

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
JUNE 21, 2011**

CALL TO ORDER

Council President Chaimov called the 2104th meeting of the Milwaukie City Council to order at 7:07 p.m. in the City Hall Council Chambers.

Present: Council President Greg Chaimov and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Excused: Mayor Ferguson

Staff present: City Manager Bill Monahan, City Attorney Tim Ramis, City Recorder Pat DuVal, Community Services Director JoAnn Herrigel, Milwaukie Police Chief Bob Jordan, Civil Engineer Jason Rice, Civil Engineer Brad Albert, Nicole West, Associate Planner Ryan Marquardt, Engineering Director Gary Parkin

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. Board and Commission and Neighborhood District Association Leadership Recognition

Council President Chaimov and Councilors recognized Neighborhood District Association (NDA) leaders and Board and Commission Officers stepping down from office. These were Jeff Klein who served as the Lewelling NDA Chair since 2006 as well as the Planning Commission Chair; Wanda Drendel who served as the Linwood NDA Secretary since 2006; Eric Perkins who serviced as the Island Station NDA Chair from March 2010 to March 2011; Luke Viera who served as the Island Station NDA Secretary from March 2010 to March 2011, Elise Azevedo who served as the Island Station Secretary from March 2010 to March 2011; and Kathy Buss who served as the Lake Road Treasurer for the last six years.

B. Milwaukie Bikes for Kids Program Recognition

Chief Jordan presented Milwaukie Police Officer Billy Wells with the Meritorious Service Medal for his work in the community and particularly for the effort he applied to initiating the Milwaukie Bike for Kids Program.

Eric Deady, owner of the Bike Commuter in Sellwood, was awarded the Distinguished Citizen Service Award for voluntarily rehabilitating and fitting the bikes given away in the program.

CONSENT AGENDA

It was moved by Councilor Hedges and seconded by Councilor Miller to approve the consent agenda consisting of:

- A. City Council Minutes of:**
- 1. February 22, 2011 Study Session;**
 - 2. April 5, 2011 Work Session;**
 - 3. April 19, 2011 Work Session; and**

4. May 3, 2011 Regular Session.

Motion passed with the following vote: Councilors Loomis, Miller, Hedges, and Council President Chaimov voting “aye.” [4:0]

AUDIENCE PARTICIPATION

Vincent Alvarez, Milwaukie, noted the statewide ban on plastic bags had not been successful in the 2011 Legislature. He encouraged to the Milwaukie City Council to take the lead along with the City of Portland to look for options for single-use plastic bags.

Greg Bowman urged that the Milwaukie City Council move forward with a ban on single use plastic bags and possibly expand that ban to include Styrofoam carryout containers.

Mark Gamba, Milwaukie, spoke in support of Milwaukie’s joining the City of Portland in banning the bag locally. He felt the biggest issue was that plastic bags ended up in the ocean. He also supported looking at Styrofoam containers and urged Milwaukie to do its part.

The group discussed having this matter as a work session agenda item in August. Council President Chaimov suggested it would be helpful to address loopholes identified in the proposed State bill.

PUBLIC HEARING

A. Milwaukie Municipal Code Amendments 19.321.7 and 19.321.3

Mr. Monahan reviewed the history of the proposed amendments and recommended continuing the hearing to a date certain of July 19, 2011.

Council President Chaimov said based on the discussions in this evening’s work session he felt it might be more the City Council’s pleasure to discontinue the amendment as a demonstration of good faith in its talks with Clackamas County regarding wastewater treatment.

It was moved by Council President Chaimov and seconded by Councilor Hedges to discontinue consideration of Milwaukie Municipal Code Amendments 19.321.7 and 19.321.3.

Councilor Hedges felt this action would help smooth the waters for sewer negotiations and show good faith in discussions with Clackamas County related to Riverfront Park access.

There was no public comment on this agenda item.

Council President Chaimov closed the public testimony portion of the hearing at 7:28 p.m.

Ms. DuVal polled the City Council with the following vote: Councilors Loomis, Miller, and Hedges and Council President Chaimov voting “aye.” [4:0]

Mr. Monahan would convey this message to Clackamas County and resume discussions of Riverfront Park access.

A. Wastewater Master Plan, File CPA-10-02 -- Ordinance

Council President Chaimov called the public hearing to order at 7:30 p.m.

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The purpose of the hearing was to consider an ordinance to adopt proposed amendments to the Comprehensive Plan which included adopting the 2010 Wastewater Master Plan as an ancillary document and amending Chapters 3, 4, and 5. Council President Chaimov reviewed the hearing procedure.

No potential or actual conflicts of interest were declared. No member of the audience made any challenge to any Council member's ability to participate in the decision.

Mr. Rice and **Mr. Marquardt** provided the staff report. This was an update of the adopted 1994 and draft 2005 Wastewater Master Plans although some uncertainty remained regarding future treatment agreements with Clackamas County. Key topics of the Plan included a summary of intergovernmental agreements, an analysis of how Waverly Heights might be better served, and staffing plans for the future.

Mr. Marquardt discussed adoption of the Master Plan as an ancillary document to the Comprehensive Plan and amended Plan language. The purpose for these amendments was to address land use and development goals as well as including updated factual language related to the NE Sewer Extension. The effort was to make the Comprehensive Plan text somewhat less specific by addressing broad policy matters and contain less about operational specifics. The Planning Commission recommended the City Council move forward with adoption of the Master Plan and associated amendments. The Commission also deferred financial matters to the Citizens Utility Advisory Board (CUAB) and the Finance Department.

Mr. Rice noted the Planning Commissioner requested that the Plan address scenarios of what steps would be taken if a power outage resulted in a system-wide failure of lift stations. The City has one generator, and he reviewed the possible scenarios for backup power. He added there would likely be a follow-up meeting to discuss system development charge increases.

There was no public testimony on this matter.

It was moved by Councilor Hedges and seconded by Councilor Loomis to close the public hearing. Motion passed with the following vote: Councilors Loomis, Miller, and Hedges and Council President Chaimov voting "aye." Council President Chaimov closed the public hearing at 7:41 p.m.

Councilor Loomis asked how one began the process for updating a Master Plan adopted in 1994.

Mr. Rice replied some time had certainly elapsed, but a lot of good work had gone into the 1994 Master Plan making it adaptable to updating. He added that staff intended in the future to review the document every 5 years.

Councilor Miller referred to staff report page 28 and asked how the findings were determined.

Mr. Ramis replied the staff proposed these findings based on the Planning Commission hearing but were not actually findings until adopted by the City Council.

Councilor Hedges was interested in the backup power piece and asked if the entire City was on one grid. He felt it was important to have a viable backup plan.

Mr. Parkin replied different grids were very expensive and was something typically done for a treatment plant.

Council President Chaimov asked if resolution of a potential backup power problem could be done separate from adoption of the Wastewater Master Plan.

Mr. Monahan responded solutions could be evaluated and addressed through a supplemental budget.

It was moved by Councilor Hedges and seconded by Councilor Miller for the first and second readings by title only and adoption of the ordinance adopting the 2010 Wastewater Master Plan as an ancillary document to the Milwaukie Comprehensive Plan and amending chapters 3, 4, and 5 (Land Use File CPA-10-02) with the addition of attachment #2, Backup Power for the Wastewater Pump Stations. Motion passed with the following vote: Councilors Loomis, Miller, and Hedges and Council President Chaimov voting “aye.” [4:0].

Mr. Monahan read the ordinance two times by title only.

Ms. DuVal polled the City Council with the following vote: Councilors Loomis, Miller, and Hedges and Council President Chaimov voting “aye.” [4:0].

ORDINANCE NO. 2031:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE 2010 WASTEWATER MASTER PLAN AS AN ANCILLARY DOCUMENT TO THE MILWAUKIE COMPREHENSIVE PLAN, AND AMENDING THE MILWAUKIE COMPREHENSIVE PLAN, CHAPTERS 3, 4, AND 5 (LAND USE FILE #CPA-10-02)

OTHER BUSINESS

A. Walk Safely Milwaukie Funding Recommendations – Resolution

Ms. West and **Mr. Albert** provided the staff report. She gave an overview of the program and its mission and goals. She discussed the funding available in the first two fiscal years of the program totaling \$147,000. To date \$4,000 was spent including \$3,500 set aside by Public Safety Advisory Committee (PSAC) for funding neighborhood education efforts. She summarized outreach and neighborhood involvement efforts, technical workshops, and submittal of 12 project proposals from the Neighborhood District Associations (NDA). On May 24 staff presented a list of recommended projects to PSAC, and on June 16 PSAC met to develop a list of funding recommendations. She reviewed the rankings with three being recommended for funding. These projects would exhaust available funding. Once City Council approved the recommendations, the Engineering Department would begin the survey, design, bid, and construction of the funded projects. Staff also sought City Council direction on unfunded projects and consideration of year three program modifications based what was learned in this first round.

