



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: July 9, 2012

SUBJECT: Work Session for July 9, 2012

- 1) **5:00 p.m. (45 min) – Executive Session:** ORS 192.660(2)(f) non-public information or records.
- 2) **5:45 p.m. (15 min) – Tonquin Trail Master Plan Update:** Council will receive an update on the status of the Tonquin Trail Master Plan process and remaining work items as well as a status of the timeline.
- 3) **6:00 p.m. (20 min) – League of Oregon Cities 2013 Legislative Priorities:** The League of Oregon Cities has requested that all cities review the list of possible legislative priorities for the 2013 legislative session and select our top four priorities. Attached is a memo with some information about staff recommendation along with the full list and explanation from the League.
- 4) **6:20 p.m. (20 min) – Council Handbook** The Council recently gave direction to staff to develop a City Council handbook that includes information the Council might need, policies and procedures, guidelines and other resources. Staff will bring the finalized Handbook to the Council for adoption in August; however, prior to that, we wanted to give Council a preview and ensure that we are on the right track. Attached is a draft handbook; you will notice that it is not complete and is still being worked on. Your feedback on what more needs to be included, what should be taken out, or any other comments are appreciated.
- 5) **6:40 p.m. (10 min) - Council Meeting Agenda Review, Communications & Roundtable.** This is an opportunity for the Council to review the agenda for the July 9, 2012 Council meeting and take the opportunity to brief the rest of the Council on any issues of mutual interest.



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Carl Switzer, Parks & Recreation Manager

DATE: 07/09/2012

SUBJECT: Tonquin Trail Master Plan Update

ISSUE BEFORE THE COUNCIL:

Council will receive an update on the status of the Tonquin Trail Master Plan process.

EXECUTIVE SUMMARY:

The Tonquin Trail will be a regional trail connecting the Willamette River and Tualatin River with safe pedestrian and bicycle friendly connections between and through Wilsonville, Sherwood and Tualatin. The Tonquin Trail will serve commuter and recreational users. It will provide access to the Tualatin River National Wildlife Refuge, schools, neighborhoods, parks, employment centers, town centers, and the Tonquin Geologic Areas.

The Tonquin Trail Master Plan is being developed by a partnership of agencies including Tualatin, Wilsonville, Sherwood, Clackamas and Washington counties and Metro. The project, initiated in 2009, will identify a preferred alignment for the trail, design guidelines and cost estimates and identify the jurisdictions that will operate and maintain the trail. The Master Plan process is scheduled to be complete in 2012. When the plan is finished, each partner jurisdiction will be asked to formally adopt it and include the Tonquin Trail in local land use and transportation plans.

Attachments: [A - PowerPoint Tonquin Trail Update](#)

Tonquin Trail

MASTER PLAN



Project Update – July 9, 2012

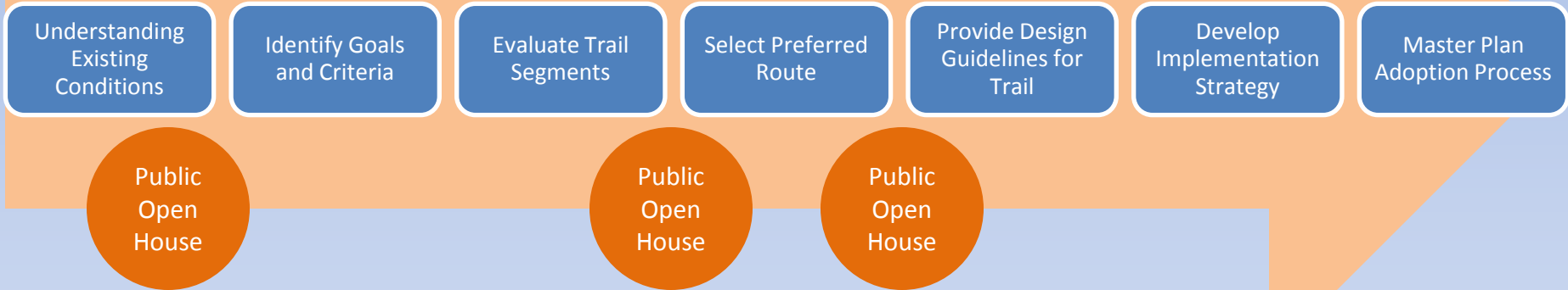
Background

- The Tonquin Trail Master Plan builds on the Tonquin Trail Feasibility Study completed in 2004.
- The Tonquin Trail will be a regional trail connecting the Willamette River and Tualatin River with safe pedestrian and bicycle friendly connections between Wilsonville, Sherwood and Tualatin.
- The Tonquin Trail Master Plan is being developed with involvement of the cities of Tualatin, Wilsonville, and Sherwood, Washington and Clackamas counties, the Oregon Department of Transportation, and other stakeholders.
- Throughout the process, Metro and project partners have worked diligently to gather community and stakeholders' input.



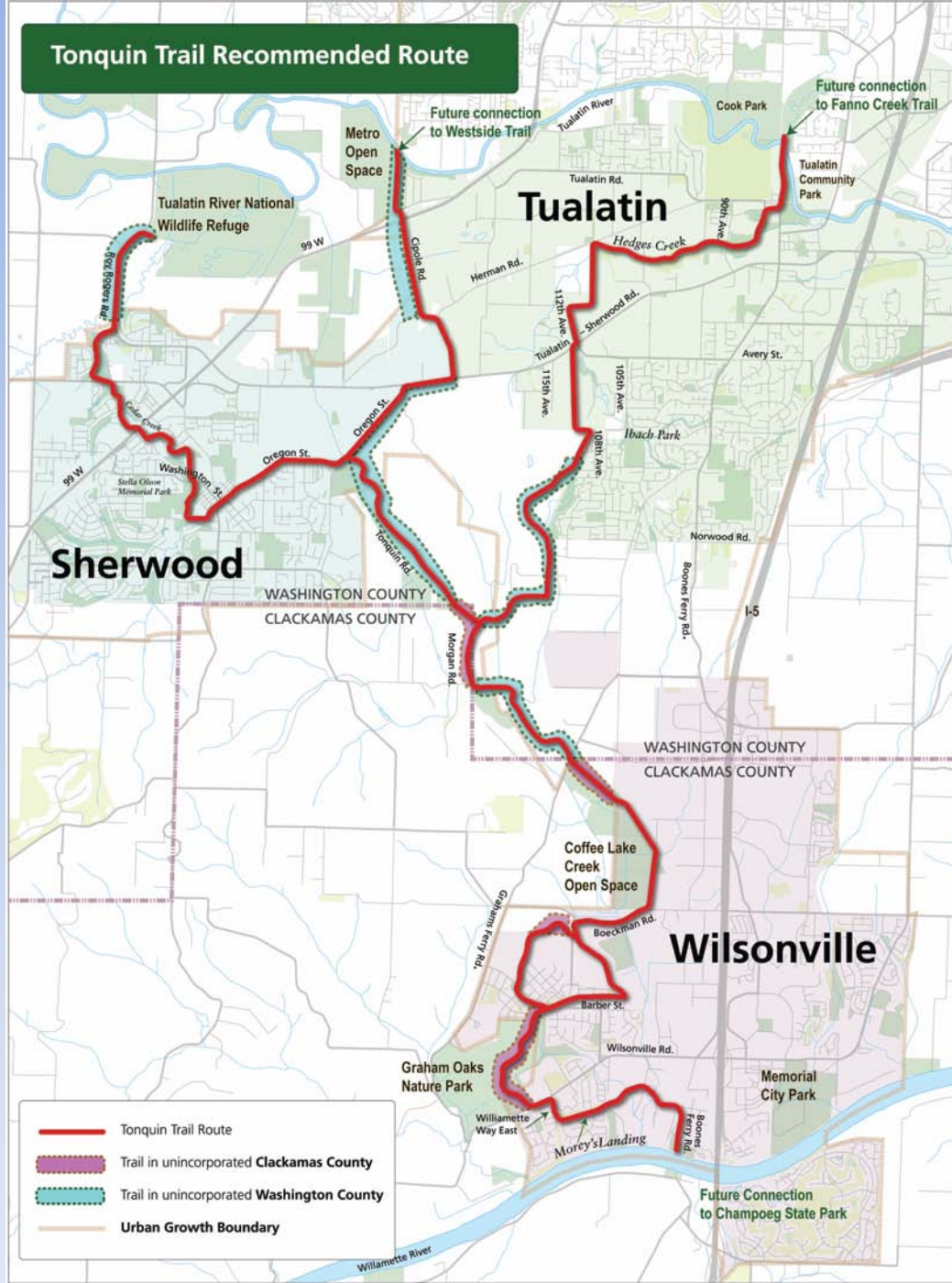
Project Overview

We Are Here



Route:

Identify a preferred alignment for the trail



Public Involvement

Tonquin Trail Master Plan – Open House Wednesday, May 23, 2012

Approximately 65 people came to learn about the recommended alignment master plan process and implementation strategies.



