



Special Session **SPS**

Milwaukie City Council

COUNCIL SPECIAL SESSION

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

AGENDA NOTICE

NOVEMBER 13, 2025

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** find the meeting event on the city calendar at www.milwaukieoregon.gov. **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.

Executive Session (5:00 p.m.)

Before the special session, Council will meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(f) to consider information or records that are exempt by law from public inspection.

1. **Milwaukie Bay Park Intergovernmental Agreements (IGA) with the North Clackamas Parks & Recreation District (NCPRD) – Discussion** (6:00 p.m.)
Staff: Emma Sagor, City Manager

2. **Adjourn** (7:00 p.m.)

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

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov 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.



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MINUTES

NOVEMBER 13, 2025

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

<p>Staff Present: Joseph Briglio, Assistant City Manager Justin Gericke, City Attorney Nicole Madigan, Deputy City Recorder</p>	<p>Adam Moore, Parks and Greenspace Development Manager Peter Passarelli, Public Works Director Emma Sagor, City Manager</p>
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Mayor Batey called the meeting to order at 6:25 p.m.

1. Milwaukie Bay Park (MBP) Intergovernmental Agreements (IGAs) with the North Clackamas Parks and Recreation District (NCPRD) – Discussion

Sagor provided background on the cooperative IGA history, outlined key terms under discussion for both an amendment to the 2008 cooperative IGA and a separate MBP IGA, and summarized Council's positions on funding contributions, project management responsibilities, maintenance, programming, and permitting authority.

Dave Cadwallader, Milwaukie resident, expressed interest in getting clear information regarding how much the city had generated in parks system development charges (SDCs) and how much had been allocated to Milwaukie.

Gary Klein, Milwaukie resident, expressed support for finishing MBP.

Mayor Batey addressed Cadwallader's comment by clarifying that the district referred to parks maintenance costs rather than system development charges (SDCs) and noted that an accounting of SDC use could be helpful for transparency.

Sagor asked for Council direction on staff responding to the NCPRD Board with the discussed items and what deadline Council would like to set.

Mayor Batey commented on concerns around stranded park assets that had been addressed through agreed-upon capitalization and depreciation provisions, while also acknowledging that negotiations had continued to evolve. **Batey** emphasized the city's concessions, including assuming maintenance of the Milwaukie Community Center, and expressed hope that these efforts would allow an agreement to be finalized before the end of the year.

It was moved by Council President Anderson and seconded by Councilor Massey to directed staff to respond to the NCPRD Board consistent with the positions outlined during the session and requested a response by December 2, 2025. Motion passed with the following vote: Councilors Khosroabadi, Massey, Anderson, and Stavenjord and Mayor Batey voting "aye." [5:0]

2. Adjourn

It was moved by Councilor Massey and seconded by Council President Anderson to adjourn the special session. Motion passed with the following vote: Councilors

12006

Khosroabadi, Massey, Anderson, and Stavenjord and Mayor Batey voting “aye.”
[5:0]

Mayor Batey adjourned the meeting at 6:56 p.m.

Respectfully submitted,



Nicole Madigan, Deputy City Recorder



Special Session: Negotiations with NCPRD about Milwaukie Bay Park

November 13, 2025

Plan for this Special Session

- 1. Background:** Milwaukie Bay Park (MBP) history and negotiation timeline
- 2. Council discussion** on latest proposed intergovernmental agreement (IGA) terms
- 3. Public testimony**
- 4. Conclusion:** Decisions on next steps and direction to staff

Background

- **1990:** NCPRD is formed and original cooperative intergovernmental agreement (Cooperative IGA) signed with the City of Milwaukie.
- **2008:** Cooperative IGA is amended to reflect new parks, including “Riverfront Park” (original name of Milwaukie Bay Park)
- **2012:** City completes Phase I of MBP development
- **2015:** City completes Phase II of MBP development
- **2017:** NCPRD requests to lead Phase III of MBP Development
- **2019:** NCPRD reveals designs for Phase III following two years of public involvement
- **2020-21:** City approves original funding and construction IGAs for MBP Phase III; NCPRD will not adopt funding IGA without update to Cooperative IGA
- **2022-23:** Parties dispute terms in original IGA regarding withdrawal method from the District. City files a validation action to confirm terms; NCPRD Board implements communication freeze.

