the Town Center Master Plan, including an International Square.
- S. Develop a wayfinding program.

ADMINISTRATIVE DIRECTIVES

In the course of brainstorming its 2017-2019 goals, the Council identified a number of needed administrative actions that, unlike policy goals, were more operational in nature. The Council termed these administrative directives, and asked the City Manager to ensure their accomplishment over the following biennium. These directives included:

Administrative Directives

- i. Advocate for an auxiliary lane on Interstate 5 southbound over the Boone Bridge.
- ii. Advocate for more funding for all transportation facilities.
- iii. Continue to monitor volumes on major transportation corridors entering Wilsonville.
- iv. Complete congestion mitigation projects related to Interstate 5.
- v. Explore sustainable funding for SMART.
- vi. Advocate for increased WES service.
- vii. Explore the Blue Zone concept.
- viii. Educate, inform, and monitor the Big Pipe project.
- ix. Update the City website including a database of City plants with recommendations of hearty plants suited to the area.
- x. Create a coordinated calendar for Councilor-attended events.

APPENDICES

APPENDIX A: EFFECTIVE CITY COUNCILS PRESENTATION

1. Think and Act Strategically

- ▶ Plan long-term - visioning, strategic planning
- ▶ Bring balance to policy choices - set priorities
- ▶ Do the homework - use professional resources

2. Understand and Demonstrate the Elements of Teams and Teamwork

- ▶ “There is no ‘I’ in team.”
- ▶ Membership is diverse but share function/purpose
- ▶ Collectively achieves goals that no member can do individually
- ▶ Teamwork requires clear roles and relationships
- ▶ Requires a climate of trust, openness and mutual respect

3. Master Small Group Decision Making

- ▶ Interpersonal - ability to work with others
- ▶ Task - knowledge to do the job
- ▶ Rational - ability to address issues rationally

4. Clearly Define Roles and Responsibilities

- ▶ Function - define the functions of the role
- ▶ Performance - agreed behavior parameters
- ▶ “Stay in Your Lane” - policy vs. operations

5. Establish and Abide By a Council-Staff Partnership

- ▶ Strong partnerships with council and professional staff
- ▶ Understanding policy vs. operational contexts but be sensitive to “blurred lines”

6. Allocate Council Time and Energy Appropriately

- ▶ Balance the time among four arenas:
 - Goal-setting (e.g., retreats)
 - Exploration and analysis (e.g., work sessions)
 - Disposition/legislation (e.g., formal Council meetings)
 - Community relations (e.g., community and other agency interactions)

7. Set and Maintain Clear Rules and Procedures for Council Meetings

- ▶ Help to maintain focus and productivity
- ▶ Bring clarity to decision-making
- ▶ Foster equity of participation - everyone knows what the rules are

8. Conduct Systematic Assessments of Policy Implementation

- ▶ Ask staff for updates on major policy implementation items through reports, status memos, or presentations.
 - Allow opportunity for staff to share challenges
 - Determine if policy course change is warranted

9. Solicit the Public's Feedback on the Council's Performance

- ▶ Use market research tools (e.g., focus groups, questionnaires, online surveys) for feedback on collective performance
- ▶ Opportunity to keep in touch with community perceptions and priorities - allowing Council to be more responsive

10. Practice Continuous Personal Learning and Leadership Development

- ▶ Take opportunities to learn from multiple sources
 - Reading relevant materials
 - Attending conferences
 - Talk with your elected peers

Council Long Term Objectives and 2017-19 Council Goals

On February 11, 2017, the Wilsonville City Council met at an all-day retreat to generate a set of long-term policy objectives and biennium goals for 2017-2019. The long-term objectives offer broad policy direction for the City for approximately the next 10 years. The 2017-19 Council goals provide more specific short-term policy level actions for the City to take in the upcoming biennium to help achieve the long-term objectives. During the discussions, the City Council also identified some general administrative directives. As a result of their discussion the Council agreed on the following objectives, goals, and administrative directives:

Bold == Objectives

Italics = Goal may fit under multiple objectives.

1. **Revise the Development Code to streamline and modernize it.**
 - Complete form-based code work currently underway.
 - *Hold educational town hall / summit meeting(s) regarding traffic challenges, affordable housing, building elevation, and density policy trade-offs.*

2. **Promote stronger connectivity and access to the Willamette River.**
 - Conduct a study of the Arrowhead Creek Area considering river access options, transportation, and land use issues.
 - *Complete the French Prairie Bridge feasibility study.*
 - Complete design work and seek funding for the East-West Bridge.
 - *Improve Wilsonville's Walk Score.*

3. **Enhance tourism, recreation, resiliency, redundancy, economic development, and connectivity.**
 - *Install interpretive signage for Beauty and the Bridge and on Murase architectural features; inventory all public art with interpretive recognition.*
 - *Complete the French Prairie Bridge feasibility study.*
 - *Complete the preliminary work necessary to begin soliciting bids on Phase I of the Boones Ferry / Brown Road project.*

4. **Promote and make available numerous options for convenient sustainable choices.**
 - Continue to negotiate with TriMet to adjust its service boundaries.
 - Update the solid waste franchise agreement and consider curbside composting options.

5. **Create a parks and recreation system, in conjunction with partners, that includes high-capacity use, multi-use facilities, and revenue generating capabilities.**
 - Complete the Parks Master Plan and, subsequently, master planning for Boones Ferry Park.

6. **Pursue a balanced housing mix with a variety of choices to meet the needs of current and future residents of varying financial levels.**
 - *Hold educational town hall / summit meeting(s) regarding traffic challenges, affordable housing, building elevation, and density policy trade-offs.*
 - Evaluate the results of the housing affordability study and begin policy development, including addressing housing mix.

7. **Develop a robust, attractive, and viable commercial center with amenities to serve the community.**
 - Complete the Town Center Master Plan, including an International Square.
 - *Complete the preliminary work necessary to begin soliciting bids on Phase I of the Boones Ferry / Brown Road project.*

8. **Promote vibrant arts, cultural, and heritage programs and facilities.**
 - Explore the establishment of an Arts and Culture Commission, based on the results of the Arts and Culture Commission Study, and develop a strategy to reinstitute the sculpture program.
 - Organize Library archives; capture history as it happens and before it changes, including coordinating photography.
 - *Install interpretive signage for Beauty and the Bridge and on Murase architectural features; inventory all public art with interpretive recognition.*

9. **Build fully interconnected and effective transportation modes enabling all kinds of movement among neighborhoods, commercial/employment areas, schools, parks, library, and government.**
 - Develop a wayfinding program.
 - *Complete the preliminary work necessary to begin soliciting bids on Phase I of the Boones Ferry / Brown Road project.*

10. **Promote farm and forest land protection.**
 - *Become a bee city.*

11. **Promote a healthy urban forest.**
 - Develop and implement a street tree replacement program.
 - *Become a bee city.*

12. **Enable and promote healthy living.**
 - *Improve Wilsonville's Walk Score.*

13. **Embrace technology proactively in future planning, operations, and customer service.**
 - Complete the fiber business plan.

Administrative Directives

- a. Advocate for an auxiliary lane on Interstate 5 southbound over the Boone Bridge.
- b. Advocate for more funding for all transportation facilities.
- c. Continue to monitor volumes on major transportation corridors entering Wilsonville.
- d. Complete congestion mitigation projects related to Interstate 5.
- e. Explore sustainable funding for SMART.
- f. Advocate for increased WES service.
- g. Explore the Blue Zone concept.
- h. Educate, inform, and monitor the Big Pipe project.
- i. Update the City website including a database of City plants with recommendations of hearty plants suited to the area.
- j. Create a coordinated calendar for Councilor-attended events.

PREFACE

The following is a single source reference document on the Wilsonville City Council's protocols and communication guidelines. The protocols and guidelines included in this reference document have been formally adopted by **Council Resolution No. 2322**.

The Wilsonville City Council believes that effective municipal governance requires that individual Council members adhere to a general set of principles when dealing with each other and the general public. Furthermore, the City Council desires to conduct its meetings in a manner that is courteous, effective and efficient, while fostering an environment that is fair, open and responsive to the needs of the community. Members of the Wilsonville City Council will:

- ✓ Trust and respect the opinions of fellow Council members, and be well informed and participate in the decisions of the Council.
- ✓ Accept responsibility to attend all Council meetings and Council sub-committees assigned.
- ✓ Fulfill obligations to share with other Council members the membership on the committees assigned.
- ✓ Provide appropriate notification to the Mayor, Council President, City Manager, or City Recorder of an absence as soon as possible prior to the meeting time.
- ✓ Not disclose information which is confidential and, when asked by the public for information that is still confidential, will state that the information is confidential.
- ✓ Make every attempt to resolve any conflict with a fellow Council member prior to bringing the conflict to the attention of the Council.
- ✓ Expect to be informed of all issues and data in a timely manner.

COUNCIL MEETING EXPECTATIONS

- ✓ Try to make the citizens comfortable and part of the process at the meetings.
- ✓ Make visitors comfortable by being courteous, respecting their opinions, and by showing trust and respect for visitors.
- ✓ Do my best to communicate in clear, concise and audible language and written communications.

- ✓ Strive to maintain a tone of voice that is friendly and sincere.
- ✓ Honor and act on all requests for action and/or information in a timely and courteous manner.
- | ✓ Discuss issues, but not personalities, with non-Council members. After an issue has been voted on, a councilor will speak for him/her carefully, in a manner that does not undermine the integrity or motives of the Council, if his/her opinions are different from the Council's.

COUNCIL FINAL AUTHORITY ON GUIDELINES: All questions regarding these guidelines shall be resolved by majority vote of the City Council.

**WILSONVILLE CITY COUNCIL
PROTOCOLS & GUIDELINES**

I. COUNCIL MEETINGS

1. **Regular Meetings** – Consistent with Charter Section 13, regular meetings shall be held at least once each month in the city at a time and place which it designates. Pursuant to Section 2.003(1) of the Wilsonville Code (WC), regular meetings of the Council shall be held on the first and third Monday of the month at 7 p.m. in the City Council Chambers, Wilsonville City Hall, 29799 SW Town Center Loop East, except that when a first or third Monday falls on a legal or national holiday, there will be no regular City Council meeting held that week. However, this shall not prevent the City Council from otherwise calling a special meeting for such purposes as it determines. All regular meetings of the Council shall be held within the City of Wilsonville.
 - a. **Other Locations** – The Council may, from time to time, elect to meet at other locations within the City and, upon such election, shall give public notice of the change of location in accordance with provisions of Oregon Revised Statutes (ORS) 192.610-690.
 - b. **Location During Local Emergency** – If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the Council Chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the Council President or City Manager.
 - c. **Canceled Meetings** – When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that month shall be held on such date and at such times as may be directed by the Council.
2. **Special Meetings & Emergency Meetings** – Special meetings and emergency meetings of the Council may be called and held consistent with WC Section 2.003(2) and ORS 192.640.
3. **Adjourned Meetings** – The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
4. **Executive Sessions** – Consistent with ORS 192.640-660, the Council may hold an Executive Session during any regular or special meeting, or any time otherwise authorized by State law to consider or hear any matter

which is authorized by State law to be heard or considered in closed session.

- a. The City Council may exclude from any such closed session any person or persons which it is authorized by State law to exclude from such closed sessions.
- b. Council members may not reveal the nature of discussion from a closed session unless required by State law.
- c. The City Council shall take no final action on any matter discussed or deliberated on while in executive session.
- d. The general subject matter for consideration shall be expressed in an open meeting before such session is held. Executive sessions may be held to discuss certain matters specified by State law, including:
 1. Initial employment of public officials and employees;
 2. Dismissal or disciplining of an officer or employee or performance evaluation of an officer or employee, unless the officer or employee requests an open meeting;
 3. Deliberations with persons designated to negotiate real property transactions;
 4. Deliberations with persons designated to conduct labor negotiations;
 5. Discussion of records that are exempt from public inspection;
 6. Negotiations involving matters of trade and commerce when the unit of government is in competition with other areas;
 7. Legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
 8. Review and evaluation of an executive officer, public officer, employee or staff member, unless an open hearing is requested by the person being reviewed; or
 9. Negotiations regarding public investments.

5. **Cancellation of Regular Meetings** – Any meeting of the Council may be canceled in advance by a majority vote of the Council, provided that the Council meets the “one meeting per month” provision of the City’s charter.
6. **Quorum** – Consistent with Charter Section 15, a majority of the incumbent members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.
7. **Chair** – Consistent with Charter Section 17, the Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The Mayor is responsible for preserving order, enforcing Council rules, and determining the order of business under the rules of the Council.
 - a. **Absence of Mayor** – Consistent with Charter Section 18, ~~T~~the Council President shall preside in the absence of the Mayor and shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order.
 - b. **Mayor & Council President Absence** – In the absence or unavailability of the Mayor and the President of the Council, the City Recorder, shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the ~~e~~Council present and that person, for the time being, shall have the powers of the Mayor. Upon arrival of the mayor or the President of the Council, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.
8. **Attendance by the Public** – Pursuant to ORS 192.610-690, and except as specifically provided by State law for executive sessions, all meetings of the Council shall be open, public and accessible.
9. **Minutes** – Minutes of the Council will include paraphrased information on what took place at a given meeting, final motions, vote tally (in the event of a no vote by one or more Council members, the tally shall indicate yes and no votes by name), attendance of Council members and staff, and the names of any interested party providing testimony before the Council. Speeches, presentations, statements or discussions will not be described verbatim, except when the information is necessary to understand what took place. An electronic recording of the meeting shall be kept and maintained in accordance with ORS 192.005 to 192.710.
 - a. **Comments for the Record** – If a Council member desires for a comment to be included in the minutes, it is his or her

responsibility to indicate that the statement is “for the record” before making the comment(s).

- b. **Timing of Council Approval of Minutes** – Minutes of meetings are generally submitted for Council approval at the next regularly scheduled meeting, for approval as provided in W.C. 2.003(g).
- c. **Recording of Meetings** – Audio recordings of proceedings are maintained by the City Clerk for a period specified by State law.

II. ORDER OF BUSINESS

- 1. **General Order** – Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Recorder, City Attorney and City Manager shall take their regular stations in the Council Chambers, and the **B**usiness of the Council shall be taken up for consideration and disposition in the order set forth below (unless otherwise specified). A closed session may be held at any time during a meeting consistent with State law. The Council may, at its discretion and upon the approval of a majority of a quorum present, change the order of business before it.

Call to Order

Roll Call

Pledge of Allegiance

Motion to approve the order of the agenda

~~Mayor's Business~~

Communications

Citizen Input & Community Announcements

~~Mayor's Business~~

~~Councilor Comments, Liaison Reports & Meeting Announcements~~

Consent Agenda

New Business

Continuing Business

Public Hearing

City Manager's Business

Legal Business

Adjourn

- 2. **Items on the Agenda - WC2.003(3)** – All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least twenty-four (24) business hours prior to each Council meeting, be delivered to the City Recorder whereupon the City Recorder shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the City Manager and the City Attorney with a copy of the

same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. As a general rule the packet of such items, together with the agenda, shall be delivered to the Council one week in advance of the meeting.

3. **Items n~~o~~t on the Agenda** – Pursuant to ORS 192.640, the City shall publish a list of the principal subjects anticipated to be considered at the meeting, “but this requirement shall not limit the ability of a governing body to consider additional subjects.”
4. **Communications** – All special presentations will be calendared and coordinated through the Mayor and will be limited to a time period not to exceed 15 minutes at each Council meeting. The Mayor may grant an exception to this requirement on a case-by-case basis.
5. **Citizen Input and Community Announcements** – This is a time for citizens to address the Council on items not on the agenda for public hearing or to make community announcements. Generally, three minutes shall be allotted for speaking time, but the Mayor may grant an exception to this requirement on a case-by-case basis.

~~6. Council Comments, Liaison Reports and Meeting Announcements –~~

~~a. The Council Comments and Liaison Reports section of the agenda provides Council the opportunity to briefly comment on Council business, City operations or projects; provide verbal reports as sitting members of or as a liaison to, regional or local boards/commission/committees.~~

~~b. Council Announcements – Council announcements will be limited to notifications of community events, functions, and other activities. Concerns or matters of current, pending or future Council deliberation are not considered announcements.~~

~~7.6.~~ **Consent Agenda** – Routine items of business that require a vote but are not expected to require discussion or explanation shall be placed on the consent calendar. These items are voted on as one item to reduce the length of the agenda and the length of Council meetings. Any item that is placed on the consent calendar may be pulled for discussion at the request of a Councilor.

~~8.7.~~ **New Business** – Items scheduled that are expected to have staff explanation and/or presentation and councilor discussion prior to a vote.

~~9.8.~~ **Continuing Business** – Business that is returning to Council for further discussion, information or, in the case of ordinances, a second reading, prior to a vote of the Council.

~~10.9.~~ **Public Hearing** – An evidentiary hearing (quasi-judicial) or legislative hearing before the Council. (See Section V.1.)

~~11.10.~~ **City Manager’s Business**

Formatted: Numbered + Level: 2 +
Numbering Style: 1, 2, 3, ... + Start at: 1 +
Alignment: Left + Aligned at: 0.75" + Tab
after: 1" + Indent at: 1"

a. **Monthly Reports** – The following reports will be included in the agenda packet for the first regularly scheduled meeting of each month, and others as appropriate or requested by Council:

1. **Financial Report** – A condensed report of the City’s finances by operating fund. The City Council shall receive one detailed financial report on a quarterly basis.
2. **Master Calendar** – A calendar of major agenda items planned for upcoming meetings.
3. **Council Discussion Items Follow-up Report** – A simple spreadsheet documenting issues raised by Council members during the Council Discussion portion of the agenda that require further follow-up by staff.
4. **Public Projects Update** – A brief description of current or planned public projects, updated monthly.
5. **Planning Report** – A brief description of planning and land use related issues.
6. **Police Report** – A brief report on crimes and traffic citations pertinent to the City of Wilsonville.
7. **Building Permit Activity Report** – A monthly report of all commercial, industrial and residential building permit activity in the City of Wilsonville.

8. **Board and Commission Activity / Decisions** – This is a brief report covering the decisions made by the standing Boards, Commissions, and task forces, prepared by staff.

Formatted: Font: Not Bold

b. The Council may comment on any such report during Council Comments or under City Manager’s Business thereafter.

~~12.11.~~ **Standard Adjournment** – The Council establishes 10:00 p.m. as the hour of adjournment and will not continue beyond 10:00 without a majority vote of the Council. To assist in making the determination to continue an item under consideration, the Council should find that

discussion, deliberation, and action on the item can be concluded by 11:00 p.m.

The Council will not hear any new agenda items past 10:00 p.m. without a majority vote of the Council. A determination should be made by Council that any new item(s) can be discussed, deliberated and action taken before 11:00 p.m.

If an agenda item(s) remains after the 10:00 p.m. adjournment, a special meeting may be scheduled or the item(s) deferred until the next regular meeting.

III. RULES OF CONDUCT FOR COUNCIL MEETINGS

1. **General Procedure** – It is the policy of the Council not to become involved in the entanglements over “parliamentary procedure.” Consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, any issue or procedure relating to the conduct of a meeting or hearing not otherwise provided for herein may be determined by the Mayor, or the presiding officer, subject to appeal to the full Council in accordance with W.C. 2.003(4).
2. **Addressing Members of the Public or Staff** – In addressing the public and members of the City’s staff, Council members will generally refer to persons as Mr. or Mrs., or Ms., followed by their surname. Staff shall refer to Council members as Mayor or Councilor, followed by the surname of the person being referred to.
3. **Authority of the Chair** –
 - a. The Mayor or presiding officer shall preserve strict order and decorum at all regular and special meetings.
 - b. Subject to appeal to the full Council, the Mayor shall have the authority to prevent misuse of motions, or the abuse of privilege, or obstruction of the business of the Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous, fair, and should presume that the moving party is acting in good faith.
 - c. If a member, while speaking, be called to order, he/she shall cease speaking until the question of order be determined and if in order, the member shall be permitted to proceed.

4. **Mayor to Facilitate Council Meetings** – In the role as facilitator, the Mayor will assist the Council to focus on the agenda, discussions and deliberations.
5. **Council Deliberation & Order of Speakers** – The Mayor is delegated the responsibility to control debate and the order of speakers. Speakers will generally be called upon in the order they make the request to speak.
 - a. **Questions Addressed to Another Councilor** – With the concurrence of the Mayor, a Council member holding the floor may address a question to another Council member and that Council member may respond while the floor is still held by the Council member asking the question. A Council member may opt not to answer a question while another Council member has the floor.
6. **Limit Deliberations to Item at Hand** – Council members will limit their comments to the subject matter, item or motion being currently considered by the full Council and shall avoid all personalities and indecorous language.
7. **Length of Council Comments** – Council members will govern themselves as to the length of their comments or presentation, preferably no longer than 3 to 5 minutes. However, no member shall speak on any one matter in excess of ten minutes without the consent of the members constituting a quorum.
 - a. The Mayor shall act as the arbiter in determining how long an individual Council member may speak on an item. The intent of this policy is not to limit debate, but rather to assist Council members in their efforts to communicate concisely.
8. **Obtaining the Floor** – Any member of the Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council member who seeks the floor when appropriately entitled to do so.
9. **Motions** – Motions may be made by any member of the Council, including the Council President. Any member of the Council, other than the person offering the motion, may second the motion.
10. **Procedure for Motion** – The following is the general procedure for making motions:
 - a. Before a motion can be considered or debated it must be seconded.

