



**Regular Session**

**RS**

**Milwaukie City Council**

**COUNCIL REGULAR SESSION**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**AGENDA**

DECEMBER 19, 2023

**Council will hold this meeting in-person and through video conference.** The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-362>.

**To participate in this meeting by phone** dial 1-253-215-8782 and enter Webinar ID 865 6947 8638 and Passcode: 111508. To raise hand by phone dial \*9.

**Written comments** may be delivered to City Hall or emailed to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov). Council will take verbal comments.

**Note:** agenda item times are estimates and are subject to change.

**Page #**

**1. CALL TO ORDER (6:00 p.m.)**

**A. Pledge of Allegiance**

**B. Native Lands Acknowledgment**

**2. ANNOUNCEMENTS (6:01 p.m.)**

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**3. PROCLAMATIONS AND AWARDS**

**A. None Scheduled.**

**4. SPECIAL REPORTS**

**A. None Scheduled.**

**5. COMMUNITY COMMENTS (6:05 p.m.)**

To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov)), or in person to city staff.**

**6. CONSENT AGENDA (6:10 p.m.)**

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

**A. Approval of Council Meeting Minutes of:**

**4**

**1. November 14, 2023, special session.**

**B. Authorization of Contract Awards for Water Projects – Resolution**

**8**

**C. Authorization of a Contract for Sidewalk Improvements – Resolution**

**11**

**D. Authorization of a Contract for Building Examiner Services – Resolution**

**14**

**E. Approval of an Oregon Liquor and Cannabis Commission (OLCC)**

**17**

**Application for New Season Market, 10830 SE Oak Street – New Outlet**

**7. BUSINESS ITEMS**

**A. City Staff Strategic Plan Update – Report (6:15 p.m.)**

**19**

Staff: Emma Sagor, Assistant City Manager

**8. PUBLIC HEARINGS**

**A. None Scheduled.**

**9. COUNCIL REPORTS (6:45 p.m.)**

**10. ADJOURNMENT (7:00 p.m.)**

**Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice**

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) or phone at 503-786-7502. To request Spanish language translation services email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov) at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

**Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)**

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov) al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

**Executive Sessions**

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



## COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

2393<sup>rd</sup> Meeting

## MINUTES

DECEMBER 19, 2023

**Council Present:** Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Desi Nicodemus, and Mayor Lisa Batey

**Staff Present:** Emma Sagor, Assistant City Manager

Scott Stauffer, City Recorder

**Council President Nicodemus** called the meeting to order at 6:00 p.m. and noted that Mayor Batey was participating in the meeting via Zoom video conference.

### 1. CALL TO ORDER

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

Councilor Stavenjord left the meeting at 6:04 p.m. and returned at 6:06 p.m.

### 2. ANNOUNCEMENTS

**Council President Nicodemus** announced upcoming activities, including nominations for the city's volunteer of the year award, the inaugural Bing in the New Year event, the Friends of the Ledding Library membership drive, and a city manager open door session.

### 3. PROCLAMATIONS AND AWARDS

**A. None Scheduled.**

### 4. SPECIAL REPORTS

**A. None Scheduled.**

### 5. COMMUNITY COMMENTS

**Council President Nicodemus** reviewed the public comment procedures and **Sagor** reported that there was no follow-up report from the December 5 community comments.

**Elvis Clark**, Milwaukie resident, remarked on increasing utility rates and encouraged Council to rescind the natural gas ban resolution Council had adopted in 2022.

### 6. CONSENT AGENDA

**Stauffer** reported that Mayor Batey had proposed two wording changes to the November 14 special session minutes. Council had no questions or objections to the changes.

**It was moved by Mayor Batey and seconded by Councilor Massey to approve the Consent Agenda with the revisions noted by the city recorder.**

**A. City Council Meeting Minutes:**

**1. November 14, 2023, special session.**

**B. Resolution 61-2023: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving the award of contracts for water project engineering services.**

**C. Resolution 62-2023: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving the award of a**

contract for construction of Americans with Disabilities Act (ADA) sidewalks and ramps improvements (CIP-2023-A16) to MJ Hughes Construction.

- D. Resolution 63-2023: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving the award of a contract for as-needed building inspection and plan review services.
- E. Approval of an Oregon Liquor and Cannabis Commission (OLCC) application for New Seasons Market, 10830 SE Oak Street – New Outlet.

Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]

## **7. BUSINESS ITEMS**

### **A. City Staff Strategic Plan Update – Reports**

**Sagor** provided an overview of the staff strategic planning process, explaining why staff had worked on a plan, how the plan builds on the Milwaukie Community Vision, and how the plan was meant to support staff and the city’s budget process. The staff vision statement, mission, and values were reviewed, and plan implementation was discussed. The group remarked on how Council’s goals were reflected in the staff strategic plan and the amount of work it took to develop the strategic plan in a very tight timeframe.

## **8. PUBLIC HEARING**

### **A. None Scheduled.**

## **9. COUNCIL REPORTS**

**Councilor Stavenjord** reported on Clackamas County Coordinating Committee (C4) metro subcommittee discussions on urban growth boundary changes and housing work.

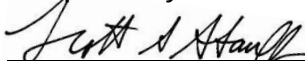
**Mayor Batey** remarked on the North Clackamas Parks and Recreation District’s (NCPRD’s) announcement that it would terminate leases with the North Clackamas School District (NCSD) at the Wichita Community Center in Milwaukie and a charter school facility in unincorporated Clackamas County. Council commented on possible future uses of the Wichita Center site.

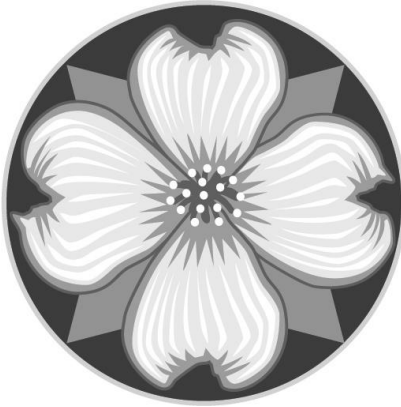
## **10. ADJOURNMENT**

It was moved by Councilor Massey and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]

