



# CITY OF OREGON CITY

## CITY COMMISSION REGULAR MEETING

### MINUTES

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Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City  
Wednesday, February 07, 2024 at 7:00 PM

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#### REGULAR MEETING OF THE CITY COMMISSION

#### 1. CONVENE MEETING AND ROLL CALL

*Mayor Denyse McGriff convened the meeting at 7:01 P.M.*

**PRESENT: 5 -** Commissioner Adam Marl, Commissioner Mike Mitchell, Commissioner Rocky Smith, Commissioner Frank O'Donnell, Mayor Denyse McGriff

**STAFFERS: 15 -** City Manager Tony Konkol, Assistant City Manager Alex Rains, City Recorder Jakob Wiley, Police Chief Shaun Davis, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Human Resources Director Patrick Foiles, Economic Development Manager James Graham, Finance Director Matt Zook, Public Works Director John Lewis, Information Technology Director Mike Dobaj, Assistant City Recorder Evan Lee, Library Director Greg Williams, Planning Manager Pete Walter, Communications Manager Jarrod Lyman

#### 2. FLAG SALUTE

#### 3. CEREMONIES AND PROCLAMATIONS

##### 3a. Black History Month Proclamation

*Mayor McGriff read the proclamation declaring February 2024 as Black History Month.*

#### 4. CITIZEN COMMENTS

*None*

#### 5. PRESENTATIONS

##### 5a. Presentation by the Homeless Solutions Coalition of Clackamas County

*Aquilla Hurd-Ravich, Community Development Director, said the site was located in the Mixed Use Downtown zone which allowed many uses. There was no land use application, but all the uses that had been stated in the grant application would be permitted uses in the zone.*

*Commissioner Marl pointed out that even if it was not an allowed use, state legislation superseded any local decision making.*

*Carrie Richter, City Attorney, spoke about state law that said local governments shall approve an application for the development or use of land for emergency shelters. Emergency shelters could include sleeping facilities or not, but they had to be funded in partnership by an organization that had two years experience operating an emergency shelter. If it fit under the bill, then no local land use or site plan*

review would be done. There would still be a building permit required to ensure health and safety standards.

Commissioner Marl noted his frustration that the State had tied the Commission's hands on this issue and that he was looking forward to this first opportunity to ask questions of the stakeholders.

Dan Fowler, Director of the Homeless Solutions Coalition of Clackamas County (HSCC), gave a background on the Coalition. They held a number of community meetings in April about this facility. They understood that the state had tied the City's hands, but they were not trying to shove something down the community's throat that was not right. They wanted to address the concerns of the community while getting a facility that was adequate to operate the services and move out of the McLoughlin neighborhood. Their mission was to help the service providers be more effective in their work through collaboration.

Brandi Johnson, Executive Director of Loved One and Father's Heart, discussed the services provided by Father's Heart including day services, rapid re-housing, emergency shelter, and transitional housing. The populations served included families, elderly, and veterans. Loved One provided laundry, hygiene, showers, food pantry, outreach, housing, and trash program. The work required more staff and more space. She explained how they would take services to different areas weekly in partnership with other organizations. They were not looking to bring anyone additional into Oregon City.

Rachel Williams spoke about her personal experience with homelessness and the Father's Heart and Loved One programs that got her back on her feet. She thought those they served would greatly benefit from the new facility as all the services would be in one central location and support services would be easily accessible.

Mr. Fowler described their vision for the resource center.

Chris Keen, architect, gave examples of the building uses, the location on 15<sup>th</sup> and Main, and concept plan for the site. He thought upgrading the current building on the site would be cost prohibitive and would not be tall enough. The site could be used much more effectively if the current building was torn down and a new building constructed.

Mr. Fowler said they planned to ask the Police Department for suggestions on safety and security.

Marty Gant, Father's House, said they planned to have a Good Neighbor Agreement for the new facility. They would have 24/7 security at the building.

Bill Stewart, Deputy District Attorney with Clackamas County, thought this was an appropriate investment for the Oregon City community as getting people off the streets was the most cost-effective way to improve public safety. It would be a collaborative effort to give folks the opportunity and if they did not take it, they would be held accountable.

There was discussion regarding behavioral requirements for the facility.

John Duke, Executive Director of HSCC, introduced himself and explained the series of Community Conversation events the Coalition planned to host.

There was discussion regarding hours of operation, collaboration, and building trust.

Commissioner Marl asked about the 24/7 security proposed and wanted confirmation that it would be included. Mr. Fowler confirmed that 24/7 security was intended to be present at the facility.

Commissioner Mitchell asked about the number of people served per day and off-site issues during the hours the facility was closed. Ms. Johnson said they served 100 people per day currently. Mr. Fowler

*thought it was an area for collaboration to address the issue of after hours. He was submitting grant applications to help with the work.*

*Mayor McGriff discussed the Good Neighbor Agreement with the current Father's Heart site and how it was working well. She thought something similar could be done for the new facility.*

*Commissioner Marl said people were not anti-homeless services, but they were tired of Oregon City being the solution to a County-wide problem.*

*Commissioner O'Donnell was concerned about the impact to the community and cost borne by Oregon City when there needed to be a regional solution. He thought there should be potential restrictions on the facility.*

*Ms. Johnson said they were working on getting community court to be held in other cities for low level offenses instead of everyone coming to Oregon City.*

*Vahid Brown, Deputy Director of Housing and Community Development for Clackamas County, spoke about the larger County strategy for geographically equitable distribution of services. They were asking cities to step up and were providing funding for the rural communities to meet the needs. He explained how they would educate other police departments to take people to other facilities instead of only Oregon City.*

*William Gifford, resident of Oregon City, supported the new facility.*

*Paul Edgar, resident of Oregon City, spoke about the need to address drug and alcohol abuse and addiction. He thought there should be secure shelters that were operated 24/7 with supervision.*

*Debbie Brent, resident of Oregon City, spoke about the increase in the homeless population in the last ten years which had increased crime. She was concerned that building a new facility would draw more from other places and they would not be able to handle the influx. She thought shelters should be built where homeless were already.*

*Sara Lambert, resident of Oregon City, was opposed to the new facility in downtown. She was concerned about where the homeless would live once the facility closed for the night and that other services would close and all the homeless in the County would have to come to this facility.*

*Carol Earle, resident of Oregon City, owned a business downtown near this facility. She was concerned about the impacts when the facility closed for the day and the individuals went off site. There needed to be mitigation from the developer for these impacts.*

*Tim Mack, resident of Oregon City, was concerned about the location of this facility being so close to the historic downtown. He lived near the site and was concerned about the impact of trash and crime as well as public safety and drawing more homeless from all over the County.*

*Charles Kidwell, resident of Oregon City, was in opposition to the facility and had a petition against it with 2,400 signatures. They were concerned about the potential negative impact to businesses and residences. He thought the center would not solve but enable homelessness and become a magnet resulting in criminal activities and public nuisances. A more suitable location needed to be found.*

*Linda Adler-Kidwell, resident of Oregon City, was concerned about increased police and fire response which would diminish the protection of tax paying citizens, the homeless would have no place to stay at night, and the proposed center was not a solution to the issue.*

*Kevin Ilcisin, resident of Oregon City, said the City should want to be known for demonstrating leadership in solving these tough problems.*

*Macie Tisdell, resident of Oregon City, discussed how her home was near the proposed facility and she had not been contacted for input. She explained the incidents that had been happening near her home due to the homeless, and how her family did not feel safe.*

*The Commission took a break from 8:59 to 9:11.*

*Mayor McGriff asked Ms. Hurd-Ravich to confirm that the City was not in the position to approve or deny the shelter. She also confirmed that other services offered by the County would not stop if this facility opened.*

*Mrs. Hurd-Ravich confirmed that shelters were allowed uses in the zone and that state law preempted the City's ability to regulate shelter locations.*

## **6. ADOPTION OF THE AGENDA**

*The City Commission considered the consent agenda prior to considering the adoption of the agenda. After approving the consent agenda, the Commission moved the discussion of Item 9b. and Item 10b. to before Item 8a.*

## **7. CONSENT AGENDA**

**Motion made by Commissioner Marl, seconded by Commissioner Smith, to approve the consent agenda. The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

- 7a. Resolution No. 24-05, A Resolution Modifying the Public Works Engineering Fee Schedule and Amending Resolution No. 22-24
- 7b. Resolution No. 24-06, a Resolution Requesting Transfer of Longstanding Court
- 7c. OLCC Liquor License Application – Limited On-Premises, Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beaver Creek Rd., Oregon City
- 7d. OLCC Liquor License Application – Off-Premises, Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC), 1511 Molalla Ave., Oregon City
- 7e. Public Improvement Contract with Green Mountain Excavation, LLC for the Magnolia Street Sewer Replacement Project (CI 23-010)
- 7f. Personal Services Agreement with RH2 Engineering, Inc. for the Holmes Lane Waterline Replacement Project (CI 24-002)
- 7g. Minutes of the September 20, 2023 City Commission Work Session
- 7h. Minutes of the October 4, 2023 Regular Meeting
- 7i. Minutes of the October 18, 2023 Regular Meeting
- 7j. Minutes of the November 1, 2023 Regular Meeting

**8. PUBLIC HEARINGS**

- 8a. Second Reading of Ordinance No. 23-1010, Adopting the Oregon City Loop Trail Refinement Plan into the Oregon City Transportation System Plan, an Ancillary Document to the Comprehensive Plan (GLUA 23-000033/LEG-23-00002)

**Motion made by Commissioner Smith, Seconded by Commissioner Marl, to approve the second reading and final adoption of Ordinance No. 23-1010, adopting the Oregon City Loop Trail Refinement Plan into the Oregon City Transportation System Plan, an ancillary document to the Comprehensive Plan (GLUA 23-000033/LEG-23-00002). The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

- 8b. First Reading of Ordinance No. 24-1002, Approving Zoning Text Amendments to I - Institutional District to Allow Recreational Vehicle Parks as an Allowed Accessory Use for Clackamette Park under City Code Section 17.39.030 (GLUA-23-00039 / ZC-23-00004)

Mayor McGriff opened the public hearing.

There was no public testimony.

Mayor McGriff closed the public hearing.

**Motion made by Commissioner Mitchell, Seconded by Commissioner Marl, to approve the first reading of Ordinance No. 24-1002, approving Zoning Text Amendments to I - Institutional District to allow Recreational Vehicle Parks as an allowed accessory use for Clackamette Park under City Code Section 17.39.030 (GLUA-23-00039 / ZC-23-00004). The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

**9. GENERAL BUSINESS**

- 9a. Second Reading of Ordinance No. 24-1001, Adopting City Code Amendments for Regulation of Rubbish, Construction Hours, Garage Sales, Graffiti, and Parking

**Motion made by Commissioner Marl, Seconded by Mayor McGriff, to approve the second reading and final adoption of Ordinance No. 24-1001, adopting City Code Amendments for regulation of rubbish, construction hours, garage sales, graffiti, and parking. The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

- 9b. Discussion of Establishing a Destination Marketing/Management Organization

*James Graham, Economic Development Manager, gave the definition of a DMO.*

*Jerry Herrmann was supportive of a DMO if it addressed all avenues of tourism, including river-based tourism.*

*Captain Lowell Giles pie explained the benefits of river use in Oregon City.*

*Cheryl Rice, resident of Clackamas County, supported a DMO that would develop the City into an amazing tourist destination. She encouraged them to use the two previous studies as a road map to get them where they wanted to be.*

*Don Scott, resident of Oregon City, was there on behalf of the Oregon City Heritage Coordinating Committee. He shared concerns about starting with a DMO instead of establishing a strong foundation.*

*Commissioner O'Donnell agreed there were tourism imperatives in the previous studies that had not yet been accomplished. There was a lot of work that needed to be done on the Oregon City docks to make them able to support larger commercial vessels, but this needed to be a component in the Tourism Plan.*

*Mayor McGriff thought the governance structure needed to be put in place first before they worked on the components. Commissioner O'Donnell thought both processes could be done in parallel.*

*Mr. Graham recommended working on the legal process of forming the DMO and appointing a committee to work with staff to develop the legal framework.*

**Motion made by Commissioner Mitchell, Seconded by Mayor McGriff, to direct staff to create an RFP for a consultant to guide the City in the establishment of a DMO and a Board of Directors. The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

## **10. COMMUNICATIONS**

### **City Manager**

#### **10a. McLoughlin Boulevard Enhancements Project Update (CI 22-002)**

*John Lewis, Public Works Director, gave a summary on the McLoughlin Boulevard project virtual open house held in December 2023. He discussed the goals, themes and numbers they heard, preferred alternative, and next steps.*

#### **10b. Remand Process to Review the ICON Application for Park Place Crossing Development**

*Ms. Hurd-Ravich discussed the process for the LUBA remand on the ICON application for the Park Place Crossing Development. Only clear and objective criteria could be used. She expected an amended application from the applicant, which had not yet been received. They were under the 120-day rule timeline from the time the City received the letter asking the City to take action on the remand, and the deadline was April 27. The plan was for the City Commission to review the amended application on March 6 and make a final decision on April 17. However, she would be talking to the applicant about extending the deadline since they had not submitted anything yet.*

*Carrie Richter, City Attorney, explained the clear and objective criteria, which has now been made applicable to all housing applications. They were directed by LUBA to apply the clear and objective criteria and allow the applicant an opportunity to amend their application if they chose.*



*The Commission discussed whether or not to allow public testimony on this issue, as this was not a public hearing to consider the substance of the proposal. There was consensus to allow testimony so long as the testimony did not address the substance of the proposal.*

*Jim Nicita, resident of Oregon City, recommended a proactive legal memorandum for the second meeting in February to look at the merits of the application and whether clear and objective standards applied to elements of the proposal that were not housing.*

*Ms. Richter said she would have a hard time putting together a memo in the abstract. They did not have an amended application, and because there was no specific definition for clear and objective, there was going to be disagreement.*

*Tony Konkol, City Manager, said the argument about what was clear and objective was potentially going to become an issue that was going to be appealable. He recommended sticking to the normal process to ensure consistency and fairness.*

#### 10c. 4th of July Celebration Proposal

*Mr. Konkol said staff had put together two proposals for a 4<sup>th</sup> of July celebration.*

*There was discussion regarding the funding options and support for the food cart, beverage sales, concert, and light show option.*

**Motion made by Commissioner Marl, Seconded by Commissioner Mitchell, to direct staff to move forward with Proposal 1. The motion carried by the following vote:**

**Voting Yea: Commissioner Marl, Commissioner Mitchell, Commissioner O'Donnell, Commissioner Smith, and Mayor McGriff**

#### **Commissioners**

*Commissioner Marl thanked park staff for the Lunar New Year Celebration on Saturday. He participated in a meeting with other stakeholders that contributed to the West Linn-led poll on tolling.*

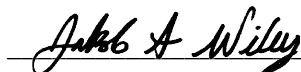
#### **Mayor**

*Mayor McGriff discussed the work being done on the Willamette Falls Locks.*

#### **14. ADJOURNMENT**

Mayor McGriff adjourned the meeting at 10:33 P.M.

Respectfully submitted,



Jakob S. Wiley, City Recorder