Formatted: Not Highlight

- b. Council members wanting to make a motion should notify the Mayor of their intent to do so.
- c. A Council member wishing to second a motion should do so through a verbal request to the Mayor.
- d. Once the motion has been properly made and seconded, the Mayor shall open the matter for discussion to the full Council.
- e. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed; provided, however, Council members may be allowed to explain their vote.

11. **Motion Amendments** – When a motion is on the floor, and an amendment is offered, the amendment should be acted upon prior to acting on the main motion.

12. **Motion of Intention** – A Motion of Intention process is generally limited to matters legally required to be supported by findings.

- a. In proceedings identified as quasi-judicial on the agenda, when the City Council takes an action that is substantially different from the staff recommendation, the Council may utilize the Motion of Intention process.
- b. A Motion of Intention provides staff direction as to the City Council's action through a formal motion.
- c. Based on this motion, staff revises the necessary findings, resolutions and or/implementing documentation for the City Council's action at the next scheduled meeting.
- d. Upon receiving a Motion of Intention by a Council member, the Mayor should make sure that the hearing on the matter resulting in the motion is closed prior to a vote.

13. **Ordinances** – Motions offering ordinances are deemed to include waiver of full reading of the ordinance unless otherwise specifically stated.

14. **Voting** – Pursuant to Charter Section 19, the concurrence of a majority of the Council voting when a quorum of the Council is present shall decide any question before it. No Council member present at a Council meeting shall abstain from voting without first stating reasons in detail at the meeting. If the vote is a voice vote, the Mayor shall declare the result. The results of the vote shall be clearly set forth in the record.

15. **Abstention** – If a Council member abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not deemed to be voting for the purposes of determining whether there has been a majority vote of those members present and voting.
 - a. When a Council member abstains or excuses themselves from a portion of a Council meeting because of a legal conflict of interest, the Council member must briefly state on the record the nature of the conflict. The inclusion of this information in the public record is required by law.
16. **Tie Votes** – A tie vote results in a lost motion. In such an instance, any member of the Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.
17. **Motions for Reconsideration** –
 - a. Motions for reconsideration of a matter may be made at the same meeting or at the next succeeding meeting following a Council action.
 - b. A proposed motion for reconsideration at the next succeeding meeting must comply with Oregon Open Meeting Laws.
 - c. Motions for reconsideration may only be made by a Council member that voted with the majority of the City Council on the action proposed to be reconsidered by the Council.
 - d. In the case of a tie vote, the prevailing side or the majority of the Council will be deemed to be those Council members who voted in the negative.
 - e. Any member of the Council may second a motion for reconsideration.
18. **Non-Observance of Rules** – Rules adopted to expedite and facilitate the transaction of the business of the Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rule shall not affect the jurisdiction of, or invalidate any action taken by the Council.

19. **Dress Code for City Council Members** – It is the policy of Council to create a dignified and professional environment for Council meetings and should dress accordingly. ~~“Business casual” is an acceptable manner of dress for all Council meetings, workshops, committee and sub-committee meetings, and all other events in which Council participates or attends. The Dress Code policy shall also apply to any individual Councilor representing the City in their official capacity as a City Councilor.~~

1. ~~“Business Casual” shall mean, with respect to male members:~~

1. ~~Dress slacks with dress shirt.~~
2. ~~Dress slacks with sweater.~~
3. ~~Khaki slacks with dress shirt or sweater.~~
4. ~~Casual shirts with collars or band collars, golf shirts, and turtlenecks are acceptable.~~
5. ~~Shorts, when appropriate.~~

Formatted: Numbered + Level: 2 +
Numbering Style: 1, 2, 3, ... + Start at: 1 +
Alignment: Left + Aligned at: 0.75" + Tab
after: 1" + Indent at: 1", Tab stops: Not at
1.63"

2. ~~“Business Casual” shall mean, with respect to female members:~~

1. ~~Shirt or slacks with shirt, blouse or sweater.~~
2. ~~Dress, or skirt with shirt, blouse, or sweater~~
3. ~~Dress capris or crop pants.~~
4. ~~Sleeveless top with appropriate cover.~~
5. ~~Shorts, when appropriate.~~

Formatted: Indent: Left: 0.75", No bullets or
numbering, Tab stops: Not at 1.63"

20. **Use of Handheld Electronic Devices During Council Meetings** –

~~Councilors have been issued an iPad to receive their City email, maintain their City calendar, and to access, read, and annotate their meeting packets, both before and during City Council meetings. The use of other personal handheld electronic devices by members of the Council, the City Manager and the City Attorney during City Council meetings while behind the dais is discouraged in that such use may be perceived by the public or other Council members as the Council or staff not paying attention or, worse, engaging in inappropriate ex parte contact. Notwithstanding the foregoing, it is reasonable and acceptable that Council and staff may need to have their personal devices at the dais for personal or work related reasons. In those instances, such devices should be placed on silent ring mode and only checked as reasonably necessary. If more than a quick text response is required, the Council member or staff should step away from the dais, in a non-disruptive fashion, to respond to the message or call, outside of the Council Chambers. Members of the public and staff in the audience are likewise expected to limit the distracting use of electronic devices during meetings and, in all cases, silence cell phone ringers. It is recognized that members of the press and staff located in the back of the room may use laptops or tablets during the meeting but they are also expected to do so in a respectful and non-distracting manner, and the general public is prohibited during Council meetings. Council finds the use of these types of devices an impediment~~

~~to conducting respectful and efficient meetings. However, in the event of a personal/family emergency, a Councilor may announce he/she is responding to a personal phone call and leave the dais to do so. This prohibition does not apply to members of the press, or to any staff member needing to operate such devices in the normal scope of their job responsibilities or in the case of an emergency.~~

IV. QUASI-JUDICIAL PROCEEDINGS

1. **Defined** – Quasi-judicial proceedings are those proceedings in which the City Council is required to make findings based on an evidentiary record as to the entitlement. This type of hearing is also referred to as an “Evidentiary Hearing.” In quasi-judicial proceedings, the City Council sits as the judge and jury, and is required to make findings based on the evidence and records presented. Examples of quasi-judicial proceedings include conditional use permits, variances, site development applicant appeals, and enforcement of nuisance provisions.
2. **Identification on the Agenda** – Quasi-judicial proceedings will be identified as such on the Council agenda by including in the heading “Quasi-Judicial Proceeding.”
3. **Ex-Parte Communications** – An ex-parte communication is a communication made with a Council member outside the Council Chambers, with any person except the City Attorney concerning a quasi-judicial proceeding to be heard by the City Council, or a staff member concerning a quasi-judicial land use matter to be heard by the City Council.
 - a. When a Council member has an ex-parte communication concerning a subject that is the basis of a quasi-judicial proceeding before the Council, the Council member must state for the public record the nature of that communication. Council members must indicate with whom the ex-parte communication was made and provide a brief statement as to the substance of the communication.
 - b. A Council member may make an oral presentation of the nature of the communication or provide a written statement to be read into the public record.
 - c. If challenged by a member of the public in attendance that such ex parte contact has otherwise prejudiced or biased the member in hearing the matter, the Council shall determine the issue before proceeding.

V. PUBLIC HEARINGS

1. **General Procedure** – WC 5.560 provides for evidentiary hearing procedures (quasi-judicial) and the Council may also conduct legislative public hearings. While there may be some differences depending on the type of hearing, the Council procedure for the conduct of a public hearing is generally as follows:
 - a. The Mayor opens the public hearing.
 - b. Staff presents the staff report.
 - c. Council may ask questions of staff for clarification on issues raised in the staff report.
 - d. In an evidentiary hearing the applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
 - e. Members of the public are provided with the opportunity to present their comments, testimony or argument. Generally, the order of public comment will be: those in favor, those in opposition, and those neither in favor nor opposed.
 - f. In an evidentiary hearing the applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
 - g. The public hearing is closed.
 - h. The Council deliberates on the issue.
 - i. If the Council raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the public hearing must be reopened. At the conclusion of the public testimony, the public hearing is again closed. Note: in land use matters, special rules may apply for leaving the record open and staff or the City Attorney may be consulted in this regard.
 - j. The Council deliberates and takes action.
 - k. The Mayor announces the final decision of the Council.

2. **Time for Consideration** – Matters noticed to be heard by the Council will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will continue until the matter has been completed or until other disposition of the matter has been made.
3. **Continuance of Hearing** – Any hearing being held or noticed or ordered to be held by the Council at any meeting of the Council may, by order or notice or continuance, be continued or re-continued to any subsequent meeting.
4. **Public Discussion at Hearings** – When a matter for public hearing comes before the Council, the Mayor will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter, in addition to those who have filled out speaker cards.
 - a. **Public Member Request to Speak** – Any person desiring to speak or present evidence shall make his/her presence known to the Mayor and, upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons providing testimony should fill out a “request to speak” slip and clearly state their name and address for the record.
 - b. **Council Questions of Speakers** – Members of the Council who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue. Council members should avoid raising questions as a method to extend the allocated time for a speaker.
 - c. **Due Process** – The Mayor shall conduct the meeting in such a manner as to afford due process.
 - d. **Public Oral Presentations** – All Council rules pertaining to oral presentation by members of the public apply during public hearings. The Mayor, subject to appeal to the full Council, may limit or extend the time to speak. Generally, individuals should be limited to 3 to 5 minutes, and group presentations, such as an applicant team in a land use matter, to 15 minutes.

- e. **Materials for Public Record** – All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City Clerk as part of the official record of the hearing, unless otherwise directed.
 - f. **Germane Comments** – No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being discussed. A determination of relevance shall be made by the Mayor, but may be appealed to the full Council.
- 5. **Communications and Petitions** – Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full shall take place if requested by a majority of the Council.
 - 6. **Admissible Evidence** – Hearings need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be considered if it is the sort of evidence upon which a reasonable and responsible person is accustomed to rely upon in the conduct of serious affairs.

VI. ADDRESSING THE CITY COUNCIL

- 1. **Staff Presentations** – Staff presentations will be limited to 10 minutes. Longer staff presentations must be approved by the City Manager prior to the Council meeting.
- 2. **Oral Presentations by Members of the Public** – Oral presentations by members of the public at City Council meetings are as follows:
 - a. Prior to the meeting, or during the meeting prior to a matter being reached, persons wishing to address the Council should fill out a speaker card and submit it to the City Recorder who will give it to the Mayor.
 - b. When called upon, the person should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.
 - c. All remarks should be addressed to the Council as a whole, not to individual members thereof.

- d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.
3. **Citizen Input** – Citizen Input is that portion of the City Council meeting set aside for members of the public to address the City Council on items of any eCity business other than scheduled agenda items.
- a. **Timing** – Citizen Input is generally permitted at the beginning of a Council meeting just after ~~Mayor's Business and~~ Communications and before Mayor's Business. Public comment is limited to 3 minutes per speaker, but may be extended at the discretion of the Mayor.
 - b. **Speaker Cards** – Persons wishing to speak under Citizen Input should identify themselves at the appropriate time.
 - c. **City Business** – Presentations under Citizen Input are limited to items within the subject matter jurisdiction of the City.
 - d. **Council Response Prohibited** – Where a speaker requests a City response under Citizen Input, the City Council or staff, at the Council direction, may answer the request if sufficient facts are known and can be readily answered. The Mayor, however, may request the City Manager to provide additional information at a later date on a matter of general interest to the full Council or the public at large. To ensure the most efficient use of staff time, and to ensure that a majority of the Council wishes to take formal action on a matter brought before the Council during Citizen Input, Council member requests for policy consideration or reconsideration should be made through the Council's Request for Policy Consideration process.
 - e. **Council Interaction with the Public** – If a Council member believes that a material misstatement of fact has been made by a person during the public comment portion of the agenda, the Council member may ask the City Manager or City Attorney to correct or otherwise clarify the matter or the Council member may provide a direct response at that time. If a spontaneous response is not possible, the Mayor should direct the City Manager to either respond directly to the individual making the request, once all the facts are established, or require the City Manager to clarify the issue at the next regular Council meeting for the benefit of the Council and the general public.

f. **Repetitious or Dilatory Comments Prohibited**

1. A speaker shall not present the same or substantially same items or arguments to the Council repeatedly or in a dilatory manner. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further.

Nothing in the foregoing precludes submission of comments to the City Council in writing for such action or non-action as the Council, in its discretion, may deem appropriate.

2. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged.

Whenever a group of people wish to address the Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. The Mayor may extend the time allocation for a designated spokesperson.

- g. **Waiver of Rules** – Any of the foregoing rules may be waived by majority vote of the Council when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.
- h. **Non-Exclusive Rules** – The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time or in a particular circumstance for purposes of orderly and effective conduct of the affairs of the City.

VII. POLICY DECISION-MAKING PROCESSES

1. **Council Member Appointments and Assignments** – The Mayor appoints, and the City Council confirms, Council member assignments to outside agencies, committees, and taskforces ~~and liaison roles~~, as outlined in Resolution No. ~~2267~~ 2321, attached hereto as Appendix ~~G~~ D.

WC 2.320(1)(a) in part reads: “Members of the City ~~P~~lanning ~~e~~Commission shall be residents of the ~~e~~City who are appointed by the

Mayor with the consent of the eCity eCouncil and may be removed by the Mayor with the consent of the eCity eCouncil.” This is the same language used for the DRB, Library Board Members; Community Center Advisory Commission, and Parks and Recreation Advisory Board.

2. **Mayor to Act as Council Ceremonial Representative** – The Mayor has been delegated the responsibility to act as the City Council’s ceremonial representative at public events and functions. In the Mayor’s absence, the Council President assumes this responsibility. In both the Mayor and Council President’s absence, the Mayor will appoint another Council member to assume this responsibility.

3. **Proclamations** –

a. Incoming requests for a proclamation to be presented at an event or Council meeting should be provided to the Mayor for approval. All proclamation requests are provided in writing two weeks prior to the event/Council meeting date and also include a draft proclamation. The Mayor would read the approved proclamation into the record and then present it to the person who requested it. The requestor is encouraged to attend the meeting to receive the proclamation and may be invited by the Mayor to say a few words about the reasons for the proclamation.

b. Once the Mayor approves the proclamation request, the proclamation is either scheduled for reading at an upcoming Council meeting, presented at an event, or the proclamation is picked up/mailed to the requesting entity/person. In the event the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member may sign the proclamation.

In the event the Mayor receives a request for a proclamation where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote. *[Staff usually asks the Mayor and/or CM if there is a question regarding appropriateness.]*

4. **Certificates of Recognitions** –

a. Incoming requests for certificates of recognition to be presented at an event or Council meeting should be provided to the Mayor for approval. All certificate requests are provided in writing two weeks prior to event/Council meeting date and also include certificate verbiage.

- b. Once the Mayor approves the certificate request, the certificate is either scheduled to be presented at an upcoming Council meeting, presented at an event or is picked up/mailed to the recognized entity/person. In the event that the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member may sign the certificate of recognition.
 - c. In the event the Mayor receives a certificate request where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote.
5. **Council Member Participation in Community Activities** – From time to time, Council members may choose to participate in community activities, committees, events, task forces and civic groups. When a Council member participates in these types of activities, he/she is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Council member as its representative for the matter.
6. **Study/Work Session** – Study or Work Session items may be placed on regular or special meeting agendas for the purpose of open discussion. During Study or Work Sessions, Council members will ask questions ~~that~~ which staff records. For those questions that staff cannot readily answer, responses will be provided for the Council, transmitted in writing at the earliest possible date.
7. **Advance Administrative and Informational Reports** – Administrative and Informational reports will be forwarded to the Council as part of the agenda packets.
8. ~~**Policy Decision Making Process Steps** – As illustrated in Appendix A, the Policy Decision Making Process may be initiated by individual Council members, appointed Committees/Commissions, and/or staff members. These individuals or groups may request the full Council to consider the review or revision of existing policies or request the consideration of new policy. Members of the public may request a Council member to initiate the full Council's consideration.~~
 - a. ~~**Step 1 Initial Inquiry** – Step 1 is accomplished by including the matter on an upcoming meeting agenda for the Council's consideration. A brief write up of the matter is included on the Request for Policy Consideration Form (Appendix B). The~~

Request for Policy Consideration Form briefly lays out the request so that Council can choose if they wish to dedicate staff time and resources to review the matter.

At this juncture, a poll of the Council is taken to determine if the Council feels they have adequate information to make a decision, or Council may direct the City Manager to dedicate staff time and resources to investigate and review revisions, or possible modifications to Council policy.

Action Taken—If the Council feels they have adequate information to make a decision, action is taken at this juncture.

No Further Consideration—If the majority of the Council chooses not to dedicate staff time and resources to investigate and review policy changes at this time, the decision making process is complete.

Further Consideration—If the majority of the Council chooses to dedicate staff time and resources to review current policy for possible modifications or the consideration of new policy, additional steps in the Policy Decision Making Process are triggered as follows:

- b. **Step 2 Scope & Assignment**—Step 2 of the process includes the City Council, with the assistance of the City Manager, defining the scope of the investigations to be undertaken and assigning primary responsibility for the task to a commission, board, committee or staff. The Council will generally define the scope and assign the task directly after the majority has chosen to have a policy/issue reviewed. The responsible commission, board, committee or staff will proceed to complete the review.
- e. **Step 3 Analysis of Alternatives**—Step 3 in the process includes completing the alternatives analysis. After the background and current status are completed, alternatives are identified and an analysis is completed. At any time during this process, an administrative report may be prepared to seek confirmation regarding the identified alternatives' consistency with Council's direction. This feedback option will ensure that additional time is not spent on alternatives that may be inconsistent with the Council's direction.
- d. **Step 4 Administrative Report**—Step 4 is the preparation of an Administrative Report. After the analysis of alternatives is completed, recommendations are prepared for the Council's

~~consideration. The recommendations are included on an upcoming Council agenda for discussion and action.~~

~~e. **Step 5 Policy Direction**—Step 5 includes the Council providing policy direction. At the conclusion of their discussion regarding the alternatives and recommended actions, the majority of the Council reaches a decision and provides direction as to which alternative will be implemented.~~

~~f. **Routine Matters**—The policy decision-making process is not intended for routine matters where Council, by majority vote, can provide direction to staff to remediate a problem or issue for a member of the community. The process is intended for more complex issues that involve significant staff/board/commission time, where the Council desires to explore all alternatives before reaching a decision.~~

VIII. COUNCIL COMMITTEES

1. **Task Forces and Ad Hoc Committees of the Council** – From time to time the Council may establish Task Forces or Ad Hoc special committees of the Council to deal with a specific issue or problem in the community, as the need arises. Establishing a task force or ad hoc committee shall have the support of a majority of Council.

a. **Task Force or Ad Hoc Committee Defined** – A Task Force or Ad Hoc special committee of the Council is one that: (1) does not have a continuing subject matter jurisdiction, and has a limited time frame to complete its task or assignment, (2) does not have a meeting schedule that is fixed by ordinance, resolution or other formal action of the Council; In addition, an ad hoc committee may not consist of more than two Council members, and (3) has its members and duties assigned at the time of establishment.

b. **Conduct of Ad Hoc Committee Meetings** – Meetings of an ad hoc committee of the Council are generally informal, but ad hoc committees are subject to the same open meeting laws and requirements as City Council meetings.

IX. COUNCIL LIAISONS TO BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES

~~1. With the exception of the Budget Committee upon which they all serve, each City Councilor shall have the opportunity to serve as a liaison to the Parks and Recreation Advisory Board, the Planning Commission, the Development Review Board, the Library Board, and Committee for Citizen Input. The purposes served are to provide a direct communication channel between the Board, Commission, or Committee and the City Council; aid in the understanding by the Councilor of the operations of and any recommendations made by the Board, Commission, or Committee to which the Councilor has been appointed as liaison; and as may from time to time arise, provide the experience of the Councilor as may benefit the Board, Commission, or Committee.~~

Formatted: Indent: Left: 0", First line: 0"

~~2. Annually during the month of January, the City Council shall discuss Council liaison assignments and interests. The Council President shall contact each of the other Councilors to determine, what, if any, preference each Councilor has to serve as a liaison and/or alternate liaison to Board, Commission, or Committee named in Section XI(1) above. The Council President shall endeavor to resolve any duplicate preferences among the Councilors and the Council President shall report to the Mayor the Council President's recommendations, including recommendation for resolution of any remaining duplication.~~

Formatted: Indent: Hanging: 0.25"

~~3. At the last regular meeting in January or at the first regular meeting of February of each year, the Mayor, giving due consideration to the Council President's report and recommendations, shall announce the Councilor liaison appointments for the Council's consent.~~

Formatted: Indent: Hanging: 0.19"

~~4. The various appointment processes set forth above, including that of Councilor liaison appointments, is to be guided by collegiality and working together cooperatively to meet the general public good.~~

[We can leave out any reference to liaisons altogether, or may use this language in place of what was there if we want this to be part of protocol:]

1. In the past, City Councilors have been assigned by the Mayor as liaisons to various boards, commissions, committees, and task forces. Due to the increasing number of these various boards, commissions, committees, and task forces, as well as other expanding meetings and social functions that place demands on the time of the City Councilors, the City Councilors and Mayor have jointly determined that the Mayor will no longer formally appoint City Councilors to be the liaisons to the various boards, commissions, committees, and task forces. Instead, staff will be responsible for ensuring that the members of the various boards, commissions, committees, and task forces are kept informed about City Council actions. Additionally, any of the boards, commissions,

committees, and task forces may request the attendance of a Council member of their choosing to attend a meeting where such attendance is deemed to be helpful or warranted.

2. To ensure an ongoing relationship and dialogue between the City Council and all of the various boards, commissions, committees, and task forces, the City Manager will arrange an annual retreat/meeting to which all City Councilors and all board, commission, committee, and task force members will be invited to attend. At this meeting they will be encouraged to interact in a meaningful way and to share their thoughts and ideas regarding their various roles, responsibilities, ideas, and suggestions.

