



# CITY OF MILWAUKIE

## AGENDA

May 25, 2023

6:00 pm

## PUBLIC SAFETY ADVISORY COMMITTEE

### HYBRID MEETING

Public Safety Building

3200 SE Harrison St, Milwaukie, OR 97222

OR

Zoom Meeting:

<https://us02web.zoom.us/j/83859859220?pwd=WUxzV3liUFh4cmplOEsvaTRWelhhUT09>

Meeting ID: 838 5985 9220

Passcode: 705178

For any questions, please contact the staff liaison Benjamin Green at [GreenB@milwaukieoregon.gov](mailto:GreenB@milwaukieoregon.gov).

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- |      |   |              |
|------|---|--------------|
| I.   | CONSENT AGENDA                                | PSAC Members |
|      | A. Approve Minutes from:                      | All          |
|      | 4/27/2023                                     |              |
| II.  | ACTION ITEMS                                  |              |
| III. | DISCUSSION                                    |              |
|      | A. PSAC bylaws Discussion Items               | Everyone     |
| IV.  | Public Comments (Limited to 3 min per person) | All          |
| V.   | FUTURE MEETING DATE/AGENDA ITEMS              | All          |
|      | Next regular meeting June 22, 2023            |              |
| VI.  | ADJOURN                                       |              |

Attachments:

1. Minutes from: 4/27/2023
2. Draft PSAC Bylaws with recommended edits

I. Attendance:

Shimron Tubman-Linwood Secretary  
Steve Adams-City Engineer  
Pam Denham-Island Station  
Jay Panagos- chair  
Elvis Clark- Ardenwald  
Christine Giatti- Lake Rd  
Ryan Burdock-Police officer  
Officer Rogerson-Police officer  
Ashley Akerberg- Member at large  
Jessica Peterson-Hector Campbell-secretary  
Ben Green-City of Milwaukie  
Stephan Lashbrook- Lewelling/vice chair  
Tara

II. CONSENT AGENDA PSAC Members

A. Approve Minutes from 3/23/2023: All

III. REPORTS

A. Clackamas County Fire Report -Jack Tanz

- 2,300 call volume for March (slightly higher than previous March numbers)
- Just shy of 5,000 calls up to April (previous years were closer to 4,100)
- July 1st, Clackamas Fire starts a full contract : Sandy will become part of Clackamas Fire district
- 6/15/23 backyard burns open up (please check to make sure)
- Ladder fuels on trees and around the base of the house should be cleared out to reduce risk
- level 1 (be prepared, aware and informed, consider leaving for older folks) Making plan
- Level 2 is set and be ready to evacuate; getting packed up (will have limited time)
- Level 3 is time to go-only one notice then go
- Fire district board of directors has proposed \$0.52/\$1,000 assessed value levy—on the 5/16/23 ballot—Tax will effect all houses in Clackamas Fire
- last couple of years, the Clackamas fire has fielded a wildfire mitigation crew that has been funded by previous grants—if Levy does not pass Clackamas Fire will no longer fund mitigation crew.

B. Milwaukie Police Report Ryan Burdock

- 4/24/23 Portland chase led into Milwaukie—
- Mark (previous school resource officer) has been promoted
- Heather will be taking that over
- Captain Robbie Graves is retiring on 4/28/23 (currently 4 internal candidates are being reviewed as possible replacements)
- 3/23/23-Detectives joined in human trafficking case which led to 8 arrests
- working with Arizona County detectives to find a homicide murder of Melissa Wheeler
- Still having delay issues with state (5-6 month) to have new hires go to academy (18-24 month process)

- 3 new officers will be starting training in June
- 1/3 of officers are currently out due to various reasons
- 229 cars came through drug turn in collection; CERT collected over 200 lbs of prescription drugs at this event
- Intervention with Glenn (new Mental Health Specialist officer) has had a huge impact
- All Portland Metro Area has higher numbers of people experiencing Houselessness than ever recorded
- City ordinance regarding set line restrictions was shifted due to ruling from 9th circuit court (10pm-7am) is permissible for night camping—afterwards person is required to move on
- typically there is one shredding event a year in April
- Monthly focus Mission tends to result from a combination of Safety office, DA's office, Police department (can be up to 30 people in plain clothes)—
- general assignment detectives are working with a very high case load in addition to the monthly mission focus

