

**CITY OF CORVALLIS
COUNCIL ORIENTATION MINUTES
January 8, 2015**

An orientation session of the City Council of the City of Corvallis, Oregon, was called to order at 6:06 pm on January 8, 2015 in the Madison Avenue Meeting Room, 500 SW Madison Avenue, Corvallis, Oregon.

I. ROLL CALL

PRESENT: Mayor Traber; Councilors York, Brauner, Hann, Glassmire, Baker, Hirsch (6:08 pm), and Bull (6:15 pm)

ABSENT: Councilors Hogg and Beilstein (both excused)

II. RISK MANAGEMENT VIDEO

The Councilors viewed a video on risk management developed and produced by the City/County Insurance Services (CIS) for elected officials. Councilors also had the opportunity ask questions about risk management of staff members Kris Bagley (Worker's Compensation) and Tony Krieg (Risk Manager), and of the City's Agent of Record, Steve Uerlings of Barker-Uerlings Insurance.

III. COMMUNITY DEVELOPMENT

The City Council heard a presentation from Community Development Director Gibb and Planning Division Manager Young about the work that the Community Development Department does, and about the land use public hearing process (Attachment A). Questions primarily focused on the public hearing process, the long-range planning program, and funding for the Department's operations.

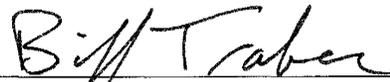
IV. CITY MANAGER/CITY RECORDER

The City Council briefly discussed the agenda and meeting structure, as well as Visitors Propositions. All Councilors stated they had a fairly good understanding following the January 5, 2015 City Council meeting.

The Council reviewed a hand-out from City Recorder Holzworth about City Recorder functions (Attachment B), and spoke briefly with City Manager *Pro Tem* Brewer about the City Manager's responsibilities (Attachment C).

The meeting adjourned at 8:52 pm.

APPROVED:



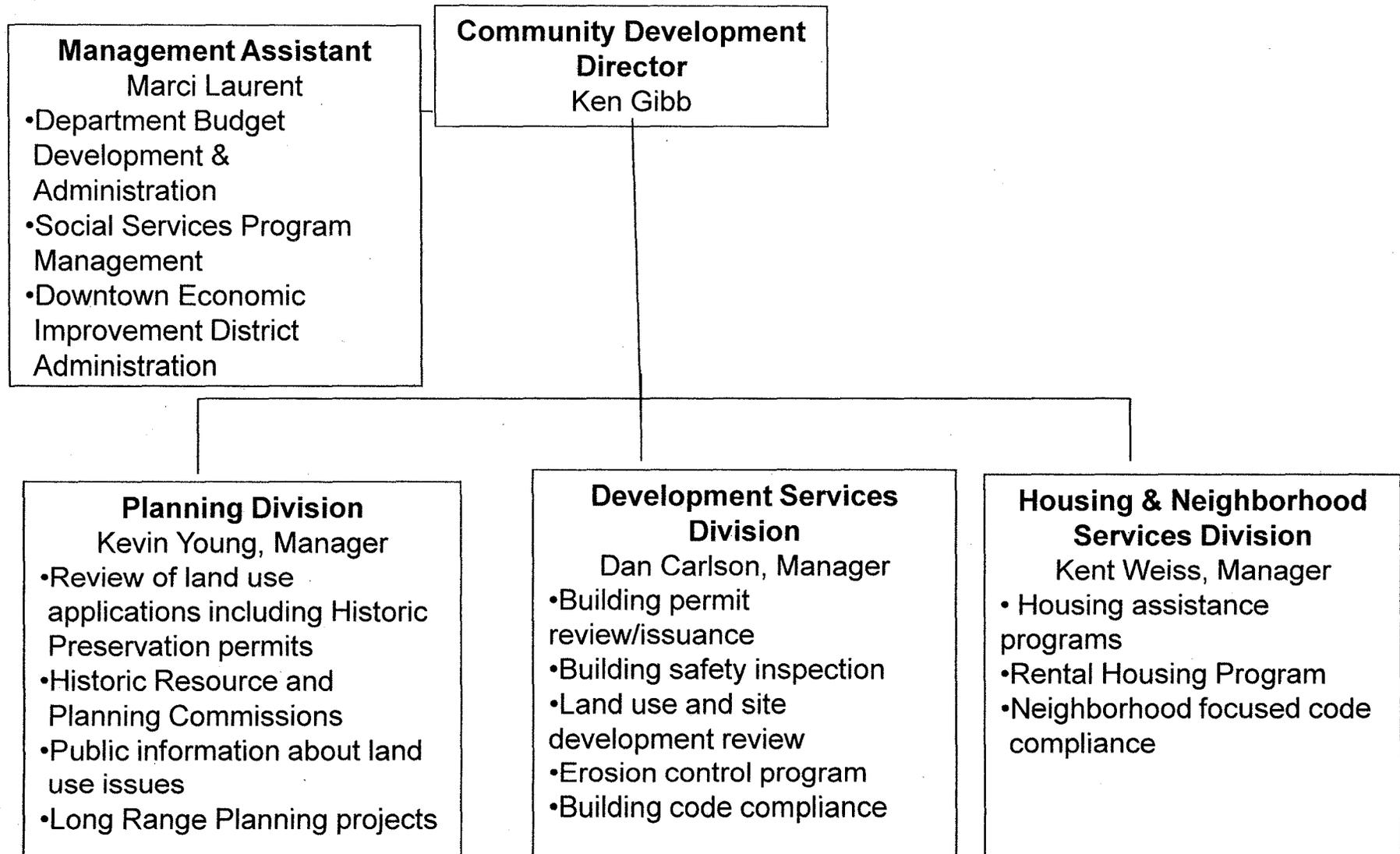
MAYOR

ATTEST:



CITY RECORDER

BRIEF OVERVIEW OF THE COMMUNITY DEVELOPMENT DEPARTMENT





CORVALLIS PLANNING PROCESS

- I. STATEWIDE PLANNING PROGRAM
- II. LOCAL PLANNING PROGRAM
- III. ROLES IN THE LAND USE PROCESS



I. STATEWIDE PLANNING PROGRAM

- A. Senate Bill 100 – 1973
- B. 19 GOALS - All Cities & Counties must develop plans consistent with these goals
- C. Corvallis last finished periodic review in 2006 (officially)



II. LOCAL PLANNING PROGRAM

A. **Vision 2020**

1. Guiding Document

B. **Comprehensive Plan** – Contains guiding goals, policies and map.

1. Addresses various community/state values, e.g. resource protection, economic issues
2. Incorporates public facility plans
3. Comp Plan covers entire UGB area, including the Urban Fringe areas, where the City is planned to grow



II. LOCAL PLANNING PROGRAM

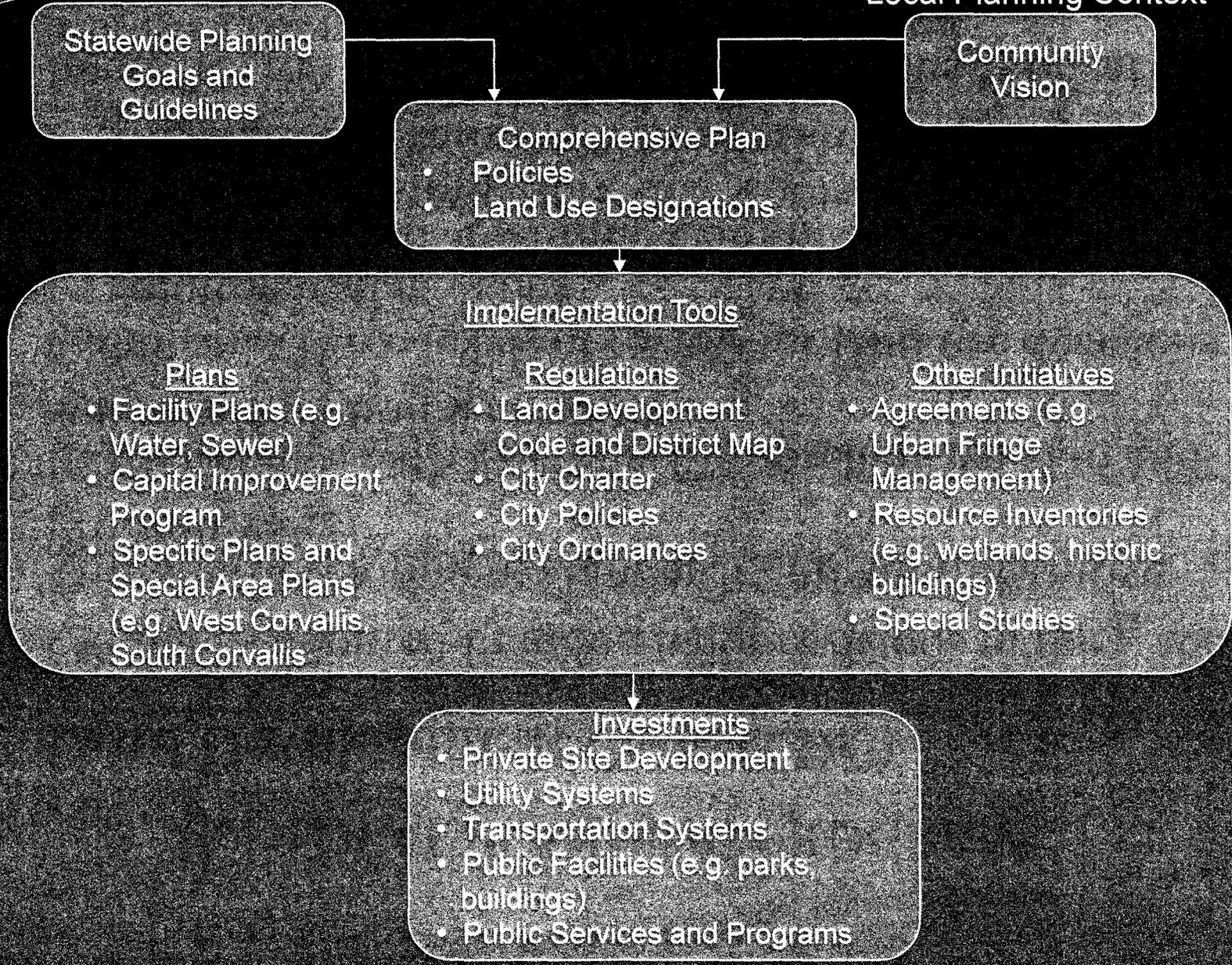
C. Land Development Code (LDC)