Councilor Hedges noted the project that staff scored most highly would have used all the available funds. There was a suggestion it would be funded by grants. He proposed taking \$2,500 each in fees in lieu of (FILO) in the Island Station and Hector Campbell neighborhood to help fund the Walk Safely Milwaukie Program projects and putting \$5,000 into planning the Linwood sidewalk project.

Ms. West noted there were \$15,000 in matching funds from the neighborhoods, so it may not necessary be to dip into FILO.

Mr. Monahan understood that if the three projects plus the Linwood sidewalk design came in within the available funds then that was acceptable. If not, then Councilor Hedges' suggestion was to explore the use of the FILO concept he just outlined.

Councilor Hedges thanked all involved as he felt the concept had worked well.

Linda Hedges, PSAC member at-large and Hector Campbell Secretary, commented on the Committee's discussion of the \$5,000 funding for design of the Linwood Project. It was felt the \$5,000 would be wasted unless there were a guarantee from staff that it would find the money to do the project.

Ms. West explained the \$5,000 expenditure would help position the Linwood Project for larger grant funding such as the Oregon Department of Transportation's Safe Routes to Schools Program.

Mr. Asher clarified the Linwood project was a large half-street improvement, and the best the City could do with its program was to heighten the chances by doing the design and looking for grant funds.

Councilor Hedges would like to see the remaining projects go into the funding for next year rather than doing the additional work of submitting other projects next year.

Mary Weaver, Hector Campbell Neighborhood Chair and PSAC member, wanted to make sure the City Council understood that certain events such as the closure of Campbell Elementary may impact projects which had been submitted. She felt some projects that were carried needed additional review in the next round of funding.

Pepi Anderson, Lewelling Neighborhood Chair and PSAC member, understood since the Program was being adjusted as it matured that it should be up to the neighborhoods. The main goal was that the City Council would listen to what the neighborhoods felt was important.

Councilor Miller would like to see the grants balanced out so all neighborhoods would get their fair shares.

All Council members were pleased with the work all had done to coordinate what had begun as a controversial program.

It was moved by Council President Chaimov and seconded by Councilor Loomis to adopt the resolution approving the projects to be funded in the first round of the Walk Safely Milwaukie Program to improve pedestrian safety and livability in the City of Milwaukie. Motion passed with the following vote: Councilors Loomis, Miller, Hedges and Council President Chaimov voting "aye." [4:0]

RESOLUTION NO. 63-2011:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE PROJECTS TO BE FUNDED IN THE FIRST ROUND OF THE WALK SAFELY MILWAUKIE PROGRAM TO IMPROVE PEDESTRIAN SAFETY AND LIVABILITY IN MILWAUKIE NEIGHBORHOODS

B. Council Reports


Council President Chaimov and Councilors provided an update on meetings they attended on behalf of the City and announced upcoming community events.

ADJOURNMENT

It was moved by Councilor Hedges and seconded by Councilor Miller to adjourn the meeting. Motion passed with the following vote: Councilors Loomis, Miller, and Hedges and Council President Chaimov voting "aye." [4:0].

Council President Chaimov **adjourned the regular session at 8:23 p.m.**

Respectfully submitted,



Pat DuVal, Recorder

REGULAR SESSION

AGENDA

MILWAUKIE CITY COUNCIL JUNE 21, 2011

MILWAUKIE CITY HALL
10722 SE Main Street

2104th MEETING

REGULAR SESSION – 7:00 p.m.

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No. |
|---|-------------|
| 1. CALL TO ORDER
Pledge of Allegiance | |
| 2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS | |
| A. Board and Commission and Neighborhood District Association
Leadership Recognition
Staff: Beth Ragel, Community Services Program Coordinator | |
| 3. CONSENT AGENDA <i>(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)</i> | 1 |
| A. City Council Meeting Minutes: | |
| 1. February 22, 2011 Study Session | 2 |
| 2. April 5, 2011 Work Session | 4 |
| 3. April 19, 2011 Work Session | 8 |
| 4. May 3, 2011 Regular Session | 11 |
| 4. AUDIENCE PARTICIPATION <i>(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.)</i> | |
| 5. PUBLIC HEARING <i>(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i> | |
| A. Milwaukie Municipal Code Amendments 19.321.7 and 19.321.3 –
Ordinance
Staff: Bill Monahan, City Manager | |

6. **OTHER BUSINESS** *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)* **16**
- A. **Wastewater Master Plan, File CPA-10-02 – Ordinance and Resolution** **17**
Staff: Jason Rice, Civil Engineer
Ryan Marquardt, Assistant Planner
- B. **Walk Safely Milwaukie Funding Recommendations** **47**
Staff: Nichole West, Community Development Coordinator
Don Wiley, Public Safety Advisory Committee Chair
- C. **Council Reports**
7. **INFORMATION**
8. **ADJOURNMENT**

Public Information

- **Executive Session:** The Milwaukie City Council may meet in executive session immediately following adjournment of the regular session pursuant to ORS 192.660.
- All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503.786.7555
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

3.
CONSENT AGENDA

**CITY OF MILWAUKIE
CITY COUNCIL STUDY SESSION
FEBRUARY 22, 2011**

Mayor Ferguson called the Milwaukie City Council study session to order at 5:09 p.m. in the Public Safety Building Community Meeting Room.

Present: Mayor Ferguson, Council President Greg Chaimov and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Staff present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Development/Public Works Director Kenny Asher, Planning Director Katie Mangle, Associate Planner Brett Kelter, Community Services Director JoAnn Herrigel, Information Specialist Grady Wheeler, and Code Compliance Coordinator Tim Salyers

Natural Resource Overlay Project

Ms. Mangle discussed the project which was the City's response to Metro's Title 13 "Nature in the Neighborhoods" 2005 program. It designated and protected Habitat Conservation Areas near streams and wetlands and required local jurisdiction to protect those areas from development. Milwaukie was nearing its timeline for compliance, and the City Council adoption hearing was tentatively scheduled for April.

Mr. Kelter discussed landscaping activities, impacts to existing development, and the role of management plans. He reviewed a number of scenarios to demonstrate how the proposed code amendments would affect certain common activities and discussed concerns related to removing downed trees. A certain set of circumstances may trigger the need for a master plan. Mr. Kelter discussed the relationship between new development and existing development that wanted to expand. Two types of resources were considered: streams and habitat conservation areas. He discussed the feasibility of clustering development so the owner can get better use of the property. Restoration activities included removing invasive plants and planting native vegetation.

The group briefly discussed the advisory group, and Councilor Loomis requested a list of advisory committee members.

Mr. Monahan thought it was important to differentiate between what was required by Metro and what was at the City Council's discretion.

Professional Baseball Franchise and Facility

Mr. Asher continued to explore the viability of acquiring the Oregon Department of Transportation (ODOT) property and the feasibility of its development as a Brownfields site. He commented on negotiations and subsequent memorandum of understanding (MOU).

Councilor Loomis hoped to have a couple of financing options and asked Mr. Asher to look at the feasibility of a swap for the Texaco site although that would probably cause issues related to the Farmers' Market.

Mr. Asher discussed the need to find the right level of public relations and not doing too much too soon.

Councilor Hedges felt it was important to involve the electorate as soon as possible to build momentum.

Councilor Miller felt a good citizen base was critical to success.

Councilor Loomis saw the baseball franchise as a catalyst to other projects such as the Riverfront Park. He recommended hiring someone with expertise on bond campaigns.

Mr. Asher discussed the environmental condition of the site. He would contact North Clackamas School District to find out who they hired for its bond measure.

The group discussed when to take the matter public and what other uses might be appropriate for the site during the off-season.

Communication Strategy

Ms. Herrigel reported on recent technology changes in the City including the redesigned website and social networking.

Mr. Wheeler discussed possible changes to *The Pilot*. It was the general consensus that there should still be something in print although it might be mailed with the utility bills. He discussed social media aspects including Facebook and Twitter. He addressed the feasibility of moving his position from Community Services to Administration and scaling back on some of the outreach projects.

The group agreed the City Council, Boards and Commission, and Neighborhood Associations could work more collaboratively. They suggested work on model bylaws that included neighborhood's posting agendas and minutes within a given amount of time.

Mr. Monahan discussed making volunteerism more meaningful in Milwaukie and suggested Community Services as a resource to help develop opportunities.

Meeting ended 8:02 p.m.