The draft Master Plan will be available on-line for public review and comment in August/September.



Tonquin Trail
MASTER PLAN



Remaining work:

- Facility name and logo
- Determine design guidelines
 - including trailhead locations and branding
- Determine cost estimates
 - Trail operations and maintenance
 - Trail funding and construction phasing
- Identify which jurisdictions will operate and maintain which parts of the trail
- Master Plan adoption and incorporation into land use and transportation plans



Fall 2012

Tonquin Trail
MASTER PLAN



Tonquin Trail

MASTER PLAN



Questions?



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Sara Singer, Deputy City Manager

DATE: 07/09/2012

SUBJECT: League of Oregon Cities 2013 Legislative Priorities

EXECUTIVE SUMMARY:

The League of Oregon Cities has requested that all cities review their list of legislative priorities for the 2013 legislative session and select our top four priorities for the legislative agenda. Staff has reviewed the list of priorities and has selected the following four for Council's review:

1. Eliminate the 3% discount for the early payment of property taxes (Item "E").
2. Reform the court fines system in a manner that recognizes the value of both state and local courts (Item "F").
3. Pass legislation that will allow cities greater authority to regulate liquor serving establishments (Item "H").
4. Pass legislation renewing the 9-1-1 tax containing the following elements: a) A tax rate sufficient to ensure adequate resources for both the management of the system and the acquisition of the latest technology; b) no sunset provision; c) Requirement that the state use 9-1-1 tax revenues for 9-1-1 services, thereby ending the practice of diverting both the revenues and the interest earned on the revenues to the state's General Fund; d) Payment of the 9-1-1 tax by purchasers of pre-paid cell phones and Voice Over Internet Protocol (VoIP) services, if pending rulemaking and litigation that may follow overturns the opinion of Legislative Counsel stating that such authority already exists and legislation is unnecessary (HB 2075 from 2011) (Item "K").

The detailed list of the legislative priorities has been attached for the Council's review. Staff will provide additional information regarding these priorities at the City Council Work Session.

Attachments: A - LOC Legislative Priorities 2013

City of: _____ Please mark 4 boxes with an X that reflects the top 4 issues that your city recommends be added to the priorities for the League's 2013 legislative agenda.

Community Development

- A. The Jobs/Economic Development Initiative that supports funding for industrial site development.

Energy

- B. Energy Efficiency Strategy for Public Buildings.

Finance & Taxation

- C. Allow local governments a more flexible use of transient lodging tax revenues.
 D. Restore equity in our property tax system by resetting assessed value to real market value when a property is sold or constructed.
 E. Eliminate the 3% discount for the early payment of property taxes.

General Government

- F. Reform the court fines system in a manner that recognizes the value of both state and local courts.
 G. Amend the public contracting code to remove costly requirements that do not aid in the delivery of public improvements and defend against any new requirements that do not serve the public interest.
 H. Pass legislation that will allow cities greater authority to regulate liquor serving establishments.

Human Resources

- I. Eliminate the requirement that public employers provide subsidized health insurance for retirees.
 J. Clarify that binding arbitration decisions may be overturned when those decisions violate public policy interests as defined by a local government.

Telecommunications

- K. Pass legislation renewing the 9-1-1 tax.
 L. Defeat legislation mandating the consolidation of Public Safety Answering Points (PSAPs).

Transportation

- M. Defeat legislation that would extend or make permanent the moratorium on raising existing or levying new local gas taxes and/or any legislation that proposes to restrict or preempt cities' ability to charge any transportation-related fee or tax.
 N. Continue to support the development of greenhouse gas emission toolkits and scenario planning models and standards for Metropolitan Planning Organization (MPO) cities as long as they are funded with new revenue and do not expose cities to additional litigation.
 O. While supporting the creation of a dedicated, non-roadway transportation fund, oppose any attempt to fund it from existing revenue streams – especially transfers from local governments to the state.
 P. Support legislation to supplement and perhaps eventually replace the gas tax as the principle road user fee funding the state's road and highway system.

Water/Wastewater

- Q. Recapitalize the Special Public Works Fund, Water Wastewater Fund, Water Conservation, Reuse and Storage Grant Program, and the Clean Water State Revolving Fund.
 R. Support state authority for Oregon Water Resources Department to act as contracting agency with federal entities to facilitate water procurement.
 S. Advocate for toxic pollution prevention through proper collection and disposal strategies.

LOC Policy Committees' Legislative Recommendations

Priority	Description
Community Development	
<p>A. Jobs /Economic Development Initiative:</p> <ul style="list-style-type: none"> ○ Recapitalize the Brownfields Redevelopment Fund Program (<i>OBDD Budget, \$10 million</i>); ○ Support the Patient Capital for Industrial Lands Infrastructure Pilot Program (<i>OBDD Budget, \$20 million</i>); ○ Support the Employment Site Re-Use/Redevelopment Pilot Program (<i>OBDD & DLCD, \$15 million</i>) 	<p>Support three policy option packages in the Oregon Business Development Department's budget that will create, retain, expand and attract businesses that provide sustainable family wage jobs for Oregonians through public-private partnerships, leveraged funding and support economic opportunities for Oregon companies and entrepreneurs.</p> <p>The Brownfields Redevelopment Fund Program provides gap financing to clean-up industrial sites; the Patient Capital for Industrial Lands Infrastructure Pilot will provide funding to cities to install infrastructure and necessary feasibility studies needed for industrial sites to be "shovel" ready for development; the Employment Site Re-Use/Redevelopment Pilot will assist communities with funding incentives to reuse/redevelop existing industrial lands.</p>
Energy	
<p>B. Support the efforts of the Governor's office and Department of Energy to submit and obtain a \$2 million grant to pursue a statewide public building energy efficiency strategy.</p>	<p>The Oregon Department of Energy will be applying for a \$2 million grant to pursue developing a state-wide public building energy efficiency strategy.</p> <p>Identifying public buildings that can benefit from energy efficiency retrofits and tracking energy consumption will allow building owners, tenants, and managers access to information that would benefit decisions on operations, leasing, financing and construction. An energy efficiency strategy will enable building owners and operators the ability to identify opportunities for energy improvement, track progress over time and demonstrate achievements in energy efficiency and carbon reduction goals.</p>
Finance & Taxation	
<p>C. Allow local governments a more flexible use of transient lodging tax revenues.</p>	<p>Current preemptions restrict municipal control over locally generated transient lodging tax revenues. Tourism activities can place increased demands on city infrastructure and services, but current law restricts the ability of local governments to determine how best to use these local revenues and maintain and foster tourism.</p> <p>The League will support efforts that remove these preemptions and enable local governments to determine how best to invest transient lodging tax revenues.</p>
<p>D. Restore equity in our property tax system by resetting assessed value to real market value when a property is sold or constructed.</p>	<p>Major inequities have been built into the state's property tax system because of Measure 50. As a result, property tax payments are often no indication of a property's actual value or of a property owner's ability to pay taxes. This results in many property tax payers not paying their fair share for local services.</p> <p>The League will work to restore equity in our property tax system by resetting assessed value to real market value upon the sale or construction of a property. This measure will be pursued with a goal of not negatively affecting local option levies.</p>
<p>E. Eliminate the 3% discount for the early payment of property taxes.</p>	<p>Oregon offers taxpayers a discount for paying their property taxes en masse on or before November 15th. Many states instead charge a reasonable interest rate on taxes owed that are not paid by the initial state-designated deadline. Oregon's policy offers an unwarranted subsidy and a free loan to property tax payers that pay in installments – a policy that costs local governments tens of millions of dollars annually.</p> <p>The League will work to eliminate the discount for early payment and instead incentivize early payment by assessing a fair interest rate on property owners that choose to pay in installments.</p>