**Mayor Batey** adjourned the meeting at 6:49 p.m.

Respectfully submitted,

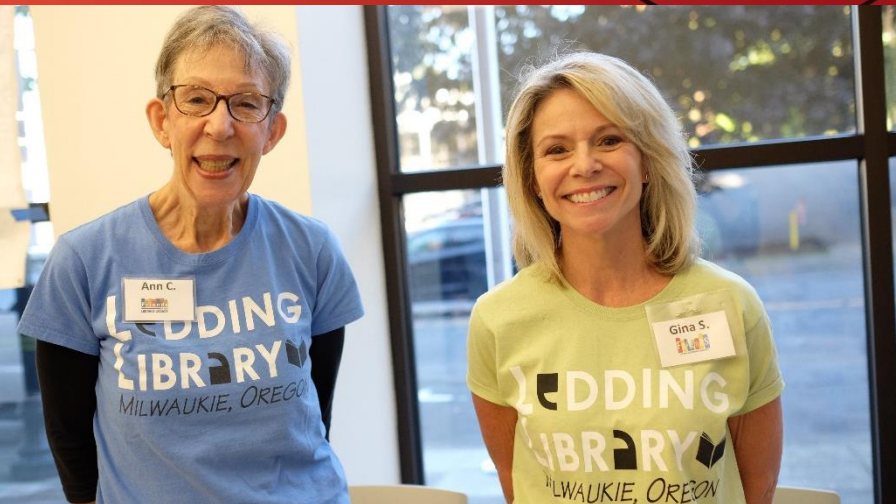
  
 Scott Stauffer, City Recorder



**RS Agenda Item**

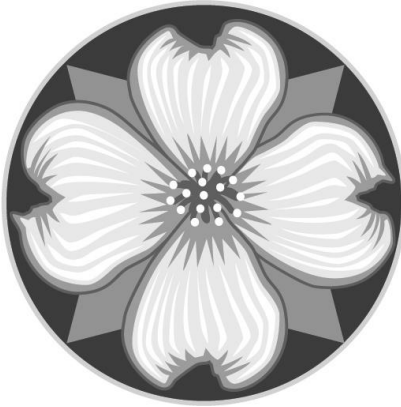
**2**

## **Announcements**



# Mayor's Announcements – December 19, 2023

- **2023 Volunteer of the Year – Nominations Accepted Until Feb. 14, 2024**
  - Anyone who resides in Milwaukie or is a member of a non-profit or business that serves Milwaukie is eligible.
  - Those nominating the person are asked to discuss the nominee's volunteer work and how it has improved Milwaukie.
  - Nominations can be submitted at [engage.milwaukieoregon.gov](https://engage.milwaukieoregon.gov).
- **Bing in the New Year – Sun., Dec. 31, 2023 (6:30 – 9:30 PM)**
  - Milwaukie Arts Committee hosts a free, family-friendly New Year's Eve event to celebrate the Bing Cherry.
  - Lowering of a 7-foot, lighted cherry sculpture at 9 p.m. (East coast midnight)
  - Live music, Chinese lion dance performance, food for sale, and a beer and mead garden
  - Event takes place in the parking lot at SE Main St. and SE Harrison St.
  - Great opportunity to volunteer!
- **Friends of Ledding Library: Membership Drive Begins Each December**
  - Drop by the bookstore in the library at 10660 SE 21<sup>st</sup> Ave. or visit [leddingfriends.org](https://leddingfriends.org) to join this impactful organization.
- **City Manager Open Door Session – Fri., Jan. 26, 2024 (9 AM – 10 AM)**
  - City Manager, Ann Ober, hosts another open-door session for community members.
  - No sign-up is necessary. First come, first served.
  - Sessions take place at City Hall (10501 SE Main St.).
- **LEARN MORE AT [WWW.MILWAUKIEOREGON.GOV](https://WWW.MILWAUKIEOREGON.GOV) OR CALL 503-786-7555**



**RS Agenda Item**

**5**

**Community Comments**

**From:** [Elvis Clark](#)  
**To:** [OCR](#)  
**Subject:** Electricity demand and supply table for City Council consideration  
**Date:** Sunday, December 17, 2023 10:58:14 PM  
**Attachments:** [We sent you safe versions of your files.msg](#)  
[PNUCCSvsD.pdf](#)

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Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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**This Message originated outside your organization.**

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Hello, Scott.

Please find the attached table, appearing in the Pacific Northwest Utilities Conference Committee Regional Forecast document. [2023-PNUCC-Northwest-Regional-Forecast-final.pdf](#) Page 17.

This table demonstrates that the electric grid that PGE shares with other Pacific Northwest Utilities faces substantial power deficits during periods of extreme cold weather in the event of a poor water year for dams on the Columbia River.

The assumption is that enough electric power plant capacity can be added over the next several years to avoid electricity shortages during a cold arctic outbreak. But the risk remains that new additions to electricity supplies will lag the forecasted increases in demand, causing electricity black outs and brown outs.

Please share with the Mayor and City Councilors as Community Comment for this Tuesday's (12/19/23) Regular Session.

Thank you,  
Elvis Clark  
residing in the Ardenwald Neighborhood.

Sent from Yahoo Mail. [Get the app](#)

**Table 3. Northwest Region Requirements and Resources – Winter Peak**

The sum of the individual utilities' firm requirements and resources for the peak hour in January for each of the next 10 years are shown in this table. Firm peak requirements include a planning margin to account for planning uncertainties.

| Megawatts                     | 2024         | 2025         | 2026           | 2027           | 2028           | 2029           | 2030           | 2031           | 2032           | 2033           |
|-------------------------------|--------------|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Firm Requirements</b>      |              |              |                |                |                |                |                |                |                |                |
| Load <sup>1/</sup>            | 32,424       | 33,557       | 34,471         | 35,485         | 36,601         | 37,111         | 37,417         | 37,673         | 37,886         | 38,180         |
| Exports                       | 1,143        | 1,143        | 1,142          | 1,142          | 1,142          | 1,142          | 1,142          | 1,142          | 1,142          | 1,142          |
| Planning Margin <sup>2/</sup> | <u>5,188</u> | <u>5,369</u> | <u>5,515</u>   | <u>5,678</u>   | <u>5,856</u>   | <u>5,938</u>   | <u>5,987</u>   | <u>6,028</u>   | <u>6,062</u>   | <u>6,109</u>   |
| <b>Total</b>                  | 38,755       | 40,069       | 41,128         | 42,304         | 43,599         | 44,190         | 44,546         | 44,842         | 45,089         | 45,430         |
| <b>Firm Resources</b>         |              |              |                |                |                |                |                |                |                |                |
| Hydro <sup>3/</sup>           | 23,670       | 23,669       | 23,669         | 23,761         | 23,662         | 23,618         | 23,136         | 23,136         | 23,043         | 22,672         |
| Demand Response               | 295          | 385          | 455            | 539            | 613            | 620            | 654            | 679            | 696            | 720            |
| Small Thermal/Misc.           | 193          | 193          | 195            | 193            | 194            | 175            | 176            | 177            | 178            | 180            |
| Natural Gas                   | 6,566        | 7,629        | 7,630          | 7,370          | 7,370          | 7,370          | 7,370          | 7,370          | 7,137          | 7,137          |
| Renewables-Other              | 327          | 327          | 327            | 319            | 319            | 319            | 319            | 315            | 311            | 311            |
| Solar                         | 99           | 100          | 100            | 100            | 100            | 100            | 100            | 100            | 99             | 99             |
| Wind                          | 1,062        | 1,079        | 1,067          | 1,046          | 1,044          | 1,054          | 1,062          | 1,060          | 1,041          | 1,051          |
| Cogeneration                  | 38           | 38           | 38             | 36             | 36             | 36             | 36             | 36             | 36             | 36             |
| Imports                       | 2,072        | 2,108        | 2,027          | 1,738          | 1,715          | 1,498          | 1,495          | 1,314          | 1,272          | 1,145          |
| Nuclear                       | 1,169        | 1,169        | 1,169          | 1,169          | 1,169          | 1,169          | 1,169          | 1,169          | 1,169          | 1,169          |
| Coal                          | <u>3,056</u> | <u>3,327</u> | <u>1,905</u>   | <u>1,902</u>   | <u>1,832</u>   | <u>1,661</u>   | <u>1,430</u>   | <u>1,428</u>   | <u>1,410</u>   | <u>1,410</u>   |
| <b>Total</b>                  | 38,547       | 40,024       | 38,582         | 38,172         | 38,053         | 37,621         | 36,947         | 36,784         | 36,393         | 35,931         |
| <b>Surplus (Deficit)</b>      | <b>(208)</b> | <b>(45)</b>  | <b>(2,546)</b> | <b>(4,132)</b> | <b>(5,546)</b> | <b>(6,569)</b> | <b>(7,599)</b> | <b>(8,059)</b> | <b>(8,696)</b> | <b>(9,499)</b> |

<sup>1/</sup> Expected (1-in-2) load net of energy efficiency

<sup>2/</sup> Planning margin is 16% of load (this assumption was updated and set with the 2018 Northwest Regional Forecast)

<sup>3/</sup> Firm hydro for capacity is the generation expected assuming critical peaking capability as determined by the utility sponsor.

**From:** [Brian Stewart](#)  
**To:** [OCR](#)  
**Subject:** In support of actions to reduce the use of methane gas in Milwaukie  
**Date:** Tuesday, December 19, 2023 11:39:37 AM  
**Attachments:** [Blue Dark Blue-01 Sm 2.png](#)

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**This Message originated outside your organization.**

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Mayor Batey  
Milwaukie City Council

12.19.23

Mayor Batey and City Councilors:

My name is Brian Stewart, I am the co-founder of Electrify Now, a volunteer based organization that promotes clean energy and the use of high efficiency electric appliances to make our homes safer, more comfortable, reduce energy bills and dramatically reduce carbon emissions. We have helped hundreds of homeowners and energy consumers in Oregon transition away from burning fossil fuels in their homes and to adopt electric solutions that work far better and more safely and more efficiently than outdated fossil fuel technologies like gas furnaces, gas water heaters and gas stoves.

We support the city council to pass progressive policies to decarbonize buildings in Milwaukie and lead the state on climate action. The facts are clear that burning gas to heat our homes and buildings produces dangerous indoor and outdoor air pollution and leads to higher energy bills. We need policies that help transition our communities to high efficiency electric appliances and limit the expansion of the gas infrastructure.

Specifically, we ask the council to adopt policies which will

1. Commit the city to all-electric public buildings
2. Raise the franchise agreement right of way fees on NW Natural gas to 10% to help fund the city's climate program
3. Establish low NOX standards for appliances in new buildings

In 2018, Milwaukie adopted a bold Climate Action Plan which called for Net zero electricity, Net zero building energy and a Carbon neutral city. The council now has an opportunity to adopt concrete and common sense policies to help reach those goals while also making Milwaukie a safer and more affordable city to live in. We urge the council to be resolute in the face of the self-serving gas industry and take these actions to protect and serve the community you represent.

