



## AGENDA

**MOLALLA CITY COUNCIL MEETING**  
**October 9, 2019**  
**7:00 PM**  
**Molalla Adult Center**  
**315 Kennel Ave, Molalla, OR 97038**

**Mayor Keith Swigart**

**Council President Elizabeth Klein**  
**Councilor Leota Childress**  
**Councilor DeLise Palumbo**

**Councilor Terry Shankle**  
**Councilor Jody Newland**  
**Vacant Seat**

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**1. CALL TO ORDER AND FLAG SALUTE**

**2. ROLL CALL**

**3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES**

**4. PUBLIC COMMENT**

*(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder.)*

**5. APPROVAL OF THE AGENDA**

**6. CONSENT AGENDA**

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.)*

A. Meeting Minutes – September 11, 2019

**7. PUBLIC HEARINGS**

**8. GENERAL BUSINESS**

- A. Art Commission Ordinance Discussion (Huff)
- B. Clackamas County Library District Task Force (Hadley)

**9. REPORTS**

- A. City Manager and Staff
- B. Mayor
- C. City Councilors

**10. ADJOURN**



## Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center  
315 Kennel Ave., Molalla, OR 97038  
September 11, 2019

### 1. CALL TO ORDER AND ROLL CALL

*The Molalla City Council Regular Meeting of September 11, 2019 was called to order by Mayor Keith Swigart at 7:02pm.*

### 2. FLAG SALUTE

#### COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present  
Councilor Elizabeth Klein – Present  
Councilor Leota Childress – Present  
Councilor DeLise Palumbo – Present  
Councilor Terry Shankle – Present  
Councilor Jody Newland - Present  
Vacant Seat  
Student Liaison Natalee Litchfield - Present

#### STAFF IN ATTENDANCE

Dan Huff, City Manager - Present  
Christie DeSantis, City Recorder - Present  
Gerald Fisher, Public Works Director - Present  
Chaunee Seifried, Finance Director - Present  
Alice Cannon, Planning Director - Present

### 3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

*None.*

### 4. PUBLIC COMMENT

*None.*

### 5. APPROVAL OF THE AGENDA

### 6. CONSENT AGENDA

- A. Meeting Minutes – August 14, 2019
- B. Meeting Minutes – August 28, 2019

***A motion was made by Councilor Childress to approve the Consent Agenda, seconded by Councilor Newland. Vote passed 6-0.***

### 7. INTERGOVERNMENTAL AGREEMENT: OR213 and Toliver Road Intersection Improvements (ODOT)

*Tova Peltz and Paul Scarlett from Oregon Department of Transportation (ODOT) presented Council with an update on the Toliver Road intersection work to date. (Exhibit A)*

*Public Works Director, Gerald Fisher stated that Clackamas County is in full support of the Toliver Road and OR 213 project and is willing to be a resource, as necessary.*

*Councilor Newland asked for clarification regarding the IGA with ODOT, curious to know if the 2.2 million dollars is locked in. She wanted to know if the project will cost more as delays take place. Mr. Fisher assured Council that the City will pay their fair share, but not more. He also stated that once the project begins, the City must stay committed through completion.*

*Further discussion took place regarding planning, funding and project management. City Staff feels that ODOT has brought a valid project worth pursuing.*

*An Open House for the Ona Way Project will be held on Wednesday, October 2, 2019 from 5:00-7:00pm at the Molalla Public Library. ODOT, in partnership with the City of Molalla, is designing pedestrian and bicycle improvements on the north side of OR 211 between OR 213 and S. Ona Way. This project will construct a shared use path near the Safeway shopping center, Molalla River Middle School and other nearby community resources, as well as lighting at the crossing at OR 211 and the east side on N Hezzie Lane. (Exhibit B)*

## **8. PUBLIC HEARINGS**

### **A. Ordinance 2019-07: An Ordinance Amending Language of City Council Work Sessions**

*Mr. Huff presented the language changes to Council, whom all agreed with corrections and updates that were made.*

***Mayor Swigart opened the Public Hearing at 7:43pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.***

*There was no further discussion by Council.*

***A motion was made by Councilor Newland, seconded by Councilor Palumbo, to adopt Ordinance 2019-07; an Ordinance Amending Language of City Council Work Sessions. Vote passed 6-0.***

### **B. Ordinance 2019-08: An Ordinance Repealing and Replacing Chapter 13.08.540 Preliminary Treatment Facilities with Chapter 13.08.540 Restricted Discharges and Pretreatment**

*Mr. Fisher pointed out errors in the code that read "Director" opposed to "Public Works Director". He asked that Council accept the code with corrections amended to read "Public Works Director" throughout the document.*

*Councilor Palumbo asked for clarification between the difference between uncontaminating cooling water and sanitary sewer. She also asked about the difference between a sanitary sewer and storm water, in addition to what would constitute uncontaminated cooling water.*

*Mr. Fisher explained that storm water is surface runoff or rainfall. Sanitary sewer system is what is flushed down toilets or goes down a residential/commercial/industrial drain which is connected to our sanitary system. The storm water goes through the storm pipes to Creamery Creek and Bear Creek. City of Molalla has two separate sets of sewers.*

*Councilor Newland asked if these guidelines meet the requirements of DEQ. Mr. Fisher stated that it does from an initial standpoint.*

*Councilor Klein asked if the word toxins applies to pharmaceuticals, or whether that should be listed separately. Mr. Fisher stated that we are currently limited on the correct technology, and that we ship pharmaceuticals to another agency to handle it properly.*

**Mayor Swigart opened the Public Hearing at 7:53pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.**

*There was no further discussion by Council.*

**A motion was made by Councilor Childress, seconded by Councilor Shankle, to adopt Ordinance 2019-08, with the changes and amendments discussed. Vote passed 6-0.**

- C. Ordinance 2019-09: An Ordinance Repealing Chapter 13.08.550 Industrial Wastes Control Manhole and Chapter 13.08.560 Tests of Wastes Location and Sampling

*Mr. Fisher explained that with the passage of the previous Ordinance (Ord. 2019-09), that the language is removed under Chapter 13.08.540.*

**Mayor Swigart opened the Public Hearing at 7:55pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.**

*There was no further discussion by Council.*

**A motion was made by Councilor Newland, seconded by Councilor Shankle, to adopt Ordinance 2019-09. Vote passed 6-0.**

- D. Ordinance 2019-10: An Ordinance Repealing and Replacing Chapter 5.24.025 General Business Licensing: Exemptions (Fisher)