LOC Policy Committees' Legislative Recommendations

General Government	
F. Reform the court fines system in a manner that recognizes the value of both state and local courts.	2011 the Oregon Legislature, required cities to submit the first \$60 of a traffic fine to the state. This requirement, along with changes made to fine amounts, has resulted in detrimental fiscal impacts to municipal courts and threatens their continued operations. The current fines system ought to be further reformed so that payments to cities are an equal priority to payments made to the state.
G. Amend the public contracting code to remove costly requirements that do not aid in the delivery of public improvements and defend against any new requirements that do not serve the public interest.	In 2011 the Oregon Legislature required cities to use a qualifications based analysis in the award of architectural and engineering contracts that has proven to be costly and inefficient. Additionally, recent sessions have seen a myriad of bills introduced that would add costs to public improvements but not improve the quality or scope of projects or services.
H. Pass legislation that will allow cities greater authority to regulate liquor serving establishments.	Cities are currently prohibited from placing limits of the number and operation of OLCC licensed establishments in their communities and must rely on the OLCC to take corrective action. Cities have sought the ability to place emergency closures on bars where violent crimes have been committed and the authority to limit the sales of certain types of alcoholic beverages where there is need. These efforts have failed both at the OLCC and at the Legislature but public safety and livability concerns have not abated.
Human Resources	
I. Eliminate the requirement that public employers provide subsidized health insurance for retirees.	Public employers in Oregon are required to make available health insurance to retired employees but are not allowed to charge the employees based on their actuarial risk. As a result, retired employees receive a subsidy on their health insurance from their former employer and active employees on the plan. This requirement also creates complexities when employees bargain for an insurance plan that does not accept retirees.
J. Clarify that binding arbitration decisions may be overturned when those decisions violate public policy interests as defined by a local government.	Currently an arbitrator's decision to reinstate a terminated employee may be overturned if that decision is in violation of public policy. However the way statute has been implemented and interpreted, a violation of state public policy is required to overturn the ruling. The League believes that a city council is responsible for making those determinations in their jurisdiction.
Telecommunications	
K. Pass legislation renewing the 9-1-1 tax containing the following elements: <ul style="list-style-type: none"> o A tax rate sufficient to ensure adequate resources for both the management of the system and the acquisition of the latest technology. o No sunset provision. o Requirement that the state use 9-1-1 tax revenues for 9-1-1 services, thereby ending the practice of diverting both the revenues and the interest earned on those revenues to the state's General Fund. o Payment of the 9-1-1 tax by purchasers of pre-paid cell phones and Voice Over Internet Protocol (VoIP) services, if pending 	<p>Revenues derived from 9-1-1 taxes are an important source of local revenue. Net of collection costs recovered by the Department of Revenue (1%), administrative fees received by the Office of Emergency Management (4%) and payment to a sub-account covering the costs of the circuits and equipment (35%), cities receive over \$13 million per biennium which they must pass through to the governing authority of the 9-1-1 jurisdiction serving that city. This is the backbone of the budget that supports the planning, installation, maintenance, operation and improvements of the 9-1-1 reporting system. These funds are supposed to be used <u>only</u> for purposes of handling citizen calls to a network of primary and secondary PSAPs and local emergency responders. The statutory authorization for the collection of this tax contains a six-year sunset provision and is due to expire on December 31, 2014.</p> <p>The state currently diverts portions of 9-1-1 tax revenues and the investment interest earned on them to the general fund in support of positions and activities not related to 9-1-1 services. Oregon is one of the only states to do so as this practice is frowned upon by the federal government – indeed it makes the state ineligible to receive federal emergency services grants (Oregon has been on the federal government's list of offending states for three years).</p> <p>Finally, pre-paid cell phone and VoIP users do not currently pay the 9-1-1 tax. All other users of telecommunications services, including standard cell phone users, do pay the tax.</p>

LOC Policy Committees' Legislative Recommendations

<p>rulemaking and litigation that may follow overturns the opinion of Legislative Counsel (LC) stating that such authority already exists and legislation is unnecessary (HB 2075 from 2011).</p>	<p>Legislation correcting this inequity has been introduced in prior sessions but failed to gain traction. Currently LC is stating that such legislation is unnecessary because authority to levy this tax already exists. A rule soon to be promulgated by Oregon's Office of Emergency Management verifying this is expected before year-end. However, litigation is likely to follow if that rulemaking upholds LC's opinion. If either the rulemaking or the litigation does not go in favor of cities, HB 2075 from 2011 should be reintroduced as part of the reauthorization of the 9-1-1 tax itself, or as a separate bill.</p> <p>It is anticipated that the League will be one of several stakeholder groups involved in gaining passage of this legislation. Others include: Associated Public Safety Communications Officers, the Oregon Association of Chiefs of Police, Oregon State Police Officers Association, Oregon State Sheriffs Association and others.</p>
<p>L. Defeat legislation mandating the consolidation of Public Safety Answering Points (PSAPs).</p>	<p>In an effort to save state revenues, the Joint Ways and Means Committee of the Legislature has called for the consolidation of 47 PSAPs currently in operation. This would free up 9-1-1 revenues for possible diversion for purposes other than what they are supposed to support. While consolidation may not be a bad management decision, cities will continue to resist <u>mandated</u> consolidation and decision-making other than at the local level. Issues relating to call routing and dispatch affect cities and should be managed by cities. Moreover, efforts to achieve efficiencies are already underway at the local level.</p>
<p>Transportation</p>	
<p>M. Defeat legislation that would extend or make permanent the moratorium on raising existing or levying new local gas taxes and/or any legislation that proposes to restrict or preempt cities' ability to charge any transportation-related fee or tax.</p>	<p>HB 2001, passed by the 2009 Legislature increasing the state gas tax for the first time since 1993, also established a four-year moratorium on the enactment of new or increased gas taxes by cities (cities already levying a gas tax were grandfathered). The moratorium expires January 2, 2014. Following expiration of the moratorium the bill also requires cities to refer any local gas tax-related measure to the voters. It is reasonable to assume, indeed likely, that advocates opposing a city's right to levy a local gas tax will be active in the 2013 session to extend or make permanent the restriction on cities' ability to generate revenue in this manner.</p> <p>In a study first published in 2007 and updated in 2011, the League estimates that, in the aggregate, city street budgets fall approximately \$190 million short of their annual need. To address the shortfall created by inadequate revenues coming from state and local gas taxes cities also may implement local transportation utility fees (TUFs) – fees assessed on utility bills of water/sewer customers and dedicated to city transportation infrastructure projects. Transportation-based systems development charges (SDCs) can also be established to fund the construction of new roads and to accommodate growth on existing road infrastructure. Finally, local improvement districts (LIDs) and urban renewal districts generate revenues through tax increment financing that can contribute to the transportation component of a local revitalization plan. These tools must be maintained.</p>
<p>N. Continue to support the development of greenhouse gas emission toolkits and scenario planning models and standards for Metropolitan Planning Organization (MPO) cities as long as they are funded with new revenue and do not expose cities to additional litigation.</p>	<p>The 2009 Jobs and Transportation Act (HB 2001) contains language requiring the Portland MPO (Metro) to undertake land use modeling and planning processes to mitigate climate change caused by the transportation sector. In the same bill, the Lane County MPO is required to undertake modeling only. Then, in 2010, the Legislature enacted SB 1059 instructing the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) to develop guidelines to assist five of the state's six MPOs (Portland is omitted by virtue of inclusion in HB 2001). These guidelines specifically include: a toolkit to help local government planners achieve emissions reductions; consideration of steps that can be taken generally and through regional transportation planning to reduce emissions; rulemaking by DLCD and ODOT to identify reduction targets for each MPO; and reporting by the agencies to the Legislature on financing issues and scenario planning development progressing towards a statewide program.</p> <p>So far, it is understood by DLCD and ODOT that there must not be any negative fiscal</p>