Thank you,

Brian Stewart  
Co-founder  
Electrify Now

Brian Stewart  
C: 503 803 5020





CITY OF MILWAUKIE  
CITY COUNCIL

10722 SE Main Street  
P) 503-786-7502  
F) 503-653-2444  
ocr@milwaukieoregon.gov

## Speaker Card

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: ELVIS Clark

Address:

Organization:

Phone:

Email:

Meeting Date: 12/19/23 Topic: Natural Gas BANS

Agenda Item You Wish to Speak to:

☒ #5 Community Comments

**Note:** Council generally does not respond to comments during this meeting.  
The city manager will respond to comments at the next regular session.

☐ #7 Other Business, Topic: \_\_\_\_\_

☐ #8 Public Hearing, Topic: \_\_\_\_\_

Comments:

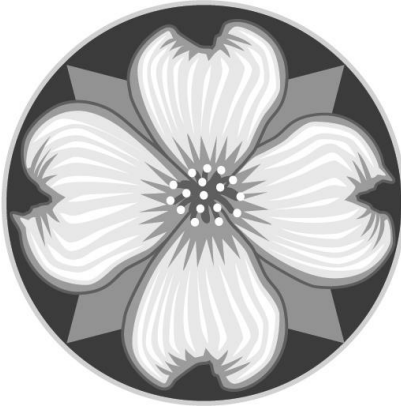
You are Speaking...

☐ in Support

☒ in Opposition

☐ from a Neutral Position

☐ to ask a Question



**RS Agenda Item**

**6**

**Consent Agenda**

**COUNCIL SPECIAL SESSION**

Ledding Library Community Room, 10660 SE 21<sup>st</sup> Avenue  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

November 14, 2023

**Council Present:** Robert Massey, Rebecca Stavenjord, and Council President Desi Nicodemus, and Mayor Lisa Batey

**Council Absent:** Councilor Adam Khosroabadi

**Staff Present:** Joseph Briglio, Community Development Director  
Dan Harris, Events & Emergency Management Coordinator

Toby LaFrance, Finance Director  
Nicole Madigan, Deputy City Recorder  
Ann Ober, City Manager

**Mayor Batey** called the meeting to order at 5:15 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Mayor Batey** announced upcoming activities, including a holiday market at Lewelling Elementary School, free leaf drop-off sessions, the Thanksgiving Farmers Market, the North Clackamas Parks and Recreation District's (NCPRD's) winter celebration, the city's Umbrella Parade and Winter Solstice events, and a holiday decorating contest for downtown Milwaukie businesses.

**Councilor Stavenjord** noted a need to leave the meeting around 7:15 p.m. and **Mayor Batey** noted that Councilor Khosroabadi was missing from the meeting but excused.

**Harris** shared the route for the Umbrella Parade, what the categories were for the umbrella contest, and that the tree would be lit around 5:15 p.m. **Harris** thanked community partners involved with the parade and tree lighting and explained what could be expected at the Winter Solstice event.

**3. PROCLAMATIONS AND AWARDS**

**A. None Scheduled.**

**4. SPECIAL REPORTS****A. Metro Update – Report**

**Metro Councilor Christine Lewis** provided a Metro District 2 update which included information on how the region handles garbage and plans to review rates and add garbage and recycling depots. Metro was formulating their process for the next urban growth management decision which would occur summer of 2024 and part of that process will include cities and counties reviewing a preliminary buildable land inventory for the purpose of expanding city growth boundaries. City proposals would be due to Metro in the spring of 2024. **Lewis** provided an update on the voter approved affordable housing bond and noted that Metro was on track to exceed the construction goals and added that supportive housing services (SHS) has been working to fill newly established and existing housing as well as supporting shelters.

**Lewis** explained that Metro's Regional Transportation Plan (RTP) had been completed, shared some of what the plan included, and noted that the Joint Policy Advisory Committee on Transportation (JPACT) would vote on the plan November 16 and the Metro Council would vote on November 30. **Lewis** shared what potential debates may arise during the voting. **Lewis** shared what the Oregon Zoo had accomplished since voters approved the 2008 Zoo bond. **Lewis** explained that Metro was considering the future of the Expo Center based on community needs via a feasibility study.

**Councilor Stavenjord, Lewis, and Mayor Batey** discussed how cities can be involved in the allocation of affordable housing and SHS funds and they discussed Lake Oswego Mayor Buck's amendment of the RTP.

**Councilor Stavenjord** asked if flood evaluation would occur prior to any changes made to the Expo Center. **Lewis** responded that there were both technical and local community members participating in the study.

**Councilor Massey** asked about balancing expanding urban growth to address affordable housing and avoiding urban sprawl. **Lewis** explained how Metro's focus was primarily on growing up and not out, but that Metro had been evaluating what had and had not worked for cities that have expanded their boundaries.

**Mayor Batey** asked why uses for sports were being contemplated for the Expo Center. **Lewis** explained how the Center was financially unsustainable and with no way to fund needed capital improvements Metro went out for a public request for proposals (RFP) process to determine how the space should be used.

**Ober** noted the city was working with Clackamas County to supplement funds for cooling and warming centers that were being developed. **Ober** would provide an update in December on where the city was in supporting the houseless community.

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the comment procedures and **Ober** reported that staff were working to address comments made during the October 17 regular session regarding the traffic change on King Road and 42<sup>nd</sup> Avenue. Staff were evaluating solutions for the intersection including possibly adding a roundabout and noted there would be time for more community input. In response to the comment made at the November 7 regular session staff and Council would continue to have discussions around setting right-of-way (ROW) fees for utilities and issuing and enforcing health related ordinances.

## **6. CONSENT AGENDA**

**None Scheduled.**

## **7. BUSINESS ITEMS**

### **A. Event Vendor and Business Registration Update – Discussion**

**LaFrance** presented on what comprises the city's primary sources of revenue, detailed how property taxes were set and could be collected, presented levies and bonds as additional options for creating revenue and explained the difference between the types of levies and bonds. **LaFrance** presented a city-wide comparison list of property tax rates in Clackamas County and explained how other cities utilized levies and bonds.

**Councilor Massey and LaFrance** discussed how the county assesses properties and **Massey, LaFrance, and Ober** discussed rate compression.

**Mayor Batey** commented on new housing developments continuing to be assessed at real market rate.

**LaFrance** explained where collected state revenues come from, the city's ROW fees, and the city's general fees and charges. **LaFrance** further explained how the city could go out for and utilize an operating levy but did not believe it was the best option for generating more revenue for the city. **LaFrance** explained how the city could increase the ROW fees it charges to utility providers, establish a transient lodging tax (TLT) or transportation network fees (TNC) and provided examples of cities that have increased or added these types of fees.

**LaFrance** explained that many of the city's fees for service do not cover the services provided but that the only way changes to the fees may make an impact would be if they were considered as a whole and not on an individual basis.

**Councilor Stavenjord** and **LaFrance** discussed increasing ROW fees, where collected fees go, and how property tax data could be obtained from the county. **Stavenjord** and **Mayor Batey** discussed having the option to set a lower rate for mobile and manufactured homes.

**Councilor Massey** and **LaFrance** commented on the Portland General Electric (PGE) privilege tax portion of the ROW fee. The group discussed how the city could proceed with an operating levy and increasing the property tax rate charged toward the permanent rate. **Ober** and **Mayor Batey** commented on other types of revenue sources that other cities have pursued. **Council President Nicodemus** and **LaFrance** discussed increasing one utility providers ROW fee over another.

**Councilor Stavenjord** left the meeting at 7:34 p.m.

## **8. PUBLIC HEARING**

### **A. Budget Supplemental**

Call to Order: **Mayor Batey** called the public hearing on the proposed supplemental budget to order at 7:37 p.m.

Purpose: Mayor Batey announced that the purpose of the hearing was to take public comment and consider adoption of the proposed supplemental budget.

Conflict of Interest: no Council member declared a conflict of interest.

Staff Presentation: **LaFrance** provided an overview of the proposed budget changes, noting that the changes had been presented to the Budget Committee.

**Mayor Batey**, **LaFrance**, and **Ober** discussed the under estimation in increased revenue projections for the building department.

Correspondence: no correspondence had been received about the budget changes.

Testimony: no audience member wished to speak to Council about the budget changes.