3. In addition to the above-described annual meeting, Council may invite each board and commission to attend a City Council work session in order to discuss the goals and objectives of that board or commission and to seek any information or guidance from Council as the members and Council deem appropriate. (Page 23.)

X. COUNCIL MEMBER ADMINISTRATIVE SUPPORT

1. Mail –

- a. **Letters and Email Addressed to Mayor and/or City Council –** All letters and email addressed to the Mayor and/or entire City Council requiring a response from staff are copied to all Council members with a note as to which staff person will be preparing a response for the Mayor’s signature. A copy of the response ~~mailed~~, along with the original letter or email will be provided to each Council member. *[Do we actually do this or do we just copy the mayor in some cases?]*

Letters and Email addressed to the Mayor and/or entire City Council that do not require a response, but provide information on Council agenda items or like matters, are copied to the full Council.

Mail and email ~~Cards and other mail~~ addressed to the Mayor or Council marked “personal” and/or “confidential” will not be opened.

- b. **Letters Addressed to Individual Council Members –** All letters addressed to individual Council members will not be opened. The envelopes will be delivered/mailed to the individual Council member’s home address. If a Council member is requesting a response to be prepared by staff, the letter is copied to all members of the Council with a note as to which staff

person will be preparing a response for the addressee's signature. A copy of the response mailed, along with the original letter, will be provided to each Council member.

2. **Council Correspondence** – All Council member correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not individual Council members' positions. All Council member correspondence using City resources will be copied to the full Council. For example, if a citizen writes a letter [or email](#) to an individual Council member, the response to the letter [or email](#), along with a copy of the citizen's letter [or email](#), will be copied to the full Council.
 - a. **Personal Correspondence** – City Council members will have access to individual stationery and envelopes for use in communications reflecting their personal opinions and positions, not the position of the full Council. These communications will be prepared and sent at the expense of individual Council members. Council members may utilize the City's outgoing mail service; however, postage will be at the Council member's expense.
3. **Clerical Support** – The City Manager's Office will coordinate the typing of correspondence [or email messages](#) requested by individual Council members. All correspondence typed for Council members will be on City letterhead, [and email will use the appropriate signature blocks](#), and will reflect the position of the full Council, not individual Council members, and will be copied to the full Council.
 - a. From time to time, citizens write [or email](#) ~~to~~ the Mayor to voice concern, request assistance, or ~~to~~ request information on an issue/item. When such letters [or email](#) are addressed to the Mayor, the City Manager [or his/her designee](#) will prepare a response letter [or email](#) for the Mayor's review and signature. The response, along with a copy of the citizen's letter [or email](#), will be copied to the full Council.
4. **Master Calendar** – A master calendar of Council events, upcoming agenda items, functions or meetings will be provided to the full Council. Functions, events or meetings to be attended by individual Council members will only be included on the master calendar at the request of individual Council members.
5. **Requests for Research or Information** – All requests for information or research from individual Council members shall be directed through the City Manager's office. Requests for new information or policy direction

will be brought to the full Council at a regular meeting for consideration. All written products will be copied to the full Council.

- a. From time to time Council members will call or email the City Manager to request information or bring attention to a matter that needs to be addressed (e.g., code enforcement issue, pothole, etc.). In all such instances, these matters will be addressed in the most expeditious manner possible.

When such calls for information deal with policy-related matters, the City Manager shall inform the full Council of the nature of the call/email, and provide the full Council with any response that was given to the Council member who made the request.

The intent of this protocol is to ensure that all Council members are being provided with the same information.

6. **Tickets to City Events** – The Wilsonville City Council places a high value on community involvement and encourages its members to participate actively in community-related events. When attendance to an event is by ticket, two tickets for each Council member will be made available for events hosted by the City. Departments hosting City events will coordinate the distribution of tickets to Council members with the City Manager’s office. The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.

The Council may elect to provide tickets to individual Council members and their spouses for other city-related/community events where the City’s presence is expected and/or required. The Council will make such determinations on a case-by-case basis. The making available of tickets to any event shall comply with the Oregon Laws, Regulations, and Ethics Standards as to gifts and conflicts of interest.

7. **Council Notification of Significant Incidents** – In conjunction with the City’s Police Department and Tualatin Valley Fire and Rescue (TVF&R), the City Manager’s office will coordinate the notification to Council of major crime, fire or other incidents. This will be accomplished concurrently through email and/or phone calls for the more significant incidents. In addition, the City Manager will endeavor to keep the Council informed by email of incidents/issues that occur in the community that do not rise to the level of a “significant incident.”

XI. PROTOCOL & GUIDELINE ADMINISTRATION

- 1. **Biennial Review of City Council Protocols & Guidelines** – The Council will review and revise the City Council Protocols and Guidelines, as needed, or every two years.
- 2. **Adherence to Protocols and Guidelines** – During City Council discussions, deliberations and proceedings, the Mayor is delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council’s adopted protocols.
- 3. **City Attorney as Protocol Advisor** – The City Attorney assists the Mayor as a resource to confer with, and acts as an advisor for interpreting the City Council’s adopted protocols and guidelines.

4. **Adherence to Administrative Procedure & Process Protocols** – The City Council has delegated the Mayor responsibility to discuss, on behalf of the full Council, any perceived or inappropriate administrative action with a Council member. The Mayor will discuss with the Council member the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the Mayor will report the concern to the full Council.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

- 5. **Interference in Administration** – A member of the Council shall not, directly or indirectly, by suggestion or otherwise, attempt to influence the manager in making an appointment, or in removal of an employee, or in purchasing supplies, or attempt to exact a promise relative to an appointment from any candidate for manager.

A violation of this section forfeits the office of the offending member of the eCouncil, who may be removed by the eCouncil or a court of competent jurisdiction. The eCouncil may, however, in session, discuss with or suggest to the manager anything pertinent to eCity affairs or the interests of the eCity. Further, a councilmember may, at any time, request and receive from the manager or any other eCity employee information to which a private citizen is entitled.

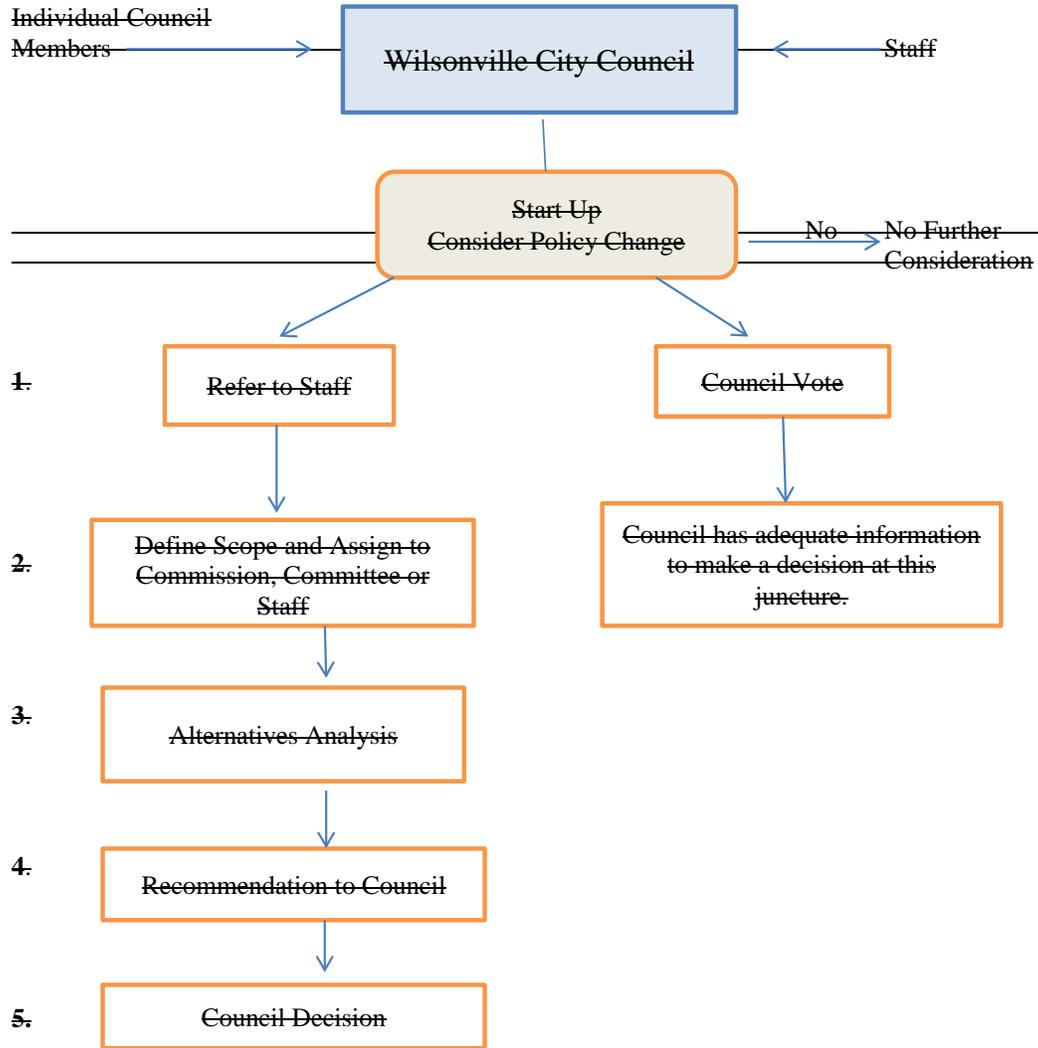
[Revised February 2017](#)

~~Appendix A~~

~~Policy Decision-Making Process Illustration~~

City Council Policy Decision Making Process

Committees, Commissions and Boards



~~Appendix B~~

~~Request for Policy Consideration Form~~

Request for Policy Consideration

Agenda Item Number: _____

Council Meeting Date: _____

Introduced by: _____

Formatted: Centered

Problem / Issue / Idea Name:

Requested Action:

Description of Problem / Issue / Idea:

Appendix € A

Wilsonville City Charter

Enacted January 1, 1987

Amended September 1999, Section 43.

Amended November 2002, Section 44.

Amended November 2004, Section 44

CHARTER OF THE CITY OF WILSONVILLE

To provide for the government of the City of Wilsonville, Clackamas and Washington Counties, Oregon; and to repeal all Charter provisions the city enacted prior to the time this Charter takes effect.

Be it enacted by the people of the City of Wilsonville, Clackamas and Washington Counties, Oregon

CHAPTER I

NAME AND BOUNDARIES

Section 1. **TITLE OF ENACTMENT.** This enactment may be referred to as the Wilsonville Charter of 1987 and shall become effective January 1, 1987.

Section 2. **NAME OF CITY.** The City of Wilsonville, Clackamas and Washington Counties, Oregon, shall continue to be a municipal corporation with the name, "City of Wilsonville".

Section 3. **BOUNDARIES.** The city shall include all territory encompassed by its boundaries as they now exist or are hereafter modified pursuant to law. The City Recorder shall keep an accurate, up-to-date description of the boundaries and make copies of this charter and boundary descriptions available for public inspection.

CHAPTER II

POWERS

Section 4. **POWERS OF THE CITY.** The city shall have all powers that the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.

Section 5. **CONSTRUCTION OF CHARTER.** In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to this end that the city may have all powers necessary

or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state constitution.

CHAPTER III
FORM OF GOVERNMENT

Section 6. **WHERE POWERS VESTED.** Except as this charter provides otherwise, all powers of the city are vested in the Council; the elected officers of the city.

Section 7. **COUNCIL.** The Council shall be composed of a Mayor and four Councilors elected from the city at large.

Section 8. **COUNCILORS.** Councilors in office at the time this charter takes effect shall continue in office until the end of the present term of office of each. At each biennial general election after this charter takes effect, two Councilors shall be elected, each for a term of four years.

Section 9. **MAYOR.** At the biennial general election held in 1988, and every fourth year thereafter, a Mayor shall be elected for a term of four years. The term of Mayor elected at the 1986 general election shall continue until January 1, 1989.

Section 10. **APPOINTIVE OFFICERS.** Additional officers of the city shall be a City Manager, City Attorney and Municipal Judge and other officers and the Council deems necessary. The Council shall appoint and may remove any of these officers by a majority vote of all incumbent members of the Council. In judicial functions, the Municipal Judge shall not be subject to supervisory by any other officer.

Section 11. **SALARIES.** The compensation for the service of each city officer and employee shall be the amount fixed by the Council.

Section 12. **QUALIFICATIONS OF ELECTED OFFICERS.** No person shall be eligible for an elective office of the city unless at the time of his election, he is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election. No person shall hold an elected office of the city if the person is an employee of the city. The Council shall be the final judge of the qualifications and election of its own members.

CHAPTER IV

CITY COUNCIL

Section 13. **MEETINGS.** The Council shall hold a regular meeting at least once each month in the city at a time and place with it designates. It shall adopt rules for the government of its members and proceedings. The Mayor or three Council members may call special meetings of the Council. Special meetings may also be held at any time by the common consent of a quorum of all members of the Council at any regular meeting.

Section 14. **RECORDS OF PROCEEDINGS.** The Council shall cause a record of its proceedings to be kept.

Section 15. **QUORUM.** A majority of the incumbent members of the Council shall constitute a quorum for its business.

Section 16. **PROCEEDINGS TO BE PUBLIC.** No action by the Council shall have legal effect unless the motion for the action and the vote by which it is disposed of take place at proceedings open to the public.

Section 17. **MAYOR'S FUNCTIONS AT COUNCIL MEETINGS.** The Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The Mayor shall preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

Section 18. **PRESIDENT OF THE COUNCIL.** At its first meeting after this charter takes effect and thereafter at its first meeting of each odd-numbered year, the Council shall elect a president from its membership. In the Mayor's absence from a Council meeting, the president shall preside over it. Whenever the council determines that the Mayor is unable to perform the functions of the office, the president shall act as Mayor.

Section 19. **VOTE REQUIRED.** Except as this charter otherwise provides, the concurrence of a majority of members of the Council voting when a quorum of the Council is present shall decide any questions before it.

CHAPTER V

POWERS AND DUTIES OF OFFICERS

Section 20. **MAYOR.** The Mayor shall appoint the Council committees provided by the rules of the Council. The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a city officer or a bond for a license, contract or proposal, the Mayor shall endorse the bond.

Section 21. **CITY MANAGER.** (a) Qualifications. The City Manager shall be the administrative head of the government of the city. The City Manager shall be chosen by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. The manager need not be a resident of the city or of the state at the time of appointment.

(b) Terms. The manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council. Upon any vacancy occurring in the office of manager after the first appointment pursuant to this charter, the Council at its next meeting shall adopt a resolution of its intention to appoint another manager. Not later than six months after adopting the resolution, the Council shall appoint a manager to fill the vacancy.

(c) Powers and Duties. The powers and duties of the manager shall be as follows:

(1) The manager shall devote full-time to the discharge of the manager's official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep the Council advised at all times of the affairs and needs of the city, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the city.

(2) The City Manager shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are observed.

(3) The manager shall designate a City Recorder and shall appoint and may remove appointive city officers and employees

except as this charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The City Manager shall organize and supervise the departments to the end of obtaining the utmost efficiency in each of them. The manager shall have no control, however, over the Council, over the Mayor, over the City Attorney, or over the judicial activities of the Municipal Judge.

(4) The manager shall act as purchasing agent for all departments of the city. All purchases shall be made by requisition signed by the manager or his designate.

(5) The manager shall be responsible for preparing and submitting to the budget committee the annual budget estimates and such reports as that body requests.

(6) The manager shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city property.

(d) Seats at Council Meetings. The manager and such other officers as the Council designates shall be entitled to sit with the Council but shall have no vote on questions before it. The manager may take part in all Council discussion.

(e) Manager Pro Tem. Whenever the manager is absent from the city, is temporarily disabled from acting as manager, or whenever the office becomes vacant, the Council shall appoint a manager pro tem, who shall possess the powers and duties of the manager. No manager pro tem, however, may appoint or remove a city officer or employee except with the approval of the Council. No manager pro tem shall hold the position as such for more than six months, and no appointment of a manager pro tem shall be consecutively renewed.

Section 22. **MUNICIPAL JUDGE.** The Municipal Judge shall be the judicial officer of the city. The judge shall hold within the city, a court known as the municipal court for the City of Wilsonville, Clackamas and Washington Counties, Oregon. The

court shall be open for the transaction of judicial business at times specified by the Council. All areas within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ordinances of the city. The judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to jail or admit to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before the judge, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of a city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section or section 10 of this charter, the Council may provide for the transfer of powers and duties of the municipal court to the appropriate district court of the State of Oregon.

Section 23. **CITY RECORDER.** The City Recorder shall serve ex officio as clerk of the Council, attend all its meetings unless excused therefrom by the Council and keep an accurate record of its proceedings. In the Recorder's absence from a Council meeting, the Mayor shall appoint a clerk of the Council pro tem, who, while acting in that capacity, shall have all the authority and duties of the Recorder.

CHAPTER VI

ELECTIONS

Section 24. **REGULATION OF ELECTIONS GENERALLY.** Except as this charter provides otherwise and as the Council provides otherwise by ordinance, the general laws of the state shall apply to city elections.

Section 25. **TIE VOTES.** In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the Council.

Section 26. **COMMENCEMENT OF TERMS OF OFFICE.** The term of office of a person elected to a city office at a regular city election commences on January 1st of the year immediately following the election.

Section 27. **OATH OF OFFICE.** Before commencing the duties of elective office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

Section 28. **NOMINATIONS.** A qualified elector who shall have resided in the city during the 12 months immediately preceding the election may be nominated for an elective city position. Nomination shall be by petition specifying the position sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 20 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by ordinance and state law. The City Recorder shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filed.

CHAPTER VII

VACANCIES IN OFFICE

Section 29. **VACANCY.** An office shall be deemed vacant upon the incumbent's death, adjudicated incompetence, conviction of a felony, resignation or recall or upon the incumbent's ceasing to possess the qualifications necessary for the office; or upon the failure of the person elected or appointed to an office to qualify therefor within ten days after the time for the term of office to commence; and in the case of Mayor or Councilor, upon the absence from meetings from the Council for 60 days or absence from the city for 30 days without consent of the Council; and upon a declaration by the Council of the vacancy.

Section 30. **FILLING OF VACANCIES.** Vacancies in elective offices of the city shall be filled by appointment by a majority of the incumbent membership of the Council. The appointee's terms of office shall begin immediately upon appointment and shall continue until the first day of January following the next biennial election; and if the term of office does not then expire, the remainder thereof shall be filled by election at

such biennial election. During the temporary disability of any officer or during the absence temporarily from the city for any cause, the office may be filled pro tem, in the manner provided for filling vacancies in office permanently.

CHAPTER VIII
ORDINANCES

Section 31. **ENACTING CLAUSE.** The enacting clause of all ordinances hereafter enacted shall be “The City of Wilsonville Ordains as Follows”.

Section 32. **MODE OF ENACTMENT.** (1) Except as subsection (2) and (3) provides to the contrary, every ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open Council meeting on two different days.

(2) Except as sub-section (3) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all incumbent Council members, upon being read first in full and then by title.

(3) Any of the readings may be by title only (a) if no Council member present at the meeting requests to have the ordinance read in full; or (b) if a copy of the ordinance is provided for each Council member and a copy is provided for public inspection in the office of the City Recorder not later than one week before the first reading of the ordinance and notice of their availability is given forthwith upon the filing by written notice posted in the City Hall and two other public places in the city; or advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by the Council.

(4) Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered into the record of proceedings.

(5) Upon the enactment of any ordinance, the City Recorder shall sign it with the date of its passage and the Recorder’s name and title of office, and within three days thereafter the Mayor shall sign it with the date of signature, name and the title of office.

Section 23. **WHEN ORDINANCES SHALL TAKE EFFECT.** An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of emergency, it may take effect immediately.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 34. **CONDEMNATION.** Any necessity of taking property for the city by condemnation shall be determined by the Council and declared by a resolution of the Council describing the property and stating the uses to which it shall be devoted. All such proceedings shall be in accordance with existing state laws pertaining to condemnation.

Section 35. **IMPROVEMENTS.** The procedure for making, altering, vacating or abandoning a public improvement shall be governed by ordinance or, to the extent not so governed, by the applicable general laws of the State of Oregon.

Section 36 **SPECIAL ASSESSMENTS.** The procedure for levying, collecting, and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be governed by ordinance or to the extent not so governed, by the applicable general laws of the State of Oregon.

Section 37. **PUBLIC CONTRACTING.** Except as authorized by Oregon Public Contracting law or general ordinance, all city contracts shall be based on competitive bids.

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 38. **DEBT LIMIT.** Except by consent of the voters, the city's voluntary floated indebtedness shall not exceed ten percent of the current budget, nor its bonded indebtedness exceed that as may be set by Oregon law. For purposes of calculating the limitation, however, the legally authorized debt of the city in existence at the time this charter takes effect shall not be considered. All city officials and employees

who create or officially approve any indebtedness in excess of this limitation shall be jointly and severally liable for the excess.

Section 39. **TORTS.** In no event shall the city be liable in damages except as provided by Oregon law.

Section 40. **EXISTING ORDINANCES CONTINUED.** All ordinances of the city consistent with this charter and in force when it takes effect shall remain in effect until amended or repealed.

Section 41. **REPEAL OF PREVIOUSLY ENACTED PROVISIONS.** All charter provisions of the city enacted prior to the time that this charter takes effect are hereby repealed except those charter amendments giving authority for the issuance of general obligation bonds which shall remain in full force and effect.