LOC Policy Committees' Legislative Recommendations

	<p>impact on cities as a result of these program requirements. It is the intent of the League, as the program matures and is applied more broadly, that no unfunded mandates occur. It is also important to the League, given the largely voluntary nature of the program to date, that cities be protected from any litigation that might arise should they decide not to adopt one or more of the elements contained in the program.</p>
<p>O. While supporting the creation of a dedicated, non-roadway transportation fund, oppose any attempt to fund it from existing revenue streams – especially transfers from local governments to the state.</p>	<p>In late 2011 and early 2012 a Non-Roadway Funding Work Group was appointed to look at ways to establish a dedicated fund in support of rail, port, aviation and bike/ped facilities and programs in Oregon. Dozens of ideas were identified and scored. While the final recommendations remain forthcoming, several concepts involved funding transfers between government entities and previously established programs. One of these, for example, contemplates the sequestration of property tax revenues derived from rail properties for channeling into the non-roadway fund, with local governments being “made whole” by a yet-to-be identified (or enacted) telecommunications tax. While the League generally supports adequate funding for the entire transportation system, it will not do so at the expense of its own resources, particularly strategies involving funding transfers without nexus and subject to political outcomes over which it has little or no control.</p>
<p>P. Support legislation to supplement and perhaps eventually replace the gas tax as the principle road user fee funding the state’s road and highway system, ensuring:</p> <ul style="list-style-type: none"> o All users of the roadway system, regardless of the type of vehicle they operate, pay their fair share. o City authority to exercise local control over the types and amounts of fees/taxes they levy. o Distribution of all revenues derived from a new road user fee system continues to use the 50-30-20 (state, county, city) formula that is currently in place. 	<p>Technology (more fuel-efficient vehicles, hybrids and electric cars) and price elasticity (high price of gas due to general economic conditions and international developments) have resulted in a decline in revenues derived from the state gas tax. In fact, it is likely that any road user fee based upon the sale of motor fuels will one day be obsolete. To source a replacement user fee, the Road User Fee Task Force (RUFTF) was appointed. In 2011 they introduced a bill to collect a fee from electric vehicles based on vehicle miles traveled (VMT) but it did not pass. Since then the RUFTF has been meeting to consider several options including: a pilot project to experiment with VMT technology options and the introduction of new “in lieu of” gas tax legislative alternatives.</p>
Water/Wastewater	
<p>Q. Recapitalization of state municipal infrastructure funds to assist communities with investments required for compliance with environmental mandates, to meet capacity, or to implement economic development strategies. The Special Public Works Fund, Water Wastewater Fund, and the Clean Water State Revolving Fund should receive a level of funding of \$50 million. The Feasibility Grants Funds should receive \$2 million. Endorse the continued development of innovative finance tools that will allow communities to access loans for the lowest costs.</p>	<p>State funds have failed to keep pace with growing local infrastructure demand that totals billions of dollars. In December of 2009, the League released a survey in which 124 cities identified 593 infrastructure projects (sewer systems, solid waste disposal facilities, stormwater systems, water systems) needing in excess of \$1.8 million to complete.</p> <p>The state’s Special Public Works Fund and the Water/Waste-water Fund are used to finance water and sewer systems, public buildings, road construction, downtown revitalization and clean up, energy and communications, and port facilities.</p> <p>The Water Conservation, Reuse and Storage Grant Program (WCRS) is designed to fund the qualifying costs of planning studies that evaluate the feasibility of developing water conservation, reuse or storage projects.</p> <p>The Clean Water State Revolving Fund loan program provides low-cost loans for the planning, design or construction of projects that prevent or mitigate water pollution.</p>

LOC Policy Committees' Legislative Recommendations

<p>R. Partner with the Oregon Water Resources Department (WRD) to develop legislation that would allow the state to act, under appropriate circumstances, as a contracting agent with federal entities to facilitate water procurement from federal systems and resell it through contracts with Oregon water purchasers.</p>	<p>There are federal systems today with water available for purchase. Under certain circumstances, Oregon Water Resources Department would work directly with the US Corp of Engineers (USCOE) and the Bureau of Reclamation (BOR) to expedite Oregon water purchases. The USCOE has indicated they would prefer one point of contact for water purchases; they support WRD in this effort, and do not want to deal directly with multiple water purchasers.</p> <p>There is a diverse group of stakeholders working on a re-allocation strategy for water held in the Willamette River Basin Project; legislation of this nature could be instrumental in assisting in the re-allocation process.</p>
<p>S. Advocate for a statewide, toxics (pesticides) collection and disposal strategy that would be based on free (to customers) events held throughout the state in partnership other local governments and state agencies involved in advocating for the collection and disposal of toxics.</p>	<p>Toxics, stored improperly over long periods of time, can be released accidentally into the environment causing significant pollution issues. Many times urban and rural landowners do not have access to the resources necessary to adequately and safely dispose of toxics- and waste pesticides in particular.</p> <p>There is an Oregon Agricultural Pesticide Collection Strategy under development. The initial short-term plan for pesticide collection has the following components:</p> <ul style="list-style-type: none"> ○ Open events to all public, commercial and institutional operations, but maintain outreach focus on agricultural sector. ○ Secure enough resources to offer a sustainable number of events for no charge. ○ Support 5 or 6 toxics collection and disposal events annually for the next 3 years. ○ Identify, evaluate and pursue potential funding sources – both public and private. Allow for donations to be accepted at all events. ○ Identify and prioritize regions of the state that have the greatest need for toxics collection and disposal. ○ Evaluate potential partnerships with permanent, county-run household hazardous collection facilities in regions identified as having the most need.

City Council Work Session

4.

Meeting

Date:

07/09/2012

Attachments

A - Council Handbook Draft

City of Tualatin City Council Handbook



Updated July 2012

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- f) REIMBURSEMENT EXPENSE VOUCHER, COT FORM 2-82
- g) International City Manager Association – Code of Ethics

Section 1: City of Tualatin – Overview

History & Demographics

(insert sheets from budget with historical and demographical information)

Points of Interest

(insert map from budget with points of interest in Tualatin)

City Charter

(insert City Charter)

Section 2: Tualatin City Council

The Council – Manager Form of Government

(insert ICMA flyer regarding the Council-Manager form of government)

Tualatin uses the Council-Manager form of government.¹ Our City Charter gives responsibility for the day-to-day operations of the City to the City Manager. The Council appoints a qualified person as City Manager. The concept underlying the Council-Manager plan is that Council sets policy and the City Manager carries it out.

City Council Roster & Terms of Office

The Council is composed of seven members, six councilors elected at large and a mayor also elected at large. During the November general election every even numbered year one half of the councilors are elected. The mayor is elected every fourth year. Each councilor, including the mayor, is entitled to make motions, participate in debate, and to vote on every subject which are decided by a vote of the council, except as limited by conflict or potential conflict of interest.

(insert updated City Council Roster)

	Position	Term Expires
Lou Ogden	Mayor	12/31/14
Frank Bubenik	1	12/31/14
Monique Beikman	2	12/31/12
Wade Brooksby	3	12/31/14
Ed Truax	4	12/31/12
Nancy Grimes	5	12/31/12
Joelle Davis	6	12/31/12

Vacancies

The requirements for filling the vacancy are specified in the City Charter as follows:

1. A majority of the incumbent members of the Council are required to appoint the new Councilor.
2. The appointee must be a qualified elector *(at least 18 years old, registered voter)* residing in the City for at least 12 months before he or she can be appointed and sworn in. *(For example, a person*

¹ Almost every city in Oregon with a population of more than 2,500 citizens uses the Council-Manager form of government. The exceptions are Portland, Beaverton, Burns, Lakeview and Junction City.

who has lived here 11 months at the time of his or her application can be a candidate the Council could consider if the Council vote to appoint does not occur sooner than the 12-month requirement.)