Close Public Comment: **It was moved by Council President Nicodemus and seconded by Councilor Massey to close the public comment part of the supplemental budget hearing. Motion passed with the following vote: Councilor Massey, Council President Nicodemus, and Mayor Batey voting "aye." [3:0]**

**Mayor Batey** closed the public hearing at 7:48 p.m.

**Council Decision: It was moved by Council President Nicodemus and seconded by Councilor Massey to approve the resolution authorizing the supplemental budget for the 2023-2024 biennium. Motion passed with the following vote: Councilor Massey, Council President Nicodemus, and Mayor Batey voting “aye.” [3:0]**

**Resolution 59-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING SUPPLEMENTAL BUDGET FOR THE 2023-2024 BIENNIUM.**

**9. COUNCIL REPORTS**

**Mayor Batey** commented on the upcoming conversations on evaluating urban growth.

**10. Adjourn**

**It was moved by Council President Nicodemus and seconded by Councilor Massey to adjourn the Special Session. Motion passed with the following vote: Councilors Massey, Nicodemus, and Mayor Batey voting “aye.” [3:0]**

**Mayor Batey** adjourned the meeting at 7:50 p.m.

Respectfully submitted,

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Nicole Madigan, Deputy City Recorder

**COUNCIL SPECIAL SESSION**

Ledding Library Community Room, 10660 SE 21<sup>st</sup> Avenue  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

November 14, 2023

**Council Present:** Robert Massey, Rebecca Stavenjord, and Council President Desi Nicodemus, and Mayor Lisa Batey

**Council Absent:** Councilor Adam Khosroabadi

**Staff Present:** Joseph Briglio, Community Development Director  
Dan Harris, Events & Emergency Management Coordinator

Toby LaFrance, Finance Director  
Nicole Madigan, Deputy City Recorder  
Ann Ober, City Manager

**Mayor Batey** called the meeting to order at 5:15 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Mayor Batey** announced upcoming activities, including a holiday market at Lewelling Elementary School, free leaf drop-off sessions, the Thanksgiving Farmers Market, the North Clackamas Parks and Recreation District's (NCPRD's) winter celebration, the city's Umbrella Parade and Winter Solstice events, and a holiday decorating contest for downtown Milwaukie businesses.

**Councilor Stavenjord** noted a need to leave the meeting around 7:15 p.m. and **Mayor Batey** noted that Councilor Khosroabadi was missing from the meeting but excused.

**Harris** shared the route for the Umbrella Parade, what the categories were for the umbrella contest, and that the tree would be lit around 5:15 p.m. **Harris** thanked community partners involved with the parade and tree lighting and explained what could be expected at the Winter Solstice event.

**3. PROCLAMATIONS AND AWARDS**

**A. None Scheduled.**

**4. SPECIAL REPORTS****A. Metro Update – Report**

**Metro Councilor Christine Lewis** provided a Metro District 2 update which included information on how the region handles garbage and plans to review rates and add garbage and recycling depots. Metro was formulating their process for the next urban growth management decision which would occur summer of 2024 and part of that process will include cities and counties reviewing a preliminary buildable land inventory for the purpose of expanding city growth boundaries. City proposals would be due to Metro in the spring of 2024. **Lewis** provided an update on the voter approved affordable housing bond and noted that Metro was on track to exceed the construction goals and added that supportive housing services (SHS) has been working to fill newly established and existing housing as well as supporting shelters.

**Lewis** explained that Metro's Regional Transportation Plan (RTP) had been completed, shared some of what the plan included, and noted that the Joint Policy Advisory Committee on Transportation (JPACT) would vote on the plan November 16 and the Metro Council would vote on November 30. **Lewis** shared what potential debates may arise during the voting. **Lewis** shared what the Oregon Zoo had accomplished since voters approved the 2008 Zoo bond. **Lewis** explained that Metro was considering the future of the Expo Center based on community needs via a feasibility study.

**Councilor Stavenjord, Lewis, and Mayor Batey** discussed how cities can be involved in the allocation of affordable housing and SHS funds and they discussed Lake Oswego Mayor Buck's [proposed](#) amendment of the RTP.

**Councilor Stavenjord** asked if flood evaluation would occur prior to any changes made to the Expo Center. **Lewis** responded that there were both technical and local community members participating in the study.

**Councilor Massey** asked about balancing expanding urban growth to address affordable housing and avoiding urban sprawl. **Lewis** explained how Metro's focus was primarily on growing up and not out, but that Metro had been evaluating what had and had not worked for cities that have expanded their boundaries.

**Mayor Batey** asked why uses for sports were being contemplated for the Expo Center. **Lewis** explained how the Center was financially unsustainable and with no way to fund needed capital improvements Metro went out for a public request for proposals (RFP) process to determine how the space should be used.

**Ober** noted the city was working with Clackamas County to supplement funds for cooling and warming centers that were being developed. **Ober** would provide an update in December on where the city was in supporting the houseless community.

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the comment procedures and **Ober** reported that staff were working to address comments made during the October 17 regular session regarding the traffic change on King Road and 42<sup>nd</sup> Avenue. Staff were evaluating solutions for the intersection including possibly adding a roundabout and noted there would be time for more community input. In response to the comment made at the November 7 regular session staff and Council would continue to have discussions around setting right-of-way (ROW) fees for utilities and issuing and enforcing health related ordinances.

## **6. CONSENT AGENDA**

**None Scheduled.**

## **7. BUSINESS ITEMS**

### **A. Event Vendor and Business Registration Update – Discussion**

**LaFrance** presented on what comprises the city's primary sources of revenue, detailed how property taxes were set and could be collected, presented levies and bonds as additional options for creating revenue and explained the difference between the types of levies and bonds. **LaFrance** presented a city-wide comparison list of property tax rates in Clackamas County and explained how other cities utilized levies and bonds.

**Councilor Massey and LaFrance** discussed how the county assesses properties and **Massey, LaFrance, and Ober** discussed rate compression.

**Mayor Batey** lamented that the assessed value for new construction is not set closer to commented on new housing developments continuing to be assessed at real market rate.

**LaFrance** explained where collected state revenues come from, the city's ROW fees, and the city's general fees and charges. **LaFrance** further explained how the city could go out for and utilize an operating levy but did not believe it was the best option for generating more revenue for the city. **LaFrance** explained how the city could increase the ROW fees it charges to utility providers, establish a transient lodging tax (TLT) or transportation network fees (TNC) and provided examples of cities that have increased or added these types of fees.

**LaFrance** explained that many of the city's fees for service do not cover the services provided but that the only way changes to the fees may make an impact would be if they were considered as a whole and not on an individual basis.

**Councilor Stavenjord** and **LaFrance** discussed increasing ROW fees, where collected fees go, and how property tax data could be obtained from the county. **Stavenjord** and **Mayor Batey** discussed having the option to set a lower rate for mobile and manufactured homes.

**Councilor Massey** and **LaFrance** commented on the Portland General Electric (PGE) privilege tax portion of the ROW fee. The group discussed how the city could proceed with an operating levy and increasing the property tax rate charged toward the permanent rate. **Ober** and **Mayor Batey** commented on other types of revenue sources that other cities have pursued. **Council President Nicodemus** and **LaFrance** discussed increasing one utility providers ROW fee over another.

**Councilor Stavenjord** left the meeting at 7:34 p.m.

## **8. PUBLIC HEARING**

### **A. Budget Supplemental**

Call to Order: **Mayor Batey** called the public hearing on the proposed supplemental budget to order at 7:37 p.m.

Purpose: Mayor Batey announced that the purpose of the hearing was to take public comment and consider adoption of the proposed supplemental budget.

Conflict of Interest: no Council member declared a conflict of interest.

Staff Presentation: **LaFrance** provided an overview of the proposed budget changes, noting that the changes had been presented to the Budget Committee.

**Mayor Batey**, **LaFrance**, and **Ober** discussed the under estimation in increased revenue projections for the building department.

Correspondence: no correspondence had been received about the budget changes.

Testimony: no audience member wished to speak to Council about the budget changes.