#### C. NDA Concerns PSAC Members

#### D. Capital Improvement Plan Projects Steve Adams

- Sanitary sewer rehab project (food pod carts on south 21st) for daily disposal of food cart waste (not for toilettes)—recently poured the new asphalt
- Next is Washington St going east of 37th, and then there are a couple of streets after that
- Washington and 27th/ 35th and Edison underground work will go out to bid in May
- North of Roswell west of 32nd go out to bid in June
- 43rd to Linwood on King will be reworked for sidewalks to be ADA compliant as well as encouraging cyclists to use a multi-use path AKS Engineering
- 42nd and Harrison to King and 42nd will be redesigned. (Easy temporary fix like the diverter on Linwood and Northbound on 42nd will no longer be able to turn left (west) onto king
- Interim design will likely be built by early summer that will eventually tie into a 2+ year out signal at 42nd and Harrison
- 40th and Monroe will get a 4 way stop within the next month or so
- will add traffic count to Drake street as well
- Apartment at Waverley are starting to rent out \$2,500-\$3,000 a month
- Kellog Bowl site is at 6 stories (height of building); still 10-12 months out minimum before completion
- Jackson and 52nd has plans for a duplex or triplex coming up

TSP UPDATE—still waiting for ODOT approval at DOJ.

- Heavy travelled streets (300+ vehicles a day) get different treatment than less traveled streets.
- if traffic counts are low enough then the design looks differently
- current thought is that at major driveways put a green bike bar so people will see.

#### A. ACTION ITEMS

A. Shimron motions to incorporate Land Use Acknowledgement as accepted by council into the bylaws to be read at the beginning of each monthly meeting—seconded by Pam—passes 5:2

The City of Milwaukie respectfully acknowledges that our community is located on the ancestral homeland of the Clackamas people. In 1855, the surviving members of the Clackamas signed the Willamette Valley Treaty also known as the Kalapuya etc. Treaty with the federal government in good faith. We acknowledge that the territory covered by the City of Milwaukie is on the ancestral homelands of the Clackamas people. We offer our respect and gratitude to the indigenous people of this land.

-Elvis would like to proceed each meeting and land use reading with a mission statement  
-Elvis motions to adopt the opening statement of the bylaws that will be read first and then followed by land acknowledgement—seconded by Pam—passes 7:0

The Public Safety Advisory Committee is established for the purpose of advising and making recommendations to the City Council and city departments regarding public safety needs in the City and its Urban Growth Boundary.

#### B. Bylaws:

Page 1-last paragraph remove redundancy "...with city departments that are responsible for addressing public safety issues." To state "with relevant city departments"

Page 2-Article IV section D— NDA representative are to attend no less than 6 meetings annually. If any member does consistently miss meeting membership will be re-evaluated"

C. Shimron Motions to suspend discussion on bylaws with the understanding that the May Meeting will be primarily focused on Bylaws. Seconded by Pam.

#### IV. DISCUSSION

V. Public Comments (Limited to 3 min per person) All

VI. FUTURE MEETING DATE/AGENDA ITEMS All VII. ADJOURN

VII.Attachments:

**Milwaukie Public Safety Advisory Committee (PSAC)**

[www.milwaukieoregon.gov/bc-psac](http://www.milwaukieoregon.gov/bc-psac)

**BYLAWS**

Adopted ~~xx/xx/xxxx~~

By Resolution ~~yyyy~~

**ARTICLE I – NAME**

The name of this board/committee is the Public Safety Advisory Committee (PSAC).

**ARTICLE II – PURPOSE & AUTHORITY**

**A. Purpose.** The Public Safety Advisory Committee is established for the purpose of advising and making recommendations to the City Council and city departments regarding public safety needs in the City and its Urban Growth Boundary. The Committee shall be responsible for, but not limited to, the following activities:

1. Review and make recommendations on community livability concerns related to public safety issues ~~that affect public safety~~ and neighborhood livability in Milwaukie and within its urban growth Boundary.
2. Review and make recommendations for the city ~~and other community organizations partnerships~~ to mitigate the negative influence of crime and traffic impacts on the community.
3. Promote public education and awareness of the effects of traffic impacts and mobility issues in the community.
4. Review and make recommendations on city infrastructure needs related to streets, sidewalks, trails, and multimodal paths, traffic control devices, ADA and various transportation and transit related matters that affect pedestrian, cyclist, and driver safety.
5. Collaborate with local, County, ~~regional~~ and State government agencies to develop strategies to mitigate negative community livability concerns by focusing partnership agency resources to reduce or eliminate specific problem areas, or concerns.
6. Such other activities as Council may assign. (Ord. 2115 § 1, 2016; Ord 1906 § 2, 2002; Ord. 1869 § 3, 2000; Ord 1797 § 3, 1996)

**B. Authority.** The Committee is authorized by Milwaukie Municipal Code (MMC) Chapter 2.24 Public Safety Advisory Committee.