3. The appointed Councilor will begin serving immediately upon appointment and will serve until the beginning of the year following the next general biennial election.

City Council Mission & Values Statements

Mission Statement

Dedicated to Quality Service for our Citizens

Value Statement

We value a high quality of life for our community and will promote actions which increase community spirit and pride, and a sense of ownership, involvement and belonging in the community. We recognize the strengths which come from our heritage and background, our social and economic conditions, and our natural resources. We will manage growth in a manner that will build on these strengths, while fostering a sense of place and a unique identity for the City.

Strategic Management Plan

(insert 2010 Strategic Management Plan document)

City Council Roles

Setting policy

The basic function of the City Council is that of establishing policy for the operation of the City. This means that the Council is responsible for determining what is to be done, while the problem of how it is to be done is primarily that of the City Manager. Decisions in the establishing of policy for City government may be derived at by following these four steps:

WHAT IS NEEDED? Sources of this information may come from the Council Member's own observations, from individual citizen requests, citizen group requests, or from the recommendation of the City Manager.

WHAT IS THE WILL OF THE PEOPLE? Much of what the public wants may be learned by careful listening to comments of individuals, representatives of interested groups, and from the Council Member's own reactions.

WHAT CAN BE DONE? A Council Member's moral obligation to the public is to render decisions that are practical and economically feasible. The background experience of the City Manager, City staff and technical experts should be considered carefully.

TAKE ACTION. After determining the best policy, put your decisions to work by adopting, defeating, or modifying ordinances or resolutions. Policy and its administration cannot always be clearly denied, thus the Council and the City Manager must work together as a closely knit team. Inasmuch as the City Council selects and hires the City Manager it is its responsibility to see that the Manager has a chance to administer policy properly and to evaluate administrative accomplishments.

Disasters

The City Council has some special, extraordinary powers in the case of a disaster. Some meeting restrictions and expenditure controls are eased in such extreme situations. In critical situations the Council may be directed by the City Manager/Emergency Services Director to assemble in the City's Emergency Operations Center (EOC), to provide policy guidance and to receive information in an emergency.

(insert talking points for Council in a disaster)

The Mayor

- Is elected at a general state election for a four-year term.
- Serves as Chairman of Council and presides over its deliberations. He or she has a vote on all questions brought before Council.
- Signs all ordinances and resolutions passed by Council, and endorses bonds approved by Council.
- Is recognized as a community leader and serves as the official head of the City for ceremonial purposes.

The Council President

- A Councilor other than the Mayor is elected each odd-numbered year to preside over Council in the Mayor's absence.

Tualatin Development Commission

- A separate municipal entity from the City.
- Mayor and Councilors serve as Chair and Commissioners of the Commission.
- Functions as the Urban Renewal Agency for Tualatin and the City's two urban renewal districts: Central and Leveton.
- Meetings and work sessions usually follow Council meetings.

Involvement in Regional, State and Federal Organizations

Members of the Council are encouraged to involve themselves in the activities of organizations that represent local government and to actively participate in professional development and training. Members of the Council who serve on committees or the boards of the League of Oregon Cities, the National League of Cities or other such government group will be reimbursed for reasonable expenses not covered by the respective body. Upon the Councilor's return from attending a conference, training seminar or meeting, the Council should give a report to all members of the Council unless the majority attended the same function, or if requested by any Councilor who did not attend the conference,

seminar or meeting. During the annual budget process, a line item for City Council Conference & Meetings will be established and should be sufficient to cover the costs of the City Council’s desired involvement. *Refer to the Expenses section for the reimbursement policy.*

League of Oregon Cities:

Formed by an intergovernmental agreement among all of Oregon's 242 incorporated cities, the League was founded in 1925 and is governed by a 15-member Board. The League's Mission Statement: The League of Oregon Cities is the effective and collective voice of Oregon's cities and their authoritative and best source of information and training. The League brings city officials together from around the state and the result is a unified, powerful and influential force. Whether it’s a day of advocacy at the Capitol, a workshop in Prineville designed to get the most out of city financial resources, or more than 500 elected and appointed officials networking at the annual LOC conference, the activities of the League reflect the commitment, vision and professionalism of city government in Oregon.

National League of Cities:

The National League of Cities (NLC) is dedicated to helping city leaders build better communities. Working in partnership with the 49 state municipal leagues, NLC serves as a resource to and an advocate for the more than 19,000 cities, villages and towns it represents. More than 2,000 municipalities of all sizes pay dues directly to NLC and actively participate as leaders and voting members in the organization. The National League of Cities provides numerous benefits to its network of state municipal leagues and direct member cities. The National League of Cities: advocates for cities and towns in Washington, D.C. through full-time lobbying and grassroots campaigns; provides programs and services that give local leaders the tools and knowledge to better serve their communities; provides opportunities for involvement and networking to help city officials seek ideas, share solutions, and find common ground for the future; keeps leaders informed of critical issues that affect municipalities and warrant action by local officials; strengthens leadership skills by offering numerous training and education programs; recognizes municipal achievements by gathering and promoting examples of best practices and recognizing cities and towns for model programs and initiatives; promotes cities and towns through an aggressive media and communications program that draws attention to city issues and enhances the national image of local government.

Council Conduct

The City Council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, each council member has chosen to serve in public office in order to preserve and protect the present and the future of the City of Tualatin. This common goal should be acknowledged even as council members may “agree to disagree” on issues.

The City Council will strive to do the following:

- Trust and respect the opinions of fellow council members and participate in the decisions of the council.
- Accept responsibility to attend all council meetings and assigned committee meetings.

- Fulfill obligations to share with other council members the membership on the committees as required.
- Provide appropriate notification to the mayor, council president or city manager of an absence as soon as practical prior to the meeting time.
- Not disclose information which is confidential and, when asked by the public for information that is 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.
- Make an effort to study material presented in a timely manner and be informed on all issues.
- Make the citizens and visitors feel welcomed at the meetings by involving them in the process, being courteous to them, and respecting their opinions.
- Do their best to communicate in clear, concise and audible language and written communications.
- Make sure that their tone of voice 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, council members will speak for themselves carefully, in a manner that does not undermine the integrity or motives of the council, even if their personal opinion differs from the council's decision.
- In quasi-judicial matters, members will explain at the meeting the reasons for their vote.

Allowed Activities with Regard to Ballot Measures

The governing statute for these activities is ORS 260.432. Unlike public employees, as elected officials, Council is allowed to speak in favor, in opposition, or say nothing on the measure at any place and at any time. Council may speak in a Council meeting from the dais or in a work session, to the media, to your neighbors and constituents in your official or private capacity. You may hand out any materials that you have copied or written.

What you may not do is use city resources to support your position. That means that you may not have staff do any work on the issue for you; you may not have staff copy materials that you may wish to hand out; you may not use the City's telephone, webpage, letterhead, paper, etc., for your ballot measure activities nor may you have an article you've written on the subject published in the City's newsletter or on its website. You may not request a public employee to do any political activity at any time because of the perception that the employee will feel coerced into doing the activity.

Compensation & Expenses

The Mayor and Councilors are reimbursed for expenses spent as a result of their official duties; they receive no direct salary. During the annual budget process, the City Council's budget is developed to include sufficient funds to cover administrative expenses that the Council incurs in the normal course of performing their duties (parking fees, etc.), and to cover the costs of the City Council's desired involvement in regional, state and federal organizations.

It is important to note that any expense must be related to City affairs. Public property and funds may not be used for any private or personal purpose. Courts have ruled that this prohibition includes personal political purposes. For example, reimbursement could not be allowed to pay for meals at a meeting designed to discuss political or campaign strategies. The City does not reimburse Councilors for expenses incurred by their spouses. Reimbursement requests should be made through the City Manager's Office with all appropriate receipts. Expenditure records are public information.

Councilors should fill out a REIMBURSEMENT EXPENSE VOUCHER (COT Form 2-82) with all the pertinent information and submit it to the City Manager for processing.