Close Public Comment: **It was moved by Council President Nicodemus and seconded by Councilor Massey to close the public comment part of the supplemental budget hearing. Motion passed with the following vote: Councilor Massey, Council President Nicodemus, and Mayor Batey voting "aye." [3:0]**

**Mayor Batey** closed the public hearing at 7:48 p.m.

**Council Decision: It was moved by Council President Nicodemus and seconded by Councilor Massey to approve the resolution authorizing the supplemental budget for the 2023-2024 biennium. Motion passed with the following vote: Councilor Massey, Council President Nicodemus, and Mayor Batey voting “aye.” [3:0]**

**Resolution 59-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING SUPPLEMENTAL BUDGET FOR THE 2023-2024 BIENNIUM.**

**9. COUNCIL REPORTS**

**Mayor Batey** commented on the upcoming conversations on evaluating urban growth.

**10. Adjourn**

**It was moved by Council President Nicodemus and seconded by Councilor Massey to adjourn the Special Session. Motion passed with the following vote: Councilors Massey, Nicodemus, and Mayor Batey voting “aye.” [3:0]**

**Mayor Batey** adjourned the meeting at 7:50 p.m.

Respectfully submitted,

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Nicole Madigan, Deputy City Recorder

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Date Written:** Dec. 7, 2023

**Reviewed:** Joseph Briglio, Community Development Director  
Peter Passarelli, Public Works Director

**From:** Jennifer Garbely, City Engineer

**Subject:** **Water Project Engineering Services Contracts Authorization**

**ACTION REQUESTED**

Council is asked to adopt a resolution authorizing the city manager to sign contracts with Water Systems Consulting (WSC) and RH2 Engineering, respectively, for water project engineering services.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

Engineering services for water-related capital improvement projects have generally been solicited and awarded on an individual project basis. Staff recognized, however, that conducting a formal solicitation covering multiple projects and awarding to more than one firm would be more efficient. Accordingly, in October 2023, staff issued a formal solicitation in compliance with Public Contracting Rule 70.015(A) for engineering services.

**ANALYSIS**

The city has several water projects in the [2023-2028 Capital Improvement Plan \(CIP\)](#) that are scheduled for study, design, and construction to bring the city's water infrastructure up-to-date. Examples of water projects in need of services include the city's two water treatment plants that have had minimal upgrades since being installed in 1990.; the plants' electrical system is out of code compliance, creating major safety concerns, and the city's well sites which need maintenance, reconstruction of the well houses, and additional equipment to operate more efficiently. There are also water storage needs as the concrete reservoir is over 100 years old and additional storage needs were identified in the updated [Water System Plan](#).

Projects outlined in the CIP include a significant amount of work, therefore, public works and engineering staff determined a multi-award solicitation covering several water-related projects would reduce workload and potential delays in starting projects.

Staff issued a formal solicitation in October, where the solicitation was publicly advertised in the *Daily Journal of Commerce Oregon*, *The Oregonian*, *The Portland Business Tribune*, and *The Portland Observer*. Five responsive proposals were received by WSC Inc., RH2 Engineering, West Yost & Emerio Design, Jacobs Engineering Group, and Tetra Tech. Following evaluation of all proposals by the selection panel, staff determined that WSC and RH2 Engineering were the most qualified firms to perform the services.

Projects with these two firms will begin in 2024 and last for a period of five years if authorized by Council. The services to be provided will be on an as-requested basis when staff is prepared to begin a project. Individual project task orders will be negotiated and executed with each firm

prior to delivering services, and projects will alternate between the two firms to provide equity in division of projects. Each task order will include work limits, scope, project timeline, and the negotiated fee to complete services.

Staff recommends that Council authorize the award of contracts to WSC and RH2 Engineering for as-requested water project engineering services.

#### **BUDGET IMPACT**

Funding for individual water capital improvement projects is included in the adopted 2023-2024 budget and the 2023-2028 CIP. Additional project budgets may be adopted in future CIPs.

#### **WORKLOAD IMPACT**

The proposed contracts would provide assistance to city staff in moving these projects forward more efficiently.

#### **CLIMATE IMPACT**

None.

#### **COORDINATION, CONCURRENCE, OR DISSENT**

Public works, engineering, and finance have reviewed and approved the project scope and budget.

#### **STAFF RECOMMENDATION**

Staff recommends that Council award water project engineering services contracts to WSC and RH2 Engineering not to exceed \$3,000,000 each, for a total project budget authorization of \$6,000,000.

#### **ALTERNATIVES**

Council could choose to:

1. Award the project as presented,
2. Reject all bids in the public interest and direct staff to revise and rebid the project during a more favorable period, or
3. Reject all bids in the public interest.

#### **ATTACHMENTS**

1. Resolution

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, APPROVING THE AWARD OF TWO CONTRACTS FOR WATER PROJECT ENGINEERING SERVICES.**

**WHEREAS** the city's 2023-2028 Capital Improvement Plan identifies various water-related improvement projects; and

**WHEREAS** resources to design and construct these capital projects are identified in the city's 2023-2024 biennium budget; and

**WHEREAS** staff recognized that conducting a formal solicitation covering multiple water projects and awarding a contract to more than one firm would be more efficient; and

**WHEREAS** staff completed a formal solicitation procurement in compliance with the city's Public Contracting Rule 70.015(A) for water project engineering services; and

**WHEREAS** Water System Consulting (WSC), Inc. and RH2 Engineering were selected as the most qualified for the needed services.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager is authorized to execute a contract with WSC for \$3,000,000 and RH2 Engineering for \$3,000,000 for water project engineering services, and the city engineer or assistant city engineer is authorized to administer the project in accordance with the project specifications with a total project authorization not to exceed \$6,000,000.

Introduced and adopted by the City Council on **December 19, 2023**.

This resolution is effective immediately.

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Desi Nicodemus, Council President

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Date Written:** Dec. 11, 2023

**Reviewed:** Jennifer Garbely, PE, Assistant City Engineer

**From:** Hector Gomez-Barrios, Project Manager

**Subject:** **ADA Sidewalks & Ramps Improvements (CIP-2023-A16)**

**ACTION REQUESTED**

Council is asked to approve the attached resolution to execute a contract with D & D Concrete and Utilities, Inc, to construct the Americans with Disabilities Act (ADA) Sidewalks & Ramps Improvements project.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

The scope of the ADA Sidewalks & Ramps Improvements project is determined by including local/residential ADA ramps that are not impacted by future Capital Improvement Plan (CIP) projects.

**ANALYSIS**

The ADA Sidewalk & Ramps Improvements project contains the following elements:

- Installation of 29 ADA ramps at various locations throughout Milwaukee.
- Installation of sidewalks in front of the public works building along Johnson Creek Boulevard to connect to the signal at Linwood Avenue.

Staff completed a competitive bidding process under Chapter 40 of the city's Public Contracting Rules (PCRs). This bid was advertised in three newspapers: *The Daily Journal of Commerce Oregon*, *The Business Tribune*, and *The Portland Observer*. Nine bids were received by the solicitation deadline and are summarized below:

|   | CONTRACTOR                 | TOTAL BID AMOUNT |
|---|----------------------------|------------------|
| 1 | Eagle Elsner               | \$391,500.00     |
| 2 | D&D Concrete and Utilities | \$251,883.00     |
| 3 | Lee Contractors            | \$354,741.00     |
| 4 | MJ Hughes Construction     | \$294,418.00     |
| 5 | ASA Construction           | \$443,415.87     |
| 6 | Angelo Underground         | \$236,471.53     |
| 7 | Pacific Excavation         | \$392,000.00     |

|   |                        |              |
|---|------------------------|--------------|
| 8 | Brown Contracting, Inc | \$333,987.00 |
| 9 | Emery and Sons         | \$433,180.50 |
|   | Engineer's Estimate    | \$206,226.09 |

Angelo Underground submitted the lowest bid of \$236,471.53, however, due to not having the required licenses, the fourth lowest bidder has been selected. MJ Hughes Construction submitted the lowest bid with the appropriate federal requirements of \$294,418.00. The city negotiated with MJ Hughes Construction to reduce the scope of work to get a total bid amount cost of \$204,091.00. A total project authorization of \$300,000.00 is requested, which includes a \$95,909.00 contingency based on project risks, potential deviations in quantities, anticipated work, and to cover unforeseen circumstances.

### **BUDGET IMPACT**

This project is funded by the city's Safe Access for Everyone (SAFE) program fund in the 2023/2024 fiscal year (FY) budget and a SAFE intergovernmental with Clackamas County through the Community Development Block Grant (CDBG) program.

### **WORKLOAD IMPACT**

The city's engineering team will oversee the construction process. Additional on-call construction management services are available if needed.

### **CLIMATE IMPACT**

Construction activity has a significant impact on the environment due to emissions from transport of materials, heavy equipment uses, and the manufacturing of material such as Portland cement and asphalt concrete pavement. This project intends to limit impacts by recycling asphalt grindings. This eliminates the import and production of aggregate material for street base and shoulders. In addition, recycling asphalt grindings minimizes the need to haul away material. New asphalt will be warm mixed asphalt with a minimum of 30% recycled content.