Respectfully submitted,

Pat DuVal, Recorder

**MILWAUKIE CITY COUNCIL
WORK SESSION
APRIL 5, 2011**

Mayor Ferguson called the work session to order at 5:14 in the City Hall Conference Room.

Council Present: Mayor Ferguson and Councilors Chaimov, Hedges and Miller.

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Services Director JoAnn Herrigel, Community Development and Public Works Director Kenny Asher, Planning Director Katie Mangle, and Engineering Director Gary Parkin

City Manager Report

Mr. Monahan discussed City Council goals and public area requirements.

Attorney General's Government Transparency Initiative

Ms. DuVal updated Council on two Senate Bills, 41 and 47, that would impact public records laws in the State and alter the way local governments do business. Both bills seem to be resting, but she did not anticipate the transparency effort to be dropped in the future.

Ms. DuVal explained some products that the City currently uses to reach its goal of transparency and to fill records requests in a timely manner. She briefly reviewed the HP TRIM software as a service program being offered by the Secretary of State, Archives Division. TRIM was developed about 30 years ago and is currently being implemented in various State agencies as well as Beaverton and Tualatin Hills Parks and Recreation. The City of Portland and Metro have been using the product for over a decade. She discussed the sliding per user cost that would begin at \$37 per month and potentially go down to \$10 as more users sign on. There was also a rebate offer for those agencies signing on for the pilot project. The program would help meet disaster recovery needs of the City, and upgrades would be automatic. She was pursuing the program and would return to the City Council with an intergovernmental agreement (IGA) for its consideration.

Mr. Monahan said this proposal addressed issues related to electronic records management and preservation of the public record. He believed it was a solution that would enable the City to operate more efficiently and provided adequate protection.

Ms. DuVal added staff supported this project. She explained some recent records requests that were extremely time consuming given our current system.

Riverfront Board Joint Meeting

In attendance: Staff Liaison JoAnn Herrigel, Vice Chair Gary Klein, Chair Dave Green, and Mike Stacey.

Ms. Herrigel discussed possible ways to enhance communication between the Board and the City Council and Neighborhood District Associations (NDA).

Mayor Ferguson liked the willingness of the Board to come to Council on a regular basis. It would help to see progress that related to Council goals.

Council Chaimov thought it was an excellent work plan.

Councilor Loomis supported the idea quarterly reports and suggested Council rotate attending meetings.

Ms. Herrigel reviewed the elements of the Riverfront Park Plan.

Mr. Green said the current access would be removed and replaced with new access. There were a lot of comprises related to parking, boat ramps, and open space. They had gathered additional input during the process from the community at-large as well as boaters. He reviewed the history of the Park design and said it was at 70%. It was now going through the permitting process. Prior to the plan being complete they have to get feedback from the permitting agencies and incorporate that into the design. They have completed the Design and Landmarks Committee (DLC) hearings and approvals. They got approval from the Planning Commission over a year ago, but there were some details that they were required to go back for as the Park developed. They submitted joint permits to the Division of State Lands (DSL) and Army Corps of Engineers. DSL granted the permit in 2009, The Corps completed its review and submitted comments to Washington, D.C. where they get reviewed again. They have been able to take a few steps with construction including removal of the last few privately-owned buildings, McLoughlin Boulevard improvements, and the relocation of water lines and utility poles. He discussed the Metro application to Metro for work at Klein Point. Other grant applications were stalled while the access issues were being resolved with Clackamas County. There was a concern that the access issue was wrapped up in the larger treatment plant issue. Financing will be a challenge as the current estimate for the Park was \$6 million. The Oregon Solutions Group had reconvened, so the Board hoped that renewed interest will rejuvenate the financing discussion. He discussed project phasing.

Councilor Loomis asked Mr. Green to discuss the challenges in the event agreement on the access road was not achieved.

Mr. Green replied it would be a great challenge. Some of the parking would have to be eliminated which might not meet the Marine Board design standards and could affect funding. He stressed the importance of that access point. He noted the Plant parking would not be affected.

Councilor Chaimov thanked the Board for its work and trying to resolve the access issue with Clackamas County.

Mr. Green added there were also some technical problems around traffic lights and safe movements. They were looking at options and moving toward solutions.

Ms. Herrigel discussed the harbor lane in the current design to protect cars, boats, and trucks going into the property. The problem was that there would be no light based on Oregon Department of Transportation (ODOT) standards though many would like to see a traffic light for safety.

Ms. Herrigel hoped to meet the Council's goal of completing the Park by 2013.

Mayor Ferguson said the Council was working with the County and was committed to reaching a resolution as quickly as possible.

Councilor Loomis discussed utility poles and asked if line would be put underground.

Ms. Herrigel said due to cost they would be relocated but not undergrounded.

Councilor Hedges recommended the Riverfront Board visit the NDA's as soon as possible.

Mayor Ferguson said it was helpful to take projects out to the community to remind people the City was still working on them.

Public Area Requirements

Mr. Asher provided background on the public area requirements (PAR). They have been working to implement current code as best they could for the last 5 years. He talked about the 4 areas of potential amendments.

Mr. Parkin described what PARs and noted they were more focused on the downtown area and the pedestrian zones. That included width of sidewalks, street trees, bike racks, bus stop improvements, water quality and ADA ramps. They referred to Code Section 19.400 Public Facility Improvements which was used for the entire City, not specific to the downtown area. He noted they follow the standards for capital improvement projects not just redevelopment.

Ms. Mangle said there are street standards for every street. Engineering looks at the level of intensification along with the code to determine proportional improvements that a project should contribute to the street frontage. The downtown should be a high quality pedestrian environment that encourages people to walk. The street standards make sense with the development plans adopted by the City Council.

Mr. Parkin said there were additional downtown standards that included underground utilities requirement which were expensive. He discussed the lighting and sidewalk scoring pattern and medallion requirements that are unique to the downtown area. It was more complicated to apply the standards, and there was a need driven by pedestrians. Traffic counts were relatively easy, but pedestrian traffic was not. He briefly commented on neighborhood standards and traffic plans.

Ms. Mangle said it is good to have a streetscape plan, but it did have its challenges. Staff had a lot of conversations with property owners. She talked about sub-standard lighting and lack of ADA standards in some areas. These were expensive upgrades to make and there is no public funding source. There have been concerns of unfairness specifically for smaller projects.

Mr. Asher discussed successful redevelopment in a pedestrian-friendly environment, but the costs may deter potential development. If the City can find a way to share the cost burden they would have more economic development and a better streetscape. The question was how to execute a streetscape liked by everyone, and he discussed the feasibility of urban renewal. Staff thinks the code can be improved, but the biggest issue with PARs was financial.

Mayor Ferguson said looking at the list of projects in the downtown not a lot of them had triggered PAR. He asked if staff had an idea of how many people abandoned their projects because of the PAR.

Mr. Asher said it was more of a factor of reputation than actual projects; except for the current prominent example staff had not received comments about the PARs being a disincentive. It could, however, be a factor in the future.

Mr. Miller asked how the City can maintain consistency in the downtown if each business was required to do its own public area requirements.

Mr. Parkin replied the requirements are very specific with consistent frontage development. It could be a problem when partial block faces were developed and fees in lieu of collected.

Mr. Asher added the cleanest way would be to do a block at a time, which was what a lot of other towns did. To maintain consistency it was really important to have PARs.

Councilor Miller commented on the funding the City provided for the North Main project. The proposed resolution suspended PARs 18 months. It gave the business

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owners a break and the City time to rewrite the PAR to better fit downtown standards. Gresham, Troutdale, Fairview, and Wood Village have done away with PARs and reduced building fees to attract new businesses into their towns. He was concerned Milwaukie would not be competitive.

Councilor Hedges commented on an instance where someone was being asked to make improvements that will make it look better, but were not necessary. In this economic climate he thought the PAR needed be looked at and some discretion allowed in certain instances when the changes are cosmetic and not safety related. Of greatest importance was a safe infrastructure. Where he comes from the public paid for the public areas. It seemed strange to him that he was responsible for the sidewalk repairs in front of his house. People have expressed a concern the City was helping the downtown and not giving residents the same advantage.

Councilor Loomis asked if there was a moratorium would the PAR still need to be done?

Ms. Mangle said it would shift responsibility from the property owner to the City.

Mr. Monahan said it would suspend the requirement of the property owner for 18 months, and the responsibility would rest with the City.

Councilor Loomis said he was hearing that this was about one business and asked if issues can be addressed on a case-by-case basis instead of opening it up to everyone. He had always felt the PAR had hindered businesses. He would not support the resolution as written, but he was more interested in addressing issues case-by-case.

Mr. Asher said that was more in line with fiscal policies and the cost and public benefit. The finance department would help determine the cost and risk.

Mr. Monahan said suggested the City might create an application process to suspend requirements on a case-by-case that the City Council could review.

Mayor Ferguson adjourned the work session at 6:55 p.m.

Respectfully submitted,

Juli Howard, Deputy City Recorder

**MILWAUKIE CITY COUNCIL
WORK SESSION
APRIL 19, 2011**

Mayor Ferguson called the work session to order at 5:03 in the City Hall Conference Room

Council Present: Mayor Ferguson and Councilors Chaimov, Hedges, and Miller.

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Development and Public Works Director Kenny, Economic Development Specialist Alex Campbell, Engineering Director Gary Parkin, and Civil Engineer Jason Rice.

Regional Flexible Funds Allocation Process

Mr. Campbell explained regional flexible funds. The region had chosen through the Joint Policy Advisory Committee on Transportation (JPACT) to focus 80% of the funds on two project areas: Active Transportation/Complete Streets and Freight. He discussed the different projects under consideration and noted there was approximately \$3 million in funding. The City's areas of interest were improving the bike and pedestrian connection between Milwaukie's Riverfront Park and the Springwater Corridor and improving multi-modal connections between the Milwaukie Town Center and the Clackamas Town Center. The 17th Avenue/Trolley Trail connector probably had more support as regional priority.

Mayor Ferguson and Councilors supported the 17th Avenue/Milwaukie Riverfront Park proposal as they felt it had more regional significance.

Wastewater Master Plan Update

Mr. Parkin and **Mr. Rice** provided an overview of the City's wastewater system, proposed projects, and the Plan adoption schedule.

Mr. Rice pointed out the features of the system. Some clay pipes, the oldest in the system, still remained and were difficult to maintain. Most of system was concrete pipe with the majority installed in the 1970's. Other areas had PVC and lined pipe including the newest installation in the NE Sewer Extension Project area. Certain improvements were being driven by the light rail project, and City staff was working with TriMet to replace old clay lines. He gave an overview of the projects in the capital maintenance program.

Mr. Parkin reviewed the proposed wastewater budget which included a 7% rate increase.

Mr. Rice commented on the difficulty of preparing a budget without an adopted master plan. He reviewed the schedule that included going to the Planning Commission for comments on the draft document with City Council adoption on June 21. Replacement of the clay lines was the number one priority followed by the concrete pipes. He discussed issues related to the pump stations.

Mr. Parkin added the Master Plan determined that the capacity at each of the pump stations was adequate to build-out, and staff was keeping maintenance logs. They do not have an electrical study or know how much power was used as part of asset management. He briefly discussed improvements related to the light rail project.

The group discussed the need for back-up lift stations.

Mr. Monahan reviewed regular session business items. Mr. Parkin would give an update on public area requirements; the photo radar contract was pulled; and the City

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DRAFT MINUTES

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had not received sufficient nominations for the Library Expansion Task Force. He reviewed prioritization process of the City Council goals.

Mayor Ferguson reviewed the board and commission appointment process. He recommended that he and another Councilor plus the staff liaison conduct the interviews.

Councilor Loomis wanted to be able to review the applicants' background information and urged that all City Council members be on board before an appointment resolution appeared on the consent agenda.

Mr. Parkin provided an update on the meeting with Ed Aaron, Mr. Monahan, and Councilor Loomis. There was some confusion between the old and current code, so no agreement was reached. He discussed the interpretation of 10% of permit value by the Planning Director which still appeared to be valid. Mr. Aaron had been given a list of Identified improvements.

Mr. Monahan understood Mr. Aaron needed the information by the middle of June. He discussed earlier public area requirements based on proportionality which was the concept used at that time.

Councilor Miller felt until the City came to some solid ways to let businesses know how much they would have to pay, the Council should adopt the proposed resolution.

Neighborhood Leadership

In attendance: Mary Weaver, Matt Rinker, Linda Hedges, Beth Kelland, Pepi Anderson, Debby Patten, Brian Dorr, and Dion Shepard.

Ms. Weaver discussed the closure of Hector Campbell Elementary School and how that had impacted the neighborhood Walk Safely Milwaukie Project. The neighborhood realized the lapses of communication with the School District and had made its concerns known. She had since spoken with Dr. Mills and Joe Krumm and looked forward to improved communication. The School Board will meet on Thursday and make boundary decisions. Generally speaking, the Neighborhood was pleased with the District's acceptance of its communication and willingness to hear concerns.

Mayor Ferguson and Mr. Monahan met with Dr. Mills and hoped to have a joint work session with the District Board to open up lines of communication. The City needed to let the Board know citizens wanted the property used in a productive way.

Mr. Monahan talked about truancy court and the school resource officer. He planned to invite Milwaukie High School Principal Mark Pinder to a City Council session to discuss the effectiveness of these joint efforts.

Ms. Hedges talked about light rail bridge design and noise issues.

Ms. Shepard discussed the recent Island Station Neighborhood light rail meeting and noise impacts. She had concerns regarding significant traffic changes if the park-and-ride size was reduced. She asked City Council for its support on noise concerns and asked for a pre- and post-noise analysis.

Councilor Chaimov said the main reasons for the meeting was to identify problems with the elevated structure, noise, and lights. There were no answers as yet to issues raised but assumed there would be some venue for coming up with solutions. He would bring up the issues at the next Steering Committee meeting.

Mr. Rinker said Ardenwald was fatigued by the light rail process but still not satisfied.

Councilor Hedges thought the general plan is to steamroll through the neighborhoods and never answer the questions. The neighborhoods needed to be vigilant.

Ms. Shepard would like the Steering Committee to address these matters and particularly the bridge design.

Ms. Hedges noted Paul Klein was interested in being a neighborhood Library Task Force member.

Councilor Miller announced that next Monday there was an open house on residential standards.

Mayor Ferguson Adjourned the work session at 6:55 p.m.

Respectfully submitted,

Juli Howard, Deputy City Recorder

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
MAY 3, 2011**

3.A.4.

CALL TO ORDER

Mayor Ferguson called the 2101st meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Mayor Ferguson, Council President Greg Chaimov and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Staff present: Acting City Manager Pat DuVal, City Attorney Tim Ramis, Library Director Joe Sandfort, Police Chief Bob Jordan, and Civil Engineer Jason Rice

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

Mayor Ferguson announced Mr. Monahan had been excused from the meeting.

A. Milwaukie High School Student of the Month

Mayor Ferguson and City Councilors recognized Erik Morris as the May Milwaukie High School Student of the Month.

B. Safety Break Proclamation

Mayor Ferguson read a proclamation naming May 11, 2011 to be *Safety Break for Oregon*.

CONSENT AGENDA

It was moved by Councilor Hedges and seconded by Councilor Miller to approve the consent agenda consisting of:

- A. **Resolution 49-2011**: A Resolution of the City Council of the City of Milwaukie, Oregon, Adopting Bylaws for the Milwaukie Riverfront Board;
- B. **Resolution 50-2011**: A Resolution of the City Council of the City of Milwaukie, Oregon, Appointing the Library Expansion Task Force;
- C. **City Council Minutes**:
 - 1. February 15, 2011 Work Session
 - 2. March 1, 2011 Work Session
- D. **OLCC Application for Envision Classics, 10613 SE Main Street, new outlet**

Motion passed with the following vote: Councilors Chaimov, Hedges, Loomis, and Miller and Mayor Ferguson voting "aye." [5:0]

AUDIENCE PARTICIPATION

Gwen Laubach-Alvarez, Milwaukie, discussed the feasibility of a grocery coop in the City of Milwaukie. Organizers will attend all of upcoming the Neighborhood District Association (NDA) meetings to introduce the concept and are planning an informational meeting in June. The group hopes to locate in the vicinity of the new light rail line.

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Les Poole, Clackamas County, followed up on his comments from the previous meeting regarding combining the parklands into one contiguous park. He pointed out the Island Station overpass and the short bridge over Kellogg Lake that he predicted will become a political and legal nightmare for the neighborhood. The view of the historic trestle will be obscured, and the Trolley Trail and a number of trees will be wiped out. This was an issue of regional concern.

Janet Schoenheit, Clackamas County, discussed a random automated survey of Clackamas County residents regarding light rail. Of the 1257 respondents, 71% replied they did not support light rail. She and others worked to overthrow Bob Austin and elect Commissioner Savas and revealed Commissioner Peterson's anti-rights goals leading to her eventual resignation. Will the elected learn to support what the people supported?

Eugene Schoenheit, Clackamas County, discussed facts related to the project being pushed down Oak Grove's throat. The Park Avenue area was probably one of the highest employment areas on the whole McLoughlin strip. Light rail will rip the businesses apart on River Road as well as McLoughlin Boulevard, and people will lose their jobs. Finally, light rail will bypass the Island Station Neighborhood completely.

Herb Chow, small business consultant, was opposed to light rail in general because in his experience Portland dumped all the things it did not want in east county. Most of the mayors in Clackamas County supported the vehicle registration fee which will probably end up being more than \$5. The study citing the number of Clackamas users was inaccurate. Voters were told the vehicle registration fee would go into bonding the Sellwood Bridge Clackamas County drivers supposedly use. The rest would go into Milwaukie light rail. He urged the Milwaukie City Council to stop this thing.

PUBLIC HEARING

None scheduled

OTHER BUSINESS

A. Photo Radar Contract Authorization

Chief Jordan provided the staff report in which the City Council was requested to authorize the City Manager to execute the agreement with ACS for photo radar services. He reviewed previous actions and exploration of contracts with two vendors in the State of Oregon. ACS agreed to drop its working price by \$500 per month, upgrade to digital photographic equipment, and to work with the municipal court judge on certain discovery issues. The proposed contract was approved by counsel and met what he understood to be the direction from the City Manager.

Councilor Hedges expressed his support of the proposed contract.

Councilor Loomis would not vote in favor of the contract as he supported police officers issuing citations. Statistically, he did not see a reduction in accidents where the van was parked. He was concerned about the long-term effects on the City's reputation when it would likely be seeking regional support for upcoming projects such as the Riverfront Park and the Kellogg Treatment Plant. A majority of people were law abiding, and he felt the City's focus should be on education and use of speed signs. He felt more could be done in the neighborhood.

Councilor Miller read the materials and understood the lease for the van was \$1,500 per month and that the amount ACS collected on each citation decreased as the number of citations increased. His feelings about photo radar were similar to those of

Councilor Loomis. He felt it would be better to hire three officers for the expense of the photo radar van at approximately \$300,000.

Chief Jordan said there were a number of things three officers could do. He figured in February that the City netted \$130,000 annually. That figure would go away with the photo radar van. He did not agree fully with Councilor Miller's premise that three officers would issue a similar number of citations as the van. He discussed the capabilities of a motorcycle officer and the amount of time it took to issue a citation even with an electronic ticket writer. There was also the matter of officer safety on McLoughlin Boulevard. The City's one digital speed sign was currently deployed in the neighborhoods. The device could simply record speeds, or it could also be set to flash vehicle speeds as they drove by.

Councilor Chaimov asked Chief Jordan if the contract in his best professional judgment protected the community and officers serving under him.

Chief Jordan replied he believed it did. The program began in Milwaukie in 2008 and was both a deterrent to speeding and protection to the officers.

Councilor Hedges discussed his experiences as a police officer and was convinced that speed killed or severely injured people. He believed speed was an offense, and that speed really did matter. It was noticeable that vehicles were being driven faster recently with the photo radar van not being deployed. If one did not want a speeding ticket, then one should not speed. He felt very strongly about this matter and supported the van as it really did make a difference.

Mayor Ferguson supported the Police Department 100% but did not support photo radar. It gave the City a bad image and was impersonal. He did like the portable unit being deployed in the neighborhoods and suggested using positive reinforcement by recognizing those driving within the posted speed limit. He thought the City could have safe streets by means other than photo radar.

Councilor Miller supported the Police Department 100% and had the utmost respect for the officers.

It was moved by Councilor Chaimov and seconded by Councilor Hedges to postpone the ACS contract to the next regular City Council meeting. Motion passed with the following vote: Councilors Chaimov, Hedges, Loomis, and Miller voting "aye" and Mayor Ferguson voting "no." [4:1]

B. Construction of Wastewater Main Repair at Jefferson Street and Hwy 99E – Resolution

Mr. Rice provided the staff report and a brief overview of the project which was replacement of the clay main under McLoughlin Boulevard. This main had partially collapsed, and he reviewed the implication of line failures under McLoughlin. He outlined the proposed construction timelines if the contract were approved.

Mayor Ferguson was concerned about public outreach and education.

Councilor Loomis asked if the project could be delayed until the end of salmon season.

Councilor Miller hoped the project would not interfere with Milwaukie Daze.

Mr. Rice replied the construction could be delayed for a short period of time. He anticipated the project would take about 20 days.

It was moved by Councilor Miller and seconded by Councilor Loomis to adopt the resolution authorizing the City Manager to execute a contract for the construction of the Jefferson Street Wastewater Repair Project to Emery & Sons Construction in the amount of \$179,985. Motion passed with the following vote: Councilors Chaimov, Hedges, Loomis, and Miller and Mayor Ferguson voting 'aye.' [5:0]

RESOLUTION NO. 51-2011:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE JEFFERSON STREET WASTEWATER REPAIR PROJECT

C. Consider Suspension of Public Area Requirements

Councilor Loomis met with Mr. Aaron to discuss the issues related to public area requirements (PAR) and getting a tenant into his Main/Monroe building. The meeting included Mr. Monahan and Mr. Parkin, and there was some confusion at the end of the meeting about application of the requirements. He understood Mr. Aaron's frustration because of the application of the old code. Councilor Loomis recommended to City Council some form of grant that would provide up to \$20,000 to property owners in the downtown to pay for the provision of public area requirements necessitated by the issuance of new certificates of occupancy when the first floor tenants signed leases by July 1 to locate in the downtown area. He recommended a resolution be prepared to that effect for the May 17 meeting. With Councilor Miller's resolution, Councilor Loomis was concerned about the City's being responsible for paying for the PARs, and he urged the City Council do something as soon as possible.

Councilor Hedges did not feel he would be able to make a decision on this. If the photo radar program were eliminated, \$130,000 in revenue was effectively removed from the budget. Until that was clarified he was not comfortable voting on this matter.

Councilor Loomis clarified the City did not have extra money, but he felt responsible for helping Mr. Aaron get a tenant in that building. He noted the City had helped other developers in the past.

Councilor Miller proposed a resolution two months ago and was frustrated that it came up agenda after agenda. He still did not understand the PARs so he could explain to a property or business owner in downtown Milwaukie what they would have to do if they wished to improve their buildings. The City Council needed to do something. Although the resolution might not be the total answer, the requirements had to be reviewed and simplified to ensure everyone was being treated fairly. It was important to do whatever possible to help downtown businesses succeed.

Vincent Alvarez, Milwaukie, had heard previous discussions and understood the PAR was an attempt to get a similar vision going from block to block in the downtown. From his experience living in an historic area on the East Coast, he felt it was important to stop and re-evaluate the code to make it more flexible while still achieving a theme including period lighting. One can use many different aspects while ensuring safety matters yet alleviating the business owners of some of the charges.

Councilor Loomis believed that was the intent, but the City Council needed to figure out who pays for the improvements.

Mr. Ramis estimated it would take roughly 45-60 days to go through the code amendment process.

Mayor Ferguson was open to looking at Councilor Loomis's recommendation to help Mr. Aaron and then reviewing the code for future development. The draft resolution would have to be on the next agenda for City Council adoption.

Councilor Miller felt it was important to take a hard look at the code and understand what downtown businesses wanted.

Councilor Hedges would like the proposed resolution to state how the \$20,000 was to be funded.

D. Council Reports

Mayor Ferguson and Councilors summarized the meetings they had attended on behalf of the City and announced upcoming community events.

ADJOURNMENT

It was moved by Mayor Ferguson and seconded by Councilor Loomis to adjourn the meeting. Motion passed with the following vote: Councilors Chaimov, Hedges, Loomis, and Miller and Mayor Ferguson voting "aye." [5:0]

Mayor Ferguson adjourned the regular session at 8:25 p.m.

Respectfully submitted,

Pat DuVal, Recorder

6.
OTHER BUSINESS



6.A.

To: Mayor and City Council

Through: Bill Monahan, City Manager
Kenneth Asher, Community Development and Public Works Director
Gary Parkin, Engineering Director

From: Jason Rice, Civil Engineer
Ryan Marquardt, Associate Planner

Date: June 1, 2011 for June 21, 2011 Regular Session

Subject: 2010 Wastewater Master Plan Update – Land Use File # CPA-10-02

ACTION REQUESTED

Adopt the 2010 Wastewater Master Plan and amendments to the Comprehensive Plan.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

April 2011: Staff presented the draft of the WWMP and adoption schedule to Council.

March 2009: Staff updated Council on progress made on the Wastewater Master Plan.