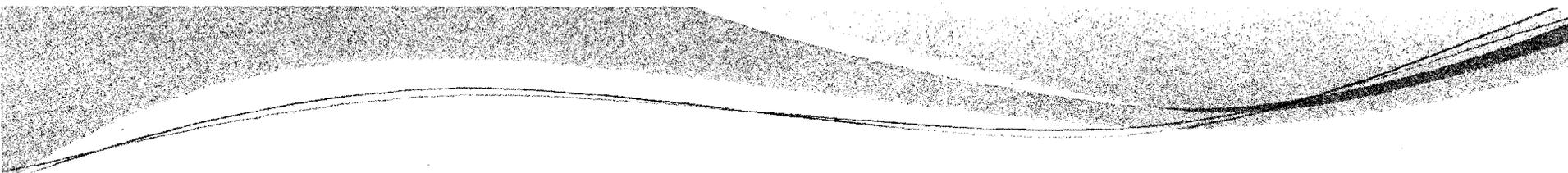
1. Originally adopted in 1980, major revisions in 1993, 2006
2. Contains development standards and administrative procedures
3. In compliance with Corvallis Comprehensive Plan and state-wide planning program
4. Establishes three levels of review for land use decisions
 - a) Administrative – staff
 - b) Quasi-judicial – Planning Commission, Historic Resources Commission, City Council.
 - c) Legislative – Planning Commission, City Council
5. Identifies the process for reviewing various applications and the criteria by which they are reviewed

Figure 1.1 Planning Process

State Planning Context

Local Planning Context





III. ROLES IN THE LAND USE PROCESS

A. Staff

- Support for Boards, Commissions and Council
- Professional planning assistance to citizens, applicants, Council, Planning Commission, Historic Resources Commission
- Interpreting Land Development Code on a day-to-day basis
- Making certain land use decisions, e.g. residential subdivisions