### **COORDINATION, CONCURRENCE, OR DISSENT**

Managers from engineering, public works, and finance reviewed and approved the project scope and budget.

### **STAFF RECOMMENDATION**

Staff recommend that Council award the ADA Ramp Improvements project contract to MJ Hughes Construction with a project budget authorization of \$300,000.00.

### **ALTERNATIVES**

Council could choose to:

1. Award the project as presented,
2. Reject all bids in the public interest and direct staff to revise and rebid the project during a more favorable period, or
3. Reject all bids in the public interest.

### **ATTACHMENTS**

1. Resolution

**COUNCIL RESOLUTION No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, APPROVING THE AWARD OF A CONTRACT FOR CONSTRUCTION OF AMERICANS WITH DISABILITIES ACT (ADA) SIDEWALKS AND RAMPS IMPROVEMENTS (CIP-2023-A16) TO MJ Hughes Construction.**

**WHEREAS** resources to construct ADA sidewalk and ramp improvements were identified within the city's 2023-2024 fiscal year budget; and

**WHEREAS** the improvements to be constructed are consistent with the city's Safe Access for Everyone (SAFE) program goals; and

**WHEREAS** a formal competitive bid process following Public Contracting Rule 40 was completed; and

**WHEREAS** MJ Hughes was the fourth lowest responsive and responsible bidder.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager is authorized to execute a contract with MJ Hughes for construction of the ADA sidewalks and ramps improvements project, to waive any irregularities, and the city engineer or assistant city engineer is authorized to administer the project in accordance with the project specifications with a project authorization of \$300,000.00.

Introduced and adopted by the City Council on **December 19, 2023**.

This resolution is effective immediately.

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Desi Nicodemus, Council President

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Date Written:** Dec. 8, 2023

**Reviewed:** Toby Lafrance, Finance Director, and  
Kelli Tucker, Accounting & Contract Specialist

**From:** Joseph Briglio, Community Development Director

**Subject:** **Contract Award for As-Needed Building Inspection and Plan Review Services**

**ACTION REQUESTED**

Council is asked to adopt a resolution authorizing the city manager to sign a contract with Clair Company, Inc. for as-needed building inspection and plan review services.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**December 2022:** Staff conducted an intermediate solicitation for as-needed building inspection and plan review services, and selected Clair Company as the most qualified firm.

**November 9, 2023:** Staff advertised and formally solicited qualified firms for the same services through a competitive selection process.

**December 5, 2023:** Staff received and evaluated one responsive proposal and confirmed that the proposer was qualified to perform the services requested.

**ANALYSIS**

The building division operates with limited staffing, and therefore requires added support from outside entities when/if there are staffing interruptions (i.e., illness, vacation, rollover, turnover) and/or increased permit demand. External support has been historically provided by Clackamas County and the City of Happy Valley via intergovernmental agreements (IGAs), and through professional service agreements with private entities. It is necessary for the city to establish a network of support agencies given the volatile nature of the building industry and the capacity and resource constraints of local governments and the trades. Receiving external support is predicated on each organization's capacity at any given time, so it is neither prudent nor wise to depend on a single entity.

The current contract, executed in January 2023, was written to not exceed \$125,000 with a duration of two- and one-half years. However, due to varying service demands and staffing capacity, the city exhausted the contract's monetary value much sooner than expected, resulting in the need to conduct a competitive procurement for a new contract.

The city received one responsive and responsible proposal in reply to its solicitation. The proposed contract will not exceed \$3,000,000 over a five-year period, which is substantially higher than previous contracts. This increase is primarily due to the unique way that the services and rates are structured. To learn more about these details, please see the budget impact section below.

The city will continue to keep in effect and use, if necessary, its IGAs with Clackamas County and the City of Happy Valley.

#### **BUDGET IMPACT**

Expenses incurred through this contract would be paid for entirely by the building fund, which is dependent on permits received and services needed. The contract is not to exceed \$3,000,000 over five years. The reason for the increased amount is due to the fee and rate structure of these types of professional services. Although inspection services are paid at a set “time and material” rate (i.e., hourly), plan review services are based on a percentage of the actual permit fee itself. For example, if the city receives a commercial plan review and the review fee is calculated at \$100,000, then the city would be contractually obligated to pass through \$65,000 of that fee to the Clair Company, Inc. Since building review fees can be substantial, depending on the size of the development, the amount the contractor receives can add up quickly at times. It is also important to remember that this contract is for “as-needed” services and that staff will only use the contract if absolutely necessary.

#### **WORKLOAD IMPACT**

This contract will help the building division ebb and flow with demand on a responsible and consistent basis. It will also help alleviate staff capacity constraints and better support permit review timelines.

#### **CLIMATE IMPACT**

None.

#### **COORDINATION, CONCURRENCE, OR DISSENT**

The community development department has coordinated with the finance department and the building division.

#### **STAFF RECOMMENDATION**

Staff are recommending approval of the attached resolution to authorize a contract with Clair Company, Inc for as-needed building inspection and plan review services.

#### **ALTERNATIVES**

The Council could deny or alter the resolution according to their concerns.

#### **ATTACHMENTS**

1. Resolution

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, APPROVING THE AWARD OF A CONTRACT FOR AS-NEEDED BUILDING INSPECTION AND PLAN REVIEW SERVICES.**

**WHEREAS** the city's building division has limited resources to adequately address the variability of building inspection and permit review demand; and

**WHEREAS** the building division has a long-standing practice of using external public agencies and private companies for additional support; and

**WHEREAS** staff completed a formal solicitation procurement in compliance with the city's Public Contracting Rule 70.020(A) for as-needed building inspection and plan review services; and

**WHEREAS** staff received one responsive proposal from Clair Company, Inc., who has the expertise and capacity to assist with building development services in Milwaukie on an as-needed basis.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager is authorized to execute a contract with Clair Company, Inc. for as-needed building inspection and plan review services not to exceed \$3,000,000.

Introduced and adopted by the City Council on **December 19, 2023**.

This resolution is effective immediately.

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Desi Nicodemus, Council President

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney



**MILWAUKIE POLICE DEPARTMENT**

**Memorandum**

**To:** Mayor Batey and Milwaukie City Council

**From:** Luke Strait, Police Chief *LS*

**Through:** Ann Ober, City Manager

**Date:** December 5, 2023

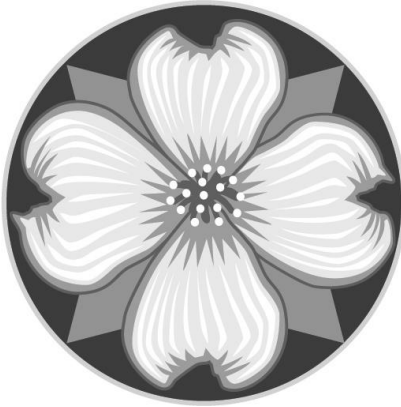
**Re:** OLCC Application – New Seasons Market – 10830 SE Oak Street, Milwaukie

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Action requested:

It is respectfully requested the council approve the OLCC application for New Seasons Market located at 10830 SE Oak Street, Milwaukie OR 97222.

We have conducted a background check and find no reason to deny the request for the liquor license.



**RS Agenda Item**

**7**

## **Business Items**

## COUNCIL STAFF REPORT

**To:** Mayor and City Council

**Date Written:** Dec. 8, 2023

**Reviewed:** Ann Ober, City Manager

**From:** Emma Sagor, Assistant City Manager

**Subject:** **Organizational Strategic Plan Update**

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### ACTION REQUESTED

Council is asked to receive an update on the effort to develop a three-year strategic plan for city staff, including Team Milwaukie's recently finalized organizational vision, mission, and values statements and emerging priorities and objectives for 2024-2027.

### HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Between 2017 and 2019, hundreds of Milwaukians helped shape a [community vision statement](#) and [Comprehensive Plan](#), which chart a direction for the community's growth and development.

While these formative documents have guided policy and project development since their adoption, the city and its departments have not yet translated that long-range vision into a short-range strategy for the organization.

The city, at the direction of the city manager's office, is now seeking to create a near-term, three-year (2024-2027) organizational strategic plan that aligns day-to-day operations with the direction defined in the community vision and Comprehensive Plan.

### ANALYSIS

Every day, 146 employees report to work for the city. These dedicated people maintain our roads and pipes, keep our streets safe, plan and design new projects, and support the great quality of life in this vibrant community.

Team Milwaukie is doing tremendous work. But resources—time, money, and people—are not infinite. And as our community grows and changes, we need to check in and ask what we as Milwaukie's local government should create, change, and grow to best move us toward our community vision.

Clear priorities and a shared direction help staff measure their success. That's why staff is creating a strategic plan: so that all members of Team Milwaukie know what we're doing, why we're doing it, and how it moves us forward.

When completed, we'll use the plan to:

- Inform the development of the next biennium budget.
- Guide city departmental work and staff planning.
- Support transparent reporting on city performance and outcomes.
- Drive improvements that help make the City of Milwaukie an employer of choice and an exemplary public institution.

## **What will be in the strategic plan?**

The strategic plan will include seven primary components:

### **THE “NORTH STARS”: Mission, vision, and values**

These succinct, clear statements define the direction of the organization. The mission statement summarizes the purpose of the organization and its core services; the vision statement, which complements the community’s vision, explains where the organization is heading; and values statements explain how city staff work together to achieve their mission and vision and who we want to be as an organization.

### **THE STRATEGY TO GET THERE: Priorities, objectives, and tactics**

The bulk of the strategic plan will be made up of priorities, objectives, and tactics that set out a roadmap for staff to live out city values, deliver its mission, and advance toward the city’s vision. Priorities are broad, desired results we will aim to achieve by the end of the plan. Objectives are measurable outcomes that ensure we are making progress toward a priority. Finally, tactics are the shorter-term actions that we must complete to deliver on an objective.

### **HOW WE’LL MEASURE PROGRESS: Performance metrics**

To ensure this plan does not sit on the shelf, the city will also refresh its performance metrics as part of the plan development process. This means identifying measures and metrics for each objective (i.e., quantifiable ways we can assess if we are achieving the outcome described by that objective), as well as key performance indicators for each priority (major indicators by which we will evaluate overall plan success). The plan will also include an evaluation timeline so all stakeholders know when and how often progress will be measured and communicated.

## **How will the organization develop its strategic plan, and what work has been completed to date?**

The strategic plan will be developed through four phases between May 2023 and February 2024.

**Phase 1a. Vision/Mission/Values development (May – September 2023)** – In this phase, staff developed vision, mission, and values statements to form the north stars of the strategic plan. In May 2023, all staff came together for a workshop to begin defining these statements. Then, a strategic plan steering committee was formed with representation from each city department. That group met bi-weekly throughout the summer to refine the feedback received at the all-staff workshop and prepare draft vision, mission, and values statements. All staff had a chance to weigh in and refine the drafts via an online survey in August.

In September, the city manager officially finalized the following statements for the organization:

- *Team Milwaukie’s Vision:* Team Milwaukie is a diverse and resilient city government, delivering effective public services that make our community a great place to be.
- *Team Milwaukie’s Mission:* We serve as stewards of our living and built environment to help create a safe and welcoming community for all.
- *Team Milwaukie’s Values:* At the City of Milwaukie, we strive to be:
  - ACCOUNTABLE - We build trust through transparency and take responsibility.
  - ACCESSIBLE - We are responsive and remove barriers to participation.
  - EFFICIENT - We use resources wisely to deliver work effectively.
  - COLLABORATIVE - We work together, seek multiple perspectives, and lead with empathy.

- **EQUITABLE** - We acknowledge history, meet people where they are, and reduce disparities.

**Phase 2. Environmental scan (August – November 2023)** – In this phase, staff consulted existing data and gathered new information to help understand the current state. A community-wide, statistically representative survey was conducted by FM3 Research in November 2023 (results will be presented to Council on January 2, 2024). Staff also reviewed the results of the most recent employee engagement survey, conducted in November 2022. This data review helped the team assess where work is most needed to move the organization into compliance with its vision/mission/values, and frame up the development of priorities, objectives, and tactics.

**Phase 3. Priorities and objectives definition (October – December 2023)** – In this phase, departments and affinity groups were engaged in a process of priority and objective definition. These represent the core areas and outcomes of focus for the next three years to best align and move toward the organization’s vision/mission/values. Following a series of departmental workshops in October to identify priorities and objectives, the strategic plan team proposed a draft list at the end of November. Staff had two weeks to weigh in on this draft via an online survey and comment form. In total, the majority felt the draft priorities and objectives were clear and understandable, and 98% said they agreed these should be the focus of the organization over the next three years. The city manager finalized the following list of priorities and objectives on December 7, 2023:



**Phase 4. Tactic selection, metrics, and prioritization (December – February 2024)** – Staff next meet on December 11 for a citywide workshop to identify realistic and informative metrics to help track progress on these objectives and to narrow down the list of tactics Team Milwaukie wants to prioritize to advance this work. Tactic deliberation will run concurrently with the development of departmental budget proposals in early 2024.

**Phase 5. Plan implementation and ongoing monitoring (March 2024 – December 2027)** – Upon adoption, staff will begin implementing the tactics in the plan. Decision making on the FY 24/25 and 25/26 budgets will be informed by the priorities and values defined in the plan, with budget processes and materials updated in conjunction with city manager’s office and finance staff. An annual reporting calendar will be established, and performance reports will be produced by city manager’s office staff, with data provided by department subject matter experts.

### **Connection to the equity work plan**

Milwaukie’s equity and inclusion coordinator, in partnership with the city manager’s office and the Equity Steering Committee (ESC), is in the process of developing a near-term equity work plan of high-impact, prioritized focus areas and actions to move our equity objectives forward. Staff are committed to ensuring this equity work plan is integrated into the strategic plan, so they are not two separate documents but rather one integrated strategy. As these equity priorities are defined, with input from the ESC and Council, they will be formalized and adopted through the strategic plan process.

### **BUDGET IMPACT**

The strategic plan will have a three-year time horizon, spanning 2024-2027. This aligns well with the budget calendar and Council goal setting. The intent is for the priorities, objectives, and tactics identified in the plan to guide how departments and city leadership assemble their budget proposals for Budget Committee and Council consideration. No significant new financial resources are envisioned to support the work in this plan; rather, we are using it as a tool to help us prioritize and allocate existing resources more strategically. Staff will evaluate how this plan and process worked for the city to inform future strategic plans.

### **WORKLOAD IMPACT**

While the strategic plan will help us prioritize projects and bodies of work for the near term, there will be no staff reductions because of this effort. This is about aligning resources with the highest priorities—not adding or reducing positions. The specific efforts staff are asked to support may shift as we refine our priorities, objectives, and tactics, but no position is at risk of being eliminated.

### **CLIMATE IMPACT**

While staff are making progress on Comprehensive Plan goals and policies, including climate objectives in the Climate Action Plan (CAP), staff does not have a near-term roadmap that tells city staff and teams what they should be doing in the next 1-3 years to make the most progress. This strategic plan will provide that roadmap and help departments connect day-to-day operations with long-range goals. Staff does not anticipate any new climate actions to emerge from this effort but expect the strategic plan will help departments home in on what near-term actions they can and should be taking to support our broader vision of a completely sustainable future.

## **COORDINATION, CONCURRENCE, OR DISSENT**

Staff have been and will continue to be engaged at every step of the development process, including through surveys, departmental workshops, and an online comment form. Updates will be shared by email at least monthly. The city manager's office has also assembled a strategic plan steering committee comprised of representatives from each department who will help guide the process and make sure we are staying on track.

Because this plan is organizationally focused, community engagement will be at the "inform" and "light consult" level. We plan to share informative updates about the effort in the Milwaukie Pilot (2-3 throughout the duration of the project). We will also be presenting updates to Council twice during the development process—once in fall 2023 and again after the plan is finalized. Finally, we conducted a bi-annual community survey in fall 2023, which helped inform the environmental scan phase of this work.

## **STAFF RECOMMENDATION**

Staff request Council provide feedback about the strategic plan development process, particularly how they would like to see it support the advancement of Council's adopted goals of equity, climate, and parks. Staff would also like to hear what information would be most helpful to include in the budget development process so Council can understand how these priorities, objectives and tactics helped inform budget requests.

## **ALTERNATIVES**

Council could propose alternative ideas for the city manager to consider related to how the organization can operationalize and align its day-to-day work with the community vision and adopted policy directions.