Section 42. **TIME OF EFFECT OF CHARTER.** This charter shall take effect January 1, 1987.

Section 43. **USE OF WILLAMETTE RIVER.** The City of Wilsonville shall not use Willamette River water as a drinking water source for its citizens unless the question of so using the Willamette River water as a drinking water source has received the affirmative majority of the total number of legal votes cast on such measure and entitled to be counted thereon. *[Section 43 is a Charter Amendment voted upon and approved by a majority of the qualified voters of the City of Wilsonville in a special election September 20, 1999.]*

Section 44. **REQUIRES VOTER APPROVAL BEFORE CITY EXPENDS RESOURCES TO CONSTRUCT ANY NEW CITY HALL BUILDING.** The city shall not expend resources on the construction of a new City Hall Building without first obtaining approval of a majority of voters casting ballots during a regularly scheduled City election. A regularly scheduled city election shall be defined as the general election

held on the first Tuesday after the first Monday of November in even numbered years or such special election called by the City council for a statutorily scheduled county election date in March, May, September or November. Any ballot proposal seeking such approval must include the total cost of completing the construction project in its title caption. The total cost of construction must be detailed in a proposal summary and shall include principal construction costs, infrastructure costs, the commercially zoned market value of any land acquired or appropriated for the project, the maximum cost of paying interest on any bonded indebtedness attached to the project, and an estimate of any other costs necessary to complete the project. The term 'City Hall Building' includes any significant structure housing one or more chief administrative functions of the city." Spending necessary to determine costs is not restricted. *[Section 44 is a Charter Amendment voted upon and approved by a majority of the qualified voters of the City of Wilsonville in a regular election held November 5, 2002.]*

Amended September 1999, Section 43.

Amended November 2002, Section 44.

Amended November 2004, Section 44 to clarify 'regularly scheduled election'

Appendix DB

Chapter 2.003 Wilsonville Code Administration – General

ADMINISTRATION

GENERAL

- 2.001 Office Hours of City Offices
- 2.003 City Council Meetings
- 2.005 City Council Special Committees
- 2.007 City Council Evidentiary Hearings
- 2.009 City Council Mode Of Introducing And Enacting Ordinances, Resolutions And Other Matters Or Subjects Requiring Action By The Council.
- 2.010 Election of City Councilors
- 2.011 City Council Election of Officers
- 2.013 City Council Executive Session
- 2.020 Fees Generally
- 2.025 Interest Rates
- 2.030 City Records Retention and Destruction

GENERAL

2.001 Office Hours of City Offices.

The hours of business for all city offices shall be set and established by the Council.

2.003 City Council Meetings.

(1) Regular meetings of the Council shall be held on the first and third Monday of the month at 7 p.m. except that when a first or third Monday falls on a legal or national holiday, there will be no regular City Council meeting held that week. However, this shall not prevent the City council from otherwise calling a special meeting for such purposes as it determines. All regular meetings of the Council shall be held within the City of Wilsonville.

Amended by Ord. #390-August 5, 1991

Amended by Ord. #422 – December 20, 1993

(2) Special meetings of the Council shall be called by the Mayor or, in his absence, the president of the Council whenever in his opinion the public business may require it, or at the express written request of any three members of the Council. Whenever a special meeting is called a notice shall be served upon each member of the Council either in person or by notice left at the councilor's place of residence, stating the date, place, and hour of the meeting and the purpose for which such meeting is called. Unless an emergency exists, no special meeting shall be held without at least 24 hours' notice to the members of the Council the news media, and the general public. In case of an actual emergency, a meeting may held upon such notice as is appropriate to the circumstances but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice unless otherwise required by law or necessitated by an emergency.

(3) All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least twenty-four (24) business hours prior

to each Council meeting, be delivered to the City Recorder whereupon the City Recorder shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the City Manager and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the Council by administrative officials except those of an urgent nature, and the same, when so presented, shall have approval of the Mayor or City Manager before presentation.

(4) The Presiding Officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject; however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall vote on all questions. He shall sign all ordinances and resolutions adopted by the Council during his presence. In the event of the absence or unavailability of the Mayor, the Presiding officer as designated in Section 2.003(5) shall sign ordinances or resolutions as then adopted.

(5) The Mayor, or in his absence or unavailability, the President of the Council shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence or unavailability of the Mayor and the President of the Council, the City Recorder, shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the council present. Upon arrival of the Mayor or the President of the Council, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

(6) Before proceeding with the business of the Council, the City Recorder shall call the roll of the members, and the names of those present shall be entered in the minutes.

(7) A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council.

(8) All meetings of the Council shall be open to the public in accordance with ORS 192.610 et seq. Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Recorder, City Attorney and City Manager shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

(9) The Council may, at its discretion and upon the approval of a majority of a quorum present, change the order of business before it.

(10) Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Recorder has previously furnished each member with a copy or synopsis thereof.

(11) The following constitute the adopted rules of debate:

(a) The Mayor or President of the Council or such other member of the Council as may be presiding, may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the right and privileges of a Councilor by reason of his acting as the Presiding Officer.

(b) Every member desiring to speak shall address the chair, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all personalities and indecorous language.

(c) A member, once recognized, shall not be interrupted when speaking unless it is to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order is determined, and if in order, he shall be permitted to proceed. Notwithstanding the above, no member shall speak at any one time in excess of ten minutes without the consent of the members constituting a quorum.

(d) The Councilor moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

(e) A motion to reconsider any action taken by the Council may be made only on the date such action was taken, either immediately during the same session or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

(f) A councilor may request, through the Presiding Officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in toto into the minutes; if the Council consents thereto, such statement shall be entered in the minutes in toto.

(g) The City Recorder may enter in the minutes a synopsis of the discussion on any question coming regularly before the council, at the direction of the Presiding officer and with consent of the Council.

(h) A journal of the proceedings consisting of minutes of the meeting and an electronic recording of the meeting shall be kept; on call of any two of its members, the Presiding Officer may cause the yeas and nays to be taken and entered in its journal upon any question before it.

(12) To address the Council, any person shall first secure the permission of the Presiding Officer; provided, however, that under the following heading of business, unless the

Presiding Officer rules otherwise, any qualified person may address the Council without securing such prior permission:

(a) By written communications, interested parties or their authorized representatives may address the Council in regard to matters there under discussion.

(b) By oral communications taxpayers or residents of the City, or their authorized legal representatives, may address the Council on any matter concerning the City's business or any matter over which the Council has control; provided, however, that preference shall be given to those person who may have notified the City Recorder I the advance of their desire to speak in order that the same may appear on the agenda of the Council.

(c) By reading of protests, petitions, or communications relating to zoning, sewer and street proceedings, hearings on protests, appeals and petitions, or similar matter, interested persons or their representatives may address the council in regard to matters then under consideration.

(13) After a motion is made by the council, no person shall address the Council without first securing the permission of the presiding Officer to do so.

(14) Each person addressing the Council shall do so in the following manner: Come to the designated area for persons to address the Council, give his or her name and address in an audible tone of voice for the records; limit his address to three (3) minutes unless further time is granted by the Presiding Officer of the council; and address all remarks to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor, shall per permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No questions shall be asked of a Councilor except through the Presiding Officer.

(15) No person, except City Officials, their representatives and newspaper reporters, shall be permitted within normal seating area of the City Council without the express consent of the presiding officer.

(16) Unless a member of the Council states that he is not voting his silence shall be recorded as an affirmative vote.

(17) The following constitutes the rules of decorum:

(a) While the council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

(b) Any person whose conduct at a council meeting intentionally, recklessly, or knowingly causes or attempts to cause a disturbance of the order or decorum of the proceedings may be barred from the Council meeting by a majority vote of the Council.

Amended by Ord. #380 – March 4, 1991 [Mike K. review this against recent case law].

(18) The law enforcement officer of the city, or such member or members of his office or department as he may designate, shall be Sergeant at Arms of the Council meetings, He or they shall carry out all orders and instructions given by the Presiding Officer for purposes of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant at Arms or any of them present; to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, and the complaint shall be signed by the Presiding Officer.

(19) Any member shall have the right to have the reasons for his dissent from or protest against any action of the Council entered on the minutes.

(20) No account or other demand against the city shall be allowed until the same has been considered and reported upon to the Council.

(21) All reports and resolutions shall be filed with the City Recorder and entered on the minutes.

(22) A motion to adjourn shall always be in order and decided without debate.

(23) Any person violating the provisions of Section 2.003(17)(b) of this Code shall upon first conviction be guilty of a violation and shall be punished pursuant to Section 1.012, and shall upon any subsequent conviction be guilty of a Class C Misdemeanor and shall be punished pursuant to Section 1.011. In any suit, action or claim of relief, inclusive of appeal, to enforce any provisions of the Section, the City shall recover its costs, inclusive or reasonable attorney fees.

(24) In all other instances not covered by the provisions of this Section, Robert's Rules of Order shall be followed. The City Attorney, or in the absence of the City Attorney, his or her designee, shall serve as the parliamentarian for City Council meetings and such other City meetings as may be needed.

Amended by Ord. #381 – March 4, 1991

2.005 City Council Special Committees.

(1) All special committees shall be appointed and assigned respectively by the presiding officer, unless otherwise directed by the council.

(2) Committees shall make their reports in writing or have them recorded verbatim by an electronic recording device and a transcript made thereof, and shall return the petition,

resolution, account, or other paper submitted for consideration to the Council at a regular meeting.

2.007 City Council Evidentiary Hearings.

In all evidentiary hearings before the Council, the procedures prescribed by Section 2.560 shall apply.

2.009 City Council Mode of Introducing and Enacting Ordinances, Resolutions, and Other Matters or Subjects Requiring Action by the Council.

(1) All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his authorized representative.

(2) Ordinances, resolutions, and other matters or subjects requiring action by Council must be introduced and sponsored by a member of the Council, except that the Mayor, City manager or City Attorney may present ordinances, resolutions and other matters or subjects to the Council, and any Councilor may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.

(3) Enacting or Adopting Clause. The enacting clause of all ordinances hereafter enacted shall be "The City of Wilsonville Ordains as Follows". The adopting clause of all resolutions hereafter enacted shall be "The City of Wilsonville resolves as follows".

(4) Except as subsection (5) and (6) provides to the contrary, every ordinance of the council shall, before being put upon its final passage, be read fully and distinctly in open Council meeting on two different days.

(5) Except as subsection (6) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all incumbent Council members, upon being read first in full and then by title.

(6) Any of the readings may be title only if (a) if no council member present at the meeting requests to have the ordinance read in full; or (b) if a copy of the ordinance is provided for each Council member and a copy is provided for public inspection in the office of the city Recorder not later than one week before the first reading of the ordinance and notice of their availability is given forthwith upon the filing by written notice posted in the City Hall and two other public places in the city; or advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by the Council.

(7) Upon the final vote of any ordinance, the ayes and nays of the members shall be taken and entered into the record of proceedings.

(8) Upon the enactment of any ordinance, the City Recorder shall sign it with the date of its passage and the Recorder's name and title of office and within three days thereafter the Mayor shall sign it with the date of signature, name and title of office.

(9) When ordinances shall take effect. An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the council deems it advisable; however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.

(10) Resolutions may be read by title only and shall be adopted on the date of passage unless the resolution otherwise provides.

2.010 Election of City Councilors

In cases where both two and four-year terms for City Councilors are available due to vacancies in office, the candidate(s) receiving the highest number of votes shall be elected to the longer term(s). In cases of tie votes, Section 25 of the City Charter shall apply.

Amended by Ord #325 – April 4, 1988

2.011 City Council Election of Officers.

2.013 City Council Executive Sessions.

Executive Sessions may be held by the Council in accordance with the provisions of ORS Chapter 192.

OFFICERS AND EMPLOYEES

2.100 Mayor.

(1) The Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The mayor shall preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

(2) The Mayor shall appoint the Council committees provided by the rules of the Council. The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days of their passage. After the Council approves a bond of a city officer or a bond for a license contract or proposal, the mayor shall endorse the bond.

Appendix E C

Section(s) 192.610-710
Oregon Revised Statutes
Oregon Open Meeting Law

PUBLIC MEETINGS

192.610 Definitions for ORS 192.610 to 192.690. As used in ORS 192.610 to 192.690:

(1) “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

(2) “Executive session” means any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.

(3) “Governing body” means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(4) “Public body” means the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

(5) “Meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. “Meeting” does not include any on-site inspection of any project or program. “Meeting” also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong. [1973 c.172 §2; 1979 c.644 §1]

192.620 Policy. The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly. [1973 c.172 §1]

192.630 Meetings of governing body to be open to public; location of meetings; accommodation for person with disability; interpreters. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized

Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Oregon Health Authority or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more qualified interpreters to provide interpreter services. [1973 c.172 §3; 1979 c.644 §2; 1989 c.1019 §1; 1995 c.626 §1; 2003 c.14 §95; 2005 c.663 §12; 2007 c.70 §52; 2007 c.100 §21; 2009 c.595 §173]

192.640 Public notice required; special notice for executive sessions, special or emergency meetings. (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

192.650 Recording or written minutes required; content; fees. (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the

meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the governing body present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.410 to 192.505.

(4) A public body may charge a person a fee under ORS 192.440 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

- (a) To consider the employment of a public officer, employee, staff member or individual agent.
- (b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.
- (c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.
- (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.

(L) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.

(m) To discuss information about review or approval of programs relating to the security of any of the following:

(A) A nuclear-powered thermal power plant or nuclear installation.

(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.

(C) Generation, storage or conveyance of:

(i) Electricity;

(ii) Gas in liquefied or gaseous form;

(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

(iv) Petroleum products;

(v) Sewage; or

(vi) Water.

(D) Telecommunication systems, including cellular, wireless or radio systems.

(E) Data transmissions by whatever means provided.

(3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

(4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board. [1973 c.172 §6; 1975 c.664 §2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134; 2007 c.602 §11; 2009 c.792 §32]

192.670 Meetings by means of telephonic or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the governing body of the public body is present. [1973 c.172 §7; 1979 c.361 §1]

192.680 Enforcement of ORS 192.610 to 192.690; effect of violation on validity of decision of governing body; liability of members. (1) A decision made by a governing body of a public body in violation of ORS 192.610 to 192.690 shall be voidable. The decision shall not be voided if the governing body of the public body reinstates the

decision while in compliance with ORS 192.610 to 192.690. A decision that is reinstated is effective from the date of its initial adoption.

(2) Any person affected by a decision of a governing body of a public body may commence a suit in the circuit court for the county in which the governing body ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of ORS 192.610 to 192.690, by members of the governing body, or to determine the applicability of ORS 192.610 to 192.690 to matters or decisions of the governing body.

(3) Notwithstanding subsection (1) of this section, if the court finds that the public body made a decision while in violation of ORS 192.610 to 192.690, the court shall void the decision of the governing body if the court finds that the violation was the result of intentional disregard of the law or willful misconduct by a quorum of the members of the governing body, unless other equitable relief is available. The court may order such equitable relief as it deems appropriate in the circumstances. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney fees at trial and on appeal, by the governing body, or public body of which it is a part or to which it reports.

(4) If the court makes a finding that a violation of ORS 192.610 to 192.690 has occurred under subsection (2) of this section and that the violation is the result of willful misconduct by any member or members of the governing body, that member or members shall be jointly and severally liable to the governing body or the public body of which it is a part for the amount paid by the body under subsection (3) of this section.

(5) Any suit brought under subsection (2) of this section must be commenced within 60 days following the date that the decision becomes public record.

(6) The provisions of this section shall be the exclusive remedy for an alleged violation of ORS 192.610 to 192.690. [1973 c.172 §8; 1975 c.664 §3; 1979 c.644 §6; 1981 c.897 §42; 1983 c.453 §2; 1989 c.544 §1]

192.685 Additional enforcement of alleged violations of ORS 192.660. (1)

Notwithstanding ORS 192.680, complaints of violations of ORS 192.660 alleged to have been committed by public officials may be made to the Oregon Government Ethics Commission for review and investigation as provided by ORS 244.260 and for possible imposition of civil penalties as provided by ORS 244.350.

(2) The commission may interview witnesses, review minutes and other records and may obtain and consider any other information pertaining to executive sessions of the governing body of a public body for purposes of determining whether a violation of ORS 192.660 occurred. Information related to an executive session conducted for a purpose authorized by ORS 192.660 shall be made available to the Oregon Government Ethics Commission for its investigation but shall be excluded from public disclosure.

(3) If the commission chooses not to pursue a complaint of a violation brought under subsection (1) of this section at any time before conclusion of a contested case hearing, the public official against whom the complaint was brought may be entitled to reimbursement of reasonable costs and attorney fees by the public body to which the official's governing body has authority to make recommendations or for which the official's governing body has authority to make decisions. [1993 c.743 §28]

192.690 Exceptions to ORS 192.610 to 192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530. [1973 c.172 §9; 1975 c.606 §41b; 1977 c.380 §19; 1981 c.354 §3; 1983 c.617 §4; 1987 c.850 §3; 1989 c.6 §18; 1989 c.967 §§12,14; 1991 c.451 §3; 1993 c.18 §33; 1993 c.318 §§3,4; 1995 c.36 §§1,2; 1995 c.162 §§62b,62c; 1999 c.59 §§45a,46a; 1999 c.155 §4; 1999 c.171 §§4,5; 1999 c.291 §§25,26; 2005 c.347 §5; 2005 c.562 §23; 2007 c.796 §8; 2009 c.697 §11]

Note: The amendments to 192.690 by section 11, chapter 697, Oregon Laws 2009, become operative July 1, 2010. See section 22, chapter 697, Oregon Laws 2009, as amended by section 76, chapter 828, Oregon Laws 2009. The text that is operative until July 1, 2010, is set forth for the user's convenience.

192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the Health Professionals Program Supervisory Council established under ORS 677.615, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS

441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530.

192.695 Prima facie evidence of violation required of plaintiff. In any suit commenced under ORS 192.680 (2), the plaintiff shall be required to present prima facie evidence of a violation of ORS 192.610 to 192.690 before the governing body shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of ORS 192.610 to 192.690 were complied with shall be on the governing body. [1981 c.892 §97d; 1989 c.544 §3]

Note: 192.695 was added to and made a part of ORS chapter 192 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

192.710 Smoking in public meetings prohibited. (1) No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences.

(2) As used in this section:

(a) "Public meeting" means any regular or special public meeting or hearing of a public body to exercise or advise in the exercise of any power of government in buildings or rooms rented, leased or owned by the State of Oregon or by any county, city or other political subdivision in the state regardless of whether a quorum is present or is required.

(b) "Public body" means the state or any department, agency, board or commission of the state or any county, city or other political subdivision in the state.

(c) "Smoking instrument" means any cigar, cigarette, pipe or other smoking equipment. [1973 c.168 §1; 1979 c.262 §1]

Appendix FD

Resolution No. 2321

RESOLUTION NO. 2321

A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING A PROCESS FOR RECEIPT OF APPLICATIONS AND AN APPOINTMENT PROCESS TO THE CITY'S BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES AND REPEALING RESOLUTION NO. 2267.

WHEREAS, the City Council, desired to have a formal written process for the receipt of applications, and the appointment process for the City's Boards, Commissions, Committees, and Task Force; and

WHEREAS, Council adopted Resolution No. 2267, on February 7, 2011 which memorialized the formal application and selection process; and

WHEREAS, the intent of Resolution No. 2267 was that written guidelines would help to ensure a greater applicant pool with a broader range of background and interests for those desiring to volunteer their time in service to the community; and

WHEREAS, upon working with the process in Resolution No. 2267, the Council found the process contained in Resolution No. 2267 could be simplified and desires to do so.

NOW, THEREFORE THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. Except for the appointment of Council liaisons, where the Council appoints itself as a whole, or to the extent it is required by law to serve on or as a Board, Commission, Committee, or Task Force (e.g. Local Contract Board, Urban Renewal Board, Budget Committee), the following appointment process for Boards, Commissions, Committees, including the non-Council members of the Budget Committee, and Task Forces shall apply as guidelines for appointment to both existing Boards, Commissions, Committees, and Task Forces established by the Council and to those Boards, Commissions, Committees, and Task Forces subsequently established by the Council.

2. The guidelines shall apply to the following existing Boards, Commissions, and Committees:
 - 2.1. The Park and Recreation Advisory Board, WC 2.300 et seq.
 - 2.2. The Planning Commission, WC 2.320 et seq.
 - 2.3. The Development Review Board (sits as two panels), WC 2.330 et seq.
 - 2.4. The Library Board, WC 2.350 et seq.
 - 2.5. The Budget Committee, ORS 294.336 et seq., Council est. 1/10/69
3. Boards and commission members' duties and qualifications are set forth in their respective boards and commission provision of Chapter 2 of the Wilsonville Code.
4. When there is a vacancy, the City Recorder shall advise the council, and unless the Council directs otherwise the City Recorder shall advertise the vacancy(s) in the Wilsonville Spokesman, the local newspaper of general circulation, on the City's website, in the City newsletter, local access cable channel, with general announcements at city meetings and posted at city hall.
 - 4.1 Such advertisement should announce the opening and provide a brief description of the duties, any qualifications that apply to the position, the length of the term to be filled, and where an application can be obtained.
 - 4.2 The recruitment process shall be open for 30 days.
 - 4.3 The City Recorder shall provide for those interested in applying a City application form to be filled out and returned to the Recorder, which shall be in the general form as attached hereto and marked as Exhibit A.
 - 4.4 Existing Board and Commission members who wish to be reappointed when their term has expired need not submit a formal application but may submit a letter expressing continued interest in serving another term to the Mayor and the City Council.