February 2008: Council approved Resolution 14-2008aa, authorizing the City to contract with Parametrix Engineering to complete the update of the Wastewater Master Plan.

November 2007: Staff briefed Council during a work session on the scope to complete the Wastewater Master Plan update.

December 2003: Council approved entering into a contract with Crane and Merseth Engineering and Surveying (#2004-004) to update the 1994 Sewer Facilities Plan.

BACKGROUND

The City adopted the current Wastewater Master Plan (WWMP) in 1994. The Engineering Department began a project to update the plan in 2003, but the project was stalled due to regional wastewater treatment issues surrounding the Kellogg Treatment Plant and Clackamas County Service District #1 (CCSD#1). The Clearwater Plan, a multi-jurisdictional planning effort addressing regional wastewater treatment needs, was underway and the City decided to

delay completion of its Master Plan until after the Clearwater Plan was completed. However, the Clearwater Plan was later abandoned by CCSD#1. Although uncertainty about surrounding future treatment service remains, the City needs to complete its own Master Plan to provide accurate information on the operation and upkeep of the City's wastewater system.

In February of 2008, the Engineering Department developed a scope of work to update the City's Wastewater Master Plan, and selected Parametrix Engineering to complete the project. The scope of work was to complete work begun by Crane and Merseith Engineering in 2004. It builds on the summary of the existing system, includes a list of projects for the Capital Improvements Plan (CIP), offers several options for sewerage areas presently unsewered, and provides hydraulic modeling. The resulting 2010 Master Plan describes future planning and CIP tasks, recommends future maintenance projects for the collection system, offers technical guidance for the sewerage of presently unsewered areas, reviews existing Intergovernmental Agreements (IGAs) with neighboring public agencies, and assesses staffing needs.

The over-arching goal for the project was to produce a Master Plan that works as a roadmap for the successful management of the City's wastewater system. The proposed Plan does this by addressing wastewater issues in a straightforward, understandable fashion, customized for the City.

The following is a brief overview of the document in its current form.

Chapter 1, The Existing System Summary. This chapter reviews the existing sanitary sewer collection system. Information provided within this chapter finds:

- Current (2009) service population of 20,920.¹
- Projected 2030 service population of 22,249.²
- Current system has 396,327 feet (75.1 miles) of collection system piping, 1650 manholes and five raw sewage pumping stations.
- Wastewater treatment primarily provided by the Kellogg Creek wastewater treatment facility.

Chapter 2, The Existing System Study Area Definition. This chapter describes the study area considered. Figures are provided that depict the Milwaukie service area and collection system sub basins. The six major collection system sub basins are identified as North Milwaukie, Mid-Milwaukie, Johnson Creek, South Milwaukie, Harmony, and Lower Kellogg. Wastewater sewer service is provided by Clackamas County Service District No. 1 (CCSD #1) in areas to the east and south of Milwaukie.

Service billings from CCSD#1 to Milwaukie prior to 2010 were based on flow measurements. This method has recently been proposed to change to an equivalent dwelling unit based (EDU) rate through negotiations with CCSD#1.

¹ Based on data from the Portland State University Population Research Center, Population Estimates for Oregon Estimated and Its Counties and Incorporated Cities: April 1 1990 to July 1 2009, prepared March 2010.

² Based on a linear growth rate of 0.28% per year between 2005 and 2030

The City of Portland borders Milwaukie on the north, and provides sewer service as far south as Johnson Creek. Service is provided through the Lents trunk line. Milwaukie pays Portland a charge based upon water consumption records for approximately 15 residential and commercial properties connected to the Lents line. An additional 75 properties will be connected to the Lents line as properties in the NE Sewer Extension project area connect to the City's system.

Oak Lodge Sanitary District provides sewer service on the southwest perimeter of the Milwaukie system. An agreement between the Oak Lodge Sanitary District and the City governs the charges Milwaukie pays for the collection and treatment of sewage from these customers.

Chapter 3, The Existing System - Current and Future Conditions. The intent of this chapter is to document existing conditions and estimate future flow impacts. The characteristics of each basin are described in detail. Information includes service acreage, current and future peak flows, length of piping, and information on pump stations and flow meters. The chapter also contains a summary of the existing system deficiencies and an infiltration and inflow analysis by basin.

Milwaukie is not expected to undertake significant new wastewater projects resulting from annexation with the Urban Growth Management Area (UGMA). A majority of the area within the UGMA is already connected to wastewater infrastructure from other service providers. Discussions will need to occur about whether Milwaukie takes over the infrastructure in this area, or whether the existing service provider will continue to maintain the infrastructure.

Chapter 4, The Existing System Future Flows Analysis. This chapter updates demographic projections from the 1994 Master Plan. It outlines the methodology used for collection system modeling using the hydraulic model Stormwater Wastewater Management Model (SWMM). Sewage quantity parameters used in modeling and the availability of flow data are also described in this chapter. Flow data includes portable flow meter data gathered by City staff from several locations in the collection system. This field data was used to establish diurnal flow patterns. In addition, flow information was used from the Harmony meter and the Milwaukie meter to provide modeling data. The completed model along with an operating guide was provided as part of Crane and Merseth's work.

Chapter 5, The Existing System Capital Improvement Projects Identification. This chapter provides a review of the CIP projects identified in the 1994 Master Plan. Eight of the 13 projects identified have been completed or are no longer needed. Five projects from the previous plan are recommended in the updated CIP. One additional project is recommended; the Johnson Creek siphon replacement. In addition, the status of the Kellogg Creek Wastewater Treatment Plant is reviewed with a recommendation to fund efforts to guide its future disposition.

CIP recommendations are summarized below:

- Initiate a detailed flow monitoring program.
- Conduct CCTV inspections of all basins.
- Replace existing sewer from the boat ramp to the Kellogg WWTP with 30 inch line or construct a 21 inch parallel sewer line.
- Replace the Johnson Creek siphon or consider a bypass.

- Systematically replace existing clay and concrete mains.
- Guide the disposition of the Kellogg WWTP.

Chapter 6, CCSD#1 Agreements. This chapter provides a review of previous agreements with CCSD#1, a review of the proposed Intergovernmental Agreement (IGA) between CCSD#1 and Milwaukie.

Chapter 7, Collection System Asset Management. This chapter provides an abbreviated sewer collection system asset management strategy for the City of Milwaukie. It will enable the City to make informed decisions on how to most effectively allocate resources for capital improvements to the collection system on an annual basis. One large component of the system are the five lift stations. Providing backup power for the lift stations is critical and currently accomplished with a single portable generator (the Brookside station overflows to Portland's system without power). A more advanced Asset Management Plan would include an emergency plan for the operation of a system wide failure of power.

Chapter 8, Waverly Heights Sewer System Analysis. The purpose of this chapter is to provide an analysis of the existing sewer collection system within Waverly Heights (a residential neighborhood within the City of Milwaukie) and to recommend future sewer service options. Several viable options for the City of Milwaukie are presented to improve the management of the sanitary sewer system within the Waverly Heights community.

Chapter 9, Lents Sewer Line Analysis. The purpose of this chapter is to examine the existing sewer collection system of the Lents Trunk line and the City of Milwaukie's agreement with the City of Portland. The Lents Trunk line begins near 162nd Avenue and SE Foster Road and ends in the Sellwood neighborhood of Portland at the Willamette River.

Chapter 10, Staffing Needs. The purpose of this chapter is to provide a recommendation for staffing needs within the City of Milwaukie's Engineering and Wastewater Operations departments.

Chapter 11, Cost of Service Study. A cost of service study was prepared (an update of one prepared for the City in 2005) and is summarized in Chapter 11. The study addresses the planned capital improvements and provides a defensible wastewater SDC rate to generate funding to meet the infrastructure needs of growth without unduly burdening existing residents and business owners.

Recommended Wastewater Rate Increase Schedule

Fiscal Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Increase	7%	8%	8%	7%	7%	4.5%	4.5%	4.5%	4.5%	4.5%

An updated System Development Charge (SDC) for the collection system was also calculated in the analysis. Shown in the table below is the recommended wastewater SDC in terms of charge

per Equivalent Dwelling Unit (EDU) (the fee assessed to a single family house that connects to the system).

<i>SDC component</i>	<i>Current Rate</i>	<i>Recommended Rate</i>
Improvement	\$ 566.00	\$ 613.00
Reimbursement	\$ 327.00	\$ 476.00
Administrative	\$ -	\$ 12.00
Total (per EDU)	\$ 893.00	\$ 1,101.00

This recommendation is an increase of \$208 over the City's current rate. Below is a cost comparison to other surrounding sanitary districts.