Mileage Reimbursement

Councilors may be reimbursed for mileage associated with attending meetings or other functions outside of Tualatin associated with their role as an elected official; mileage is reimbursed at the current IRS rate. If a Councilor is going from an off-site, non-city related location to a city-related meeting, mileage should be calculated from the Councilor's residence to the meeting location.

Travel

The selection of a hotel, airline, rental car or other travel-related expenses is based solely on the lowest overall costs available which still meet the travel schedule and needs.

Air travel will be by coach.

When reduced fares require an overnight stay (present evidence that the cost would be lower) the City will pay the lodging and other costs involved for the extra day(s).

Consistent with the public sector practice that the administrative time and expense to track and segregate award miles is not justified with the small amount of air travel that occurs, individuals may accumulate frequent flyer miles associated with City travel.

Conference lodging rates will be paid, when applicable. However, if you choose to stay elsewhere, the lesser of the conference lodging rates will be paid.

Actual costs, for business use only, will be reimbursed (tips, etc.).

Councilors are to use the most economical mode of transportation and communication.

Rental cars are not considered a reimbursable expense, unless such cost can be justified by a reduced cost of lodging.

Gifts

On occasion, and within the approved budget, the Council may wish to purchase a gift or memento for someone with City funds. Expenditures of this type should be discussed with the City Council at a work session.

Other Remuneration

The Mayor is eligible to receive the City's monthly full family contribution to health insurance.

Councilors are eligible to receive the City’s monthly single employee contribution to health insurance.

Elected officials receive a \$20 per month credit to their water bill.

(insert Council technology policy here – ipads are either city-assigned or a taxable form of compensation)

Communications:

General Guidelines

The City Council agrees that:

- We are open, direct, and candid in the Council forum. We believe that disagreements should be open and respectful.
- The Council focuses on city issues and avoids becoming involved in “extra-territorial” issues.
- We give all Councilors an opportunity to express their views on issues before the Council.
- We are all brief and succinct in stating our views.
- We avoid personalizing, attacking, or labeling others.
- We avoid distinguishing a statement as a question.
- We focus on a single issue or topic at a time.
- We avoid repetition as a way to convince others.
- We keep discussion moving, and call for a “process check” if the Council becomes bogged down in discussions.
- We believe that it is appropriate to ask content questions.
- We may set time limits on topics, and adhere to them.
- We agree that clarification of issues should precede evaluation of issues.
- We do not ignore the seriously intended contributions of others.
- We speak for ourselves.
- We get closure on items before moving on to the next topic (e.g., who will do what, when etc.)
- We attempt to gather details, additional information, and answers to specific questions prior to the Council meeting.
- If we wish to discuss a major policy or philosophical issue, we ask that the matter be scheduled on a future agenda, and avoid raising that larger issue “out of the clear blue” or as an addendum to a current item on the agenda.
- We maintain a sense of decorum in our speech.

Media

City Councilors should consider that their actions and comments are often interpreted to be that of the entire City Council or the City. Thus, comments to the press or other public comments may be misinterpreted as those of the entire City Council or City, even though the Councilor may be at odds with the goals, objectives or overall policy of the City Council or the City of Tualatin.

The following guidelines are offered for communicating the public or the media:

- Statements to the public should flow through the City Manager or designated staff.
- There should be no promises made to the public about any action that may be taken by the City Council. Individual City Councilors cannot bind the entire City Council, staff or City on any particular matter. If the matter is subject to a public hearing, no promises or pre-commitments shall be made. Any of these may be or become a violation of State law and constitutional protections for applicants for City permits and affected residents and property owners.
- Comments to the public and to the press must be factual, as opposed to opinion and should be reported to the City Manager.
- City Councilors have an obligation to listen to comments or complaints from the public. City Councilors should forward such comments or complaints to the City Manager for follow-up. Follow-up may include a memo, other correspondence, staff report and where indicated, a recommendation for action by the City Council at an open meeting.

Speaking for or representing the City

When Councilors are requested to speak to groups or are asked the Council's position on an issue, the response should reflect the position of the Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, "While I voted against "X", the City Council voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

The effectiveness of City lobbying in Salem or in Washington, D.C. depends on the clarity of the City's voice. When Councilors represent the City in a "lobbying" situation, it is appropriate that the Councilors avoid expressions of personal dissent from an adopted Council policy.

When Councilors attend meetings of organizations such as the League of Oregon Cities or the National League of Cities and their boards and committees, they do so as individual elected officials and are free to express their individual views. If the City Council has an adopted policy relating to an issue under discussion, the Councilor is expected to report that fact.

Correspondence from Councilors

Members of the City Council may occasionally be called upon to write letters to citizens, businesses or other public agencies. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or City Manager. Individual members of Council may prepare letters to constituents in response to inquiries or to provide requested information. City of Tualatin letterhead is available for this purpose, and staff can assist in the preparation of such correspondence. Council Members are required to provide copies upon of any correspondence sent on City letterhead. On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should clearly indicate within letters that they are not speaking for the City Council as a whole, but for themselves as one member of Council.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such

issues as private citizens, City letterhead, official Council title, and staff support should not be utilized in order to avoid confusion. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

Council Members may be asked to prepare letters of recommendation for students and others seeking appointment. It is appropriate for individual Council Members to utilize City letterhead and their Council titles for such letters. No review by the full Council is required; however, copies will be kept on file.

Citizens are encouraged to contact Councilors. Any telephone message or e-mail for a Councilor to the City Manager's Office will be promptly routed to that Councilor. Most Councilors publish their addresses, phone numbers, and e-mail addresses to encourage public contact. Contacts by citizens and their comments and requests may be made part of the next meeting's record at the discretion of the Councilmember.

Mail addressed to Councilors by name and noted as confidential or personal or some other similar designation will be delivered, unopened, to that individual at the next Council meeting. The substance of those communications may be made a part of the regular meeting minutes at the discretion of the Councilmember. The City Manager and Administration staff are authorized to receive and open all other business mail to the Council and give it prompt attention so all actions required by that correspondence may be carried out between Council meetings if not requiring Council action. Non-routine communications and any action taken in response should be reported to the Council.

When contacted in person or by telephone by an appellant or other party to a pending hearing, Councilors should decline to meet or speak with such persons regarding the appeal outside the formal hearing.

City Newsletter

The City newsletter is used for only City government related articles, leaving community articles to local newspapers. Events not sponsored entirely or partially by the City are not generally allowed space in the newsletter. Requests for placement of articles in the newsletter shall be approved by the City Manager or designee.

Social Media

(insert information regarding City's website, Facebook and Twitter accounts)

Ethics, Liability & Confidentiality

Councilors shall review and observe the requirements of the State Ethics Law (ORS 244.010 to 244.390) dealing with use of public office for private financial gain (see RESOURCE section of this handbook).

Councilors shall give public notice of any conflict of interest or potential conflicts of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Councilors shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all

persons, claims, and transactions coming before the Council. This general obligation includes the duty to refrain from:

1. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
2. Making decisions involving business associates, customers, clients, and competitors.
3. Promoting relatives, clients or employees for boards and commissions.
4. Requesting preferential treatment for themselves, relatives, associates, clients, coworkers or friends.
5. Seeking employment of relatives with the City.
6. Actions benefiting special interest groups at the expense of the City as a whole.
7. Expressing an opinion which is contrary to the official position of the Council without so stating.

In general, Councilors shall conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the Council and abiding by all decisions of the Council, whether or not the member voted on the prevailing side.

Government Standards and Practices Commission

In accordance with ORS 244.195, it is the Councilor's responsibility to file annual statements of economic interest with the Government Standards and Practices Commission. Each year, on or around April first, Councilors will be sent a Statement of Economic Interest form from the Government Standards and Practices Commission. Councilors should complete the form and return it directly to the Commission. It is important to complete the form in a timely manner; failure to do so may result in the imposition of a civil penalty and/or removal from office. Councilors are also responsible for filing a Supplemental Statement of Economic Interest with the Government Standards and Practices Commission within 30 days of leaving office.

Code of Ethics

The Council is committed to excellence in leadership that results in the highest quality of service to its residents and taxpayers.