*Mr. Fisher stated that currently the City Code requires business licenses from consultants and contractors who perform work as part of a public contract for the City. This creates an additional cost to the City that is passed on by the business licensee for overhead and administrative fees, as well as a cost to the City in staff time to process the business license. Staff recommends reducing the cost by exempting consultants and contractors who are required to secure a City business license only for the purposes of a public contract with the City.*

**Mayor Swigart opened the Public Hearing at 7:57pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.**

*Councilor Newland pointed out a grammatical error that will be corrected. Additionally, Councilor Palumbo pointed out a grammatical error that will be corrected. The Ordinance will be accepted as amendments are made.*

**A motion was made by Councilor Shankle, seconded by Councilor Childress, to adopt Ordinance 2019-10. Vote passed 6-0.**

- E. Ordinance 2019-11: An Ordinance Repealing and Replacing Chapter 13.08.420 Materials and Connections Specifications (Fisher)

*Mr. Fisher explained that this code revision separates sewers into two distinct categories: the private side which falls under the plumbing code, and the public side which falls under the City's public work standards and wastewater master plan.*



**Mayor Swigart opened the Public Hearing at 8:04pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.**

*There was no further discussion by Council.*

**A motion was made by Councilor Childress, seconded by Councilor Newland, to adopt Ordinance 2019-11. Vote passed 6-0.**

F. Ordinance 2019-12: An Ordinance Repealing and Replacing Chapter 13.04.130 Size of Service Connections (Fisher)

*Mr. Fisher explained that this revision will align the City with the public works standards and water master plan.*

**Mayor Swigart opened the Public Hearing at 8:07pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.**

*There was no further discussion by Council.*

**A motion was made by Councilor Newland, seconded by Councilor Shankle, to adopt Ordinance 2019-12. Vote passed 6-0.**

G. Ordinance 2019-13: An Ordinance Repealing and Replacing Chapter 13.04.360 Water Main Extensions – Size (Fisher)

*Mr. Fisher explained that this code revision will align the City with the public works standards and the water master plan.*

**Mayor Swigart opened the Public Hearing at 8:10pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.**

*There was no further discussion by Council.*

**A motion was made by Councilor Klein, seconded by Councilor Newland, to adopt Ordinance 2019-13. Vote passed 6-0.**

## **9. GENERAL BUSINESS**

A. Oregon Clean Air Act, ORS 433.835-433.875

*Mr. Huff presented Council with a copy of the Oregon Clean Air Act. The City received a complaint regarding an individual standing near a youth sporting event in Clark Park while smoking. He is seeking direction from Council on how the City should handle this in the form of an Ordinance.*

*Mayor Swigart stated that he would not recommend an Ordinance, as it is difficult to monitor public smoking. After brief discussion, Council agreed. No action at this time.*

B. Winter Banner Project

*Mr. Huff shared a Memorandum of Understanding (MOU) for the City and Chamber of Commerce to work together for the Winter Banner Project. He asked the Council to approve or amend the MOU language, as well to direct the City Manager to sign the MOU.*

*Discussion was held regarding the timing of banners being put up and taken down, and the importance of aligning them with the City's current schedule.*

*Mayor Swigart questioned the 'to be determined' amount for future maintenance.*

***Connie Farrens, Chamber President, 109 East Main Street, shared that the Chamber currently has funding available for twenty banners. There was confusion over the banners being approved, as some Councilors have not reviewed them at this point. This item had been delayed due to a meeting cancelation.***

*Mr. Huff shared that the draft copy of the Buckeroo banner would not be displayed due to the name of the Buckeroo and the totem pole that is presented on that photo. PGE will not display a business, and the totem is inappropriate in representing the Molalla tribe members.*

***Councilor Childress made a motion that City Manager Huff enter into a MOU with the Chamber of Commerce as amended, and that he approves the banners for review. The motion was seconded by Councilor Klein. Vote passed 4-2.***

***Voting aye: Mayor Swigart, Councilor Klein, Councilor Childress, Councilor Palumbo.***

***Voting nay: Councilor Newland. Abstaining: Councilor Shankle.***

## **10. REPORTS**

### **A. City Manager and Staff**

*Planning Director Cannon - Nothing to report.*

*Finance Director Seifried – Nothing to report.*

*Public Works Director Fisher reported that Fenton Avenue sewer line is in, water line is in, and needs to be tested. The shops floor is done, the Water Treatment Plant preconstruction meeting was held today. The Wastewater Treatment Plants biosolid of 395 tons has been removed.*

*The large truck conducting boring today was for soil samples for new pole bases that will be installed at the intersection of Main Street and Molalla Avenue.*

*Mayor Swigart asked when the finish of biosolid removal will take place. Mr. Fisher explained that the contractor will come in over two and three day blocks until removal is complete.*

*City Manager Huff – Nothing to report.*

### **B. Mayor**

*Mayor Swigart recently attended the C4 Conference and presented Council with a handout for affordable housing.*

*Student Liaison Litchfield shared that she attended a conference at Princeton over the summer and that one presentation was eviction. Eviction is a serial issue, which causes homelessness or other issues of difficulties in finding a home.*

C. City Councilors

*Councilor Klein – Nothing to report.*

*Councilor Childress requested that Mr. Huff and Mr. Fisher contact ODOT and invite them to the City's booth at Celebrate Molalla. She felt that would be a captive audience to present information to the public.*

*Councilor Childress requested help from the community, as Celebrate Molalla is still in need of volunteers.*

*Councilor Palumbo shared a reflection on September 11, 2001 and the importance of thanking our emergency responders and remembering the fallen. Councilor Newland echoed the statement.*

*Councilor Shankle – Nothing to report.*

*Student Liaison Litchfield shared that high school is back in session. Fall sports have begun and are in full swing. She also reminded the public that about the upcoming School Board Meeting.*

***Mayor Swigart explained the need for an Executive Session. Councilor Klein made a motion at 8:42pm to recess to executive session, Councilor Newland seconded. Vote passed 6-0.***

**11. RECESS INTO EXECUTIVE SESSION**

Held pursuant to Oregon Public Record Law, ORS 192.660(2):

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

**12. RECOVENE REGULAR SESSION**

***At 9:05pm Councilor Klein made a motion to reopen the regular session of the City Council meeting, seconded by Councilor Childress. Vote passed 6-0.***

*The consensus of the Council is to authorize the City Manager to work with the property owner to accept a deed dedication for the property. The property will then go through a partition.*

***A motion was made by Councilor Childress for this action, seconded by Councilor Klein. Vote passed 6-0.***

**13. ADJOURN**

***Motion was made to adjourn the meeting at 9:08pm by Councilor Klein, seconded by Councilor Childress. Vote passed 6-0.***

\_\_\_\_\_  
Keith Swigart, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Christie DeSantis  
City Recorder

# OR213 – Toliver Road Updates

## City of Molalla Council Meeting

Wednesday, September 11, 2019

Tova Peltz / Region 1 Project Delivery Manager  
Paul Scarlett / Region 1 Area Manager – East



# Toliver intersection work to date

2018–2021 Statewide Transportation Improvement Program (STIP) – Preliminary Engineering (PE) funds programmed to evaluate operations of the intersection of OR213 + Toliver Road.