**ARTICLE III – MEMBERSHIP**

**1. Membership.** The Committee shall consist of one voting member representing each of the City's neighborhood associations plus (4) at-large members. It is desirable that Committee members have an interest in solving community public safety problems through active involvement with city departments that are responsible for addressing public safety issues. Generally, the Engineering Director will act as the liaison between the Committee and city staff, however other departments such as the police department may occasionally assist or coordinate when appropriate. The term of office for members shall be from July 1st to June 30th (to allow NDA's to elect offices and representatives at the same meeting). Each term equals two years. Members may be reappointed to the same position by City Council based

**Commented [BG1]:** language edit offered by Stephan Lashbrook

**Commented [BG2]:** add "regional" offered by Stephan Lashbrook

**Commented [BG3]:** Minor grammar edit. CG

Bylaws of the **Board/Committee [TEMPLATE]**

on the original application (updated if necessary). As outlined in the MMC, the mayor appoints Board/Committee members with the consent of the City Council. At-large members will be appointed to the Public Safety Advisory Committee by the City Council. Neighborhood district association members shall be appointed by the Council after nomination by the neighborhood association that person will represent. The recommendation shall be reflected in the neighborhood district association minutes and provided to the City. The Council shall have discretion whether to appoint any person nominated by a neighborhood district association. As outlined in MMC 2.10.040 and in the city's Code of Conduct for Board and Committee Members, Board/Committee members serve at the pleasure of the City Council.

2. **Term of Office.** At-large committee member terms are for a period of 2 years. Up to two (2) additional two (2) year terms, for a total of four (4) additional years past the member's original appointment, may be approved by the City Council. Neighborhood representatives will be appointed for two (2) year terms with no limit on the number of terms.
3. **Vacancies.** If a Board/Committee member resigns or otherwise vacates their position, the City Council will fill the vacancy in the same manner as the original appointment. Member resignations should be submitted in writing to the chair and staff liaison.
4. **Code of Conduct.** To ensure the city's boards and committees operate in an efficient, consistent, and orderly manner, and that board/committee members comply with Oregon's public meetings and records laws, the City Council adopted a Code of Conduct for Board and Committee Members. Board/committee members are expected to review, sign, understand, and abide by the Code of Conduct.

#### ARTICLE IV – MEETINGS

- A. **Open Meetings.** All Board/Committee meetings are public meetings as set forth by Oregon's Public Meetings Laws, Oregon Revised Statute (ORS) Chapter 192.
- B. **Meeting Conduct.** Board/Committee meetings will be conducted efficiently and transparently as outlined in these bylaws, the MMC, relevant state and federal laws, and by the city's Code of Conduct for Board and Committee Members. Where these bylaws or other city guides do not provide direction, the most recent edition of Robert's Rules of Order will be followed.
- C. **Regular Schedule.** The Board/Committee will hold regular meetings as determined by the MMC, the City Council, or the chair and staff liaison. The board/committee's regular schedule will be to meet on the fourth Thursday of each month at 6:00 p.m. at the Public Safety Building and on Zoom. The time, date, and/or location of a particular meeting may be changed by a majority vote of a quorum of the membership at least three weeks prior to the meeting.
  1. **Special Meetings.** Special meetings may be called at the request of the chair or a majority of the board/committee. If a special meeting is called, the chair and staff liaison will set a date and time taking into consideration such factors as the availability of the board/committee members and staff, and a meeting location.
  2. **Closed Sessions.** The board/committee may meet in closed, or executive, session as allowed by ORS 192.660(2) and consistent with MMC 2.04.090 [when requested by the City Council to do so.](#)
- D. **Attendance & Absences.** Board/Committee members are expected to attend all meetings, events, and activities of the board/committee. As outlined in the MMC and Code of Conduct, if a member fails to ~~regularly~~ attend **2/3 of the meetings in a fiscal year**, the member may be removed from the board/committee through the process outlined in the Code of Conduct.
  1. **Absences.** If a board/committee member is unable to attend a meeting, it is the member's responsibility to inform the chair and staff liaison before the meeting.

**Commented [BG4]:** Add "when requested by the City Council to do so" offered by Stephan Lashbrook

**E. Quorum & Related Matters.** For the purposes of conducting board/committee business, including holding official meetings, a majority, or quorum, is 6 more than half of the voting membership of the Board/Committee, as then constituted.

**Commented [BG5]:** Language edit offered by Stephan Lashbrook

**1. Lack of Quorum.** If there is no quorum of board/committee members within 15 minutes following the scheduled start time of a meeting, the meeting is cancelled. If the chair or staff liaison knows that a quorum will not be present at the meeting, they will notify the board/committee members before the meeting about the cancellation.

**Commented [BG6]:** Spelling edit. CG

**2. Rescheduling Agenda Items.** If a meeting is canceled due to a lack of a quorum, all agenda items that were scheduled for the cancelled meeting will automatically be placed on the next regularly scheduled meeting agenda unless the chair or staff liaison determines that a special meeting is needed to address the items. The staff liaison will ensure that the required public meeting notices will be posted for the next meeting.

**F. Meeting Procedures.** At the beginning of each meeting, the Committee shall start with a mission statement and land acknowledgment statement.

**Commented [BG7]:** Do we approve of this language?

**G. Agenda Order.** The chair and the staff liaison will coordinate and arrange the meeting items as necessary to achieve an orderly and efficient meeting. In general, the order of business will be as follows:

1. Call to Order
2. Mission Statement and Land Acknowledgment Statement
3. Approval of Minutes
4. City of Milwaukie Staff and Committee Reports and reports from Clackamas Fire District #1
5. Action Items
6. Discussion
7. Public Comments
8. Adjournment

**Commented [BG8]:** Added mission statement and land acknowledgment statement to agenda

**Commented [BG9]:** Add Clackamas Fire Report to agenda offered by Stephan Lashbrook.

**H. Adjournment Time.** Board/Committee meetings will end no later than 7:30 PM. However unless, by majority vote of the members present the adjournment time is may be extended.

**Commented [BG10]:** Language change offered by Stephan Lashbrook

**I. Voting.** All Board/Committee members who are present at a meeting, including the chair and officers, are allotted one vote each on all motions. One member must make a motion and another member must second that motion in order for the Committee to vote. The concurrence of a majority of the whole committee present shall be required to determine any matter before the committee. In the case of a tie vote, the matter fails. When a vote is taken all members must vote unless a member abstains from voting and cites the reason for abstaining for the record. The board/committee secretary or staff liaison will call the roll, altering the order of members called. The chair will vote last.

**J. Motions & Related Matters.** Any Board/Committee member may make a motion. A motion needs a second to be considered, otherwise it fails.

**1. Reconsideration of Actions Taken.** A board/committee member who voted with the majority may move for a reconsideration of an action at the same meeting only. The second of a motion may be a member of the minority. Once a matter has been reconsidered, no motion for further reconsideration may be made without unanimous consent of the Board/Committee.

**K. Minutes & Related Matters.** The written and approved meeting minutes are the official record of the meeting.

**A. Preparing the Minutes.** The board/committee secretary or city staff will be present at each meeting and will provide written minutes. Written minutes should not be a verbatim

transcript but should give a true reflection of the matters discussed at the meeting and the views of the participants. The written minutes must include at least the following information:

1. The date, time, location of the meeting;
2. Names of the Board/Committee members present;
3. All motions and proposals;
4. The results of all votes;
5. The substance of any discussion on any matters; and,
6. A reference to any document discussed at the meeting.

**B. Posting & Approval.** The staff liaison will make the draft written meeting minutes available to the public within a reasonable time after the meeting. The Board/Committee will review and vote upon the minutes at its next meeting after the minutes have been written. Approved minutes will be posted on the city's website and **retained** permanently as required by Oregon Administrative Rule (OAR) 166-200-0235(5)(a).

**Commented [BG11]:** Spelling edit. CG

#### **ARTICLE V – OFFICERS & ASSIGNED DUTIES**

**A. Officers.** The officers of the Board/Committee will consist of a chair, vice chair, and secretary.

**1. Election of Officers.** Members will elect the officers annually during the first meeting in **April/July**. Any member may nominate another member as an officer. Officers may be re-elected. If an officer is unable to complete their term, the board/committee will hold a special election to fill the vacant officer position.

**Commented [BG12]:** Is April/July a good time to elect officers? Or should it be changed to when BC terms ends?

**B. Duties of the Chair.** The chair will preside and preserve the order of Board/Committee meetings, review agendas and confer on business with the staff liaison and sign all documents memorializing board/committee actions. The chair will set reasonable time limits for community comments and testimony. In the event the Chairperson cannot attend a scheduled meeting, another elected officer shall act as the presiding officer, either as appointed by the Chair or by agreement of the members attending.

