



Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
 & Zoom Video Conference (www.milwaukieoregon.gov)

AGENDA

AUGUST 20, 2024

Council will hold this meeting in-person and by video conference. The public may come to City Hall, join the Zoom webinar, or watch on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-377>.

Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov.

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

Page #

- 1. **CALL TO ORDER** (6:30 p.m.)
 - A. **Pledge of Allegiance**
 - B. **Native Lands Acknowledgment**

- 2. **ANNOUNCEMENTS** (6:32 p.m.) **2**

- 3. **PROCLAMATIONS AND AWARDS**
 - A. **None Scheduled.**

- 4. **SPECIAL REPORTS**
 - A. **Bee City USA Designation – Report** (6:35 p.m.) **4**
 Staff: Emma Sagor, Acting City Manager, and
 Peter Passarelli, Public Works Director

- 5. **COMMUNITY COMMENTS** (7:05 p.m.)
 To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed at the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to ocr@milwaukieoregon.gov), or in person to city staff.**

- 6. **CONSENT AGENDA** (7:10 p.m.)
 Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.
 - A. **Approval of Council Meeting Minutes of:** **11**
 - 1. **July 16, 2024, work session, and**
 - 2. **July 16, 2024, regular session.**
 - B. **Public Safety Advisory Committee (PSAC) Appointments – Resolution** **18**
 - C. **Approval of a Contract for City Manager Services – Resolution**

- 7. **BUSINESS ITEMS**
 - A. **Council Goal: Equity – Update** (7:15 p.m.) **22**
 Staff: Gabriela Santoyo-Gutierrez, Equity & Inclusion Coordinator

8. PUBLIC HEARINGS

- A. **Appeal of Planning Commission Approval of Land Use File #VR-2024- 29
003 – Addition at 11932 SE 35th Avenue – Final Order, cont.** (8:00 p.m.)
Staff: Vera Koliass, Senior Planner

9. COUNCIL REPORTS

- A. **Quarterly Council Budget Review – Report** (8:10 p.m.)
Staff: Emma Sagor, Acting City Manager, and
Michael Osborne, Finance Director
- B. **Council Reports** (8:30 p.m.)

10. ADJOURNMENT (8:45 p.m.)

EXECUTIVE SESSION (8:45 p.m.)

After the regular session, Council will meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations, (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed, (f) to consider information or records that are exempt by law from public inspection, and (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

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

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

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

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

Executive Sessions

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



COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

2408th Meeting

MINUTES

AUGUST 20, 2024

Council Present: Councilors Will Anderson, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Jospeh Briglio, Acting Assistant City Manager
Katie Gavares, Climate & Natural Resources Manager
Justin Gericke, City Attorney
Riley Gill, Environmental Services Coordinator
Vera Kolias, Senior Planner
Nicole Madigan, Deputy City Recorder
Peter Passarelli, Public Works Director
Emma Sagor, City Manager
Scott Stauffer, City Recorder

Mayor Batey called the meeting to order at 6:30 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey reported that Sagor had been named Milwaukie's new city manager and **Sagor** expressed appreciation for the city and community and opportunity to serve.

Mayor Batey announced upcoming events, including neighborhood park concerts, a tour of the 3 Creeks Natural Area, the September First Friday event, the annual Sustainability Fair, and an open house for the Monroe Greenway project. **Councilor Stavenjord** noted youth-related activities planned for the Sustainability Fair.

Councilor Stavenjord read a Bee City themed Haiku poem.

3. PROCLAMATIONS AND AWARDS

A. None Scheduled.

4. SPECIAL REPORTS

A. Bee City USA Designation – Report

Passarelli introduced Gavares and discussed the proposal that the city seek Bee City USA designation through the Xerces Society program, noting that the Milwaukie Rotary Club wanted to work with the city on protecting pollinators. **Gavares** and **Passarelli** commented on the benefits of protecting bees and reviewed the Bee City USA designation requirements and commitments.

Councilor Stavenjord, **Passarelli**, and **Mayor Batey** remarked on whether other cities had banned neonicotinoids and how the city works to limit the use of pesticides. **Laura Rost**, Xerces Society Bee City USA Coordinator, explained how neonicotinoids had been regulated in different areas across the country.

Mayor Batey supported the proposal to become a Bee City USA city and noted pollinator protection efforts already taken around Milwaukie. **Sagor** thanked the Rotary and the city's Park and Recreation Board (PARB) for supporting the issue.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures. **Sagor** reported there was no follow-up report from the August 6 comments. No audience member wished to address Council.

6. CONSENT AGENDA

It was moved by **Councilor Anderson** and seconded by **Councilor Massey** to approve the Consent Agenda as presented.

A. City Council Meeting Minutes:

1. July 16, 2024, work session, and
2. July 16, 2024, regular session.

B. Resolution 43-2024: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Public Safety Advisory Committee (PSAC).

C. Resolution 44-2024: A resolution of the City Council of the City of Milwaukie, Oregon, approving an employment agreement for city manager services.

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

7. BUSINESS ITEMS

A. Council Goal: Equity – Update

Santoyo Gutierrez and **Sagor** provided an overview of Council’s equity goal, noting work with a consultant and the Equity Steering Committee (ESC) to pursue and measure outcomes and objectives, and the status of the three tracks of the city’s Equity Plan.

The group discussed the affordable housing outcome and the development of metrics for equity goal outcomes. **Councilors Stavenjord, Khosroabadi, and Anderson** appreciated that the housing outcome had been prioritized and remarked on how the city could pursue land trust models for housing. **Mayor Batey, Santoyo Gutierrez,** and **Sagor** remarked on how the metrics do or could track renters. The group noted that the ESC would discuss the metrics in the coming weeks.

The group discussed the safe and welcoming community outcome, noting the importance of hearing from the ESC on the metrics, and how to expand the welcoming metrics.

The group discussed the neighborhood hubs and economic development related outcomes, and Council expressed interest in expanding the metrics beyond business input to include community groups. They noted the use of the city’s bi-annual community survey to collect data, the work of the Milwaukie Redevelopment Commission (MRC) in urban renewal work and partnering with other groups to measure outcomes.

The group discussed the changing climate outcomes, noting differences between emergency responses and proactive actions, and noting ongoing staff work related to climate. **Mayor Batey** and **Councilor Khosroabadi** supported the climate metrics and **Council President Massey** and **Councilor Anderson** suggested that non-emergency related metrics be developed.

The group discussed the government transparency outcome. **Mayor Batey** remarked on the potential for using the Milwaukie Leadership Academy program. **Councilor Stavenjord** appreciated the inclusion of youth engagement as an outcome. **Councilor Khosroabadi** remarked on how to measure the interactions of elected officials and the

public and **Councilor Anderson** commented on how to measure what groups attend meetings and engage with Council. The group discussed what public meeting agenda topics result in more community members attending and how to best communicate with the public about meetings.

The group discussed how to engage the public on the metrics, beyond the ESC, noting concerns about what groups regularly respond. **Sagor** summarized that Council was comfortable seeking just ESC input on the metrics now and asking the ESC for input on how to do broader public engagement.

Santoyo Gutierrez noted next steps in the equity goal work.

8. PUBLIC HEARING

A. Appeal of Planning Commission Approval of Land Use File #VR-2024-003 – Addition at 11932 SE 35th Avenue – Final Order, continued

Mayor Batey explained that the continued hearing was for Council to affirm the decision made during the appeal hearing on August 6, 2024, regular session.

Briglio and **Kolias** asked for Council feedback on the modified final order that had been prepared in response to the decision made by Council on August 6.

Council had no questions for staff and no objections to the final order prepared by staff.

Mayor Batey reviewed the state Land Use Board of Appeals (LUBA) appeal process.

9. COUNCIL REPORTS

A. Quarterly Council Budget Review – Report

Sagor explained that the quarterly review was in response to Council interest in having regular updates on the Council budget, and that as the fiscal year had just started there was nothing to report.

Council remarked on how Council has typically used the education and training budgets, and they discussed whether a policy on how Council should spend its funds be developed. It was Council consensus that staff should see if other cities have Council spending policies.

B. Council Reports

Councilor Stavenjord reported on recent deflection center work of the Clackamas County District Attorney (DA) Advisory Board.

Councilor Stavenjord presented a Clackamas County Coordinating Committee (C4) letter about the Interstate-205 (I-205) widening project for Council to consider signing. **Councilor Anderson** expressed concern about the letter and Council discussed whether the city should sign-on to the letter and/or follow-up with advocacy efforts on transportation issue.

Councilor Khosroabadi reported on meeting with the executive director of the North Clackamas Chamber of Commerce regarding a Milwaukie-focused business group and a representative of Habitat with Humanity regarding future housing projects.

Council President Massey reported a recent pre-audit meeting of the Audit Committee.

Councilor Anderson reported on the latest Transportation System Plan Advisory Committee (TSPAC) meeting.

Councilor Stavenjord, in follow-up to the C4 I-205 widening letter, recapped previous Milwaukie and C4 interactions on support for the project. **Councilor Anderson** commented on other transportation funding the state could focus on instead of widening I-205. Council discussed how to proceed on the letter request, and it was the Council consensus to authorize the use of the city's logo on the C4 I-205 widening letter.

Mayor Batey suggested Council discuss state transportation funding priorities at a future meeting and noted plans to coordinate with Councilor Stavenjord on land use policy input to be submitted to the state.

10. ADJOURNMENT

Mayor Batey announced that after the meeting Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations, (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed, (f) to consider information or records that are exempt by law from public inspection, and (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

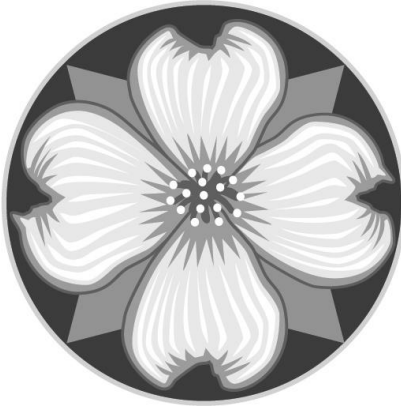
It was moved by Councilor Massey and seconded by Councilor Anderson to adjourn the Regular Session. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting "aye." [5:0]

Mayor Batey adjourned the meeting at 9:05 p.m.