Fall 2018 – Road Safety Audit (RSA) by ODOT / Molalla / County / Consultant Team to study safety performance of the intersection of OR213 + Toliver Road.

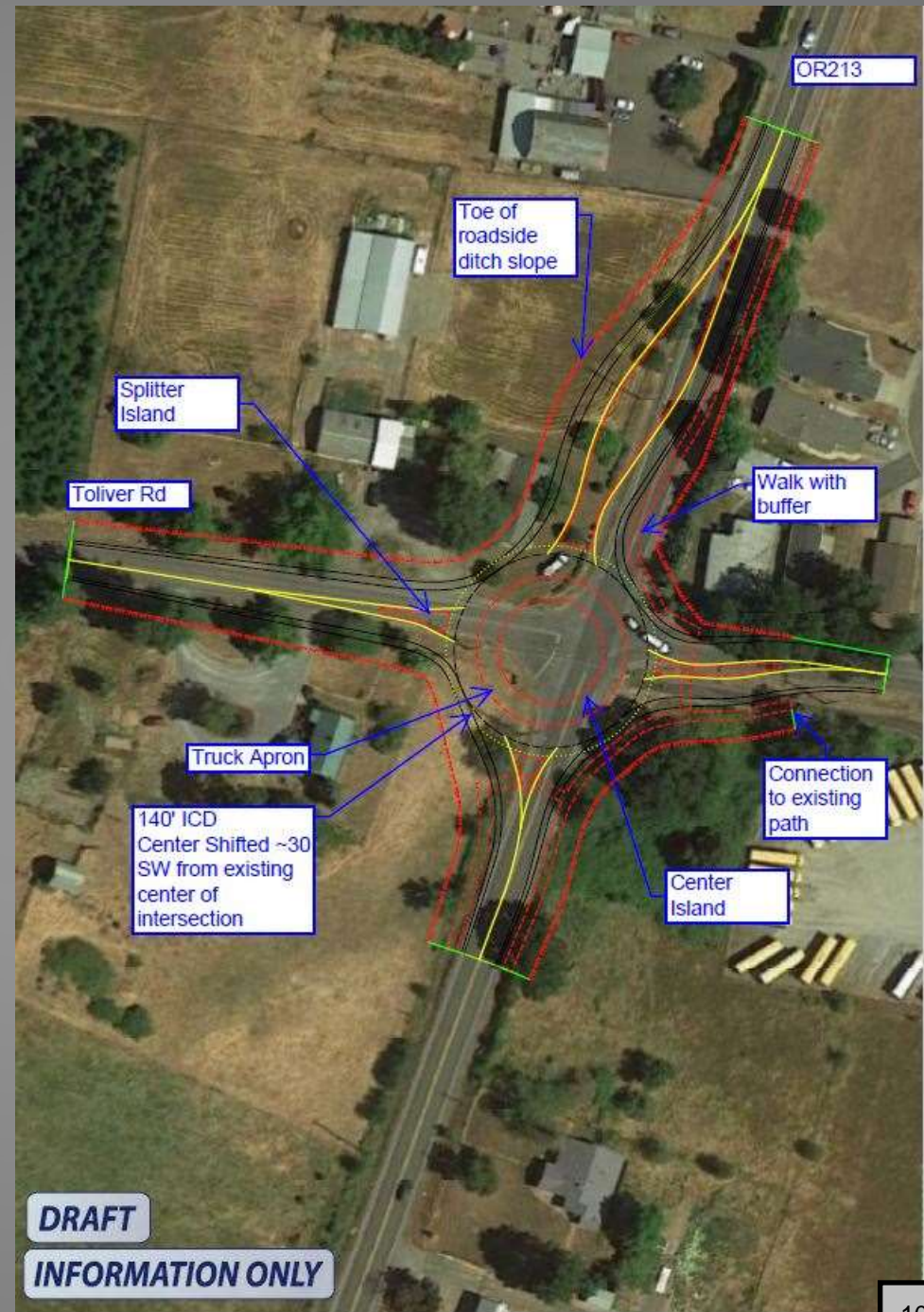
2019 – Scoping for 2021–2024 STIP identified included an All Roads Transportation Safety (ARTS) project and a Leverage project to deliver design + construction of the intersection improvements

May 2019 – Intersection Control Evaluation (ICE) considered no-build condition and two RSA options



## Preliminary design assumptions:

- 140 ft radius to outside fog line
- 35 mph design speed
- Shoulders up to 6 ft wide
- Minimize impacts to NE corner Right of Way and SE corner wetlands
- Connect the existing multi-use path on Toliver to new sidewalk on OR213



## Funding summary

Current cost estimate = \$8,894,391

This includes design, right-of-way, utility relocations, and construction, as well as inflation to construction year (2023) dollars

City contribution – \$2,247,990

State contribution – \$6,646,000 which includes current STIP allocation and future 2021–2024 STIP



## Next steps for Toliver

Oct 2019	Inter-Governmental Agreement (IGA) between Molalla and ODOT to deliver the project
Fall 2019	Begin survey work
Jan 2020	Oregon Transportation Commission (OTC) approves 2021–24 STIP
Spring 2020	Advance and obligate PE phase funds





## Ongoing nearby improvements

Feb 2019 – Rapid Flashing Beacon installed by ODOT at OR211 + N. Hezzie Lane

Sept 2019 – Speed reduction approved on OR213 from 40–45 mph down to 35 mph

April 2020 – Multi-use path project bid opening for OR213 – S. Ona Way

Late 2020 – ODOT ADA Pilot will replace ADA ramps on OR211 in downtown Molalla



Learn more at: <https://tinyurl.com/OR211Improvements>

201 E 5<sup>th</sup> St, Molalla, OR 97038  
Molalla Public Library, Conference Room  
5:00 p.m. to 7:00 p.m.  
Wednesday, October 2, 2019