5. Upon closure of the recruitment period, the applications and any supporting documents shall be copied to the entire City Council.
6. All applications and supporting documentation shall be kept on file in the City Records office for one year. Should a vacancy occur, the applications on file and any new applications received during the recruitment period shall be sent to the City Council for review.
7. Before making their recommendations, individual Councilors may interview any applicant. City Council members shall make their recommendations to the Mayor for appointment within two weeks of receiving the applications. Thereafter the Mayor shall make the appointment subject to Council approval at a Council meeting.
8. The Mayor or Council President will invite the new appointee to attend a regular Council meeting where the appointee may be officially introduced.
9. Guidelines for appointing Task Forces and Ad Hoc Committees:
 - 9.1. Task Forces and Ad Hoc special committees are established by the City Council as the need arises, generally on a short term basis to study an issue of concern or need.
 - 9.2. Duties of the Task Force or the Ad Hoc Committee and the respective membership of each are assigned at the time of establishment.
10. ~~Appointment of Council Liaisons to Boards, Commissions, Committees, and Task Forces.~~
 - 10.1. ~~With the exception of the Budget Committee upon which they all serve, ——— each City Councilor shall have the opportunity to serve as a liaison to a Board, Commission, or Committee named in Section 2 above as their term of office may allow. Non voting liaison positions to the City's Boards and Commissions are to foster communication and understanding. At the last regular meeting in January or at the first regular meeting of February of each year, the City Councilors shall discuss liaison appointments and announce the Council liaison appointments for the upcoming year.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: Not at 1.5"

11. Resolution No. 2267 is repealed.
12. This resolution becomes effective upon adoption.

ADOPTED, by the Wilsonville City council at a regular meeting thereof this 19th day of September, 2011 and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp - Yes
Council President Núñez - Yes
Councilor Hurst - Excused
Councilor Goddard - Yes
Councilor Starr - Yes

Attachments:

Exhibit A –Application for Appointment to Board/Commission Form

2. What specific contribution do you hope to make?

3. What community topics concern you that relate to this board or commission? Why do you want to become a member?

4. Describe your involvement in relevant community groups and activities. (Lack of previous involvement will not disqualify you from consideration.)

Signature: _____ Date: _____

Meeting dates (all meeting dates are subject to change or additions)

- Budget Committee – typically meets in April-May to consider City budget for new fiscal year
- Development Review Board – Second and fourth Mondays of the month
- Library Board – Fourth Wednesday of the month
- Parks & Recreation Advisory Board – Second Thursday of the month
- Planning Commission – Second Wednesday of the month

*Please be advised members of the City Council, the Planning Commission and Development Review Board are required to file an annual **Statement of Economic Interest** with the State of Oregon. A sample reporting form is available from the City Records Office at 29799 SW Town Center Loop East indicating the type of information you will be required to disclose if you are appointed.*

For office use only:

Date Received: _____

Date Considered: _____

Action by Council: _____

Term Expires: _____

Please return this form to:

City Recorder

29799 SW Town Center Loop E.,

Wilsonville, OR 97070

(503) 570-1506 FAX (503) 682-1015

E-mail: king@ci.wilsonville.or.us

Appendix GE

Resolution No. 2322

RESOLUTION NO. 2322

A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING A CITY COUNCIL PROTOCOL MANUAL, ESTABLISHING COMMUNICATION GUIDELINES AND COUNCIL PROTOCOLS AS SINGLE SOURCE REFERENCE DOCUMENT.

WHEREAS, the Wilsonville City Council believes effective municipal governance requires that individual Council members adhere to a general set of principles when dealing with each other and the general public; and

WHEREAS, the Council desires to conduct its meetings in a manner that is courteous, effective, and efficient; and

WHEREAS, providing a single source reference document containing the Council protocol and communication guidelines will aid in fostering an environment that is fair, open and responsive.

NOW THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council adopts the *City of Wilsonville City Council Protocol Manual*, attached here to as Exhibit A, as if fully set forth herein, as a single source reference on Council protocol and communication.
2. This resolution is effective the date of adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 19th day of September, 2011 and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:
Mayor Knapp - Yes
Council President Núñez - Yes
Councilor Hurst - Excused
Councilor Goddard - Yes
Councilor Starr - Yes

Appendix [HF](#)

Best Practices for an Elected Governing Council

By

Joe Hertzberg
February 2011

|

|

|

|

CITY OF WILSONVILLE

CITY COUNCIL PROTOCOL

MANUAL



ADOPTED BY RESOLUTION NO. 2322
SEPTEMBER 19, 2011
REVISED MARCH 6, 2017

TABLE OF CONTENTS

PREFACE.....1-2

I. COUNCIL MEETINGS.....3

- 1. Regular Meetings.....3
 - a. Other Locations.....3
 - b. Location During Local Emergency.....3
 - c. Canceled meetings.....3
- 2. Special & Emergency Meetings.....3
- 3. Adjourned Meetings.....3
- 4. Executive Sessions.....3-4
- 5. Cancellation of Regular Meetings.....5
- 6. Quorum.....5
- 7. Chair.....5
 - a. Absence of Mayor.....5
 - b. Mayor and Council President Absence.....5
- 8. Attendance by the Public.....5
- 9. Minutes.....5
 - a. Comments for the Record.....5-6
 - b. Timing of Council Approval of Minutes.....6
 - c. Recording of Meetings.....6

II. ORDER OF BUSINESS.....6

- 1. General Order.....6-7
- 2. Items on the Agenda WC2003.(03).....7
- 3. Items not on the Agenda.....7
- 4. Communications7
- 5. Citizen Input and Community Announcements.....7
- 6. Consent Agenda.....7
- 7. New Business.....7
- 8. Continuing Business7
- 9. Public Hearing.....7
- 11. City Manager’s Business.....7
- 11. Standard Adjournment.....8

III. RULES OF CONDUCT FOR COUNCIL MEETINGS.....9

- 1. General Procedure.....9
- 2. Addressing Members of the Public or Staff.....9
- 3. Authority of the Chair.....9
- 4. Mayor to Facilitate Council Meetings.....9
- 5. Council Deliberation & Order of Speakers.....9
 - a. Questions Addressed to Another Councilor.....9-10

- 6. Limit Deliberations to Item at Hand..... 10
- 7. Length of Council Comments..... 10
- 8. Obtaining the Floor..... 10
- 9. Motions..... 10
- 10. Procedure for Motions..... 10
- 11. Motion Amendments..... 11
- 12. Motion of Intention..... 11
- 13. Ordinances.....11
- 14. Voting..... 11
- 15. Abstention.....11
- 16. Tie Votes..... 12
- 17. Motions for Reconsideration.....12
- 18. Non-Observance of Rules..... 12
- 19. Dress Code..... 12
- 20. Use of Handheld Electronic Devices During Council Meetings.....12-13

IV. QUASI-JUDICIAL PROCEEDINGS..... 13

- 1. Defined.....13
- 2. Identification on the Agenda.....13
- 3. Ex Parte Communications.....13-14

V. PUBLIC HEARINGS..... 14

- 1. General Procedure.....14-15
- 2. Time for Consideration..... 15
- 3. Continuance of Hearing..... 15
- 4. Public Discussion at Hearings..... 15
 - a. Public Member Requesting to Speak..... 15
 - b. Council Questions of Speakers..... 15
 - c. Due Process.....16
 - d. Public Oral Presentations.....16
 - e. Materials for Public Record..... 16
 - f. Germane Comments.....16
- 5. Communications & Petitions..... 16
- 6. Admissible Evidence..... 16

VI. ADDRESSING THE CITY COUNCIL..... 16

- 1. Staff Presentations..... 16-17
- 2. Oral Presentations by Members of the Public.....17
- 3. Citizen Input.....17
 - a. Timing.....17
 - b. Speaker Cards..... 17
 - c. City Business..... 17

	d.	Council Response Prohibited.....	17
	e.	Council Interaction with the Public.....	17-18
	f.	Repetitious or Dilatory Comments Prohibited.....	18
	g.	Waiver of Rules.....	18
	h.	Non-Exclusive Rules.....	18
VII.		POLICY DECISION MAKING PROCESS.....	19
	1.	Council Member Appointments and Assignments.....	19
	2.	Mayor to Act as Ceremonial Representative.....	19
	3.	Proclamations.....	19-20
	4.	Certificate of Recognitions.....	20
	5.	Councilor Participation in Community Activities.....	20
	6.	Study/Work Sessions.....	20
	7.	Advance Admin and Informational Reports.....	20
VIII.		COUNCIL COMMITTEES.....	21
	1.	Task Force and Ad Hoc Committees.....	21
		a. Defined.....	21
		b. Conduct of Ad Hoc Committee Meetings.....	21
IX.		COUNCIL LIAISONS TO BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES	21-22
X.		COUNCIL MEMBER ADMINISTRATIVE SUPPORT.....	22
	1.	Mail	
		a. Letters Addressed to Mayor/City Council.....	22
		b. Letters Addressed to Individual Councilors.....	22
	2.	Council Correspondence.....	22
		a. Personal Correspondence.....	23
	3.	Clerical Support.....	23
	4.	Master Calendar.....	23
	5.	Requests for Research or Information.....	23-24
	6.	Tickets to City Events.....	24
	7.	Council Notification of Significant Incidents.....	24
XI.		PROTOCOL & GUIDELINE ADMIN.....	24
	1.	Biennial Review.....	24
	2.	Adherence to Protocols and Guidelines.....	24
	3.	City Attorney as Protocol Advisor.....	25
	4.	Adherence to Admin Procedure & Process Protocols.....	25
	5.	Interference in Administration.....	25

APPENDICES:

A – City Charter.....26-37

B –Wilsonville Code, Chapter 2.003 Administration, General
and Chapter 2.100 Officers and Employees..... 38-45

C – 192.610-710 Oregon Revised Statutes – Open Meetings.....46-54

D – Resolution No. 2321, A Resolution Of The City Of Wilsonville
Adopting a Process for Receipt of Applications and an
Appointment Process to the City’s Boards, Commissions,
Committees and Task Forces and Repealing
Resolution No. 2267..... 55-61

E – Resolution No. 2322 A Resolution Of The City Of Wilsonville
Adopting A City Council Protocol Manual, Establishing
Communication Guidelines And Council Protocols As Single
Source Reference Document.....62-63

F - Best Practices for an Elected Governing Council by Joe Hertzberg
Dated February 2011.....64-69

PREFACE

The following is a single source reference document on the Wilsonville City Council's protocols and communication guidelines. The protocols and guidelines included in this reference document have been formally adopted by **Council Resolution No. 2322**.

The Wilsonville City Council believes that effective municipal governance requires that individual Council members adhere to a general set of principles when dealing with each other and the general public. Furthermore, the City Council desires to conduct its meetings in a manner that is courteous, effective and efficient, while fostering an environment that is fair, open and responsive to the needs of the community. Members of the Wilsonville City Council will:

- ✓ Trust and respect the opinions of fellow Council members, and be well informed and participate in the decisions of the Council.
- ✓ Accept responsibility to attend all Council meetings and Council sub-committees assigned.
- ✓ Fulfill obligations to share with other Council members the membership on the committees assigned.
- ✓ Provide appropriate notification to the Mayor, Council President, City Manager, or City Recorder of an absence as soon as possible prior to the meeting time.
- ✓ Not disclose information which is confidential and, when asked by the public for information that is still confidential, will state that the information is confidential.
- ✓ Make every attempt to resolve any conflict with a fellow Council member prior to bringing the conflict to the attention of the Council.
- ✓ Expect to be informed of all issues and data in a timely manner.

COUNCIL MEETING EXPECTATIONS

- ✓ Try to make the citizens comfortable and part of the process at the meetings.
- ✓ Make visitors comfortable by being courteous, respecting their opinions, and by showing trust and respect for visitors.
- ✓ Do my best to communicate in clear, concise and audible language and written communications.

- ✓ Strive to maintain a tone of voice that is friendly and sincere.
- ✓ Honor and act on all requests for action and/or information in a timely and courteous manner.
- ✓ Discuss issues, but not personalities, with non-Council members. After an issue has been voted on, a councilor will speak for him/her carefully, in a manner that does not undermine the integrity or motives of the Council, if his/her opinions are different from the Council's.

COUNCIL FINAL AUTHORITY ON GUIDELINES: All questions regarding these guidelines shall be resolved by majority vote of the City Council.

WILSONVILLE CITY COUNCIL PROTOCOLS & GUIDELINES

I. COUNCIL MEETINGS

1. **Regular Meetings** – Consistent with Charter Section 13, regular meetings shall be held at least once each month in the city at a time and place which it designates. Pursuant to Section 2.003(1) of the Wilsonville Code (WC), regular meetings of the Council shall be held on the first and third Monday of the month at 7 p.m. in the City Council Chambers, Wilsonville City Hall, 29799 SW Town Center Loop East, except that when a first or third Monday falls on a legal or national holiday, there will be no regular City Council meeting held that week. However, this shall not prevent the City Council from otherwise calling a special meeting for such purposes as it determines. All regular meetings of the Council shall be held within the City of Wilsonville.
 - a. **Other Locations** – The Council may, from time to time, elect to meet at other locations within the City and, upon such election, shall give public notice of the change of location in accordance with provisions of Oregon Revised Statutes (ORS) 192.610-690.
 - b. **Location During Local Emergency** – If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the Council Chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the Council President or City Manager.
 - c. **Canceled Meetings** – When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that month shall be held on such date and at such time as may be directed by the Council.
2. **Special Meetings & Emergency Meetings** – Special meetings and emergency meetings of the Council may be called and held consistent with WC Section 2.003(2) and ORS 192.640.
3. **Adjourned Meetings** – The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
4. **Executive Sessions** – Consistent with ORS 192.640-660, the Council may hold an Executive Session during any regular or special meeting, or any time otherwise authorized by State law to consider or hear any matter

which is authorized by State law to be heard or considered in closed session.

- a. The City Council may exclude from any such closed session any person or persons which it is authorized by State law to exclude from such closed sessions.
- b. Council members may not reveal the nature of discussion from a closed session unless required by State law.
- c. The City Council shall take no final action on any matter discussed or deliberated on while in executive session.
- d. The general subject matter for consideration shall be expressed in an open meeting before such session is held. Executive sessions may be held to discuss certain matters specified by State law, including:
 1. Initial employment of public officials and employees;
 2. Dismissal or disciplining of an officer or employee or performance evaluation of an officer or employee, unless the officer or employee requests an open meeting;
 3. Deliberations with persons designated to negotiate real property transactions;
 4. Deliberations with persons designated to conduct labor negotiations;
 5. Discussion of records that are exempt from public inspection;
 6. Negotiations involving matters of trade and commerce when the unit of government is in competition with other areas;
 7. Legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
 8. Review and evaluation of an executive officer, public officer, employee or staff member, unless an open hearing is requested by the person being reviewed; or
 9. Negotiations regarding public investments.

5. **Cancellation of Regular Meetings** – Any meeting of the Council may be canceled in advance by a majority vote of the Council, provided that the Council meets the “one meeting per month” provision of the City’s charter.
6. **Quorum** – Consistent with Charter Section 15, a majority of the incumbent members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.
7. **Chair** – Consistent with Charter Section 17, the Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The Mayor is responsible for preserving order, enforcing Council rules, and determining the order of business under the rules of the Council.
 - a. **Absence of Mayor** – Consistent with Charter Section 18, the Council President shall preside in the absence of the Mayor and shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order.
 - b. **Mayor & Council President Absence** – In the absence or unavailability of the Mayor and the President of the Council, the City Recorder shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the Council present and that person, for the time being, shall have the powers of the Mayor. Upon arrival of the mayor or the President of the Council, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.
8. **Attendance by the Public** – Pursuant to ORS 192.610-690, and except as specifically provided by State law for executive sessions, all meetings of the Council shall be open, public and accessible.
9. **Minutes** – Minutes of the Council will include paraphrased information on what took place at a given meeting, final motions, vote tally (in the event of a no vote by one or more Council members, the tally shall indicate yes and no votes by name), attendance of Council members and staff, and the names of any interested party providing testimony before the Council. Speeches, presentations, statements or discussions will not be described verbatim, except when the information is necessary to understand what took place. An electronic recording of the meeting shall be kept and maintained in accordance with ORS 192.005 to 192.710.
 - a. **Comments for the Record** – If a Council member desires for a comment to be included in the minutes, it is his or her

responsibility to indicate that the statement is “for the record” before making the comment(s).

- b. **Timing of Council Approval of Minutes** – Minutes of meetings are generally submitted for Council approval at the next regularly scheduled meeting, for approval as provided in W.C. 2.003(g).
- c. **Recording of Meetings** – Audio recordings of proceedings are maintained by the City Clerk for a period specified by State law.

II. ORDER OF BUSINESS

1. **General Order** – Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Recorder, City Attorney and City Manager shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the order set forth below (unless otherwise specified). A closed session may be held at any time during a meeting consistent with State law. The Council may, at its discretion and upon the approval of a majority of a quorum present, change the order of business before it.

Call to Order

Roll Call

Pledge of Allegiance

Motion to approve the order of the agenda

Communications

Citizen Input & Community Announcements

Mayor’s Business

Consent Agenda

New Business

Continuing Business

Public Hearing

City Manager’s Business

Legal Business

Adjourn

2. **Items on the Agenda - WC2.003(3)** – All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least twenty-four (24) business hours prior to each Council meeting, be delivered to the City Recorder whereupon the City Recorder shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the City Manager and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as

time for preparation will permit. As a general rule the packet of such items, together with the agenda, shall be delivered to the Council one week in advance of the meeting.

3. **Items Not on the Agenda** – Pursuant to ORS 192.640, the City shall publish a list of the principal subjects anticipated to be considered at the meeting, “but this requirement shall not limit the ability of a governing body to consider additional subjects.”
4. **Communications** – All special presentations will be calendared and coordinated through the Mayor and will be limited to a time period not to exceed 15 minutes at each Council meeting. The Mayor may grant an exception to this requirement on a case-by-case basis.
5. **Citizen Input and Community Announcements** – This is a time for citizens to address the Council on items not on the agenda for public hearing or to make community announcements. Generally, three minutes shall be allotted for speaking time, but the Mayor may grant an exception to this requirement on a case-by-case basis.
6. **Consent Agenda** – Routine items of business that require a vote but are not expected to require discussion or explanation shall be placed on the consent calendar. These items are voted on as one item to reduce the length of the agenda and the length of Council meetings. Any item that is placed on the consent calendar may be pulled for discussion at the request of a Councilor.
7. **New Business** – Items scheduled that are expected to have staff explanation and/or presentation and councilor discussion prior to a vote.
8. **Continuing Business** – Business that is returning to Council for further discussion, information or, in the case of ordinances, a second reading, prior to a vote of the Council.
9. **Public Hearing** – An evidentiary hearing (quasi-judicial) or legislative hearing before the Council. (See Section V.1.)
10. **City Manager’s Business**
 - a. **Monthly Reports** – The following reports will be included in the agenda packet for the first regularly scheduled meeting of each month, and others as appropriate or requested by Council:
 1. **Financial Report** – A condensed report of the City’s finances by operating fund. The City Council shall receive one detailed financial report on a quarterly basis.

2. **Master Calendar** – A calendar of major agenda items planned for upcoming meetings.
 3. **Council Discussion Items Follow-up Report** – A simple spreadsheet documenting issues raised by Council members during the Council discussion portion of the agenda that require further follow-up by staff.
 4. **Public Projects Update** – A brief description of current or planned public projects, updated monthly.
 5. **Planning Report** – A brief description of planning and land use related issues.
 6. **Police Report** – A brief report on crimes and traffic citations pertinent to the City of Wilsonville.
 7. **Building Permit Activity Report** – A monthly report of all commercial, industrial and residential building permit activity in the City of Wilsonville.
 8. **Board and Commission Activity / Decisions** – This is a brief report covering the decisions made by the standing Boards, Commissions, and task forces, prepared by staff.
 - b. The Council may comment on any such report during Council Comments or under City Manager’s Business thereafter.
11. **Standard Adjournment** – The Council establishes 10:00 p.m. as the hour of adjournment and will not continue beyond 10:00 without a majority vote of the Council. To assist in making the determination to continue an item under consideration, the Council should find that discussion, deliberation, and action on the item can be concluded by 11:00 p.m.

The Council will not hear any new agenda items past 10:00 p.m. without a majority vote of the Council. A determination should be made by Council that any new item(s) can be discussed, deliberated and action taken before 11:00 p.m.

If an agenda item(s) remains after the 10:00 p.m. adjournment, a special meeting may be scheduled or the item(s) deferred until the next regular meeting.

III. RULES OF CONDUCT FOR COUNCIL MEETINGS

1. **General Procedure** – It is the policy of the Council not to become involved in the entanglements over “parliamentary procedure.” Consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, any issue or procedure relating to the conduct of a meeting or hearing not otherwise provided for herein may be determined by the Mayor, or the presiding officer, subject to appeal to the full Council in accordance with W.C. 2.003(4).
2. **Addressing Members of the Public or Staff** – In addressing the public and members of the City’s staff, Council members will generally refer to persons as Mr. or Mrs., or Ms., followed by their surname. Staff shall refer to Council members as Mayor or Councilor, followed by the surname of the person being referred to.
3. **Authority of the Chair** –
 - a. The Mayor or presiding officer shall preserve strict order and decorum at all regular and special meetings.
 - b. Subject to appeal to the full Council, the Mayor shall have the authority to prevent misuse of motions, or the abuse of privilege, or obstruction of the business of the Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous, fair, and should presume that the moving party is acting in good faith.
 - c. If a member, while speaking, be called to order, he/she shall cease speaking until the question of order be determined and if in order, the member shall be permitted to proceed.
4. **Mayor to Facilitate Council Meetings** – In the role as facilitator, the Mayor will assist the Council to focus on the agenda, discussions and deliberations.
5. **Council Deliberation & Order of Speakers** – The Mayor is delegated the responsibility to control debate and the order of speakers. Speakers will generally be called upon in the order they make the request to speak.
 - a. **Questions Addressed to Another Councilor** – With the concurrence of the Mayor, a Council member holding the floor may address a question to another Council member and that Council member may respond while the floor is still held by the Council member asking the question. A Council member may opt not to answer a question while another Council member has the floor.