Background, ctd: 2025 negotiations

- **Jan. 25:** City requests a meeting with the NCPRD Board to restart discussions on MBP. NCPRD Board agrees to being 2:2 session.
- Mayor Lisa Batey and Councilor Robert Massey appointed representatives for the City of Milwaukie
- **City's objective:** Get MBP back on track and delivered substantially by end of 2027
- Through course of negotiations, parties agree to work on two IGAs:
 - Amendment to the 2008 Cooperative IGA
 - Milwaukie Bay Park IGA
- **Since January:**
 - 6 2:2 negotiation sessions
 - 10+ staff-to-staff meetings to work on draft IGA terms
- **Latest update:** Draft terms received from County counsel on November 4. These terms of are subject of discussion tonight.

Cooperative IGA Amendment: Key topics and Council position

- **Topic: Asset capitalization and depreciation schedule**

- If the District plans for and pays for capital improvements over \$5,000 in value, NCPRD will capitalize the assets on their books. If the City pays for improvements, the City will capitalize the assets on their books.
- In the event of any future withdrawal from the District, the City will pay the District the current depreciated value of all outstanding District Capitalized Assets located within City parks if any depreciated values remain.
- The District's current language discusses a depreciation schedule "consistent with State or Federal Law" and also references a 25-year depreciation schedule elsewhere.

Council position:

Support but modify

Negotiation team to propose agreeing to a common, shared depreciation schedule based on Government Accounting Standards and append it to the agreement

Rather than pointing out a specific number, tie it to financial policies OR index \$5,000 to inflation

Cooperative IGA Amendment: Key topics and Council position

- **Topic: New parks or park improvements led by the City**

- The City is able to construct new parks or park improvements at any time at their own expense, and shall coordinate with District staff throughout the planning, design, and construction phase.
- The District's current proposed language would provide the District approval authority of all construction drawings or specifications.

Council position:

Reject as written, request modification

Change "coordinate" to "communicate" and remove approval authority from District in the case of City paid-for parks or park improvements; NCPRD retains the right to deny maintenance responsibility

Cooperative IGA Amendment: Key topics and Council position

- **Topic: Programming at Parks**

- Current language clarifies District is the primary programming provider at Milwaukie parks, including Milwaukie Bay Park
- The District's current proposed language does not state anything about preference for City or city-affiliated groups (board and committees, NDAs, etc.) to use City parks

Council position:

Support but modify

Support NCPRD as the primary programming provider

Request a provision that gives preference for City and City-affiliated groups, including waiver of permit fees and related costs

Cooperative IGA Amendment: Key topics and Council position

- **Topic: Milwaukie Community Center**

- Proposed language clarifies the city is responsible for funding capital improvements, repairs, and replacements at the Milwaukie Community Center.
- District remains responsible for programming, operations, and general maintenance.

Council position:

Support but modify

Modify language to ensure definitions of capital improvement, repair and replacement is defined consistent with earlier in the IGA.

Include greater definitions for equipment that specifies "facility equipment" rather than "programming equipment"

Cooperative IGA Amendment: Key topics and Council position

- **Topic:** Opportunity to ask for a statement of support for future funding measures
 - Proposed language clarifies either party can pursue measures to secure additional funding related to capital or operational needs and can ask the other party for a statement of support for those efforts

Council position:

Support

MBP IGA Key topics and Council position

- **Topic: Contribution of Zone 1 (Milwaukie) system development charge (SDC) revenue to the project by NCPRD**

- Latest terms offered by the District are for NCPRD to contribute \$3.1M in Zone 1 (City) SDCs to the project.

Council position:

Respond with counter:

- Ask for \$3.6M (full Zone 1 fund balance) now
- Ask that City collect and retain SDCs for MBP until MBP construction begins or Dec. 31, 2027, whichever comes soonest (given other Zones are not contributed)

MBP IGA Key topics and Council position

- **Topic: Contribution of Metro Local Share dollars to the project by NCPRD**
 - Latest terms offered by the District are to loan \$2.5M of Metro Local Share grant dollars to the city, to be repaid via 10 annual payments of \$250,000

Council position:

Response pending clarification with Metro

MBP IGA Key topics and Council position

- **Topic: Contribution of trail improvement grant dollars**
 - Latest terms offered by the District are to re-assign \$658,027 in Metro grant dollars to MBP

Council position:

Accept

MBP IGA Key topics and Council position

- **Topic: Transfer project management responsibilities**

- Latest terms offered by the District are to transfer responsibilities for project design and construction of MBP to the City upon signing
- District would also transfer all design and construction contracts and drawings

Council position:

Accept

MBP IGA Key topics and Council position

- **Topic: Transfer maintenance responsibilities**

- Latest terms offered by the District are to transfer maintenance responsibilities to the City when construction starts or by July 1, 2027, whichever is sooner

Council position:

Accept, but request maintenance responsibilities begin when construction begins or no later than December 31, 2027

MBP IGA Key topics and Council position

- **Topic: Programming rights at MBP**
 - Latest terms offered by the District are that NCPRD shall remain responsible for scheduling programs and issuing special use permits at MBP, including collection of appropriate fees

Council position:

Reject as written

City should take over permitting rights as the park operator and maintainer, but the District should retain rights to program at the park and permission for any District programming should not be unreasonably withheld

Public testimony

3 minutes each

Direction requested

Is Council supportive of staff responding to the NCPRD Board with the items discussed tonight?

By what deadline would Council like to ask for a response?



From: [Jacob Sherman](#)
To: [OCR](#); [Lisa Batey](#); [Robert Massey](#); [William Anderson](#); [Rebecca Stavenjord](#); [Adam Khosroabadi](#); [Emma Sagor](#); [Justin Gericke](#)
Subject: Testimony on Milwaukie Bay Park negotiations
Date: Thursday, November 13, 2025 4:10:19 PM

This Message originated outside your organization.

Hi there,

With no materials posted online for tonight's meeting that I'm aware of, I wanted to provide some general feedback to City Council as you negotiate with the NCPRD and the Clackamas County Commissioners on Milwaukie Bay Park:

1. As I understand it, over half the funding for the new Concord Community Center was made up of SDCs from all the sub districts because the facility was deemed a "regional asset." MBP is NCPRD's most visited outdoor park. It has the only boat ramp in the district, serving many people who live outside of Milwaukie as they access the river. Simply put, it is a regional asset. As such, the City must insist that NCPRD provide SDC funding from all sub districts for over half the project's cost. Rather than just give us back our \$3.5 million in Milwaukie's SDCs, this means we should insist they also give us an additional \$4 million in other SDCs as well. These SDCs should be in addition to other funding they may want to provide. To not do this would be wholly unfair, not a sign of a good faith negotiation, and would deviate from the precedent that they (NCPRD) set when they developed the Concord Community Center.

2. If the City is considering taking on O&M for the Milwaukie Center as part of a deal on MBP, then the City must insist that the County/NCPRD bring the facility up to a state of good repair OR provide us funding for the reasonable costs of doing so ourselves before we execute an agreement. NCPRD has had the responsibility to maintain this facility, which they have not done. While many Milwaukieans care deeply about the programming ran out of the center, we should not agree to take on unknown or expensive costs that could negatively impact our community. Without addressing the deferred maintenance, it would be unwise to agree to transfer these risks to Milwaukie. I realize this may be hard for NCPRD to agree to, but they created the maintenance backlog. They've also spoken a lot about managing their risks so, presumably, they'll understand our interest in similarly managing our own risk.

Together these two items represent a common sense, fact based approach to the broader negotiation. It's not about political posturing or opinions, but about construction quotes, spreadsheets, and simple accounting. By my account, these two items also represent several millions of dollars of funding that we should not give up and should be actively fighting for. We should not give up on these important resources unless we get something of similar or equal value, tangible or not. To be clear, I don't think we should sell ourselves short just so we can break ground tomorrow. I know Milwaukie wants to see progress on Milwaukie Bay Park, but I also know many people around town also want to make sure we get an overall "good deal." In some ways, taking our time to get a fair deal may be in our favor.

I know these negotiations are not easy, especially as the goal posts might get changed on us. I also know these negotiations have taken a lot of time and energy, and I want to thank city staff and our elected officials for their hard work on this. You are doing the hard work of leading in a challenging situation. I speak on behalf of many when I say we see your leadership, and we thank you.

I look forward to watching the Council hearing later today. Thank you for taking the time to consider this feedback.

Best wishes,
Jacob Sherman

Sent from my iPhone



**CITY OF MILWAUKIE
CITY COUNCIL**

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Speaker Card

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

Name: GARY KLEIN **Address:** 10795 SE RIVERWAY LANE
Organization: SELF **Phone:** 503-780-2294
Meeting Date: 11-7-25 **Email:** FILE
Topic: MBP

Agenda Item You Wish to Speak to:

- #5 Community Comments
Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.
- #7 Other Business, Topic: MBP
- #8 Public Hearing, Topic: _____

You are Speaking...

- in Support of MIL
- in Opposition
- from a Neutral Position
- to ask a Question

Comments: