



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING NOTES August 5, 2024

[Call to Order \[6:00 pm/5 min\]](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington,

Staff Present:

Deputy City Manager Elissa Preston, City Attorney Ashley Wigod, Public Works Director Erich Lais, Parks & Recreation Director Megan Big John, Assistant to the City Manager Dylan Digby, and Administrative Assistant Kathy Connell.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Council President Mary Baumgardner moved to approve the agenda for the August 5, 2024, West Linn City Council Meeting, adding Brandon Place opening discussion as Item 5.f. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

Public Comment [6:10 pm/10 min]

Public Comment - Frank ODonnell

Mike Mitchell, Oregon City, stated he was an Oregon City Commissioner but speaking tonight for himself and on behalf many other citizens of their community. Noting the joint statement letter in the meeting packet, he spoke to a grass roots organization supporting river assets and opportunities.

Katie Zabrocki, West Linn, expressed her appreciation of the wetlands and the Willamette neighborhood.

Mayor and Council Reports [6:20 pm/30 min]

Reports from Community Advisory Groups

Councilor Bryck reported on the second Vision 43 working group meeting, adding she would reconnect with the 2016 Highway 43 Concept Plan and the Trail Master Plan due to their great impact on Vision 43. She also attended the Neighborhood Association Presidents Meeting and would be doing a Walk and Talk at Willamette Park at 1 pm on August 18th.

Council President Baumgardner reported her 10-month Certificate for Tribal Relations Program was nearly complete and she offered to present the capstone to Council, possibly in September.

Councilor Groner attended the Vision 43 meeting and was very impressed by what was being done.

Councilor Bonnington had also attended the same Neighborhood Association Presidents Meeting as Councilor Bryck.

Appoint Community Advisory Group Members

Mayor Bialostosky placed before Council the following appointments:

- Jason Evans, Planning Commission
- Kathryn Shulte-Hillen, Planning Commission

Council President Mary Baumgardner moved to approve the Mayor's appointments. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

City Manager Annual Evaluation Process

2024 CM Evaluation Process Information

Deputy City Manager Preston noted this was the second evaluation of City Manager Williams. A memo in the packet provided additional information.

Council indicated its approval of the process and timeline.

League of Oregon Cities (LOC) Legislative Priorities

LOC Policy Priorities Information

This agenda item would not be addressed tonight as it was not due until September and some Councilors needed more time to complete the priorities.

Joint Values and Outcomes 2025 State Legislative Transportation Support

Joint Values & Outcomes Information

Mayor Bialostosky stated that at last year's Clackamas County Coordinating Committee (C4) Retreat, the County put together a Joint Values and Outcomes Statement providing the foundation for a letter with logos from all the jurisdictions. It was very successful advocacy regarding the tolling issue. The Legislature is moving ahead with a big transportation package at the C4 Retreat in 2025, and several cities and the County came together to lay out foundational policy positions, such as protecting and retaining the 50/30/20 revenue formula from the State Highway Fund. The question from the County was whether to approve the Joint Values and Outcomes Statement and potentially have the City of West Linn as a signer. Several other cities have signed as had the County.

Councilor Bryck noted the second bullet under the Projects of Statewide Significance stated, "Formulate a list of secondary projects for future funding, including Sunrise Corridor." It seemed odd that was the only area highlighted and she suggested adding others if that item remained.

Mayor Bialostosky proposed asking the County why Sunrise Corridor was highlighted, with Council follow-up at its next meeting. He knew it was a project of County concern, with regional significance.

Brandon Place Opening Discussion

Deputy City Manager Preston noted this item was added to the agenda tonight for Council discussion on reopening Brandon Pl for a limited time.

Mayor Bialostosky stated Council had been receiving emails from the community on the topic for several weeks.

Public Works Director Lais gave an overview of the construction schedule on Willamette Falls Dr. The ask was to close the road and detour traffic onto Brandon Pl and Dollar St due to the

narrowness of the one available lane during paving and the necessity of allowing time for the concrete curbs to cure.

Remo Douglas, Capital Construction Program Manager, West Linn School District, stated discussion with City Staff centered on lessening the impact by closing the affected portion of Willamette Falls Dr and rerouting traffic through the roundabout on Brandon Pl to Dollar St, then back to Willamette Falls Dr.

Public Works Director Lais answered questions from Council as follows:

- The temporary authorization to use Brandon Pl would start August 7th and last about 1½ weeks. Another brief closure for the final paving would make the process easier and faster but was not mandatory.
- City Staff would be monitoring the repaving and timing.
- The water truck used to keep the dust under control moved very slowly for safety reasons and was not being used as a pilot vehicle.
- No traffic count was done to determine if traffic had lessened because of the construction due to the expense for equipment and people.

Public Comment

Bogdana Clarke, West Linn, opposed using Brandon Pl to reroute traffic due to conflicts with policies in the Comprehensive Plan regarding traffic, congestion, and safety issues.

Ron Mobley, West Linn, agreed with Ms. Clarke's points. Brandon Pl and Dollar Street were not through streets.

Kathie Halicki, West Linn, Willamette Neighborhood Association President, stated she had received emails which addressed the lateness of noticing for this discussion and the proposed rerouting.

John McCabe, West Linn, spoke to the danger of the reroute and the precedent it would set. Notification should have gone through the County for the street closure.

Mayor Bialostosky clarified his intent was to have a discussion tonight at the recommendation of Staff to alleviate traffic for everybody impacted. This was Council's only meeting in August.

Council President Baumgardner noted the construction dust had been terrible, and the site had not been wetted on evenings and weekends. It was a vast improvement to have the water truck there last weekend.

- A lot of requests had been received to open Brandon Pl for parking during baseball season. She had been concerned about Fields Bridge Park's inadequate parking, but had been reluctant to suggest opening Brandon Pl. She was uncertain now because she was considering a temporary opening to make the construction go faster.

- She assumed Council was the body to make a decision on whether to open Brandon PI in the future and asked if once the precedent had been set if Council could be forced to open it permanently.

Public Works Director Lais responded that it could be a legal question, but Council would be responsible for any future decisions on the use of Brandon PI. He agreed with Mr. McCabe that the County's process for a street closure was lengthy because it could take three to four weeks for approval. That process would not have helped the construction timeline and would have had its own routing problems.

Key comments and responses to Councilor questions were as follows:

- The legal ramifications of opening Brandon PI temporarily needed to be understood as it might establish a precedent that others could use to request a permanent opening in the future.
- The roundabout would still be open and the parking lot on the west end of Fields Bridge Park would still be accessible except during the final paving.
- Additional signage should be available for drivers to allow them to choose a different route before reaching the construction, though such signage would then be on a county road.
- The project timeline would remain the same even if Brandon PI was opened. The paving of the south side of Willamette Falls Dr would take place on August 9th, and the north side on August 16th.
- Opening Brandon PI was an ask from Staff, not a recommendation. The City was bound by the subcontractor's schedule. Staff supported the best option for the City and the residents and wanted the work to be done quickly and safely.
- No traffic numbers were available, but the old bridge appeared to have less of a bottleneck during construction.
- Brandon PI was wide enough for two-way traffic if the posts were removed and the gate opened.

Mayor Bialostosky recommended tabling the issue to receive answers to legal questions and get community feedback. A special meeting could be called for further discussion.

Councilor Bonnington was concerned that the neighbors would have increased anxiety about possible future openings of Brandon PI if Council did not make a decision soon.

Councilor Bryck noted if Council did not make a decision tonight or at a special meeting soon, the construction would be completed before another meeting took place.

City Attorney Wigod stated Brandon PI was associated with a land use decision, and its use would raise certain land use requirements, such as noticing and public comment. The timeframe would be tight for noticing an additional meeting.

[Consent Agenda \[6:50 pm/5 min\]](#)

**Agenda Bill 2024-08-05-01: RESOLUTION 2024-07, ADOPTING THE CITY OF WEST LINN
ADDENDUM IN THE UPDATES TO THE CLACKAMAS COUNTY MULTI-JURISDICTIONAL
NATURAL HAZARDS MITIGATION PLAN**

[RES 2024-07 Information](#)

Agenda Bill 2024-08-05-02: Meeting Minutes June 17 and July 15, 2024

[Draft Minutes Information](#)

**Agenda Bill 2024-08-05-03: Human Capital Management System (HCMS) Software
Integration**

[HCMS Software Information](#)

[HCMS Software Information word](#)

Council President Mary Baumgardner moved to the Consent Agenda for the August 5, 2024, West Linn City Council Meeting which includes Resolution 2024-07, adopting the City of West Linn addendum in the updates to the Clackamas County multi-jurisdictional natural hazards mitigation plan; the June 17 and July 15, 2024, meeting minutes; and the Human Capital Management System (HCMS) Software Integration. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[6:55 pm/60 min\]](#)

Agenda Bill 2024-08-05-04: West Linn Operations Complex Final Design Contract

[WL Operations Complex Information](#)

Public Works Director Lais gave a presentation updating on the project to-date and the final design and construction in 2025.

Key comments and responses to Councilor questions were as follows:

- The driveway to the facility would have a 10 percent slope. A geothermal solution to keep it clear on icy days was explored but was too expensive.
- The road to I-205 was on ODOT property. Perhaps the City could obtain permission in writing to use it in an extreme emergency.
- The original target cost of the project was \$25 million. Pricing in the construction market was volatile and it was difficult to obtain solid numbers, but Staff believed a

range of \$35 million to \$40 million was possible. Cutting costs was necessary, but simply building a newer version of the limited space Public Works already had was undesirable.

- Public Works' crews were adamant that the project was needed and were excited about it. How to measure an increase in productivity was unknown, but emergency access to the current facility was a big issue, as was access and a place to rest for crew living outside the city during long-term emergencies, such as weather events. Morale would be a whole lot better with a new facility.

Parks & Recreation Director Big John noted that from Parks' perspective, items were stored at many different sites and to have them all in one space would improve efficiency. It was also not currently possible to meet as a group without using the lunchroom, so seasonal employees' start times were staggered to accommodate that issue. She was looking forward to a new facility and believed some efficiencies would be seen.

Mayor Bialostosky saw the new facility as an essential component of the City's future. The current Ops building was in unacceptable shape. Staff and the community deserve better, and a new facility would also be safer in winter weather events for storage of equipment and emergency supplies.

Council President Mary Baumgardner moved to approve the West Linn Operations Complex Final Design contract to Scott Edwards Architects, in the amount of \$2,024,000 and authorize the City Manager to sign and execute all related documents. Councilor Leo Groner seconded the motion.

Council President Baumgardner supported the creation of a barn to house a herd of goats to keep down the overgrowth in the difficult to reach areas in the very hilly city. She offered her services as a goatherd.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2024-08-05-05: Down-To-Earth Forest School 1-year Allowance/Next Steps](#) **[Down-To-Earth School Information](#)**

Parks & Recreation Director Big John summarized the request from Down to Earth Forest School to operate at Mary S. Young State Park for the 2024-2025 school year. Also, she asked if Council would direct Staff to develop a policy with the Parks and Recreation Advisory Board (PRAB) through which the School could use the Park long term, and to help decide what organizations or businesses could use the parks and in what fashion. City partner organizations currently use contracts with fee agreements to provide programming to the community.

Key comments and responses to Councilor questions were as follows:

- The current compromise to allow the School to use the Park was appreciated.
- Working with the PRAB to set up the policy was important and should start soon, followed by a joint meeting with Council.
- Several questions needed to be answered, one being whether such activities can continue in the park. The hope was that a policy discussion could sort out such concerns and provide clarity on Council's interests, insurance issues, State concerns, etc.
- It was necessary to have a thoughtful process on protecting the parks, but to also provide opportunities to the public without having it come to Council, and to have a mechanism to vet organizations making requests to use the parks. If Council chooses to move forward with an agreement, it should move quickly. Staff was talking with other agencies about their processes so it was not necessary to start from zero. Parks would work quickly and thoughtfully with the PRAB, other Staff, and the Planning Department for issues bigger than just the Parks Department.
- Rules and procedures were the result of people's desire to use the parks.

Council President Mary Baumgardner moved to Direct staff to work towards a one-year agreement with Down To Earth Forest School for use of Mary S. Young Park for the 24-25 school year and to develop policy for Council review regarding business use of parks, with input and guidance from the Parks & Recreation Advisory Board. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[City Manager Report \[7:55 pm/5 min\]](#)

There was none.

[City Attorney Report \[8:00 pm/15 min\]](#)

There was none.

Council Training on ex parte contact and potential bias

[Ex Parte Contacts and Potential Bias](#)

Mayor Bialostosky stated the Council had requested training on ex parte contact and potential bias after learning of a potential upcoming land use matter of significant public interest. He wanted to make sure a public training took place on the topic so all Councilors and interested members of the community knew the requirements of Council's quasi-judicial role. He hoped

the training could be sent out afterward as a weekly newsletter to the Friends of Willamette Wetlands and others who were interested in the topic so they could be aware of Council's process.

City Attorney Wigod presented the training on ex parte contact and potential bias as included in the packet.

Key comments and answers to questions from Council were as follows:

- Ex parte contacts if disclosed are not unlawful. Site visits are encouraged because they provide understanding of an area. Site visits with an applicant or with citizens were discouraged because it could create an appearance of bias.
- An opportunity to disclose ex parte contacts including site visits existed during land use hearings. Declarations could also be made about an applicant visiting a site with a Councilor including an explanation that no discussion of substance took place.
- Ex parte contacts might introduce information to a decision maker that might be relied on in a decision, but if not brought into the public hearing process it is considered unfair because it would not allow others to respond to the private information.
- People wanted to talk to Councilors as elected officials about issues that could come before Council. The training information presented was helpful in that regard.
- No official timeline existed to determine if something would be considered ex parte contact. Information exchanged at a meeting five years ago about a development application that then was submitted for land use could be disclosed in the public hearing, if remembered.
- Regarding bias, no harm existed in disclosing knowing an applicant for many years, for example. The relevance of the substance of a conversation was important. If a Councilor had been a roommate for 10 years with a person involved in a land use application, it would be helpful to disclose that to avoid the appearance of bias toward the person.

Mayor Bialostosky read the Land Use Board of Appeals (LUBA) headnotes on bias from *Nicita v. City* in 2016 which said, "Whether a city commissioner's reference to "banana" as an acronym for 'build absolutely nothing anywhere near anything' was intended as a criticism of opponents' request for a continuance or was intended as a broader criticism of opponents, it does not demonstrate that the city commissioner was biased against opponents." It is a high bar to disqualify somebody for bias, but important to not say anything too far on topics that come before Council in quasi-judicial hearings.

[Adjourn \[8:15 pm\]](#)

Minutes approved 9-9-24.



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CITY COUNCIL AGENDA

Monday, August 5, 2024

6:00 p.m. – Business Meeting – Council Chambers & Virtual*

1. Call to Order [6:00 pm/5 min]
2. Approval of Agenda [6:05 pm/5 min]
3. Public Comment [6:10 pm/10 min]

The purpose of Public Comment is to allow the community to present information or raise an issue regarding items that do not include a public hearing. All remarks should be addressed to the Council as a body. This is a time for Council to listen, they will not typically engage in discussion on topics not on the agenda. Time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

4. Mayor and Council Reports [6:20 pm/30 min]
 - a. Reports from Community Advisory Groups
 - b. Appoint Community Advisory Group Members
 - c. City Manager Annual Evaluation Process
 - d. League of Oregon Cities (LOC) Legislative Priorities
 - e. Joint Values and Outcomes 2025 State Legislative Transportation Support

5. Consent Agenda [6:50 pm/5 min]

The Consent Agenda allows Council to consider routine items that do not require a discussion. An item may only be discussed if it is removed from the Consent Agenda. Council makes one motion covering all items included on the Consent Agenda.

- a. Agenda Bill 2024-08-05-01: RESOLUTION 2024-07, ADOPTING THE CITY OF WEST LINN ADDENDUM IN THE UPDATES TO THE CLACKAMAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN
- b. Agenda Bill 2024-08-05-02: Meeting Minutes June 17 and July 15, 2024
- c. Agenda Bill 2024-08-05-03: Human Capital Management System (HCMS) Software Integration

6. Business Meeting

[6:55 pm/60 min]

Persons wishing to speak on agenda items shall complete the form provided in the foyer and hand them to staff prior to the item being called for discussion. A separate slip must be turned in for each item. The time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

- a. Agenda Bill 2024-08-05-04: West Linn Operations Complex Final Design Contract
- b. Agenda Bill 2024-08-05-05: Down-To-Earth Forest School 1-year Allowance/Next Steps

7. City Manager Report

[7:55 pm/5 min]

8. City Attorney Report

[8:00 pm/15 min]

- a. Council Training on ex parte contact and potential bias

9. Adjourn

[8:15 pm]

Memorandum

Date: July 30, 2024

For Meeting: August 5, 2024

To: Mayor Bialostosky and City Council

From: John Williams, City Manager *JRW*

Subject: City Manager annual performance review

The City Charter, Council Rules, and my contract call for an annual performance evaluation with a public input component (specific language provided at end of memo), but the exact evaluation format and template is not specified. Section 6A of my contract requires a performance evaluation be held in August of each year. Section 6B describes the outline of a process but allows for any of the individual steps to be optional at our discretion. This would be the second annual review - my contract was signed September 12, 2022 and the first review was completed last fall.

Evaluation Form:

I propose to use the same evaluation form as was used in 2023. This form is based on an ICMA (International City Management Association) template.

Proposed Timeline:

- August 5: Council meeting and discussion of evaluation process.
- August 6+: Publicize opportunity for public comment on evaluation (city e-newsletter, website). Comment form to be web-based, on City site. Similarly, City staff will be encouraged to submit comments.
- August 27: Public/staff comment period ends.
- August 30: Staff sends public comment compilation to Mayor, Council, City Manager.
- September 9: I send self-evaluation to Mayor and Council (addressing public comments).
- September 20: Councilors send completed individual evaluations to Mayor/City Attorney.
- October 2: Single compiled evaluation provided to me by Mayor/City Attorney.
- October 7: Executive Discussion evaluation session with me, City Attorney present. Includes discussion of goals and targets for following year.
- October 14: Evaluation complete and signed, Mayor provides any information on merit increase (see section 6C of contract) or other adjustment to me and Elissa Preston.

Attached:

- Relevant language from West Linn Charter, Council Rules, CM Contract
- Goals Established in 2023 for this review period
- Proposed evaluation form

Requirements for City Manager Evaluation

City Charter Section 21(b):

The Council shall provide a mechanism for public input at least annually into the evaluation of the City Manager's performance and shall consider such public input in its evaluation of the performance and tenure of the City Manager.

City Council Rules Section I(1):

City Manager and City Attorney Evaluation. The evaluation of the City Manager will be performed under the terms of the Manager's contract and City Charter. The Council shall perform an annual evaluation on the City Attorney under the terms of the City Attorney's contract.

City Manager Contract:

SECTION 6. PERFORMANCE EVALUATION

A. The City Council shall conduct a performance evaluation of Manager at least annually in August of each year. The evaluation process shall be based on the process set forth within the International City/County Management Association ("ICMA") and any additional process, form, criteria, or format mutually agreed upon the City Council and Manager. The initial review shall take the place of the normal annual review for 2023, unless the parties agree to also hold an August 2023 performance evaluation.

B. The evaluation process, at a minimum, shall include the opportunity for both parties to: (1) conduct a formulary session where City Council and Manager meet first to discuss goals and objectives of both the past twelve (12) month performance period as well as the upcoming twelve (12) month performance period, (2) following that formulary discussion, prepare a written evaluation of the goals and objectives for the past and upcoming year, (3) next meet and discuss the written evaluation of these goals and objectives, and (4) present a written summary of the evaluation results to Manager. The final written evaluation should be completed and delivered to Manager within thirty (30) days of the initial formulary evaluation meeting.

C. Upon completion of annual performance review by Council in both 2023 and 2024, Manager will be eligible to receive up to a 3% merit increase to salary each year at the Council's discretion. Manager and Council will work together to define attainable performance metrics to be used in the evaluation for the purpose of this incentive. Manager shall also be entitled to the same COLA adjustments, if any, as other City management employees, each time such a COLA is granted during the term of this Agreement.

D. Unless Manager expressly requests otherwise in writing, the evaluation of the Manager shall at all times be conducted in executive session of the governing body and shall be considered confidential to the extent permitted by law. Nothing herein shall prohibit the City or Manager from sharing the content of the Manager's evaluation with their respective legal counsel.

E. In the event the City deems the evaluation instrument, format and/or procedure is to be modified by the City and such modifications would require new or different performance expectations, then the Manager shall be provided a reasonable period of time to demonstrate such expected performance before being evaluated.

F. City Council shall provide a mechanism for public input into the evaluation of the Manager and shall consider such public input in its evaluation of the performance and tenure of the Manager, in accordance with Section 21 of the City Charter.

G. The Parties agree that the performance evaluation process defined herein is designed to ensure that the parties regularly communicate effectively on matters which relate to the conduct of City business. It is understood by the Parties that any determination by the City Council that the Manager has met or exceeded expectations does not bar, in any way, the City's right to decide not to renew or terminate this Agreement.

City Manager Goals for 2023-2024 Review Period

Adopted by City Council, January 16, 2024.

Covers through next evaluation in September 2024.

- **Support Council Priority Work:** Continue to support Council in achieving goals and working through complex policy and financial issues.
- **Strengthen City Organization:** Continue improving internal staff morale and organizational function, including improving communications between city departments where appropriate. Seek opinions of staff about workplace issues as you already have been doing (polls, internal communications, etc.). Continue practice of seeking bottom-up communications from employees and empowering staff.
- **Enhance External Communications:** Continue improving communications between City Manager, staff, and Council about the status of key initiatives and city projects. Additionally, continue to work with staff to improve communication between City and impacted neighborhoods about major projects. Bring community along as projects develop so that community voices can inform project development. Continue outward communication to the community on issues of importance. Take action to increase public participation and volunteerism in Neighborhood Associations and CAGs.
- **Stay Future Focused:** Continue to focus on the long-term outlook of the city and planning for the future, not just on the present day. Promote long-term budget stabilization, revenue generation, and infrastructure funding.
- **Advance Diversity, Equity, Inclusion, and Belonging:** Advance DEIB initiatives in City organization.

PERFORMANCE APPRAISAL

Based on ICMA template

NAME: John Williams, City Manager

EVALUATION PERIOD: September 1, 2023 – August 30, 2024

City Manager will complete self-evaluation, Mayor and Council to review and add comments as desired.

1. CITY MANAGER GOALS:

In 2023 The West Linn City Council set the below goals for John Williams as City Manager. Please review his performance as it relates to these goals:

- **Support Council Priority Work:** Continue to support Council in achieving goals and working through complex policy and financial issues.
- **Strengthen City Organization:** Continue improving internal staff morale and organizational function, including improving communications between city departments where appropriate. Seek opinions of staff about workplace issues as you already have been doing (polls, internal communications, etc.). Continue practice of seeking bottom-up communications from employees and empowering staff.
- **Enhance External Communications:** Continue improving communications between City Manager, staff, and Council about the status of key initiatives and city projects. Additionally, continue to work with staff to improve communication between City and impacted neighborhoods about major projects. Bring community along as projects develop so that community voices can inform project development. Continue outward communication to the community on issues of importance. Take action to increase public participation and volunteerism in Neighborhood Associations and CAGs.
- **Stay Future Focused:** Continue to focus on the long-term outlook of the city and planning for the future, not just on the present day. Promote long-term budget stabilization, revenue generation, and infrastructure funding.
- **Advance Diversity, Equity, Inclusion, and Belonging:** Advance DEIB initiatives in City organization.

JRW Self-Evaluation:

2. MANAGEMENT and LEADERSHIP PRACTICES:

A. Elected Body Relationships

- Does not surprise Mayor and Council; all elected officials are informed of organization activities, progress, and problems on a regular basis.
- Is receptive to Mayor and Council ideas and suggestions
- Makes sound recommendations for Mayor and Council action
- Effectively implements policy decisions of the Mayor and Council
- Facilitates the decision-making process for the Mayor and Council
- Follows up on all problems and issues brought to his or her attention

- Is nonpartisan; does not show favoritism
- Accepts responsibility

JRW self-evaluation:

B. Organizational

- Leads a smooth-running and continuously improving organization
- Proposes organizational goals and objectives prior to each fiscal year
- Anticipates and plans well in advance
- Is progressive in attitude and action
- Follows through on set plans and deadlines
- Emphasizes development and enhancement of the skills of all employees
- Hires and retains competent staff members who know what is expected of them
- Delegates effectively
- Encourages high staff productivity and demands accountability

JRW self-evaluation:

C. Community Relations

- Is appropriately visible and active within the community
- Understands and is knowledgeable about the needs of the community
- Encourages and honestly considers community input
- Requests feedback from the community on the performance of the organization
- Provides programs and services that are up to community standards and expectations

JRW self-evaluation:

D. Fiscal Performance

- Prepares and presents a long-range financial plan, which is updated as circumstances dictate
- Presents balanced annual budgets with programs and service levels clearly identified
- Recognizes and manages the budget within fiscal constraints
- Displays common sense and good judgment in business transactions
- Seeks all available funding sources
- Provides accurate and complete financial reports in a timely manner

JRW self-evaluation:

E. Intergovernmental/Agency/Association Relationships

- Participates in professional management and leadership organizations
- Effectively collaborates, coordinates, and communicates with other communities, regional associations, and similar organizations

JRW self-evaluation:

F. Communication

- Responds to all requests for information in a timely and thorough manner
- Speaks and writes clearly
- Responds to correspondence, phone calls, and requests for information in a timely and thorough manner
- Provides all necessary and required reports and records
- Ensures that information of general interest is current and timely, that website is up-to-date, and that available technology is used effectively
- Provides details about specific projects to those affected in a timely manner

JRW self-evaluation:

G. Personal

- Is ethical, honest, and of high integrity
- Projects professional demeanor and respect in all interactions
- Is cordial and approachable

JRW self-evaluation:

3. COMMUNITY AND STAFF COMMENT SUMMARY/RESPONSE

(To be written by City Manager after comments received)

4. SUGGESTED GOALS/TARGETS FOR UPCOMING YEAR (2024-2025)

(When setting, consider "SMART goals": Specific, Measurable, Achievable, Relevant, Time-bound)

5. OVERALL EVALUATION: _____

(4= Exceptional; 3= Exceeds Expectations; 2= Meets Expectations; 1=Below Expectations)

6. OPTIONAL: MAYOR/COUNCILOR COMMENTS

Rater Name_____

Date_____

Consider When Doing City Manager Appraisal:

- What impressed you the most favorably about City Manager's performance this past year?
- In what areas has City Manager shown exceptional performance?
- What's your major area(s) of concern regarding City Manager's performance this past year?
- What specific recommendations/expectations do you have for City Manager to improve performance?



Agenda Bill 2024-08-05

Date Prepared: July 30, 2024

For Meeting Date: August 5, 2024

To: Rory Bialostosky, Mayor
West Linn City Council

From: John R. Williams, City Manager *JRW*

Subject: League of Oregon Cities ("LOC") Policy Priority Survey

Purpose

Develop Council response to LOC policy priority survey.

Question(s) for Council:

What are the Mayor and Council's top five recommendations to LOC on policy priorities at the state level?

Public Hearing Required:

None required.

Background & Discussion:

As in previous years, LOC has requested that all cities identify their top five priorities for the 2025 legislative session. The possibilities referenced in the attached survey were developed by seven LOC policy committees including elected officials and staff from around the state.

In the past, Councilors have come to the meeting with their individual "top five" lists and then worked as a group to identify a consensus Top 5. Council discussed this item at the July 15 meeting and agreed to send the City Manager and City Recorder individual priorities for collation before the meeting. Please send those ASAP in order to complete the item on August 5.

Following the meeting, staff will complete the form electronically and submit to LOC.

Council Options:

Prioritization among the pre-selected topics, or combining those with write-in options.

Staff Recommendation:

Priority areas in the LOC list that connect with Council Goals or recent discussions include: all of the items listed by the Transportation Committee; Infrastructure Funding; Marijuana Tax; Recreational Immunity; Shelter and Homeless Response; and Funding and Alignment for Housing Production.

Of course, LOC will not limit their work to only five issues, and nothing prevents the City and its partners from developing our own list of priorities and advocating for those. This prioritization exercise is simply to assist with statewide priority development.

Potential Motion:

“I move to recommend LOC prioritize (insert items) as top policy priorities and direct staff to submit this information to LOC.”

Attachment:

1. 2024 LOC Member Voter Guide



League of Oregon Cities

2024 LOC Member Voter Guide

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2024 Member Voter Guide

Background: Each even-numbered year, the LOC appoints members to serve on seven policy committees, which are the foundation of the League's policy development process. Composed of city officials, these committees analyze policy and technical issues and recommend positions and strategies for the upcoming two-year legislative cycle. This year, seven committees identified 23 legislative policy priorities to advance to the full membership and LOC Board of Directors. It's important to understand that the issues that ultimately do not rise to the top based on member ranking are not diminished with respect to their value to the policy committee or the LOC's advocacy. These issues will still be key component of the LOC's overall legislative portfolio for the next two years.

Ballot/Voting Process: Each city is asked to review the recommendations from the seven policy committees and provide input to the LOC Board of Directors, which will formally adopt the LOC's 2025-26 legislative agenda. While each city may have a different process when evaluating the issues, it's important for cities to engage with your mayor and entire council to ensure the issues are evaluated and become a shared set of priorities from your city. During its October meeting, the LOC Board will formally adopt a set of priorities based on the ranking process and their evaluation.

Each city is permitted one ballot submission. **Once your city has reviewed the proposed legislative priorities, please complete the electronic ballot to indicate the top 5 issues that your city would like the LOC to focus on during the 2025-26 legislative cycle.** The lead administrative staff member (city manager, city recorder, etc.) will be provided with a link to the electronic ballot. If your city did not receive a ballot or needs a paper option, please reach out to Meghyn Fahndrich at mfahndrich@orcities.org or Jim McCauley at jmccauley@orcities.org.

Important Deadline: The deadline for submitting your city's vote is **5 p.m. on September 27, 2024.**

Community and Economic Development Committee

Contact: Jim McCauley, jmccauley@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY WATER AND WASTEWATER COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 billion of infrastructure funds needed (\$6.4 billion for water and \$5.5 billion for roads).

Combined with the federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon’s housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

SHELTER AND HOMELESS RESPONSE

RECOMMENDATION: *The LOC will support a comprehensive homeless response package to fund the needs of homeless shelter and homeless response efforts statewide. Funding should include baseline operational support to continue and strengthen coordinated regional homeless response and include a range of shelter types and services, including alternative shelter models, safe parking programs, rapid rehousing, outreach, case management, staffing and administrative support, and other related services. The LOC will also support capital funding for additional shelter infrastructure and site preparation. Oregon's homeless response system must recognize the critical role of cities in homeless response and meaningfully include cities in regional funding and decision-making, in partnership with counties, community action agencies, continuums of care, housing authorities, and other service provider partners.*

Background: The LOC recognizes that to end homelessness, a cross-sector coordinated approach to delivering services, housing, and programs is needed. Despite historic legislative investments in recent years, Oregon still lacks a coordinated, statewide shelter and homeless response system with stable funding. Communities across the state have developed regional homeless response collaboratives, beginning with the HB 4123 pilot communities funded by the Legislature in 2022 and the more recently established Multi-Agency Collaboratives and Local Planning Groups created by Governor Kotek's [Executive Order on Affordable Housing and Homelessness](#). As Oregon continues to face increasing rates of unsheltered homelessness, the LOC is committed to strengthening a regionally based, intersectional state homeless response system to ensure all Oregonians can equitably access stable housing and maintain secure, thriving communities.

EMPLOYMENT LANDS READINESS AND AVAILABILITY

Legislative Recommendation: *The LOC will support incentives, programs and increased investment to help cities with the costs of making employment lands market-ready, including continued investment in the state brownfields programs. The LOC also recognizes the deficit of industrial land capacity in strategic locations and will support efforts to build a more comprehensive industrial lands program by strengthening the connection between the DLCD Goal 9 Program and Business Oregon IL programs and resources.*

Background: Infrastructure cost is a significant barrier for cities that are looking to increase the supply of market-ready industrial land. Cities require a supply of industrial land that is ready for development to recruit and retain business operations. For sites to be attractive to site selectors, the basic infrastructure must be built out first. For example, the Regionally Significant Industrial Site (RSIS) program within Business Oregon is designed to help cities with the cost of readiness activities

through a reimbursement program, but many cities are not able to take advantage of this program due to a lack of staff capacity and up-front capital for investments.

FULL FUNDING AND ALIGNMENT FOR HOUSING PRODUCTION

RECOMMENDATION: *The LOC will advocate to maintain and increase state investments to support the development and preservation of a range of needed housing types and affordability, including: publicly supported affordable housing and related services; affordable homeownership; permanent supportive housing; affordable modular and manufactured housing; middle housing types; and moderate-income workforce housing development. In addition, the LOC will seek opportunities to address structural barriers to production of different housing options at the regional and state level. This includes: streamlining state agency programs, directives, funding metrics, and grant timelines that impact development; aligning state programs with local capital improvement and budget timelines; and increasing connections between affordable housing resources at Oregon Housing and Community Services (OHCS) with the land use directives in the Oregon Housing Needs Analysis (OHNA) and Climate Friendly and Equitable Communities (CFEC) programs at the Department of Land Conservation and Development (DLCD).*

Background: Recent legislation and executive orders have made significant changes to the state's land use planning process, including new housing production directives for cities and counties. These updates have resulted in extensive, continuous, and sometimes conflicting efforts that are not supported by adequate state funding. Cities do not have the staff capacity or resources needed to implement existing requirements. Additional state support is needed to assist local implementation, including technical assistance and education for local staff and decision makers, and workforce development. The state should prioritize implementation and coordination of existing programs in the 2025-2026 legislative sessions before considering any new policies.

General Government Committee

Contact: Scott Winkels, swinkels@orcities.org

RESTORATION OF RECREATIONAL IMMUNITY

RECOMMENDATION: *The LOC will introduce legislation to protect cities and other landowners who open their property for recreational purposes from tort liability claims.*

Background: An adverse court ruling stemming from a recreational injury sustained on a city owned trail opened cities and other public and private landowners to tort claims for injuries sustained by people who are recreating. The Legislature enacted a temporary restoration of the immunity in 2024 that will expire

on July 1, 2025. Legislation to make the immunity permanent will be needed for cities to offer recreational amenities without fear of tort liability lawsuits or excessive risk premiums.

BEHAVIORAL HEALTH ENHANCEMENTS

RECOMMENDATION: *The LOC will introduce and support legislation to expand access to behavioral health treatment beds and allow courts greater ability to direct persons unable to care for themselves into treatment through the civil commitment process.*

Background: While Oregon has historically ranked at or near the bottom nationally for access to behavioral healthcare, the state has made significant investments over the past four years. It will take time for investments in workforce development and substance abuse treatment to be realized, and areas for improvement remain. The standard for civilly committing a person into treatment remains very high in Oregon, and as a result, individuals who present a danger to themselves or others remain untreated, often producing tragic results. Additionally, the number of treatment beds for residential care does not meet demand, with services unavailable in multiple areas of the state.

CONTINUED ADDICTION POLICY REFORM

RECOMMENDATION: *The LOC will Introduce and support legislation to allow drug related misdemeanors to be cited into municipal court; provide stable funding for services created in HB 4002 in 2024; allow more service providers to transport impaired persons to treatment; establish the flow of resources to cities to support addiction response; and monitor and adjust the implementation of HB 4002.*

Background: The Legislature passed significant changes to Oregon's approach to the current addiction crisis with the creation of a new misdemeanor charge designed to vector defendants away from the criminal justice system and into treatment. Changes also included: sentencing enhancements for drug dealers; investments in treatment capacity; and expanded access to medical assisted addiction treatment. HB 4002 did not include stable funding for the services created or provide cities with direct access to resources, or the ability to cite the new offense into municipal courts. Additionally, the new law will likely require adjustments as the more complicated elements get implemented.

Energy and Environment Committee

Contact: Nolan Pleše, nplese@orcities.org

BUILDING DECARBONIZATION, EFFICIENCY, AND MODERNIZATION

RECOMMENDATION: *The LOC will support legislation to protect against any rollback and preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. In addition, the LOC will lead and back efforts that support local governments, including statewide capacity, expertise, and resources to allow local governments to pursue state and federal funding and continue to support off-ramps for local governments unable to meet the state's new building performance standards.*

Background: Homes and commercial buildings consume nearly one-half of all the energy used in Oregon, according to the Oregon Department of Energy. Existing buildings can be retrofitted and modernized to become more resilient and efficient, while new buildings can be built with energy efficiency and energy capacity in mind.

Oregon cities, especially small to mid-sized and rural communities, require technical assistance and financial support to meet the state's goals. Without additional support, some communities will be unable to meet the state's building performance standards. Off-ramps are necessary to protect cities unable to meet the state's goals to ensure they are not burdened by mandates they can't meet.

Some initiatives may include local exceptions for building energy codes and performance standards, statewide home energy scoring, or financial incentives from the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), state incentives, and other financial incentives like CPACE (Commercial property-assessed clean energy).

For cities to meet their climate resilience and carbon reduction goals while maintaining home rule authority, their flexibility must be preserved to allow for a successful transition from fossil fuels. State pre-emptions should not prohibit cities from exceeding state goals and achieving standards that align with their values.

INVESTMENT IN COMMUNITY RESILIENCY AND CLIMATE PLANNING RESOURCES

RECOMMENDATION: *The LOC will support investments that bring resiliency and climate services (for mitigation and adaptation) together in coordination with public and private entities, and work to fill the existing gaps to help communities get high-quality assistance. These resources are needed for local governments to effectively capture the myriad of available state and federal funding opportunities that cannot be accessed due to capacity and resource challenges. The LOC will work with partners to identify barriers and potential*

solutions towards resiliency opportunities, such as local energy generation and battery storage, and to support actions that recognize local control.

Background: Oregon communities have unique resources and challenges, and increasingly need help to plan for climate and human-caused impacts and implement programs to reduce greenhouse gases. Oregon should focus on maintaining the reliability of the grid while supporting safe, healthy, cost-effective energy production that includes external costs.

Although many opportunities for building resiliency exist, not all will not be built or managed by cities. Cities support efforts to build resiliency hubs in coordination with public, private, and non-profit interests and will seek more investments in programs that support resiliency hubs.

Cities also have a broad range of perspectives on how to address the impacts of the climate crisis. Concerns about costs and reliability during this energy transition have surfaced in many cities. At the same time, others who share those concerns also aim to have stronger requirements that meet their cities' climate goals. To meet these challenges, cities oppose additional mandates but support exceptions and additional support that recognize each city's unique perspectives, resources, and experience while preserving local authority.

Oregon's small to mid-sized communities and rural communities are particularly in need of technical assistance, matching funds, and additional capacity to address climate impacts. Without assistance, these communities face unfunded mandates due to low resources and capacity challenges to go after many available opportunities.

ADDRESS ENERGY AFFORDABILITY CHALLENGES FROM RISING UTILITY COSTS

RECOMMENDATION: *The LOC will: support actions to maintain affordable and reliable energy resources; invest in programs and new technology that support energy efficiency, renewable energy, and battery storage to help reduce overall energy costs and demands; and address grid challenges during peak energy demand and the associated rising costs, while balancing the pace of energy production and power supply that impact rates.*

Background: In recent years, rising utility costs have increased the energy burden on Oregonians, particularly low-income Oregonians, those with fixed incomes, and those who are unable to work. Costs contributing to these increases include, infrastructure upgrades, maintenance, and modernization, climate impacts from increased extreme weather events (wildfires, ice storms, snowstorms, flooding, etc.) and mitigation costs associated with them, fuel costs, inflation, legislative and gubernatorial actions, and investments in new energy-producing technology, and battery storage, are some of many reasons that are impacting utility rates.

While many investment opportunities exist, more cooperation and collaboration

needed to find a path forward that reduces the need for large rate increases that impact Oregonians. Rate increases should balance and prioritize vital labor, infrastructure, and mitigations necessary to sustain present and future energy demands with compensation.

In addition, the LOC would advocate for new tools and utilizing existing tools to modernize rate structures to provide flexibility and account for the time of year of rate increases (phasing in of rate increases) and recognize the higher burden for low and moderate-income and fixed-income Oregonians.

Finance and Taxation Committee

Contact: Lindsay Tenes, ltenes@orcities.org

LODGING TAX FLEXIBILITY

RECOMMENDATION: *The LOC will advocate for legislation to increase flexibility to use locally administered and collected lodging tax revenue to support tourism-impacted services.*

Background: In 2003, the Legislature passed the state lodging tax and restricted local transient lodging tax (TLT) by requiring that revenue from any new or increased local lodging tax be spent according to a 70/30 split: 70% of local TLT must be spent on “tourism promotion” or “tourism related facilities” and up to 30% is discretionary funds.

Tourism has created an increased demand on municipal service provision. Some of the clearest impacts are on roads, infrastructure, public safety, parks, and public restrooms. Short term rentals and vacation homes also reduce the housing supply and exacerbate housing affordability issues.

Cities often play an active role in tourism promotion and economic development efforts, but requiring that 70% of lodging tax revenue be used to further promote tourism is a one-size fits all approach that does not meet the needs of every tourism community. Cities must be allowed to strike the balance between tourism promotion and meeting the needs for increased service delivery for tourists and residents.

MARIJUANA TAX

Legislative Recommendation: *The LOC will advocate for legislation that increases revenue from marijuana sales in cities. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020), and to increase the 3% cap on local marijuana taxes.*

Background: The state imposes a 17% tax on recreational marijuana products. Until

the end of 2020, cities received 10% of the state's total tax revenues (minus expenses) on recreational marijuana products. Measure 110 largely shifted the allocation of state marijuana revenue by capping the amount that is distributed to the recipients that previously shared the total amount (the State School Fund, the Oregon Health Authority, the Oregon State Police, cities and counties) and diverted the rest to drug treatment and recovery services. Starting in March of 2021, quarterly revenue to cities from state marijuana taxes saw a decrease of roughly 74%. Marijuana revenue has also been on a downward trend because the market is oversaturated, which has continually reduced sale prices (high supply, steady demand). Marijuana is taxed on the price of the sale and not on volume.

ALCOHOL TAX

RECOMMENDATION: *The LOC will advocate for increased revenue from alcohol taxes. This includes support for any recommendation by the HB 3610 Task Force on Alcohol Pricing to increase the beer and wine tax that maintains 34% shared distribution to cities. This may also include legislation to lift the pre-emption on local alcohol taxes.*

Background: Cities have significant public safety costs related to alcohol consumption and must receive revenue commensurate to the cost of providing services related to alcohol.

Oregon is a control state and the Oregon Liquor and Cannabis Commission (OLCC, formerly known as the Oregon Liquor Control Commission) acts as the sole importer and distributor of liquor. Cities and other local governments are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% share of net state alcohol revenues. The OLCC has also imposed a 50-cent surcharge per bottle of liquor since the 2009-2011 biennium, which is directed towards the state's general fund. Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel, which equates to about 8.4 cents per gallon, or less than 5 cents on a six-pack. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines. Oregon has the lowest beer tax in the country and the second lowest wine tax.

Broadband, Cybersecurity, Artificial Intelligence (AI), and Telecommunications Committee

Contact: Nolan Plese, nplese@orcities.org

DIGITAL EQUITY AND INCLUSION

RECOMMENDATION: *The LOC will support legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy through programs such as digital*

navigators, devices, digital skills, and affordability programs like the Affordable Connectivity Program (ACP) and the Oregon Telephone Assistance Program (OTAP – also known as Lifeline) that meet and support community members where they are.

Background: Connectivity is increasingly relied on for conducting business, learning, and receiving important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds, and to the skills they need to effectively use it. Recognizing individual knowledge and capacity, abilities, and lived experience is now vital, and programs that offer devices, digital literacy skills, cybersecurity, and support for internet affordability, are critical to closing the digital divide.

CYBERSECURITY & PRIVACY

RECOMMENDATION: *The LOC will support legislation that addresses privacy, data protection, information security, and cybersecurity resources for all that use existing and emerging technology like artificial intelligence (AI) and synthetic intelligence (SI), including, but not limited to: funding for local and state government cyber and information security initiatives; interagency and government coordination and cooperative arrangements for communities that lack capacity; statewide resources for cyber and AI professionals and workforce development; vendor and third-party vendor accountability; regulations of data privacy; or standards for software/hardware developers to meet that will make their products more secure while ensuring continued economic growth. The LOC will oppose any unfunded cybersecurity and/or AI mandates and support funding opportunities to meet any unfunded insurance requirements.*

Background: Society's continued reliance on technology will only increase with the emergence of artificial intelligence (AI) and synthetic intelligence (SI). This will mean an increased risk for cybercrimes. Cybersecurity encompasses everything that pertains to protecting our sensitive and privileged data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. As AI and SI technology and adoption accelerate, the ability to guard against cyber threats and threats created through AI will increase. Strengthening coordination between the public and private sectors at all levels is essential for decreasing risks and quickly responding to emerging threats. This ensures resilience is considered to reduce the damage caused by cyber threats.

RESILIENT, FUTUREPROOF BROADBAND INFRASTRUCTURE AND PLANNING INVESTMENT

RECOMMENDATION: *The LOC will support legislation to ensure broadband systems are built resiliently and futureproofed, while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will oppose any preemptions that impede local government's ability to maintain infrastructure standards in the local rights-of-way. Municipalities' have a right to own and manage access to poles and conduit and to become broadband service providers.*

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding requires communities to have a broadband strategic plan in place in order to qualify. Many cities do not have the resources or staff capacity to meet this requirement. Cities will need to rely on outside sources or work with the state for assistance and support the state setting up an office to aid local governments.

Resilient and Long-Term Systems

As broadband continues to be prioritized, building resilient long-term networks will help Oregonians avoid a new digital divide as greater speeds are needed with emerging technologies like artificial intelligence (AI). Important actions that will ensure resilient broadband include: dig once policies; investing in robust middle-mile connections; ensuring redundancy and multiple providers in all areas' sharing current and future infrastructure to manage overcrowding in the right-of-way (ROW); and undergrounding fiber instead of hanging it on poles. Additionally, infrastructure should be built for increased future capacity to avoid a new digital divide by allowing Oregon to determine speeds that reflect current and future technology.

Optional Local Incentives to Increase Broadband Deployment

Cities need flexibility to adequately manage public rights-of-ways (ROW). Instead of mandates, the state should allow cities the option to adopt incentives that could help streamline broadband deployment. Flexibility for cities to fund conduit as an eligible expense for other state infrastructure (most likely water or transportation projects) would reduce ROW activity. Additionally, local governments can work with state and federal partners to streamline federal and state permitting to reduce delays in broadband deployment.

Regulatory Consistency Amidst Convergence

With rapid changes in communication, standards and policy should keep pace. When a converged technology utilizes differing communications technologies, it may be

required to adhere to multiple standards and regulations, or providers may argue that some parts of their service is not subject to regulations. The LOC will support legislation that addresses the inconsistency of regulations applied to traditional and nontraditional telecommunications services as more entities move to a network-based approach.

ARTIFICIAL INTELLIGENCE (AI)

RECOMMENDATION: *The LOC will support legislation that promotes secure, responsible and purposeful use of artificial intelligence (AI) and synthetic intelligence (SI) in the public and private sectors while ensuring local control and opposing any unfunded mandates. Cities support using AI for social good, ensuring secure, ethical, non-discriminatory, and responsible AI governance through transparent and accountable measures that promotes vendor and third-party vendor accountability, improving government services while protecting sensitive data from use for AI model learning, and fostering cross-agency, business, academic, and community collaboration and knowledge sharing.*

Background: While artificial intelligence (AI) and synthetic intelligence (SI) are not new, the recent advancements in machine learning and the exponential growth of artificial and synthetic intelligence require governments and providers to be responsible and purposeful in the use of this technology. The opportunities and risks that AI and SI present demand responsible values and governance regarding how AI systems are purchased, configured, developed, operated, or maintained in addition to ethical policies that are transparent and accountable. Policies should also consider the implication of AI on public records and retention of information on how AI is being used. Additionally, governments need to consider how procurements are using AI, how they are securing their systems, and any additional parties being used in the process.

AI systems and policies should:

- Be Human-Centered Design - AI systems are developed and deployed with a human-centered approach that evaluates AI-powered services for their impact on the public.
- Be Secure & Safe - AI systems should maintain safety and reliability, confidentiality, integrity, and availability through safeguards that prevent unauthorized access and use to minimize risk.
- Protect Privacy - Privacy is preserved in all AI systems by safeguarding personally identifiable information (PII) and sensitive data from unauthorized access, disclosure, and manipulation.
- Be Transparent - The purpose and use of AI systems should be proactively communicated and disclosed to the public. An AI system, its data sources,

operational model, and policies that govern its use should be understandable, documented, and properly disclosed publicly.

- **Be Equitable** - AI systems support equitable outcomes for everyone; urban, rural, suburban, frontier, and historically underrepresented communities. Bias in AI systems should be effectively managed to reduce harm to anyone impacted by its use.
- **Provide Accountability** - Roles and responsibilities govern the deployment and maintenance of AI systems. Human oversight ensures adherence to relevant laws and regulations and ensures the product's creator is ultimately responsible for reviewing the product prior to release and held accountable.
- **Be Effective** - AI systems should be reliable, meet their objectives, and deliver precise and dependable outcomes for the utility and contexts in which they are deployed.
- **Provide Workforce Empowerment** - Staff are empowered to use AI in their roles through education, training, and collaborations that promote participation and opportunity.

Transportation Committee

Contact: Jim McCauley, jmccauley@orcities.org

2025 TRANSPORTATION PACKAGE

RECOMMENDATION: *The LOC supports a robust, long-term, multimodal transportation package focused on: stabilizing funding for operations and maintenance for local governments and ODOT; continued investment in transit and bike/ped programs, safety, congestion management, and completion of projects from HB 2017. As part of a 2025 package, the funding level must maintain the current State Highway Fund (SHF) distribution formula and increase investments in local programs such as Great Streets, Safe Routes to Schools, and the Small City Allotment Program. In addition, the package should find a long-term solution for the weight-mile tax that stabilizes the program with fees that match heavier vehicles' impact on the transportation system. The funding sources for this package should be diverse and innovative. Additionally, the package should maintain existing choices and reduce barriers for local governments to use available funding tools for transportation investments.*

Background: Oregon has one of the country's most transportation-dependent economies, with 400,000 jobs (1 in 5) related directly to transportation via rail, road, and ports. The State Highway Fund (SHF) is the primary revenue source for the state's transportation infrastructure, and comes from various sources, including gas

and diesel tax, weight mile tax, vehicle registration fees, vehicle title fees, and driver's license fees. These funds are distributed using a 50-30-20 formula, with 50% to the state, 30% to counties, and 20% to cities. Continued investment in transportation infrastructure is critical for public safety objectives such as "[Safe Routes to Schools](#)" and the "[Great Streets](#)" program. The Legislature must develop a plan to match inflationary costs and a plan to transition from a gas tax to an impact fee based on miles traveled to stabilize transportation investment.

FUNDING AND EXPANDING PUBLIC AND INTER-COMMUNITY TRANSIT

RECOMMENDATION: *The LOC supports expanding funding for public transit operations statewide, focusing on inter-community service, service expansion, and a change in policy to allow for the use of funds for local operations and maintenance.*

Background: During the 2017 session, HB 2017 established Oregon's first statewide comprehensive transit funding by implementing a "transit tax," a state payroll tax equal to one-tenth of 1%. This revenue source has provided stable funding of more than \$100 million annually.

These funds are distributed utilizing a formula. Investments made since the 2017 session helped many communities expand and start transit and shuttle services to connect communities and provide transportation options. Many communities, however, still lack a viable public transit or shuttle program and would benefit greatly from expanded services.

SHIFT FROM A GAS TAX TO A ROAD USER FEE

RECOMMENDATION: *The LOC supports replacing Oregon's gas tax with a Road User Fee (RUF) while protecting local government's authority to collect local gas tax fees. An RUF will better measure a vehicle's impact on roads and provide a more stable revenue stream.*

Background: Oregon's current gas tax is 40 cents per gallon. Depending on the pump price, the gas tax represents a small portion of the overall cost of gas. Due to the improved mileage of new vehicles and the emergence and expected growth of electric vehicles, Oregon will continue to face a declining revenue source without a change in the fee structure. Capturing the true impact of vehicles on the transportation system requires a fee structure that aligns with use of roads. The federal tax has remained at 18 cents per gallon since 1993, effectively losing buying power or the ability to keep up with inflation.

COMMUNITY SAFETY AND NEIGHBORHOOD LIVABILITY

RECOMMENDATION: *The LOC supports a strong focus on funding safety improvements on large roads, such as highways and arterials, that run through all communities. This includes directing federal and state dollars toward safety improvements on streets that meet the Great Streets criteria but are not owned by ODOT, and increasing funding for the*

Great Streets program. For those cities that don't qualify for existing programs, ODOT should explore funding opportunities for cities with similar safety needs. Additionally, more funding should be directed to the Highway Safety Improvement Program (HSIP) and All Roads Transportation Safety (ARTS) programs.

Background: Community safety investment remains a critical challenge for local governments, reducing their ability to maintain a transportation system that supports the safe and efficient movement of people and goods. Traffic fatalities and serious injuries continue to grow to record levels in many communities. The lack of stable funding for these basic operations and maintenance functions prevents local governments from meeting core community expectations. Without increases in funding for transportation, this problem is expected to get even worse, as costs for labor and materials continue to increase.

Water and Wastewater Committee

Contact: Michael Martin, mmartin@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 Billion of infrastructure funds needed (\$6.4 billion for water and \$5.5

billion for roads).

Combined with federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon's housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

PLACE-BASED PLANNING

RECOMMENDATION: *The LOC will advocate for funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that face unique water supply challenges.*

Background: Oregon's water supply management issues are complex. In 2015, the Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, surface water, or groundwater. In 2023, the Legislature passed a significant bipartisan Drought Resilience and Water Security package (BiDRAWS), which included \$2 million into a place-based planning water fund to continue efforts to address a basin-by-basin approach.

OPERATOR-IN-TRAINING APPRENTICESHIPS

RECOMMENDATION: *The LOC will advocate for funding for apprenticeship training programs and the expansion of bilingual training opportunities to promote workforce development of qualified wastewater and drinking water operators due to the significant lack of qualified operators.*

Background: Water utilities must resolve a human-infrastructure issue in order to keep our water and wastewater systems running. Currently, water utilities face challenges in recruiting, training, and retaining certified operations employees. In addition, retirements of qualified staff over the next decade will exacerbate the problem.

In 2023, the Legislature approved one-time funding for the development of a training facility for certified operators and technical assistance staff in partnership with the Oregon Association of Water Utilities. Sustained funding for regional training facilities and direct funding for utilities hosting training programs is needed to train the next generation of water and wastewater operators.

DRAFT Joint Values and Outcomes DRAFT
Ahead of the 2025 State Legislative Transportation Package
Communities of Clackamas County

The jurisdictions named here support a seamless, functional transportation system that prioritizes safety and the reliable movement of people and goods.

We acknowledge that without adequate transportation funding to address maintenance and capital projects in our communities, our collective transportation system will continue to struggle, maintenance projects will become capital projects, and our transportation systems will fail to meet public expectations and uses. As the state legislature considers funding solutions to address state and local needs, the values and outcomes named here will be the foundation of our advocacy.

These values are not an endorsement of any collective or particular funding proposal.

To ensure an equitable, balanced, and seamless system for all, a transportation package should...

- Develop in collaboration with local voices and jurisdictions
- Protect and retain the 50/30/20 revenue formula from the State Highway Fund
- Secure operations and maintenance funding for state and local partners
- Increase safety for all travel modes and reduce diversion

To ensure maximum and efficient utilization of public dollars, a transportation package should...

- Provide local jurisdictions with the resources to implement state requirements
- Build trust through budget transparency, implement cost saving measures, and limit administrative costs
- Maximize our opportunity to leverage federal funds
- Secure varied revenue sources to provide for the needs of different communities

To advance projects of statewide significance, a transportation package should...

- Finish legislatively directed capital projects from HB 2017 and HB 3055
- Formulate a list of secondary projects for future funding, including Sunrise Corridor

To provide accessibility and funding to multimodal facilities and services a transportation package should...

- Address complete connections and systems, including gaps in transit service
- Improve transit operations, including regional coordination and equitable access to transit
- Invest in transit so that it is a convenient, reliable, and safe travel option
- Provide sustainable long-term funding for first and last mile transit solutions
- Consider emerging micro-mobility options

To support housing production and economic opportunity, a transportation package should...

- Accelerate robust, multimodal, and well connected transportation networks in developing areas
- Improve the operations of regional freight routes and arterials

Agenda Bill 2024-08-05-01

Date Prepared: July 16, 2024

For Meeting Date: August 5, 2024

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JRW*

From: Dylan Digby, Assistant to the City Manager DD

Subject: Resolution 2024-07: City of West Linn Addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan

Purpose:

This Resolution proposes adoption of the City's updated Addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan (NHMP).

Question(s) for Council:

Does the Council wish to adopt the updated City of West Linn addendum to the County NHMP?

Public Hearing Required:

None Required.

Background & Discussion:

The Natural Hazard Mitigation Plan (NHMP) is a federally mandated emergency planning document and is an eligibility requirement for many federal disaster grants. A NHMP allows jurisdictions to review their local natural hazards and consider what actions can be taken to mitigate the effects of those hazards. The City's NHMP was last updated in 2019 and is required to be updated every five years. As part of the required process, the Multi-Jurisdictional NHMP (with the City of West Linn addendum) has been conditionally approved by Oregon Emergency Management (OEM) and FEMA. Following City Council approval, the NHMP goes back to FEMA for final approval.

West Linn's NHMP is an addendum to the larger [Clackamas County NHMP](#). We worked cooperatively for well over a year with Clackamas County Disaster Management, the University of Oregon's Partnership for Disaster Resilience, and several surrounding cities and special districts on this plan as we largely face similar natural hazards within Clackamas County. Public engagement took place at both the County and City levels and public comments were addressed within document revisions.

A standardized hazard analysis matrix (Table WL-2) was used to rank the relative threat presented by ten natural hazards identified by FEMA. Winter storms (as West Linn witnessed first hand with our 2021 ice storm) and earthquakes were identified as being the most significant hazards to West Linn. Implementation of the NHMP is carried out through actions items identified in the plan. Many of these

action items are part of existing department work plans or other master plans (e.g. Surface Water Master Plan), grant funding can also be applied for projects found in the City's NHMP.

Though the format of the document was changed this year for consistency across multiple jurisdictions, the majority of the general content of the City's Addendum to the NHMP stayed the same with updates as follows:

- Goals of advancing equity and inclusion within the context of disaster preparation and response were added
- Capability assessment section added
- Hazard analysis updated
- Demographics and data/hazard maps from the Department of Geology and Mineral Industries (DOGAMI) updated
- Future Climate Projections Report incorporated
- Action items clarified and updated

Budget Impact:

None. Updating of the NHMP was done at no cost to the City thanks to Clackamas County Disaster Management and the University of Oregon's Partnership for Disaster Resilience. This Plan does not obligate funds towards any projects, but keeps the City eligible to apply for federal funding towards natural hazard mitigation projects.

Sustainability Impact:

The City's addendum identifies actions and activities the City could implement to reduce environmental or financial impacts of known natural hazards.

Council Options:

1. Approve the proposed Resolution, adopting the City's NHMP and continue to be eligible to receive funding towards natural hazard mitigation projects.
2. Decline to approve the proposed Resolution and become ineligible for many funding sources.

Staff Recommendation:

Staff recommends approval of the Resolution, adopting the City's NHMP to remain eligible for funding towards reducing natural hazard risks within the City.

Potential Motion:

Approval of the consent agenda includes approval of this Resolution.

Attachments:

1. Resolution 2024-07
2. City of West Linn Addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan.
3. [Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan](#)
4. FEMA conditional approval letter

RESOLUTION 2024-07

A RESOLUTION ADOPTING THE CITY OF WEST LINN ADDENDUM IN THE UPDATES TO THE CLACKAMAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN

WHEREAS, the City of West Linn recognizes the threat that natural hazards pose to people, property and infrastructure within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and

WHEREAS, an adopted Natural Hazards Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of West Linn has fully participated in the FEMA prescribed mitigation planning process to prepare the *Clackamas County, Multi-Jurisdictional Natural Hazards Mitigation Plan*, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and

WHEREAS, the City of West Linn has identified natural hazard risks and prioritized a number of proposed actions and programs needed to mitigate the vulnerabilities of the City of West Linn to the impacts of future disasters within the *Clackamas County, Multi-Jurisdictional Natural Hazards Mitigation Plan*; and

WHEREAS, these proposed projects and programs have been incorporated into the *Clackamas County, Multi-Jurisdictional Natural Hazards Mitigation Plan* that has been prepared and promulgated for consideration and implementation by the participating cities and special districts of Clackamas County; and

WHEREAS, the Oregon Department of Emergency Management and Federal Emergency Management Agency, Region X officials have reviewed the *Clackamas County, Multi-Jurisdictional Natural Hazards Mitigation Plan* and pre-approved it (dated, May 29, 2024) contingent upon this official adoption of the participating governments and entities;

WHEREAS, the NHMP is comprised of three volumes: Volume I -Basic Plan, Volume II – Jurisdiction Addenda, and Volume III – Appendices, collectively referred to herein as the NHMP; and

WHEREAS, the NHMP is in an on-going cycle of development and revision to improve it's effectiveness; and

WHEREAS, City of West Linn adopts the NHMP and directs the City Manager to develop, approve, and implement the mitigation strategies and any administrative changes to the NHMP.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. The City of West Linn adopts *the Clackamas County Multi-Jurisdictional Natural Hazards Mitigation Plan* as an official plan; and

SECTION 2. The City of West Linn will submit this Adoption Resolution to the Oregon Department of Emergency Management and Federal Emergency Management Agency, Region X officials to enable final approval of the *Clackamas County Multi-Jurisdictional Natural Hazards Mitigation Plan*.

This resolution was PASSED and ADOPTED this _____ day of _____, 2024, and takes effect upon passage.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

City of West Linn Addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan



Photo Credit: Gary Halvorson, Oregon State Archives

Effective:

April XX, 2024-April XX, 2029

Prepared for
The City of West Linn

Updated:
Date, 2024, (Resolution # 2024-xx)
July 8, 2019
July 15, 2013
2009

This Natural Hazard Mitigation Plan was prepared by:



Planning grant funding provided by:



Federal Emergency Management Agency (FEMA)

Project Award Number: DR-4562-39-P-OR

Additional Support Provided by:



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Purpose

This is an update of the West Linn addendum to the Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan (NHMP). This addendum supplements information contained in Volume I (Basic Plan) which serves as the NHMP foundation and Volume III (Appendices) which provide additional information. This addendum meets the following requirements:

- Multi-Jurisdictional **Plan Adoption** §201.6(c)(5),
- Multi-Jurisdictional **Participation** §201.6(a)(3),
- Multi-Jurisdictional **Mitigation Strategy** §201.6(c)(3)(iv) and
- Multi-Jurisdictional **Risk Assessment** §201.6(c)(2)(iii).

Updates to West Linn’s addendum are further discussed throughout the NHMP and within Volume III, Appendix B, which provides an overview of alterations to the document that took place during the update process.

West Linn adopted their addendum to the Clackamas County Multi-jurisdictional NHMP on [DATE TBD, 2024]. FEMA Region X approved the Clackamas County NHMP on [DATE TBD, 2024] and the City’s addendum on [DATE TBD, 2024]. With approval of this NHMP the City is now eligible to apply for the Robert T. Stafford Disaster Relief and Emergency Assistance Act’s hazard mitigation project grants through [DATE TBD-1, 2024].

NHMP Process, Participation and Adoption

This section of the NHMP addendum addresses 44 CFR 201.6(c)(5), *Plan Adoption*, and 44 CFR 201.6(a)(3), *Participation*.

In addition to establishing a comprehensive community-level mitigation strategy, the Disaster Mitigation Act of 2000 (DMA2K), and the regulations contained in 44 CFR 201, require that jurisdictions maintain an approved NHMP to receive federal funds for mitigation projects. Local adoption, and federal approval of this NHMP ensures that the city will remain eligible for pre- and post-disaster mitigation project grants.

The Oregon Partnership for Disaster Resilience (OPDR) at the University of Oregon’s Institute for Policy Research, and Engagement (IPRE) collaborated with the Oregon Office of Emergency Management (OEM), Clackamas County, and West Linn to update their NHMP.

The Clackamas County NHMP, and West Linn addendum, are the result of a collaborative effort between citizens, public agencies, non-profit organizations, the private sector, and regional organizations. The West Linn HMAAC guided the process of developing the NHMP.

Convener

The West Linn Emergency Manager serves as the NHMP addendum convener. The convener of the NHMP will take the lead in implementing, maintaining, and updating the addendum to the Clackamas County NHMP in collaboration with the designated convener of the Clackamas County NHMP (Clackamas County Resilience Coordinator).

Representatives from the City of West Linn HMAC met formally and informally, to discuss updates to their addendum (Volume III, Appendix B). The HMAC reviewed and revised the City's addendum, with focus on the NHMP's risk assessment and mitigation strategy (action items).

This addendum reflects decisions made at the designated meetings and during subsequent work and communication with the Clackamas County Resilience Coordinator, and the OPDR. The changes are highlighted with more detail throughout this document and within Volume III, Appendix B. Other documented changes include a revision of the City's risk assessment and hazard identification sections, NHMP mission and goals, action items, and community profile.

The West Linn HMAC was comprised of the following representatives:

- Dylan Digby, Assistant to the City Manager/Emergency Manager
- Erich Lais, Assistant City Engineer/Interim Director of Public Works
- Darren Wyss, Planning Manager
- Megan Big John, Parks and Recreation Director

The HMAC served as the local review body for the NHMP update.

NHMP Implementation and Maintenance

The City Council will be responsible for adopting the West Linn addendum to the Clackamas County NHMP. This addendum designates a HMAC and a convener to oversee the development and implementation of action items. Because the City addendum is part of the County's multi-jurisdictional NHMP, the City will look for opportunities to partner with the County. The City's HMAC will convene after re-adoption of the West Linn NHMP addendum on an annual schedule. The County is meeting on a semi-annual basis and will provide opportunities for the cities to report on NHMP implementation and maintenance during their meetings. The convener will serve as the conveners and will be responsible for assembling the HMAC. The HMAC will be responsible for:

- Reviewing existing action items to determine suitability of funding;
- Reviewing existing and new risk assessment data to identify issues that may not have been identified at NHMP creation;
- Educating and training new HMAC members on the NHMP and mitigation actions in general;
- Assisting in the development of funding proposals for priority action items;
- Discussing methods for continued public involvement;
- Evaluating effectiveness of the NHMP at achieving its purpose and goals (use Table 26, Volume I, Section 4, as one tool to help measure effectiveness); and
- Documenting successes and lessons learned during the year.

The HMAC will be responsible for the following activities described in detail in Volume I, Section 4:

The jurisdiction will utilize the same implementation and maintenance process identified in Volume I, Section 4.

The jurisdiction will provide continued public participation during the plan maintenance process through periodic presentations to elected officials, public meetings, postings on social media, and/or through interactive content on the jurisdiction's website (for more information see Volume I, Section 4).

The jurisdiction will utilize the same action item prioritization process as the County (for more information see Volume I, Section 4 and Volume III, Appendix E).

Implementation through Existing Programs

This NHMP is strategic and non-regulatory in nature, meaning that it does not necessarily set forth any new policy. It does, however, provide: (1) a foundation for coordination and collaboration among agencies and the public in the city; (2) identification and prioritization of future mitigation activities; and (3) aid in meeting federal planning requirements and qualifying for assistance programs. The mitigation plan works in conjunction with other city plans and programs including the Comprehensive Land Use Plan, Capital Improvements Plan, and Building Codes, as well as the Clackamas County NHMP, and the State of Oregon NHMP.

The mitigation actions described herein (and in Attachment A) are intended to be implemented through existing plans and programs within the city. Plans and policies already in existence have support from residents, businesses, and policy makers. Where possible, West Linn will implement the NHMP's recommended actions through existing plans and policies. Many land-use, comprehensive and strategic plans get updated regularly, allowing them to adapt to changing conditions and needs. Implementing the NHMP's action items through such plans and policies increases their likelihood of being supported and implemented. Implementation opportunities are further defined in action items when applicable.

Capability Assessment

The Capability Assessment identifies and describes the ability of the City of West Linn to implement the mitigation strategy and associated action items. Capabilities can be evaluated through an examination of broad categories, including: existing authorities, policies, programs, funding, and resources. As applicable the 2019 NHMP was integrated into these authorities/documents over the last five years (e.g., land use regulations, water system master plan, capital improvement plan, etc.).

Existing Authorities

Hazard mitigation can be executed at a local scale through three (3) methods: integrating hazard mitigation actions into other local planning documents (i.e., plan integration), adopting building codes that account for best practices in structural hardening, and codifying land use regulations and zoning designations that prescribe mitigation into development requirements. The extent to which a municipality or multi-jurisdictional effort leverages these approaches is an indicator of that community's capabilities.

Comprehensive Plan

Oregon's Statewide Planning Goal 7 requires comprehensive planning within every jurisdiction that is designed to reduce risks to people and property from natural hazards.

West Linn last updated their [Comprehensive Plan](#) in 2016. This plan includes background and analytic sections that support recommendations for, among other things, sustainable economic activity, housing, recreation and open space, transportation, land use livability, and preventing degradation of quality of life in and for West Linn. The Comprehensive Plan provides the basis for other plans, ordinances, and other implementing documents that set forth more detailed direction regarding specific activities and requirements.

Chapter 7 of the Comprehensive Plan addresses with Statewide Planning Goal 7, Natural Hazards. This Chapter incorporates known hazard information from before 2002, focusing on landslides, soil erosion, earthquake damage, and flooding. The goal of its Natural Hazard policies and recommended actions is to

protect life and property from flood, earthquake, other geological hazards, and terrorist threats or attacks.¹

Planned updates to the jurisdiction's Goal 7 element or its broader comprehensive plan will reflect the data and findings within this NHMP and integrate analyses of future climate and natural hazard impacts into the community's long-range plans.

Land Use Regulations

Existing land use policies that define zoning and address hazardous conditions provide another source of mitigation capability.

Title 3 of the Metro Urban Growth Management Functional Plan

This policy requires the city to balance any fill in the floodplain with a corresponding cut that excavates an equal amount of material. In addition, Title 3 requires the city to regulate the area of inundation from the 1996 flood in addition to the area with a 1% chance of flooding as identified on National Flood Insurance Program (NFIP) maps.

Community Development Code

This Code is designed to set forth the standards and procedures governing the development and use of land in West Linn and to implement the West Linn Comprehensive Plan. It was last amended in September 2023.

Chapter 27 Flood Management Areas

This chapter applies to all flood management areas (equal to Special Flood Hazard Areas) within the jurisdiction of West Linn. This code is based upon the 2021 Oregon Model Flood Hazard Ordinance, and was adopted in February 2022.

The regulatory special flood hazard areas (SFHA) for West Linn are identified in the "Flood Insurance Study: Clackamas County, Oregon and Incorporated Areas," dated 06/2008 and revised 01/2019, FIRM Panels 41005C0018D, 41005C0019D, 41005C0038D, 41005C0257D, 41005C0259D, 41005C0260D, and 41005C0276D.

Their flood prevention code section is based on the Oregon Model Flood Hazard Prevention code, which includes provisions addressing substantial improvement/substantial damage and higher regulatory standards than required by state or federal regulations, including requirements for critical facilities to be located outside of the SFHA. If no alternative site is available, critical facilities must be elevated three feet or to the height of the 500-year flood, whichever is higher.

Chapter 28 Willamette and Tualatin River Protection

This chapter protects water quality and the scenic integrity of the river corridors on either side of West Linn. Standards within this chapter help protect against bank erosion and flooding.

Chapter 32 Water Resource Area Protection

This chapter complies with Title 13 and Title 3 of Metro's Urban Growth Management Functional Plan, protecting water quality by moderating storm water impacts and preventing erosion and excessive sedimentation into water bodies. It includes standards that minimize construction of structures and improvements where they are at risk of flooding. This chapter was adopted in 2014.

¹ City of West Linn Comprehensive Plan, 2016.

Structural Building Codes

The Oregon Legislature recently adopted updated building codes for both residential (2023 adoption) and commercial structures (2022) since the last update of this Plan. These building codes are based on the 2021 version of the International Building Code, International Fire Code, and International Existing Building Code.

The West Linn Community Development Department administers and enforces the 2022 Oregon Fire Code, the 2022 Oregon Structural Specialty Code, Mechanical Specialty Code, Plumbing Specialty Code, Electrical Specialty Code, and Residential Specialty Code. Tualatin Valley Fire & Rescue also participates in plan review for development projects. As a result, both new residential and commercial structures will be required to build according to the latest seismic and wind hardening standards in addition to requiring fire resistant building materials for those structures constructed in proximity or within the WUI.

Public Works

The City of West Linn Public Works Department is composed of the divisions responsible for environmental services (storm and sanitary sewer), water, streets, and engineering. Much of their work is associated with the reduction of hazards to the community and the implementation of resilience measures.

City Administration

The City Council of West Linn has the responsibility of developing and adopting the annual city budget. Integrating hazard mitigation goals and projects into the annual budget is key to implementing the plan. The City Council tries to broadly address resilience planning needs while it determines city and departmental priorities and looks for multiple-impact projects wherever possible. They also work with staff to apply for federal and state grant funding to pursue larger projects that are outside of general fund capacity.

Policies and Programs

This Plan directs West Linn and Clackamas County to explore integration into other planning documents and processes. West Linn has made significant progress in integrating the NHMP into its portfolio of planning processes and programs over the last five years.

This Plan directs West Linn and Clackamas County to explore integration into other planning documents and processes. West Linn has made significant progress in integrating the NHMP into its portfolio of planning processes and programs over the last five years.

Sanitary Sewer Master Plan 2019

The Sanitary Sewer Master Plan was adopted in 2019 to address the sanitary sewer system needs over the next 20 years. It includes capital improvement and capital maintenance plans for the sanitary sewer system.

Storm Drainage Master Plan 2019

The Storm Drainage Master Plan guides the City's efforts to manage storm water runoff, reduce storm water pollution, and protect/enhance natural habitat areas affected by the drainage system. It acts as the master plan for the city's National Pollutant Discharge Elimination System (NPDES) program and for Total Maximum Daily Load (TMDL) compliance. Recommendations in this plan led to the update of the City's floodplain management regulations, updated erosion control standards, etc. Capital projects identified include culvert replacements at key locations (5th Avenue, Sunset Creek, Maddox Creek), and road improvements to address roadway flooding (Blankenship Road, Mark Lane, Buck Street, Sunset Avenue).

TMDL Implementation Plan

The City maintains a Total Maximum Daily Load (TMDL) Plan (updated in September 2022). The Total Maximum Daily Load (TMDL) program is intended to comply with the Tualatin River Subbasin and Willamette River Basins TMDL order and to address the Revised Willamette Basin Mercury TMDL (effective February 2021). Tributaries within the City limits do not currently meet state water quality standards for several parameters, including bacteria, mercury, chlorophyll a and pH (total phosphorus as a surrogate measure), dissolved oxygen (ammonia and total suspended solids [TSS] as surrogate measures), and temperature. The NHMP actions are incorporated into this document as appropriate. Example projects include riparian planting and revegetation, erosion control education and enforcement, design standards for new and redevelopment, and public outreach.

Water Master Plan 2024

The current Water Master Plan dates to 2008. The update of the Water Master Plan is underway and is expected to be complete in 2024.

Community Wildfire Protection Plan

The Clackamas County Community Wildfire Protection Plan (CWPP) will be incorporated into this Plan as a functioning annex. The CWPP will also be integrated into the City's Capital Improvement Plan (2024-2029 CIP approved June 2023).

Tree City USA

This distinction means West Linn has an active tree care ordinance and public education pieces, among others, which help to maintain a healthy urban forest. Most utilities are underground, and all new utilities are required to be undergrounded, but in case of power outages the city's critical facilities have back up power generation.

National Flood Insurance Program

West Linn participates in the National Flood Insurance Program. The Planning Division is responsible for administering the day-to-day activities of the city's floodplain program.

Specifically, the floodplain manager:

- maintains and administers West Linn's floodplain regulations;
- reviews and issues floodplain development permits;
- maintains elevation certificates for all new and substantially improved structures (and maintains an extensive database of historic elevation certificates);
- ensures that encroachments do not occur within the regulated floodway;
- implements measures to ensure that new and substantially improved structures are protected from flood losses;
- maintains floodplain studies and maps and makes this information available to the public;
- maintains a flood information website with digital flood insurance rate map (DFIRM) data;
- conducts site visits to assess conditions and provide technical assistance to the public;
- maintains a library of historical flood related information;
- informs the public of flood insurance requirements; and
- conducts outreach and training about flood hazards and development within the floodplain.

Other program successes include:

- Compliance with SB 13, enacted in 2001, requiring local governments to develop seismic preparation procedures, inform their employees about the procedures, and conduct earthquake drills.

- Adoption of a policy to require undergrounding of power lines in new subdivisions.
- Development Code restrictions regarding construction on steep slopes.
- Adoption of Emergency Operations Plan (2017 update)

Personnel

The following West Linn personnel have assignments related to natural hazard mitigation planning and implementation:

Emergency Management: Dylan Digby, Assistant to City Manager

Public Information Officer: Danielle Choi, Community Relations Coordinator

Floodplain Manager: Darren Wyss, Planning Manager

Capital improvement planning: Erich Lais, Public Works Director

Capital improvement execution: Erich Lais, Public Works Director

West Linn does not have any employees solely designated to Emergency Management or Mitigation. These personnel integrate hazards and resilience planning into their greater work programs to the best of their abilities. However, there is limited capacity to expand upon their capabilities or workloads.

Capital Projects

West Linn has implemented recommendations from the last NHMP into its capital improvement projects.

Mitigation activities completed by the City of West Linn include:

- The Police Station was built on a new site (1800 8th Avenue) in 2014 via a 2011 voter approved bond.²
- Seismic strengthening of supports for the West Linn primary water transmission line (24-inch) attached to the underside of the I-205 (Abernethy) Bridge over the Willamette River between West Linn and Oregon City, as part of a general seismic upgrade of the bridge by the Oregon Department of Transportation, 2001-02
- In 2006 a \$77.5 million bond measure (34-133) was passed by southeast Portland metro-area voters to correct seismic safety deficiencies at Tualatin Valley Fire and Rescue Fire by rebuilding [Station 58](#) (Bolton) and [Station 59](#) (Willamette).³
- In 2018, TVF&R completed construction on [Station 55](#) (Rosemont). In 2011, a local school district capital bond was approved to structurally reinforce Bolton Primary, Cedaroak Park Primary, and Stafford Primary schools. The historic Sunset Primary school was demolished⁴ and replaced in September 2017 with a new school per a 2014 school district capital bond.⁵

² Malee, Patrick. Portland Tribune (August 7, 2014). "After three years, police station set for grand opening." <https://pamplinmedia.com/wlt/95-news/229497-92676-after-three-years-police-station-set-for-grand-opening-> (Accessed December 7, 2018)

³ Tualatin Valley Fire & Rescue, "General Obligation Bond". <https://www.tvfr.com/100/General-Obligation-Bond> (Accessed December 5, 2018)

⁴ Kilstrom, Andrew. WestLinnTidings (June 29, 2017) "Sunset: 127 years and counting". <https://pamplinmedia.com/wlt/95-news/364495-244263-sunset-127-years-and-counting> (Accessed December 6, 2018)

⁵ West Linn-Wilsonville School District. "2014 Capital Bond Program". <https://www.wlww.k12.or.us/Bond> (Accessed December 6, 2018)

- Bolton Reservoir (Primary) was seismically upgraded and enlarged to 4 million gallons (2017).
- Robinwood Station Community Center has been seismically renovated (2023).

West Linn has taken mitigation steps to reduce the city's vulnerability in earthquake events.

- Abernethy Bridge is currently under construction with significant seismic resilience.

Ongoing projects that enhance the City's resilience include:

- Construction of new centrally located Public Works and Parks Operations and Maintenance Facility (with emergency generator)
- Replacement and seismic upgrades to the City's water transmission main on the I-205 Abernethy Bridge.
- Upgrades to the City's water telemetry system
- Water Master Plan Update (underway)
- Upgrading of Calaroga sanitary sewer pump station
- Athey Creek Middle School (new)

Mitigation Successes

The community has several examples of mitigation success including the following projects funded through FEMA [Hazard Mitigation Assistance](#) and the Oregon Infrastructure Finance Authority's [Seismic Rehabilitation Grant Program](#)⁶.

FEMA Funded Mitigation Successes

- None identified.

Seismic Rehabilitation Grant Program Mitigation Successes

- None identified.

Other Mitigation Successes

- Police Station (new, 1800 8th Avenue)
- Bolton Reservoir seismic improvements
- Seismic strengthening of water transmission line under I-205
- Replacement of Sunset Primary School
- Athey Creek Middle School

Capital Resources

West Linn maintains several capital resources that have important roles to play in the implementation of the natural hazard mitigation plan.

Critical facilities with power generators for use during emergency blackouts: Police Station, City Hall, Operations Facility, and Library

Food pantries: West Linn Food Pantry (1683 Willamette Falls Drive)

⁶ The Seismic Rehabilitation Grant Program (SRGP) is a state of Oregon competitive grant program that provides funding for the seismic rehabilitation of critical public buildings, particularly public schools, and emergency services facilities.

Fueling storage: Generator locations have some fuel storage. Operations facility has a fuel storage tanks for vehicles and equipment.

Findings

Several important findings from this capability assessment informed the design of the Plan's mitigation strategy and aided in prioritizing action items.

Staffing Limitations and Capacity

West Linn staff are assigned hazard mitigation responsibilities as a (small) part of their larger job responsibilities. Restricted capacity reduces the breadth of the programming the community can undertake in any year. The city relies upon its relationships with the County and other cities within its region to expand its operations.

Reliance upon outside funding streams and local match requirements

West Linn operates on a limited budget with many conflicting priorities. This leaves few opportunities for using local financial resources to implement hazard mitigation work. They lean heavily upon state and federal grant funds as the primary means for securing mitigation funding. Hazard mitigation grants such as HMGP and BRIC require 10-25% local funding match, as well as extra staff capacity and expertise to navigate the application process and manage the funding.

Leveraging Partnerships with Public and Nonprofit Entities

Regional planning displayed in Community Wildfire Protection Planning process demonstrates the City's ability to effectively share information and identify priority needs.

Mitigation Plan Mission

The 2024 HMAc reviewed the previous NHMP Mission and Goals in comparison to the State NHMP Goals and determined that they would make necessary updates to include references to community lifelines and to advance equity and inclusion in hazard mitigation.

The NHMP mission states the purpose and defines the primary functions of NHMP. It is intended to be adaptable to any future changes made to the NHMP and need not change unless the community's environment or priorities change.

The mission of the NHMP is to:

Enhance county resiliency and capacity to address natural hazards by promoting sound public policy and effective mitigation strategies designed to equitably reduce risk and impacts on community members, community lifelines, historic and cultural resources property, and ecological systems.

This can be achieved by increasing public awareness, documenting the resources for risk reduction and loss-prevention, and identifying activities to guide the county towards building a safer, more sustainable community.

Mitigation Plan Goals

Mitigation plan goals are more specific statements of direction that residents and public and private partners can take while working to reduce the risk from natural hazards. These statements of direction form a bridge between the broad mission statement and action items. The goals listed here serve as checkpoints as agencies and organizations begin implementing mitigation action items.

Meetings with the HMAC, previous hazard event reports, and the previous NHMPs served as methods to obtain input and identify priorities in developing goals for reducing risk and preventing loss from natural hazards.

All the NHMP goals are important and are listed below in no order of priority. Establishing community priorities within action items neither negates nor eliminates any goals, but it establishes which action items to consider implementing first, should funding become available.

Goal 1: Protect Life and Property

- Develop and implement mitigation and climate adaptation projects and policies that aid in protecting lives by making homes, businesses, community lifelines, and other property more resilient to natural hazards and impacts from climate change.
- Establish mitigation projects and policies that minimize losses and repetitive damages from recurring disasters while promoting insurance coverage for severe hazards
- Improve hazard identification and risk assessment information to inform and provide recommendations for enhanced resilience in new development decisions, and promote preventative measures for existing development in areas vulnerable to natural hazards.

Goal 2: Enhance Natural Systems

- Incorporate natural hazard mitigation planning and activities into watershed planning, natural resource management, natural systems enhancement, and land use planning to protect life, property, and ecological system.

Goal 3: Augment Emergency Services

- Strengthen emergency operations by enhancing communication, collaboration, and coordination of natural hazard mitigation activities and policies across agencies at all levels and regions of government, sovereign tribal nations, and the private sector.

Goal 4: Encourage Partnerships for Implementation

- Improve communication, coordination, and participation among and with public agencies, community members, community lifelines, and private sector organizations to prioritize and implement hazard mitigation activities and policies.
- Enhance efforts toward identifying and optimizing opportunities across state agencies, surrounding communities, and private entities for resource sharing, mutual aid, and funding sources/support.

Goal 5: Promote Public Awareness

- Build community resilience and awareness and reduce the effects of natural hazards and climate change through community-wide engagement, collaboration, resource-sharing, learning, leadership-building, and identifying mitigation project-related funding opportunities.

Goal 6: Advance Equity and Inclusion

- Mitigate the inequitable impacts of natural hazards by prioritizing the directing of resources and efforts to build resilience and engagement in the most vulnerable communities least able to prepare, respond, and recover.
- Strengthen efforts aimed at increasing engagement, outreach, and collaboration with community and cultural organizations and agencies that are dedicated to providing services and support to vulnerable and underserved communities.

Mitigation Strategy

This section of the NHMP addendum addresses 44 CFR 201.6(c)(3(iv), *Mitigation Strategy*.

The City’s mitigation strategy (action items) was first developed during the 2009 NHMP planning process and revised during subsequent NHMP updates. During these processes, the HMAC assessed the City’s risk, identified potential issues, and developed a mitigation strategy (action items).

During the 2023 update process, the City re-evaluated their mitigation strategy (action items). During this process action items were updated, noting if the action is complete, not complete and whether the actions were still relevant; any new action items were identified at this time (see Attachment B for more information on changes to action items).

Action Items

Table WL-1 documents the title of each action along with, the lead organization, partners, timeline, cost, and potential funding resources. The HMAC decided to modify the prioritization of action items in this update to reflect current conditions (risk assessment), needs, and capacity (see Attachment A for more information). High priority actions are shown with orange highlight. The City will focus their attention, and resource availability, upon these achievable, high leverage, activities over the next five-years. Although this methodology provides a guide for the HMAC in terms of implementation, the HMAC has the option to implement any of the action items at any time. This option to consider all action items for implementation allows the committee to consider mitigation strategies as new opportunities arise, such as capitalizing on funding sources that could pertain to an action item that is not currently listed as the highest priority. Refer to Attachment A for changes to actions since the previous NHMP.

Table WL-1 Action Items

| | | Impacted Hazard | | | | | | | | | | Implementation and Maintenance | | | |
|---------------|---|-----------------|------------|--------------|-------|-----------|----------------|----------|-----------|--------------|--|--------------------------------|--|----------------|--|
| Action Item # | Statement | Drought | Earthquake | Extreme Heat | Flood | Landslide | Volcanic Event | Wildfire | Windstorm | Winter Storm | Lead/ Partners | Timeline | Potential Funding Source | Estimated Cost | |
| 1 | Reduce threat to critical and essential public facilities. | X | X | X | X | X | X | X | X | X | Parks and Recreation/ Public Works, Engineering | Ongoing | Local Resources. DLCDD TA, FEMA HMA | Low to High | |
| 2 | Enhance recognition of hazards, and appropriate mitigation and response activities through public education. Identify, improve, and sustain public and private partnerships and collaborations focused on natural hazard mitigation and risk reduction. | X | X | X | X | X | X | X | X | X | Administration/ Public Works, Parks and Recreation, Building, Planning | Ongoing | Local Resources, FEMA HMA | Low | |
| 3 | Maintain a public awareness campaign regarding severe weather mitigation measures and the importance of personal safety. | | | X | | | | | X | X | Administration/ Public Works, Parks and Recreation, Building, Planning | Ongoing | Local Resources, FEMA HMA | Low | |
| 4 | Integrate the goals and action items from the Natural Hazards Mitigation Plan into existing regulatory documents and programs, where appropriate. | X | X | X | X | X | X | X | X | X | Planning/ Public Works, Building, City Council | Ongoing | Local, State, Federal Grants and BRIC | Low | |
| 5 | Conduct seismic evaluations on identified critical and essential facilities and infrastructure and implement appropriate structural and non-structural mitigation strategies. (e.g., reservoirs) – Bolton complete since previous NHMP. | | X | | | | | | | | Public Working – Engineering/ Planning | Long | Local, State and Federal Grants and BRIC | High | |

| | | Impacted Hazard | | | | | | | | | Implementation and Maintenance | | | |
|---------------|--|-----------------|------------|--------------|-------|-----------|----------------|----------|-----------|--------------|--|----------|---|----------------|
| Action Item # | Statement | Drought | Earthquake | Extreme Heat | Flood | Landslide | Volcanic Event | Wildfire | Windstorm | Winter Storm | Lead/ Partners | Timeline | Potential Funding Source | Estimated Cost |
| 6 | Ensure continued compliance in the National Flood Insurance Program (NFIP) through enforcement of local floodplain management ordinances. | | | | X | | | | | | Planning/ GIS, Public Works | Ongoing | Local Resources. DLCDD TA, FEMA HMA (FMA) | Low |
| 7 | Implement Surface Water Master Plan (storm water) capital improvement projects that can reduce flood threats. | | | | X | | | | | | Public Works/ Planning | Ongoing | Local Resources. DLCDD TA, FEMA HMA (FMA) | Low to High |
| 8 | Address vulnerabilities of sewer pump stations to potential flood events. | | | | X | | | | | | Public Works/ Planning | Ongoing | Local Resources. DLCDD TA, FEMA HMA (FMA) | Medium |
| 9 | Acquire flood-prone and repetitive loss properties and preserve as open space (e.g., property at Cedar Oak around stream and natural resource area). | | | | X | | | | | | Planning/ Public Works, GIS | Long | Local Resources. DLCDD TA, FEMA HMA (FMA) | High |
| 10 | Reduce risk of erosion and soil destabilization by implementing the strategies outlined in the Surface Water Management Plan. | | | | X | X | | | | X | Public Works/ Planning | Ongoing | Local, State, Federal Grants and BRIC | Medium |
| 11 | Maintain a tree hazard program for preventing future hazards, while improving long-term health and care of urban forest. | | | | | | | X | X | X | Parks and Recreation/ Planning, Building, Public Works | Ongoing | Local Resources, FEMA HMA (FMA) | Low |

| | | Impacted Hazard | | | | | | | | | Implementation and Maintenance | | | |
|---------------|--|-----------------|------------|--------------|-------|-----------|----------------|----------|-----------|--------------|---|----------|---------------------------------|----------------|
| Action Item # | Statement | Drought | Earthquake | Extreme Heat | Flood | Landslide | Volcanic Event | Wildfire | Windstorm | Winter Storm | Lead/ Partners | Timeline | Potential Funding Source | Estimated Cost |
| 12 | Promote and support wildfire mitigation action items through the Clackamas County Community Wildfire Protection Plan. | | | | | | | X | | | TVF&R/ Public Works, Parks and Recreation, Building, Planning | Ongoing | Local Resources, FEMA HMA, CWDG | Low to High |
| 13 | Encourage private landowners to create and maintain defensible space around homes and other buildings and make home hardening improvements | | | | | | | X | | | TVF&R/ Public Works, Parks and Recreation, Building, Planning | Ongoing | Local Resources, FEMA HMA, CWDG | Low to High |
| 14 | Underground utilities near critical/essential facilities and other vulnerable areas. | | | | | | | X | X | X | Public Works, Parks and Recreation, Building, Planning | Ongoing | Local Resources, FEMA HMA | High |

Source: West Linn NHMP HMAc, updated 2023
 Cost: Low (less than \$50,000), Medium (\$50,000-\$100,000), High (more than \$100,000)
 Timing: Ongoing (continuous), Short (1-2 years), Medium (3-5 years), Long (5 or more years)
 Priority Actions: Identified with orange highlight

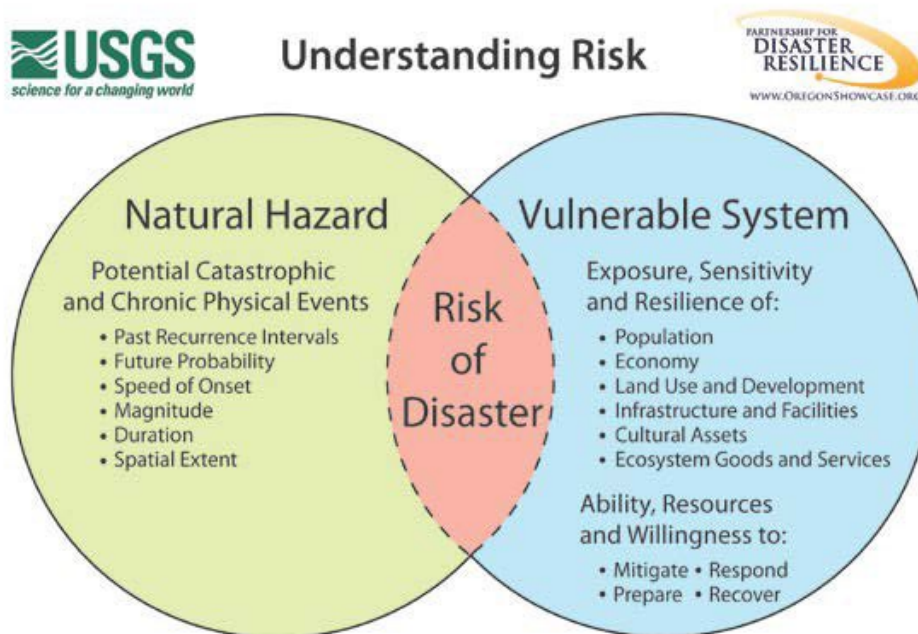
Risk Assessment

This section of the NHMP addendum addresses 44 CFR 201.6(b)(2) - Risk Assessment. In addition, this chapter can serve as the factual basis for addressing Oregon Statewide Planning Goal 7 – Areas Subject to Natural Hazards. Assessing natural hazard risk has three phases:

- **Phase 1:** Identify hazards that can impact the jurisdiction. This includes an evaluation of potential hazard impacts – type, location, extent, etc.
- **Phase 2:** Identify important community assets and system vulnerabilities. Example vulnerabilities include people, businesses, homes, roads, historic places and drinking water sources.
- **Phase 3:** Evaluate the extent to which the identified hazards overlap with or have an impact on, the important assets identified by the community.

The local level rationale for the identified mitigation strategies (action items) is presented herein and within Volume I, Section 3 and Volume III, Appendix C. The risk assessment process is graphically depicted in Figure WL-1. Ultimately, the goal of hazard mitigation is to reduce the area of risk, where hazards overlap vulnerable systems.

Figure WL-1: Understanding Risk



Source: USGS- Oregon Partnership for Disaster Resilience Research Collaboration, 2006

Hazard Analysis

The West Linn HMA developed their hazard vulnerability assessment (HVA), using their previous HVA and the County's HVA as a reference. Changes from their previous HVA and the County's HVA were made where appropriate to reflect distinctions in vulnerability and risk from natural hazards unique to West Linn, which are discussed throughout this addendum. Table WL-2 shows the HVA matrix for West Linn listing each hazard in order of rank from high to low. For local governments, conducting the hazard

analysis is a useful step in planning for hazard mitigation, response, and recovery. The method provides the jurisdiction with a sense of hazard priorities but does not predict the occurrence of a hazard. One chronic hazard (winter storm) and two catastrophic hazards (Cascadia Subduction Zone earthquake and Crustal earthquake) rank as the top hazard threats to the City (Top Tier). Landslide, extreme heat event, flood, and wildfire comprise the next highest ranked hazards (Middle Tier), while drought, windstorm, and volcanic event comprise the lowest ranked hazards (Bottom Tier).

Table WL-2 Hazard Analysis Matrix – West Linn

| Hazard | History | Vulnerability | Maximum Threat | Probability | Total Threat Score | Hazard Rank | Hazard Tiers |
|-----------------------|---------|---------------|----------------|-------------|--------------------|-------------|--------------------|
| Winter Storm | 12 | 40 | 70 | 63 | 185 | 1 | <i>Top Tier</i> |
| Earthquake - Cascadia | 2 | 45 | 100 | 35 | 182 | 2 | |
| Earthquake - Crustal | 6 | 50 | 100 | 21 | 177 | 3 | |
| Landslide | 14 | 30 | 60 | 63 | 167 | 4 | <i>Middle Tier</i> |
| Extreme Heat Event | 10 | 35 | 70 | 35 | 150 | 5 | |
| Flood | 16 | 25 | 50 | 56 | 147 | 6 | |
| Wildfire | 16 | 20 | 50 | 49 | 135 | 8 | |
| Drought | 10 | 15 | 50 | 56 | 131 | 7 | <i>Bottom Tier</i> |
| Windstorm | 14 | 15 | 50 | 42 | 121 | 9 | |
| Volcanic Event | 2 | 25 | 50 | 7 | 84 | 10 | |

Source: West Linn HMAc, 2023.

Community Characteristics

Table WI-3 and the following section provides information on City specific demographics and assets. Many of these community characteristics can affect how natural hazards impact communities and how communities choose to plan for natural hazard mitigation. Considering the City specific assets during the planning process can assist in identifying appropriate measures for natural hazard mitigation.

West Linn has grown substantially since its incorporation in 1913 and has an area today of 7.43 square miles. The city is on Interstate 205 and within the southern bounds of the Portland metropolitan area (about 12 miles south of the City of Portland) and is bordered on the east by the Willamette River, and to the southwest by the Tualatin River, on the north by the City of Lake Oswego, and to the west by unincorporated Clackamas County. The City is within the Willamette River watershed.

Because of its location West Linn's climate is consistent with the Marine west coast climate zone, with warm summers and cool, wet winters. West Linn receives most of its rainfall between October and May, and averages 44 inches of rain, and less than one (1) inch of snow, per year.⁷

The easterly and southerly areas of the City that border the Willamette and Tualatin rivers are low-lying - 55 to 60 feet above sea level at Willamette Falls - while the central and northwesterly sections of the City contain a ridge that rises to as high as 650 feet above sea level.

Population, Housing, and Income

West Linn has grown substantially since its incorporation in 1913 and has an area today of 2.26 square miles. It is in the south-central region of Clackamas County, located approximately 29 miles southeast of the City of Portland. The City is within the West Linn River watershed, with the West Linn River about a mile east of the UGB.⁸

Between 2016 and 2021 the City grew by 1,805 people (7%; as of 2022 the population is 27,420). Between 2022 and 2045 the population is forecast to decline by 2% to 26,990. (This decline is based upon two years of negative growth following the COVID-19 pandemic and is likely to reverse over the upcoming years.)

Most of the population is White/Caucasian (82%) and about 18% of the population is Hispanic or Latino. The poverty rate is 5% (3% of children under 18, 6% for people 65 and older), 3% do not have health insurance, and 63% of renters pay more than 30% of their household income on rent (35% for owners). About 63% of the population has a bachelor's degree or higher (less than 3% do not have a high school degree). Approximately 9% of the population lives with a disability (22% of population 65 and older), and 45% are either below 15 (25%) or over 65 (20%) years of age. About 8% of the population are 65 or older and living alone and 6% are single parents.

The City includes a diversity of land uses but is zoned primarily residential. About 87% of housing units are single-family, 13% are multifamily, and less than 1% are mobile homes. Less than one-fifth of homes (16%) were built before 1970 and 44% were built after 1990. Newer homes are more likely to be built to current seismic, flood, wildfire, and other hazard standards. Almost two-thirds (80%) of housing units are owner occupied, 16% are renter occupied, 2% are seasonal homes, and 2% are vacant.

⁷ ["Monthly Average for West Linn, OR"](#) The Weather Channel Interactive, Inc. Retrieved November 1, 2018.

⁸ [Annual Water Quality Report](#) (2017). City of West Linn. Retrieved March 10, 2019.

Transportation and Infrastructure

The City of West Linn is divided by two major regional transportation facilities - Interstate 205, a freeway running east-west through the southerly section of the City and State Highway 43 (Willamette Drive) that connects to I-205 near its southerly terminus and runs north-south through the northerly section of the City all the way to Portland.

Motor vehicles represent the dominant mode of travel through and within West Linn. Four percent (4%) of renters and 1% of owners do not have a vehicle. Most workers drive alone to work (69%); 7% carpool, 2% use public transit, 2% either walk or use a bicycle, and 21% work at home. West Linn contains two interchanges with I-205, the 10th Street interchange in the Willamette neighborhood and the Highway 43 (Willamette Drive) interchange in the Bolton neighborhood. The responsibility and authority, as well as the financial capability, to maintain an adequate level of service for the freeway I-205 rests with Metro and Oregon Department of Transportation (ODOT) authorities. Congestion on I-205, nonetheless, can result in the diversion of traffic onto City streets.

The City's public transit is provided by Portland's TriMet transit system which serves all of the commercially zoned areas. The availability and quality of pedestrian and bicycling facilities (sidewalks, bike lanes, and pathways) is inconsistent, generally newer neighborhoods have facilities. [Road and Base Maps](#) are found on the West Linn website.

Economy

The economy of West Linn is based primarily on service and retail-oriented commercial businesses and the City has more residents than employees. The City's single major industrial employer is the West Linn Paper Company. West Linn's Waterfront Plan will revitalize the area by the Paper Mill. The City, School District, and smaller employers (retail, offices and other professional services) provide for most of the City's employment.

The City of West Linn does not contain a major commercial district or downtown, but rather it possesses four distinct commercial districts. The Historic Willamette District was one of the first commercial and residential areas in West Linn. The commercial area still retains some of the turn-of-the-century architecture along Willamette Falls Drive and features on-street parking and residential units above retail establishments. Newer commercial and office buildings have been built to the north and east of the Historic District, including north of I-205.

About 46% of the resident population 16 and over is in the labor force (12,463 people) and are employed in a variety of occupations including professional (29%), management, business, and financial (28%), sales (12%), office and administrative (11%), and construction, extraction, and maintenance (5%) occupations.

Most workers residing in the city (93%, 10,920 people) travel outside of the city for work primarily to Portland and surrounding areas.⁹ A significant population of people travel to the city for work, (84% of the workforce, 4,665 people) primarily from Portland and surrounding areas.¹⁰

⁹ U.S. Census Bureau. LEHD Origin-Destination Employment Statistics (2002-2021). Longitudinal-Employer Household Dynamics Program, accessed on January 8, 2024 at <https://onthemap.ces.census.gov>.

¹⁰ Ibid.

Table WI-3 Community Characteristics

| Population Characteristics | | Population | Household Characteristics | | |
|--|-----------|------------|---|--------|------|
| | | Growth | | | |
| 2016 Population Estimate | 25,615 | | Housing Units | | |
| 2022 Population Estimate | 27,420 | 7% | Single-Family (includes duplexes) | 9,011 | 87% |
| 2045 Population Forecast* | 26,990 | -2% | Multi-Family | 1,333 | 13% |
| Race | | | Mobile Homes (includes RV, Van, etc.) | 48 | < 1% |
| American Indian and Alaska Native | | < 1% | Household Type | | |
| Asian | | 5% | Family Household | 7,536 | 75% |
| Black/ African American | | 1% | Married couple (w/ children) | 3,123 | 31% |
| Native Hawaiian and Other Pacific Islander | | < 1% | Single (w/ children) | 552 | 6% |
| White | | 82% | Living Alone 65+ | 812 | 8% |
| Some Other Race | | < 1% | Year Structure Built | | |
| Two or More Races | | 4% | Pre-1970 | 1,621 | 16% |
| Hispanic or Latino/a (of any race) | | 18% | 1970-1989 | 4,215 | 41% |
| Limited or No English Spoken | 824 | 3% | 1990-2009 | 4,073 | 39% |
| Vulnerable Age Groups | | | 2010 or later | 483 | 5% |
| Less than 5 Years | 1,375 | 5% | Housing Tenure and Vacancy | | |
| Less than 15 Years | 5,452 | 20% | Owner-occupied | 8,360 | 80% |
| 65 Years and Older | 4,778 | 18% | Renter-occupied | 1,638 | 16% |
| 85 Years and Older | 462 | 2% | Seasonal | 184 | 2% |
| Age Dependency Ratio | | 0.60 | Vacant | 210 | 2% |
| Disability Status (Percent age cohort) | | | Vehicles Available (Occupied Units) | | |
| Total Disabled Population | 2,415 | 9% | No Vehicle (owner occupied) | 124 | 1% |
| Children (Under 18) | 214 | 3% | Two+ vehicles (owner occupied) | 6,745 | 81% |
| Working Age (18 to 64) | 1,150 | 7% | No Vehicle (renter occupied) | 61 | 4% |
| Seniors (65 and older) | 1,051 | 22% | Two+ vehicles (renter occupied) | 814 | 50% |
| Income Characteristics | | | Employment Characteristics | | |
| Households by Income Category | | | Labor Force (Population 16+) | | |
| Less than \$15,000 | 589 | 6% | In labor Force (% Total Population) | 12,463 | 46% |
| \$15,000-\$29,999 | 367 | 4% | Unemployed (% Labor Force) | 604 | 5% |
| \$30,000-\$44,999 | 649 | 7% | Occupation (Top 5) (Employed 16+) | | |
| \$45,000-\$59,999 | 712 | 7% | Professional & Related | 3,578 | 29% |
| \$60,000-\$74,999 | 693 | 7% | Management, Business, & Financial | 3,472 | 28% |
| \$75,000-\$99,999 | 1,154 | 12% | Sales & Related | 1,535 | 12% |
| \$100,000-\$199,999 | 3,277 | 33% | Office & Administrative | 1,333 | 11% |
| \$200,000 or more | 2,557 | 26% | Construction, Extraction, & Maint. | 590 | 5% |
| Median Household Income | \$124,098 | | Health Insurance | | |
| Gini Index of Income Inequality | 0.45 | | No Health Insurance | 813 | 3% |
| Poverty Rates (Percent age cohort) | | | Public Health Insurance | 7,007 | 26% |
| Total Population | 1,263 | 5% | Private Health Insurance | 23,325 | 86% |
| Children (Under 18) | 215 | 3% | Transportation to Work (Workers 16+) | | |
| Working Age (18 to 64) | 761 | 5% | Drove Alone | 8,501 | 69% |
| Seniors (65 and older) | 287 | 6% | Carpooled | 805 | 7% |
| Housing Cost Burden (Cost > 30% of household income) | | | Public Transit | 255 | 2% |
| Owners with a Mortgage | 2,007 | 35% | Motorcycle | 0 | 0% |
| Owners without a Mortgage | 793 | 30% | Bicycle/Walk | 186 | 2% |
| Renters | 1,029 | 63% | Work at Home | 2,532 | 21% |

Source: U.S. Census Bureau, 2016-2021 American Community Survey; Portland State University, Population Research Center, "Annual Population Estimates", METRO 2040 Population Distributed Forecast (2021, [Exhibit A to Ordinance 21-1457](#)).

Note: ACS 5-year estimates represent average characteristics from 2012-2016 or 2017-2021. Sampling error may result in low reliability of data. This information or data is provided with the understanding that conclusions drawn from such information are the responsibility of the user. Refer to the original source documentation to better understand the data sources, results, methodologies, and limitations of each dataset presented.

Community Lifelines

This section outlines the resources, facilities, and infrastructure that, if damaged, could significantly impact the public safety, economic conditions, and environmental integrity of the city. [Community Lifelines](#) are the most fundamental services in the community that, when stabilized, enable all other aspects of society to function. Mitigating these facilities will increase the community's resilience.

The community lifelines identified below were identified by the City of West Linn. This integrated network of assets, services, and capabilities are used day-to-day to support the recurring needs of the community and enable all other aspects of society to function. Decisive intervention (e.g., rapid re-establishment or employment of contingency response solutions) is required to maintain/reestablish these facilities and services following a hazard incident.

Critical Facilities

Facilities that are critical and essential to government response, and recovery activities (i.e. life, safety, property, and environmental protection). These facilities include: 911 Centers, Emergency Operations Centers, Police, and Fire Stations, Public Works facilities, sewer, and water facilities, hospitals, bridges, roads, shelters, and more. Table WL-4 includes critical facilities identified in the DOGAMI Risk Report (2024) and assumed impact from individual hazards.

Table WL-4 Critical Facilities in West Linn

| | Flood 1% Annual Chance | CSZ 9.0 Earthquake Moderate to Complete Damage | Canby-Molalla Fault Mw-6.8 Moderate to Complete Damage | Landslide High and Very High Susceptibility | Wildfire High or Moderate Risk |
|---|------------------------|--|--|---|--------------------------------|
| Critical Facilities by Community | Exposed | >50% Prob. | >50% Prob. | Exposed | Exposed |
| Athey Creek Middle School | | | | | |
| Bolton Primary School | - | X | X | - | - |
| CedarOak Park Primary School | - | X | X | - | - |
| Rosemont Ridge Middle School | - | - | - | - | - |
| Sullivan substation | - | X | X | - | - |
| Sunset Primary School | - | X | X | - | - |
| Trillium Creek Primary School | - | - | - | - | - |
| Tualatin Valley Fire and Rescue - Station 55 (Rosemont, ca. 2018) | | | | | |
| Tualatin Valley Fire and Rescue - Station 58 (Bolton, ca. 2010) | - | X | X | - | - |
| Tualatin Valley Fire and Rescue - Station 59 (Willamette, ca. 2010) | - | X | X | - | - |
| West Linn City Hall (ca. 2012) | | | | | |
| West Linn Library | | | | | |
| West Linn Adult Community Center | | | | | |
| West Linn High School | - | X | X | - | - |
| West Linn Police Department/EOC | - | X | X | - | - |
| West Linn Public Works/Operations | - | X | X | - | - |
| Willamette Primary School | - | X | X | - | - |

Source: DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-36.

Note: Athey Creek Middle School, TVF&R Stn 55, West Linn City Hall, Library, and Adult Community Center are not included in the DOGAMI analysis.

Critical Infrastructure

Infrastructure that provides necessary services for emergency response include:

Transportation

- Abernathy Bridge (I-205) (rebuilding 2024/2025)
- Arch Bridge (ODOT) (2012 upgrades)
- Fields Bridge (County, Tualatin River, Borland Rd, 2010)
- Weiss Bridge (County, Tualatin River, Petes Mtn Rd)
- Highway 43
- I-205 (ODOT)
- I-205 bridge over Tualatin River
- ODOT overpasses, including Sunset Avenue, West A Street, Broadway Street, 10th Street, OR 43, and Blankenship Road. The Broadway Street overpass may be removed as part of ODOT's I-205 widening project.

Sewer Pump Stations

- | | |
|---------------------|---------------------------|
| • Arbor | • Mapleton |
| • Bolton (Tri-City) | • Marylhurst |
| • Calaroga | • River Heights |
| • Cedaroak | • River Street (Tri-City) |
| • Johnson | • Willamette (Tri-City) |

Drinking Water

- | | |
|---|---|
| • Primary and Alternative Water Sources | • I-205 Water Line (risk reduced in 2024 with new bridge) |
| • South Fork Water | • Lake Oswego Intertie Pump Station |

Reservoirs/Pressure Zones

- | | |
|-------------------------|--|
| • Bland | • View Drive (Robinwood) (+pump station) |
| • Bolton(+pump station) | • Willamette (+pump station) |
| • Horton(+pump station) | |
| • Rosemont | |

Other critical facilities

- Adult Community Center
- West Linn Public Library

Essential Facilities

Facilities that are essential to the continued delivery of key government services, and/or that may significantly impact the public's ability to recover from the emergency. These facilities may include: community gathering places, commercial centers, and other public facilities such as school fields.

Schools

- | | |
|--------------------------------|---------------------------------|
| • Atch Creek Middle School | • Rosemont Ridge Middle School |
| • Bolton Primary School | • Sunset Primary School |
| • Cedaroak Park Primary School | • Trillium Creek Primary School |

- West Linn High School

- Willamette Primary School

Commercial Centers

- Cascade Summit
- West Linn Central Village
- Robinwood Commercial Center
- Willamette Main Street

Other essential facilities

- City Parks (potential for debris storage)

Environmental Facilities

Environmental assets are those parks, green spaces, wetlands, and rivers that provide an aesthetic and functional ecosystem service for the community. See [West Linn Maps](#) for a map of park and open space areas. West Linn has more than 600 acres of park land, ranging from active-oriented parks with areas for sports, picnicking and playing on playgrounds, to passive-oriented parks for walking, biking, and wildlife viewing.

Vulnerable Populations

Vulnerable populations, including seniors, disabled citizens, women, and children, as well those people living in poverty, often experience the impacts of natural hazards and disasters more acutely. Populations that have special needs or require special consideration include:

Assisted Living Facilities

- Rose Linn Care Center
- Tanner Springs Assisted Living
- Small Residential Adult Care Homes

Child Care Centers and Preschools

- Atlas Immersion Academy
- Cascade Montessori
- Kindercare Learning Center
- La Petite Academy, Inc.
- SunGarden Montessori
- Lutheran Church Preschool

Schools

- Athey Creek Middle School
- Bolton Primary School
- Cedaroak Park Primary School
- Rosemont Ridge Middle School
- Sunset Primary School
- Trillium Creek Primary School
- West Linn High School
- Willamette Primary School
- Youth Music Project

Hazardous Materials

Facilities that, if damaged, could cause serious secondary impacts may also be considered “critical.” Hazardous materials sites are particularly vulnerable to earthquake, landslide, volcanic event, wildfire, and winter storm hazards. A hazardous material facility is one example of this type of critical facility. Those sites that store, manufacture, or use potentially hazardous materials include: Gas Stations (5), Paper Mill, Public Works/Operations, and the Water Treatment Plant (Lake Oswego-Tigard).

Economic Assets/Population Centers

Economic assets include businesses that employ large numbers of people and provide an economic resource to the city of West Linn. If damaged, the loss of these economic assets could significantly affect economic stability, and prosperity. Population Centers usually are aligned with economic centers, and are a concern during evacuation/notification during a hazard event. Our four key economic/business centers

are Willamette (Main Street/Blankenship), Robinwood commercial district, Bolton/West Linn Central Village, and Salamo Rd/City Hall. See [West Linn maps](#) for a listing of commercial areas and multi-family housing.

Cultural and Historic Assets

The cultural and historic heritage of a community is more than just tourist charm. For families that have lived in the city for generations and new resident alike, it is the unique places, stories, and annual events that makes the community an appealing place to live. The cultural and historic assets are both intangible benefits and obvious quality-of-life- enhancing amenities. Because of their role in defining and supporting the community, protecting these resources from the impact of disasters is important.

Examples of the types of properties that should be considered before, during, and after an event include Historic Landmarks (28+), Historic City Hall, McLean House and Park, Willamette Falls Historic District, and Willamette Locks.

Hazard Characteristics

Drought

The HMAC determined that the City's probability for drought is **high** and that their vulnerability to drought is **low**. *The probability rating increased and the vulnerability rating did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of drought hazards, history, as well as the location, extent and probability of a potential event. Due to the climate of Clackamas County, past and present weather conditions have shown an increasing potential for drought.

The City of West Linn currently obtains its potable water from the South Fork Water Board (SFWB, a wholesale water supplier that is equally owned by Oregon City and West Linn). The SFWB source of water is the Clackamas River that originates, like the Willamette, in the Cascade Range and flows west to its confluence with the Willamette River just east of the City. The SFWB operates a conventional water treatment plant located on the south side of the Clackamas River near its confluence with the Willamette. Its system includes intake facilities, a water treatment plant (located in Oregon City), and a transmission pipeline to a pump station located on Division Street in Oregon City. The water distribution system includes six service zones that are supplied by six storage facilities (reservoirs) and five pumping stations. The Water System Master Plan was last updated in 2008 and is currently in the update process to provide long-term guidance for the development of the City's water system, which is a supporting document for the Comprehensive Plan. The City has a map of their Water System on their website.

Vulnerability Assessment

Due to insufficient data and resources, West Linn is currently unable to perform a quantitative risk assessment, or exposure analysis, for this hazard. For a list of facilities and infrastructure vulnerable to this hazard see the Community Lifelines Section and Table WL-4.

Future Projections

According to the Oregon Climate Change Research Institute "Future Climate Projections, Clackamas County,"¹¹ drought, as represented by low summer soil moisture, low spring snowpack, low summer

¹¹ Oregon Climate Change Research Institute, *Future Climate Projections, Clackamas County, Oregon*. February 2023.

runoff, and low summer precipitation, is projected to become more frequent in Clackamas County by the 2050s.

Increasingly frequent droughts will have economic and social impacts upon those who depend upon predictable growing periods (ranches, farms, vineyards, gardeners) as well as upon the price and availability of fresh vegetables. It may also stress local jurisdiction's ability to provide water for irrigation or commercial and household use.

Earthquake (Cascadia Subduction Zone)

The HMAC determined that the City's probability for a Cascadia Subduction Zone (CSZ) earthquake is **moderate** and that their vulnerability to a CSZ earthquake is **high**. *These ratings did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of earthquake hazards, history, as well as the location, extent, and probability of a potential event. Generally, an event that affects the County is likely to affect West Linn as well. The causes and characteristics of an earthquake event are appropriately described within Volume I, Section 2 as well as the location and extent of potential hazards. Previous occurrences are well documented within Volume I, Section 2 and the community impacts described by the County would generally be the same for West Linn as well.

Within the Northern Willamette Valley/Portland Metro Region, three potential faults and/or zones can generate high-magnitude earthquakes. These include the Cascadia Subduction Zone, Gales Creek-Newberg-Mt Angel Structural Zone, Portland Hills Fault Zone, and the Canby-West Linn Fault Zone (discussed in the crustal earthquake section).

Figure WL-2 displays relative shaking hazards from a Cascadia Subduction Zone earthquake event. As shown in the figure, most of the city is expected to experience very strong shaking (orange), while areas around the city will experience severe shaking (light red) (shown by the red northeast corner) in a CSZ event.

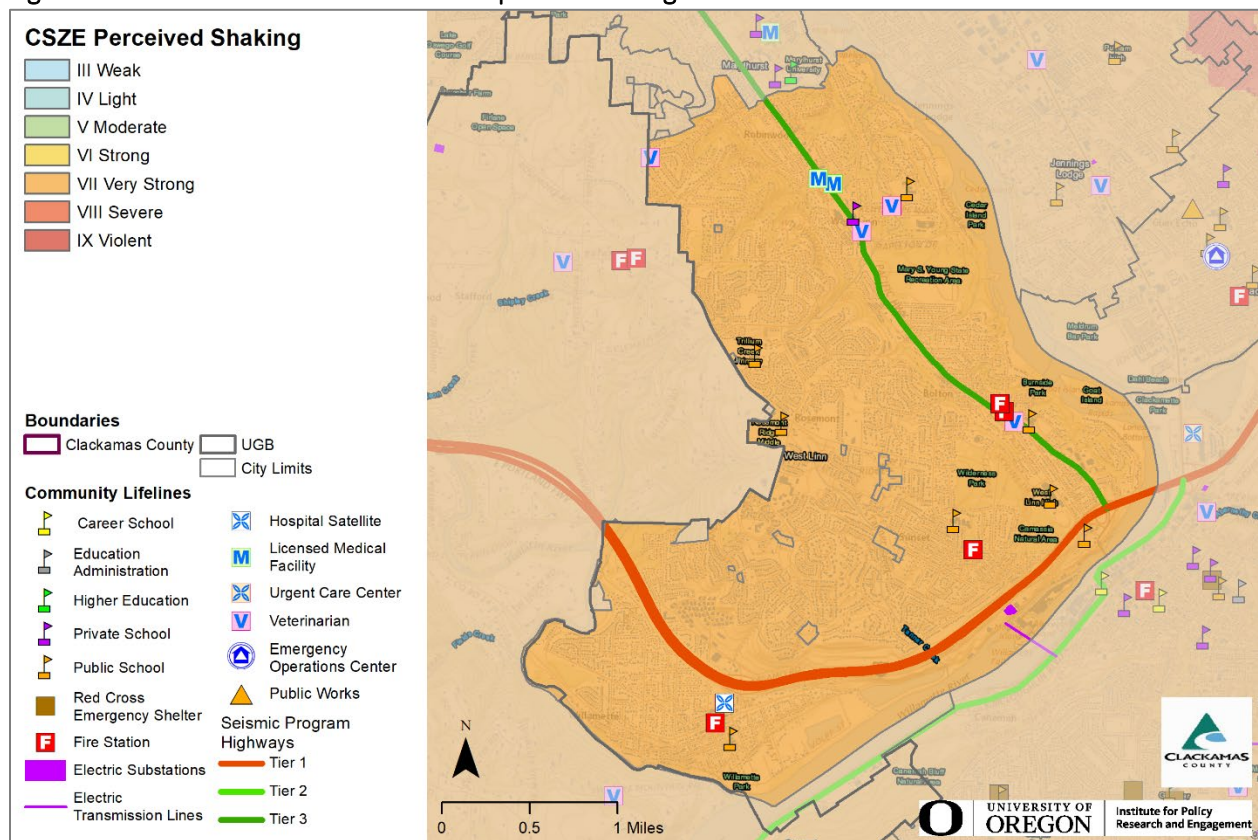
Cascadia Subduction Zone

The Cascadia Subduction Zone is a 680-mile-long zone of active tectonic convergence where oceanic crust of the Juan de Fuca Plate is subducting beneath the North American continent at a rate of 4 cm per year. Scientists have found evidence that 11 large, tsunami-producing earthquakes have occurred off the Pacific Northwest coast in the past 6,000 years. These earthquakes took place roughly between 300 and 5,400 years ago with an average occurrence interval of about 510 years. The most recent of these large earthquakes took place in approximately 1700 A.D.¹²

The city's proximity to the Cascadia Subduction Zone, potential slope instability and the prevalence of certain soils subject to liquefaction and amplification combine to give the city a high-risk profile. Due to the expected pattern of damage resulting from a CSZ event, the Oregon Resilience Plan divides the State into four distinct zones and places the city predominately within the "Valley Zone" (Valley Zone, from the summit of the Coast Range to the summit of the Cascades). Within the Northwest Oregon region, damage and shaking is expected to be strong and widespread - an event will be disruptive to daily life and commerce and the main priority is expected to be restoring services to business and residents.

¹² The Cascadia Region Earthquake Workgroup, 2005. Cascadia Subduction Zone Earthquakes: A magnitude 9.0 earthquake scenario. <http://www.crew.org/PDFs/CREWSubductionZoneSmall.pdf>

Figure WL-2 Cascadia Subduction Zone Expected Shaking



Earthquake (Crustal)

The HMAC determined that the City's probability for a crustal earthquake is **low** and that their vulnerability to crustal earthquake is **high**. *These ratings did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the causes and characteristics of earthquake hazards, history, as well as the location, extent, and probability of a potential event. Generally, an event that affects the County is likely to affect West Linn as well. Figure WL-3 shows a generalized geologic map of the West Linn area that includes the areas for potential regional active faults, earthquake history (1971-2008), and soft soils (liquefaction) hazard. The figure shows the areas of greatest concern within the City limits as red and orange.

Earthquake-induced damages are difficult to predict, and depend on the size, type, and location of the earthquake, as well as site-specific building, and soil characteristics. Presently, it is not possible to accurately forecast the location or size of earthquakes, but it is possible to predict the behavior of soil at any site. In many major earthquakes, damages have primarily been caused by the behavior of the soil.

There are two potential crustal faults and/or zones near the City that can generate high- magnitude earthquakes. These include the Gales Creek-Mt. Angel Structural Zone and Portland Hills Fault Zone (discussed in greater detail below). Other faults include the Bolton fault (running through the city's east edge roughly parallel to Willamette Drive/Highway 43) and Oatfield fault (to the east of the city on the

eastern side of the Willamette River}, Canby-Molalla structural zones located west of the city, and the Mt. Hood Fault in eastern Clackamas County. Historical records count over 56 earthquakes in the Portland-metro area. The more severe ones occurred in 1877, 1880, 1953 and 1962. The most recent severe earthquake was the March 25, 1993 Scotts Mills quake. It was a 5.6 magnitude quake with aftershocks continuing at least through April 8.

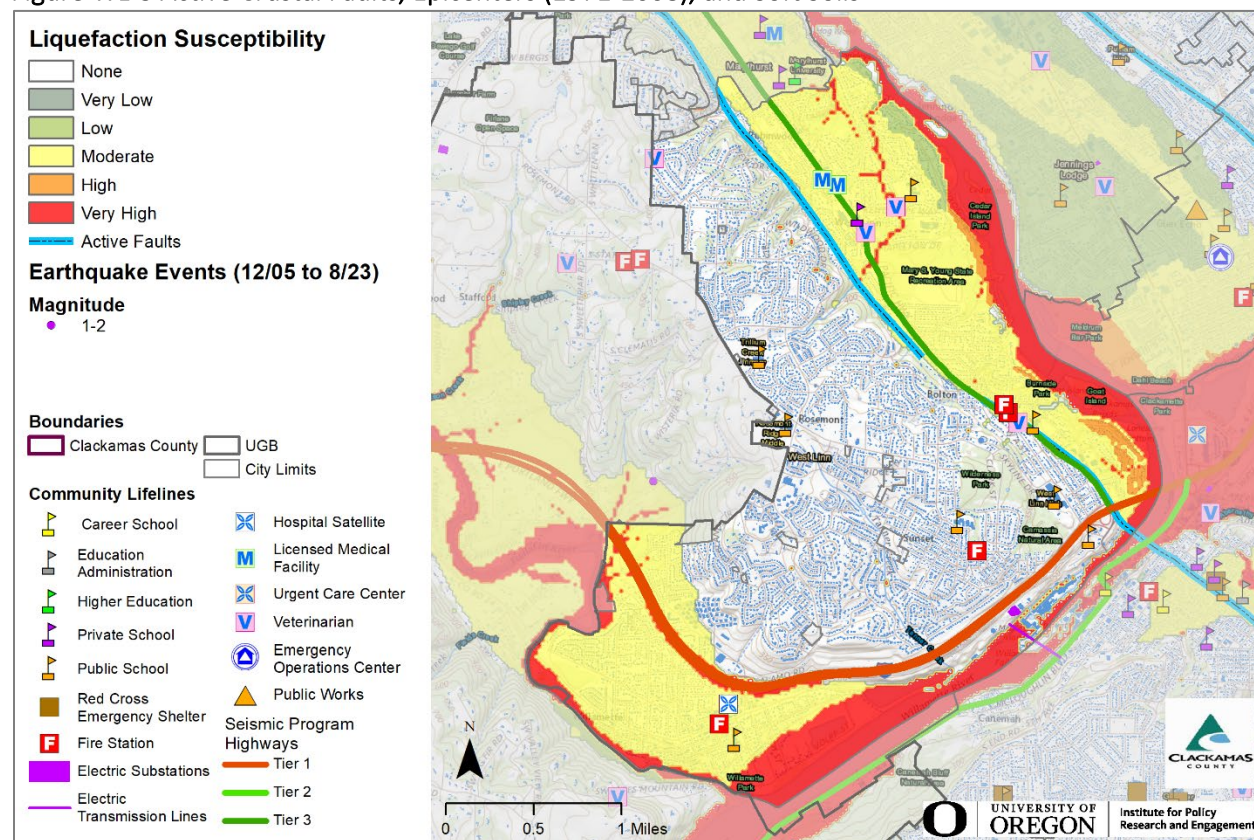
Canby-Molalla Fault Zone

The Canby-Molalla Fault Zone is a series of NE-trending fault that vertically displace the Columbia River Basalt with discontinuous aeromagnetic anomalies that represent significant offset of Eocene basement and volcanic rocks. The fault zone extends for 31 miles from the vicinity of Tigard south through the towns of Canby and West Linn in northern Oregon.

Portland Hills Fault Zone

The Portland Hills Fault Zone is a series of NW-trending faults that vertically displace the Columbia River Basalt by 1,130 feet and appear to control thickness changes in late Pleistocene (approx. 780,000 years ago) sediment. The fault zone extends along the eastern margin of the Portland Hills for 25 miles and lies about 11 miles northeast of West Linn.

Figure WL-3 Active Crustal Faults, Epicenters (1971-2008), and Soft Soils



Source: Map created by Oregon Partnership for Disaster Resilience.

Data: Oregon Department of Geology and Mineral Industries. Preparedness Framework Implementation Team (IRIS v3).

Note: To view hazard detail click this [link](#) to access Oregon HazVu

Vulnerability Assessment

In 2018 the Department of Geology and Mineral Industries (DOGAMI) completed a regional impact analysis for earthquakes originating from the Cascadia Subduction Zone and Portland Hills faults ([O-18-02](#)). Findings from that report are provided at the end of the crustal earthquakes hazard section.

Community assets located in the highest hazard zone for earthquakes include both major hazardous materials fixed sites in West Linn (West Linn Paper Company and Lake Oswego-Tigard Water Treatment Plant) as well as two gas stations. West Linn's infrastructure is particularly vulnerable to earthquake damage. Of the city's nine pump stations, eight are in the moderate to high hazard zones for earthquakes. While the I-205/Abernathy bridge has been seismically retrofitted and is currently being replaced as the first earthquake-ready interstate structure across the Willamette River in the area, its footings lie in the highest hazard zone, as do those for the Oregon City-West Linn Bridge. During a major earthquake, emergency responders may have difficulty performing their duties because their buildings could be impacted by the event.

The Bolton Fire Station, and the Police Department's headquarters are in the moderate to high hazard zones. Areas near the Willamette and Tualatin Rivers are likely comprised of softer soils prone to liquefaction. This can be very destructive to underground utilities such as water and sewer lines. Buildings and water lines can sink into the liquefied ground while sewer pipes, manholes and pump stations (assets partially filled with air) may float to the surface. After the earthquake, the liquefied soil will re-solidify, locking tilted buildings and broken pipe connections into place. In 2018, TVF&R rebuilt Station #55 (Rosemont), and in 2010 they rebuilt Station #58 (Bolton) and Station #59 (Willamette). For a list of facilities and infrastructure vulnerable to this hazard, see the Community Lifelines section and Table WL-4.

Vulnerable populations such as children could be significantly impacted, as many schools lie in the highest two hazard zones. The data gathered from the statewide DOGAMI inventory should be used to prioritize school buildings in West Linn for seismic hazard retrofitting.

Seismic building codes were implemented in Oregon in the 1970s; however, stricter standards did not take effect until 1991 and early 2000s. As noted in the community profile, approximately 36% of residential buildings were built prior to 1990, which increases the City's vulnerability to the earthquake hazard. Information on specific public buildings' (schools and public safety) estimated seismic resistance, determined by DOGAMI in 2007, is shown in Table WL-5; each "X" represents one building within that ranking category. Of the facilities evaluated by DOGAMI using their Rapid Visual Survey (RVS), zero (0) have a very high (100% chance) collapse potential, while four (4) have a high (greater than 10% chance) collapse potential. Note: three fire stations and one school have been rebuilt.

For a list of facilities and infrastructure vulnerable to this hazard, see the Community Lifelines section and Table WL-4.

In addition to building damages, utility (electric power, water, wastewater, natural gas) and transportation systems (bridges, pipelines) are also likely to experience significant damage. There is a low probability that a major earthquake will result in failure of upstream dams.

Utility systems will be significantly damaged, including damaged buildings and damage to utility infrastructure, including water treatment plants and equipment at high voltage substations (especially 230 kV or higher which are more vulnerable than lower voltage substations). Buried pipe systems will suffer extensive damage with approximately one break per mile in soft soil areas. There would be a much lower rate of pipe breaks in other areas. Restoration of utility services will require substantial mutual aid from utilities outside of the affected area.

Table WL-5 Rapid Visual Survey Scores

| Facility | Site ID* | Level of Collapse Potential | | | |
|--|------------|--|----------------|-------------|------------------|
| | | Low (<1%) | Moderate (>1%) | High (>10%) | Very High (100%) |
| Schools | | | | | |
| Athey Creek Middle (2900 SW Borland Rd) | Clac_sch73 | X | | | |
| Bolton Primary (5933 Holmes St) | Clac_sch82 | | X,X | | |
| Cedaroak Park Primary (4515 S Cedaroak Dr) | Clac_sch85 | | | X | |
| Rosemont Ridge (20001 Salamo Rd) | Clac_sch79 | X | | | |
| Stafford Primary (19875 SW Stafford Rd) | Clac_sch93 | | | X | |
| Sunset Primary (2351 Oxford St) see Mitigation Successes | Clac_sch01 | School rebuilt in 2017 per a 2014 bond | | | |
| West Linn High (5464 W A St) | Clac_sch02 | X | | | |
| Willamette Primary (1403 SE 12th St) | Clac_sch72 | | | X,X | |
| Fire Facilities | | | | | |
| TVF&R Fire Station #58 (Bolton) (6050 Failing St) see mitigation successes | Clac_fir32 | Facility rebuilt in 2010 per a 2006 bond | | | |
| TVF&R Fire Station #59 (Willamette) (1860 Willamette Falls Drive) see mitigation successes | Clac_fir33 | Facility rebuilt in 2010 per a 2006 bond | | | |
| Police Facilities | | | | | |
| Police Department (22825 Willamette Drive) see mitigation successes | Clac_pol06 | Facility rebuilt in 2014 in a different location per a 2011 bond | | | |

Source: [DOGAMI 2007. Open File Report O-07-02. Statewide Seismic Needs Assessment Using Rapid Visual Assessment.](#)
 “*” – Site ID is referenced on the [RVS Clackamas County Map](#)

Earthquake Regional Impact Analysis

In 2018 DOGAMI completed a regional impact analysis for earthquakes originating from the Cascadia Subduction Zone and Portland Hills faults (O-18-02). Their study focused on damage to buildings, and the people that occupy them, and on two key infrastructure sectors: electric power transmission and emergency transportation routes. Each earthquake was studied with wet and dry soil conditions and for events that occur during the daytime (2 PM) and nighttime (2 AM). Impacts to buildings and people were

tabulated at the county, jurisdictional (city), and neighborhood unit level. Estimated damage varied widely across the study area depending on local geology, soil moisture conditions, type of building, and distance from the studied faults. In general, damage from the Cascadia Subduction Zone scenario was greater in the western portion of the study area, however, damage could still be significant in some areas east of the Willamette River. The report found that damage to high-value commercial and industrial buildings was high since many of these facilities are in areas of high to very high liquefaction hazard. Casualties were higher during the daytime scenario (generally double) since more people would be at work and occupying non-wood structures that fare worse in an earthquake.

The Portland Hills fault scenario created greater damages than the Cascade Subduction Zone scenario due primarily to its placement relative to population centers and regional assets; however, at distances 15 or more miles from the Portland Hills fault the damages from the Cascadia Subduction Zone scenario generally were higher. In both the Cascadia Subduction Zone and Portland Hills Fault scenarios it is forecasted that emergency transportation routes will be fragmented, affecting the distribution of goods and services, conditions are worse under the Portland Hills Fault scenario. Portions of the electric distribution system are also expected to be impacted under both scenarios; however, the impact is considerably less than it is to the transportation routes. Additional capacity or redundancy within the electric distribution network may be beneficial in select areas that are likely to have greater impacts.

Table WL-6 shows the permanent resident population that are vulnerable to injury or death (casualty) and the buildings in the City that are susceptible to liquefaction and landslides, it does not predict that damage will occur in specific areas due to either liquefaction or landslide. More population and property are exposed to higher degrees of expected damage or casualty under the Portland Hills Fault "wet" scenario than in any other scenario.

Table WL-6 Expected damages and casualties for the CSZ fault and Portland Hills fault: earthquake, soil moisture, and event time scenarios

| | Cascadia Subduction Zone (M9.0) | | Portland Hills Fault (M6.8) | |
|-----------------------------------|---------------------------------|-------------------------|-----------------------------|-------------------------|
| | "Dry" Soil | "Wet" Saturated Soil | "Dry" Soil | "Wet" Saturated Soil |
| Number of Buildings | 9,170 | 9,170 | 9,170 | 9,170 |
| Building Value (\$ Million) | 3,817 | 3,817 | 3,817 | 3,817 |
| Building Repair Cost (\$ Million) | 117 | 209 | 899 | 1,093 |
| Building Loss Ratio | 3% | 5% | 24% | 29% |
| Debris (Thousands of Tons) | 39 | 64 | 251 | 304 |
| Long-Term Displaced Population | 96 | 797 | 1,679 | 3,457 |
| Total Casualties (Daytime) | 68 | 99 | 493 | 566 |
| Level 4 (Killed) | 4 | 5 | 32 | 35 |
| Total Casualties (Nighttime) | 19 | 72 | 216 | 347 |
| Level 4 (Killed) | 0 | 2 | 6 | 9 |

Source: DOGAMI, Earthquake regional impact analysis for Clackamas, Multnomah, and Washington Counties, Oregon (2018, O-18-02), Tables 12-8, 12-9, 12-10, and 12-11.

Cascadia Subduction Zone Scenario

The City of West Linn is expected to have a 3% building loss ratio with a repair cost of \$117 million under the CSZ "dry" scenario, and an 5% building loss ratio with a repair cost of \$209 million under the CSZ

"wet" scenario.¹³ The city is expected to have around 68 daytime or 19 nighttime casualties during the CSZ "dry" scenario and 99 daytime or 72 nighttime casualties during the CSZ "wet" scenario. It is expected that there will be a long-term displaced population of around 96 for the CSZ "dry" scenario and 797 for the CSZ "wet" scenario.¹⁴

Portland Hills Fault Scenario

The City of West Linn is expected to have a 24% building loss ratio with a repair cost of \$899 million under the CSZ "dry" scenario, and a 29% building loss ratio with a repair cost of \$1.093 billion under the CSZ "wet" scenario.¹⁵ The long-term displaced population and casualties are greatly increased for all the Portland Hills Fault scenarios. The city is expected to have around 493 daytime or 216 nighttime casualties during the Portland Hills Fault "dry" scenario and 566 daytime or 347 nighttime casualties during the Portland Hills Fault "wet" scenario. It is expected that there will be a long-term displaced population of around 1,679 for the Portland Hills Fault "dry" scenario and 3,457 for the Portland Hills Fault "wet" scenario.¹⁶

Recommendations from the report included topics within Planning, Recovery, Resiliency: Buildings, Resiliency: Infrastructure Improvements, Resiliency: Essential and Critical Facilities, Enhanced Emergency Management Tools, Database Improvements, Public Awareness, and Future Reports. The recommendations of this study are largely incorporated within this NHMPs mitigation strategies (Table WL-1 and Volume I, Section 3). For more detailed information on the report, the damage estimates, and the recommendations see: *Earthquake regional impact analysis for Clackamas, Multnomah, and Washington Counties, Oregon* (2018, [O-18-02](#)).

Natural Hazard Risk Report for Clackamas County

The **Risk Report (DOGAMI, 2024)**¹⁷ provides hazard analysis summary tables that identify populations and property countywide that are vulnerable to the earthquake hazard.

Cascadia Subduction Zone event (M9.0 Deterministic): 422 buildings (10 critical facilities), are expected to be damaged for a total potential loss of \$235 million (a loss ratio of about 5%). About 332 residents may potentially be displaced (about 1% of the population).

Crustal event (Canby-Molalla fault M6.8 Deterministic): 926 buildings are expected to be damaged (10 critical facilities), for a total potential loss of \$382 million (a loss ratio of about 9%). About 771 residents may be displaced (about 3% of the population).

Future Projections

Future development (residential, commercial, or industrial) within Clackamas County will be at risk to earthquake impacts, although this risk can be mitigated by the adoption and enforcement of high development and building standards. Reducing risks to vulnerable populations should be considered during the redevelopment of existing properties.

¹³ DOGAMI, *Earthquake regional impact analysis for Clackamas, Multnomah, and Washington Counties, Oregon* (2018, O-18-02), Tables 12-8 and 12-9.

¹⁴ Ibid, Tables 12-8 and 12-9.

¹⁵ Ibid, Tables 12-10 and 12-11

¹⁶ Ibid, Tables 12-10 and 12-11.

¹⁷ DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-35.

Flood

The HMAC determined that the City's probability of flooding is **high** and that their vulnerability to flooding is **moderate**. *The probability rating increased, and the vulnerability rating did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of flood hazards, history, as well as the location, extent, and probability of a potential event. Figure WL-4 illustrates the flood hazard area for West Linn.

Portions of West Linn have areas of floodplain (special flood hazard areas, SFHA). These include the Tualatin, and Willamette Rivers. The Federal Emergency Management Agency (FEMA) regulatory floodplains for each of these rivers are depicted as relatively narrow areas on each side of the channels. On the Willamette River, the floodway is generally confined within high stream banks. On the Tualatin, the floodways cover a somewhat larger area.

Floods can have a devastating impact on almost every aspect of the community, including private property damage, public infrastructure damage, and economic loss from business interruption. It is important for the City to be aware of flooding impacts and assess its level of risk.

The economic losses due to business closures often total more than the initial property losses that result from flood events. Business owners, and their employees are significantly impacted by flood events. Direct damages from flooding are the most common impacts, but indirect damages, such as diminished clientele, can be just as debilitating to a business.

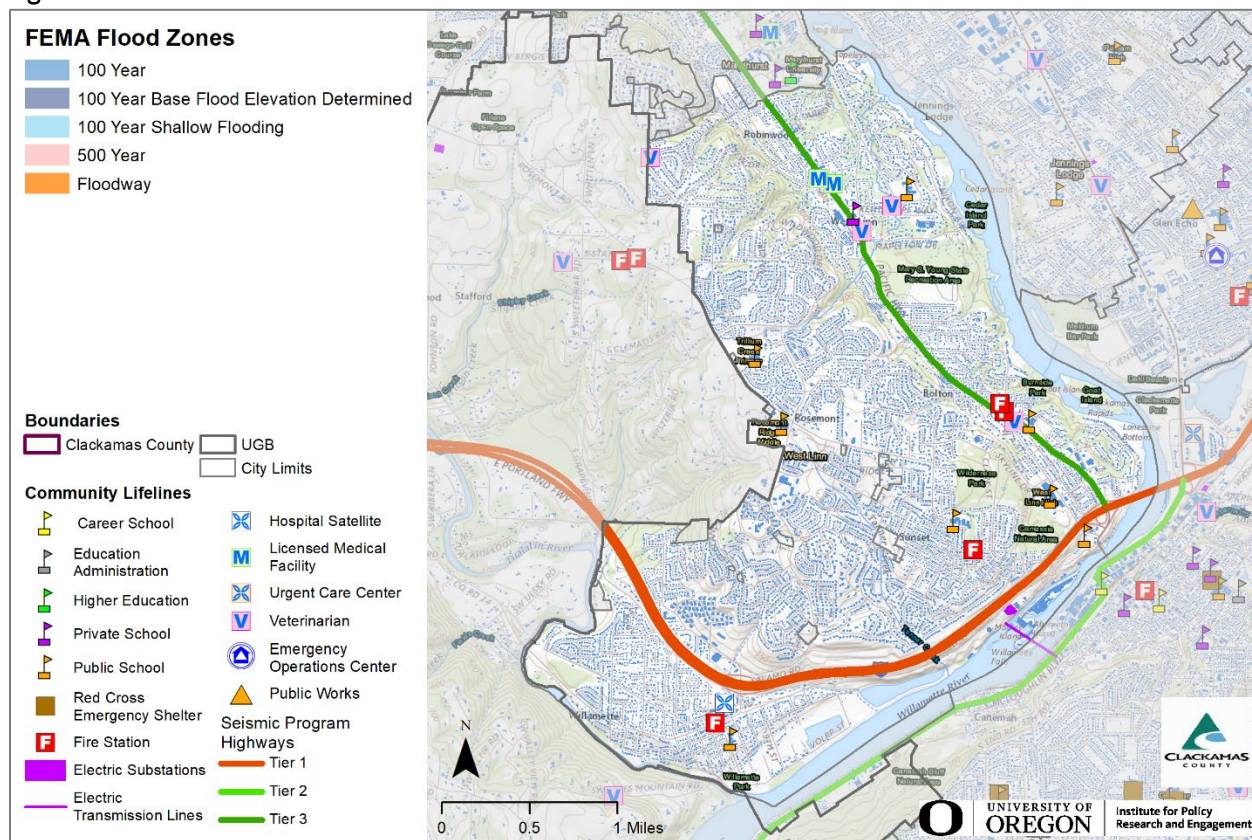
For mitigation planning purposes, it is important to recognize that flood risk for a community is not limited only to areas of mapped floodplains. Other portions of West Linn outside of the mapped floodplains may also be at relatively high risk from over bank flooding from streams too small to be mapped by FEMA or from local storm water drainage. City staff has identified sites where local drainage facilities are taxed during high flows, especially where open ditches enter culverts or go underground into storm sewers and works to mitigate the stormwater flood risks in these areas (see the City's 2019 [Surface Water Management Plan](#) for more information).

The speed of onset, lack of warning, and depth of flooding make dam failures a potentially deadly, albeit unlikely, occurrence. There are four major dams upstream of West Linn on the Clackamas River: North Fork, Faraday, River Mill and Timothy. These are operated by Portland General Electric and are subject to the dam safety and warning requirements of the Federal Energy Regulatory Commission. According to the Clackamas County Emergency Operations Plan, areas of West Linn bordering on the Willamette in the vicinity of its confluence with the Clackamas would be inundated by a wall of water 60 - 80 feet high in approximately an hour and a half should the North Fork dam fail under a "probable maximum flood" (a worst-case scenario where all four dams fail). There are no major dams on the Tualatin, and the Willamette River dams are far enough upstream and dispersed so that failures on these two rivers would not be much worse than a regular flood.

The largest flooding event to affect West Linn was the February 1996 flood. The high-water level meant tributaries could not drain into the Tualatin and Willamette River, which led to localized flooding on several backed-up creeks.

The extent of flooding hazards in West Linn primarily depends on climate and precipitation levels. Additionally, withdrawals for irrigation and drinking water, as well as stream and wetland modifications or vegetation removal can influence water flow.

Figure WL-4 FEMA Flood Zones



Source: Map created by Oregon Partnership for Disaster Resilience.

Data: Oregon Department of Geology and Mineral Industries. Preparedness Framework Implementation Team (IRIS v3).

Note: To view hazard detail click this [link](#) to access Oregon HazVu

Vulnerability Assessment

The City completed an analysis, using the best available data, as a component of the vulnerability assessment in 2009, updated in 2012, and reviewed and updated, as appropriate, in 2023. This analysis looked at identified hazard areas in conjunction with available data on property exposed to the hazard. Exposure of community assets to natural hazards was determined by manually comparing community assets with each hazard and identifying where assets and hazards intersected.

Relatively few people (about 3% of the total population) live in the floodplain and thus are directly at risk from flooding. Dwelling units within or adjacent to the 100-year floodplain of the Tualatin those located on Swiftshore Avenue, Fields Bridge Park, and the Willamette Park. Residences along the Willamette that could be exposed to 100-year flooding events include those along River Street, Nixon Ave, Calaroga Ct., and Cedar Oak Park. Other properties are vulnerable to urban flooding when the Willamette or Tualatin rivers overflow their banks.

Several economic centers, zoned commercial and industrial, are in the 100-year floodplain (including the site of the former West Linn Paper Company). Studies show that most businesses do not survive extended closure due to disasters, which can thus economically devastate local communities. It will be essential that the economic centers mapped in hazard areas be targeted for business continuity planning.

Additionally, a great deal of infrastructure (bridges, water lines, sewage pump stations, etc.) is in the floodplain. Infrastructure exposed to flooding includes, but is not limited to, Portland General Electric's Sullivan Hydroelectric Plant, Weiss Bridge, Fields Bridge, 1-205 water line, Tri Cities sewage pump

stations, and many more pieces of critical infrastructure that assist in supporting the essential needs of the community. Disruption to this infrastructure could result in transportation issues, power outages, sewage back-up, and affect overall community and environmental health.

A few historic sites, including the Mclean House, are also located in the floodplain. Many older buildings will have difficulty sustaining pressure from flooding events and should be targeted for floodplain retrofitting. For a list of facilities and infrastructure vulnerable to this hazard see the Community Lifelines section and Table WL-4.

Natural Hazard Risk Report for Clackamas County

The **Risk Report** (DOGAMI, [2024](#))¹⁸ provides hazard analysis summary tables that identify populations and property countywide that are vulnerable to the flood hazard.

According to the Risk Report 48 buildings (0 critical facilities) could be damaged for a total potential loss of \$72 million (a building loss ratio of about 2%). About 165 residents may be displaced by flood (less than 1% of the population).

National Flood Insurance Program (NFIP)

FEMA's Flood Insurance Study (FIS), and Flood Insurance Rate Maps (FIRMs) are effective as of June 17, 2008. The City complies with the NFIP through enforcement of their flood damage prevention ordinance and their floodplain management program. The last Community Assistance Visit (CAV) for West Linn was on August 28, 2003. West Linn does not participate in the Community Rating System (CRS). The Community Repetitive Loss record (Table WL-7) identifies two (2) Repetitive Loss Properties¹⁹ and no Severe Repetitive Loss Properties²⁰. For information on the location of the properties, see Volume I, Section 2, Figure 14.

Table WL-7: Community Repetitive Loss Properties

| RL # | RL or SRL Property | Occupancy | Mitigated? | Currently NFIP Insured | Rated Flood Zone | Post FIRM | Paid Claims | Total Paid Amount |
|--------------|--------------------|---------------|------------|------------------------|------------------|-----------|-------------|-------------------|
| 85733 | RL | Single Family | No | Yes | A21 | Yes | 2 | \$23,271 |
| 304139 | RL | Single Family | No | No | AE | Yes | 2 | \$10,902 |
| Total | | | | | | | 2 | \$23,271 |

Source: FEMA Region X, Regional Flood Insurance Liaison, email February 23, 2023.

Future Projections

According to the Oregon Climate Change Research Institute "Future Climate Projections, Clackamas County,"²¹ winter flood risk at mid- to low elevations in Clackamas County, where temperatures are near freezing during winter and precipitation is a mix of rain and snow, is projected to increase as winter temperatures increase. The temperature increase will lead to an increase in the percentage of

¹⁸ DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-35.

¹⁹ A Repetitive Loss (RL) property is any insurable building for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978. A RL property may or may not be currently insured by the NFIP.

²⁰ A Severe Repetitive Loss (SRL) property is a single family property (consisting of 1 to 4 residences) that is covered under flood insurance by the NFIP and has incurred flood-related damage for which 4 or more separate claims payments have been paid under flood insurance coverage, with the amount of each claim payment exceeding \$5,000 and with cumulative amount of such claims payments exceeding \$20,000; or for which at least 2 separate claims payments have been made with the cumulative amount of such claims exceeding the reported value of the property.

²¹ Oregon Climate Change Research Institute, *Future Climate Projections, Clackamas County, Oregon*. February 2023.

precipitation falling as rain rather than snow. The projected increases in total precipitation, and in rain relative to snow, likely will increase flood magnitudes in the region. Vulnerable populations adjacent to floodways (including the unhoused, manufactured home communities, and campground occupants) will be more at risk as the winter flood risk increases.

Landslide

The HMAC determined that the City's probability for landslide is **high** and that their vulnerability to landslide is **moderate**. *The probability rating did not change and the vulnerability rating increased since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of landslide hazards, history, as well as the location, extent, and probability of a potential event within the region. Although catastrophic landslides have not occurred in West Linn, steep slopes do exist along the banks of the Willamette River, and east of Willamette Drive coincident with the Bolton fault.

Landslide susceptibility exposure for West Linn is shown in Figure WL-5. Most of West Linn demonstrates a low to moderate landslide susceptibility exposure. Approximately 21% of West Linn has very high or high, and approximately 44% moderate, landslide susceptibility exposure.²² However, most of the areas that are identified to exhibit dangerous potential rapidly moving landslides are vacant and often preserved in wooded and dedicated open space. Note that even if a jurisdiction has a high percentage of area in a high or very high landslide exposure susceptibility zone, this does not mean there is a high risk, because risk is the intersection of hazard, and assets.

Note that even if a jurisdiction has a high percentage of area in a high or very high landslide exposure susceptibility zone, this does not mean there is a high risk, because risk is the intersection of hazard, and assets.

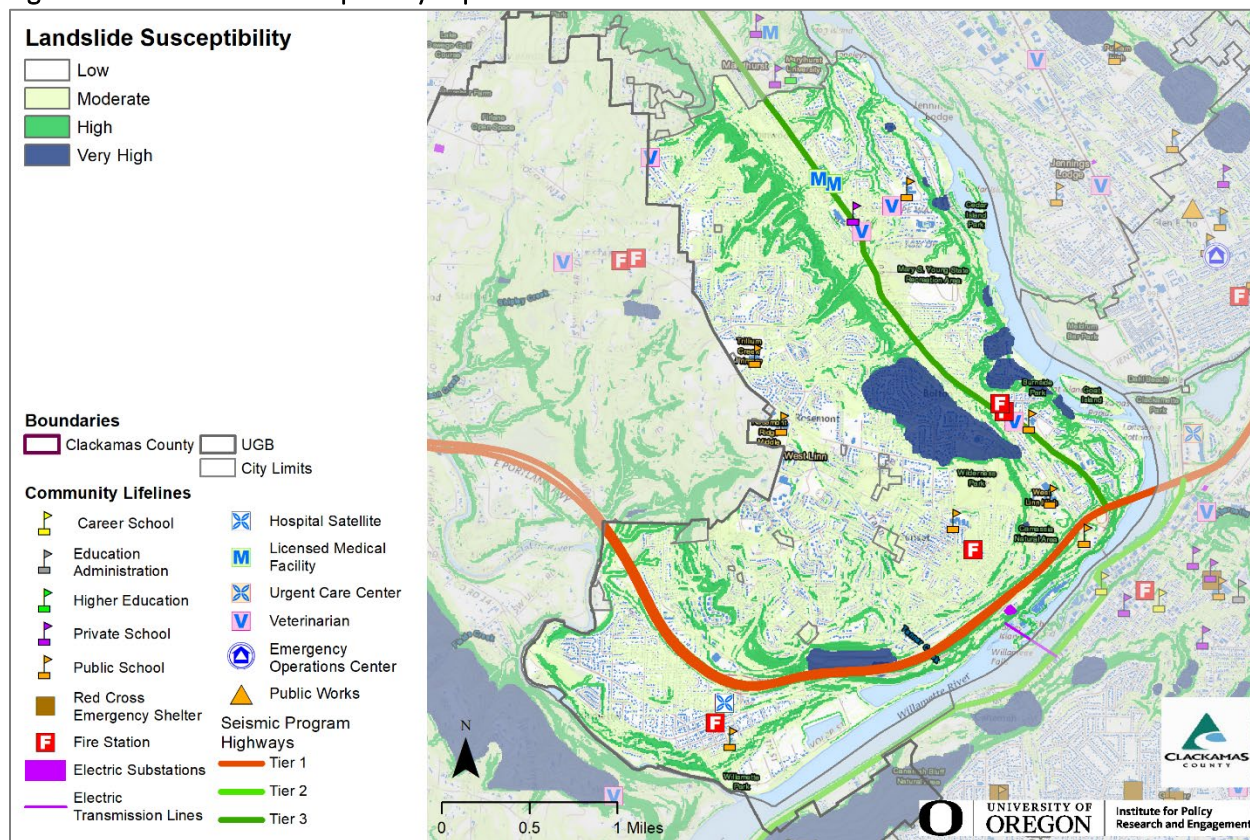
Vulnerability Assessment

DOGAMI completed a statewide landslide susceptibility assessment in 2016 ([O-16-02](#)), general findings from that report are provided above.

Additionally, the City completed an analysis, using the best available data, as a component of the vulnerability assessment in 2009, updated in 2012 and 2018, and reviewed and updated, as appropriate, in 2023. This analysis looked at identified hazard areas in conjunction with available data on property exposed to the hazard. Exposure of community assets to natural hazards was determined by manually comparing community assets with each hazard and identifying where assets and hazards intersected.

²² DOGAMI. [Open-File Report, O-16-02, Landslide Susceptibility Overview Map of Oregon](#) (2016)

Figure WL-5 Landslide Susceptibility Exposure



Source: Map created by Oregon Partnership for Disaster Resilience.

Data: Oregon Department of Geology and Mineral Industries. Preparedness Framework Implementation Team (IRIS v3).

Note: To view hazard detail click this [link](#) to access Oregon HazVu

About 50 percent of the City's population live in potential landside areas. Two critical facilities are exposed to the landslide hazard -Public Works Operations Building and Library. Three schools that are considered essential facilities are also exposed to the landslide hazard. In addition, critical infrastructure, economic centers, cultural or historic assets, environmental assets, and hazardous material sites are exposed to the landslide hazard. Hazardous materials sites would also suffer damage, resulting in threats to environmental and human health, while disrupting the availability of gasoline for vehicle transport and furthering economic loss because such sites are also sources of employment. For a list of facilities and infrastructure vulnerable to this hazard see the Community Lifelines section and Table WL-4.

This exposure means that large scale and simultaneous landslides triggered by an earthquake could substantially disrupt City operations buildings, fire stations and key pieces of infrastructure (bridges, sewage pump stations, water reservoirs) that would hinder the ability of the City to respond to emergency situations created by such an event.

As a result, it will be important for the City to pursue opportunities for retrofitting and mitigating important structures and infrastructure, such that said facilities can withstand and survive landslides, particularly simultaneous landslides generated by an earthquake. Business continuity planning shall also be an important factor, given the number of economic centers and employment facilities that are threatened by the landslide hazard.

Potential landslide-related impacts are adequately described within Volume I, Section 2, and include infrastructure damages, economic impacts (due to isolation, and/or arterial road closures), property

damages, and obstruction to evacuation routes. Rain-induced landslides, and debris flows can potentially occur during any winter, and thoroughfares beyond City limits are susceptible to obstruction as well. For a list of facilities and infrastructure vulnerable to this hazard see the Community Lifelines section and Table WL-4.

The most common type of landslides are slides caused by erosion. Slides move in contact with the underlying surface, are generally slow moving, and can be deep. Rainfall-initiated landslides tend to be smaller; while earthquake induced landslides may be quite large. All soil types can be affected by natural landslide triggering conditions.

Natural Hazard Risk Report for Clackamas County

The **Risk Report (DOGAMI, 2024)**²³ provides hazard analysis summary tables that identify populations and property countywide that are vulnerable to the landslide hazard.

According to the Risk Report 1,376 buildings are exposed to the *high and very high landslide susceptibility* hazard for a total exposure of \$722 million (a building exposure ratio of about 16%). About 4,882 residents may be displaced by landslides (about 18% of the population). *Note: the exposure number is for all buildings and population exposed to the high and very high landslide susceptibility areas.*

Future Projections

Landslides are often triggered by rainfall when the soil becomes saturated. As a surrogate measure of landslide risk, the Oregon Climate Change Research Institute report presents a threshold based on recent precipitation (cumulative precipitation over the previous 3 days) and antecedent precipitation (cumulative precipitation on the 15 days prior to the previous 3 days). By the 2050s under the higher emissions scenario, the average number of days per year in Clackamas County on which the landslide risk threshold is exceeded is not projected to change substantially. However, landslide risk depends on multiple factors, and this metric, which is based on precipitation, does not reflect all aspects of the hazard. Additional triggers, such as earthquakes, wildfires, or development, can increase risks of landslides. Future development along slopes or adjacent to riverbanks will be a greater risk of impact from this hazard.

Severe Weather

Severe weather can account for a variety of intense, and potentially damaging hazard events. These events include extreme heat, windstorms, and winter storms. The following section describes the unique probability, and vulnerability of each identified weather hazard.

Extreme Heat

The HMAC determined that the City's probability for extreme heat events is **moderate** and that their vulnerability is **moderate**. *These ratings did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of extreme heat, history, as well as the location, extent, and probability of a potential event within the region. Generally, an event that affects the County is likely to affect the City as well.

A severe heat episode or "heat wave" occurs about every two to three years, and typically lasting two to three days but can last as many as five days. A severe heat episode can be defined as consecutive days of upper 90s to around 100. Severe heat hazard in the Portland metro region can be described as the average number of days with temperatures greater than or equal to 90-degrees, or 100-degrees,

²³ DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-35.

Fahrenheit. On average the region experiences 13.6 days with temperatures above 90-degrees Fahrenheit, and 1.4 days above 100-degrees Fahrenheit, based on new 30-year climate averages (1981-2010) from the National Weather Service – Portland Weather Forecast Office.

The City of West Linn has experienced life-threatening consequences for vulnerable populations from the few historical extreme heat events. Changes in climate indicate that the area should expect to see more extreme heat events.

Future Projections

According to the Oregon Climate Change Research Institute “Future Climate Projections, Clackamas County,”²⁴ the number, duration, and intensity of extreme heat events will increase as temperatures continue to warm. In Clackamas County, the number of extremely hot days (days on which the temperature is 90°F or higher) and the temperature on the hottest day of the year are projected to increase by the 2020s and 2050s under both the lower (RCP 4.5) and higher (RCP 8.5) emissions scenarios. The number of days per year with temperatures 90°F or higher is projected to increase by an average of 12 (range 3–21) by the 2050s, relative to the 1971–2000 historical baselines, under the higher emissions scenario. The temperature on the hottest day of the year is projected to increase by an average of about 7°F (range 2–11°F) by the 2050s. Higher temperatures and longer/more extreme heat events will have negative impacts upon vulnerable populations such as those over 65+, children, those living in older or temporary housing, and field workers.

Windstorm

The HMAC determined that the City’s probability for windstorm is **moderate** and that their vulnerability to windstorm is **low**. *The probability rating did not change and the vulnerability rating decreased since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of windstorm hazards, history, as well as the location, extent, and probability of a potential event within the region. Because windstorms typically occur during winter months, they are sometimes accompanied by flooding and winter storms (ice, freezing rain, and very rarely, snow). Other severe weather events that may accompany windstorms, including thunderstorms, hail, lightning strikes, and tornadoes are generally negligible for West Linn.

Volume I, Section 2 describes the impacts caused by windstorms, including power outages, downed trees, heavy precipitation, building damages, and storm-related debris. Additionally, transportation and economic disruptions result as well.

Damage from high winds generally has resulted in downed utility lines, and trees usually limited to several localized areas. Electrical power can be out anywhere from a few hours to several days. Outdoor signs have also suffered damage. If the high winds are accompanied by rain (which they often are), blowing leaves, and debris clog drainage-ways, which in turn may cause localized urban flooding.

Future Projections

Limited research suggests little if any change in the frequency and intensity of windstorms in the Northwest as a result of climate change. Those impacted by windstorms at present, including older residential or commercial developments with above-ground utilities, poor insulation or older construction, heavy tree canopies, or poor storm drainage, will continue to be impacted by windstorms in the future.

²⁴ Oregon Climate Change Research Institute, *Future Climate Projections, Clackamas County, Oregon*. February 2023.

Winter Storm (Snow/Ice)

The HMAC determined that the City's probability for winter storm is **high** and that their vulnerability to winter storm is **high**. *The probability and vulnerability ratings increased since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of winter storm hazards, history, as well as the location, extent, and probability of a potential event within the region. Severe winter storms can consist of rain, freezing rain, ice, snow, cold temperatures, and wind. They originate from troughs of low pressure offshore that ride along the jet stream during fall, winter, and early spring months. Severe winter storms affecting the City typically originate in the Gulf of Alaska or in the central Pacific Ocean. These storms are most common from November through March.

Most winter storms typically do not cause significant damage, but they are frequent and have the potential to impact economic activity. Road and rail closures due to winter weather are a common occurrence but can interrupt commuter and commercial traffic as noted above.

Future Projections

According to the Oregon Climate Change Research Institute "Future Climate Projections, Clackamas County,"²⁵ cold extremes will become less frequent and intense as the climate warms. In Clackamas County, the number of cold days (maximum temperature 32°F or lower) per year is projected to decrease by an average of 6 (range -3– -8) by the 2050s, relative to the 1971–2000 historical baselines, under the higher emissions scenario. The temperature on the coldest night of the year is projected to increase by an average of 6°F (range 0– 11°F) by the 2050s.

The intensity of extreme precipitation is expected to increase as the atmosphere warms and holds more water vapor. In Clackamas County, the number of days per year with at least 0.75 inches of precipitation is not projected to change substantially. However, by the 2050s, the amount of precipitation on the wettest day and wettest consecutive five days per year is projected to increase by an average of 15% (range 0–31%) and 10% (range -1–26%), respectively, relative to the 1971–2000 historical baselines, under the higher emissions scenario.

Vulnerable populations will be more likely to experience the negative impacts of winter storms in the future, particularly the unhoused and the elderly.

Vulnerability Assessment

Due to insufficient data and resources, West Linn is currently unable to perform a quantitative risk assessment, or exposure analysis, for the extreme heat, windstorm, and winter storm hazards. For a list of facilities and infrastructure vulnerable to these hazards see the Community Lifelines section and Table WL-4.

Exposure of community assets to natural hazards was determined by manually comparing community assets with each hazard and identifying where assets and hazards intersected.

The areas of the City that are often most at risk from severe storms are residential areas on steeper slopes, where roads may be icy and, thus, difficult to climb and descend. Road corridors leading to residential areas with fuller tree canopies are susceptible to downed tree limbs, and those areas that are above 500 feet in elevation are particularly vulnerable. However, some weather systems are characterized by a temperature inversion, where the valley floor is colder than the nearby hills.

²⁵ Oregon Climate Change Research Institute, *Future Climate Projections, Clackamas County, Oregon*. February 2023.

Consequently, severe storms affect the entire city. Several streets in areas of the City with steep grades are particularly hazardous during snow and ice events and are subject to closure during winter weather events including: Marylhurst Drive (from Hillcrest Drive to Lower Midhill Drive), Hidden Springs Road (from Bluegrass Way to Cottonwood Court), Pimlico Drive (from Palamino Way to Willamette Drive), Summit Street (from Rosemont Road to Skyline Drive), 12th Street (from Tualatin Avenue to Volpp Street), and Skye Parkway (from Troon Drive to Hillside Drive). The City's Snow and Ice Removal Plan is maintained by the Public Works Department and includes provisions to place equipment on designated principal routes throughout the City. For more information see the City's inclement weather information webpage and their Winter Weather Route Map.

The major risk to property results from exposed utilities, especially power lines and water pipes that are damaged by wind, broken tree limbs and cold temperatures. Businesses also suffer economic losses when they must close as the result of the inclement weather and/or the loss of power, which, in turn, disrupts the local supply chain of goods and services. Periods of extended ice coverage hinder emergency response services and limit the mobility of residents, which could result in serious life safety issues. Residents and businesses that are in areas that exhibit the severe storm hazard face some risk of damage from severe storms. Severe weather events are expected to impact nearly all City residents.

All critical facilities are exposed to severe weather hazards. The exposure of these facilities and infrastructure means that severe weather events could substantially disrupt the operations of City government buildings and fire stations, impairing key City functions, while hindering the ability of emergency response personnel to respond to emergency situations that are created by a severe storm event.

All these facilities depend upon utility lines, roads, and bridges to operate and perform their respective important functions within the City. Exposed utility and power lines are particularly vulnerable to damage from severe winter storms by wind, ice, and snow. More hardened infrastructure, like bridges and roads, can sustain a severe winter storm, but during the event, they are often hazardous to traverse because of icy, windy, and snowy conditions.

Consequently, severe weather (wind or winter storm) could substantially disrupt numerous key resources and facilities within the City through impediments to the transportation system and damage to the power grid. Among other things, these transportation problems and power failures disrupt business operations and educational facilities, resulting in economic losses and halting educational opportunities.

Power to Hazardous material sites could also be disrupted. The sites themselves could be damaged or rendered inaccessible. In turn, these conditions could pose threats to the natural environment of the City and the health of its population, while disrupting the availability of gasoline for vehicle transport and furthering economic losses.

As a result, it will be important for the City to pursue opportunities for undergrounding utilities and retrofitting utility lines so that they may withstand cold weather conditions without freezing and bursting. Adhering to current building codes for weatherization of structures, as well as current engineering and fire codes that pertain to the steepness of new roads, are also key factors for the City to consider. Business continuity planning shall also be an important factor, given the number of economic centers and employment facilities that are threatened by the severe storm hazard.

Volcanic Event

The HMAC determined that the City's probability for a volcanic event is **low** and that their vulnerability to a volcanic event is **moderate**. *These ratings did not change since the previous version of this NHMP.*

Volume I, Section 2 describes the characteristics of volcanic hazards, history, as well as the location, extent, and probability of a potential event within the region. Generally, an event that affects the western portion of the County is likely to affect West Linn as well. Volcanoes are located near West Linn, the closest of which are Mount Hood, Mount Adams, Mount Saint Helens, Mount Rainier, and the Three Sisters.

Vulnerability Assessment

Due to West Linn's relative distance from volcanoes, the city is unlikely to experience the immediate effects that eruptions have on surrounding areas (i.e., mud and debris flows, or lahars). Depending on wind patterns and which volcano erupts, however, the city may experience ashfall. The eruption of Mount St. Helens in 1980, for example, coated the Willamette Valley with a fine layer of ash. If Mount Hood erupts, however, the city could experience a heavier coating of ash.

Natural Hazard Risk Report for Clackamas County

The **Risk Report** (DOGAMI, [2024](#))²⁶ provides hazard analysis summary tables that identify populations and property countywide that are vulnerable to the volcanic event (lahar) hazard.

The Risk Report did not identify population or property within the study area that may be impacted by the profiled volcanic event (lahar) hazard.

Future Projections

Although the science of volcano predictions is improving, it remains challenging to predict a potential volcanic event. Ash fall, which will be the greatest impact, will impact the entire County. Impacts will be felt hardest by property managers (ranches, farmers, etc.) and by those relying upon clean surface water (for drinking water production and irrigation).

Wildfire

The HMAC determined that the City's probability for wildfire is **medium**, and that their vulnerability to wildfire is **moderate**. *The probability rating increased and the vulnerability rating did not change since the previous version of this NHMP.*

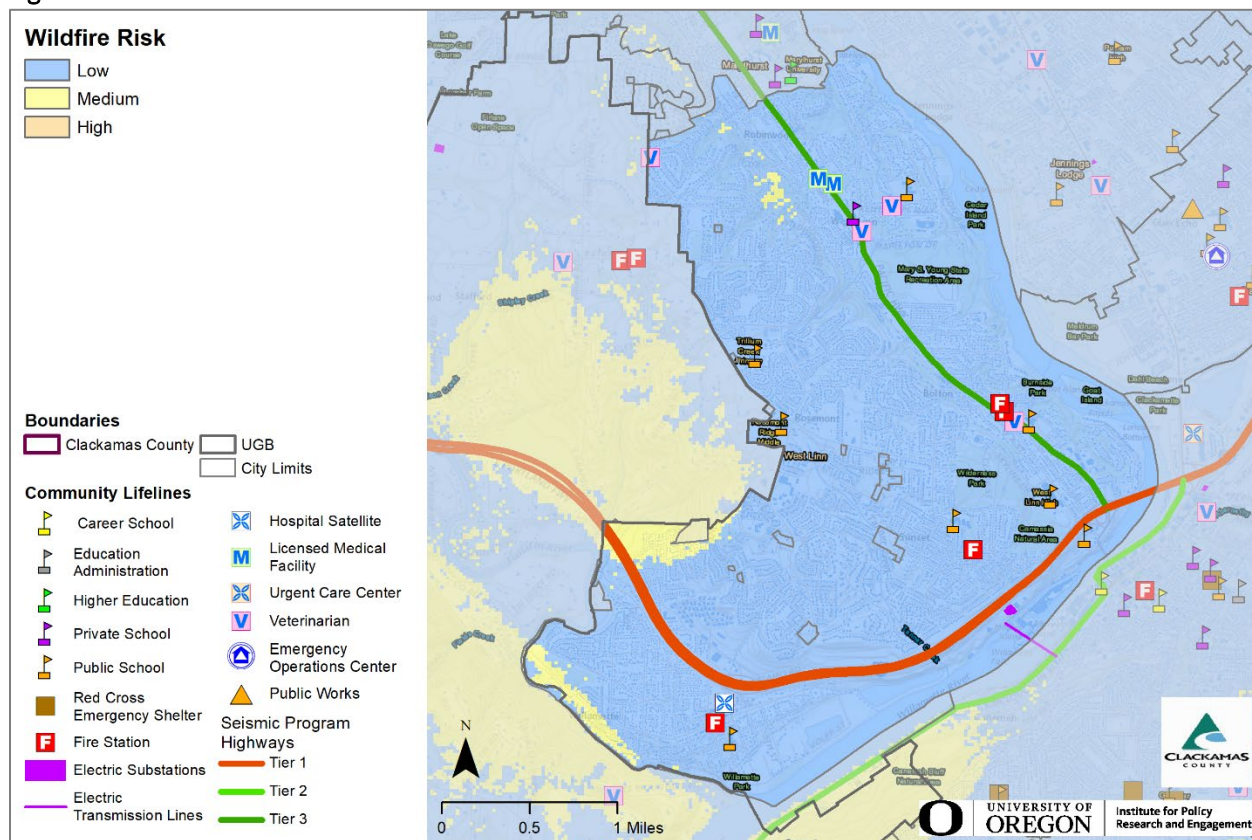
The [Clackamas County Community Wildfire Protection Plan](#) (CWPP) is hereby incorporated into this NHMP addendum by reference, and it will serve as the wildfire section for this addendum. The following presents a summary of key information; refer to the full CWPP for a complete description, and evaluation of the wildfire hazard. Information specific to West Linn is found in the following chapter: Chapter 9.13: Tualatin Valley Fire and Rescue.

Volume I, Section 2 describes the characteristics of wildland fire hazards, history, as well as the location, extent, and probability of a potential event within the region. The location, and extent of a wildland fire vary depending on fuel, topography, and weather conditions.

Weather, and urbanization conditions are primarily at cause for the hazard level. West Linn has not experienced a wildfire within City limits, but the city has abundant wooded areas that are a concern in the case of a wildfire event. Figure WL-6 shows overall wildfire risk in West Linn.

²⁶ DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-35.

Figure WL-6 Wildfire Risk



Source: Map created by Oregon Partnership for Disaster Resilience.

Data: Oregon statewide wildfire risk map created by Oregon State University (unpublished). Preparedness Framework Implementation Team (IRIS v3).

Note: To view additional wildfire risk information click this [link](#) to access Oregon Explorer's CWPP Planning Tool

Clackamas County has two major physiographic regions: the Willamette River Valley in western Clackamas County and the Cascade Range Mountains in eastern and southern Clackamas County. The Willamette River Valley, which includes West Linn, is the most heavily populated portion of the county and is characterized by flat or gently hilly topography. The Cascade Range has a relatively small population and is characterized by heavily forested slopes. Eastern Clackamas County is at higher risk to wildfire than western portions of the county due to its dense forest land. Human caused fires are responsible for most fires in Clackamas County.

The City is characterized by lush parks, neighborhoods surrounded by mature trees and under story vegetation and development intermingled with the natural landscape. Much of West Linn's undeveloped topography consists of wooded slopes 25 percent or steeper.

These occluded woodlands range in size from 2 to 20 acres and make up a significant portion of the 373 acres of parks and open space managed by the City. Most of the woodlands are surrounded by urban development that are a concern in the case of a wildfire event. Figure WL-6 shows overall wildfire risk in West Linn. The forested hills within, and surrounding West Linn are interface areas including the following High Priority Communities at Risk (CARs): 1-205 Corridor, Skyline Ridge, and Wilderness Park/Camassia Park; and the following Medium Priority CARs: Burnside Park and Maddax Woods, Hidden Springs, Mary S

Young Park, White Oak Savannah, Wildwood Open Space, Wilson Creek Natural/Rosemont Area, and Wisteria. and Wisteria.²⁷

Most of the city has less severe (moderate or less) wildfire burn probability that includes expected flame lengths less than four-feet under normal weather conditions.²⁸ However, conditions vary widely and with local topography, fuels, and local weather (including wind) conditions. Under warm, dry, windy, and drought conditions expect higher likelihood of fire starts, higher intensity, more ember activity, and a more difficult to control wildfire that will include more fire effects and impacts. Increasing periods of high heat, dry conditions, and low precipitation increase the potential for wildfire.

Vulnerability Assessment

Exposure of community assets to natural hazards was determined by manually comparing community assets with each hazard and identifying where assets and hazards intersected. Residences and businesses that border occluded woodlands with slopes greater than 25% are at the greatest risk of loss or damage from wildfires. A great deal of infrastructure is exposed to the wildfire hazard, including West Linn's primary water source. This could affect the efficiency of fire protection professionals during a large-scale wildfire. Vegetation along roadways is also highly dangerous, as negligent motorists provide ignition sources by tossing cigarette butts out car windows. Because schools are generally located near parks and scenic areas, they can be threatened by wildfires. Bolton Middle School, Cedaroak Park School, and West Linn High School and the Library are particularly at risk. A variety of historic landmarks are also included in the high wildfire zones.

The potential community impacts, and vulnerabilities described in Volume I, Section 2 are generally accurate for the City as well. West Linn's fire response is addressed within the CWPP which assesses wildfire risk, maps wildland urban interface areas, and includes actions to mitigate wildfire risk. The City will update the City's wildfire risk assessment if the fire plan presents better data during future updates (an action item is included to participate in future updates to the CWPP).

Property can be damaged or destroyed with one fire as structures, vegetation, and other flammables easily merge to become unpredictable, and hard to manage. Other factors that affect ability to effectively respond to a wildfire include access to the location, and to water, response time from the fire station, availability of personnel, and equipment, and weather (e.g., heat, low humidity, high winds, and drought).

Natural Hazard Risk Report for Clackamas County

The **Risk Report** (DOGAMI, [2024](#))²⁹ provides hazard analysis summary tables that identify populations and property countywide that are vulnerable to the wildfire hazard.

According to the Risk Report 74 buildings (no critical facilities) are exposed to the *high and (or) moderate (medium) risk wildfire* hazard for a total exposure of \$32.4 million replacement value (a building replacement value exposure ratio of less than 1%). About 228 residents may be displaced by wildfires (less than 1% of the population).

Future Projections

According to the Oregon Climate Change Research Institute "Future Climate Projections, Clackamas County,"³⁰ wildfire frequency, intensity, and area burned are projected to continue increasing in the Northwest. Wildfire risk, expressed as the average number of days per year on which fire danger is very

²⁷ Clackamas County Community Wildfire Protection Plan, *Tualatin Valley Fire and Rescue* (2018), Table 10.13-1.

²⁸ [Oregon Wildfire Risk Explorer](#), date accessed November 9, 2018.

²⁹ DOGAMI, *Multi-Hazard Risk Report for Clackamas County, Oregon* (2024), Table A-35.

³⁰ Oregon Climate Change Research Institute, *Future Climate Projections, Clackamas County, Oregon*. February 2023.

high, is projected to increase in Clackamas County by 14 (range -6– 34) by the 2050s, relative to the historical baseline (1971–2000), under the higher emissions scenario. Similarly, the average number of days per year on which vapor pressure deficit is extreme is projected to increase by 29 (range 10–44) by the 2050s. Communities at risk to wildfire include those within the urban wildfire interface or along river or creek corridors, where fire can travel quickly. Communities will need to address growing wildfire risks if populations are not restricted from expanding further into higher risk areas.

Attachment A:

Action Item Changes

Table WL-8 is an accounting of the status (complete or not complete) and major changes to actions since the previous NHMP. All actions were renumbered in this update to be consistent with other jurisdictions that are participating in the multi-jurisdictional NHMP. All actions marked not complete are ongoing, are still relevant, and are included in the updated action plan (Table WL-1)

Previous NHMP Actions that are Complete:

Multi-Hazard #3, "Identify, protect, and enhance natural resources in accordance with Goal 5." Complete.

Multi-Hazard #4, "Maintain and incorporate available natural hazard data into City GIS databases and applications." Complete.

Previous NHMP Actions that are Not Complete and No Longer Relevant:

None identified.

Table WL-8 Status of All Hazard Mitigation Actions in the Previous Plan

| 2018 Action Item | 2024 Action Item | Status | Still Relevant? (Yes/No) |
|-------------------|------------------|-----------------------|--------------------------|
| Multi-Hazard #1 | #1 | Not Complete | Yes |
| Multi-Hazard #2 | #2 | Not Complete, revised | Yes |
| - | #3 | New | - |
| Multi-Hazard #3 | - | Complete | No |
| Multi-Hazard #4 | - | Complete | No |
| Multi-Hazard #5 | #4 | Not Complete | Yes |
| Earthquake #1 | #5 | Not Complete, revised | Yes |
| Flood #1 | #6 | Not Complete | Yes |
| Flood #2 | #7 | Not Complete | Yes |
| Flood #3 | #8 | Not Complete | Yes |
| Flood #4 | #9 | Not Complete | Yes |
| Severe Weather #1 | #10 | Not Complete | Yes |
| Severe Weather #2 | #11 | Not Complete | Yes |
| Wildfire #1 | #12 | Not Complete | Yes |
| - | #13 | New | - |
| - | #14 | New | - |

Attachment B: Public Involvement Summary

Members of the steering committee provided edits and updates to the NHMP prior to the public review period as reflected in the final document.

To provide the public information regarding the draft NHMP addendum, and provide an opportunity for comment, an announcement (see below) was provided from March 5 through March 20, 2024 on the City's website. The plan was also posted and announced on the County's website. There were no comments provided. Additional opportunities for stakeholders and the public to be involved in the planning process are addressed in Volume III, Appendix B.

A diverse array of agencies and organizations were provided an opportunity to provide input to inform the plan's content through a variety of mechanisms including the opportunity for comment on the draft plan. The agencies and organizations represent local and regional agencies involved in hazard mitigation activities, those that have the authority to regulate development, neighboring communities, representatives of businesses, academia, and other private organizations, and representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations. For more information on the engagement strategy see Volume III, Appendix B.

Website Posting

The screenshot displays the City of West Linn website. The header includes the city logo, navigation links (Community, Business, Departments, How Do I..., Contact Us), and a phone number (503-657-0331). A search bar with the placeholder text 'How Can We Help You?' is present. The main content area features a 'West Linn Ready' sidebar with links to various emergency preparedness topics. The central focus is the 'Natural Hazard Mitigation Plan Update' announcement, which includes a detailed description of the plan's purpose, a call for public feedback on the draft NHMP, and a list of key points regarding the update process. A 'Contact Information' section is also visible at the bottom of the sidebar.

West Linn Ready

- Emergency Contacts
- Emergency Alerts and Warnings
- Earthquake Preparedness
- Fire Preparedness +
- Flood Preparedness
- Protecting Your Documents
- Winter Weather Preparedness and Resources
- Natural Hazard Mitigation Plan Update**
- Natural Hazards Mitigation Plan

Natural Hazard Mitigation Plan Update

The City of West Linn's Natural Hazard Mitigation Plan (NHMP) identifies natural hazards that may impact our community and provides the City with a set of goals, action items, and resources designed to reduce risk from future natural disaster events. Engaging in mitigation activities provides jurisdictions with a number of benefits, including reduced loss of life, property, essential services, critical facilities, and economic hardship; reduced short-term and long-term recovery and reconstruction costs; increased cooperation and communication within the community through the planning process; and increased potential for state and federal funding for recovery and reconstruction projects.

We welcome the community's feedback on our [draft NHMP](#) (attached below).

Please submit comments on the draft 2024 [West Linn NHMP](#) by 5 p.m., March 20, 2024 using the [webform here!](#)

The City of West Linn's NHMP will be included as addendum to the larger [Clackamas County NHMP](#) as we face many of the same natural hazards and coordinate on emergency preparation and response. The local planning process for this update included a wide range of representatives from city, special districts, county emergency management personnel, and the University of Oregon's Institute for Policy Research and Engagement.

- The City of West Linn is in the process of updating their existing 2019 Natural Hazards Mitigation Plan (2019). The process should be complete in 2024, pending Oregon Department of Emergency Management, FEMA, and City Council approval.
- Every five years, Federal guidelines require the City's addendum to the Clackamas County NHMP be updated and submitted to the Federal Emergency Management Agency (FEMA) for approval.
- With re-adoption of a FEMA-approved NHMP, the City maintains its eligibility to apply for federal funding towards natural hazard mitigation projects.
- This work is being performed in cooperation with the University of Oregon's Institute for Policy Research and Engagement - Oregon Partnership for Disaster Resilience and the Oregon Department of Emergency Management (OEM) utilizing funds obtained from the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program. With re-adoption of the plan, West Linn will maintain its eligibility to apply for federal funding towards natural hazard mitigation projects.

If you have any questions regarding the City's NHMP addendum or the update process in general, please contact: Michael Howard (mhoward@uoregon.edu), Director for the Oregon Partnership for Disaster Resilience at 541-346-8413; or Dylan Digby (ddigby@westlinnoregon.gov), Assistant to the City Manager.

HMAC

The Hazard Mitigation Advisory Committee (HMAC) members possessed familiarity with the community and how it is affected by natural hazard events. The HMAC guided the update process through several steps including goal confirmation and prioritization, action item review and development, and information sharing, to update the NHMP and to make the NHMP as comprehensive as possible. The steering committee met formally on the following date:

Meeting #1 and #2: March 8 and May 24, 2023

During these meetings, the HMAC:

- Reviewed the previous NHMP, and were provided updates on hazard mitigation planning, the NHMP update process, and project timeline.
- Updated recent history of hazard events in the city.
- Reviewed and confirmed the County NHMP's mission and goals.
- Reviewed and provided feedback on the draft risk assessment update including community vulnerabilities and hazard information.
- Reviewed and updated their existing mitigation strategy (actions).
- Reviewed and updated their implementation and maintenance program.
- Discussed the NHMP public outreach strategy.

Meeting #3: December 11, 2023 (via remote conference)

During this meeting, the HMAC:

- Confirmed and provided feedback on the final draft risk assessment update including community vulnerabilities and hazard information provided by DOGAMI (Risk Report).
- Reviewed and confirmed the city's capabilities assessment.
- Reviewed, confirmed, and prioritized the city's mitigation strategies.



FEMA

June 11, 2024

Tootie Smith, County Commissioner - Chair
Clackamas County
2051 Kaen Road, 4th Floor
Oregon City, Oregon 97045

Reference: Adoption Required to Finish Clackamas County Multi-jurisdictional Hazard Mitigation Plan Process

Dear Chair Smith:

In accordance with applicable¹ laws, regulations, and policy, the United States Department of Homeland Security's Federal Emergency Management Agency (FEMA) Region 10 has determined the Clackamas County multi-jurisdictional hazard mitigation plan meets all applicable FEMA hazard mitigation planning requirements except its adoption by:

| | | |
|---------------------|----------------------------|-----------------------|
| Clackamas County | City of Canby | City of Estacada |
| City of Gladstone | City of Happy Valley | City of Lake Oswego |
| City of Oregon City | City of Sandy | City of West Linn |
| City of Wilsonville | Clackamas Fire District #1 | Clackamas River Water |
| City of Milwaukie | City of Molalla | |

Local governments, including special districts, with a plan status of "Approvable Pending Adoption" are not eligible for FEMA mitigation grant programs with a hazard mitigation plan requirement.

The next step in the approval process is to formally adopt the hazard mitigation plan and send a resolution to the state for submission to FEMA. Sample adoption resolutions can be found in Appendix B of the [Local Mitigation Planning Policy Guide](#).

An approved hazard mitigation plan, including adoption by the local government, is one of the conditions for applying for and/or receiving FEMA mitigation grants from the following programs:

- Hazard Mitigation Grant Program (HMGP)
- Hazard Mitigation Grant Program Post-Fire (HMGP-PF)
- Building Resilient Infrastructure and Communities (BRIC)
- Flood Mitigation Assistance (FMA)
- High Hazard Potential Dams Grants Program (HHPD)

¹ Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and National Dam Safety Program Act, as amended; 44 CFR Part 201, Mitigation Planning; and Local Mitigation Planning Policy Guide (FP-206-21-0002).

Based on FEMA's review, the plan did not include all dam risk. Thus, the participating jurisdictions are not eligible for assistance from the HHPD Grant Program. If any participating jurisdictions with HHPDs are interested in this assistance, they should contact the FEMA Region 10 Hazard Mitigation Planning Team at FEMA-R10-MT_Planning@fema.dhs.gov, to learn more about how to include all dam risks in the plan.

Participating jurisdictions that adopt the plan more than one year after Approvable Pending Adoption status has been issued must either:

- Validate that their information in the plan remains current with respect to both the risk assessment (no recent hazard events, no changes in development) and their mitigation strategy (no changes necessary); or
- Make the necessary updates before submitting the adoption resolution to FEMA.

We look forward to receiving the adoption resolutions and discussing options for implementing this hazard mitigation plan. If we can help in any way, please contact the FEMA Region 10 Hazard Mitigation Planning Team at FEMA-R10-MT_Planning@fema.dhs.gov.

Sincerely,

Wendy Shaw
Risk Analysis Branch Chief
Mitigation Division

Enclosures

cc: Stephen Richardson, Oregon Department of Emergency Management

JF:JG:wls



Agenda Bill 2024-08-05-02

Date: July 17, 2024

To: Rory Bialostosky, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: John Williams, City Manager *JRW*

Subject: Draft Meeting Minutes

Purpose: Approval of City Council Meeting Minutes.

Question(s) for Council:

Does Council wish to approve the attached City Council Meeting Minutes?

Public Hearing Required: None required.

Background & Discussion:

The attached City Council Meeting Minutes are ready for Council approval.

Budget Impact: N/A

Sustainability Impact:

Council continues to present its meeting minutes online, reducing paper waste.

Council Goal/Priority:

Guiding Principle #0: Core Services of West Linn City Government. Continue to record and document the proceedings of the West Linn City Council. Guiding Principle #3: Sustainability. Incorporate environmentally sustainable practices in City activities and decision making, including reducing waste generation and energy consumption.

Council Options:

1. Approve the Council Meeting Minutes.
2. Revise and approve the Council Meeting Minutes.

Staff Recommendation:

Approve Council Meeting Minutes.

Potential Motions:

Approving the Consent Agenda will approve these minutes.

Attachments:

1. June 17, 2024 Council Meeting Minutes
2. July 15, 2024 Council Meeting Minutes



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING NOTES June 17, 2024

[Call to Order \[4:00 pm/5 min\]](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington,.

Staff Present:

City Manager John Williams, City Recorder Kathy Mollusky, City Attorney Bill Monahan, Public Works Director Erich Lais, Planning Manager Darren Wyss, and Finance Director Lauren Breithaupt.

[Approval of Agenda \[4:05 pm/5 min\]](#)

Council President Mary Baumgardner moved to approve the agenda for the June 17, 2024, West Linn City Council Special Meeting. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

Public Comment [4:10 pm/10 min]

There was none.

Mayor and Council Reports [4:20 pm/15 min]

Appoint Community Advisory Group Members

Mayor Bialostosky placed before Council the following appointments:

- Suzanne Wells to the Arts & Culture Commission
- Stacey Epsteen to the Parks & Recreation Advisory Board
- Tiffany Haley to the Sustainability Advisory Board
- Natalie Mann to the Utility Advisory Board

Council President Mary Baumgardner moved to approve the Mayor's appointments. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

Appoint Council Community Advisory Group Liaisons

Mayor Bialostosky placed before Council the following Community Advisory Group Liaisons:

- Interim Councilor Bonnington to the Neighborhood Association Presidents, the Parks and Recreation Advisory Board, and the Economic Development Committee.

Council President Mary Baumgardner moved to approve the Mayor's appointments. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

Reports from Community Advisory Groups

Council President Baumgardner reported on the American Water Works Association Conference which she, Mayor Bialostosky, and Councilor Bryck attended in Anaheim, CA last week. She expressed appreciation to the South Fork Water Board for making attendance possible so Council members could learn and better serve the community. She also attended the Willamette Falls Trust meeting chaired by former Governor Kate Brown, and was excited to learn more about Governor Brown's collaboration with regional partners and about the future of the Trust under her leadership. The Willamette Falls and Landings Heritage Area Coalition Board meeting was held this morning and she learned a meeting about the Historic City Hall Building renovation would be held at the Oregon City Library this Saturday from 3 pm to 5:30 pm and was open to the public.

Interim Councilor Bonnington reported that he attended the initial meeting of the Housing Production Strategies Group last Monday which covered the basics of the housing report, where it would be released, and an overview of the housing needed for the next 20 years.

Councilor Groner reported that he attended a meeting of the Clackamas cities in Milwaukie. He noted Milwaukie had a new City Hall and a City Historian.

Direction on Allowed Duration of Boat Trailer Parking

Draft ordinance

Mayor Bialostosky said Council had discussed boat trailer parking over the last few meetings following requests from several community members to consider lengthening the current four-hour time limit.

City Manager Williams noted an amendment to the current Ordinance had been circulated to the community and provided an exemption for a boat trailer to be parked for no longer than 24 hours on a street that had a minimum 28-ft width for the full length of the street. The City had received a few communications in support and a few with concerns.

City Attorney Monahan clarified that the draft Ordinance language was adapted from Lake Oswego and additional language was needed to define boat trailers to distinguish them from other types of trailers.

Council expressed the following concerns and comments:

- Determining the level of impact on the West Linn Police Department (WLPD) and Code Enforcement would be important.
- Four hours was too limited to allow reasonable access usage to boats.
- The change could be implemented on a trial basis for the summer season.
- Council might not consider all possibilities, thereby allowing people to take a greater advantage of the change than it intended.

- Parking a boat in the evening then being in violation of the four-hour ordinance by morning appeared arbitrary and unreasonable. A 24-hour limit would avoid that, as well as strain on WLPD and other resources.
- The problem was isolated to perhaps 10 boat owners in the city who had no driveways. The number of people who would complain would also be small. The amendment should avoid opening the floodgates and should also strike a fair balance between the two groups to avoid their inconveniencing each other and to avoid future implications.
- An alternative solution would be to offer an overnight permit at the ramps given the very small number of boat owners who would be impacted if a summer trial did not work.
- Feedback from those affected by the ordinance would be welcome.

City Attorney Monahan did not believe a uniform standard existed for the definition of “boat trailer” and one would require specifics, such as trailer width. The City should have definition language in the Code.

Council continued with comments and concerns as follows:

- What constituted “boating season” and “fishing season” would need to be defined as they might differ.
- Many cities had boat parades around Christmas time.
- Because boat trailers required registration, perhaps that could be a resource in creating a definition.

Council directed Staff to provide amended language for the July 8th meeting to include the new 24-hour boat trailer parking limit for a 6-month trial period. Council would review the results and any new issues at the end of the trial period.

[Consent Agenda \[4:35 pm/5 min\]](#)

Agenda Bill 2024-06-17-01: RESOLUTION 2024-04, CERTIFICATION OF THE MAY 21, 2024 ELECTION RESULTS (if available)

[RES 2024-04 Information](#)

Agenda Bill 2024-06-17-02: Meeting Minutes for April 15, 22, 29, and May 13, 2024

[Draft Minutes Information](#)

Agenda Bill 2024-06-17-03: Calaroga Sanitary Sewer Pump Station Replacement Project Contract

[Calaroga Pump Station Information](#)

Agenda Bill 2024-06-17-04: Meter Reading Services Contract

Meter Reading Services Information

Council President Mary Baumgardner moved to approve the Consent Agenda which includes Resolution 2024-04 Certification of the May 21, 2024 election results; Meeting Minutes for April 15, 22, 29 and May 13, 2024; Calaroga Sanitary Sewer Pump Station Replacement Project Contract; and the Meter Reading Services Contract. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

Business Meeting [4:40 pm/60 min]

Agenda Bill 2024-06-17-05: Public Hearing: RESOLUTION 2024-03, ADOPTING THE 2024 WEST LINN WATER SYSTEM MASTER PLAN UPDATE

RES 2024-03 Water Master Plan Information

Water Master Plan

Presentation

Mayor Bialostosky called to order the Public Hearing and read the conduct of hearing format.

City Attorney Monahan read the preliminary legal matters for the hearing and confirmed no member of the audience challenged the jurisdiction of the Council to consider this matter.

Mayor Bialostosky said Council held a work session on the Water System Master Plan a couple of weeks ago and the Planning Commission had also looked at the Plan.

Public Works Director Lais said the current Water System Master Plan had been in place for 20 years and gave a brief overview of the updated Plan, noting it did not include any major capital improvements.

Brian Ginter, Principal Engineer, Consor, gave a presentation which was included in the meeting materials, reviewing the purpose of a Water System Master Plan, the existing water system, anticipated water demands, system analysis to include storage and seismic upgrades, and financial impacts.

Mr. Ginter answered questions from Council as follows:

- A lot of the cost was because of the state law that required water systems to look at resiliency on all their assets. Significant costs were associated with seismic analyses on

the tanks, most of which were constructed prior to current building Code and would not withstand an earthquake, and also for prioritizing pipeline improvements needed due to age and location in zones with a seismic risk.

- Having a current Water System Master Plan in effect was the first step in identifying the needs for funding sources. The City could pursue loan and grant programs with the Plan and Staff or consultant support for application preparation. Grant money was limited and was highly competitive so, typically, loans were pursued for water systems along with questions such as whether a loan made more sense than City bonding or using a pay-as-you-go approach. The utility rate analysis would show where costs could be spread over a longer period.

Mayor Bialostosky said it appeared Council would be discussing the funding strategy in the next few months and a key component was to make sure the City was taking steps to pay for the needed investments in the water system. He looked forward to learning how the City's interesting Charter provision would play into the financial strategy.

Public Testimony

There was none.

Mayor Bialostosky closed the public hearing.

Council President Mary Baumgardner moved to approve Resolution 2024-03 adopting the 2024 West Linn Water System Master Plan update. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2024-06-17-06: RESOLUTION 2024-05, REVISING FEES AND CHARGES AND UPDATING THE MASTER FEES AND CHARGES DOCUMENT](#)

[RES 2024-05 Master Fees & Charges Information](#)

Finance Director Breithaupt gave the report on the changes to the Master Fees and Charges Document included in the meeting materials, summarizing the updates and related budget impacts.

West Linn Refuse & Recycling confirmed the increases in rates were approximately 5 percent which was the same as the increase to many of the City fees. Disposal costs were up dramatically. Metro had raised its rates 11.9 percent this year, so the waste hauler was trying to keep up with that as well as the increases in salaries and wages for the drivers and staff.

Council President Mary Baumgardner moved to adopt Resolution 2024-05 revising fees and charges and updating the master fees and charges document. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2024-06-17-07: Community Grants for Fiscal Year 2025](#)

[Community Grant Information](#)

Finance Director Breithaupt presented the report on the Community Grants for FY 2025 included in the meeting materials, summarizing the guiding principles used by the Budget Committee in awarding the grants. She confirmed Historic Willamette Main Street's award was 80 percent less than requested due to its already receiving \$60,000 in the first year of the biennium and about \$40,000 in the next year. The Committee's recommendations to Council were included in the meeting packet.

Council President Mary Baumgardner moved to approve the Budget Committee Community Grant recommendations. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2024-06-17-08: Safe Routes to School Construction Contract](#)

[Safe Routes Information](#)

Public Works Director Lais gave the report included in the meeting materials, noting the transportation improvements along the path on Cedaroak Drive were the highest ranked among the Safe Routes to School projects. He provided the background, including public outreach and data collection, and highlighted some components of the project such as sidewalk construction, storm improvements, and ADA ramps. The bid of \$928,816 from D&D Concrete and Utilities was the lowest received. He confirmed a Rapid Response Flashing Beacon would be installed at the crossing in response to public feedback.

Council President Mary Baumgardner moved to approve the Safe Routes to School Construction Contract to D&D Concrete and Utilities, Inc. in the amount of \$928,816 and authorize the City Manager to sign and execute all related documents. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Carol Bryck, Councilor Leo Groner, and Interim Councilor Kevin Bonnington.

Nays: None.

The motion carried 5 - 0

[City Manager Report \[5:40 pm/5 min\]](#)

City Manager Williams gave the report with the following key comments:

- At 6 pm tonight, Council will have a work session and joint meeting with the Planning Commission to discuss housing and continue discussion of the Community Recreation Center Feasibility Study including community polling results.
- A daytime work session is scheduled for Council on July 1st, a Business Meeting on July 8th, and an August 5th meeting followed by recess for the rest of the month.
- Juneteenth events this month will include dedication of a new story walk at Field Bridge Park tomorrow from 11 am to 1 pm. He and other City Staff will attend. A golf-cart shuttle will be available between the Middle School and the park during the event.
- Valerie Craigwell White will give a presentation at the Public Library on June 18th from 6 pm to 8 pm reflecting on what Juneteenth means to her family and the legacy of continuing racism in the country.
- An author talk will be held at the Public Library on Thursday at 11 am.
- Clackamas Community College will have the Summer Connections event on June 21st from 5 pm to 7:30 pm.
- Many City Operations would be closed on Wednesday for Juneteenth.
- Events for Pollinator Week would be held at Mary S. Young Park, June 17th to 23rd.
- The Police Review and Recommend Committee has completed its review of the WLPD's 2020 investigation into former Dr. David Farley, summarized in a five-page statement he received today addressed to himself and Council. He distributed paper copies to Council tonight and would also send electronic copies. The document would be posted to the City's website this evening and would be highlighted in the Spotlight section of the website.
- The Review and Recommend Committee had seven community members appointed by Council to review the complaint, investigation, and discipline process in the WLPD. The Committee collaborated with City Staff as directed by ordinance.
- Since February, the Committee had been looking into the City's work on the Farley case and had held a number of meetings, to include a review of the full investigation report posted in February 2024 into whether policies were violated. It had listened to public concerns, received communications directly from several members of the public, and discussed and addressed those concerns as shown in the statement. The Committee members asked questions of themselves, of others, of City Staff, and sought out information available to the public from a variety of sources. Focus was given to policy violation and the Committee gave recommendations on moving forward as asked to do in the ordinance and in Council's appointment process.

- City Manager Williams, Chief Mahuna, and the entire WLPD are committed to implementing the statement's recommendations and looked forward to continuing work with the Committee. West Linn was one of the few communities of its size to have a community group to review police department processes and the City believed it was a great addition to how the community could get involved in the WLPD.
- He was proud of the changes in the WLPD over the last four years and had a lot of confidence in its ability to protect public safety. The Committee's work and recommendations would be a key piece in that moving forward.

[City Attorney Report \[5:45 pm/5 min\]](#)

Legal Project List

[Project List](#)

Mayor Bialostosky noted this would be City Attorney Monahan's final Council meeting before he goes into retirement.

City Attorney Monahan referred to the Project List posted online and said the Boat Parking Ordinance would be added to the List. He would work with Staff to give notice by July 1st about Council's July 8th meeting where the Ordinance would be read, and would send a draft to Chief Mahuna as he had been originally involved. He noted that if Council approved the Ordinance unanimously, both readings could be done and the Ordinance adopted at the July 8th meeting and the Ordinance would go into effect 30 days later. If revisions were necessary, a second meeting would be required which might not be until August 5th unless Council decided to hold a special meeting.

His firm would still be available to assist during the transition to a full-time City Attorney. He briefly discussed past and upcoming development in the city and its challenges, praised City Staff, and stated working with West Linn since 1989 had been a great pleasure.

Mayor Bialostosky said he would work with Staff to schedule a social hour next week in the early evening to allow City Staff to attend and express their appreciation to City Attorney Monahan.

[Adjourn to Work Session \[5:50 pm\]](#)

Draft Minutes.



CITY OF
West Linn

22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING NOTES July 15, 2024

[Call to Order \[6:00 pm/5 min\]](#)

Council Present:

Mayor Rory Bialostosky, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Council Absent:

Council President Mary Baumgardner.

Staff Present:

City Manager John Williams, City Recorder Kathy Mollusky, and Planning Manager Darren Wyss.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Councilor Carol Bryck moved to approve the agenda for the July 15, 2024, West Linn City Council Meeting, removing 4.b. Appoint Community Advisory Group Members and adding City Attorney Contract under the Business Meeting as 5.c. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 4 - 0

Public Comment [6:10 pm/10 min]

Public Comment supporting the Down to Earth Forest School located in Mary S. Young Park

Alison Pennell

Leora Klisak

Alder Raley

Iris Wright

Heidi McKay

Ashley Moriarty

Erin Raley

Jessie Grandkoski

Amanda Alwine

Aimee Parks

Gloria Brinkley

Natalie Dickenson

Jeff Farrer

Kathryn Hammond

Brad Korpalski

Nicole Anderson

Grace Wright

Did not speak; however are in support of the school

Jacqueline Canty

Phil Cordell

Christina Perlick

Alice Richmond

Matthew Brady

Tamor Fertig

Miranda Butler

Kate Bolton

Nicole Anderson

John McCabe Oppenlander and Willamette Falls Drive.

Mayor and Council Reports [6:20 pm/15 min]

Reports from Community Advisory Groups

Councilor Bonnington stated the Parks and Recreation Advisory Board discussed the school and proceeding with finding alternative funding sources for the recreation center. They did not reach a decision on the recreation center and will take it up at the next meeting.

Councilor Groner attended the Economic Development Committee Meeting. They discussed the emphasis on support for current businesses in the community, business development, which is the acquisition of new businesses, and tourism. They feel too much emphasis has been made on the business support side and more needed to be done on the others.

Councilor Bryck attended the Utility Advisory Board Meeting. They discussed the potential impacts of rate increases from South Fork Water Board that provides the City's water and how that can be rolled into the legislative limit of five percent on water rate increases.

Mayor Bialostosky thanked City staff and Rebecca Hollenbeck from Historic Willamette Main Street for all the work done on the Old Time Fair. Community members have been contacting Council on the wetlands and the potential application that could come in. He asked the City Attorney for guidance on how they should navigate the issues of ex parte contact and potential bias. Senate President Rob Wagoner is meeting with the City Manager and Mayor this week and he asked Council to send any items they would like him to discuss with the Senate President. They are going to be talking about Highway 43 and the waterfront. He confirmed he would like some legal advice on the ex parte and potential bias issues at the next meeting.

Councilor Bonnington made a comment online that the Council heard the people who showed up last time; however, did not use the correct language. Council does not have any decision or leaning at this point.

~~b. Appoint Community Advisory Group Members~~

This item was removed from the agenda.

Legislative Priorities

LOC Policy Priorities Information

City Manager Williams stated every year before sessions, the League of Oregon Cities (LOC) creates a policy committee who look at current topics around the state of Oregon and recommend issues that could be taken on in the upcoming session. The LOC puts those together and asks every city in Oregon to identify their top five priorities. This gives LOC an idea of what topics they should be spending time on in the session; it does not mean they are going to limit their advocacy to five topics. In the packet, there is a publication of items that came out of the LOC policy committees. The deadline is September 27.

Mayor Bialostosky asked Council to email their top five priorities to the City Manager and City Recorder to be compiled for a decision at the August meeting.

Doug Riggs stated this is something the LOC does every couple of years. They are coming up on a long session which will run from February to June; they are constitutionally limited so it won't go into August like it used to. This list is generated from seven different committees, it is sent out to all the cities, and the board uses it to set priorities. There are several issues on this list that will come up automatically, whether or not cities rank them. One is recreational immunity which has a temporary one-year extension. LOC committed to come back with a solution to the decision that stated cities were not immune to legal prosecution from accidents that happen in the parks. Also, the 2025 transportation package. The state is going to face difficulty financing large projects and operations and maintenance of the highway system. The gas tax is diminishing in its utility so coming up with a replacement funding mechanism is going to be important. It is still important to list those issues if they are matters of importance to Council. There are three issues that will probably rise to the top in 2025: (1) Housing and Homelessness; (2) Behavioral and Mental Health and the workforce in those areas; and (3) Transportation.

There are several new legislatures, a bunch of the republican senate members are not allowed to run again and there are new house members. There is a new speaker, a new ways & means co-chair, a new house majority leader, and a new senate majority leader. LOC has had some staff turnover including the housing advisor who was great to work with.

In response to Councilor questions, Mr. Riggs responded:

- The choices do not have to be out of the document; two years ago Council listed the five priorities and then added a couple to the list.

Mayor Bialostosky stated the transportation issue is a big one and we worked a lot fighting tolling. The conversation seems to be changing to how do we fund transportation? How specific does the City want to get as to what mechanism we support to fund the operation and maintenance? Clackamas will have a broad values and outcome statement that we can review in August.

Councilor Groner stated there is something about a mileage tax that he would like to see with a vehicle weight parameter added to the tax and something explicit about no tolling.

Mr. Riggs reminded Council the league has to support all 187 cities in Oregon.

Mayor Bialostosky asked Mr. Riggs to inform Council of what is out there and what makes sense as far as solutions and what they are exploring so Council can support one.

Councilor Bonnington believes some of the ones on the list could be combined.

Mr. Riggs stated Council has done that before and they could combine some as there is some overlap.

Business Meeting [6:55 pm/90 min]

Agenda Bill 2024-07-15-01: RES 2024-06, TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE REGISTERED VOTERS OF THE CITY AT THE NOVEMBER 5, 2024, ELECTION TO INCREASE THE UPPER LIMIT ON COMPENSATION PAID TO THE MAYOR AND COUNCIL

RES 2024-06 Information

City Manager Williams explained that Council asked the Budget Committee to look at Council and Mayor stipends comparables from around the region. There is quite a range, some unpaid and some paid higher. The Budget Committee recommends increasing both the Mayor and Council stipends. The annual budget increase would be around \$65,000. The intention of this is to recognize the amount of work councilors put in and since the time this was put in, the roles have changed quite a bit.

Mayor Bialostosky added he has heard from community members in the past who have thought about running for office but couldn't do so because the pay was too low, they could not take time away from work, etc. The current Charter limit on pay was set in 2008, when West Linn was in a debate about having a strong or weak mayor system. This does not change the system of governance, it is still a weak mayor system which means the mayor does not have a chief executive roll. The levels were set at \$6,400 annually for the mayor and \$4,000 annually for each councilor which have been adjusted for inflation so have been increased a little bit. The Budget Committee looked at job duties, responsibilities, and other cities and recommended an increase to \$30,000 annually for the mayor and \$15,000 annually for council members which is close to being in line with Wilsonville's pay level. He thanked the Budget Committee Members for looking at this and stated Council was not present for the discussion.

City Attorney Wigod stated as public officials, Council cannot financially benefit from their position by actions that they take. Council has a potential conflict of interest which must be disclosed prior to beginning the discussion. Because the matter is being referred to the voters, there is not an actual conflict of interest. If the ballot measure is approved, it goes into effect for new and continuing councilors.

Mayor Bialostosky, Councilors Groner, Bonnington, and Bryck stated they have a potential conflict of interest as they are voting on a matter that pertains to council stipends and are referring the matter to the voters.

City Manager Williams stated there is a resolution in the packet that lays out the changes to be made to the West Linn City Charter; this will be on the ballot in November and would take effect January 1.

Mayor Bialostosky made a couple of amendments: On the resolution, correcting a date clerical

error. On the Ballot Title, adding the word "City" before the word "Charter" and adding to the summary: "The West Linn Budget Committee met on May 20, 2024, reviewed the compensation for Councilors and the Mayor for eight nearby cities prepared by City staff, examined job duties and responsibilities, and recommended that this measure be placed on the ballot by the City Council for voter decision."

On the Explanatory Statement About this Measure, after the first sentence: "Current Mayor and Council compensation levels are set in and limited by Section 11 of the City Charter. Section 11 currently provides that the annual compensation for the Mayor shall not exceed \$6,400 and that the annual compensation for each Councilor shall not exceed \$4,000, subject to an annual inflation adjustment.

On May 20, 2024, the West Linn Budget Committee met without City Council Members present, reviewed the compensation for Councilors and the Mayor for eight nearby cities prepared by staff and recommended that the City amend the Charter to increase upper limit on the Mayors compensation to an amount not to exceed \$30,000 per year and the Councilor's compensation to an amount not to exceed \$15,000."

Under Why this Measure is Proposed: "The West Linn Budget Committee recommended that this measure be placed on the ballot following an analysis of West Linn elected officials' job duties and other cities' elected official compensation levels."

City Attorney Wigod stated the changes made are factual, just describing the history of the ballot measure.

Councilor Bryck thinks the changes add some clarity and provide more complete information.

Councilor Carol Bryck moved to adopt Resolution 2024-06, as amended by the Mayor, a resolution to submit to voters to amend the West Linn Charter relating to City Council stipend amounts and to direct staff to take all necessary actions to place the ballot measure on the November 5, 2024 General Election. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 4 - 0

[Agenda Bill 2024-07-15-02: Climate Friendly and Equitable Communities Code Amendments \(CFEC\) Implementation Update](#)

[CFEC Information](#)

Planning Manager Wyss gave the staff report and presentation about moving forward with removing parking mandates within the City.

Presentation

In response to councilors questions, Planning Manager Wyss responded:

- This includes both commercial and residential development.
- If this passes, a landlord could convert some of the existing parking space they have into commercial or residential uses.

Councilor Bryck stated the Planning Commission had a robust discussion about this. The conclusion was the difficulty of implementing the other options and the potential for changes within the City that could make all of that implementation mute, particularly if the bus routes have greater frequency and then it qualifies for the complete elimination of the parking minimums, it makes sense to do the once size fits all, everyone in the City knows what to expect and she believes developers are going to make decisions based on what their customers want. Just because there is no parking minimum, it doesn't mean they are not going to build parking.

Councilor Bonnington's support for removing all mandates was because there wasn't a point to hold on to them. Because of these new bus lines, the City really does lose control over a lot of it. He has observed fights over parking and wondered how they were allowed to build stuff without parking. There is also a trend in the law to take away cities ability to make decisions when they don't fit into a mold of the rest of the state.

Mayor Bialostosky stated Council either eliminates all mandates or implement a series of confusing, burdensome programs to comply with the regulations.

Planning Manager Wyss stated 90 percent of commercially zoned properties would be covered by no parking mandates unless the City implemented paid on-street parking districts in the Willamette and Bolton town center areas. The rest, mostly single family residential, is not the issue. Commercial has the biggest need for parking. Planning Commission decided there could be a whole lot of effort put into this with essentially the same outcome.

Councilor Bonnington is leaning towards eliminating all the mandates; however, he does not like to cede autonomy in ways that don't allow us to control our own city. He is worried about setting a precedent.

Councilor Groner previously lived in California and New York and one of the annoyances is seeing a pole with five different signs with different parking regulations on different days for different kinds of vehicles with a bunch of different "except for" and trying to interpret those. If the situation changes, someone must go out and change all those signs. He is in favor of simplicity.

Mayor Bialostosky asked what is going to change in the community when the developers in town are saying they aren't going to change anything. It doesn't sound like much will change.

Planning Manager Wyss stated based on what staff heard from the large property owners in town, they are not going to change their existing developments. If they were to develop in the future, they would still provide parking which may be less than what the Code currently mandates, it would be based off their parking analysis. They support the removal of the mandate as they have years and years of data analysis.

Mayor Bialostosky supports eliminating the parking mandates and asked the Planning Department to report back if they see any unintended consequences.

Planning Manager Wyss agreed and stated there is not a lot of developable land left in West Linn.

Consensus of the Council is to implement the Planning Commission recommendation.

City Attorney Contract

City Attorney Employment Agreement

Mayor Bialostosky stated they went through a lengthy recruitment process, twice, and after the second recruitment, identified a candidate that is outstanding from West Linn. It has already been announced to the community that Kaylie Klein will be taking over as City Attorney. An offer has been extended and accepted that resulted in a drafting of an employment agreement which was just finalized on Friday so that is why it was added to the agenda today. It has been reviewed by Jordan Ramis, City Management, Human Resources, and Council. The contract is consistent with the City's benefits policy, etc.

Councilor Carol Bryck moved to approve the City Attorney Employment Agreement and authorize the Mayor to sign it. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Councilor Carol Bryck, Councilor Leo Groner, and Councilor Kevin Bonnington.

Nays: None.

The motion carried 4 - 0

City Manager Report [8:25 pm/5 min]

Council Priorities Update

2024 Council Priorities

City Manager Williams reminded Council what their priorities are and all that they have accomplished. In summary, Council successfully opposed I-205 tolling and got it temporarily stopped. Council decided to not send the recreation center to the ballot and will explore partnerships with other agencies and other funding options. The Police Review & Recommend Committee continues to meet monthly and more often if needed. Council adopted the Water

System Master Plan. The next steps will be looking at all the projects and financing plans for those projects. The Waterfront Vision and Vision 43 projects are both moving forward. TriMet announced a new transit line going from the Willamette District, up Salamo Road, to Rosemont, to Lake Oswego's recreation center and then downtown Lake Oswego. TriMet staff are working with our staff to identify stops throughout the City with service to start in August. There will also be more frequent service which will go later in the day on Line 35. The City has applied for EV grants and will make a formal announcement soon. Staff include sustainability components in all City Buildings including the rec center and the operations facility. Staff continue their work on Diversity, Equity, Inclusion, and Belonging (DEIB) and a parttime staff member has been assigned to work on DEIB.

City Manager Williams praised the staff who worked on the Old Time Fair who are now getting ready for Music in the Park and Movies in the Park. There are street improvements required on Burns Street by the library due to the new development. They did some testing on the streets and it is in worse condition than we knew. Rather than having half street closures, they are doing a full street closure so they can rebuild the street. The City put a hold on the street closure to have more time to go to the Neighborhood Association Meeting to hear the neighbor's concerns. August 5 at 1:00 pm is the next Council meeting. He went over the events at the library and Council's getting out into the community.

City Attorney Wigod reminded Council now that the ballot measure has been voted on, elected officials can engage in political activity; however, public employees are prohibited from engaging in political activities.

[Adjourn \[8:35 pm\]](#)

Draft Minutes.

Agenda Bill 2024-08-05-03

Date Prepared: July 15, 2024

For Meeting Date: August 5, 2024

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JRW*

From: Elissa Preston, Deputy City Manager/HR Director

Subject: Human Capital Management System (HCMS) Software Integration

Purpose:

To approve a modified contract with NEOGOV to provide and maintain Human Resources and Payroll software for the City, for four years.

Question(s) for Council:

Does the Council wish to approve a modified contract with NEOGOV?

Public Hearing Required:

None Required.

Background & Discussion:

The City of West Linn has been researching a product to implement as our Human Capital Management System (HCMS) for the last three years. Currently, the City utilizes an applicant tracking system and a new employee onboarding system (NEOGOV), as well as a separate payroll system (Incode). The two systems do not integrate, and our other HR systems are antiquated and not housed in one location, some merely Excel spreadsheets. HR/Payroll proposes to streamline HR processes and records, as well as improve the employee experience by adding modules that follow the employee lifecycle into training, performance management, time entry, benefits, and payroll. About two years ago, the City requested and received quotes from ADP, UKG, and NEOGOV. While these quotes were not exact replication of packages, all HCMS offer similar features and services.

Additionally, we believe this procurement falls under the Brand Name Specification exemption from the formal competitive process. NEOGOV is the only HCMS that integrates with governmentjobs.com, the primary recruitment platform for the government sector. Purchasing services from other vendors would result in a fragmented system without the ability to seamlessly integrate workflows. No other systems are specifically tailored to the government sector, and none possess the functionality to integrate with our current NEOGOV systems (Insight & Onboard). The justification letter is Attachment 2.

NEOGOV's value increases with the more modules implemented. Our existing contract services with NEOGOV minimizes the retraining of familiarity with the product when implementing additional

modules. Each additional module brings an elevated element to the employee lifecycle, all designed with the public sector in mind:

- **CoreHR** is a central integrated solution designed for complex needs. The HRIS is the central hub for employee records, salary, benefit administration, payroll services and workforce data. CoreHR automates approval workflows, streamlines HR processes, and minimizes repetitive administration tasks. The platform provides visibility across the agency and self-service access so employees can view pay stubs, update contact information, request time-off, change tax elections and more, while triggering any necessary approvals.
- **eForms** puts an end to chasing forms by managing forms and workflows online. Makes organization easy by managing all employee documents electronically and storing all completed forms in an employee personnel file. We will be able to do away with manual processes, gaining more time to focus on strategic initiatives, all while protecting sensitive HR data by setting different user roles and controlling permissions.
- **Learn** will cultivate growth, promote excellence, and improve retention by providing a centralized online platform designed for the specific needs of the public sector. Learn supplies over 1500 courses, a course builder and the ability to add classroom training and track employee license and certification renewal specific to the public sector. Learn will automatically assign new hire training for streamlined onboarding.
- **Perform** builds a more capable workforce by tracking employee performance and providing constructive feedback. Perform will automate annual and probationary employee evaluations, allowing managers to automate the process of identify skill gaps and areas of improvement for their employees. By using Perform, we will maximize the benefits of Learn.

The size of this contract is above the City Manager's signing authority and requires approval of the City Council.

Budget Impact:

\$375,495.64 over the life of the contract – see Draft Order Form. Human Resources would pay the cost of all modules set up costs, apart from Payroll Services, which would be paid by Finance. The cost of the recurring subscription would be paid by IT, all of which is budgeted accordingly.

With NEOGOV's existing contract, the City has been offered significant bundle pricing. The current draft proposal has the City saving an estimate of \$37,000 over the life of the contract. In general, the year one incentive is 17% off MSRP, with some modules discounted up to 38%, with an estimate cost savings of \$21,716. Year two's reduced incentives range is generally 17% off MSRP, with an estimated cost savings of at least \$12,685. This is significantly greater than the cost savings offered through cooperative purchasing, which would only offer 2-5% off MSRP.

The proposed implementation timeline is phased, which allows the financial costs to be allocated over multiple fiscal years. Therefore, we will not need to absorb the entire cost in the first year of the contract.

Sustainability Impact:

Sustainable City Operations: Efficient public sector HR software for the full life cycle of employment will help obtain top talent, retain, and develop the workforce.

- Manage time and money with reporting and analytics.
 - Reduce paperwork and improve current manual processes.
- Improve performance management resulting in higher productivity and increasing employee engagement.

- ### Council Options:

- Staff Recommendation:**

Potential Motion:

Attachments: Double click on any attachment to view

- [illegible]

- [illegible]

3. PSA HR Human Capital Management Services Contract

**SERVICES AGREEMENT
FOR HUMAN CAPITAL MANAGEMENT SERVICES**

City: City of West Linn, a municipal corporation of the State of Oregon
Contractor: Governanceplus.com, Inc. (the "NEOGOV")
2220 Park Pl, Suite 200
San Diego, CA 92106
Term: September 1, 2024 - March 8, 2025, with two (2) one-year options to extend
Not to exceed \$275,495.04
Compensation:

RECITALS

A. City has need to license software and services from the Contractor, and
B. City has determined that Contractor is qualified and capable of performing and providing the professional services the City requires, under the terms and conditions in this Personal Services Agreement ("Agreement").

NOW THEREFORE, in consideration of the mutual covenants and promises set forth herein and of other good and valuable considerations, the intent and sufficiency of which are hereby acknowledged by the Parties hereto, the Parties agree as follows:

1. SERVICES TO BE PROVIDED
Contractor shall deliver the subscription services and perform the services as specified in Exhibit A, Order Form, a copy of which is attached hereto and incorporated herein (the "Services"). The Order Form includes the terms of the NEOGOV Services Agreements which are deemed incorporated into and made part of this Agreement.

2. EFFECTIVE DATE AND DURATION
This Agreement shall become effective upon the date of execution, and shall expire, unless otherwise terminated or extended, by March 8, 2028. All work under this Agreement shall be completed prior to the expiration of this Agreement.

3. COMPENSATION
City agrees to pay Contractor not to exceed Three Hundred Seventy Five Thousand Four Hundred Ninety Five Dollars and Nine Four cents (\$375,495.04), for performance of Services, which payment shall be based upon the following applicable terms:

A. Payment by City to Contractor for performance of Services under this Agreement includes all expenses incurred by Contractor, with the exception of expenses, if any, identified in this Agreement as separately reimbursable.

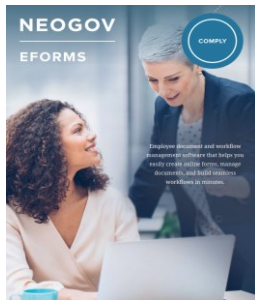
B. Payment will be made in annual installments, at the formula rates set forth on Exhibit A, based on Contractor's invoice.

City of West Linn - HRIS Services Agreement, No. 2024-0001-001 Page 1/1

4. NEOGOV – HRIS Handout



5. NEOGOV – eForms Handout



6. NEOGOV – Learn Handout



7. NEOGOV – Perform Handout



Agenda Bill 2024-08-05-04

Date Prepared: July 18, 2024

For Meeting Date: August 5, 2024

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JRW*

From: Erich Lais, PE – Public Works Director/City Engineer *EL*

Subject: Contract Award: West Linn Operation Complex Final Design Contract

Purpose:

To receive Council approval to award a final design contract for the City's Operations Complex project.

Question(s) for Council:

Does Council wish to continue and finalize the design of the City's future Operations Complex which has recently completed the preliminary design phase?

Public Hearing Required:

None Required.

Background & Discussion:

The City has acquired 32.98 acres of sloped property from the Oregon Department of Transportation adjacent to Salamo Road and overlooking I-205 with the intent of building a new operations complex, replacing the City's existing two acre site located at 4100 Norfolk Street.

The operations facility will be a new facility designed to accommodate the following city functions: Water Distribution Maintenance, Sewer and Storm Collections Maintenance, Parks Maintenance, Facilities Maintenance, and Fleet Maintenance. In addition, to the above core staffing functions, the site will also accommodate and house staff during prolonged emergency events, all City fueling and materials storage needs, as well as provide space for City-wide staff events and trainings.

In Spring 2023, the City awarded the preliminary design contract to Scott Edwards Architects (SEA) after a formal solicitation process. Since preliminary design award, City staff has been working with SEA and their subcontracted civil engineers and geotechnical experts to deliver the preliminary design submittals and continue towards final design. Details of the preliminary design phase and next steps are attached to this report.

Per Local Contracting Rules 10.110, and with legal review of this proposal complete, City staff is requesting to proceed with a final design contract award to Scott Edwards Architects. Justifications for the contract are as follows:

- Continuation with the SEA is anticipated to reduce overall project costs and the timeline of final design completion.
- It will ensure the final design phase continues as soon as possible and will not require the delay and costs associated with onboarding of a new consultant.
- Due to the technical nature of the design, any new architectural firm selected will undoubtedly require a lengthy review and vetting of the civil engineering, structural engineering, geotechnical engineering, and architectural engineering that has already been completed.
- A new firm will likely propose additional review and/or workshops with staff to produce alternative design options despite this process already being completed to the satisfaction of City stakeholders.

Budget Impact:

\$ 2,024,000 split evenly between Sanitary Sewer, Storm, Streets, Water, and Park funds. Funds are budgeted and included in the adopted Capital Improvement Plan.

Sustainability Impact:

The design incorporates substantial energy efficiency standards and redundant systems to ensure maximization of sustainable best practices and goals adopted by the City.

Council Options:

1. Approve and award the proposed contract to allow for final design of the West Linn Operations Complex to proceed with minimal delay.
2. Deny the proposed contract and cancel the project.

Staff Recommendation:

1. Approve and award the proposed contract to allow for final design of the West Linn Operations Complex to proceed with minimal delay.

Potential Motion:

I move to approve the West Linn Operations Complex Final Design contract to Scott Edwards Architects, in the amount of \$2,024,000 and authorize the City Manager to sign and execute all related documents.

Attachments:

1. West Linn Operations Complex design update presentation
2. Final design contract and scope of work



CITY OF
**West
Linn**

West Linn Operations Complex

Design Update

August 5, 2024

BACKGROUND AND TIMELINE



❖ Preliminary design contract executed in February 2023

- Identify desired functions, services, character, and overall concepts for development of Operations Complex

❖ Space Analysis in Spring/Fall 2023

- Three Programming workshops with operations staff to identify operational needs, review of current operations facility, discussion of specific space and activity requirements of new facility.
- identification of technology components
- Sustainability workshop to establish goals for energy efficiency and redundancy

❖ On-site tours of similar facilities within the region in Winter 2023/Spring 2024

- Wilsonville, Oregon City, Clackamas County

❖ Development of preliminary site layout Spring 2024

- Architectural site plan, civil engineering concept, conceptual building massing, refined space program, floorplans

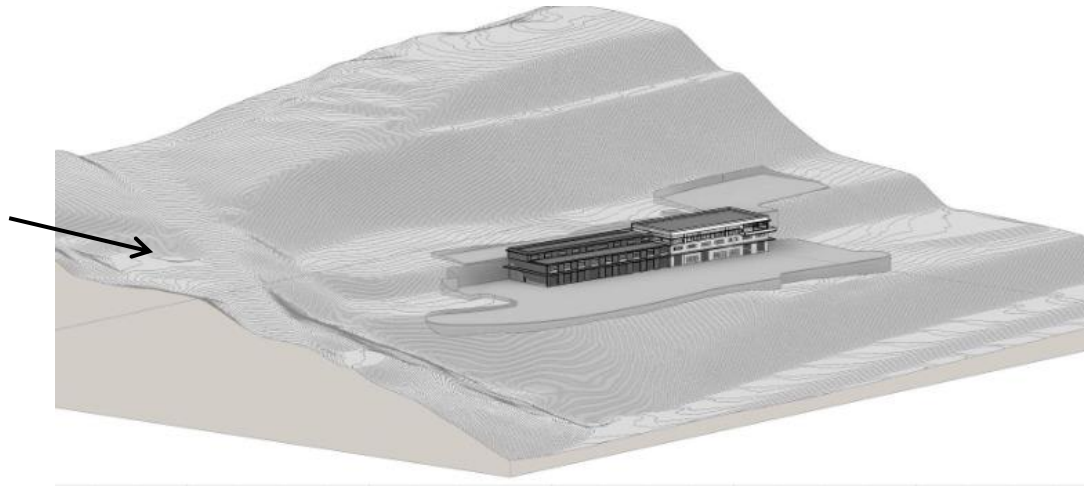
❖ 50% Schematic Design Spring/Summer 2024

- Site grading, paving, utilities, landscape, architectural and structural designs, building code analysis, mechanical, electrical, and plumbing systems, site plan for equipment and material storage, office and shop floorplans.

TOPOGRAPHY CONSIDERATIONS



Gated driveway entrance accessed from Salamo Rd. with 10% slope



Site consists of two tiers built into existing slope to minimize earthwork.

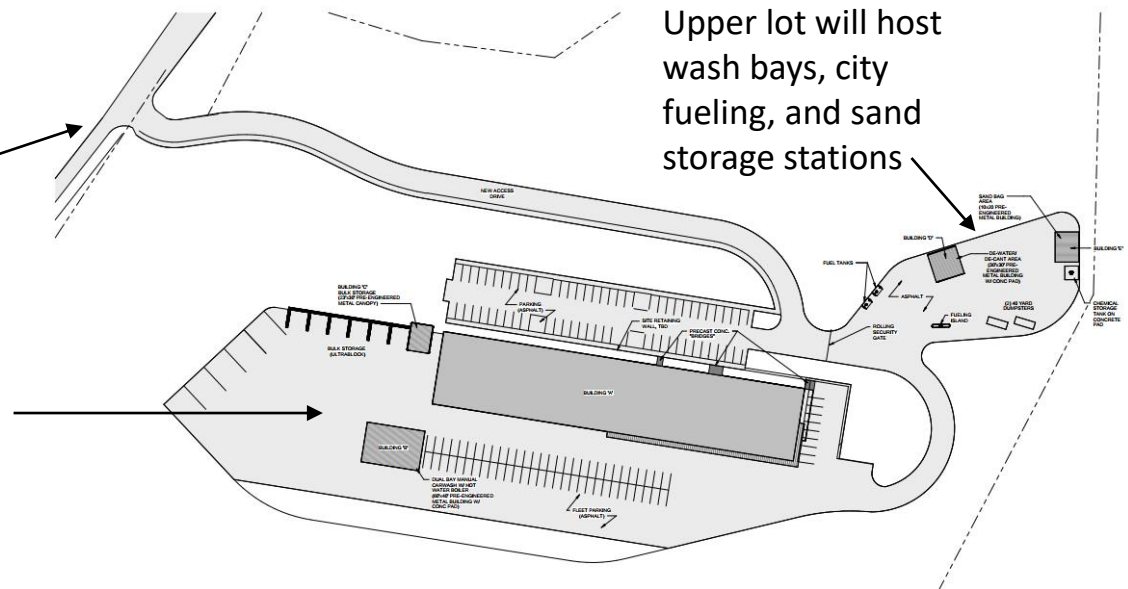


PRELIMINARY BUILDING RENDERING AND SITE LAYOUT



Primary building replaces existing undersized operations building and will feature dedicated division crew rooms, conference and training rooms suitable for all-staff events, emergency operations, and training classes.

Graded access from Salamo will require imported fill. Secured access to lower yard which will feature covered material storage/maintenance work bays for all maintenance divisions, fleet mechanic shop, fleet and equipment parking.





NEXT STEPS – FINAL DESIGN & CONSTRUCTION

Final design contract Summer 2024 – Early Winter 2025

- Finalize architecture and structural design of facility, evaluate and implement Value Engineering options
- Refine site plan, civil engineering and complete final geotechnical studies
- Produce final cost estimates, and bid documents for construction solicitation
- Land Use Conditional Use Permit Application

CONCURRENT WITH FINAL DESIGN PHASE

- Solicit Owner's Representative to assist with final design oversight, construction procurement, Commissioning Agent solicitation, construction management, and facility completion

Construction – Spring 2025

**PROFESSIONAL SERVICES AGREEMENT
FOR ARCHITECTURE AND ENGINEERING DESIGN SERVICES
WEST LINN OPERATIONS COMPLEX FINAL DESIGN**

City: City of West Linn, a municipal corporation of the State of Oregon.
Consultant: Scott Edwards Architecture
2525 E Burnside St.
Portland, OR 97214
Term: 8 months
Compensation: Not to exceed \$2,024,000.00

RECITALS

1. City has need for the services of a person or an entity with particular training, ability, knowledge, and experience as possessed by Consultant, and
2. City has determined that the Consultant is qualified and capable of performing the professional services the City require, under the terms and conditions in this Personal Services Agreement ("Agreement"),

THEREFORE the Parties agree as follows:

1. SERVICES TO BE PROVIDED

Consultant shall provide services as specified in the Scope of Work, a copy of which is attached and incorporated in Exhibit A. Consultant shall initiate services immediately upon receipt of City's notice to proceed, together with an executed copy of this Agreement.

2. EFFECTIVE DATE AND DURATION

This Agreement shall become effective upon the date of execution, and shall expire, unless otherwise terminated or extended, by **April 5, 2025**. All work under this Agreement shall be completed prior to the expiration of this Agreement.

3. COMPENSATION

City agrees to pay Consultant not to exceed **Two Million Twenty Four Thousand Dollars (\$2,024,000)** for performance of those services described in the Scope of Work, which payment shall be based upon the following applicable terms and in accordance with Exhibit A:

- A. Payment by City to Consultant for performance of services under this Agreement includes all expenses incurred by Consultant, with the exception of expenses, if any identified in this Agreement as separately reimbursable.
- B. Payment will be made in installments based on Consultant's invoice, subject to the approval of the City Manager, or designee, and not more frequently than monthly. Payment shall be made only for work actually completed as of the date of invoice.
- C. Payment by City shall release City from any further obligation for payment to Consultant, for services performed or expenses incurred as of the date of the invoice. Payment shall

not be considered acceptance or approval of any work or waiver of any defects in the work.

- D. Where applicable, Consultant must make payment promptly as due to persons supplying Consultant labor or materials for the execution of the work provided by this order. Consultant must pay all contributions or amounts due from Consultant to the Industrial Accident Fund incurred in the performance of this order. Consultant shall not permit any lien or claim to be filed or prosecuted against City or any subdivision of City on account of any labor or material to be furnished. Consultant further agrees to pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.
- E. If Consultant fails, neglects or refuses to make prompt payment of any claim for labor or services furnished to Consultant or a sub Consultant by any person as such claim becomes due, City's Finance Director may pay such claim and charge the amount of the payment against funds due or to become due the Consultant. The payment of the claim in this manner shall not relieve Consultant or their surety from obligation with respect to any unpaid claims.
- F. If labor is performed under this order, then no person shall be employed for more than eight (8) hours in any one day, or forty (40) hours in any one week, except in cases of necessity, or emergency or where the public policy absolutely requires it, and in such cases, except cases of contracts for personal services as defined in ORS 279A.055, the labor shall be paid at least time and a half for all overtime in excess of eight (8) hours a day and for all work performed on Saturday and on any legal holidays as specified in ORS 279B.020. In cases of contracts for personal services as defined in ORS 279A.055, any labor shall be paid at least time and a half for all hours worked in excess of forty (40) hours in any one week, except for those individuals excluded under ORS 653.010 to 653.260 or under 29 USC SS 201-209.
- G. Consultant shall promptly, as due, make payment to any person, co-partnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention incident to sickness or injury to the employees of Consultant or all sums which Consultant agrees to pay for such services and all moneys and sums which Consultant collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.
- H. The City certifies that sufficient funds are available and authorized for expenditure to finance costs of this contract.

4. OWNERSHIP OF WORK PRODUCT

City shall be the owner of and shall be entitled to possession of any and all work products of Consultant which result from this Agreement, including any computations, plans, correspondence or pertinent data and information gathered by or computed by Consultant prior to termination of this Agreement by Consultant or upon completion of the work pursuant to this Agreement.

5. ASSIGNMENT/DELEGATION

Neither party shall assign, sublet or transfer any interest in or duty under this Agreement without the written consent of the other and no assignment shall be of any force or effect whatsoever unless and until the other party has so consented. If City agrees to assignment of tasks to a subcontract,

Consultant shall be fully responsible for the acts or omissions of any sub Consultant s and of all persons employed by them, and neither the approval by City of any sub Consultant nor anything contained in this Agreement shall be deemed to create any contractual relation between the sub Consultant and City.

6. STATUS OF CONSULTANT AS INDEPENDENT CONTRACTOR

Consultant certifies that:

- A. Consultant acknowledges that for all purposes related to this Agreement, Consultant is and shall be deemed to be an independent Consultant as defined by ORS 670.600 and not an employee of City, shall not be entitled to benefits of any kind to which an employee of City is entitled and shall be solely responsible for all payments and taxes required by law. Furthermore, in the event that Consultant is found by a court of law or any administrative agency to be an employee of City for any purpose, City shall be entitled to offset compensation due, or to demand repayment of any amounts paid to Consultant under the terms of this Agreement, to the full extent of any benefits or other remuneration Consultant receives (from City or third party) as a result of said finding and to the full extent of any payments that City is required to make (to Consultant or to a third party) as a result of said finding.
- B. The undersigned Consultant hereby represents that no employee of the City, or any partnership or corporation in which a City employee has an interest, has or will receive any remuneration of any description from Consultant, either directly or indirectly, in connection with the letting or performance of this Agreement, except as specifically declared in writing.

If this payment is to be charged against Federal funds, Consultant certifies that he/she is not currently employed by the Federal Government and the amount charged does not exceed his or her normal charge for the type of service provided.

Consultant and its employees, if any, are not active members of the Oregon Public Employees Retirement System and are not employed for a total of 600 hours or more in the calendar year by any public employer participating in the Retirement System.

- C. Consultant certifies that it currently has a City business license or will obtain one prior to delivering services under this Agreement.
- D. Consultant is not an officer, employee, or agent of the City as those terms are used in ORS 30.265.

7. INDEMNIFICATION

City has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant warrants that all its work will be performed in accordance with generally accepted professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of a Consultant's work by City shall not operate as a waiver or release.

Consultant agrees to indemnify and defend the City, its officers, agents, employees and volunteers and hold them harmless from any and all liability, causes of action, claims, losses, damages, judgments or other costs or expenses including attorney's fees and witness costs and (at both trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person or entity which in any way arise from, during or in connection with the performance of the work described in this contract, except to the extent that the liability arises out of the sole negligence of the City and its employees. Such indemnification shall also cover claims brought against the City under state or federal workers' compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

8. INSURANCE

Consultant and its subcontractors shall maintain insurance acceptable to City in full force and effect throughout the term of this contract. Such insurance shall cover all activities of the Consultant arising directly or indirectly out of Consultant's work performed hereunder, including the operations of its subcontractors of any tier. Such insurance shall be primary and non-contributory.

The policy or policies of insurance maintained by the Consultant and its subcontractor shall provide at least the following limits and coverages:

A. Commercial General Liability Insurance

Consultant shall obtain, at Consultant's expense, and keep in effect during the term of this contract, Commercial General Liability Insurance covering Bodily Injury and Property Damage on an "occurrence" form. This coverage shall include Contractual Liability insurance for the indemnity provided under this contract. The following insurance will be carried:

| <u>Coverage</u> | <u>Limit</u> |
|---|---------------------|
| General Aggregate | 3,000,000 |
| Products-Completed Operations Aggregate | 3,000,000 |
| Personal & Advertising Injury | 3,000,000 |
| Each Occurrence | 2,000,000 |
| Fire Damage (Any one fire) | 500,000 |
| Medical Expense (Any one person) | 5,000 |

B. Commercial Automobile Insurance

Consultant shall also obtain, at Consultant's expense, and keep in effect during the term of this contract, Commercial Automobile Liability coverage including coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than \$2,000,000.

C. Professional Liability Insurance

Consultant shall obtain, at Consultant's expense, and keep in effect during the term of this contract, Professional Liability Insurance covering any damages caused by an error,

omission or any negligent acts. Combined single limit per occurrence shall not be less than \$2,000,000. Annual aggregate limit shall not be less than \$2,000,000.

D. Workers' Compensation Insurance

The Consultant, its subcontractors, if any, and all employers providing work, labor or materials under this Contract who are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage that satisfies Oregon law for all their subject workers. Out-of-state employers must provide workers' compensation coverage for their workers that complies with ORS 656.126. Employer's Liability Insurance with coverage limits of not less than \$500,000 each accident shall be included.

E. Additional Insured Provision

The Commercial General Liability Insurance and Commercial Automobile Insurance policies and other policies the City deems necessary shall include the City, its officers, directors, employees and volunteers as additional insureds with respect to this contract.

F. Notice of Cancellation

There shall be no cancellation, material change, exhaustion of aggregate limits or intent not to renew insurance coverage without 30 days written notice to the City. Any failure to comply with this provision will not affect the insurance coverage provided to the City. The certificates of insurance provided to the City shall state that the insurer shall endeavor to provide 30 days notice of cancellation to the City.

G. Insurance Carrier Rating

Coverages provided by the Consultant must be underwritten by an insurance company deemed acceptable by the City. The City reserves the right to reject all or any insurance carrier(s) with an unacceptable financial rating.

H. Certificates of Insurance

As evidence of the insurance coverage required by the contract, the Consultant shall furnish a Certificate of Insurance to the City. No contract shall be effected until the required certificates have been received and approved by the City. The certificate will specify and document all provisions within this contract. A renewal certificate will be sent to the above address 30 days prior to coverage expiration.

Certificates of Insurance should read "Insurance certificate pertaining to contract for **West Linn Operations Complex Final Design**. The City of West Linn, its officers, directors and employees shall be added as additional insureds with respects to this contract. A notation stating that "Insured coverage is primary" shall appear in the description portion of certificate.

I. Independent Consultant Status

The service or services to be rendered under this contract are those of an independent consultant. Consultant is not an officer, employee or agent of the City as those terms are used in ORS 30.265.

J. Primary Coverage Clarification

The parties agree that Consultant's coverage shall be primary to the extent permitted by law. The parties further agree that other insurance maintained by the City is excess and not contributory insurance with the insurance required in this section.

K. Cross-Liability Clause

A cross-liability clause or separation of insureds clause will be included in the general liability policy.

Consultant's insurance policy shall contain provisions that such policies shall not be canceled or their limits of liability reduced without thirty (30) days prior notice to City. A copy of each insurance policy, certified as a true copy by an authorized representative of the issuing insurance company, or at the discretion of City, in lieu thereof, a certificate in form satisfactory to City certifying to the issuance of such insurance shall be forwarded to:

| | |
|---|--|
| Morgan Lovell, Support Services Supervisor City of West Linn 22500 Salamo Road West Linn, OR 97068 | Ph: 503-722.3432 Fax: NA Email: mlovell@westlinnoregon.gov |
|---|--|

Such policies or certificates must be delivered prior to commencement of the work.

The procuring of such required insurance shall not be construed to limit Consultant's liability hereunder. Notwithstanding said insurance, Consultant shall be obligated for the total amount of any damage, injury, or loss caused by negligence or neglect connected with this contract.

9. **METHOD & PLACE OF SUBMITTING NOTICE, BILLS AND PAYMENTS**

All notices, bills and payments shall be made in writing and may be given by personal delivery, mail or by fax. Payments may be made by personal delivery, mail, or electronic transfer. The following addresses shall be used to transmit notices, bills, payments, and other information:

| City of West Linn | Consultant |
|--|------------------------------|
| Attn: Finance Department | Attn: Sid Scott |
| 22500 Salamo Road | Address: 2525 E Burnside St. |
| West Linn, OR 97068 | Portland, OR 97214 |
| Phone: 503- 657-0331 | Phone: 503-226-3617 |
| Fax: 503-650-9041 | Fax: NA |
| Email: acctspayable@westlinnoregon.gov | Email: sid@seallp.com |

and when so addressed, shall be deemed given upon deposit in the United States mail, postage prepaid, or when so faxed, shall be deemed given upon successful fax. In all other instances,

notices, bills and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to who notices, bills and payments are to be given by giving written notice pursuant to this paragraph.

10. MERGER

This writing is intended both as a final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement. No modification of this Agreement shall be effective unless and until it is made in writing and signed by both parties.

11. TERMINATION WITHOUT CAUSE

At any time and without cause, City shall have the right, in its sole discretion, to terminate this Agreement by giving notice to Consultant. If City terminates the contract pursuant to this paragraph, it shall pay Consultant for services rendered to the date of termination.

12. TERMINATION WITH CAUSE

A. City may terminate this Agreement effective upon delivery of written notice to Consultant, or at such later date as may be established by City, under any of the following conditions:

- 1) If City funding from federal, state, local, or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quantity of services. This Agreement may be modified to accommodate a reduction in funds
- 2) If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this Agreement.
- 3) If any license or certificate required by law or regulation to be held by Consultant, its subcontractors, agents, and employees to provide the services required by this Agreement is for any reason denied, revoked, or not renewed.
- 4) If Consultant becomes insolvent, if voluntary or involuntary petition in bankruptcy is filed by or against Consultant, if a receiver or trustee is appointed for Consultant, or if there is an assignment for the benefit of creditors of Consultant.

Any such termination of this agreement under paragraph (a) shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

B. City, by written notice of default (including breach of contract) to Consultant, may terminate the whole or any part of this Agreement:

- 1) If Consultant fails to provide services called for by this Agreement within the time specified in this Agreement or any extension thereof, or
- 2) If Consultant fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this agreement in accordance with its terms, and after receipt of written notice from City, fails to correct such failures within ten (10) days or such other period as City may authorize.

The rights and remedies of City provided in the above clause related to defaults (including breach of contract) by Consultant shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

If City terminates this Agreement under paragraph (B), Consultant shall be entitled to receive as full payment for all services satisfactorily rendered and expenses incurred, an amount which bears the same ratio to the total fees specified in this Agreement as the services satisfactorily rendered by Consultant bear to the total services otherwise required to be performed for such total fee; provided, that there shall be deducted from such amount the amount of damages, if any, sustained by City due to breach of contract by Consultant. Damages for breach of contract shall be those allowed by Oregon law, reasonable and necessary attorney fees, and other costs of litigation at trial and upon appeal.

13. ACCESS TO RECORDS

City shall have access to such books, documents, papers and records of Consultant as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts and transcripts.

14. FORCE MAJEURE

Neither City nor Consultant shall be considered in default because of any delays in completion and responsibilities hereunder due to causes beyond the control and without fault or negligence on the part of the parties so disenabled, including but not restricted to, an act of God or of a public enemy, civil unrest, volcano, earthquake, fire, flood, epidemic, quarantine restriction, area-wide strike, freight embargo, unusually severe weather or delay of subcontractor or supplies due to such cause; provided that the parties so disenabled shall within ten (10) days from the beginning of such delay, notify the other party in writing of the cause of delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation. Each party shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon cessation of the cause, diligently pursue performance of its obligation under the Agreement.

15. NON-WAIVER

The failure of City to insist upon or enforce strict performance by Consultant of any of the terms of this Agreement or to exercise any rights hereunder should not be construed as a waiver or relinquishment to any extent of its rights to assert or rely upon such terms or rights on any future occasion.

16. NON-DISCRIMINATION

Consultant agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations. Consultant also shall comply with the Americans with Disabilities Act of 1990, ORS 659A.142, and all regulations and administrative rules established pursuant to those laws.

17. ERRORS

Consultant shall perform such additional work as may be necessary to correct errors in the work required under this Agreement without undue delays and without additional cost.

18. EXTRA (CHANGES) WORK

Only **Erich Lais, PE – City Engineer/Public Works Director** may authorize extra (and/or change) work. Failure of Consultant to secure authorization for extra work shall constitute a waiver of all right to adjustment in the contract price or contract time due to such unauthorized extra work and Consultant thereafter shall be entitled to no compensation whatsoever for the performance of such work.

19. WARRANTIES

All work shall be guaranteed by Consultant for a period of one year after the date of final acceptance of the work by the owner. Consultant warrants that all practices and procedures, workmanship and materials shall be the best available unless otherwise specified in the profession. Neither acceptance of the work nor payment therefore shall relieve Consultant from liability under warranties contained in or implied by this Agreement.

20. ATTORNEY'S FEES

In case suit or action is instituted to enforce the provisions of this contract, the parties agree that the losing party shall pay such sum as the court may adjudge reasonable attorney fees and court costs, including attorney's fees and court costs on appeal.

21. GOVERNING LAW

The provisions of this Agreement shall be construed in accordance with the provisions of the laws of the State of Oregon. Any action or suits involving any question arising under this Agreement must be brought in the appropriate court of the State of Oregon.

22. COMPLIANCE WITH STATE AND FEDERAL LAWS/RULES

Consultant shall comply with all applicable federal, state and local laws, rules and regulations, including, but not limited to, the requirements concerning working hours, overtime, medical care, workers compensation insurance, health care payments, payments to employees and subcontractors and income tax withholding contained in ORS Chapters 279A and 279B, the provisions of which are hereby made a part of this agreement

23. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties that should there be any conflict between the terms of this Agreement and the Consultant's proposed contract terms, scope of work, or any other document provided by the Consultant, this Agreement shall control and nothing in this Agreement shall be considered as an acceptance of any conflicting terms in the Consultant's proposal.

24. AUDIT

Consultant shall maintain records to assure conformance with the terms and conditions of this Agreement, and to assure adequate performance and accurate expenditures within the contract period. Consultant agrees to permit City, the State of Oregon, the federal government, or their duly authorized representatives to audit all records pertaining to this Agreement to assure the accurate expenditure of funds.

25. SEVERABILITY

In the event any provision or portion of this Agreement is held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining terms and provisions shall not be

affected to the extent that it did not materially affect the intent of the parties when they entered into the agreement.

26. AMENDMENT AND COMPLETE AGREEMENT

This Agreement and attached exhibits constitutes the entire Agreement between the parties. No waiver, consent, modification, or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification, or change if made, shall be effective only in specific instances and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified in this Agreement regarding this Agreement. Consultant, by the signature of its authorized representative, acknowledges that he has read this Agreement, understands it and agrees to be bound by its terms and conditions.

INTENDING TO BE BOUND, City has caused this Agreement to be executed by its duly authorized undersigned officer and Consultant has executed this Agreement on the date written below.

CONSULTANT

Signature

Printed Name & Title

Date

CITY OF WEST LINN

Signature

Printed Name & Title

Date

EXHIBIT A



April 22, 2024

Erich Lais, Director of Public Works
City of West Linn, Public Works Department
Via Email: elais@westlinnoregon.gov

RE : PROPOSAL AMENDMENT #1 FOR THE WEST LINN PUBLIC WORKS OPERATIONS COMPLEX

Dear Erich,

We have prepared the following amendment for the Professional Services Agreement, dated June 21, 2023, based on the owner's request for additional engineering and design services which were not included in the proposal for conceptual design services.

PROJECT SCOPE

The additional services are intended to assist the City of West Linn in the further development of the future Public Works Operations Complex and are based on the approved and finalized Phase I Schematic Design work completed by SEA.

The estimated total all-in project cost is estimated to be in the amount of \$25,000,000.

Services in this proposal include architectural, civil engineering, landscape design, structural engineering, mechanical, electrical, and plumbing (MEP) engineering design and construction documents and construction cost estimating. The intent of the services is to advance the project through Design Development, Construction Documents, Permitting, Bidding and Construction Administrative services as outlined below.

SCOPE OF SERVICES

The proposed Project Team is as follows:

01 Design Team

| | | |
|----------|---|--------------------------------------|
| A | Architectural | Scott Edwards Architecture, LLP |
| B | Civil Engineering | Harper Houf Peterson Righellis, Inc. |
| C | Landscape Engineering | Harper Houf Peterson Righellis, Inc. |
| D | Structural Engineering | WDY |
| E | Mechanical, Electrical, Plumbing and Fire Protection Engineering | Interface Engineering |
| F | Interior Design | Scott Edwards Architecture, LLP |
| G | Cost Estimating | DCW |

02 Design Development

A Design:

1. Refine the schematic design through further investigation and detailing of the project scope.
2. Establish a general level of quality through details about materials, systems, and compliance with life safety requirements.
3. Develop a diagrammatic space planning layout for offices and workspaces to establish utility requirements and configuration.
4. Coordinate public and non-public furniture selection and layout, including style, material, and color. Develop a Furniture Schedule to summarize results.
5. Develop interior design and finish concept for the Administration Building.
6. Develop preliminary interior elevations and/or 3D imagery as required to convey design.
7. Develop preliminary signage scheme consisting of illuminated monument and building-mounted identification signage.
8. Develop Building Technology Components including Telephone, Data/telecommunications, Cable Television (CATV), Security and Audio Visual (A/V) coordination.

B Materials Review:

1. Provide recommendations for construction materials, including exterior finishes and colors.
2. Provide recommendations for interior finish materials and colors.
3. Review and provide comments on furniture recommendations provided by Owners furniture vendor.
4. Review proposed fixtures, furnishings & equipment with Owner, including mechanical, plumbing and lighting fixtures and equipment.

C Cost Estimating:

1. To be conducted at approximately 70% Design Development

D Land Use application:

1. Coordinate a pre-application conference to review submittal and approval requirements.
2. Research, prepare and submit documents as required by Authority Having Jurisdiction (AHJ) for Land Use review and approval.

E Progress Meetings:

1. Monthly meeting between applicable Design Team and Owner representatives.
2. Weekly telephone 'check-in' between Project Manager and Owner Representatives.

Deliverables: Design Development drawings, preliminary furniture schedule, finish material board, cost estimate, Land Use review submittal and progress meeting documentation.

03 Construction Documents

A Document Production:

1. Produce technical detailing, engineering, and drafting of documents required for bidding, permitting and construction.
2. Coordinate with independent owner sub-consultant work / specialty services as required and integrate their work into the final documents package.
3. Finalize space planning layout of offices and workspaces and provide utility connections as appropriate.
4. Finalize public and non-public furniture selections and Furniture Schedule.
5. Develop a Fixtures, Furnishings and Equipment (FF&E) bid package to include products, specifications, and installation sequencing requirements.

6. Finalize interior design, finish materials, colors.
 7. Finalize Building Technology Components including Telephone, Data/Telecommunications, Cable Television (CATV), Security and Audio Visual (A/V).
 8. Develop and incorporate project specifications.
 9. Upon receipt of project cost estimates, modify documents per team discussion to help assure a balance between design and budget.
- B Cost Estimating:**
1. To be conducted at approximately 70% Construction Documents.
 2. Coordinate a meeting to review cost estimate variations and establish a path for reconciliation and document modification if required.
- C Progress Meetings:**
1. Monthly meeting between applicable Design Team and Owner Representatives.
 2. Weekly telephone “check-in” between Project Manager and Owner Representatives.
- D Document Approval:**
1. Construction Document package to be sent to Owner and Contractor for review and approval prior to bid.

Deliverables: Construction Document drawings and specifications, cost estimate and progress meeting documentation.

04 Bidding & Permitting

- A** Research, prepare, and submit permit application to the Authority Having Jurisdiction (AHJ) for the general building permit.
- B** Coordinate with Building Officials; respond to plan check comments and provide minor document revisions as necessary.
- C** Assist and coordinate bidding and construction contract processes.
- D** Assist owner in preparation of General Conditions, Instructions to Bidders, bidding forms and other similar documents.
- E** Assist with pre-bid conferences with perspective bidders to formalize bidders with the bidding documents and with any special systems, materials, or methods called for by the documents.
- F** Respond to and evaluate substitution requests.
- G** Prepare addenda to bid documents, if required.

05 Construction Administration

- A** Work in close collaboration with the General Contractor to provide project coordination and Construction Administration.
- B** Attend weekly Owner/Architect/Contractor (OAC) meetings; approximately half of which are assumed to be virtual via Microsoft Teams, Zoom, or similar digital platform.
- C** In conjunction with on-site meetings, we will walk the project and document our observations, drawing attention to any conditions of concern. We will maintain a photo library of project progress, shared upon request.
- D** Monitor and respond to General Contractor Requests for Information (RFI's) and coordinate and review project submittals in conjunction with our project consultant team.
- E** Review and process all Change Order Requests (COR's) and provide recommendations.
- F** Review and sign-off on all monthly payment applications.
- G** As the project nears completion, help develop and manage a project “Punch List” and help to administer the project “Close Out” process, including reviewing all submitted close-out document and submittals. We will issue a Certificate of Substantial Completion when appropriate, upon which product warranties are initiated.

- H** Throughout the Construction process we will act as a reference and sounding board for your needs and concerns.

EXCLUSIONS TO SCOPE OF SERVICE

- 01** Permit fees.
- 02** SDC fees.
- 05** Traffic impact study.
- 06** Geotechnical investigations (soils structural report).
- 07** Topographic survey.
- 08** Infiltration testing.
- 09** Fire Suppression design.
- 10** Fire Alarm Design.
- 11** Code Required Commissioning
- 12** Food Service/Kitchen design.
- 13** Fixtures, Furnishings & Equipment (FF&E) specification and design.
- 14** Sustainable certification (LEED, etc.).
- 15** Third Party envelope consultation services.
- 16** Value Engineering and revisions to design documents.
- 17** Vending or procurement services.
- 18** As-built of existing conditions (measured drawings).
- 19** As-built following construction completion.
- 20** Traffic impact study.
- 21** Geotechnical investigations (soils report).
- 22** Existing conditions survey.
- 23** Infiltration testing.
- 24** Environmental studies.
- 25** Hazardous material assessment and abatement.
- 26** Special testing and inspection required by code during construction.

FEES

We propose to provide the services outlined above for a Fixed Fee in the amount of \$2,024,000, not including reimbursable expenses. See Design Fee Overview table below for a breakdown of the fee.

STANDARD BILLING SCHEDULE

For additional information on Standard Billing rates, refer to 'Exhibit A' - payment.

| | | |
|-----------------------------|-----------|----------|
| Principal | \$220 | per hour |
| Project Architect | \$140-195 | per hour |
| Project Manager | \$140-195 | per hour |
| Sustainability | \$120-150 | per hour |
| Specification Writer | \$105-155 | per hour |
| Interior Designer | \$100-155 | per hour |
| 3D Visualization | \$100-140 | per hour |
| Technical Staff | \$95-135 | per hour |

DESIGN FEE OVERVIEW

| Values indicated are in thousands: \$1 = \$1,000 | | | | | | | | | | |
|--|-----------------------|---------------|-------------------|-------------------|------------------|-------------------------|------------------------|----------------------|-------|----------------|
| PHASE | Architectural SE A | Civil HHPR | Landscape HHPR | Structural WDY | MEP Interface | Interior Design SE A | Cost Estimating DCW | Acoustic Eng. TBD | Other | TOTAL |
| DESIGN DEVELOPMENT | \$254 | \$60 | \$15 | \$30 | \$160 | \$40 | \$25 | \$15 | \$15 | \$614 |
| CONSTRUCTION DOCUMENTS | \$423 | \$60 | \$15 | \$30 | \$160 | \$0 | \$25 | \$15 | \$15 | \$743 |
| BIDDING & PERMITTING | \$48 | \$15 | \$0 | \$10 | \$30 | \$0 | \$0 | \$0 | \$0 | \$103 |
| CONSTRUCTION ADMIN | \$429 | \$15 | \$15 | \$30 | \$60 | \$0 | \$0 | \$0 | \$0 | \$549 |
| REIMBURSABLES | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$15 |
| TOTAL | \$1,154 | \$150 | \$45 | \$100 | \$410 | \$40 | \$50 | \$30 | \$30 | \$2,024 |

REIMBURSABLE EXPENSES

Printing, plotting, shipping, travel, long distance communication and application fees paid on your behalf are billed at 1.10 times direct expense in addition to professional fees. We anticipate the reimbursable expenses for your project will be \$15,000 as outlined in the DESIGN FEE OVERVIEW.

ADDITIONAL SERVICES

Services requested beyond those included in this proposal shall be considered additional services and will be billed at the hourly rates listed above.

TERMS OF SERVICE

This is an extension of the original agreement. All terms and conditions will remain the same as the original Contract agreement dated June 21, 2023.

We appreciate the opportunity to submit this proposal and look forward to working with you on this project. If the contents of this proposal are acceptable to you, please sign below and return one copy to our office, authorizing work to begin.

Sincerely,



Sid L. Scott, Principal

04/22/2024

Date

Scott Edwards Architecture, LLP
2525 E. Burnside St, Portland, OR 97214

Authorization to Proceed

Date

Agenda Report 2024-08-05-05

Date Prepared: July 30, 2023
For Meeting Date: August 5, 2023
To: Mayor Rory Bialostosky and West Linn City Council
From: Megan Big John, Parks and Recreation Director
Through: John Williams, City Manager *JRW*
Subject: Forest School Next Steps

Purpose

Council direction on Forest School next steps.

Question(s) for Council:

Does Council wish to allow Down to Earth Forest School a one-time agreement for the 24-25 school year to operate at Mary S Young State Park?

Does Council wish staff to work with PRAB to develop policy regarding private business use of parks?

Background & Discussion:

During the COVID-19 pandemic West Linn Parks & Recreation allowed Down to Earth to use the Mary S. Young Shelter for their school during the school year. At this time agencies around the region were supporting other business in parks due to mandatory restrictions. Since that time, the school has grown from 10 children to over 50.

With the pandemic restrictions gone, the question has arisen whether the school can be allowed on a long-term basis, and if it can, what permits are required? West Linn's codes and park rules do not provide a clear answer to this question, and the property is owned by Oregon State Parks rather than the City. At the most recent Council meeting, school families and staff appeared in large numbers and urged the Council to find an immediate solution for the 24-25 school year, and a longer-term solution. Council directed that this be scheduled for the August 5th meeting for decisions on next steps.

This decision could have real precedent for increased private business use of public parks. Based on our experience in the last few years, there is real interest in use of parks by a wide range of businesses including concessions, vendors, tutors, camps, and schools, so the City must be careful and thoughtful in establishing precedent and following code.

Budget Impact:

Private uses have maintenance implications for our already-stretched maintenance crews.

Sustainability Impact:

No direct impact to City operations. Down To Earth school lists a number of environmental and sustainability values in their self-description.

Council Options:

The immediate request from the school is to grant an extension for the 24-25 school year, understandable given how soon this school year will begin. Council may choose to deny this request or grant it. Council may direct staff to develop a policy regarding private business use in parks so the school may go through a process to seek long term use of the Mary S Young.

Staff Recommendation:

Based on Council conversation at the July 15 meeting, staff proposes the following:

- Allow an extension of permission for the 24-25 school year, with a formalized agreement to be developed immediately with the school addressing items such as school hours, school days, number of students, uses/areas, fees, insurance provision, and City advance approval of any physical changes to the park.
- For staff to work with PRAB to develop a policy regarding private business use of parks to ensure the City treats all interested businesses equitably with a predictable, fair process.
- Once a policy is in place, work with the school, City legal counsel, and Oregon State Parks to identify options for this business (and potentially others) for longer-term use, likely requiring permits from the City/City Council.

Potential Motion:

I move to direct staff to work towards a one-year agreement with Down To Earth Forest School for use of Mary S. Young Park for the 24-25 school year and to develop policy for Council review regarding business use of parks, with input and guidance from the Parks and Recreation Advisory Board.