## OPEN HOUSE

### OR 211: Pedestrian and Bike Improvements

Region 1  
123 NW Flanders St.  
Portland, OR 97209-4037



## OR 211: Pedestrian and Bike Improvements

### Open House

**Come talk with us!**

**When:** Wednesday, October 2, 2019, drop-in anytime between 5:00 p.m. and 7:00 p.m.

*(There will be no formal presentation)*

**Where:** Molalla Public Library, Conference Room, 201 E. 5<sup>th</sup> St, Molalla, OR 97038

*Accessible parking: There are two accessible parking spaces in the front and rear of the building.*

#### Stay Informed

Visit the project website for information and to sign up for project updates:

<https://tinyurl.com/OR211Improvements>

**Project contact:**

**April deLeon-Galloway,**

**ODOT Community Affairs Coordinator**

Email: [April.M.DeLeon@odot.state.or.us](mailto:April.M.DeLeon@odot.state.or.us)

Phone: 503-731-3117

#### About the Project

The Oregon Department of Transportation (ODOT), in partnership with the City of Molalla, is designing pedestrian and bicycle improvements on the north side of Oregon Highway 211 (OR 211) between OR 213 and South Ona Way.

This project will construct a shared use path near the Safeway shopping center, Molalla River Middle School and other nearby community resources, as well as lighting at the crossing at OR 211 and the east side of North Hezzie Lane.





# OR 211: Pedestrian and Bike Improvements

The Oregon Department of Transportation (ODOT), in partnership with the City of Molalla, is designing pedestrian and bike improvements in Molalla along the north side of Oregon Highway 211 (OR 211) between OR 213 and South Ona Way. This project will enhance safety, operations, and efficiency for people walking, biking, driving, rolling, and using transit in the area. Design is underway, and construction is planned to begin in summer 2020.

## What is the problem?

Currently, OR 211 between OR 213 and South Ona Way in Molalla lacks space for pedestrians and bicyclists causing them to use the narrow shoulder to access commercial services near OR 213 and downtown Molalla. This project addresses this critical safety need by providing a shared use path on the north side of OR 211 near the Safeway shopping center, Molalla River Middle School, and other nearby community resources. The project is also designing added lighting on OR 211 at the crossing at the east side of North Hezzie Lane to increase visibility for travelers in the area.

## What is the project?

The project proposes several pedestrian and bike improvements, including:

- Sidewalk between the Safeway shopping center and the west corner of the dental clinic
- Pedestrian bridge over Bear Creek
- 10-foot shared use path with 5-foot buffer between Industrial Way and east corner of the future multi-family development (east of Bear Creek)
- Added lighting at the crossing of OR 211 at east side of North Hezzie Lane
- New ADA compliant curb ramps

## How will construction affect travel through the area?

Construction is expected to begin summer 2020 and will be completed by early 2021. Work will occur along and off the shoulder and will not require closing travel lanes for long durations. Expect temporary lane closures and occasional flagging for travelers on the roadway. Some of the curb ramps and driveways will be reconstructed. During reconstruction, temporary pedestrian access routes will be provided.

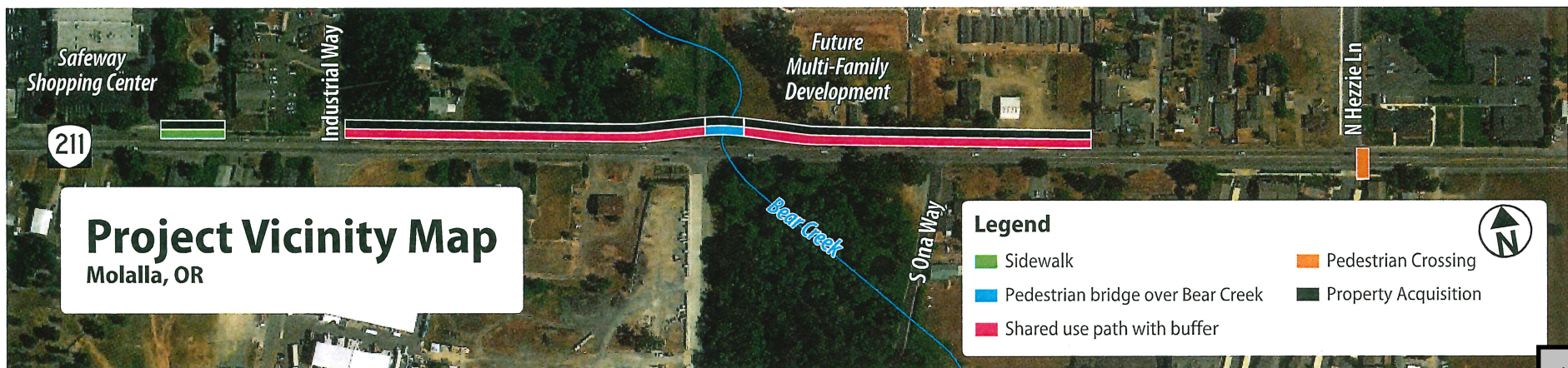
## How can I get involved?

ODOT and the City of Molalla want to hear from you! There are several ways to get involved and provide input on the project:

- Attend the open house
- Visit the project website: <https://tinyurl.com/OR211Improvements>
- Sign up for project notifications: <https://tinyurl.com/MolallaProjects>
- Share your questions and comments with the project team:

**April deLeon-Galloway, ODOT Community Affairs Coordinator**

503-731-3117 | [april.m.deleon@odot.state.or.us](mailto:april.m.deleon@odot.state.or.us)



# City of Molalla

## City Council Meeting



### Agenda Category:

**Subject:** Clackamas County Library District Task Force

**Recommendation:** Appoint City Manager Dan Huff, and Library Director Diana Hadley to Task Force committees

**Date of Meeting to be Presented:** October 9, 2019

**Fiscal Impact:** none

**Background:**

The Board of County Commissioners has given direction to convene a Library District Task Force. The Task Force will focus on three areas, to be addressed by a subcommittee. The three subcommittees are:

1. Library Services
  - a. What are the core services all district libraries should provide?
  - b. How should those service levels be measured?
2. Library Funding
  - a. Is the current level of funding enough?
  - b. What level of funding is required to address capital needs?
  - c. Does the distribution formula meet the needs of the District?
  - d. If there aren't enough funds, will a new rate need to be developed?
3. Library District Governance
  - a. Are changes needed to the Master Order and/or IGA?
  - b. What is the role of the Library District Advisory Committee?

More details provided in the attachment.

**SUBMITTED BY:** Diana Hadley, Library Director  
**APPROVED BY:** Dan Huff, City Manager

# Library District Task Force



## BACKGROUND

In October 2017, the City of Gladstone and Clackamas County entered into a Settlement Agreement which resolved ongoing litigation regarding construction of library facilities and provision of library services for the residents of the Gladstone and Oak Lodge library service areas.

During discussions related to the implementation of the Settlement Agreement, the Board of County Commissioners considered certain changes to both the Library District Master Order and the Library District Master IGA. Various library stakeholders expressed concerns regarding the consistency of these changes with the original purposes of the Library District, as well as the potential impact of these proposed changes on library services throughout the Library District. During the same period, LINCC Library Directors identified concerns related to the long-term sufficiency of Library District funding and the long-term sustainability of library services throughout the County (please see Appendix A).

In March 2018, the Board of County Commissioners authorized the creation of a Library District Task Force to examine these areas of concern, including (but not limited to) sufficiency and sustainability of library funding to address both capital and operational needs, permissible uses of District funds, and evaluation of service standards. In subsequent discussions with the Library District Advisory Committee (LDAC), LINCC Library Directors, and City officials, additional topics to be discussed by the Library District Task Force were suggested, including (but not limited to) equity of the current District funding formula, challenges in capital funding, and evaluation of current service area boundaries.

## LIBRARY DISTRICT TASK FORCE CHARGES

The Library District Task Force will be charged with the following purposes:

- 1) To identify current and future challenges facing the Clackamas County Library District. It is anticipated the Library District Task Force will focus on three primary areas: provision of library services, sufficiency and sustainability of library funding, and governance of the Library District.
- 2) To develop the charges for and receive the reports and recommendations of three standing subcommittees, as follows.
  - a. Library Services Subcommittee
  - b. Library Funding Subcommittee
  - c. District Governance Subcommittee



- 3) To develop the charges for and receive the reports and recommendations of any additional subcommittees deemed necessary by the Library District Task Force.
- 4) To submit a final report to the Board of County Commissioners (in their dual role as Board of County Commissioners and Library District Governing Board) containing recommendations to ensure the long-term, sustainable delivery of quality library service to the residents of the Clackamas County Library District.
- 5) To determine and adopt such rules or procedures as are necessary to facilitate the work of the Library District Task Force and its subcommittees, consistent with the Clackamas County Advisory Body & Volunteer Code of Conduct Policy and Oregon Public Meetings Law.

### LIBRARY DISTRICT TASK FORCE MEMBERSHIP AND VOTING

The Library District Task Force will consist of up to twenty-nine (29) members, appointed and voting as follows:

- The Library Service Providers of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oak Lodge, Oregon City, Sandy, West Linn, and Wilsonville may appoint up to two members each.
  - Each Library Service Provider shall have one vote on the Task Force.
- Unincorporated areas of Clackamas County will be represented by two members.
  - This stakeholder group shall have one vote on the Task Force.
- LINCC Library Services (Network), as provider of centralized services and support to all District libraries, shall appoint one non-voting member.
- The current Chair of the LINCC Directors Group shall serve as an ex-officio, non-voting member.
- The current Chair of the Library District Advisory Committee (LDAC) shall serve as an ex-officio, non-voting member.

Task Force membership and voting rights are summarized in the table below:

STAKEHOLDER	MAX # OF MEMBERS	# OF VOTES
Canby	2	1
Estacada	2	1
Gladstone	2	1
Happy Valley	2	1
Lake Oswego	2	1
Milwaukie	2	1
Molalla	2	1
Oak Lodge	2	1
Oregon City	2	1

Sandy	2	1
West Linn	2	1
Wilsonville	2	1
Unincorporated Clackamas County	2 (residents of unincorporated Clackamas County)	1
LINCC Library Services (Library Network)	1	Non-voting
LINCC Directors Group	1 (LINCC Directors Group Chair)	Non-voting
LDAC	1 (LDAC Chair)	Non-voting
<b>TOTAL</b>	<b>29 (max)</b>	<b>13</b>

Each Library Service Provider may appoint its own representatives to the Library District Task Force. It is recommended that appointments are drawn from City Managers, Library Directors, LDAC Representatives, and/or Library Board Members. Per direction from the Board of County Commissioners, elected officials shall not be appointed to the Library District Task Force.

Recruitment of residents from unincorporated Clackamas County will be coordinated by Public and Government Affairs (PGA) utilizing the County's standard Advisory Board and Committee recruitment process. Evaluation of candidates will be conducted by a Selection Committee consisting of the LDAC Chair, and two representatives from Clackamas County Business and Community Services. The Selection Committee will forward recommended candidates to the Board of County Commissioners for evaluation and appointment.

## SUBCOMMITTEE CHARGES

The Library District Task Force shall have three standing subcommittees:

- Library Services Subcommittee

While the Library District Task Force shall be empowered to develop the final charge(s) of the Library Services subcommittee, it is anticipated that this subcommittee would address topics such as:

- *What services do District residents need from their libraries, both now and in the future?*
- *What are the core services and service levels all District residents should receive?*
- *How should service levels and service delivery be measured?*
- *What services are best provided locally, and what services should be provided/supported centrally?*

- Library Funding Subcommittee

While the Library District Task Force shall be empowered to develop the final charge(s) of the Library Funding Subcommittee, it is anticipated that this subcommittee would address topics such as:

- *What levels of funding are required to sustainably address operational needs District-wide?*
- *What levels of funding are required to sustainably address capital needs District-wide?*
- *Are current funding sources and levels (District and local) sufficient to address operational and capital needs, both now and in the future?*
- *What are the mechanics and options for creating service area capital districts?*
- *How can insufficient, unsustainable, or unequitable funding levels be addressed?*
- *What should be permissible uses of District funds?*
- *Do the current service area boundaries meet the needs of the District?*
- *Does the current distribution formula meet the needs of the District?*

It is anticipated that this subcommittee would not convene until the work of the Library Services Subcommittee has been completed, and its work would be informed by the work of the Library Services Subcommittee.

- District Governance Subcommittee

While the Library District Task Force will be empowered to develop the final charge(s) of the District Governance Subcommittee, it is anticipated that this subcommittee would address topics such as:

- *Are changes to the Master Order, Master IGA, and/or Capital IGAs needed?*
- *How do we ensure core services are provided and desired outcomes are achieved District-wide?*
- *How are issues of District-wide impact discussed and decisions made?*
- *What should the role of the Library District Advisory Committee be?*
- *Do suggested changes make voter approval necessary or desirable?*

It is anticipated that the District Governance Subcommittee would not convene until the work of the Library Funding Subcommittee has been completed, and its work would be informed by the recommendations of the Library Services Subcommittee and the Library Funding Subcommittee.

## SUBCOMMITTEE MEMBERSHIP AND VOTING

Each subcommittee will consist of up to twenty-nine (29) members, appointed and voting as follows:



- The Library Service Providers of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oak Lodge, Oregon City, Sandy, West Linn, and Wilsonville may appoint up to two members each.
  - Each Library Service Provider shall have one vote on each subcommittee.
- Unincorporated areas of Clackamas County will be represented by two members.
  - This stakeholder group shall have one vote on each subcommittee.
- LINCC Library Services (Library Network), as provider of centralized services and support to all District libraries, shall appoint one non-voting member.
- The LINCC Directors Group shall appoint one non-voting member.
- The Library District Advisory Committee (LDAC) shall appoint one non-voting member.

Subcommittee membership and voting rights are summarized in the table below:

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Estacada	2	1
Gladstone	2	1
Happy Valley	2	1
Lake Oswego	2	1
Milwaukie	2	1
Molalla	2	1
Oak Lodge	2	1
Oregon City	2	1
Sandy	2	1
West Linn	2	1
Wilsonville	2	1
Unincorporated Clackamas County	2 (residents of unincorporated Clackamas County)	1
LINCC Library Services (Library Network)	1	Non-voting
LDAC	1 (LDAC appointee)	Non-voting
LINCC Directors Group	1 (LINCC Directors Group appointee)	Non-voting
<b>TOTAL</b>	<b>29 (max)</b>	<b>13</b>

Each Library Service Provider may appoint its own representatives to subcommittees. It is recommended that appointments are drawn from City Managers, Library Directors, LDAC Representatives, Library Board Members, and/or District residents. Per direction from the Board of County Commissioners, elected officials shall not be appointed to the subcommittees.

It is also recommended that stakeholders appoint members with particular subject matter expertise to individual subcommittees. For example, Library Directors' expertise in the provision and management of library services would likely be particularly useful on the Library Services Subcommittee.

Recruitment of residents from unincorporated Clackamas County will be coordinated by Public and Government Affairs (PGA) utilizing the County's standard Advisory Board and Committee recruitment process. Evaluation of candidates will be conducted by a Selection Committee consisting of the LDAC Chair and two representatives from Clackamas County Business and Community Services. The Selection Committee will forward recommended candidates to the Board of County Commissioners for evaluation and appointment.

### ANTICIPATED TIMELINE

It is anticipated that the Library District Task Force process (including all preparatory work) will last approximately 18 months, with the Task Force and Subcommittees meeting periodically and regularly over a period of approximately 12 months. The Library District Task Force process will be divided into four distinct phases, namely:

- Phase 1 (approx. 5 months) – Preparation
- Phase 2 (approx. 3 months) – Engagement and Outreach
- Phase 3 (approx. 9 months) – Library District Task Force and Subcommittee Work
- Phase 4 (approx. 3 months) – Preparation and Submission of Final Report

Please see below for a more detailed timeline. All timelines are estimates.

## **Library District Task Force - Anticipated Timeline (dates subject to change)**

### **PHASE 1 - PREPARATION**

*During this initial phase, the Library District Task Force proposal will be finalized, Board approval will be obtained, and various efforts to gather and produce information the Task Force will need to conduct its work will be completed.*

**Jan - Apr  
2019**

#### **FINALIZE PROPOSAL**

- *Business and Community Services (BCS) will work with the **Library District Advisory Committee (LDAC)** and **LINCC Directors Group** to finalize the Library District Task Force proposal.*

**Feb - Jun  
2019**

#### **LINCC STRATEGIC PRIORITIES**

- ***LINCC Directors Group** and **BCS** will complete their work on a District-wide Strategic Priorities document.*

**May  
2019**

#### **PRESENT PROPOSAL TO THE BOARD OF COUNTY COMMISSIONERS**

- ***BCS** will schedule a Policy Session to seek approval from the **Board of County Commissioners (BCC)** to proceed with the Library District Task Force proposal.*

**Mar - Jul  
2019**

#### **2017 - 2018 ANNUAL PROGRESS REPORTS**

- ***LDAC** will revise the Annual Progress Report (APR) form for collection of 2017 - 2018 data.*
- ***LINCC Directors Group** and **Local Library Boards** will prepare and submit 2017 - 2018 APR data for **LDAC** evaluation.*

### **PHASE 2 - ENGAGEMENT AND OUTREACH**

*During this phase, engagement and outreach efforts will be conducted to solicit stakeholder feedback and educate potential Library District Task Force participants and the broader public about the Clackamas County Library District.*

**Jul - Aug  
2019**

#### **ONLINE LIBRARY SERVICES SURVEY**

- ***BCS** and **Public and Government Affairs (PGA)**, in conjunction with **LINCC Directors Group**, will develop an online survey to get feedback from County residents on library services. The survey will be distributed via multiple channels, including social media and the **LINCC** catalog.*

**May - Jul  
2019**

#### **CITY PARTNER OUTREACH**

- ***BCS** will present information about the Library District Task Force to the **City Managers Group**.*
- *As requested, **BCS** will present to individual **Local Library Boards** and **City Councils** about the Task Force.*

**Jul - Sept  
2019**

#### **EDUCATION/FEEDBACK SESSIONS**

- ***BCS**, **PGA**, and **LINCC Directors Group** will develop and present two facilitated public information sessions designed to inform stakeholders about the District's current structure and operation.*
- *Sessions will also allow attendees to provide feedback to help inform the Library District Task Force's future work.*

## **PHASE 3 - LIBRARY DISTRICT TASK FORCE AND SUBCOMMITTEE WORK**

*During this phase, the Library District Task Force and its subcommittees will conduct research, engage in discussions, and formulate the recommendations which will eventually be provided to the Board of County Commissioners.*

**Sept - Oct  
2019**

### **TASK FORCE KICKOFF**

- The **Library District Task Force** will meet at least once to develop rules and procedures, to finalize subcommittee charges, and to make initial subcommittee appointments.

**Oct - Dec  
2019**

### **LIBRARY SERVICES SUBCOMMITTEE**

- The **Library Services Subcommittee** will meet a sufficient number of times to properly prepare recommendations for the Library District Task Force.
- The **Library District Task Force** will meet at least once to receive and consider the recommendations/report of the Library Services Subcommittee.

**Jan - Mar  
2020**

### **LIBRARY FUNDING SUBCOMMITTEE**

- The **Library Funding Subcommittee** will meet a sufficient number of times to properly prepare recommendations for the Library District Task Force.
- The **Library District Task Force** will meet at least once to receive and consider the recommendations/report of the Library Funding Subcommittee.

**Apr - Jun  
2020**

### **DISTRICT GOVERNANCE SUBCOMMITTEE**

- The **District Governance Subcommittee** will meet a sufficient number of times to properly prepare recommendations for the Library District Task Force.
- The **Library District Task Force** will meet at least once to receive and consider the recommendations/report of the District Governance Subcommittee.

## **PHASE 4 - PREPARATION AND SUBMISSION OF FINAL REPORT**

*During this phase, the Library District Task Force will produce a final report to be presented to the Board of County Commissioners.*

**Jul - Aug  
2020**

### **PREPARATION OF FINAL REPORT**

- The **Library District Task Force** will meet at least once to synthesize and prepare final recommendations/report.
- **LDAC** will have an opportunity to review the final Library District Task Force report, and prepare a supplementary report, before the Task Force's report is presented to the BCC.

**Sept  
2020**

### **PRESENTATION OF FINAL REPORT TO BCC**

- **BCC** will schedule a Policy Session during which the Library District Task Force's final report/recommendations, as well as any supplemental report prepared by LDAC, will be presented to the Board of County Commissioners.

## APPENDIX A

On January 19, 2018, the LINCC Directors Group presented the following memo to the Library District Advisory Committee.

TO: LDAC Representatives  
FR: Directors, Clackamas County Libraries (LINCC)  
DT: January 19, 2018  
RE: Library District

Recently there has been a good deal of discussion within local public meetings and in the media about proposed changes to both the Clackamas County Library District Master Order and the Master Cooperative Intergovernmental Agreement.

The Directors of Clackamas County Libraries fully support and welcome public discussion of these proposed changes. We do not advocate for any particular outcome. We do, however, want to provide our perspective with a goal of informing public discussion and providing additional context for some of the issues and concerns that have emerged. Specifically, we'd like to offer a brief assessment of the strengths of the current District structure, as well as some of the current and future challenges that concern us.

### **LIBRARY DISTRICT STRENGTHS**

- **A collaborative, supportive library cooperative**

While the governance and funding structures have changed over time, the libraries of the Clackamas County Library District have been successfully collaborating and supporting each other for decades.

Our libraries have established committees that have worked to regularly refine guidelines and procedures to maximize consistency, efficiency, and patron-focused service across the District.

One example of this cooperation is that libraries have agreed to collection development guidelines. This helps to ensure that libraries can share collections, and that no single library will bear an undue burden to provide materials for other libraries. There may be situations when the availability of a particular library's collection is temporarily reduced, such as during construction or remodeling projects. The strength of our cooperative is most apparent in those situations: District libraries support each other and cooperate to minimize the impact to patrons. Each library is assured that it will have the support of the other District libraries if it encounters a similar situation.

A key collaborator is the Library Network. With support provided by the County, the Network office creates, maintains, and improves systems and procedures which help keep LINCC working cohesively and smoothly. In turn that allows libraries to offer consistent, quality library services to the 400,000 citizens of Clackamas County.

## **LIBRARY DISTRICT CHALLENGES**

- **Every community has different resources**

The Library District spans approximately 1,880 square miles of both rural and urban areas. Each of the 12 service providers in the District (11 cities and Clackamas County) has a service area population which is made up of both City residents and residents of unincorporated areas.

The ratio of City residents to unincorporated residents differs for each service provider, as does the amount of Library District revenue raised in each service area. It is important to note that the tax base of each City differs widely. That can make it more

challenging to allocate scarce general fund dollars, especially when those dollars may have been contributed by a minority of patrons in the Library's service area.

- **A very complex structure**

While the cooperative structure provides some significant benefits--especially being able to focus closely on local community needs--Library Directors frequently find themselves navigating a very complex environment of competing stakeholder needs and imperatives. Library Directors must constantly balance local needs and expectations (as articulated by City Managers, City Councils, and local Library Boards), with considerations of District-wide imperatives (as articulated by LINCC committees, the Library District Board, and the Library District Advisory Committee), and with state and national service standards.

- **Library District revenues are insufficient**

Simply put, the permanent Library District rate of \$0.3974 per thousand of assessed value approved by voters in 2008 is not sufficient to maintain service levels throughout the county. This is true whether or not District funds are to be used only to fund operations, or can be used for capital purposes as well. While growth in property values has resulted in some additional Library District revenues over the years, these increases have not kept pace with increases in expenses (especially those related to personnel).

The LINCC Library Directors feel strongly that the revenue situation must be addressed. We believe many of the concerns voiced in discussions about amendments to the Master Order and IGA are, in fact, symptoms of this deeper, systemic revenue problem. We have serious concerns about our ability to maintain service levels going forward.



LINCC is stronger now than it has ever been and LINCC Library Directors are absolutely committed to doing all we can within our communities and on a County-wide, cooperative basis to ensure that every citizen of Clackamas County has access to high-quality library services. We are working together more efficiently and effectively than at any time in our past.

That said, we do face significant challenges ahead, and we sincerely hope that some of the concerns sparked by recent discussion of amendments to the Master Order and Master IGA will continue to be addressed in future conversations about the long-term sustainability of the Clackamas County Library District.

# City of Molalla

## City Council Meeting



### Agenda Category:

**Subject:** Art Commission/Program Committee Discussion

**Recommendation:** Discussion/Council Direction

**Date of Meeting to be Presented:** October 9, 2019

**Fiscal Impact:** None

**Background:**

Council began discussing potential of reestablishing an Art Commission during Goal Setting this past March. Attached are three versions of Commission/Committee Municipal Code formats for Council to consider or amend:

1. Current Art Commission language within the Municipal Code
2. Amended Art and Culture Commission language
3. Proposed Community Program Committee language

Staff is prepared to discuss each version with Council during the October 9<sup>th</sup> City Council meeting, and we are available for questions prior to the meeting.