**C. Duties of the Vice Chair.** If the chair is absent or otherwise disqualified from serving, the vice chair will perform all duties and be subject to all the responsibilities of the chair. If both the chair and vice chair are absent from a meeting, the remaining members present will elect an acting chair for that meeting.

**D. Duties of Board/Committee Members.** The role of a board/committee member is to participate in the Board/Committee's work and activities as assigned by the City Council by attending meetings and events and participating in discussions and decisions. As outlined in the city's Code of Conduct, board/committee members must behave in an appropriate manner when performing their duties as board/committee members in-person and in written or digital communications.

**1. Meeting Preparation.** Board/committee members must prepare for participation at a meeting by fully reviewing the staff report and any materials provided by city staff.

**2. Site Visits.** Before board/committee meetings, members are encouraged to visit sites that are subjects for **committeedesign review** actions. If a board/committee member visits a site, the member will report on the record any information gained from the site visit that is not consistent with the information included in the **application or** staff report.

**Commented [BG13]:** Language edit offered by Stephan Lashbrook

**3. Compensation.** Board/committee members will receive no compensation for their service. However, the city may reimburse a member for an authorized expense.



- 4. Conflicts of Interest.** In accordance with ORS 244.120, a member of the Board/Committee may not participate in any board/committee proceeding in which any of the following persons or businesses have a direct or substantial financial interest:
- i. The board/committee member or the spouse, brother, sister, child, parent, father-in-law, or mother-in-law of the board/committee member;
  - ii. Any business in which the board/committee member is then serving or has served within the previous two years; or
  - iii. Any business with which the board/committee member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
  - iv. A member must disclose any actual or potential interest at the meeting of the board/committee where the action is being taken.

**E. Duties of City Staff.** The city will assign a staff liaison to the Board/Committee and, as appropriate and available, will assign administrative staff to support the board/committee. Staff liaisons will act as the Board/Committee's primary point of contact for board/committee members, city staff, and the general public. Staff will ensure that the board/committee's meetings are held in accordance with state public meeting laws and will support the board/committee's activities.

- 1. Orientation of New Members.** When new board/committee members are appointed, the staff liaison and chair will provide an orientation to the new members as necessary. In addition, city staff may provide other training opportunities to board/committee members.
- 2. Board/Committee Manual.** For the efficient documentation of the board/committee's operations, city staff may compile and maintain a board/committee manual.

#### **ARTICLE VI – GOALS & AMENDMENTS**

- A. Goals.** The committee will annually establish project and outcome goals that align with the goals of the City Council and the city. The committee will establish an annual workplan to document its progress towards achieving its goals.
- B. Amending the Bylaws.** The board/committee will review its bylaws annually or as necessary and will prepare and propose appropriate bylaw amendments to the City Council. The City Council retains all authority to amend these bylaws as outlined in MMC 2.10.050.
- C. Annual Review.** The board/committee will meet annually with the City Council to review the board/committee's goals, workplan, and any proposed bylaw amendments.

#### **ARTICLE VII – BY-LAW CHANGES**

1. By-laws need to be reviewed annually at the January or February meeting.

By-laws may be amended, repealed or altered by a majority of a quorum of the committee, subject to approval by the City Council. A copy of the proposed changes must be sent to all members before a vote may be taken.

**ARTICLE VIII – OPERATING PROCEDURES.** An Operating Manual Shall be adopted and provided to each member, along with a copy of the most current by-laws and the current year's work plan. The purpose of the Operating Manual is to provide consistency, clarity, and an open record of information needed to conduct business of PSAC.

1. The Operating Manual shall contain:
  - a. the purpose and duties of PSAC as determined by City Council;
  - b. details useful for conducting business, including communications with members, sub-committee duties, and any other regularly used procedures.

**Commented [BG14]:** Spelling edit. CG

**Commented [BG15]:** Grammar edit. CG

Bylaws of the **Board/Committee [TEMPLATE]**

- c. names, addresses, email addresses, phone numbers, and term of office of the committee members, however, personal information shall be kept confidential by committee members unless written permission to share is provided to the chairperson.
2. Changes and additions to the manual may be suggested by any member and adopted by majority vote at any regular meeting.
3. The Operating Manual must be consistent with PSAC by-laws, the policies of City Council, and state where applicable.

**Commented [BG16]:** Spelling edit. CG