<i>Sanitary District</i>	<i>Cost for One New Residential EDU</i>
Clackamas County - WES	\$ 6,600.00
Gresham	\$ 5,056.00
Happy Valley - WES	\$ 6,600.00
Lake Oswego	\$ 2,265.00
Oregon City - Tri-Cities	\$ 4,788.00
Portland	\$ 4,089.00
West Linn - Tri Cities	\$ 4,960.00
Oak Lodge Sanitary District	\$ 5,165.00

Cost of service recommendations are summarized below.

1. Construct the Capital Improvement Projects listed in Chapter 5. The utility's rate structure should include provision for the construction of the projects.
2. Begin funding system replacement with a rate that recognizes and accounts for the system's depreciation.
3. Begin funding the Capital Maintenance Program per Chapter 7. Following the recommendations of this plan, which identifies specific areas to be corrected after prioritizing the inspected system, continue to inspect the system and prioritize corrective action.
4. Obtain easements for the existing Waverly area sewer where they do not exist for completing option 4 from the alternatives section of Chapter 8. Option 4 proposes to relocate existing lines that run north south on private property to both Cambridge Lane and the abandoned railroad right-of-way adjacent to the Waverly golf club. This solution will provide better service as well as access to operations for routine maintenance.
5. Conduct a study of the City boundary for interjurisdictional connections and draft new IGA's with those providers to provide a clear understanding of billing and maintenance issues. Milwaukie's Urban Growth Management Area (UGMA) is now nearly completely

served by a wastewater service provider, either the City (Dual Interest Area A) or CCSD#1.

6. Implement the new SDC and rate recommendations. This will require an additional study and recommendation by the Citizens Utility Advisory Board (CUAB), and adoption of a separate resolution by City Council. Staff anticipates this will occur later in 2011.

Revised System Development Charge and Rates

The adoption of the Wastewater Master Plan does not by itself effect a change to the wastewater rates or wastewater SDC.

System Development Charges are adopted when a SDC Study is done, which typically follows the adoption or update of a master plan. The City Council then passes a resolution adopting the methodology, updated list of projects as appropriate, and SDC rates from the SDC Study. The City Council may elect to phase-in increases or agree to something other than full-SDC cost recovery.

For wastewater rates, the Fees Schedule will be updated in the future to include updated utility rates pursuant to CUAB recommendations and indexed SDCs for inflation. This is usually done annually along with the adoption of the budget until a new SDC Study is performed to establish new rates and/or methodologies.

Comprehensive Plan Amendments

In addition the WWMP document itself, staff is proposing limited amendments to the text of the Comprehensive Plan. See Attachment 1, Exhibit C – Comprehensive Plan Amendments. Most of the edits are factual edits that reflect the completion in 2011 of the Northeast Sewer Extension project, which provided new sewer service to an area along Johnson Creek where many homes had septic systems. Current policy on the Kellogg Wastewater Treatment Plant (KWTP), which states that the plant should eventually be decommissioned or downsized, would remain. Some text dealing with the specific operations of KWTP are proposed to be removed because the long term capacity and operation of the plant is not the responsibility of the City.

The following explains the amendments in Attachment 1, Exhibit C:

Chapter 3 - Environmental and Natural Resources

Air, Water and Land Resources Quality Element

- Page 1, Paragraph 4 - The City recently completed a capital project to extend sewer service to an unincorporated area northeast of Milwaukie, allowing residents to connect to service as needed upon annexation to the City. This paragraph is updated to reflect completion of this project.
- Page 1, Paragraph 5 – Deletes information related to capacity at the KWTP and the City's sewer lines. The plant is not operated by the City and the data on both issues is too detailed to be appropriate for the Comprehensive Plan.
- Objective 4, Policy 1: The proposed edits would make the policy more focused on reducing the impacts of KWTP and less specific about the plant being replaced or overhauled.

- Objective 4, Policy 2: The proposed edits reflect the facts that the City is not involved in the District's coordination with DEQ about KWTP expansion or construction.
- Objective 4, Policy 3: The proposed edits delete text emphasizing the City's policy to extend sewer to the northeast Milwaukie area. This project was completed in 2011; the policy is no longer necessary.

Chapter 4 - Land Use

Recreational Needs Element

- Objective 7, Policy 5: The City's policy on the KWTP is revised to reflect current direction by City Council that the City may pursue downsizing the KWTP rather than decommissioning.

Willamette Greenway Element

- Objective 7, Policy 1: Editorial change to have the wastewater treatment plant named consistently throughout the document.

Chapter 5 - Transportation, Public Facilities and Energy Conservation

Public Facilities and Services Element

- First paragraph following "Sewer Services": Information related to capacity at the KWTP is deleted. The plant is not operated by the City, and the data is too detailed to be appropriate for the Comprehensive Plan. The new language simply reflects that the City has agreements with other agencies for the treatment of its wastewater.
- Second paragraph following "Sewer Services": Updated text acknowledges that CCSD #1 is purchasing capacity at other plants to alleviate capacity constraints at KWTP.
- First new paragraph: Proposed new text identifies the new WWMP document, its scope, and the City's upcoming capital project based on the plan.
- Last paragraph: Revisions reflect the recent completion of the northeast sewer extension project.

Objective #5 - Sanitary Sewer Service

- Policy 1: Edits to this policy make it more general, stating that the City will continue to contract for treatment of its wastewater, rather than having a specific focus on KWTP. The City currently contracts with both CCSD and City of Portland.
- Policy 5: Proposed additional text reflects that the City may pursue downsizing the KWTP rather than decommissioning. Deletes text that prioritizes benefits to the region as a basis for wastewater treatment agreements. Consideration of the region's best interests is important and needs to be balanced with the benefits and burdens to individual partners within the region.

Staff provided required notice for the proposed amendments to the Oregon Department of Land Conservation and Development and Metro. Legal notice of the Planning Commission and City Council hearings for the Master Plan were published in the *Clackamas Review* newspaper. Staff did not conduct broad outreach regarding this plan because it mostly affects the maintenance

and operations of the City's wastewater system and does not have long-range policy implications. Further notice and opportunity for input will occur as the City takes the steps necessary to revise the wastewater system rates and SDC.

Clackamas County Service District #1, the City of Portland, and Oak Lodge Sanitary District were given notice of the plan and amendments. Staff opted to provide notice to these entities after the Milwaukie Planning Commission had recommended approval to ensure that major changes would not be made once notice was given.

CONCURRENCE

The Milwaukie Planning Commission discussed the Wastewater Master Plan at a work session in April 2011 and voted to recommend adoption of the plan and associated Comprehensive Plan amendments at its May 24, 2011 meeting. The proposal forwarded to Council by the Planning Commission is contained in Attachment 1 – Ordinance, and its exhibits.

In addition to recommending approval, the Planning Commission directed staff to forward the following comments to Council:

- The Planning Commission did not study the financial impacts resulting from the Wastewater Master Plan in depth. They defer to the work and recommendations of the Council and Citizen's Utility Advisory Board on these matters.
- The Planning Commission wanted to bring to Council's attention the standard operating procedures for continued operation of the City's wastewater system in the event of a disaster. These procedures are documented in Attachment 2. Staff was able to describe the basic emergency operation procedures for the Planning Commission at the May 24, 2011 hearing. The Planning Commission felt it would be important for City Council to review this information and understand the need for ongoing emergency preparedness planning and investments.

The Citizen's Advisory Board (CUAB) has participated throughout development of the master plan and helped with its review. This group has also seen and approved the proposed rate increase for fiscal year 2012 to support the replacement project

An Open House for the plan was held on February 25, 2009 at the Public Service Building. In spite of a targeted outreach effort, twelve people signed in at the open house. The concerns voiced were with the Kellogg Treatment Plant (difficult to understand the treatment cost issues, willing to pay more for treatment to have Kellogg plant decommissioned) and the extension of service outside the City (people in the affected unincorporated area do not support annexation).

FISCAL IMPACT

Adoption of this document does not create fiscal impacts; project funding and or rate changes would require further council action.

WORK LOAD IMPACTS

No additional work load will be added as a result of adopting this document. The Master Plan should aid the efficiency of the Engineering and Public works staff in the maintenance of the waste wastewater infrastructure and capital project planning.

ALTERNATIVES

1. Continue the hearing to further evaluate the proposed amendments and ordinance.
2. Continue the hearing and direct staff to modify the proposal.

If Council suggests specific modifications, staff would make changes to the appropriate documents, and would bring the revised documents back to Council at a future date for adoption. The amount of time before coming back to Council would depend on scope of the changes requested.

3. Deny the proposed amendments and ordinance.

Staff would continue to maintain the system as it has been for the past 17 years, with limited guidance from the adopted 1994 Master Plan.