6. **Limit Deliberations to Item at Hand** – Council members will limit their comments to the subject matter, item or motion being currently considered by the full Council and shall avoid all personalities and indecorous language.
7. **Length of Council Comments** – Council members will govern themselves as to the length of their comments or presentation, preferably no longer than 3 to 5 minutes. However, no member shall speak on any one matter in excess of ten minutes without the consent of the members constituting a quorum.
 - a. The Mayor shall act as the arbiter in determining how long an individual Council member may speak on an item. The intent of this policy is not to limit debate, but rather to assist Council members in their efforts to communicate concisely.
8. **Obtaining the Floor** – Any member of the Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council member who seeks the floor when appropriately entitled to do so.
9. **Motions** – Motions may be made by any member of the Council, including the Council President. Any member of the Council, other than the person offering the motion, may second the motion.
10. **Procedure for Motion** – The following is the general procedure for making motions:
 - a. Before a motion can be considered or debated it must be seconded.
 - b. Council members wanting to make a motion should notify the Mayor of their intent to do so.
 - c. A Council member wishing to second a motion should do so through a verbal request to the Mayor.
 - d. Once the motion has been properly made and seconded, the Mayor shall open the matter for discussion to the full Council.
 - e. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed; provided, however, Council members may be allowed to explain their vote.

11. **Motion Amendments** – When a motion is on the floor, and an amendment is offered, the amendment should be acted upon prior to acting on the main motion.
12. **Motion of Intention** – A Motion of Intention process is generally limited to matters legally required to be supported by findings.
 - a. In proceedings identified as quasi-judicial on the agenda, when the City Council takes an action that is substantially different from the staff recommendation, the Council may utilize the Motion of Intention process.
 - b. A Motion of Intention provides staff direction as to the City Council’s action through a formal motion.
 - c. Based on this motion, staff revises the necessary findings, resolutions and or/implementing documentation for the City Council’s action at the next scheduled meeting.
 - d. Upon receiving a Motion of Intention by a Council member, the Mayor should make sure that the hearing on the matter resulting in the motion is closed prior to a vote.
13. **Ordinances** – Motions offering ordinances are deemed to include waiver of full reading of the ordinance unless otherwise specifically stated.
14. **Voting** – Pursuant to Charter Section 19, the concurrence of a majority of the Council voting when a quorum of the Council is present shall decide any question before it. No Council member present at a Council meeting shall abstain from voting without first stating reasons in detail at the meeting. If the vote is a voice vote, the Mayor shall declare the result. The results of the vote shall be clearly set forth in the record.
15. **Abstention** – If a Council member abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not deemed to be voting for the purposes of determining whether there has been a majority vote of those members present and voting.
 - a. When a Council member abstains or excuses themselves from a portion of a Council meeting because of a legal conflict of interest, the Council member must briefly state on the record the nature of the conflict. The inclusion of this information in the public record is required by law.
16. **Tie Votes** – A tie vote results in a lost motion. In such an instance, any member of the Council may offer a motion for further action. If there is no

action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

17. Motions for Reconsideration –

- a. Motions for reconsideration of a matter may be made at the same meeting or at the next succeeding meeting following a Council action.
- b. A proposed motion for reconsideration at the next succeeding meeting must comply with Oregon Open Meeting Laws.
- c. Motions for reconsideration may only be made by a Council member that voted with the majority of the City Council on the action proposed to be reconsidered by the Council.
- d. In the case of a tie vote, the prevailing side or the majority of the Council will be deemed to be those Council members who voted in the negative.
- e. Any member of the Council may second a motion for reconsideration.

18. Non-Observance of Rules – Rules adopted to expedite and facilitate the transaction of the business of the Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rule shall not affect the jurisdiction of, or invalidate any action taken by, the Council.

19. Dress Code for City Council Members – It is the policy of Council to create a dignified and professional environment for Council meetings and should dress accordingly.

20. Use of Handheld Electronic Devices During Council Meetings – Councilors have been issued an iPad to receive their City email, maintain their City calendar, and to access, read, and annotate their meeting packets, both before and during City Council meetings. The use of other personal handheld electronic devices by members of the Council, the City Manager and the City Attorney during City Council meetings while behind the dais is discouraged in that such use may be perceived by the public or other Council members as the Council or staff not paying attention or, worse, engaging in inappropriate ex parte contact. Notwithstanding the foregoing, it is reasonable and acceptable that Council and staff may need to have their personal devices at the dais for

personal or work related reasons. In those instances, such devices should be placed on silent ring mode and only checked as reasonably necessary. If more than a quick text response is required, the Council member or staff should step away from the dais, in a non-disruptive fashion, to respond to the message or call, outside of the Council Chambers. Members of the public and staff in the audience are likewise expected to limit the distracting use of electronic devices during meetings and, in all cases, silence cell phone ringers. It is recognized that members of the press and staff located in the back of the room may use laptops or tablets during the meeting but they are also expected to do so in a respectful and non-distracting manner..

IV. QUASI-JUDICIAL PROCEEDINGS

1. **Defined** – Quasi-judicial proceedings are those proceedings in which the City Council is required to make findings based on an evidentiary record as to the entitlement. This type of hearing is also referred to as an “Evidentiary Hearing.” In quasi-judicial proceedings, the City Council sits as the judge and jury, and is required to make findings based on the evidence and records presented. Examples of quasi-judicial proceedings include conditional use permits, variances, site development applicant appeals, and enforcement of nuisance provisions.
2. **Identification on the Agenda** – Quasi-judicial proceedings will be identified as such on the Council agenda by including in the heading “Quasi-Judicial Proceeding.”
3. **Ex-Parte Communications** – An ex-parte communication is a communication made with a Council member outside the Council Chambers, with any person except the City Attorney concerning a quasi-judicial proceeding to be heard by the City Council, or a staff member concerning a quasi-judicial land use matter to be heard by the City Council.
 - a. When a Council member has an ex-parte communication concerning a subject that is the basis of a quasi-judicial proceeding before the Council, the Council member must state for the public record the nature of that communication. Council members must indicate with whom the ex-parte communication was made and provide a brief statement as to the substance of the communication.
 - b. A Council member may make an oral presentation of the nature of the communication or provide a written statement to be read into the public record.

- c. If challenged by a member of the public in attendance that such ex parte contact has otherwise prejudiced or biased the member in hearing the matter, the Council shall determine the issue before proceeding.

V. PUBLIC HEARINGS

1. **General Procedure** – WC 5.560 provides for evidentiary hearing procedures (quasi-judicial) and the Council may also conduct legislative public hearings. While there may be some differences depending on the type of hearing, the Council procedure for the conduct of a public hearing is generally as follows:
 - a. The Mayor opens the public hearing.
 - b. Staff presents the staff report.
 - c. Council may ask questions of staff for clarification on issues raised in the staff report.
 - d. In an evidentiary hearing the applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
 - e. Members of the public are provided with the opportunity to present their comments, testimony or argument. Generally, the order of public comment will be: those in favor, those in opposition, and those neither in favor nor opposed.
 - f. In an evidentiary hearing the applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
 - g. The public hearing is closed.
 - h. The Council deliberates on the issue.
 - i. If the Council raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the public hearing must be reopened. At the conclusion of the public testimony, the public hearing is again closed. Note: in land use matters, special rules may apply

for leaving the record open and staff or the City Attorney may be consulted in this regard.

- j. The Council deliberates and takes action.
 - k. The Mayor announces the final decision of the Council.
2. **Time for Consideration** – Matters noticed to be heard by the Council will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will continue until the matter has been completed or until other disposition of the matter has been made.
 3. **Continuance of Hearing** – Any hearing being held or noticed or ordered to be held by the Council at any meeting of the Council may, by order or notice or continuance, be continued or re-continued to any subsequent meeting.
 4. **Public Discussion at Hearings** – When a matter for public hearing comes before the Council, the Mayor will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter, in addition to those who have filled out speaker cards.
 - a. **Public Member Request to Speak** – Any person desiring to speak or present evidence shall make his/her presence known to the Mayor and, upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons providing testimony should fill out a “request to speak” slip and clearly state their name and address for the record.
 - b. **Council Questions of Speakers** – Members of the Council who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue. Council members should avoid raising questions as a method to extend the allocated time for a speaker.
 - c. **Due Process** – The Mayor shall conduct the meeting in such a manner as to afford due process.

- d. **Public Oral Presentations** – All Council rules pertaining to oral presentation by members of the public apply during public hearings. The Mayor, subject to appeal to the full Council, may limit or extend the time to speak. Generally, individuals should be limited to 3 to 5 minutes, and group presentations, such as an applicant team in a land use matter, to 15 minutes.
 - e. **Materials for Public Record** – All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City Clerk as part of the official record of the hearing, unless otherwise directed.
 - f. **Germane Comments** – No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being discussed. A determination of relevance shall be made by the Mayor, but may be appealed to the full Council.
- 5. **Communications and Petitions** – Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full shall take place if requested by a majority of the Council.
 - 6. **Admissible Evidence** – Hearings need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be considered if it is the sort of evidence upon which a reasonable and responsible person is accustomed to rely upon in the conduct of serious affairs.

VI. ADDRESSING THE CITY COUNCIL

- 1. **Staff Presentations** – Staff presentations will be limited to 10 minutes. Longer staff presentations must be approved by the City Manager prior to the Council meeting.
- 2. **Oral Presentations by Members of the Public** – Oral presentations by members of the public at City Council meetings are as follows:
 - a. Prior to the meeting, or during the meeting prior to a matter being reached, persons wishing to address the Council should fill out a speaker card and submit it to the City Recorder who will give it to the Mayor.

- b. When called upon, the person should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.
 - c. All remarks should be addressed to the Council as a whole, not to individual members thereof.
 - d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.
3. **Citizen Input** – Citizen Input is that portion of the City Council meeting set aside for members of the public to address the City Council on items of any City business other than scheduled agenda items.
- a. **Timing** – Citizen Input is generally permitted at the beginning of a Council meeting just after Communications and before Mayor’s Business. Public comment is limited to 3 minutes per speaker, but may be extended at the discretion of the Mayor.
 - b. **Speaker Cards** – Persons wishing to speak under Citizen Input should identify themselves at the appropriate time.
 - c. **City Business** – Presentations under Citizen Input are limited to items within the subject matter jurisdiction of the City.
 - d. **Council Response Prohibited** – Where a speaker requests a City response under Citizen Input, the City Council or staff, at the Council direction, may answer the request if sufficient facts are known and can be readily answered. The Mayor, however, may request the City Manager to provide additional information at a later date on a matter of general interest to the full Council or the public at large. To ensure the most efficient use of staff time, and to ensure that a majority of the Council wishes to take formal action on a matter brought before the Council during Citizen Input, Council member requests for policy consideration or reconsideration should be made through the Council’s Request for Policy Consideration process.
 - e. **Council Interaction with the Public** – If a Council member believes that a material misstatement of fact has been made by a person during the public comment portion of the agenda, the Council member may ask the City Manager or City Attorney to correct or otherwise clarify the matter or the Council member may provide a direct response at that time. If a spontaneous

response is not possible, the Mayor should direct the City Manager to either respond directly to the individual making the request, once all the facts are established, or require the City Manager to clarify the issue at the next regular Council meeting for the benefit of the Council and the general public.

f. **Repetitious or Dilatory Comments Prohibited**

1. A speaker shall not present the same or substantially same items or arguments to the Council repeatedly or in a dilatory manner. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further.

Nothing in the foregoing precludes submission of comments to the City Council in writing for such action or non-action as the Council, in its discretion, may deem appropriate.

2. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged.

Whenever a group of people wish to address the Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. The Mayor may extend the time allocation for a designated spokesperson.

- g. **Waiver of Rules** – Any of the foregoing rules may be waived by majority vote of the Council when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.
- h. **Non-Exclusive Rules** – The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time or in a particular circumstance for purposes of orderly and effective conduct of the affairs of the City.

VII. POLICY DECISION-MAKING PROCESSES

1. **Council Member Appointments and Assignments** – The Mayor appoints, and the City Council confirms, Council member assignments to outside agencies, committees, and taskforces, as outlined in Resolution No. 2321, attached hereto as Appendix D.

WC 2.320(1)(a), in part, reads: “Members of the City Planning Commission shall be residents of the City who are appointed by the Mayor with the consent of the City Council and may be removed by the Mayor with the consent of the City Council.” This is the same language used for the DRB, Library Board Members; Community Center Advisory Commission, and Parks and Recreation Advisory Board.

2. **Mayor to Act as Council Ceremonial Representative** – The Mayor has been delegated the responsibility to act as the City Council’s ceremonial representative at public events and functions. In the Mayor’s absence, the Council President assumes this responsibility. In both the Mayor and Council President’s absence, the Mayor will appoint another Council member to assume this responsibility.

3. **Proclamations** –

- a. Incoming requests for a proclamation to be presented at an event or Council meeting should be provided to the Mayor for approval. All proclamation requests are provided in writing two weeks prior to the event/Council meeting date and also include a draft proclamation. The Mayor would read the approved proclamation into the record and then present it to the person who requested it. The requestor is encouraged to attend the meeting to receive the proclamation and may be invited by the Mayor to say a few words about the reasons for the proclamation.
- b. Once the Mayor approves the proclamation request, the proclamation is either scheduled for reading at an upcoming Council meeting, presented at an event, or the proclamation is picked up/mailed to the requesting entity/person. In the event the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member may sign the proclamation.

In the event the Mayor receives a request for a proclamation where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote. [*Staff*

usually asks the Mayor and/or CM if there is a question regarding appropriateness.]

4. Certificates of Recognition –

- a. Incoming requests for certificates of recognition to be presented at an event or Council meeting should be provided to the Mayor for approval. All certificate requests are provided in writing two weeks prior to event/Council meeting date and also include certificate verbiage.
- b. Once the Mayor approves the certificate request, the certificate is either scheduled to be presented at an upcoming Council meeting, presented at an event or is picked up/mailed to the recognized entity/person. In the event that the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member may sign the certificate of recognition.
- c. In the event the Mayor receives a certificate request where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote.

5. Council Member Participation in Community Activities – From time to time, Council members may choose to participate in community activities, committees, events, task forces and civic groups. When a Council member participates in these types of activities, he/she is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Council member as its representative for the matter.

6. Study/Work Session – Study or Work Session items may be placed on regular or special meeting agendas for the purpose of open discussion. During Study or Work Sessions, Council members will ask questions which staff records. For those questions that staff cannot readily answer, responses will be provided for the Council, transmitted in writing at the earliest possible date.

7. Advance Administrative and Informational Reports – Administrative and Informational reports will be forwarded to the Council as part of the agenda packets.

VIII. COUNCIL COMMITTEES

1. **Task Forces and Ad Hoc Committees of the Council** – From time to time the Council may establish Task Forces or Ad Hoc special committees of the Council to deal with a specific issue or problem in the community, as the need arises. Establishing a task force or ad hoc committee shall have the support of a majority of Council.
 - a. **Task Force or Ad Hoc Committee Defined** – A Task Force or Ad Hoc special committee of the Council is one that: (1) does not have a continuing subject matter jurisdiction, and has a limited time frame to complete its task or assignment, (2) does not have a meeting schedule that is fixed by ordinance, resolution or other formal action of the Council. In addition, an ad hoc committee may not consist of more than two Council members, and (3) has its members and duties assigned at the time of establishment.
 - b. **Conduct of Ad Hoc Committee Meetings** – Meetings of an ad hoc committee of the Council are generally informal, but ad hoc committees are subject to the same open meeting laws and requirements as City Council meetings.

IX. COUNCIL LIAISONS TO BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES

1. In the past, City Councilors have been assigned by the Mayor as liaisons to various boards, commissions, committees, and task forces. Due to the increasing number of these various boards, commissions, committees, and task forces, as well as other expanding meetings and social functions that place demands on the time of the City Councilors, the City Councilors and Mayor have jointly determined that the Mayor will no longer formally appoint City Councilors to be the liaisons to the various boards, commissions, committees, and task forces. Instead, staff will be responsible for ensuring that the members of the various boards, commissions, committees, and task forces are kept informed about City Council actions. Additionally, any of the boards, commissions, committees, and task forces may request the attendance of a Council member of their choosing to attend a meeting where such attendance is deemed to be helpful or warranted.
2. To ensure an ongoing relationship and dialogue between the City Council and all of the various boards, commissions, committees, and task forces, the City Manager will arrange an annual retreat/meeting to which all City Councilors and all board, commission, committee, and task force members will be invited to attend. At this meeting they will be encouraged to

interact in a meaningful way and to share their thoughts and ideas regarding their various roles, responsibilities, ideas, and suggestions.

3. In addition to the above-described annual meeting, Council may invite each board and commission to attend a City Council work session in order to discuss the goals and objectives of that board or commission and to seek any information or guidance from Council as the members and Council deem appropriate. (Page 23.)

X. COUNCIL MEMBER ADMINISTRATIVE SUPPORT

1. Mail –

- a. **Letters and Email Addressed to Mayor and/or City Council –** All letters and email addressed to the Mayor and/or entire City Council requiring a response from staff are copied to all Council members with a note as to which staff person will be preparing a response for the Mayor’s signature. A copy of the response, along with the original letter or email will be provided to each Council member.

Letters and Email addressed to the Mayor and/or entire City Council that do not require a response, but provide information on Council agenda items or like matters, are copied to the full Council.

Mail and email addressed to the Mayor or Council marked “personal” and/or “confidential” will not be opened.

- b. **Letters Addressed to Individual Council Members –** All letters addressed to individual Council members will not be opened. The envelopes will be delivered/mailed to the individual Council member’s home address. If a Council member is requesting a response to be prepared by staff, the letter is copied to all members of the Council with a note as to which staff person will be preparing a response for the addressee’s signature. A copy of the response mailed, along with the original letter, will be provided to each Council member.

2. **Council Correspondence –** All Council member correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not individual Council members’ positions. All Council member correspondence using City resources will be copied to the full Council. For example, if a citizen writes a letter or email to an individual Council member, the response to the letter or email,

along with a copy of the citizen's letter or email, will be copied to the full Council.

- a. **Personal Correspondence** – City Council members will have access to individual stationery and envelopes for use in communications reflecting their personal opinions and positions, not the position of the full Council. These communications will be prepared and sent at the expense of individual Council members. Council members may utilize the City's outgoing mail service; however, postage will be at the Council member's expense.
3. **Clerical Support** – The City Manager's Office will coordinate the typing of correspondence or email messages requested by individual Council members. All correspondence typed for Council members will be on City letterhead, and email will use the appropriate signature blocks, and will reflect the position of the full Council, not individual Council members, and will be copied to the full Council.
 - a. From time to time, citizens write or email the Mayor to voice concern, request assistance, or request information on an issue/item. When such letters or email are addressed to the Mayor, the City Manager or his/her designee will prepare a response letter or email for the Mayor's review and signature. The response, along with a copy of the citizen's letter or email, will be copied to the full Council.
 4. **Master Calendar** – A master calendar of Council events, upcoming agenda items, functions or meetings will be provided to the full Council. Functions, events or meetings to be attended by individual Council members will only be included on the master calendar at the request of individual Council members.
 5. **Requests for Research or Information** – All requests for information or research from individual Council members shall be directed through the City Manager's office. Requests for new information or policy direction will be brought to the full Council at a regular meeting for consideration. All written products will be copied to the full Council.
 - a. From time to time Council members will call or email the City Manager to request information or bring attention to a matter that needs to be addressed (e.g., code enforcement issue, pothole, etc.). In all such instances, these matters will be addressed in the most expeditious manner possible.

When such calls for information deal with policy-related matters, the City Manager shall inform the full Council of the nature of the call/email, and provide the full Council with any response that was given to the Council member who made the request. The intent of this protocol is to ensure that all Council members are being provided with the same information.

6. **Tickets to City Events** – The Wilsonville City Council places a high value on community involvement and encourages its members to participate actively in community-related events. When attendance to an event is by ticket, two tickets for each Council member will be made available for events hosted by the City. Departments hosting City events will coordinate the distribution of tickets to Council members with the City Manager’s office. The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.

The Council may elect to provide tickets to individual Council members and their spouses for other city-related/community events where the City’s presence is expected and/or required. The Council will make such determinations on a case-by-case basis. The making available of tickets to any event shall comply with the Oregon Laws, Regulations, and Ethics Standards as to gifts and conflicts of interest.

7. **Council Notification of Significant Incidents** – In conjunction with the City’s Police Department and Tualatin Valley Fire and Rescue (TVF&R), the City Manager’s office will coordinate the notification to Council of major crime, fire or other incidents. This will be accomplished concurrently through email and/or phone calls for the more significant incidents. In addition, the City Manager will endeavor to keep the Council informed by email of incidents/issues that occur in the community that do not rise to the level of a “significant incident.”