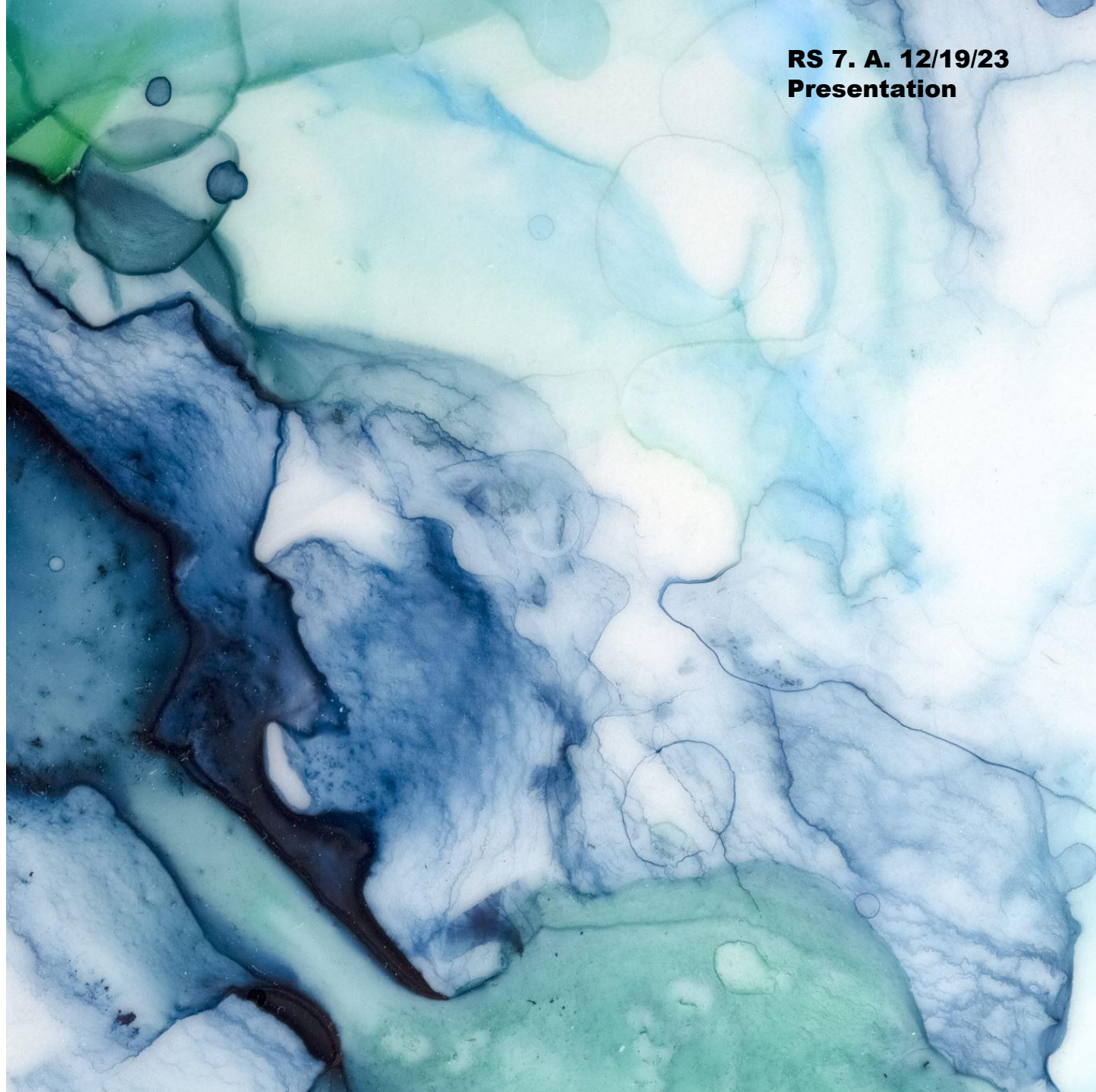
## **ATTACHMENTS**

None.

# MILWAUKIE ***MOMENTUM***

2024-2027 Organizational  
Strategic Plan

Council update – December 19, 2023



# Why are we developing a strategic plan?



**Community Vision adopted in  
2017...**



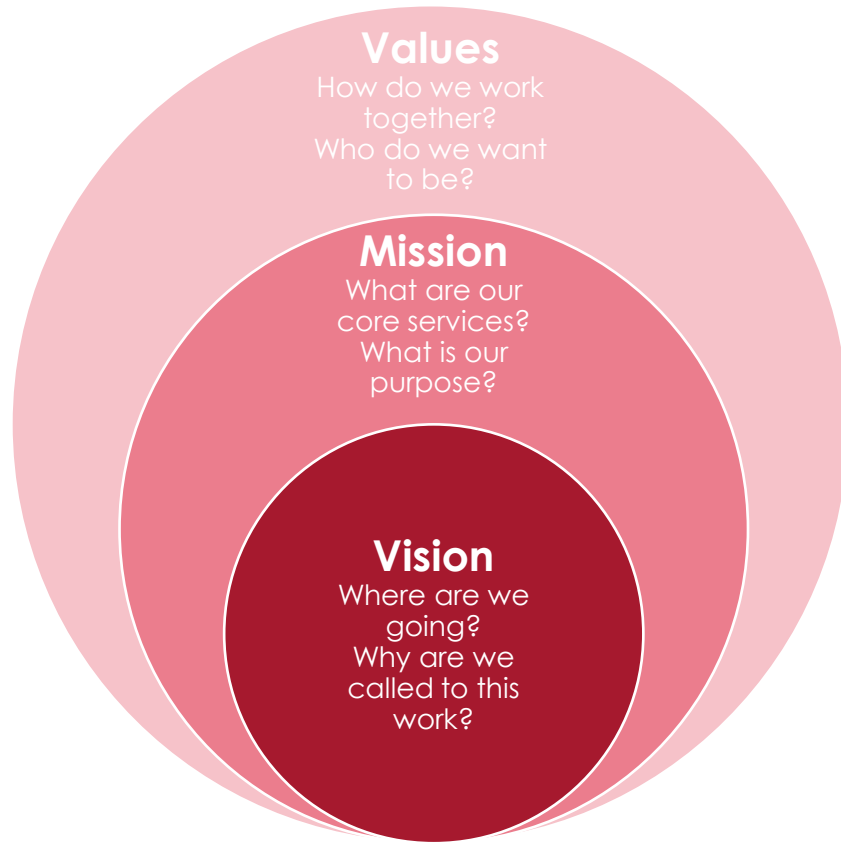
**...but we haven't defined what it  
means for Team Milwaukie**

# Why are we developing a strategic plan?

- + Clarify and align priorities
- + Help focus resources
- + Measure success
- + Move us toward our north stars
- + *Important notes:*
  - No staff reductions or positions at risk
  - No significant new resources/funds available

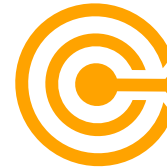


# What will be in the strategic plan?



**The NORTH STARS**

**PRIORITIES**  
Desired results



**OBJECTIVES**  
Measurable outcomes

**TACTICS**  
Short term, specific actions

**The ROADMAP**



**How we'll stay on track:**  
*Key Performance Measures*

# We've been on a journey!



# Outcomes to date: Team Milwaukie's North Stars

## VISION

Team Milwaukie is a **diverse and resilient** city government, **delivering effective public services** that make our community **a great place to be**.

## MISSION

We **serve as stewards of our living and built environment** to help create a **safe and welcoming community for all**

## VALUES

At the City of Milwaukie, we strive to be:

- **Accountable**
- **Accessible**
- **Efficient**
- **Collaborative**
- **Equitable**

# Outcomes to date: Priorities and Objectives

## Support our employees

- Retain staff and promote career development
- Prioritize employee wellbeing
- Train staff to meet growing and changing demands

## Work smarter together

- Review and improve technology and processes to better deliver city services
- Improve collaboration and communication across departments and levels of the organization
- Coordinate public engagement to leverage resources and reach underrepresented voices

## Revitalize Milwaukie

- Invest in our downtown and waterfront as part of the Urban Renewal Area
- Support economic development by fostering partnerships and neighborhood hubs
- Celebrate our unique community identity through city communications and events

## Help Milwaukians most in need

- Expand services for those experiencing crisis
- Use data to prioritize investments where needs are the greatest
- Build relationships with organizations serving vulnerable communities

# Next steps:



# Strategic Plan



# Budget Process

- ❑ **Departmental priorities:** Directors will hold team-wide conversations in January to discuss prioritized tactics and budget trade-offs
- ❑ **Narrative:** Departmental budget narrative templates will be updated to reflect our newly adopted Vision/Mission/Values and Priorities/Objectives/Tactics
- ❑ **Performance measures:** Performance measures in the budget book will be updated to incorporate feedback received through this process

# Questions for Council

- + What information would be most helpful to include in the budget development process so Council can understand how these goals, objectives and tactics helped inform budget requests?
- + What other clarifications can staff provide?