1. We, as a Council, shall attempt to maintain an environment emphasizing the dignity of each individual Council member, the importance of respect for the style, values and opinions of one another, and encouraging responsiveness and attentive listening in our communications.
2. We, as a Council, recognize that our primary responsibility is the formulation and evaluation of policy; the employment of staff to direct the City business under the direction of the Mayor and Council; and to discharge other duties as directed by policy of the Council. Matters concerning the operational aspects of the City shall be the responsibility of the professional staff members of the City.

3. We, as a Council, commit ourselves to the highest standards of ethical conduct and behavior. We shall hold no secret meetings, have no hidden agendas, nor engage in gossip. We shall conduct the business affairs of the City before the general public in accordance with Oregon law.

4. We, as a Council, commit ourselves to focusing on issues rather than personalities. We encourage the presentation of others' opinions. We shall avoid cliques and voting blocks based on personalities rather than on issues.

5. We, as a Council, shall be committed to supporting Council action. The Council agrees that while an individual Council member may disagree with a policy or action adopted by a majority vote of the Council, he/she should support said policy or action as being the considered judgment of the Council. The individual member shall have the right and duty to present further evidence and argument to the Council, and the Council shall have the duty of reconsidering upon proper evidence. We acknowledge the right of individuals to disagree with ideas, without being disagreeable.

6. We, as a Council, shall recognize the work of the City as a team effort. All Council members shall work together in a collaborative process, assisting each other and the Presiding Officer in conducting the affairs of the City.

7. We, as a Council, when responding to citizen requests or concerns, shall be courteous, respond to individuals in a positive manner and may, when appropriate, route their concerns and interests through city staff.

9. We, as a Council, shall each operate as a part of the whole. Issues will be brought to the attention of the Council as a unit, rather than to individual members selectively. Members of the Council recognize that, except when the Council is in a formal meeting, the authority of any Council member is equal only to the rights and authority of any other individual Council member.

10. We, as a Council, agree that an individual Council member shall not discuss disputed Council actions or policies with patrons or others except for counsel and then with the utmost discretion and in a manner which will foster confidence in the operation of the City.

11. We, as a Council, shall be prepared by reviewing City material and will engage in a program of development toward improving our policy and decision making capabilities.

Liability

The City is a large institution offering a variety of services and may occasionally find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against a City since the accident occurred on a City roadway. The City must always approach its responsibilities in a manner that reduces risk to all involved; however, with such a wide variety of high-profile services all risk cannot be eliminated. The City belongs to an agency with other governments to manage insurance and risk activities. It is important to note that violations of certain laws and regulations by individual members of the City Council may result in that member's being personally

liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment or fraud.

Confidentiality

Councilors will keep all written materials provided to them on matters of confidentiality under law in complete confidence to insure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager or City Attorney.

If the Council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with other parties shall be made by designated staff or representatives handling the negotiations or litigation. A Councilor will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.

All public statements, information, or press releases relating to a confidential matter will be handled by designated staff or a designated Councilor.

Section 3: City Council Meetings

Types of meetings:

Regular meetings

Special meetings

Executive sessions

Meeting schedule & times

Agenda development

Notification & advertising

Meeting attendance

Seating arrangements

Meeting staffing

Meeting procedures

Presiding officer

Order of business

Order & decorum

Voting procedures

Conflicts of Interest

Types and conduct of hearings

Parliamentary procedures

Use of technology

Minutes

Section 4: City of Tualatin Organization

Chart of Organization

(insert latest organization chart)

Fund Structure & Funding Sources

(insert pages from budget with fund structure and funding sources)

City Manager

Per the City Charter, the Council appoints a City Manager to implement policy, enforce its laws, to direct the daily operations of city government, and to prepare and monitor the municipal budget. The City Manager is responsible to the City Council as a body rather than to individual Council Members.

The employment relationship between the City Council and City Manager reflects the fact that the City Manager is the chief executive officer of the City. The City Manager has an employment agreement with the City Council. Regular communication between the City Council and City Manager is important in maintaining effective interpersonal relations. All dealings with the City Manager, whether in public or private, should be consistent with the authority of the City Manager in administrative and personnel matters. Council Members should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the City Council. Further, Council Members should avoid involving themselves in matters regarding individual City employees or related affairs. The City Council evaluates the City Manager's performance on a regular basis to ensure that both the City Council and City Manager are in agreement about organizational performance and priority goals that are based on mutual trust and common objectives. As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects that the final responsibility for establishing the policy direction of the City is held by the City Council. The City Manager communicates with City Council in various ways. In addition to the formal Council meetings, there are periodic briefing meetings with individual Council members and written memoranda and email. Communication must be undertaken in such a way that all Council Members are treated similarly and kept equally informed. It is also important that the Council provide ongoing feedback, information and perceptions to the City Manager including responses to written communications and surveys requesting feedback.

The City Manager is subject to a professional code of ethics that binds the City Manager to certain practices that are designed to ensure his or her actions are in support of the City's best interests. Violations of such standards can result in censure. A copy of the City Manager's Code Of Ethics is included in the RESOURCE section of this handbook.

City Attorney / Legal Advice

The City Attorney is the chief legal officer of the city and has an affirmative duty to protect the City and City Council from conflicts of interest wherever possible. It is important to note that the City Attorney does not represent individual members of Council, but the City Council as a whole. Duties of the City Attorney include:

- provide legal advice and opinions orally and in writing to the Council, Mayor and staff;
- review and approve as to form all written contracts, bonds, real property instruments and other legally binding documents to which the City is a party;
- prepare or have final approval over all ordinances, resolutions, orders and other documents of Council decisions, prior to their submission to the Council for adoption or approval;
- represent and defend the City and its board, commissions, committees, officers and employees. The city attorney shall not represent persons who are determined to have acted outside the scope of their employment or duties, committed malfeasance in office, or willful neglect of duty;
- institute legal actions for the City in any court or tribunal as directed. Upon approval, the city attorney shall institute appeals on behalf of the City in any case in which another party has first appealed. The city attorney shall institute other appeals as directed.
- coordinate, supervise and control services of legal counsel retained to represent the City;
- submit written or oral reports to the Council as frequently as required by the Council concerning the status of all tort claims and legal actions in which the City is a party.

Attorney-Client Relationship

The City and the office of city attorney shall have an attorney-client relationship, and the City shall be entitled to all the benefits thereof.

Department Descriptions

(insert department descriptions from latest budget)

Staff Directory

(insert latest CITY OF TUALATIN PHONE DIRECTORY)

Communications & Interactions between City Council & City Staff

The Council recognizes the primary functions of staff as serving the community, executing Council policy and actions and in keeping the Council informed. Staff is obligated to take guidance and direction only from the Council as a whole or from the appropriate management supervisors. Staff is directed to report to the City Manager any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations. City staff will make

every effort to respond in a timely and professional manner to all requests made by individual Council Members for information or assistance; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

In cases where a staff response to an individual Council Member request involves written materials that may be of interest to other Council Members, the City Manager will provide copies of the material to all other Council Members.

Any information, service-related request, or revised policy position perceived as necessary by individual Council Members, and that cannot be fulfilled based on the above guidelines, should be raised by the individual Council Member to the Council as a whole; the full Council can decide whether and when to agendaize the request for further consideration. The City Manager will seek necessary clarification as to whether the Council desires staff research or a report prepared; and, if so, the relative priority that should be given to such a request in light of other priorities and potential workload impacts.

The following guidelines may be useful for the Council to consider when communicating with staff:

- Councilors are encouraged to maintain open communications with the City Manager, both as a group and individually.
- Councilors are encouraged to take issues to the City Manager first, giving as much information as possible to ensure a thorough response.
- In the absence of the City Manager, Councilors are encouraged to contact the Department Head, realizing that the Department Head will discuss any such inquiries with the City Manager.
- The City Manager shares information equally with Councilors.
- Councilors are encouraged to avoid substantive contact with staff below the Department Head to avoid possible disruption of work, confusion on priorities, and limited scope of responses. In no case, should Councilors direct the work of staff without prior approval of the Department Head or City Manager.