SUBMITTED BY: Dan Huff, City Manager  
APPROVED BY: Dan Huff, City Manager

## **Chapter 2.17 ARTS COMMISSION**

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### **2.17.010 Commission established.**

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- A. The Molalla Arts Commission shall consist of nine members appointed as provided in the City Charter. All appointments to the Arts Commission may be terminated at the pleasure of the Mayor with the consent of the City Council.
- B. The first four persons appointed shall serve a term of three years; the fifth, sixth and seventh person appointed shall serve two years; and the persons appointed thereafter shall serve terms of three years.
- C. The members of the Commission shall elect from among their members a chair, a vice-chair, a secretary and a treasurer, such officers to serve for two-year terms.
- D. The Commission shall meet as deemed necessary and shall establish rules or procedures necessary to conduct business consistent with state or city requirements.
- E. Commission meetings shall be publicly noticed and be in conformance with Oregon's open meetings requirements.
- F. Summary minutes of Commission proceedings shall be recorded and retained in conformance with Oregon's public records requirements. Minutes of proceedings shall be submitted to the City Council for information.
- G. In January of each year the Commission shall submit a report on its activities to the City Council.
- (Ord. 2012-03 §2; Ord. 2011-10 §1; Ord. 2010-14 §1; Ord. 2009-04 §1)

### **2.17.020 Mission.**

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The Mission of the Molalla Arts Commission is to:

- A. Encourage greater opportunities for a recognition of arts in the Molalla area.
- B. Facilitate cooperation, coordination and communication among groups and individuals engaged in the arts.
- C. Sponsor facilitate or coordinate events and activities to showcase the agilities of area artists.
- D. Encourage and promote the arts as a factor in the economic life of the community.
- E. Pursue funding sources, projects and programs to enhance the artistic diversity in the community.
- F. Provide liaison and representation of the City of Molalla to city, county, regional and state arts agencies. (Ord. 2009-04 §1)

### **2.17.030 Definition of arts.**

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Arts includes, but is not limited to: music, drama, dance, creative writing and poetry, architecture and landscape design, painting, sculpture, photography, graphics, craft and folk art, film and video, and such other endeavors as may be designated by the Commission. (Ord. 2009-04 §1)

#### **2.17.040 City support.**

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The city will provide meeting space, web site, financial oversight and related support in consultation with the Commission with approval of the City Manager and/or City Council; however, funding for events and projects are expected to be generated by the Commission. The city shall receive and disburse funds for the Commission in accordance with the city's accounting and purchasing practices, and provide guidance to the Commission on fundraising and finance matters. The City of Molalla may also make grants to the Commission or enter into agreements with other public agencies, association, and individuals for services that will assist the Commission. (Ord. 2009-04 §1)

## **Chapter 2.17 ART and CULTURE COMMISSION**

### **2.17.010 Commission established.**

- A. The Molalla Art and Culture Commission shall consist of five Commissioners appointed as provided in the City Charter. All appointments to the Arts Commission serve at the pleasure of the Mayor with the consent of the City Council.
- B. Commissioners shall be appointed to a two-year term.
- C. Annually, Commissioners shall elect from among their members a chair, a vice-chair, a secretary and a treasurer, such officers to serve a two-year term. The first chair, secretary, and treasurer shall serve a two-year term. The first vice chair and at-large member shall serve a one-year term. Commissioners thereafter shall serve two-year terms. Members shall serve consecutive terms at the pleasure of the City Council; preference being given to applicants who have not served before on any commission.
- D. The Commission shall meet as deemed necessary and shall establish rules or procedures in compliance with state and city requirements.
- E. Commission meetings shall be publicly noticed and be in conformance with Oregon's open meetings requirements.
- F. Summary minutes of Commission proceedings shall be recorded and retained in conformance with Oregon's public records requirements. Minutes of proceedings shall be submitted to the City Council for information.
- G. In January of each year the Commission shall submit a report on its activities to the City Council.

### **2.17.020 Mission.**

The Mission of the Molalla Art and Culture Commission is to:

- A. Foster the growth of arts, heritage and culture in Molalla.
- B. Identify, support and promote arts and culture related events.
- C. Sponsor, facilitate or coordinate events and activities that celebrate the culture of Molalla in the past, present and future.
- D. Encourage and promote the arts and culture as a part of the daily and economic life of the community.
- E. Pursue funding sources for projects and programs that will enhance the arts and cultural diversity and the humanities in the community.
- F. Provide liaison and representation of the City of Molalla to county, regional and state agencies.

### **2.17.030 Definition of heritage, art and culture.**

Heritage, art and culture includes, but is not limited to: local communities past and present, history, agriculture, music, drama, dance, creative writing and poetry, architecture and landscape design, painting, sculpture, photography, graphics, crafts and folk art, film and video, and such other endeavors as may be designated by the Commission.

#### **2.17.040 City support.**

The city will provide a web page for use by the commission, financial oversight and related support under the direction of the City Manager and/or Finance Director; however, funding for events and projects is expected to be generated by the Commission. The city shall receive and disburse funds for the Commission in accordance with the city's accounting and purchasing practices and provide guidance to the Commission on fundraising and finance matters. The City of Molalla may also enter into agreements with other public agencies, associations, and individuals for services and/or grants that will assist the Commission.

## **Chapter 2.17 COMMUNITY PROGRAM COMMITTEE**

### **2.17.010 Committee established.**

A. A Community Program Committee shall consist of five members appointed by the City Council. All Community Program Committees shall function under the direction of policy established by the City Council and shall have one City Councilor as a member.

B. At least three persons shall be City residents. The following persons appointed do not require city residency.

C. The members of the Committee shall elect from among their members a chair and vice-chair.

D. The Committee shall meet as deemed necessary and shall establish rules or procedures necessary to conduct business consistent with state or city requirements.

E. Committee meetings shall be publicly noticed and be in conformance with Oregon's open meetings requirements.

F. Summary minutes of Commission proceedings shall be recorded and retained in conformance with Oregon's public records requirements. Minutes of proceedings shall be submitted to the City Council for information.

G. In January of each year the Commission shall submit a report on its activities to the City Council.

### **2.17.020 Mission.**

The Mission of a Community Program Committee is to:

- A. Carry out established City Council Policy.
- B. Encourage greater participation and opportunities for the Molalla area.
- C. Facilitate cooperation, coordination and communication among groups and individuals engaged in the community based on City Council policy direction.
- D. Sponsor, facilitate or coordinate events and activities to showcase the Molalla area.
- E. Encourage and promote Molalla based on Council policy direction.
- F. Pursue funding sources, projects and programs to enhance the Molalla Area.
- G. Provide liaison and representation to the City Council.

### **2.17.030 Definition of Community Program.**

Arts includes, but is not limited to: music, drama, dance, creative writing and poetry, architecture and landscape design, painting, sculpture, photography, graphics, craft and folk art, film and video, and such other endeavors as may be designated by the Commission. (Ord. 2009-04 §1)

### **2.17.040 City support.**

The city will provide meeting space, web site page, financial oversight and related support in consultation with the Commission with approval of the City Manager and/or City Council; however,

funding for events and projects are expected to be generated by the Commission. The city shall receive and disburse funds for the Commission in accordance with the city's accounting and purchasing practices and provide guidance to the Commission on fundraising and finance matters. The City of Molalla may also make grants to the Commission or enter into agreements with other public agencies, association, and individuals for services that will assist the Commission.