XI. PROTOCOL & GUIDELINE ADMINISTRATION

1. **Biennial Review of City Council Protocols & Guidelines** – The Council will review and revise the City Council Protocols and Guidelines, as needed, or every two years.
2. **Adherence to Protocols and Guidelines** – During City Council discussions, deliberations and proceedings, the Mayor is delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council’s adopted protocols.

3. **City Attorney as Protocol Advisor** – The City Attorney assists the Mayor as a resource to confer with, and acts as an advisor for interpreting the City Council’s adopted protocols and guidelines.
4. **Adherence to Administrative Procedure & Process Protocols** – The City Council has delegated the Mayor responsibility to discuss, on behalf of the full Council, any perceived or inappropriate administrative action with a Council member. The Mayor will discuss with the Council member the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the Mayor will report the concern to the full Council.
5. **Interference in Administration** – A member of the Council shall not, directly or indirectly, by suggestion or otherwise, attempt to influence the manager in making an appointment, in removal of an employee, or in purchasing supplies, or attempt to exact a promise relative to an appointment from any candidate for manager.

A violation of this section forfeits the office of the offending member of the Council, who may be removed by the Council or a court of competent jurisdiction. The Council may, however, in session, discuss with or suggest to the manager anything pertinent to City affairs or the interests of the City. Further, a councilmember may, at any time, request and receive from the manager or any other City employee information to which a private citizen is entitled.

Revised February 2017

Appendix A

Wilsonville City Charter

Enacted January 1, 1987

Amended September 1999, Section 43.

Amended November 2002, Section 44.

Amended November 2004, Section 44

CHARTER OF THE CITY OF WILSONVILLE

To provide for the government of the City of Wilsonville, Clackamas and Washington Counties, Oregon; and to repeal all Charter provisions the city enacted prior to the time this Charter takes effect.

Be it enacted by the people of the City of Wilsonville, Clackamas and Washington Counties, Oregon

CHAPTER I

NAME AND BOUNDARIES

Section 1. **TITLE OF ENACTMENT.** This enactment may be referred to as the Wilsonville Charter of 1987 and shall become effective January 1, 1987.

Section 2. **NAME OF CITY.** The City of Wilsonville, Clackamas and Washington Counties, Oregon, shall continue to be a municipal corporation with the name, "City of Wilsonville".

Section 3. **BOUNDARIES.** The city shall include all territory encompassed by its boundaries as they now exist or are hereafter modified pursuant to law. The City Recorder shall keep an accurate, up-to-date description of the boundaries and make copies of this charter and boundary descriptions available for public inspection.

CHAPTER II

POWERS

Section 4. **POWERS OF THE CITY.** The city shall have all powers that the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.

Section 5. **CONSTRUCTION OF CHARTER.** In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to this end that the city may have all powers necessary

or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state constitution.

CHAPTER III
FORM OF GOVERNMENT

Section 6. **WHERE POWERS VESTED.** Except as this charter provides otherwise, all powers of the city are vested in the Council; the elected officers of the city.

Section 7. **COUNCIL.** The Council shall be composed of a Mayor and four Councilors elected from the city at large.

Section 8. **COUNCILORS.** Councilors in office at the time this charter takes effect shall continue in office until the end of the present term of office of each. At each biennial general election after this charter takes effect, two Councilors shall be elected, each for a term of four years.

Section 9. **MAYOR.** At the biennial general election held in 1988, and every fourth year thereafter, a Mayor shall be elected for a term of four years. The term of Mayor elected at the 1986 general election shall continue until January 1, 1989.

Section 10. **APPOINTIVE OFFICERS.** Additional officers of the city shall be a City Manager, City Attorney and Municipal Judge and other officers and the Council deems necessary. The Council shall appoint and may remove any of these officers by a majority vote of all incumbent members of the Council. In judicial functions, the Municipal Judge shall not be subject to supervisory by any other officer.

Section 11. **SALARIES.** The compensation for the service of each city officer and employee shall be the amount fixed by the Council.

Section 12. **QUALIFICATIONS OF ELECTED OFFICERS.** No person shall be eligible for an elective office of the city unless at the time of his election, he is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election. No person shall hold an elected office of the city if the person is an employee of the city. The Council shall be the final judge of the qualifications and election of its own members.

CHAPTER IV

CITY COUNCIL

Section 13. **MEETINGS.** The Council shall hold a regular meeting at least once each month in the city at a time and place with it designates. It shall adopt rules for the government of its members and proceedings. The Mayor or three Council members may call special meetings of the Council. Special meetings may also be held at any time by the common consent of a quorum of all members of the Council at any regular meeting.

Section 14. **RECORDS OF PROCEEDINGS.** The Council shall cause a record of its proceedings to be kept.

Section 15. **QUORUM.** A majority of the incumbent members of the Council shall constitute a quorum for its business.

Section 16. **PROCEEDINGS TO BE PUBLIC.** No action by the Council shall have legal effect unless the motion for the action and the vote by which it is disposed of take place at proceedings open to the public.

Section 17. **MAYOR'S FUNCTIONS AT COUNCIL MEETINGS.** The Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The Mayor shall preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

Section 18. **PRESIDENT OF THE COUNCIL.** At its first meeting after this charter takes effect and thereafter at its first meeting of each odd-numbered year, the Council shall elect a president from its membership. In the Mayor's absence from a Council meeting, the president shall preside over it. Whenever the council determines that the Mayor is unable to perform the functions of the office, the president shall act as Mayor.

Section 19. **VOTE REQUIRED.** Except as this charter otherwise provides, the concurrence of a majority of members of the Council voting when a quorum of the Council is present shall decide any questions before it.

CHAPTER V

POWERS AND DUTIES OF OFFICERS

Section 20. **MAYOR.** The Mayor shall appoint the Council committees provided by the rules of the Council. The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a city officer or a bond for a license, contract or proposal, the Mayor shall endorse the bond.

Section 21. **CITY MANAGER.** (a) Qualifications. The City Manager shall be the administrative head of the government of the city. The City Manager shall be chosen by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. The manager need not be a resident of the city or of the state at the time of appointment.

(b) Terms. The manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council. Upon any vacancy occurring in the office of manager after the first appointment pursuant to this charter, the Council at its next meeting shall adopt a resolution of its intention to appoint another manager. Not later than six months after adopting the resolution, the Council shall appoint a manager to fill the vacancy.

(c) Powers and Duties. The powers and duties of the manager shall be as follows:

(1) The manager shall devote full-time to the discharge of the manager's official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep the Council advised at all times of the affairs and needs of the city, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the city.

(2) The City Manager shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are observed.

(3) The manager shall designate a City Recorder and shall appoint and may remove appointive city officers and employees

except as this charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The City Manager shall organize and supervise the departments to the end of obtaining the utmost efficiency in each of them. The manager shall have no control, however, over the Council, over the Mayor, over the City Attorney, or over the judicial activities of the Municipal Judge.

(4) The manager shall act as purchasing agent for all departments of the city. All purchases shall be made by requisition signed by the manager or his designate.

(5) The manager shall be responsible for preparing and submitting to the budget committee the annual budget estimates and such reports as that body requests.

(6) The manager shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city property.

(d) Seats at Council Meetings. The manager and such other officers as the Council designates shall be entitled to sit with the Council but shall have no vote on questions before it. The manager may take part in all Council discussion.

(e) Manager Pro Tem. Whenever the manager is absent from the city, is temporarily disabled from acting as manager, or whenever the office becomes vacant, the Council shall appoint a manager pro tem, who shall possess the powers and duties of the manager. No manager pro tem, however, may appoint or remove a city officer or employee except with the approval of the Council. No manager pro tem shall hold the position as such for more than six months, and no appointment of a manager pro tem shall be consecutively renewed.

Section 22. **MUNICIPAL JUDGE.** The Municipal Judge shall be the judicial officer of the city. The judge shall hold within the city, a court known as the municipal court for the City of Wilsonville, Clackamas and Washington Counties, Oregon. The

court shall be open for the transaction of judicial business at times specified by the Council. All areas within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ordinances of the city. The judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to jail or admit to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before the judge, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of a city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section or section 10 of this charter, the Council may provide for the transfer of powers and duties of the municipal court to the appropriate district court of the State of Oregon.

Section 23. **CITY RECORDER.** The City Recorder shall serve ex officio as clerk of the Council, attend all its meetings unless excused therefrom by the Council and keep an accurate record of its proceedings. In the Recorder's absence from a Council meeting, the Mayor shall appoint a clerk of the Council pro tem, who, while acting in that capacity, shall have all the authority and duties of the Recorder.

CHAPTER VI

ELECTIONS

Section 24. **REGULATION OF ELECTIONS GENERALLY.** Except as this charter provides otherwise and as the Council provides otherwise by ordinance, the general laws of the state shall apply to city elections.

Section 25. **TIE VOTES.** In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the Council.

Section 26. **COMMENCEMENT OF TERMS OF OFFICE.** The term of office of a person elected to a city office at a regular city election commences on January 1st of the year immediately following the election.

Section 27. **OATH OF OFFICE.** Before commencing the duties of elective office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

Section 28. **NOMINATIONS.** A qualified elector who shall have resided in the city during the 12 months immediately preceding the election may be nominated for an elective city position. Nomination shall be by petition specifying the position sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 20 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by ordinance and state law. The City Recorder shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filed.

CHAPTER VII

VACANCIES IN OFFICE

Section 29. **VACANCY.** An office shall be deemed vacant upon the incumbent's death, adjudicated incompetence, conviction of a felony, resignation or recall or upon the incumbent's ceasing to possess the qualifications necessary for the office; or upon the failure of the person elected or appointed to an office to qualify therefor within ten days after the time for the term of office to commence; and in the case of Mayor or Councilor, upon the absence from meetings from the Council for 60 days or absence from the city for 30 days without consent of the Council; and upon a declaration by the Council of the vacancy.

Section 30. **FILLING OF VACANCIES.** Vacancies in elective offices of the city shall be filled by appointment by a majority of the incumbent membership of the Council. The appointee's terms of office shall begin immediately upon appointment and shall continue until the first day of January following the next biennial election; and if the term of office does not then expire, the remainder thereof shall be filled by election at

such biennial election. During the temporary disability of any officer or during the absence temporarily from the city for any cause, the office may be filled pro tem, in the manner provided for filling vacancies in office permanently.

CHAPTER VIII
ORDINANCES

Section 31. **ENACTING CLAUSE.** The enacting clause of all ordinances hereafter enacted shall be “The City of Wilsonville Ordains as Follows”.

Section 32. **MODE OF ENACTMENT.** (1) Except as subsection (2) and (3) provides to the contrary, every ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open Council meeting on two different days.

(2) Except as sub-section (3) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all incumbent Council members, upon being read first in full and then by title.

(3) Any of the readings may be by title only (a) if no Council member present at the meeting requests to have the ordinance read in full; or (b) if a copy of the ordinance is provided for each Council member and a copy is provided for public inspection in the office of the City Recorder not later than one week before the first reading of the ordinance and notice of their availability is given forthwith upon the filing by written notice posted in the City Hall and two other public places in the city; or advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by the Council.

(4) Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered into the record of proceedings.

(5) Upon the enactment of any ordinance, the City Recorder shall sign it with the date of its passage and the Recorder’s name and title of office, and within three days thereafter the Mayor shall sign it with the date of signature, name and the title of office.

Section 23. **WHEN ORDINANCES SHALL TAKE EFFECT.** An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of emergency, it may take effect immediately.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 34. **CONDEMNATION.** Any necessity of taking property for the city by condemnation shall be determined by the Council and declared by a resolution of the Council describing the property and stating the uses to which it shall be devoted. All such proceedings shall be in accordance with existing state laws pertaining to condemnation.

Section 35. **IMPROVEMENTS.** The procedure for making, altering, vacating or abandoning a public improvement shall be governed by ordinance or, to the extent not so governed, by the applicable general laws of the State of Oregon.

Section 36 **SPECIAL ASSESSMENTS.** The procedure for levying, collecting, and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be governed by ordinance or to the extent not so governed, by the applicable general laws of the State of Oregon.

Section 37. **PUBLIC CONTRACTING.** Except as authorized by Oregon Public Contracting law or general ordinance, all city contracts shall be based on competitive bids.

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 38. **DEBT LIMIT.** Except by consent of the voters, the city's voluntary floated indebtedness shall not exceed ten percent of the current budget, nor its bonded indebtedness exceed that as may be set by Oregon law. For purposes of calculating the limitation, however, the legally authorized debt of the city in existence at the time this charter takes effect shall not be considered. All city officials and employees

who create or officially approve any indebtedness in excess of this limitation shall be jointly and severally liable for the excess.

Section 39. **TORTS.** In no event shall the city be liable in damages except as provided by Oregon law.

Section 40. **EXISTING ORDINANCES CONTINUED.** All ordinances of the city consistent with this charter and in force when it takes effect shall remain in effect until amended or repealed.

Section 41. **REPEAL OF PREVIOUSLY ENACTED PROVISIONS.** All charter provisions of the city enacted prior to the time that this charter takes effect are hereby repealed except those charter amendments giving authority for the issuance of general obligation bonds which shall remain in full force and effect.

Section 42. **TIME OF EFFECT OF CHARTER.** This charter shall take effect January 1, 1987.

Section 43. **USE OF WILLAMETTE RIVER.** The City of Wilsonville shall not use Willamette River water as a drinking water source for its citizens unless the question of so using the Willamette River water as a drinking water source has received the affirmative majority of the total number of legal votes cast on such measure and entitled to be counted thereon. *[Section 43 is a Charter Amendment voted upon and approved by a majority of the qualified voters of the City of Wilsonville in a special election September 20, 1999.]*

Section 44. **REQUIRES VOTER APPROVAL BEFORE CITY EXPENDS RESOURCES TO CONSTRUCT ANY NEW CITY HALL BUILDING.** The city shall not expend resources on the construction of a new City Hall Building without first obtaining approval of a majority of voters casting ballots during a regularly scheduled City election. A regularly scheduled city election shall be defined as the general election

held on the first Tuesday after the first Monday of November in even numbered years or such special election called by the City council for a statutorily scheduled county election date in March, May, September or November. Any ballot proposal seeking such approval must include the total cost of completing the construction project in its title caption. The total cost of construction must be detailed in a proposal summary and shall include principal construction costs, infrastructure costs, the commercially zoned market value of any land acquired or appropriated for the project, the maximum cost of paying interest on any bonded indebtedness attached to the project, and an estimate of any other costs necessary to complete the project. The term ‘City Hall Building’ includes any significant structure housing one or more chief administrative functions of the city.” Spending necessary to determine costs is not restricted. *[Section 44 is a Charter Amendment voted upon and approved by a majority of the qualified voters of the City of Wilsonville in a regular election held November 5, 2002.]*

Amended September 1999, Section 43.

Amended November 2002, Section 44.

Amended November 2004, Section 44 to clarify ‘regularly scheduled election’

Appendix B

Chapter 2.003 Wilsonville Code Administration – General

ADMINISTRATION

GENERAL

- 2.001 Office Hours of City Offices
- 2.003 City Council Meetings
- 2.005 City Council Special Committees
- 2.007 City Council Evidentiary Hearings
- 2.009 City Council Mode Of Introducing And Enacting Ordinances, Resolutions And Other Matters Or Subjects Requiring Action By The Council.
- 2.010 Election of City Councilors
- 2.011 City Council Election of Officers
- 2.013 City Council Executive Session
- 2.020 Fees Generally
- 2.025 Interest Rates
- 2.030 City Records Retention and Destruction

GENERAL

2.001 Office Hours of City Offices.

The hours of business for all city offices shall be set and established by the Council.

2.003 City Council Meetings.

(1) Regular meetings of the Council shall be held on the first and third Monday of the month at 7 p.m. except that when a first or third Monday falls on a legal or national holiday, there will be no regular City Council meeting held that week. However, this shall not prevent the City council from otherwise calling a special meeting for such purposes as it determines. All regular meetings of the Council shall be held within the City of Wilsonville.

Amended by Ord. #390-August 5, 1991

Amended by Ord. #422 – December 20, 1993

(2) Special meetings of the Council shall be called by the Mayor or, in his absence, the president of the Council whenever in his opinion the public business may require it, or at the express written request of any three members of the Council. Whenever a special meeting is called a notice shall be served upon each member of the Council either in person or by notice left at the councilor's place of residence, stating the date, place, and hour of the meeting and the purpose for which such meeting is called. Unless an emergency exists, no special meeting shall be held without at least 24 hours' notice to the members of the Council the news media, and the general public. In case of an actual emergency, a meeting may held upon such notice as is appropriate to the circumstances but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice unless otherwise required by law or necessitated by an emergency.

(3) All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least twenty-four (24) business hours prior

to each Council meeting, be delivered to the City Recorder whereupon the City Recorder shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the City Manager and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the Council by administrative officials except those of an urgent nature, and the same, when so presented, shall have approval of the Mayor or City Manager before presentation.

(4) The Presiding Officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject; however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall vote on all questions. He shall sign all ordinances and resolutions adopted by the Council during his presence. In the event of the absence or unavailability of the Mayor, the Presiding officer as designated in Section 2.003(5) shall sign ordinances or resolutions as then adopted.

(5) The Mayor, or in his absence or unavailability, the President of the Council shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence or unavailability of the Mayor and the President of the Council, the City Recorder, shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the council present. Upon arrival of the Mayor or the President of the Council, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

(6) Before proceeding with the business of the Council, the City Recorder shall call the roll of the members, and the names of those present shall be entered in the minutes.

(7) A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council.

(8) All meetings of the Council shall be open to the public in accordance with ORS 192.610 et seq. Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Recorder, City Attorney and City Manager shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

(9) The Council may, at its discretion and upon the approval of a majority of a quorum present, change the order of business before it.

(10) Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Recorder has previously furnished each member with a copy or synopsis thereof.

(11) The following constitute the adopted rules of debate:

(a) The Mayor or President of the Council or such other member of the Council as may be presiding, may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the right and privileges of a Councilor by reason of his acting as the Presiding Officer.

(b) Every member desiring to speak shall address the chair, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all personalities and indecorous language.

(c) A member, once recognized, shall not be interrupted when speaking unless it is to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order is determined, and if in order, he shall be permitted to proceed. Notwithstanding the above, no member shall speak at any one time in excess of ten minutes without the consent of the members constituting a quorum.

(d) The Councilor moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

(e) A motion to reconsider any action taken by the Council may be made only on the date such action was taken, either immediately during the same session or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

(f) A councilor may request, through the Presiding Officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in toto into the minutes; if the Council consents thereto, such statement shall be entered in the minutes in toto.

(g) The City Recorder may enter in the minutes a synopsis of the discussion on any question coming regularly before the council, at the direction of the Presiding officer and with consent of the Council.

(h) A journal of the proceedings consisting of minutes of the meeting and an electronic recording of the meeting shall be kept; on call of any two of its members, the Presiding Officer may cause the yeas and nays to be taken and entered in its journal upon any question before it.

(12) To address the Council, any person shall first secure the permission of the Presiding Officer; provided, however, that under the following heading of business, unless the

Presiding Officer rules otherwise, any qualified person may address the Council without securing such prior permission:

(a) By written communications, interested parties or their authorized representatives may address the Council in regard to matters there under discussion.

(b) By oral communications taxpayers or residents of the City, or their authorized legal representatives, may address the Council on any matter concerning the City's business or any matter over which the Council has control; provided, however, that preference shall be given to those person who may have notified the City Recorder I the advance of their desire to speak in order that the same may appear on the agenda of the Council.

(c) By reading of protests, petitions, or communications relating to zoning, sewer and street proceedings, hearings on protests, appeals and petitions, or similar matter, interested persons or their representatives may address the council in regard to matters then under consideration.

(13) After a motion is made by the council, no person shall address the Council without first securing the permission of the presiding Officer to do so.

(14) Each person addressing the Council shall do so in the following manner: Come to the designated area for persons to address the Council, give his or her name and address in an audible tone of voice for the records; limit his address to three (3) minutes unless further time is granted by the Presiding Officer of the council; and address all remarks to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor, shall per permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No questions shall be asked of a Councilor except through the Presiding Officer.

(15) No person, except City Officials, their representatives and newspaper reporters, shall be permitted within normal seating area of the City Council without the express consent of the presiding officer.

(16) Unless a member of the Council states that he is not voting his silence shall be recorded as an affirmative vote.

(17) The following constitutes the rules of decorum:

(a) While the council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

(b) Any person whose conduct at a council meeting intentionally, recklessly, or knowingly causes or attempts to cause a disturbance of the order or decorum of the proceedings may be barred from the Council meeting by a majority vote of the Council. Amended by Ord. #380 – March 4, 1991 [Mike K. review this against recent case law].

(18) The law enforcement officer of the city, or such member or members of his office or department as he may designate, shall be Sergeant at Arms of the Council meetings, He or they shall carry out all orders and instructions given by the Presiding Officer for purposes of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant at Arms or any of them present; to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, and the complaint shall be signed by the Presiding Officer.

(19) Any member shall have the right to have the reasons for his dissent from or protest against any action of the Council entered on the minutes.

(20) No account or other demand against the city shall be allowed until the same has been considered and reported upon to the Council.

(21) All reports and resolutions shall be filed with the City Recorder and entered on the minutes.

(22) A motion to adjourn shall always be in order and decided without debate.

(23) Any person violating the provisions of Section 2.003(17)(b) of this Code shall upon first conviction be guilty of a violation and shall be punished pursuant to Section 1.012, and shall upon any subsequent conviction be guilty of a Class C Misdemeanor and shall be punished pursuant to Section 1.011. In any suit, action or claim of relief, inclusive of appeal, to enforce any provisions of the Section, the City shall recover its costs, inclusive or reasonable attorney fees.

(24) In all other instances not covered by the provisions of this Section, Robert's Rules of Order shall be followed. The City Attorney, or in the absence of the City Attorney, his or her designee, shall serve as the parliamentarian for City Council meetings and such other City meetings as may be needed.

Amended by Ord. #381 – March 4, 1991

2.005 City Council Special Committees.

(1) All special committees shall be appointed and assigned respectively by the presiding officer, unless otherwise directed by the council.

(2) Committees shall make their reports in writing or have them recorded verbatim by an electronic recording device and a transcript made thereof, and shall return the petition,

resolution, account, or other paper submitted for consideration to the Council at a regular meeting.

2.007 City Council Evidentiary Hearings.

In all evidentiary hearings before the Council, the procedures prescribed by Section 2.560 shall apply.

2.009 City Council Mode of Introducing and Enacting Ordinances, Resolutions, and Other Matters or Subjects Requiring Action by the Council.

(1) All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his authorized representative.

(2) Ordinances, resolutions, and other matters or subjects requiring action by Council must be introduced and sponsored by a member of the Council, except that the Mayor, City manager or City Attorney may present ordinances, resolutions and other matters or subjects to the Council, and any Councilor may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.

(3) Enacting or Adopting Clause. The enacting clause of all ordinances hereafter enacted shall be “The City of Wilsonville Ordains as Follows”. The adopting clause of all resolutions hereafter enacted shall be “The City of Wilsonville resolves as follows”.

(4) Except as subsection (5) and (6) provides to the contrary, every ordinance of the council shall, before being put upon its final passage, be read fully and distinctly in open Council meeting on two different days.

(5) Except as subsection (6) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all incumbent Council members, upon being read first in full and then by title.

(6) Any of the readings may be title only if (a) if no council member present at the meeting requests to have the ordinance read in full; or (b) if a copy of the ordinance is provided for each Council member and a copy is provided for public inspection in the office of the city Recorder not later than one week before the first reading of the ordinance and notice of their availability is given forthwith upon the filing by written notice posted in the City Hall and two other public places in the city; or advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by the Council.

(7) Upon the final vote of any ordinance, the ayes and nays of the members shall be taken and entered into the record of proceedings.

(8) Upon the enactment of any ordinance, the City Recorder shall sign it with the date of its passage and the Recorder's name and title of office and within three days thereafter the Mayor shall sign it with the date of signature, name and title of office.

(9) When ordinances shall take effect. An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the council deems it advisable; however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.

(10) Resolutions may be read by title only and shall be adopted on the date of passage unless the resolution otherwise provides.

2.010 Election of City Councilors

In cases where both two and four-year terms for City Councilors are available due to vacancies in office, the candidate(s) receiving the highest number of votes shall be elected to the longer term(s). In cases of tie votes, Section 25 of the City Charter shall apply.

Amended by Ord #325 – April 4, 1988

2.011 City Council Election of Officers.

2.013 City Council Executive Sessions.

Executive Sessions may be held by the Council in accordance with the provisions of ORS Chapter 192.

OFFICERS AND EMPLOYEES

2.100 Mayor.

(1) The Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The mayor shall preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

(2) The Mayor shall appoint the Council committees provided by the rules of the Council. The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days of their passage. After the Council approves a bond of a city officer or a bond for a license contract or proposal, the mayor shall endorse the bond.

Appendix C

Section(s) 192.610-710
Oregon Revised Statutes
Oregon Open Meeting Law

PUBLIC MEETINGS

192.610 Definitions for ORS 192.610 to 192.690. As used in ORS 192.610 to 192.690:

(1) “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

(2) “Executive session” means any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.

(3) “Governing body” means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(4) “Public body” means the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

(5) “Meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. “Meeting” does not include any on-site inspection of any project or program. “Meeting” also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong. [1973 c.172 §2; 1979 c.644 §1]

192.620 Policy. The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly. [1973 c.172 §1]

192.630 Meetings of governing body to be open to public; location of meetings; accommodation for person with disability; interpreters. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized

Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Oregon Health Authority or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more qualified interpreters to provide interpreter services. [1973 c.172 §3; 1979 c.644 §2; 1989 c.1019 §1; 1995 c.626 §1; 2003 c.14 §95; 2005 c.663 §12; 2007 c.70 §52; 2007 c.100 §21; 2009 c.595 §173]

192.640 Public notice required; special notice for executive sessions, special or emergency meetings. (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

192.650 Recording or written minutes required; content; fees. (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the

meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the governing body present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.410 to 192.505.

(4) A public body may charge a person a fee under ORS 192.440 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

- (2) The governing body of a public body may hold an executive session:
 - (a) To consider the employment of a public officer, employee, staff member or individual agent.
 - (b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.
 - (c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.
 - (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

- (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- (f) To consider information or records that are exempt by law from public inspection.
- (g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
- (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
- (i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
- (j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.
- (k) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.
- (L) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.
- (m) To discuss information about review or approval of programs relating to the security of any of the following:
 - (A) A nuclear-powered thermal power plant or nuclear installation.
 - (B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.
 - (C) Generation, storage or conveyance of:
 - (i) Electricity;
 - (ii) Gas in liquefied or gaseous form;
 - (iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);
 - (iv) Petroleum products;
 - (v) Sewage; or
 - (vi) Water.
 - (D) Telecommunication systems, including cellular, wireless or radio systems.
 - (E) Data transmissions by whatever means provided.
- (3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.
- (4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.
- (5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board. [1973 c.172 §6; 1975 c.664 §2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134; 2007 c.602 §11; 2009 c.792 §32]

192.670 Meetings by means of telephonic or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the governing body of the public body is present. [1973 c.172 §7; 1979 c.361 §1]

192.680 Enforcement of ORS 192.610 to 192.690; effect of violation on validity of decision of governing body; liability of members. (1) A decision made by a governing body of a public body in violation of ORS 192.610 to 192.690 shall be voidable. The decision shall not be voided if the governing body of the public body reinstates the

decision while in compliance with ORS 192.610 to 192.690. A decision that is reinstated is effective from the date of its initial adoption.

(2) Any person affected by a decision of a governing body of a public body may commence a suit in the circuit court for the county in which the governing body ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of ORS 192.610 to 192.690, by members of the governing body, or to determine the applicability of ORS 192.610 to 192.690 to matters or decisions of the governing body.

(3) Notwithstanding subsection (1) of this section, if the court finds that the public body made a decision while in violation of ORS 192.610 to 192.690, the court shall void the decision of the governing body if the court finds that the violation was the result of intentional disregard of the law or willful misconduct by a quorum of the members of the governing body, unless other equitable relief is available. The court may order such equitable relief as it deems appropriate in the circumstances. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney fees at trial and on appeal, by the governing body, or public body of which it is a part or to which it reports.

(4) If the court makes a finding that a violation of ORS 192.610 to 192.690 has occurred under subsection (2) of this section and that the violation is the result of willful misconduct by any member or members of the governing body, that member or members shall be jointly and severally liable to the governing body or the public body of which it is a part for the amount paid by the body under subsection (3) of this section.

(5) Any suit brought under subsection (2) of this section must be commenced within 60 days following the date that the decision becomes public record.

(6) The provisions of this section shall be the exclusive remedy for an alleged violation of ORS 192.610 to 192.690. [1973 c.172 §8; 1975 c.664 §3; 1979 c.644 §6; 1981 c.897 §42; 1983 c.453 §2; 1989 c.544 §1]

192.685 Additional enforcement of alleged violations of ORS 192.660. (1)

Notwithstanding ORS 192.680, complaints of violations of ORS 192.660 alleged to have been committed by public officials may be made to the Oregon Government Ethics Commission for review and investigation as provided by ORS 244.260 and for possible imposition of civil penalties as provided by ORS 244.350.

(2) The commission may interview witnesses, review minutes and other records and may obtain and consider any other information pertaining to executive sessions of the governing body of a public body for purposes of determining whether a violation of ORS 192.660 occurred. Information related to an executive session conducted for a purpose authorized by ORS 192.660 shall be made available to the Oregon Government Ethics Commission for its investigation but shall be excluded from public disclosure.

(3) If the commission chooses not to pursue a complaint of a violation brought under subsection (1) of this section at any time before conclusion of a contested case hearing, the public official against whom the complaint was brought may be entitled to reimbursement of reasonable costs and attorney fees by the public body to which the official's governing body has authority to make recommendations or for which the official's governing body has authority to make decisions. [1993 c.743 §28]

192.690 Exceptions to ORS 192.610 to 192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530. [1973 c.172 §9; 1975 c.606 §41b; 1977 c.380 §19; 1981 c.354 §3; 1983 c.617 §4; 1987 c.850 §3; 1989 c.6 §18; 1989 c.967 §§12,14; 1991 c.451 §3; 1993 c.18 §33; 1993 c.318 §§3,4; 1995 c.36 §§1,2; 1995 c.162 §§62b,62c; 1999 c.59 §§45a,46a; 1999 c.155 §4; 1999 c.171 §§4,5; 1999 c.291 §§25,26; 2005 c.347 §5; 2005 c.562 §23; 2007 c.796 §8; 2009 c.697 §11]

Note: The amendments to 192.690 by section 11, chapter 697, Oregon Laws 2009, become operative July 1, 2010. See section 22, chapter 697, Oregon Laws 2009, as amended by section 76, chapter 828, Oregon Laws 2009. The text that is operative until July 1, 2010, is set forth for the user's convenience.

192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the Health Professionals Program Supervisory Council established under ORS 677.615, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS

441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530.

192.695 Prima facie evidence of violation required of plaintiff. In any suit commenced under ORS 192.680 (2), the plaintiff shall be required to present prima facie evidence of a violation of ORS 192.610 to 192.690 before the governing body shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of ORS 192.610 to 192.690 were complied with shall be on the governing body. [1981 c.892 §97d; 1989 c.544 §3]

Note: 192.695 was added to and made a part of ORS chapter 192 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

192.710 Smoking in public meetings prohibited. (1) No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences.

(2) As used in this section:

(a) “Public meeting” means any regular or special public meeting or hearing of a public body to exercise or advise in the exercise of any power of government in buildings or rooms rented, leased or owned by the State of Oregon or by any county, city or other political subdivision in the state regardless of whether a quorum is present or is required.

(b) “Public body” means the state or any department, agency, board or commission of the state or any county, city or other political subdivision in the state.

(c) “Smoking instrument” means any cigar, cigarette, pipe or other smoking equipment. [1973 c.168 §1; 1979 c.262 §1]

Appendix D

Resolution No. 2321

RESOLUTION NO. 2321

A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING A PROCESS FOR RECEIPT OF APPLICATIONS AND AN APPOINTMENT PROCESS TO THE CITY'S BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES AND REPEALING RESOLUTION NO. 2267.

WHEREAS, the City Council, desired to have a formal written process for the receipt of applications, and the appointment process for the City's Boards, Commissions, Committees, and Task Force; and

WHEREAS, Council adopted Resolution No. 2267, on February 7, 2011 which memorialized the formal application and selection process; and

WHEREAS, the intent of Resolution No. 2267 was that written guidelines would help to ensure a greater applicant pool with a broader range of background and interests for those desiring to volunteer their time in service to the community; and

WHEREAS, upon working with the process in Resolution No. 2267, the Council found the process contained in Resolution No. 2267 could be simplified and desires to do so.

NOW, THEREFORE THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. Except for the appointment of Council liaisons, where the Council appoints itself as a whole, or to the extent it is required by law to serve on or as a Board, Commission, Committee, or Task Force (e.g. Local Contract Board, Urban Renewal Board, Budget Committee), the following appointment process for Boards, Commissions, Committees, including the non-Council members of the Budget Committee, and Task Forces shall apply as guidelines for appointment to both existing Boards, Commissions, Committees, and Task Forces established by the Council and to those Boards, Commissions, Committees, and Task Forces subsequently established by the Council.

2. The guidelines shall apply to the following existing Boards, Commissions, and Committees:
 - 2.1. The Park and Recreation Advisory Board, WC 2.300 et seq.
 - 2.2. The Planning Commission, WC 2.320 et seq.
 - 2.3. The Development Review Board (sits as two panels), WC 2.330 et seq.
 - 2.4. The Library Board, WC 2.350 et seq.
 - 2.5. The Budget Committee, ORS 294.336. et seq., Council est. 1/10/69
3. Boards and commission members' duties and qualifications are set forth in their respective boards and commission provision of Chapter 2 of the Wilsonville Code.
4. When there is a vacancy, the City Recorder shall advise the council, and unless the Council directs otherwise the City Recorder shall advertise the vacancy(s) in the Wilsonville Spokesman, the local newspaper of general circulation, on the City's website, in the City newsletter, local access cable channel, with general announcements at city meetings and posted at city hall.
 - 4.1 Such advertisement should announce the opening and provide a brief description of the duties, any qualifications that apply to the position, the length of the term to be filled, and where an application can be obtained.
 - 4.2 The recruitment process shall be open for 30 days.
 - 4.3 The City Recorder shall provide for those interested in applying a City application form to be filled out and returned to the Recorder, which shall be in the general form as attached hereto and marked as Exhibit A.
 - 4.4. Existing Board and Commission members who wish to be reappointed when their term has expired need not submit a formal application but may submit a letter expressing continued interest in serving another term to the Mayor and the City Council.

5. Upon closure of the recruitment period, the applications and any supporting documents shall be copied to the entire City Council.
6. All applications and supporting documentation shall be kept on file in the City Recorders office for one year. Should a vacancy occur, the applications on file and any new applications received during the recruitment period shall be sent to the City Council for review.
7. Before making their recommendations, individual Councilors may interview any applicant. City Council members shall make their recommendations to the Mayor for appointment within two weeks of receiving the applications. Thereafter the Mayor shall make the appointment subject to Council approval at a Council meeting.
8. The Mayor or Council President will invite the new appointee to attend a regular Council meeting where the appointee may be officially introduced.
9. Guidelines for appointing Task Forces and Ad Hoc Committees:
 - 9.1. Task Forces and Ad Hoc special committees are established by the City Council as the need arises, generally on a short term basis to study an issue of concern or need.
 - 9.2. Duties of the Task Force or the Ad Hoc Committee and the respective membership of each are assigned at the time of establishment.
- 10.
11. Resolution No. 2267 is repealed.
12. This resolution becomes effective upon adoption.

ADOPTED, by the Wilsonville City council at a regular meeting thereof this 19th day of September, 2011 and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp - Yes

Council President Núñez - Yes

Councilor Hurst - Excused

Councilor Goddard - Yes

Councilor Starr - Yes

Attachments:

Exhibit A –Application for Appointment to Board/Commission Form

Appendix F

Best Practices for an Elected Governing Council

By

Joe Hertzberg
February 2011



Best Practices for an Elected Governing Council

Joe Hertzberg

February 2011

The following guidelines are based on many years of experience with city councils, county commissions, and other elected governing bodies. However, every council is unique, and each should discuss and adopt its own guidelines. Most questions have no “right” or “wrong” answers, but it is important that councilors have the same expectations. It is helpful to review and revise guidelines at least annually.

Expectations and Courtesies

- Make every effort to attend every meeting, to arrive on time, and to be prepared.
- Do not criticize any councilor, staff member, or citizen in public.
- No surprises: Whenever possible, inform others before they learn important news in public.
- Speak only when recognized by the chair. Don’t interrupt or engage in side conversations when another councilor is speaking.
- Be brief and to the point.
- Say what you mean and mean what you say: Limit political speeches and don’t posture or grandstand.
- Clearly explain how you got to your position and how it serves the public interest. This is especially important when you disagree with a staff or committee recommendation.
- Share credit generously. Spread opportunities to get positive recognition and spread responsibilities to do things that will evoke criticism.
- Support the legitimacy of Council decisions, even those you didn’t vote for. When a decision is made, move on.

Good Process and Procedure

Meetings

- The Mayor and City Manager usually work together to set the agenda.
- The allocation of meeting time should reflect the priority among issues.

- Council packets should be available a set number of days time prior to business meetings. Councilors are encouraged to submit questions and comments at least 2 business days preceding the business meeting.
- Any member can pull an item from the consent agenda to discuss separately at the meeting.
 - ✦ Contact the City Manager in advance and explain your reason for pulling the item.
 - ✦ If you thought about pulling an item but got further information that changed your mind, inform others so they have the same information.
- Pulling an item from the agenda to defer consideration is a Council decision.
- The Council's goal is to adjourn by a fixed time unless extended by majority consent of members present. Around 30 minutes before this fixed time, any member may call for a review of remaining agenda items. The Council may reset or reschedule items that may not be reached prior to the regular time of adjournment.
- The purpose of the question and answer period during a public hearing is to elicit information. Councilors should not use it as a forum to express their own positions. This should be reserved for the discussion period.
- At a study session, any councilor may propose that it would be more appropriate to discuss the matter during a business meeting. The Council will decide whether the discussion should continue or be held during a business meeting.

Issues for Discussion and Decision

- Decisions with major financial implications should be considered in the context of citywide priorities, as part of the regular budget process. Cuts or increases should not be made piecemeal.
- Council agreement is required to start, slow down, or stop a project.
- Process for emerging ideas:
 - ✦ Don't bring an issue to the Council until it is ready.
 - ✦ Consult with the City Manager to help frame issues before introducing new directions or amendments.
 - ✦ Have individual conversations with other councilors, but be careful to give them consistent messages so all have the same information.
 - ✦ When the idea is ripe, schedule a study session for general discussion and to identify next steps.

Internal Communication

- Limit use of email to other councilors:
 - ✦ To transmit information.
 - ✦ To express your own individual opinion.
 - ✦ To suggest that a matter should be discussed by the full Council.



- ◆ Reply only to comment on whether a matter should be discussed by the full Council.
- Occasionally, there may be special reasons for individual briefings rather than a work session for the full Council. When councilors are individually briefed, it is important for all to get the same information.

External Communication

General

- The City Manager or Mayor responds to communications directed to the full Council.
- If a communication is directed to an individual councilor, you may choose to respond as an individual or refer to the City Manager.
- The City must speak with one voice on labor issues. Councilors who are contacted individually should make no comment and should report the contact to the City Manager.

Communication with Partners and Allies

- In general, the Mayor or City Manager speaks for the City.
- In public settings, members must be crystal-clear whether they are speaking as an individual or for the Council.

Communication with Boards, Commissions, and Committees

- No councilor should try to influence the deliberation or outcomes of board proceedings.
- The Liaison's role is to facilitate two-way communication, helping the board to understand the Council and the Council to understand the board.
- Liaison assignments should be equitably allocated among Council members based on their interests, availability, tenure on the Council, and other factors.

Working Relationship between Council and Staff

Council and staff are partners in serving the public. As members of the City team, they play different roles, but they should be working toward the same goals. Mutual trust, confidence, and respect are the keys to effective working relationships.

Communication between Councilors, City Manager, and Staff

- In general, councilors should communicate only with the City Manager or department heads. Department heads will inform the City Manager when they have significant conversations with councilors. There are several exceptions:
 - ◆ You may communicate directly with staff members working with you on an ongoing assignment to a particular project.
 - ◆ You may communicate directly with seasoned staff members with whom you have a long-term working relationship.
 - ◆ Discuss personnel issues only with the City Manager.



- ◆ Councilors are encouraged to attend staff occasions, celebrations, and recognition events.
- Only the full Council may give direction to employees, and only through the City Manager. As a rule of thumb, this applies to any activity that takes more than one hour of staff time.
- Councilors are encouraged to take issues to the City Manager first, giving as much information as possible to ensure a thorough response.
- The City Manager shares information equally with all councilors.
- Staff should understand that different Council members prefer to communicate in different modes – telephone, email, in person.

Staff Reports

- Staff's role is to gather facts, present objective analysis, and make recommendations based on their best professional judgment.
- Written reports should be succinct and prepared in a style agreed to by the Council.
- Presentations in public settings should be brief, in plain language, and supported with appropriate visuals.
- Councilors are encouraged to pose questions and concerns to staff members in advance of public meetings. This allows staff to respond thoroughly and accurately. It is especially important not to surprise staff in public.
- If substantive information is provided to one councilor, staff will provide the same information to all.
- Council decisions may take into consideration many other factors in addition to the staff recommendation.
- Regular and honest feedback helps everyone to work together more effectively.

Tips for Effective Councilors

- Respect the different styles of fellow councilors.
- Be open to changing your mind based on new information.
- Maintain your independence. Do not allow yourself to be seen as a member of a bloc.
- Take personal responsibility for encouraging respectful behavior among your fellow councilors.
- Strive for consensus, but don't settle for the lowest common denominator. When you have exhausted all avenues to come to agreement, accept that divided votes are simply part of the process.
- If you have a concern with another member, speak directly to that person.
- Be open with sharing information. Give unto others information you would want them to give unto you.



- Spend some casual time together. Invite fellow councilors to get together informally, particularly those of opposing views.
- Pick your spots. Try hard to win on matters important to you, and let others win on matters important to them and not so important to you.
- Recognize that you are seen as a councilor at all times, no matter how you may see yourself.
- Whenever you put anything in writing, assume that everyone in the city is looking over your shoulder.
- Be welcoming to speakers and treat them with respect. Remember that for many citizens, speaking in front of the Council is an unfamiliar and difficult experience.
- Learn the various businesses of the City. Schedule visits, walk-throughs, and ride-alongs to better understand the day-to-day picture as a basis for making policy decisions.
- Everyone does not have to weigh in on every question. Sometimes it's OK to just vote.
- When a discussion grinds, you might suggest taking a break.
- In general, praise people in public and criticize in private.