Administrative Support & Services Provided to the City Council by City Staff

General administrative support to members of the City Council is provided through the City Manager's Office. Support services including scheduling of appointments, receipt of telephone messages, and word processing are available as needed. Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Should requested tasks require significant time commitments, prior consultation with the City Manager is requested.

New Councilor Orientation

It is important that members of the Council have an understanding of the full range of services and programs provided by the organization. As new members join the City Council, the City Manager coordinates with department heads to provide an orientation.

Meeting space

Meeting space will be made available to any City Councilor for use when performing city business. Contact the City Manager's Office for reservation of needed space.

Mail

City Councilors receive mail and other materials from the public, private interests and staff. The City Manager's Office staff maintains a mailbox for each Councilor and delivers all mail at each council meeting. If a Councilor is expecting mail into the office and would like to arrange for pick-up or delivery prior to the next scheduled Council meeting, they should contact the City Manager's Office.

Supplies

Business cards and a name badge are provided to each Councilor during the term of office. Please contact the City Manager's Office if additional cards or name badges are needed.

City letterhead and City notecards are available upon request from the City Manager's Office. *City letterhead or City notecards should not be used when campaigning for political office for oneself or another person; it also should not be used for non-city business purposes or to communicate position contrary to a position formally expressed by the Council as a body.

Restrictions on Political Involvement by City Staff

Local governments are non-partisan entities. Professional staff, as reflected within the principles of the Council-Manager form of government, formulates recommendations in compliance with Council policy and for the good of the community and is not influenced by political factors. For this reason, it is very important to understand the restrictions of staff in any level of political involvement through campaigns, fund-raisers, or other means. By working for the City, staff members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement. Different restrictions apply to management and to general employees. General employees have no restrictions while off the job. No participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. Even while off the job, no employee may participate in campaign or other activities in a City uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the City Council in these matters is requested. A Council Member asking staff to sign petitions or similar items can similarly create an awkward situation. For management staff, the City Manager strongly discourages any involvement in a local campaign even while on personal time. Such involvement could erode the tenet that staff is to provide an equal level of service to all members of the City Council.

Section 5: Tualatin Advisory Bodies

The City Council and staff welcome citizen involvement and supports advisory committees and boards to provide needed perspectives and advice on specific service areas. The public is always invited and encouraged to attend all advisory committee meetings. For most positions, no special background or qualifications are needed. Young people under the age of 18 may serve on all advisory committees and are encouraged to apply.

Description of Advisory Bodies

Architectural Review Board (ARB)

Architectural Review (AR) is required for all development and redevelopment in Tualatin. The AR process includes one application that is addressed in two decisions which run concurrently: Architectural Features (building design, site design, landscaping, on-site parking, circulation, loading and outdoor storage) and Public Utility Facilities (sewer, water, storm water management, street systems and environmental). Most Architectural Features decisions are Community Development Director (Planning Division staff) limited land use decisions and all Public Facilities decisions are a City Engineer's decision (Engineering Division staff).

The Architectural Review Board (ARB) is the Architectural Features decision maker when:

- A Staff Architectural Features Decision is appealed;
- An application for a multi-family residential project abuts the Residential Low (RL) Density Planning District;
- A project is a multi-family residential project that includes 100 or more units, when a commercial building is 50,000 square feet or more, and when an industrial building is 150,000 square feet or more;
- The applicant of an AR previously approved by the ARB requests an AR extension, an extension of the AR approval period pursuant to TDC 73.056(2).

The Architectural Review Board must apply the requirements of the planning district the property is in and the provisions in TDC Chapter 73. The ARB decision is to approve the Architectural Features proposal, approve it with conditions or deny it. If a Variance is requested, it must first be decided by the City Council. The ARB Architectural Features Decision and the City Engineer's Public Facilities Decision are appealable to the City Council.

The ARB is comprised of seven members appointed by the Mayor and then approved by Council, the ARB has three alternate positions and is the only board which requires professional registrations such as a Registered Architect, Registered Landscape Architect and Engineer. A Council member serves as the ARB Chair.

Arts Advisory Committee

The Tualatin Arts Advisory Committee was created to encourage greater opportunities for recognition of arts in Tualatin, to stimulate private and public support for programs and activities in the arts, and to strive to ensure excellence in the public arts collection.

The Arts Advisory Committee consists of seven members appointed by City Council for three-year terms. No special background is required to serve on this committee.

Budget Advisory Committee

The State of Oregon mandates that all local governments establish Budget Committees made up of citizen members and elected officials. The purpose of the Budget Committee in Oregon is to promote efficiency and economy in the expenditure of public funds. As the decision-making body of the City Government, the City Council's role in this process is to establish general fiscal priorities and policies. The Budget Committee's role is to help assure that the City's budget document and fiscal practices address these priorities of the City Council. The Budget Committee will recommend an approved budget to the City Council no later than June of each year.

Core Area Parking District Board (CAPDB)

The Tualatin Core Area Parking District Board serves in an advisory capacity to the City Council on policy matters affecting the Core Area Parking District. These include location and design of new lots, existing lot improvements, regulations and maintenance, and capital outlays.

Library Advisory Committee

The Tualatin Library Advisory Committee (TLAC) reviews, advises, and makes recommendations to the staff and City Council on matters affecting the Tualatin Public Library. The Library Advisory Committee consists of seven members appointed by City Council for three-year terms. No special background is required to serve on this committee.

Parks Advisory Committee

The Tualatin Parks Advisory Committee reviews, advises and makes recommendations to the staff and City Council on matters affecting public parks and recreational activities. These include immediate and long range planning, land acquisition, development, and recreational programming. It also advises Council on Urban Forestry policy. The Parks Advisory Committee consists of seven members appointed by City Council for three-year terms. No special background is required to serve on this committee.

Tualatin Planning Commission

The Tualatin Planning Commission (TPC):

- serves as the committee for citizen involvement in the Land Conservation and Development Commission planning process, fulfilling Statewide Planning Goal 1
- reviews, advises and makes recommendations to City Council on matters affecting land use planning and the City's Comprehensive Plan, the Tualatin Community Plan, such as [comprehensive] plan amendments

- makes decisions on five specific land use application types:
 - Industrial Master Plan (IMP)
 - Reinstatement of Use
 - Sign Variance (SVAR)
 - Transitional Use Permit (TRP)
 - Variance (VAR)

The Tualatin Planning Commission (TPC) consists of seven members appointed by Council, with no fewer than five members residing within the city. The members serve three-year terms until Council appoints their respective successors. Members receive no compensation.

Tualatin Tomorrow Advisory Committee

The purpose of the Committee is to promote community involvement in implementing the Tualatin Tomorrow Vision through engaging and educating citizens and other community partners; monitoring and assessing the progress made in the defined vision areas; promoting implementation of the vision, collaborating as community partners and providing forums to exchange information and create community connections; maintaining and growing partner involvement, conducting meetings, events and other communication activities; participating in regional visioning activities which impact Tualatin, and overseeing the process of updating the vision as needed.

The Tualatin Tomorrow Advisory Committee (TTAC) consists of seven members appointed by the City Council. In addition to the seven members appointed by the Council, the Committee also includes a representative from the Tualatin Chamber of Commerce, the City of Tualatin, and one other Partner (Partner member is appointed for a one year term). The members serve three-year terms until Council appoints their respective successors. Members receive no compensation. All members must live, own property, own a business, or work within the City of Tualatin.

Urban Renewal Advisory Committee

This committee is currently inactive. The Tualatin Urban Renewal Advisory Committee reviews, advises and makes recommendations to the Tualatin Development Commission on matters pertaining to the Urban Renewal Plans, project plans, or any plan or project implementation proceeding.

Effective June 30, 2010 the Central Urban Renewal District and the Leveton Tax Increment District are no longer collecting revenue. The Tualatin Development Commission is working on completing the remaining projects that are funded by urban renewal.

Appointment of Members

Three City Councilors serve as the Council Committee on Advisory Appointments. They review applications for committee appointment, interview applicants and make recommendations to the full Council for appointment. Appointments to an advisory committee or board is typically for a three year term (or similar). If an advisory committee member is not able to finish their term, a newly appointed member would fill the remainder of the previous member's term, resulting in a "partial" term appointment.