III. ROLES IN THE LAND USE PROCESS

B. Land Development Hearings Board

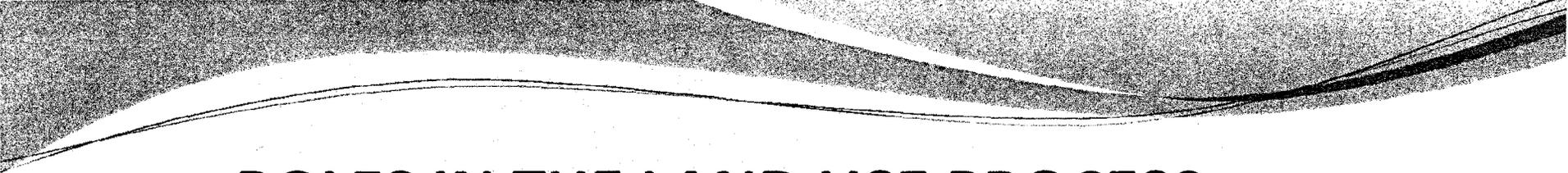
- Consists of 3 Planning Commissioners
- Hears appeals of administrative decisions, major lot development options, and zoning district changes
- Quasi-judicial process



III. ROLES IN THE LAND USE PROCESS

C. Planning Commission

- Reviews Comprehensive Plan map and text amendments, annexations proposals, and recommends to Council
- Reviews legislative Land Development Code (LDC) map and text changes and recommends to Council
- Makes decisions on Planned Developments, Conditional Developments, and other quasis-judicial land use applications



III. ROLES IN THE LAND USE PROCESS

D. Historic Resources Commission (HRC)

- Makes decisions on quasi-judicial historic resource applications
- Makes legislative recommendations to the Planning Commission and City Council related to historic resource provisions (Chapter 2.9) of the LDC



III. ROLES IN THE LAND USE PROCESS

E. City Council

- Initiates/makes final decisions on Comprehensive Plan amendments and legislative and quasi-judicial LDC amendments
- Hears appeals of Planning Commission/Land Development Hearings Board/HRC quasi-judicial decisions
- Reviews annexation applications and determines whether to place on ballot
- Reviews and takes official action on planning related studies, e.g. Area Plans



III. ROLES IN THE LAND USE PROCESS

F. Citizens

- Involvement in community planning projects
- Participation in land use hearing process
- Volunteer to serve on Planning Commission, Historic Resources Commission, or run for City Council



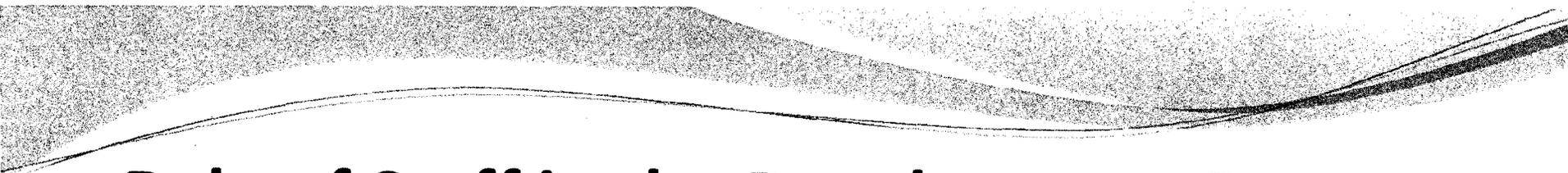
Role of Staff in the Development Process

- I. Day to Day Code Administration
 - Building Code
 - plan review
 - permitting
 - inspection
 - Land Development Code
 - administrative actions, *e.g.*, zoning classifications
 - project compliance with LDC, *e.g.*, height, setbacks
 - project compliance with Conditions of Approval established by the Planning Commission and/or City Council



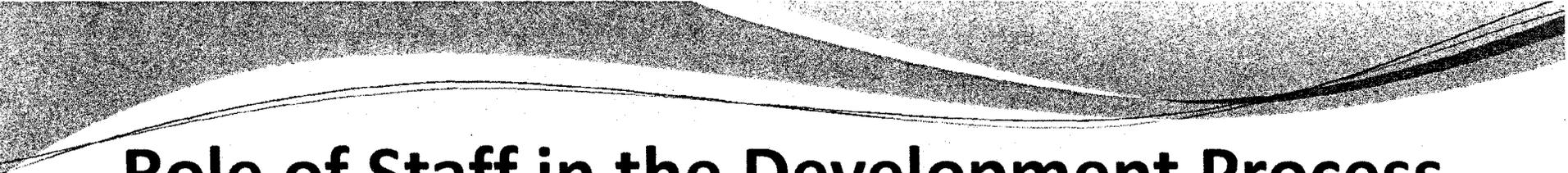
Role of Staff in the Development Process

- **Key Items**
- Staff is implementing Council directed policies and ordinances and state building codes.
- Limited discretion in this area.
- Regulatory function but customer service a high priority.
- Customers include applicants and members of the public.



Role of Staff in the Development Process

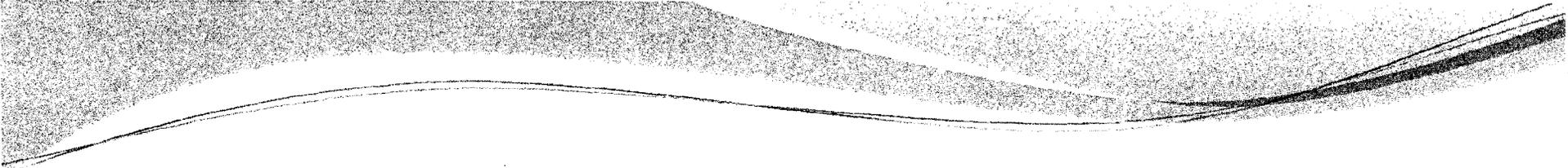
- **II. Professional Advisors to Decision-Makers**
 - Review of land use applications that involve a high level of discretion by decision-makers.
 - Staff's responsibility is to advise applicant on how to develop proposal that will be consistent with City requirements.
 - An important goal is to provide good information to members of the public who have questions or concerns about the project.
 - Ultimately, our staff recommendation represents our professional judgment based on our staff analysis of the application and applicable City policies/regulations.



Role of Staff in the Development Process

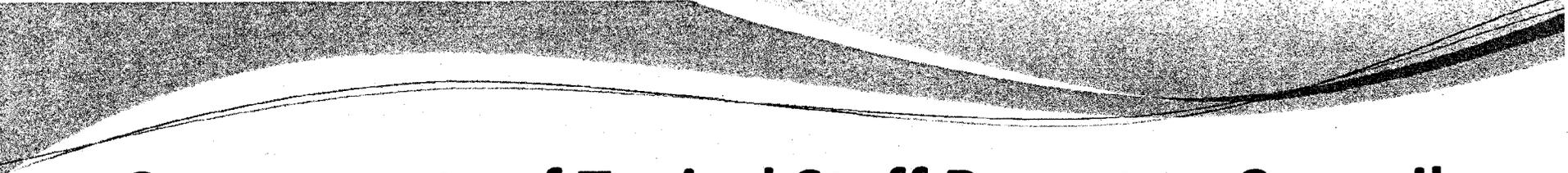
- **Key Items**

- Staff reports are typically lengthy and intended to address multiple issues in the detail that Corvallis community members and decision-makers have expected.
- Staff reports reflect coordination and consultation with other City departments (Public Works, Parks & Recreation, Fire, CAO, Police) and state agencies (e.g., ODOT).
- Planning staff is responsible for taking the variety of perspectives and preparing the report and recommendations.
- Staff recommended Conditions of Approval are designed to address some boilerplate items and areas that are necessary to permit a staff recommendation of approval.
- Planning staff person assigned to the case is responsible for preparing staff report and presenting to Planning Commission/City Council.
- Staff reports represent the collective judgment of the Planning staff.



Components of Typical Staff Report to Council (Appeal of Quasi-Judicial Decision)

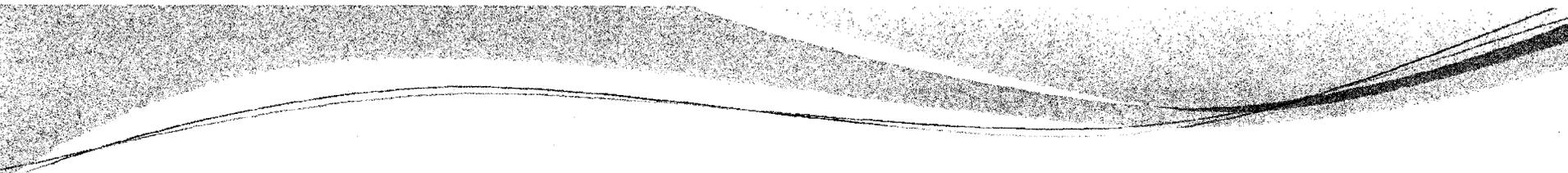
- A. Cover memo from Community Development Director
 - Background
 - Discussion of elements of the application and appeal; burden of proof on applicant
 - Action options and recommendations
- B. Written communication from appellants
- C. Written public testimony
- D. Record of Planning Commission Decision
 - Planning Commission Minutes
 - Written testimony considered by Planning Commission



Components of Typical Staff Report to Council (Appeal of Quasi-Judicial Decision)

E. Staff Report to Planning Commission

- Background
- Description of proposal
- Criteria, discussion, conditions
- Recommendation
 - conditions for approval or denial
 - development related concerns
- Application under review
- Written comments from public prior to Planning Commission decision



Features of a Public Hearing

- A. Introduction
- B. Open Public Hearing
 - Declarations by the Council
 - Staff Overview
 - Applicant Presentation
 - Full Staff Report
 - Public Testimony including appellants (if applicant isn't also the appellant)
 - Questions of Staff
- C. Continuance or Close of Public Hearing
- D. Council Deliberations
- E. Decision



Planning Work Program

- Prefaced by Planning Commission's annual review of unresolved planning issues which is a lengthy list
- Evolved into a bi-annual prioritized planning work program that matches up with each Council term
- Recommended by Planning Commission and approved by City Council
- Prioritized because factors such as:
 - Acknowledgement that planning staff and Planning Commission/City Council's highest priority has to be the timely review of land use applications
 - Community Development related City Council goals



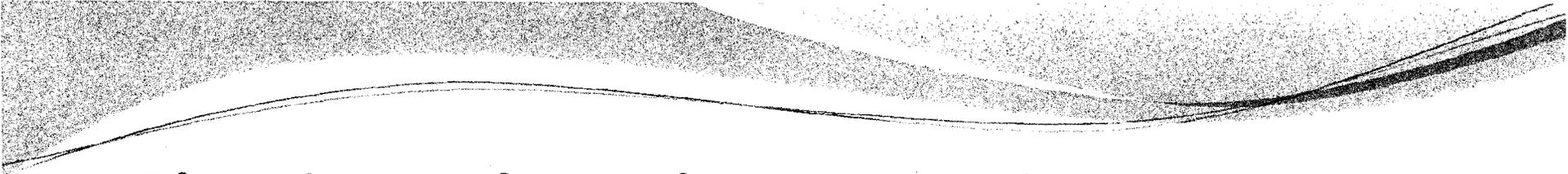
Planning Work Program

- Availability of resources for planning projects i.e. staff time, funding for outside planning services and Planning Commission/City Council time
- Late 1990's and early 2000's saw significant resources available for the planning program. By FY 11/12, general fund supported planner FTE had decreased by 40% and annual funding for contractual services had been reduced an average of \$125K to \$10K
- Levy funding for a long range planning position starting this fiscal year has reversed this trend
- 2015-16 Planning Work Program development will begin with the Planning Commission consideration in February

Planning and Development Online Resources

- Most of the activities of the Planning Division are described on the Planning Division webpages. Visit our homepage to access the additional pages
 - www.corvallisoregon.gov/cd-planning





Planning and Development Online Resources

- “Active Land Use Cases”
 - View tabular / interactive reports that list current planning applications
 - Links in these reports allow citizens to:
 - email the staff person working on the application
 - view the application documents, and
 - review more information about the progress of the case
 - www.corvallisoregon.gov/cd-staffreports
- From the homepage, quick-link buttons allow you to see:
 - “What’s Planned or Under Construction in My Neighborhood?”
 - View land use or building permit cases on an interactive map
 - Sign up and receive email notifications to be informed building activities based on an area of interest on the map
 - <https://corvallis.buildingeye.com/planning>
 - <https://corvallis.buildingeye.com/building>



Planning and Development Online Resources

- Sign up for additional email notifications to receive –
 - Public notices for pending land use decisions
 - Copies of decisions (Notices of Disposition) recently signed
 - Demolition-Residential Notification
 - www.corvallisoregon.gov/enotifications
- View current and archived land use case documents on the City's Archives webpages –
 - <http://archive.corvallisoregon.gov/Browse.aspx?startid=190859>
- Research land use records using the City's online permitting database –
 - www.corvallisoregon.gov/citizenaccess
- View and download important land use policy and code documents such as the Comprehensive Plan, Land Development Code, and Area Plans
 - www.corvallisoregon.gov/cd-publications

January 8, 2015 City Council Orientation

City Recorder

1. Custodian of official City records including the Charter, minutes, ordinances, resolutions. Maintains citywide records management and retention program.
2. Coordinates Council and Standing Committee meetings, agendas, packets, and public notice of meetings. Schedules and attends all Council meetings, special meetings and work sessions. Takes Council minutes.
3. Elections
4. Mayor and City Council support
5. Public records requests
8. Municipal Code
9. Council Policies
10. Ambassador program
11. Ward boundaries
12. Council meeting video

Council E-Mail – public records

(Source: Secretary of State's Archives Division)

E-mail messages that require a response are almost always public records in relation to access and retention.

“The use of privately owned e-mail accounts or personal digital assistants (PDA's) for sending and receiving work related e-mail messages may be used, but is not recommended. However, if these resources are used for work-related purposes, the user must transfer all work related messages to an agency owned system or network and must realize that these private accounts and PDA's may be subject to public disclosure and retention requirements. PDA's that are the property of the agency are subjected to the same use rules and expectations outlined in this agency's acceptable use.

Examples of messages sent by e-mail that typically are public records include:

- Policies and directives
- Correspondence or memoranda related to official business
- Work schedules and assignments
- Agendas and minutes of meetings
- Drafts of documents that are circulated for comment or approval
- Any document that initiates, authorizes, or completes a business transaction
- Final reports or recommendations

Examples of messages that typically do not constitute a public record are:

- Personal messages or announcements
- Copies or extracts of documents distributed for convenience or reference
- Announcements of social events
- Messages received via a listserv
- Spam

Section 23. City Manager.

(a) **Qualifications.** The City Manager shall be the administrative head of the government of the City. S/he shall be chosen by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. S/he need not be a resident of the State at the time of appointment, but promptly thereafter shall become and during her or his tenure remain a resident of the City. Before taking office, the Manager shall file with the Mayor a bond for faithful performance of his or her duties as Manager, payable to the City in the amount determined by the Council by ordinance, the premium of which the City shall pay. The bond shall be to the satisfaction of the Council.

(b) **Term.** The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council. Upon any vacancy occurring in the office of Manager subsequently to the first appointment pursuant to this Charter, the Council at its next meeting shall adopt a resolution of its intention to appoint another Manager. No such appointment shall be made until at least four weeks elapse after the resolution is adopted. Not later than six months after adopting the resolution, the Council shall appoint a Manager to fill the vacancy.

[As amended by special election, November 7, 1995.]

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

(1) S/he shall devote her or his entire time to the discharge of official duties, attend all meetings of the Council, unless excused therefrom by the Council or the Mayor, keep the Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City.

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

(3) S/he shall appoint all appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work, with power to transfer an employee from one department to another, and shall exercise supervision and control over the departments, to the end of obtaining the utmost efficiency in each of them. S/he shall have no control; however, over the Council or the judicial activities of the Municipal Judge.

[As amended by general election November 7, 2006.]

(4) S/he shall act as purchasing agent for all departments of the City.

(5) S/he shall be responsible for preparing and submitting to the Budget Commission the annual budget estimates and such reports as that body requests.

(6) S/he shall supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.

(7) S/he shall perform such other duties as may be required by this Charter or as the Council may require.

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

(e) Manager pro tem. In case of the Manager's absence from the City, or a temporary disability to act as Manager, or of the Manager's discharge by the Council, or resignation, the Council shall appoint a Manager pro tem, who shall possess the powers and duties of the Manager. No Manager pro tem, however, shall have the power to appoint or remove any City officer or employee except with the approval of three-fourths of the members of the Council. No Manager pro tem shall hold the position as such for more than six months, and no appointment of a Manager pro tem shall be renewed.

(f) Interference in administration and elections. Neither the Mayor nor any member of the Council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the Manager in the making of any appointment or removal of any officer or employee or in the purchase of supplies; or attempt to exact any promise relative to any appointment from any candidate for Manager, or discuss, directly or indirectly, with him or her the matter of specific appointments to any City office or employment. A violation of the foregoing provisions of this section shall forfeit the office of the offender. Nothing in this section shall be construed, however, as prohibiting the Council, while in open session, from discussing with or suggesting to the Manager, fully and freely, anything pertaining to the City affairs or the interests of the City.

[As amended by general election November 7, 2006.]

(g) Ineligible persons. No person related to the Manager or his or her spouse by consanguinity or affinity with the third degree, nor the spouse, shall hold any appointive office or employment with the City.

[As amended by special election May 23, 1972; general election November 6, 1984; Subsection (e) by primary election May 17, 1988; Subsections (b) and (c) by special election November 7, 1995; and general election November 7, 2006 (section renumbered).]