Respectfully submitted,



Scott Stauffer, City Recorder



RS Agenda Item

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Announcements



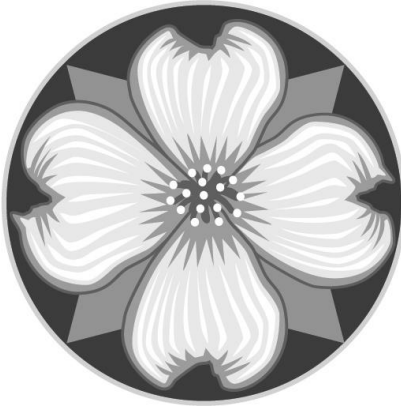
Mayor's Announcements – August 20, 2024

- **Lewelling Concerts in the Park – Wednesday, Aug. 21 and 28 (6:30 PM)**
 - Ball-Michel Park, 9781 SE Stanley Ave.
- **Ardenwald-Johnson Creek Concerts in the Park – Thursday, Aug. 22 (6:30 PM)**
 - Ardenwald Park, 3667 SE Roswell St.
- **3 Creeks Natural Area Public Tour – Sun, Aug. 25 (10 – 11:30 AM)**
 - Tour will include the exploration of habitats in this unique natural area.
 - Meet at SE Corner of the North Clackamas Aquatics Center parking lot (7300 SE Harmony Rd.)
- **First Friday – Sep. 6 (5 - 8 PM)**
 - Downtown Milwaukie
 - Learn more at firstfridaymilwaukie.com.
- **Sustainability Fair – Sat., Sep. 7 (10 AM – 3 PM)**
 - Milwaukie Environmental Stewards Group (MESG) organizes 3rd annual event.
 - Includes Milwaukie Arts Committee's **Trashion Fashion Show**.
 - Craft wearable art using recycled material. Prizes awarded in adult and youth categories.
 - Parking lot at 10723 SE Main St. across Main from Historic City Hall.
 - Learn more about event at milwaukieesg.org.
- **Monroe St. Greenway Open House – Thu., Sep. 12 (5 – 7 PM)**
 - Stop by anytime to get an update on the Monroe Street Greenway project.
 - Wichita Park, 5908 SE Monroe St.
- **LEARN MORE AT WWW.MILWAUKIEOREGON.GOV OR CALL 503-786-7555**

*Milwaukie blooms bright,
Bee City hums – sweet delight,
Pollinators smile.*

Rebecca Stavenjord, City Councilor

Share your Milwaukie Haiku!
Email yours to bateyl@milwaukieoregon.gov



RS Agenda Item

4

Special Reports

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: August 8, 2024

Reviewed: Jherica Zink, (as to form) Administrative Specialist II

From: Peter Passarelli, Public Works Director

Subject: Bee City USA

ACTION REQUESTED

Provide an update to Council on the city's pending application to become a Bee City USA.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

None

ANALYSIS

Staff have been working with the Milwaukie Rotary Club, the Milwaukie Park and Recreation Board (PARB) and other stakeholders interested in the [Bee City USA](#) designation for Milwaukie. Bee City USA is an initiative of the [Xerces Society](#) focused on supporting pollinators. There are currently 217 Bee City USA affiliates.

The Bee City USA initiative aims to sustain pollinators, focusing on the more than 3,600 species of native bees in the country. By increasing native plant abundance, providing nest sites, and reducing pesticide use, Bee City USA promotes healthier ecosystems and food supplies for native bees. Native bees play a crucial role in our ecosystems as well as agriculture for reasons outlined below:

Pollination: About 75% of North American plant species rely on insects—mostly bees—for pollination. Native bees transfer pollen from one plant to another, ensuring reproduction and genetic diversity.

Crop Production: Native bees are primary pollinators or significantly supplement honeybees in crop pollination. Even non-pollinator crops like cotton and soybeans benefit from bee visits, leading to higher yields.

Biodiversity: Native bees contribute to plant diversity by pollinating various species. They're specialists on specific plants, ensuring these plants reproduce. For instance, some native bees specialize in pollinating food crops like squashes and sunflowers.

Habitat Health: Bees help maintain healthy ecosystems by pollinating wildflowers, trees, and shrubs. Their activities support other wildlife and maintain balanced ecosystems.

Food and Products: Bees provide high-quality food (honey, royal jelly, and pollen), beeswax, propolis, and honeybee venom.

Bee City USA aligns with our commitment to environmental stewardship. By participating, the city will contribute to the well-being of local pollinators. Bee City enhances biodiversity and

ecosystem resilience. The program also fosters community collaboration, bringing people together to create positive change.

Bee City USA Requirements

The general requirements for Bee City USA are as follows.

1. **Form a committee:** Establish a Bee City USA committee with diverse expertise, including volunteers and city staff. The city, Rotary Club and PARB have agreed to form a joint committee to work collectively on Bee City USA efforts. It is expected that this committee will meet quarterly during scheduled PARB meetings.
2. **Facilitate efforts:** Assign facilitation to a local government body or non-profit organization. The city and Rotary are working jointly to facilitate efforts.
3. **Designate a sponsor:** Designate a local government department as the program sponsor and appoint a liaison. The Public Works Department, Public Works Director (or designee) will serve as sponsor and liaison.
4. **Local government approval:** Present the resolution to council for formal approval. Rotary has drafted and sent a resolution for Xerces approval. Upon approval by Xerces, the resolution will be presented to council for approval.
5. **Complete Application:** Submit an online application form and a draft resolution. Rotary Club will submit the application, the adopted resolution and pay the application fee.

Bee City Commitments

1. Establish a standing Bee City USA committee to advocate for pollinators. This will be the Joint Rotary and PARB committee.
2. Create and enhance pollinator habitat on public and private land by increasing the abundance of native plants and providing nest sites. Creating or enhancing pollinator habitat on public and private land each year. To assist with habitat creation and provide guidance for the community, the city will provide a native plant list and native plant supplier list and post to the city's website.
3. Reduce the use of pesticides. Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods. Milwaukie currently utilizes the City of Portland's IPM. It is a document that the city has referenced in its Stormwater Management Plan.
4. Incorporate pollinator-conscious practices into city policies and plans. Establish a policy in the city's comprehensive plan to acknowledge and commit to the Bee City USA designation. Review the plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.
5. Host pollinator awareness events. Host or co-host at least one pollinator awareness event each year. The focus of these events should be native pollinators and the steps that can be taken to conserve them. Rotary has agreed to host these events, which can also be held in conjunction with the city's Earth Day event and other annual events.

6. Publicly acknowledge Bee City USA affiliation with signs and an online presence. The city must display at least one sign designating your community as a Bee City USA affiliate. The city must also commit to maintaining an online presence to share information about activities as well our native plant list, native plant supplier list, and IPM plan.

BUDGET IMPACT

This program is not expected to have any significant budgetary impacts.

CLIMATE IMPACT

Pollinators play a crucial role in maintaining healthy ecosystems. By supporting Bee City USA, the city will contribute to climate resilience by enhancing pollinator habitats. These habitats sequester carbon, promote biodiversity, and improve overall ecosystem health. Native plants in pollinator-friendly spaces supply cleaner air, require less water and fertilizer, and supports declining insect species as part of mitigating climate change. Their deeper roots stimulate fungal bioremediation and infiltration for groundwater, the source of Milwaukee's drinking water. Bee City USA encourages planting native species, which directly supports our climate action efforts. Bee City USA fosters community engagement through educational programs. Educated citizens are more likely to participate in climate initiatives and advocate for sustainable practices.

EQUITY IMPACT

Bee City USA initiatives are designed to benefit all residents, regardless of socioeconomic status. Reducing pesticide use and creating pollinator-friendly environments contribute to healthier living conditions, particularly in low-income areas that may be disproportionately affected by pollution and environmental degradation. Enhancing pollinator habitats on public and private lands increase access to green spaces for all community members. These spaces provide opportunities for recreation, education, and connection with nature, which can improve mental and physical health, particularly in undeserved neighborhoods that may lack sufficient green infrastructure. Finally, engaging diverse community members in pollinator conservation ensures equitable representation. The joint committee may collaborate with local schools and neighborhood associations to create inclusive programs.

WORKLOAD IMPACT

Public works staff will work with interested parties and will provide a staff member as the liaison to participate in Bee City USA committee meetings.

COORDINATION, CONCURRENCE, OR DISSENT

N/A

STAFF RECOMMENDATION

Staff recommends Council approve the requested action via resolution.

ALTERNATIVES

Council could not approve the resolution and not support becoming a Bee City USA.

ATTACHMENTS

1. Draft Resolution



**- DRAFT RESOLUTION -
NOT FOR ADOPTION 8/20/2024**

COUNCIL RESOLUTION No.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
SUPPORTING HEALTHY POLLINATORS AND ADOPTING BEE CITY USA COMMITMENTS**

WHEREAS the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS thanks to the more than 3,600 species of native bees in the United States, along with introduced honeybees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS ideal pollinator-friendly habitat (A) is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS the City of Milwaukie should be certified a BEE CITY USA community because organizations and individuals have expressed their interest in the conservation and preservation of native pollinator species by initiating pollinator pathways along

Main Street, and have shown their passion to expand this vision throughout The City of Milwaukie by adopting the BEE CITY USA commitments; and

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that in order to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, the City of Milwaukie chooses to support and encourage healthy pollinator habitat creation and enhancement, resolving as follows:

1. The City of Milwaukie Public Works Department is hereby designated as the BEE CITY USA sponsor.

2. The Director of Public Works or designee is designated as the BEE CITY USA Liaison.

3. Facilitation of Milwaukie's BEE CITY USA program will be assigned to a joint Bee City committee formed of the Rotary Club of Milwaukie and the Milwaukie Parks and Recreation Board, along with other interested community stakeholders.

4. The Bee City Committee is authorized to and shall:

a. Celebration: Host at least one educational event or pollinator habitat planting or restoration each year to showcase Milwaukie's commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.

b. Publicity & Information: Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage on the City of Milwaukie website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for your BEE CITY USA Liaison and Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and your recommended native plant species list and integrated pest management plan (explained below).

c. Habitat: Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, Identifying and inventorying Milwaukie's real property that can be enhanced with pollinator-friendly plantings; creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acreage) annual area of pollinator habitat created or enhanced.

d. Pollinator-Friendly Pest Management: In coordination with the city create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.

e. Policy & Plans: Review the Comprehensive Plan and other relevant documents to consider improvements to pest management policies and practices as they relate to

pollinator conservation, identify appropriate locations for pollinator friendly plantings, and consider other appropriate measures.

f. Renewal: After completing the first calendar year as a BEE CITY USA affiliate, each February, apply for renewal of the City of Milwaukie's BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year's BEE CITY USA activities, and paying the renewal fee based on the City of Milwaukie's population.

Introduced and adopted by the City Council on _____.

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



Bee City USA

August 20, 2024



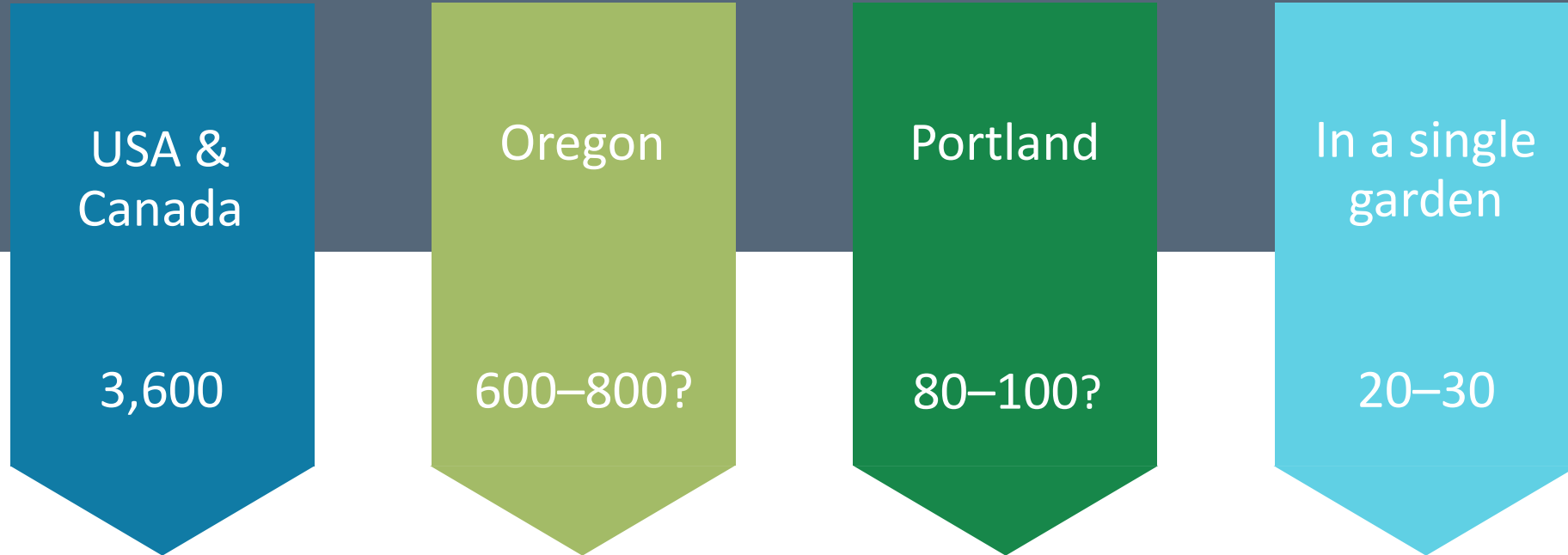
Bee City USA



- Since 1971, the Xerces Society has worked to protect wildlife through the conservation of invertebrates and their habitat.
- Beginning in 2012, Bee City USA has worked with communities to sustain pollinators.
 - Priority Pollinators: more than 3,600 species of native bees
 - How: increase the abundance of native plants, provide nest sites, and reduce the use of pesticides.

Bee Diversity

Number of species



Native Bees

- Pollination
 - 75% of North American Plant Species
- Crop Production
- Biodiversity
- Habitat Health
- Sequester Carbon
- Climate Resilience
- Food and Products



Bee City USA Requirements



- Committee
 - Joint Committee - Rotary and PARB
 - Quarterly Meetings
- Sponsor
 - PW Department
- Local Government Approval
 - Resolution – Required Bee City Approval
- Application
 - Rotary

Bee City Commitments

- Standing Committee
- Pollinator Habitat
- Integrated Pest Management Plan
- Pollinator-Conscious Policies
- Pollinator Awareness Events
 - Mill Park- Sept 14th
- Signage



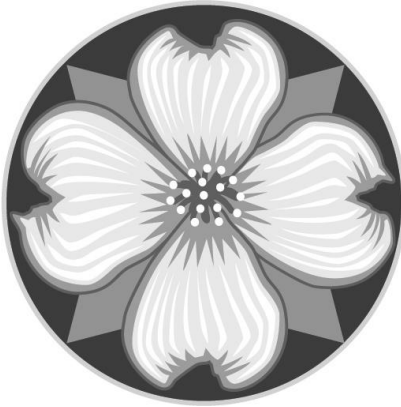
Questions



Peter Passarelli

Public Works Director

passarellip@milwaukieoregon.gov



RS Agenda Item

6

Consent Agenda

COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

JULY 16, 2024

Council Present: Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Acting Assistant City Manager Michael Osborne, Finance Director
Justin Gericke, City Attorney Emma Sagor, Acting City Manager
Nicole Madigan, Deputy City Recorder

Mayor Batey called the meeting to order at 4:05 p.m. and noted that Councilor Stavenjord was running late.

1. Solid Waste Rates Review – Discussion

Chris Bell, Bell & Associates, explained how the waste haulers annual reports were received and reviewed to share with Council and presented the findings from the annual report from Milwaukie's waste haulers operations which included the projected and proposed increased rates.

Councilor Stavenjord joined the meeting at 4:14 p.m.

Bell continued to review the proposed rates. The group discussed the recovery rates in connection to which facility waste was transported to and how recycling was handled.

Osborne noted the next steps and options for Council to consider. The group discussed options for the next steps, the proposed rates, and how savings could be made.

It was Council consensus to move forward with adopting the solid waste rate adjustments at the August 6 Council meeting and continue the solid waste rate discussion before the contract renewal in March 2025.

Councilor Massey asked if residents were happy with the current waste services providers and **Sagor** noted customer satisfaction could be part of the next discussion.

2. Adjourn

Mayor Batey announced that after the work session Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing, (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations, and (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Mayor Batey adjourned the meeting at 4:55 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION**MINUTES**

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

JULY 16, 2024

Council Present: Councilors Will Anderson, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Acting Assistant City Manager
Ryan Burdick, Chief of Police
Justin Gericke, City Attorney
Adam Heroux, Associate Planner
Vera Kolias, Senior Planner

Nicole Madigan, Deputy City Recorder
Michael Osborne, Finance Director
Emma Sagor, Acting City Manager
Laura Weigel, Planning Manager

Mayor Batey called the meeting to order at 6:01 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including the Porchfest concerts and library events including a drumming concert, a juggling show, and a puppet show.

Mayor Batey read a haiku poem about Porchfest.

3. PROCLAMATIONS AND AWARDS

A. None Scheduled.

4. SPECIAL REPORTS**A. Milwaukie Community Center – Update**

Center Advisory Board (CAB) members **Wilda Parks** and **Riley Clark-Long**, and Center Manager **Marty Hanley** provided a history of the center and updates on activities and projects at the Center, including CAB goals and membership changes, Meals on Wheels and social services, and facility improvement projects.

Councilor Stavenjord, Hanley, and Parks remarked on the Center's current and possible inter-generational programming. They noted the use of the Center's *Connections* newsletter to advertise the Center's programs and activities. They clarified that United States citizenship was not required to participate in Center activities.

Councilor Khosroabadi and **Mayor Batey** appreciated the Center's work and programs. **Batey** and **Parks** noted the recent unveiling of a new community mural at the Center.

B. Support for Oregon Nurses Association (ONA) – Resolution

Councilors Anderson and Khosroabadi explained that the resolution was meant to show support for ONA nurses who had gone on strike at Providence Milwaukie Hospital.

Mayor Batey noted that Providence Milwaukie Hospital had submitted a letter to Council regarding the strike and proposed resolution. **Councilor Anderson** noted a revision to the fourth paragraph and **Councilor Khosroabadi** encouraged the hospital to do better.

Mayor Batey, Sagor, and Gericke remarked on the use of footnotes in proclamations and resolutions and the length of such documents.

All Council members expressed support for the nurses and for adopting a statement and/or resolution regarding the strike. The group discussed how to proceed with the resolution, and it was the Council consensus to withdraw the resolution for further revisions and to bring it back at the August 6 regular session.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the public comment procedures. **Sagor** reported that there was no follow-up report from the July 9 community comments and that staff would follow-up to the written comments received for the July 16 meeting.

Josh Brown, with Waste Connections which operates Hoodview Disposal & Recycling, remarked on the solid waste rate review process and offered to answer Council questions.

Dave Huber, with Waste Management (WM), reviewed the services WM provides and discussed the solid waste rate review process and offered to answer Council questions.

6. CONSENT AGENDA

Councilor Khosroabadi proposed a correction to the July 11, 2024, study session and **Mayor Batey** suggested the minutes be removed from the agenda for further review.

It was moved by **Council President Massey** and seconded by **Councilor Anderson** to approve the Consent Agenda except item 6. A. 3.

A. City Council Meeting Minutes:

1. June 4, 2024, work session,
2. June 4, 2024, regular session,
3. ~~June 11, 2024, study session,~~ (removed from the agenda)
4. June 18, 2024, work session, and
5. June 18, 2024, regular session.

B. Resolution 39-2024: A resolution of the City Council of the City of Milwaukie, Oregon, adopting the Council Communication Agreement.

C. ~~A resolution updating Council committee assignments.~~ (removed from the agenda)

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

Mayor Batey announced that Council would proceed to item 8. A.

8. PUBLIC HEARING

A. Neighborhood Hubs Adoption – Ordinance, continued

Call to Order: Mayor Batey called the public hearing on the proposed neighborhood hubs code adoption, to order at 6:59 p.m.

Purpose: Mayor Batey announced that the purpose of the hearing was to receive a staff update and continue the Council deliberation on the proposed code amendments.

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

Staff Presentation: **Kolias** reviewed the proposed code amendments and discussed how the hubs project had developed and takeaways from the previous Council hearing on neighborhood hubs. **Kolias** and **Weigel** presented amendments to the code change package including conditional uses for drinking establishments and hub locations.

Mayor Batey noted Council would take additional public comment on the hubs.

Councilor Stavenjord remarked on the code amendments for drinking establishments and supported the proposal to deal with such establishments on a case-by-case basis.

Councilor Khosroabadi supported dealing with drinking establishments case-by-case and clarified with **Kolias** that drinking establishments were not the same as restaurants. **Mayor Batey** and **Kolias** noted how a bar was different than a restaurant.

Councilor Anderson and **Kolias** commented on what zoning action needed to happen at the Milwaukie Floral site for it to become housing, noting that the previously proposed rezone had been withdrawn because the property owner did not support the change.

Mayor Batey and **Kolias** remarked on the location of the proposed hubs and plans for an economic development tool kit to support the growth of business in the hubs.

It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to reopen the public testimony portion of the hearing. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Mayor Batey reviewed the comment procedures.

Audience Testimony

Lisa Gunion-Rinker, Ardenwald-Johnson Creek Neighborhood District Association (NDA), remarked on the proposal for drinking establishments in hubs and reported that the NDA would like to set operational hours for such businesses. **Gunion-Rinker** and **Kolias** commented on zoning around an historic church in the Ardenwald neighborhood.

Camden McKone, Lewelling NDA, on behalf of the chairs of the Hector Campbell, Historic Milwaukie, and Lake Road NDAs expressed support for the hubs code and moving to the hubs project Phase III as soon as possible.

Maitri Dirmeyer, Lewelling NDA, supported the hubs code and noted the Lewelling neighborhood did not have a hubs area but could have a hub pop-up developed through the project’s Phase III.

Lorreina Guyett and **Morgan Buck**, unincorporated Clackamas County residents, supported the neighborhood hubs code adoption.

Stephan Lashbrook, Lewelling NDA, expressed support for the hubs code adoption.

Staff Response to Testimony: **Kolias** noted that the proposed code amendments would increase the opportunities for business pop-up uses. **Weigel** reported that allowing drinking establishment hours had been a popular idea at community outreach events.

Council Questions to Staff: **Mayor Batey** and **Kolias** remarked on whether a former church building in Ardenwald was on the city’s historic structure inventory and whether that designation would have an impact on the code changes. **Heroux** reported that the property may have been removed from the inventory at the request of the property owner.

It was moved by Councilor Khosroabadi and seconded by Council President Massey to close the public testimony portion of the hearing. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Mayor Batey closed the public comment part of the hearing at 7:55 p.m.

Council Discussion

Councilors Stavenjord, Khosroabadi, and Anderson, and Council President Massey, discussed the benefits of hubs and expressed support for the hubs code and refining the program as it is implemented in Phase III. Anderson was disappointed the Milwaukie Floral site had been removed from the hubs code and remarked on focusing on placemaking in the hubs project Phase III.

Mayor Batey supported the hubs code package and expressed opposition to allowing drinking establishments in neighborhood hubs. Councilor Khosroabadi commented on the permitted business uses under the revised zones in the hubs code. Councilor Anderson supported flexible zoning and encouraging development in hub areas.

It was moved by Councilor Khosroabadi and seconded by Council President Massey for the first and second readings by title only and adoption of the ordinance amending the Milwaukie Comprehensive Plan Commercial Land Use Designations, Municipal Code (MMC) Title 11 Miscellaneous Permits, Title 19 Zoning Ordinance, Title 14 Signs, and the Zoning Map for the purpose of implementing Neighborhood Hubs (Primary File #ZA-2024-001). Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord voting “aye” and Mayor Batey voting “no.” [4:1]

Sagor read the ordinance one time by title only.

Mayor Batey noted that as the vote was not unanimous the second reading and roll call vote would be held at the August 6 Council regular session.

The group discussed when staff should bring the Neighborhood Hubs Phase III to Council for discussion, noting Council’s goal setting work in 2025, staff workload challenges, and community interest in developing hubs. There was Council consensus and staff support, to bring hubs Phase III to a Council agenda in fall 2024.

Mayor Batey recessed the meeting at 8:22 p.m. and reconvened at 8:35 p.m.

7. BUSINESS ITEMS

A. Annexation of 9304 SE 55th Avenue (A-2024-001) – Ordinance

Kolias reported that the requested annexation had been triggered by the need to connect the property to the city’s sewer system. Councilor Khosroabadi asked if the property would be billed for city stormwater service if it had a stormwater facility onsite and Sagor noted that staff would follow-up on the question.

It was moved by Councilor Khosroabadi and seconded by Council President Massey for the first and second readings by title only and adoption of the ordinance annexing a tract of land identified as Tax Lot 12E30AC02200 and located at 9304 SE 55th Avenue into the city limits of the City of Milwaukie (File #A-2024-011). Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Sagor read the ordinance two times by title only.

Madigan polled the Council with Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Ordinance 2244:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 12E30AC02200 AND LOCATED AT 9304 SE 55th AVENUE INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE (FILE #A-2024-001).

B. Houseless Services – Report

Sagor and **Councilor Stavenjord** provided updates on the city’s housing and behavioral health services, including services provided by the Milwaukie Police Department (MPD) behavioral health coordinator and community organizations at the Ledding Library, a rental assistance program, and grant applications submitted to the county to fund support services. The group remarked on services provided by the Clackamas Service Center (CSC) and how the public could access those services.

Councilor Khosroabadi and **Sagor** remarked on whether the city’s construction excise tax (CET) funds could be used for support services and whether the city could work with Central City Concern or other organizations. They noted the financial impact of staff overtime costs to provide support services. **Mayor Batey** noted Metro was looking at putting together a supportive housing services (SHS) bond measure that could support the city’s support services. **Councilor Stavenjord** explained how Clackamas County had sought to fund SHS through cities.

Sagor provided updates on plans to open a county-run stabilization center in Milwaukie, the city’s coordination with Providence Milwaukie Hospital to improve service delivery, and the opening of a warming shelter in downtown Milwaukie. The group noted upcoming Clackamas Board of County Commissioners meetings where SHS funding requests support would be decided.

9. COUNCIL REPORTS

Councilor Stavenjord and **Mayor Batey** reported on the Clackamas County Coordinating Committee’s (C4) legislative agenda and a request for the city to sign a joint values letter. The group discussed the letter, Milwaukie’s position on Interstate-205 tolling and transportation projects in the county, and it was Council consensus that the city would sign the C4 values letter.

Councilor Stavenjord asked if Council wanted to discuss the city’s youth engagement program at an upcoming meeting. It was Council consensus to discuss youth engagement at an upcoming work session.

Council President Massey reported on recent work done by the North Clackamas Watershed Council (NCWC) and the city’s Park and Recreation Board (PARB).

Councilor Anderson remarked on an invitation for Council to attend an upcoming Street Trust fundraiser dinner and a public comment on the safety of pedestrian crossings on McLoughlin Boulevard/Hwy 99E. **Mayor Batey** suggested Anderson discuss Hwy 99E with city staff before reaching out to the Oregon Department of Transportation (ODOT).

Councilors Anderson and Stavenjord and **Sagor** noted that Council would discuss Council's committee assignments at an upcoming meeting and whether Anderson could attend Transportation System Plan Advisory Committee (TSPAC) meetings.

Mayor Batey and **Councilor Stavenjord** remarked on the county's plan to acquire a North Clackamas Parks and Recreation District (NCPRD) property in unincorporated Clackamas County to use as a recovery center. The group discussed the county's recovery center proposal and the city's role in the location of a recovery center outside city limits. It was Council consensus to invite the county to report on the recovery center at a future meeting.

10. ADJOURNMENT

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

Mayor Batey adjourned the meeting at 9:58 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, Acting City Manager

Reviewed: Scott Stauffer, City Recorder

From: Nicole Madigan, Deputy City Recorder

Subject: **Reappointment to a City Committee**

Date Written: August 9, 2024

ACTION REQUESTED

As outlined in the Milwaukie Municipal Code (MMC), Council is asked to consider approving a resolution making a reappointment to the city's Public Safety Advisory Committee (PSAC).

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

The individual recommended for reappointment has been nominated by the Hector Campbell Neighborhood Association (NDA).

ANALYSIS

Authority to fill city boards and committees (BCs) vacancies is granted to the Mayor and Council by Section 26 of the City Charter. To fill vacant NDA-nominated positions on PSAC, NDA's make appointment recommendations to Council, who consider and typically approve recommendations through the regular session consent agenda. Appointed individuals serve for a term length determined by the MMC. Upon the completion of a term, if the individual is eligible, they may be reappointed by Council to serve another term.

BC appointments are made when a term has expired or when a position has been vacated. BC terms expire on June 30, but appointments are also made as needed to fill vacancies.

All BC positions, except PSAC NDA representation positions, are term limited, meaning there is a limit to the number of times that members can be re-appointed. If appointed, this would be the nominated individual's second time serving as the Hector Campbell NDA representative to PSAC.

BUDGET IMPACT

It is vital for the city to have functional BCs that reflect the community they support. By making the proposed appointment, Council is helping to ensure that the BCs can continue that vital work. The proposed BC appointment has no financial impact, however certain BCs have authority to make fiscal decisions recommendations.

CLIMATE IMPACT

Making appointments to BCs such as the Park and Recreation Board (PARB), PSAC, and the Tree Board ensure we have robust representation of community voices that will help to shape and meet Milwaukie's climate goals.

EQUITY IMPACT

Staff strive to make participation with the city’s BCs as accessible as possible by holding hybrid meetings and offering BC applications translated into other languages.

WORKLOAD IMPACT

By holding an annual recruitment process, staff can dedicate less time throughout the year to arranging interviews and BCs can continue work uninterrupted.

COORDINATION, CONCURRENCE, OR DISSENT

The office of the city recorder (OCR) worked with the NDA staff liaison to confirm that the individual listed below would like to serve on PSAC.

STAFF RECOMMENDATION

Staff recommends making the following appointment:

Public Safety Advisory Committee (PSAC): two-year terms, limit of three consecutive terms for at-large members, no term limit for NDA representatives.

Position	Name	Term Start Date	Term End Date
8	Jessica Peterson	7/1/2024	6/30/2026

ALTERNATIVES

Council could decline to make the recommended appointment, which would result in a vacancy on the noted committee.

ATTACHMENTS

- 1. Resolution

COUNCIL RESOLUTION No.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, MAKING AN REAPPOINTMENT TO THE PUBLIC SAFETY ADVISORY COMMITTEE (PSAC).**

WHEREAS Milwaukie Charter Section 26 authorizes the Mayor, with the consent of the Council, to make appointments to boards and committees (BCs), and

WHEREAS the Milwaukie Municipal Code authorizes neighborhood district associations (NDAs) to nominate residents for certain BCs, and

WHEREAS there is a vacancy on the PSAC, and

WHEREAS the individual named below is eligible to serve, and

WHEREAS staff recommends the following qualified individual be reappointed.

Public Safety Advisory Committee (PSAC):

Position	Name	Term Start Date	Term End Date
8	Jessica Peterson	7/1/2024	6/30/2026

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the individual named in this resolution is appointed to the identified committee of the City of Milwaukie for the term dates noted.

Introduced and adopted by the City Council on **August 20, 2024**.

This resolution is effective immediately.

ATTEST:

Lisa M. Batey, Mayor

APPROVED AS TO FORM:

Nicole Madigan, Deputy City Recorder

Justin D. Gericke, City Attorney

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, Acting City Manager

Reviewed: Justin Gericke, City Attorney

From: Brandi Leos, Human Resources Director

Subject: **City Manager Employment Contract Approval**

Date Written: August 19, 2024

ACTION REQUESTED

Council is asked to approve an employment contract for Emma Sagor as Milwaukie's city manager.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

In April 2024, City Manager Ann Ober resigned her position as city manager. Council contracted with a professional recruitment consultant to conduct a recruitment and selection process starting at the end of April.

On June 25, 2024, applications were accepted and reviewed by council in executive session.

On July 9, 2024, council met in executive session to conduct first-round interviews via Zoom and invited four finalists for in-person interviews.

In-person interviews were held on August 13, 2024, and after reviewing feedback from the community and staff, and considering their interviews, council selected Emma Sagor to serve as the city's next city manager.

Details of the employment contract were negotiated, and those details are outlined in the employment contract.

BUDGET IMPACT

None.

CLIMATE IMPACT

None.

EQUITY IMPACT

The city engaged a variety of community members and staff in the process to allow access for feedback, which council considered in their decision making.

WORKLOAD IMPACT

None.

COORDINATION, CONCURRENCE, OR DISSENT

None.

STAFF RECOMMENDATION

Staff recommends council approve the contract as written.

ALTERNATIVES

Council may re-engage Emma Sagor in contract negotiations.

ATTACHMENTS

1. Resolution



COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE EXECUTION OF AN EMPLOYMENT CONTRACT WITH THE CITY MANAGER.

WHEREAS City Council engaged in a competitive process to recruit and select a new city manager; and

WHEREAS, City Council received 45 applications for the city manager position; and

WHEREAS, after conducting initial interviews via Zoom and inviting four finalists for in-person interviews, City Council has selected Emma Sagor to be the next city manager; and

WHEREAS, an employment contract has been successfully negotiated with Emma Sagor for the position.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the Mayor is authorized to sign an employment contract with Emma Sagor as Milwaukie’s next city manager.

Introduced and adopted by the City Council on **August 20, 2024**.

This resolution is effective immediately.

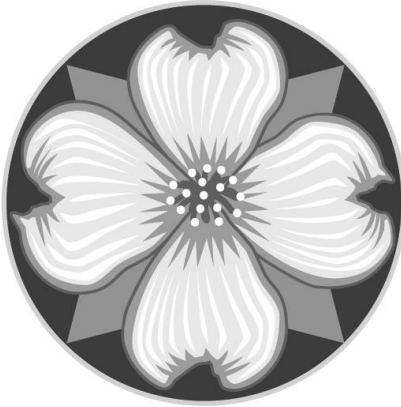
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Nicole Madigan, Deputy City Recorder

Justin D. Gericke, City Attorney



RS Agenda Item

7

Business Items

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, Acting City Manager

From: Gabriela Santoyo Gutierrez, Equity and Inclusion Coordinator

Subject: **Equity, Inclusion, and Justice Goal Update: Equity Metrics**

Date Written: August 8, 2024

ACTION REQUESTED

Council is asked to receive an update on the city's equity, inclusion, and justice goal and continue its discussion started at the July 25 joint meeting with the Equity Steering Committee (ESC) about developing equity metrics.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[July 14, 2020](#): Council discussed a proposed resolution in support of diversity, equity, and inclusion (DEI) and the Black, Indigenous, and People of Color (BIPOC) community.

[August 18, 2020](#): Council approved a resolution changing its goals to include one focused on equity, inclusion, and justice.

[November 16, 2021](#): Council made its first set of appointments to the ESC.

[October 4, 2022](#): Council received an update on its equity, inclusion, and justice goal, including an overview of the city's contract with Keen Independent Research to conduct a comprehensive inclusion and belonging study to assess the state of equity in how the city serves the public and operates as an employer.

[October 17, 2023](#): Council received the final report and recommendations of the Keen Independent Research assessment. City staff also presented the ESC's main priorities in response to Keen's assessment.

[December 12, 2023](#): Council adopted Resolution 60-2023 supporting a multi-year equity plan for the city.

[March 12, 2024](#): Council received an update on the progress made on the equity plan since December 2023.

[July 25, 2024](#): City Council and the ESC held a joint meeting with Lily Copenagle of the Equity Analytics Group and began work to develop effective and meaningful metrics to evaluate equitable outcomes in our community.

ANALYSIS**Background**

Council first adopted equity, inclusion, and justice as a goal in August 2020, and reaffirmed their commitment to this goal in April 2023. The ESC was created in August 2021 to assist the city in advancing equity initiatives.

In fall 2022, the city contracted with Keen Independent Research to conduct a comprehensive diversity, equity, and inclusion assessment of how the city serves the public and how the city

operates as an employer. Key findings from the assessment were presented to Council on October 17, 2023, and summarized in the staff report prepared for that meeting (see pages 77-174).

The Keen study informed the development of a multi-year diversity, equity, and inclusion workplan for the city, adopted by City Council on December 12, 2023. This plan has three tracks:

- **Track 1: Actions to be led by the Equity and Inclusion Coordinator:** This includes work across four categories: staff trainings; material and resource development; relationship building; and planning and policy updates.
- **Track 2: Discussions to be undertaken by the Equity Steering Committee:** This includes focus areas, topics, and potential deliverables the ESC has identified for their next 2-3 years of work..
- **Track 3: Major city initiatives with an equity nexus:** This includes citywide initiatives that the Equity and Inclusion Coordinator and ESC will advise on over the next three years. While all city work should apply an equity framework, these citywide efforts require a deeper investment by the city's equity program.

The update on August 20 will focus primarily on progress made within Track 2 related to ESC and Council's interest in producing a suite of performance measures to evaluate the city's equity work.

Performance metrics work within Track 2

In May 2024, the city hired a consultant from Equity Analytics Group to help us develop effective and meaningful equity metrics for the City of Milwaukie. This includes performance indicators for community-wide outcomes, strategic plan outcomes, and other internal departmental outcomes.

City Council and the ESC held a joint meeting on July 25 to kick-off work to develop equity indicators related to the Milwaukie Community Vision. The group prioritized five outcomes within the community vision for which they wanted to start developing metrics; further outcomes will be worked on in later cycles of measure development. Those top five outcomes include:

- Milwaukie residents enjoy affordable housing
- Milwaukie is a safe and welcoming community
- Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs
- Milwaukie is adaptive to the realities of a changing climate
- Milwaukie's government is transparent and accessible

Following the meeting, Lily Copenagle drafted a starting list of potential metrics that speak to these outcomes to continue the conversation. These are summarized in the table below.

Outcome prioritized by the ESC and Council on 7/25

Milwaukie residents enjoy affordable housing

Process metrics	Status/impact metrics	Lived experience metrics
<p>1. Homeownership grant programs (participants, funds awarded, etc.)</p> <p>2. Land trust housing programs (amount funded, participants)</p> <p>3. Home repair assistance programs (participants, \$s awarded, etc.)</p>	<p>1. Across all sectors of the housing market, occupants pay no more than 30 percent of their unburdened income on housing costs (rent, mortgage payments, property taxes, utilities, and insurance)</p> <p>2. Housing cost burden is equitably experienced by all Milwaukians</p> <p>3. Portion of Milwaukians who are unhoused, insecurely housed, or in unsafe housing. and length of time as such</p> <p>4. Change in rent (rolling average) by housing type</p>	<p>1. Milwaukians report that they can afford safe and secure housing in Milwaukie</p> <p>2. Milwaukians who want to own homes report that the path to homeownership is financially and practically viable</p> <p>3. Milwaukians who own homes in Milwaukie report that they can keep and maintain their homes</p>

Milwaukie is a safe and welcoming community

Process metrics	Status/impact metrics	Lived experience metrics
<p>1. Safety-related community events & programs (number of events, attendees)</p> <p>2. Public social support services programs (number of programs, clients, client contacts)</p> <p>3. Community-based social support services programs (number of programs, clients, client contacts)</p>	<p>1. Crime rates by type</p> <p>2. Resident retention</p> <p>3. Portion of residents who qualify for social support services</p> <p>4. Portion of residents who engage with social support services</p>	<p>1. Milwaukians report that they feel safe</p> <p>2. Milwaukians report that they feel welcome</p> <p>3. Milwaukians report that when they need resources, those resources are available and accessible</p> <p>4. Milwaukie youth report that they feel safe in school</p> <p>5. Milwaukie youth report that they feel welcome in school</p> <p>6. Milwaukians report that their interactions with safety</p>

		and social support services are safe and supportive
Milwaukie’s neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents’ needs		
Process metrics	Status/impact metrics	Lived experience metrics
<p>1. Small business incubator and grant programs [program attendees, \$s awarded)</p> <p>2. Public amenity (parks, pools, playgrounds etc.) creation, maintenance, improvement efforts, \$s invested, staff engaged</p>	<p>1. # and type of businesses (groceries, restaurants, social, service, circular economy, etc.) by neighborhood # and type of public amenities (parks, pools, playgrounds etc.) by neighborhood</p> <p>2. # of businesses by ownership status (locally owned, owner demographic, etc.) by neighborhood</p> <p>3. Public transportation coverage & accessibility index by neighborhood</p> <p>Walkability score by neighborhood</p>	<p>1. Milwaukians report that their neighborhoods are the centers of their daily life</p> <p>2. Milwaukians report that their neighborhoods have community-minded local businesses</p> <p>3. Milwaukians report that the services, businesses, public amenities, and transportation options in their neighborhoods meet their needs</p> <p>4. Milwaukie small business owners report that there are affordable retail spaces available, financial supports needed, and community support for local businesses</p>
Milwaukie is adaptive to the realities of a changing climate		
Process metrics	Status/impact metrics	Lived experience metrics
<p>1. Emergency Preparedness trainings and informational events (# of events, participants)</p> <p>2. Neighborhood and community, organization-based emergency preparedness hub deployment</p> <p>3. Sustainable energy production programs</p>	<p>1. Portion of Milwaukians who have an emergency preparedness kit that will provide food, water, shelter, and basic health needs for 14 days for all household members (including pets)</p> <p>2. Energy consumption by type and consumer group (single family homes, small commercial buildings, etc.)</p>	<p>1. Milwaukians report that they feel prepared for emergencies</p> <p>2. Milwaukians report that they feel Milwaukie is responding appropriately to climate change and planning for the future</p>

<p>4. Climate change-informed building code modifications</p> <p>5.Home weatherization programs (# of events, participants)</p>		
Milwaukie’s government is transparent and accessible		
Process metrics	Status/impact metrics	Lived experience metrics
<p>1. Development of interactive and meaningful dashboards</p> <p>2. Youth civic engagement programs (# of events, participants)</p> <p>3. Community engagement strategies developed to reduce barriers to engagement and participation in government (accessibility, language, etc.)</p>	<p>1. Public participation on committees</p> <p>2. Public comment and hearing engagement, attendance at City Council meetings</p> <p>3.Public engagement with websites, social media channels</p> <p>4. Portion of surveyed Milwaukians who can correctly answer key questions about Milwaukie government, public programs, and city procedures</p>	<p>1. Milwaukians report that they have a good understanding of Milwaukie government functions, priorities, programs, and outcomes</p> <p>2. Milwaukians report that there are ways for them to engage in governmental processes that are meaningful and accessible</p> <p>3. Milwaukians report that publicly available communications (websites, data dashboards, reports, etc./ are easy to understand and meaningful)</p>

**Unburdened income - gross income - (medical expenses, education expenses, and expenses for caring for community/family members)*

At the August 20 update, staff would like to discuss the following questions with Council:

- *Which metrics resonate the most with you and why?*
- *Are there metrics missing that you expected to see under these outcomes?*
- *How would Council like to see the community engaged in this metric-development process?*
- *How does Council want to continue to be involved in metric development and reporting?*

A more comprehensive update on progress made across all three tracks of the city’s equity plan will be provided to Council later this fall.

BUDGET IMPACT

All the work undertaken to date is accounted for in the city's adopted 2025-2026 biennium budget. The Equity and Inclusion Coordinator is involved in reviewing budget proposals to ensure investments adequately advance the city's equity, inclusion, and justice goal.

WORKLOAD IMPACT

All work undertaken to date is accounted for in existing staff work plans and procurement contracts.

CLIMATE IMPACT

In working through the community vision outcomes, City Council and ESC prioritized "Milwaukie is adaptive to the realities of a changing climate" as one of the outcomes for which they want to develop metrics first. Developing these measures will need to occur in partnership with the public works director, natural resources and climate manager, and events and emergency coordinator. These measures include tracking emergency preparedness, code and infrastructure retrofitting, sustainable energy efforts and programs, canopy coverage, and more. These efforts could help reduce energy costs, increase energy efficiency, mitigate the urban heat island effect, improve air quality, reduce vehicle miles traveled and enhance resilience to climate impacts. Staff also recognize communities of color, people with disabilities, and people with low incomes are disproportionately impacted by climate disasters. Therefore, work to address and reduce these disparities can also address that inequitable climate risk.

EQUITY IMPACT

The equity metrics component of the equity work plan involves multiple facets of collaboration across departments and the ESC in order to develop meaningful indicators to help improve service delivery, community engagement, and work culture. Current work involves serving on hiring, communication, and community engagement review panels, increasing accessibility, and the newly relaunched Internal Equity Community (IEC). The city is also investing and planning multiple training opportunities for staff to have discussions about different equity topics and to build skills to lead more equitable and inclusive projects.

COORDINATION, CONCURRENCE, OR DISSENT

The work to develop performance metrics for the city will involve coordination with internal and external stakeholders, including staff from all departments, the Milwaukie Momentum staff work groups, ESC and Council.

STAFF RECOMMENDATION

Staff recommend City Council receive this update and weigh in on the following questions:

- *Which metrics resonate the most with you and why?*
- *Are there metrics missing that you expected to see under these outcomes?*
- *How would Council like to see the community engaged in this metric-development process?*
- *How does Council want to continue to be involved in metric development and reporting?*

ALTERNATIVES & ATTACHMENTS

None.

Equity goal update: Equity Metrics

August 20, 2024



1. Reminder: Equity plan three tracks
2. Update on Track 2 work: Equity Metrics
 - Recap of work with ESC in July joint mtg
 - Review first draft of metrics
3. Discussion and questions
4. Next steps
 - Will return in November for update on Tracks 1 and 3

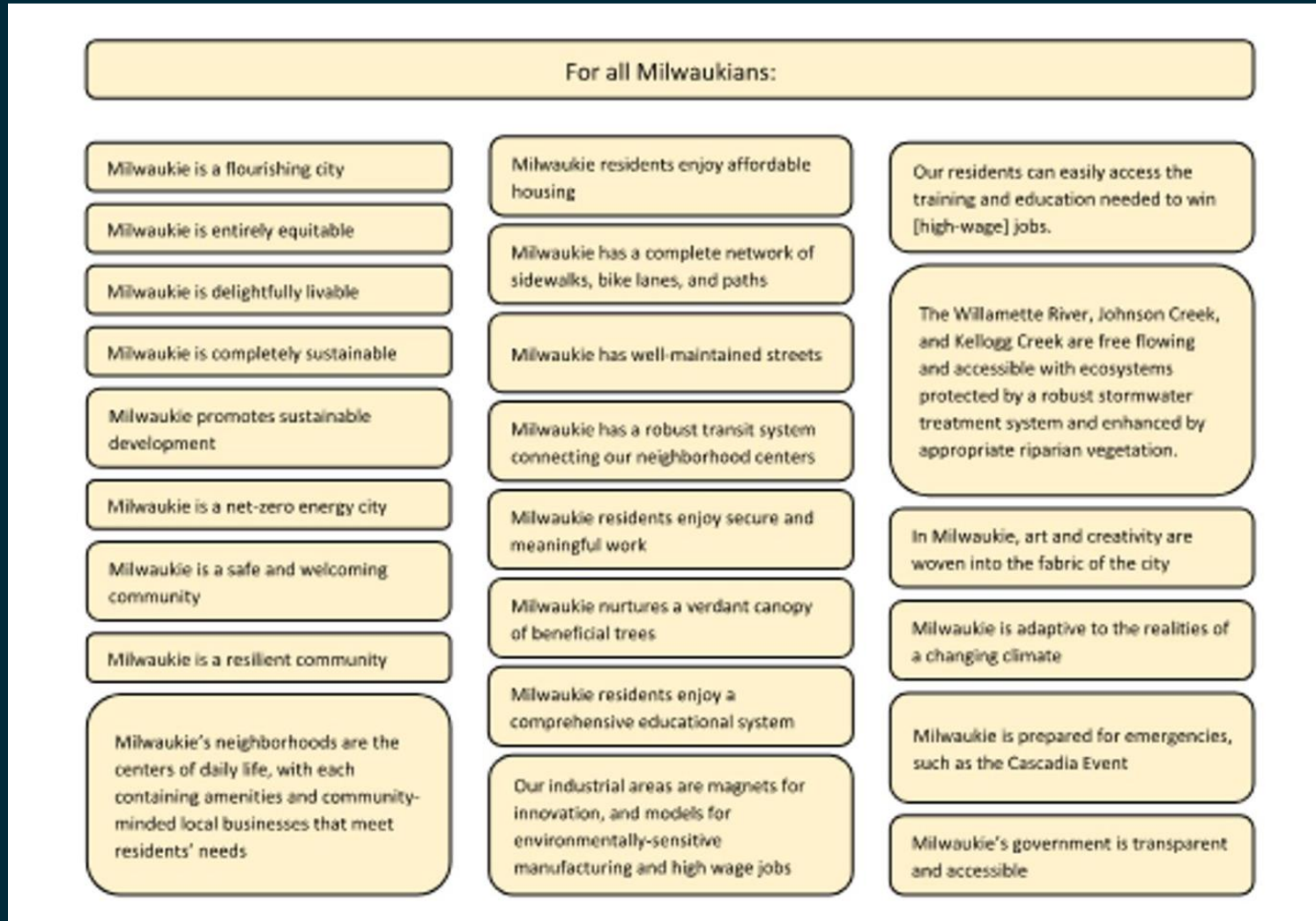
2024-2027 EQUITY PLAN

Three primary tracks of work:

- **Track 1:** Actions led by the Equity and Inclusion Coordinator as core functions of the city's equity program.
- **Track 2:** Focus areas to be explored by the Equity Steering Committee (ESC), with support from the Equity and Inclusion Coordinator as their staff liaison.
- **Track 3:** Major city initiatives with an equity nexus that the city's Equity and Inclusion Coordinator will advise on.



Community-wide outcomes



- 23 outcomes pulled from Milwaukie Community Vision (2017)

Images by Lily Copenagle (2024)

Community-wide outcomes

For all Milwaukians:

Milwaukie is a flourishing city

Milwaukie is entirely equitable

Milwaukie is delightfully livable

Milwaukie is completely sustainable

Milwaukie promotes sustainable development

Milwaukie is a net-zero energy city

Milwaukie is a safe and welcoming community

Milwaukie is a resilient community

Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs

Milwaukie residents enjoy affordable housing

Milwaukie has a complete network of sidewalks, bike lanes, and paths

Milwaukie has well-maintained streets

Milwaukie has a robust transit system connecting our neighborhood centers

Milwaukie residents enjoy secure and meaningful work

Milwaukie nurtures a verdant canopy of beneficial trees

Milwaukie residents enjoy a comprehensive educational system

Our industrial areas are magnets for innovation, and models for environmentally-sensitive manufacturing and high wage jobs

Our residents can easily access the training and education needed to win [high-wage] jobs.

The Willamette River, Johnson Creek, and Kellogg Creek are free flowing and accessible with ecosystems protected by a robust stormwater treatment system and enhanced by appropriate riparian vegetation.

In Milwaukie, art and creativity are woven into the fabric of the city

Milwaukie is adaptive to the realities of a changing climate

Milwaukie is prepared for emergencies, such as the Cascadia Event

Milwaukie's government is transparent and accessible

Joint ESC & City Council meeting, voted top 5 outcomes

- Milwaukie residents enjoy affordable housing
- Milwaukie is a safe and welcoming community
- Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs
- Milwaukie is adaptive to the realities of a changing climate
- Milwaukie's government is transparent and accessible

Community-wide outcomes

Milwaukie residents enjoy affordable housing

Process

Homeownership grant programs (participants, \$\$ awarded, etc.) by unburdened income* of grant awardees

Land trust housing programs (\$\$ funded, participants) unburdened income* of participants

Home repair assistance programs (participants, \$\$ awarded, etc.) by unburdened income* of awardees

Impact/Status

Across all sectors of the housing market, occupants pay no more than 30 percent of their unburdened income on housing costs (rent, mortgage payments, property taxes, utilities, and insurance)

Housing cost burden is equitably experienced by all Milwaukians

Portion of Milwaukians who are unhoused, insecurely housed, or in unsafe housing, and length of time as such

Change in rent (rolling average) by housing type

Lived Experience

Milwaukians report that they can afford safe and secure housing in Milwaukie

Milwaukians who want to own homes report that the path to homeownership is financially and practically viable

Milwaukians who own homes in Milwaukie report that they are able to keep and maintain their homes

Community-wide outcomes

Milwaukie is a **safe and welcoming** community

Process

Safety-related community events & programs (number of events, attendees)

Public social support services programs (number of programs, clients, client contacts)

Community-based social support services programs (number of programs, clients, client contacts)

Impact/Status

Crime rates by type

Resident retention

Portion of residents who qualify for social support services

Portion of residents who engage with social support services

Lived Experience

Milwaukians report that they feel safe

Milwaukians report that they feel welcome

Milwaukians report that when they need resources, those resources are available and accessible

Milwaukie youth report that they feel safe in school

Milwaukie youth report that they feel welcome in school

Milwaukians report that their interactions with safety and social support services are safe and supportive

Community-wide outcomes

Milwaukie's **neighborhoods** are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs

Process

Small business incubator and grant programs (program attendees, \$\$ awarded)

Public amenity (parks, pools, playgrounds etc.) creation, maintenance, improvement efforts, \$\$ invested, staff engaged

Impact/Status

and type of businesses (groceries, restaurants, social, service, circular economy, etc.) by neighborhood

and type of public amenities (parks, pools, playgrounds etc.) by neighborhood

of businesses by ownership status (locally owned, owner demographic, etc.) by neighborhood

Public transportation coverage & accessibility index by neighborhood

Walkability score by neighborhood

Lived Experience

Milwaukians report that their neighborhoods are the centers of their daily life

Milwaukians report that their neighborhoods have community-minded local businesses

Milwaukians report that the services, businesses, public amenities, and transportation options in their neighborhoods meet their needs

Milwaukie small business owners report that there are affordable retail spaces available, financial supports needed, and community support for local businesses

Community-wide outcomes

Milwaukie is adaptive to the realities of a changing climate

Process

Emergency Preparedness trainings and informational events (# of events, participants)

Neighborhood and community-organization based emergency preparedness hub deployment

Sustainable energy production programs

Climate change-informed building code modifications

Home weatherization programs (# of events, participants)

Impact/Status

Portion of Milwaukians who have an emergency preparedness kit that will provide food, water, shelter, and basic health needs for 14 days for all household members (including pets)

Energy consumption by type and consumer group (single family homes, small commercial buildings, etc.)

Lived Experience

Milwaukians report that they feel prepared for emergencies

Milwaukians report that they feel Milwaukie is responding appropriately to climate change and planning for the future

Community-wide outcomes

Milwaukie's government is transparent and accessible

Process

Development of interactive and meaningful dashboards

Youth civic engagement programs (# of events, participants)

Community engagement strategies developed to reduce barriers to engagement and participation in government (accessibility, language, etc.)

Impact/Status

Public participation on committees

Public comment and hearing engagement, attendance at City Council meetings

Public engagement with websites, social media channels

Portion of surveyed Milwaukians who can correctly answer key questions about Milwaukie government, public programs, and City procedures

Lived Experience

Milwaukians report that they have a good understanding of Milwaukie government functions, priorities, programs, and outcomes

Milwaukians report that there are ways for them to engage in governmental processes that are meaningful and accessible

Milwaukians report that publicly available communications (websites, data dashboards, reports, etc.) are easy to understand and meaningful.

Discussion

Questions for Council:

- Which metrics resonate the most with you and why?
- Are there metrics missing that you expected to see under these outcomes?
- How would Council like to see the community engaged in this metric-development process?
- How does Council want to continue to be involved in metric development and reporting?

[Note: These questions will also be discussed with ESC and staff leading work supporting these outcomes]



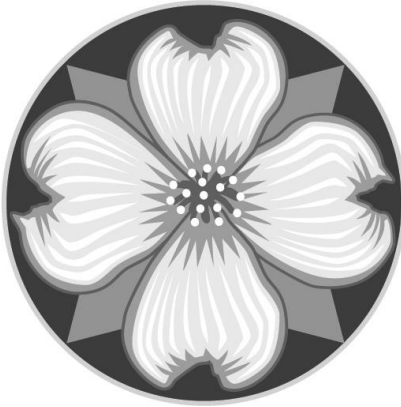
The Spirit of
Elk Rock Island
Jillian Moody
Mishunishin Yind-Nunah

Next steps and other timely updates

Will return in November for update on Tracks 1 and 3

Exciting equity things are happening:

1. Eight(!) applications for the MCEF
2. Relaunched internal equity committee
3. Assisted our On-Call Community Engagement Services Contracts



RS Agenda Item

8

Public Hearings

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, Acting City Manager

Date Written: Aug 16, 2024

Reviewed: Laura Weigel, Planning Manager, and
Justin D. Gericke, City Attorney

From: Vera Koliass, Senior Planner

Subject: **Appeal of Planning Commission's Decision to Approve Land Use File #VR-2024-003 – Addition at 11932 SE 35th Ave – Final Order**

ACTION REQUESTED

Following a public hearing on August 6, 2024, City Council approved the variance requested by Kristina Fedorovskiy for an addition to the attached garage at the property located at 11932 SE 35th Ave (land use application #VR-2024-003) and directed staff to prepare a Final Order. Council is now asked to review and confirm that the Final Order prepared by staff reflects City Council's decision on August 6, 2024. No vote is required but direction is sought should City Council find that the Final Order does not reflect the decision reached on August 6.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[June 11, 2024](#): The Planning Commission approved application VR-2024-003. The Commission's Findings and Conditions of Approval are in the Notice of Decision dated June 12, 2024. This document is part of the appeal record and is included as part of Attachment 3. This action approved a one-story 13-foot addition to the existing attached garage with a 0.5-foot side yard setback.

[August 6, 2024](#): Council held a public hearing on the appeal of the Planning Commission's approval of VR-2024-003. Council heard the staff report, asked clarifying questions, and took public testimony. Council deliberated and voted 4-1 to approve the variance with slight modifications to the Findings and Conditions of Approval approved by the Commission and requested staff to return on August 20 with a Final Order reflecting its decision.

BUDGET, CLIMATE, EQUITY, & WORKLOAD IMPACTS

Not applicable.

COORDINATION, CONCURRENCE, OR DISSENT

The city attorney has reviewed the staff report and attachments.

STAFF RECOMMENDATION

The Final Order has been prepared to reflect City Council's August 6 approval of the variance requested by Kristina Fedorovskiy for an addition to the attached garage at the property located at 11932 SE 35th Ave (land use application #VR-2024-003). If the Final Order does not reflect City Council's decision from August 6, staff requests direction on how it differs from the decision so that it can be revised accordingly.

ALTERNATIVES

None.

ATTACHMENTS

1. Final Order.

BEFORE THE CITY COUNCIL OF THE CITY OF MILWAUKIE
COUNTY OF CLACKAMAS, STATE OF OREGON

In the appeal of an application to
approve a Variance for Kristina
Fedorovskiy

File No. AP-2024-001 (proceedings below)

FINAL ORDER

I. INTRODUCTION AND PROJECT BACKGROUND

This Final Order documents the Milwaukie City Council decision on August 6 on the appeal of a decision by the Milwaukie Planning Commission ("Commission"). This Final Order approves the application filed by Kristina Fedorovskiy ("Applicant") for a Type III Variance to the minimum side yard setback for a one-story 13-ft addition to the existing attached garage on the property located at 11932 SE 35th Ave in the Moderate Density Residential Zone.

II. HEARINGS AND PROCESS

On June 11, 2024, the Planning Commission held a public hearing on the application. The Commission received oral and written testimony from the Applicant and from persons opposed to the application. The Commission approved the application on a vote of 4 members in support, and 1 abstention. The Planning Commission Notice of Decision was issued on June 12, 2024

On June 24, 2024, Barbara Allan of 11974 SE 35th Ave and Teresa Bresaw, on behalf of the Lake Road NDA ("Appellant"), an identified Interested Party, within the required timeframe allowed for appeals filed a notice of appeal. Pursuant to MMC Table 19.1001.5, the City Council was identified as the Appeal Authority, and the City mailed written notice of the public hearing on July 17, 2024.

On August 6, 2024, the City Council held a public hearing and designated a record. At the end of the hearing, City Council voted 4-1 to approve the requested variance with modifications to the Planning Commission's approval of the application as set forth below and directed staff to prepare a Final Orderr. The City Council considered the Final Order at its August 20 meeting and confirmed that it reflects the decision reached at the August 6, 2024 hearing. This Final Order is the City's final written decision.

III. LIMITATIONS ON EVIDENCE

Under the City Council's standard of review for its appeal hearing, parties were limited to the evidence presented to the Commission but were free to make new arguments to City Council regarding this evidence.

As detailed below, written comments and oral testimony were received from the appellant and applicant, a member of the Lake Road Neighborhood District Association, a property owner

within 300 feet of the subject property, and from a resident of Portland; those comments did not contain new evidence and were therefore considered by the City Council.

IV. APPLICABLE CRITERIA AND FINDINGS AND CONDITIONS OF APPROVAL

1. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC 12 Streets, Sidewalks, and Public Places
 - MMC 19.301 Moderate Density Residential Zone
 - MMC 19.700 Public Facility Improvements
 - MMC 19.804 Nonconforming Uses and Development
 - MMC 19.911 Variances
 - MMC 19.1006 Type III Review
 - MMC 19.1010 Appeals
2. The appeal application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing on the appeal was held on August 6, 2024, as required by law.
3. As findings supporting its decision, the City Council incorporates the June 12, 2024 Notice of Decision issued by the Planning Commission with a modification to the Type III Variance Approval Criteria as identified below in Section 4. The City Council also incorporates the June 4, 2024 Staff Report prepared for the Planning Commission hearing, and the August 2, 2024 Staff Report prepared for the City Council hearing.
4. The following are the findings and conclusions of the City Council based upon its review of the record and the arguments and issues presented in the appeal process:
 - a. MMC Section 19.911 Variances
 - (1) MMC Subsection 19.911.4 Approval Criteria

MMC 19.911.4 establishes approval criteria for variance requests. For Type III variances, MMC Subsection 19.911.4.B.1 provides approval criteria related to discretionary relief and MMC Subsection 19.911.4.B.2 provides approval criteria related to economic hardship.

 - (a) MMC Subsection 19.911.4.B.1 Discretionary Relief Criteria
 - (i) The proposed variance is determined to be both reasonable and appropriate, and it meets one or more of the following criteria:
 - **The proposed variance avoids or minimizes impacts to surrounding properties.**
 - The proposed variance has desirable public benefits.
 - The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.

The proposed one-story addition extends an existing nonconforming 0.5-ft side yard setback by 13 ft. The addition would match the front wall of the house, with a front yard setback of 24.7 ft, which is larger than the minimum of 20 ft. The proposed addition would be located on a portion of the existing driveway, so no landscaping will be removed to accommodate the construction. The adjacent property is developed with a single detached home with a 40-ft front yard setback, and a driveway is located adjacent to the subject property. Therefore, the proposed addition would not impact the use and enjoyment of the neighboring property. The proposed addition can be built without needing to access the adjacent property, so construction impacts would be minimized. Given the existing design and construction of the house, it would be effectively impossible to construct the addition and still meet the required 10-ft setback. The proposed addition is modest in size, maintains the existing front yard setback, and would be adjacent to the neighbor's driveway – not adjacent to their home or usable yard space. Without the variance, the garage space would not accommodate a vehicle after the remodel. This side of the existing home is adjacent to the neighboring uninhabited property; the neighbor's home on the next lot to the south is set back approximately 26 ft from the street, so there are no impacts to the appellant's home or use of the front yard area.

The City Council finds that the requested variance is reasonable and appropriate and that it avoids or minimizes impacts to surrounding properties. Therefore, the requested variance meets one or more of the criteria provided in MMC Subsection 19.911.B.1.b.

5. CONDITIONS OF APPROVAL

The City Council modified the conditions of approval identified in the Commission's decision by removing the condition requiring that a 6 ft sight impervious fence be installed along the wall of the proposed addition. The remainder of the conditions remain in effect. Therefore, the City Council incorporates by reference the conditions of approval included in the Planning Commission's Notice of Decision dated June 12, 2024 with the identified modification.

6. As described in Finding 2, public notice of the appeal hearing was mailed to parties as identified in the Milwaukie Municipal Code: properties within 300 ft of the subject site, Interested Persons identified in VR-2024-003, the Appellant, the Applicant, the Planning Commission, and the Lake Road Neighborhood District Association. Written responses in support of the appeal and in opposition of the variance were received as follows:

- Teresa Bresaw, Lake Road NDA
- Karen Kersey

- Margueritte Kosovich, 12012 SE 35th Ave, Milwaukie
- Debby Patten, 11880 SE 34th Ave, Milwaukie
- Jonathan Heppner, 3815 NE 8th Ave, Portland
- Mara Indra, 3815 NE 8th Ave, Portland

The following persons provided oral testimony at the August 6, 2024 City Council Hearing:

- Kristina Fedorovskiy, 11932 SE 35th Ave
- Barbara Allan, 11972-11974 SE 35th Ave
- Teresa Bresaw, Lake Road NDA
- Paul Hawkins, Lake Road NDA
- Mara Indra, 3815 NE 8th Ave, Portland
- Matthew Baxter, 12005 SE 36th Ave

7. CONCLUSION

The City Council decided on a vote of 4-1 that land use file VR-2024-003 meets the applicable approval criteria and is therefore approved.

8. ORDER

Based upon the findings set forth above, the Milwaukie City Council orders that the decision of the Planning Commission be modified, the appeal denied, and land use file VR-2024-003 is approved as reflected in this Final Order.

DATED this 20th Day of August, 2024

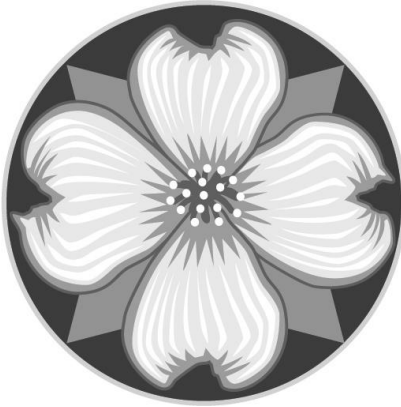
Lisa M. Batey, Mayor

ATTEST

Emma Sagor, Acting City Manager

APPROVED AS TO FORM:

Justin D. Gericke, City Attorney



RS Agenda Item

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Council Reports

FINANCIAL SUMMARY – CITY COUNCIL

	HISTORICAL		BN 2023-2024 CURRENT OUTLOOK				BN 2025-2026			Notes
	Actual FY 2021	Actual FY 2022	Amended Budget	Actual FY 2023	Estimated FY 2024	Estimated BN Total	Proposed FY 2025	Proposed FY 2026	Proposed Total	
<i>(Amounts in Thousands: \$100 = \$100,000)</i>										
PERSONNEL SERVICES										
Budgeted FTE Positions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Council Stipends	\$ 16	\$ 17	\$ 36	\$ 18	\$ 20	\$ 38	\$ 19	\$ 19	\$ 38	
Employee Benefits	1	1	4	2	2	4	2	2	4	
TOTAL PERSONNEL SERVICES	\$ 17	\$ 18	\$ 40	\$ 20	\$ 22	\$ 42	\$ 21	\$ 21	\$ 42	
MATERIALS & SERVICES										
Professional & Technical Services:										
Willamette Falls TV	71	77	165	89	80	169	86	86	172	
Other	-	-	20	-	3	3	7	7	14	
General Office Supplies	2	2	6	7	2	9	3	3	6	
Dues & Subscriptions	2	2	4	4	4	8	2	2	4	
Education & Training:										
Education - Mayor	2	3	10	2	1	3	5	5	10	
Education - Council #1	-	-	6	1	1	2	3	3	6	
Education - Council #2	-	-	6	1	1	2	3	3	6	
Education - Council #3	-	-	6	-	-	-	3	3	6	
Education - Council #4	-	2	6	-	1	1	3	3	6	
General Meals & Travel	-	-	10	-	1	1	5	5	10	
Advertising & Publicity	-	-	6	1	-	1	3	3	6	
Art Mural Rolling Fund**	26	7	-	-	-	-	-	-	-	
Events	-	-	6	-	6	6	3	3	6	
TOTAL MATERIALS & SERVICES	103	93	251	105	100	205	126	126	252	
City Council Total	\$ 120	\$ 111	\$ 291	\$ 125	\$ 122	\$ 247	\$ 147	\$ 147	\$ 294	

* Council Stipends is \$369 per month for the Mayor and \$307 per month for Councilors.

** Art Fund moved to City Manager's Office budget.

**Joint Values and Outcomes
for the 2025 State Legislative Transportation Package
by the Communities of Clackamas County**

Approved on 8/1/2024 for Logo Gathering

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 from highways onto local roads

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 for local and state projects of significance
- Secure varied revenue sources to diversify funding tools for local and state agencies

To advance projects that build public trust and accountability, a transportation package should...

- Finish what was promised in HB 2017 and HB 3055, including the I-205 widening and bridge improvements between Stafford Rd and Abernethy Bridge.
- Formulate a list of additional, high-priority projects for future funding, such as Sunrise Corridor and other investments addressing growth in urban, suburban, and rural communities

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

- Complete gaps in transit service, sidewalks, and bike lanes
- Improve transit operations, including regional coordination and equitable access to transit
- Invest in transit and paratransit so that it is a convenient, reliable, and safe travel option
- Provide sustainable long-term funding for first- and last-mile transit solutions
- Consider investments that improve safety for commuters reliant on bicycles, scooters, and other non-traditional transportation options

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

- Accelerate transportation networks supporting developing areas
- Improve the operations of regional freight routes, bridges and arterials
- Improve safety and reduce congestion on roads that connect urban and rural communities

Supporting Logos for the Clackamas Joint Values and Outcomes