ATTACHMENTS

1. Ordinance
 - Exhibit A: Findings of Approval
 - Exhibit B: 2010 Wastewater Master Plan
 - Exhibit C: Amendments to the Comprehensive Plan – underline/strikeout edits
 - Exhibit D: Amendments to the Comprehensive Plan – clean copy

ATTACHMENT 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE 2010 WASTEWATER MASTER PLAN AS AN ANCILLARY DOCUMENT TO THE MILWAUKIE COMPREHENSIVE PLAN, AND AMENDING THE MILWAUKIE COMPREHENSIVE PLAN, CHAPTERS 3, 4 AND 5. (LAND USE FILE #CPA-10-02).

WHEREAS, THE City of Milwaukie desires to use best practices and information to maintain its wastewater conveyance systems; and

WHEREAS, the Milwaukie Comprehensive Plan, Chapter 5, Public Facilities and Services Elements, Objective #3, Policy 1 calls for the City to maintain a plan to identify needed facilities to support the land uses as shown on the Comprehensive Plan land use map and within the Urban Growth Management Boundary, and for such plan to be part of the Comprehensive Plan; and

WHEREAS, the Milwaukie Engineering Department has prepared the 2010 Wastewater Master Plan with input from the City Council, Citizens Utility Advisory Board, and Planning Commission; and

WHEREAS, the 2010 Wastewater Master Plan establishes projects and fees for the wastewater system that are necessary for the on-going provision of adequate wastewater service to the City; and

WHEREAS, the City has filed a legislative land use application, File #CPA-10-02, for Comprehensive Plan Amendments, and processed that file according to the procedures for legislative amendments in the Milwaukie Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on May 24, 2011 and recommended that the City Council approve the amendments proposed in File #CPA-10-02; and

WHEREAS, the City Council held a public hearing on June 21, 2011 and finds the amendments are in the public interest of the City of Milwaukie;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. Findings of fact in support of the proposed amendments are adopted by the City Council and attached as Exhibit A.

Section 2. 2010 Wastewater Master Plan, ancillary document to the Comprehensive Plan. The 2010 Wastewater Master Plan in Exhibit B is adopted as an ancillary document to the Comprehensive Plan.

Section 3. Comprehensive Plan Text Amendment. The Comprehensive Plan text is amended as described in Exhibit C (underlines/strikeout edits) and Exhibit D (clean version).

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney

Document2 (Last revised 09/18/07)

ATTACHMENT 1 - Exhibit A

**Findings in Support of Approval
Land Use File CPA-10-02**

1. The City of Milwaukie (“applicant”) has submitted an application for approval of a Comprehensive Plan amendment to adopt the 2010 Wastewater Master Plan (WWMP) as an ancillary document to the Milwaukie Comprehensive Plan. The applicant has also requested approval of amendments to existing text in the following sections of the Comprehensive Plan: Chapter 3, Environmental and Natural Resources– Air, Water, and Land Resources Element; Chapter 4, Land Use – Recreational Needs Element; Chapter 5, Transportation, Public Facilities, and Energy Conservation – Public Facilities and Services Element.
2. A Comprehensive Plan amendment is subject to Milwaukie Municipal Code (MMC) Subsection 19.1011.5 Legislative Review; Chapter 19.900 Amendments and Comprehensive Plan, Chapter 2, Plan Review and Amendment Process.
3. Public notice has been provided in accordance with MMC Subsection 19.1011.5 Legislative Review. The Planning Commission held a duly advertised public hearing on May 24, 2011, and passed a motion recommending that the City Council approve the Comprehensive Plan amendment. The City Council held a duly advertised public hearing on June 21, 2011, and approved the Comprehensive Plan amendments.
4. MMC Chapter 19.900 Amendments sets out the procedures and requirements for Comprehensive Plan amendments. The proposed Comprehensive Plan amendment is consistent with this chapter as follows:
 - A. MMC 19.902 governs the procedures for processing amendments. The application is a Comprehensive Plan amendment and has been processed in accordance with MMC 19.1011.5 Legislative Review. Notice was provided to the Oregon Department of Land Conservation and Development on July 29, 2010 and again on April 6, 2011. Notice was provided to Metro on April 27, 2011, and a Functional Plan analysis will be provided to Metro at least 15 days prior to the final hearing on the proposed change.
 - B. MMC 19.905 states the approval criteria for all amendments. The City Council finds that the proposed amendment complies with these criteria as follows:
 - i) MMC 19.905.1.A requires the proposed amendment to conform to applicable Comprehensive Plan goals, policies, and objectives and be consistent with the provisions of City ordinances, Metro urban growth management functional plan, and applicable regional policies.

The City Council finds that the proposed amendments conform to the provisions of these documents as demonstrated under the findings for Milwaukie Comprehensive Plan Chapter 2, Plan Review and Amendment Process, Objective #1, Policy 7.

Conformance with the Comprehensive Plan, its goals, policies, and spirit

**Chapter 5 – Transportation / Public Facilities / Energy Conservation:
Public Facilities and Services Element**

Objective #1—Priority

To ensure that adequate levels of public facilities and services are provided to existing City residents and businesses as a first priority as urban development or growth occurs.

Finding: The purpose of the WWMP is to allow the City to identify and budget for projects that will help the City maintain adequate wastewater service.

Objective #2—Coordination, Policy 2: The City will negotiate intergovernmental agreements with service providers to outline service responsibilities as city growth occurs.

Finding: The WWMP summarizes existing intergovernmental agreements related to wastewater management, and recommends points for future negotiation and consideration in these agreements.

Objective #3 – Community Development, Policy 1: The City will maintain a Public Facilities Plan in conformance with other Plan elements and Statewide Planning Goals. The Public Facilities Plan is part of the Comprehensive Plan. The Public Facilities Plan will identify needed facilities to support the land uses as shown on the Comprehensive Plan land use map and within the Urban Growth Management Boundary.

Finding: The City does not have a consolidated Public Facilities Plan covering the City's entire infrastructure. The City has adopted various individual master plans that, in effect, substitute for having a consolidated Public Facilities Plan. Adopting the WWMP and other master plans as ancillary documents to the Comprehensive Plan furthers the intent of officially adopting the various master plans into the overall Comprehensive Plan. The WWMP identifies projects that are needed for the City to provide wastewater service based on current and planned land uses within Milwaukie's Urban Growth Management Area.

The WWMP does not impact the existing 1990 North Clackamas Urban Area Facilities Plan. This plan deals with the larger coordination of wastewater services amongst agencies serving the North Clackamas Urban area, while the WWMP is focused on the operation and maintenance of Milwaukie's existing sewer infrastructure.

Objective #3 – Community Development, Policy 2: Public facilities improvements should be made as properties develop. These improvements shall be consistent with the land use map and Public Facilities Plan.

Finding: The WWMP supports this policy by establishing a methodology for establishing wastewater system development charge fees. These fees are charged at the time that development utilizes the wastewater system and the fee amount is proportional to the added impacts to the system.

Objective #5 – Sanitary Sewer Service

Finding: This objective contains 5 policies related to wastewater service. The proposal includes amendments to the text of this section of the Comprehensive Plan to be consistent with the WWMP. The WWMP does not propose new policies, and instead amends portions of the existing policies in this objective.

Public need for the change

Finding: The policies within Chapter 5, Public Facilities and Services Element clearly support the creation of public facility master plans to manage the provision of urban services as the city grows and redevelops. It also calls for these plans to be adopted as part of the Comprehensive Plan. The WWMP is in conformance with these policies in that it is a plan that identifies projects to be completed so that the City can continue to provide adequate wastewater service. It is a needed change in that the current master plan for wastewater service was adopted in 1994 and is out of date.

Public need is best satisfied by this particular change

Finding: The WWMP establishes projects that need to be completed to continue to provide adequate wastewater service. The scope of the WWMP deals with the portions of the wastewater system that is operated and maintained by the City. The WWMP does not specifically address larger issues related to the Kellogg Wastewater Treatment Plant because this is not owned or operated by the City. The public need is best satisfied by this particular change because the City needs to adopt a plan for operating and maintaining portions of the wastewater system for which it is responsible.

The proposed amendments to the text of the Comprehensive Plan would not change existing policy regarding wastewater service or agreements with other agencies. Overall, the amendments help to simplify the existing Comprehensive Plan text related to wastewater and incorporate more specific information into the WWMP as an ancillary document.

The change will not adversely affect the health, safety, and welfare of the community

Finding: The change will benefit the health and safety of the community by helping the City maintain a functioning wastewater system. The WWMP does not commit the City to any future agreements or actions related to treatment of wastewater that would be detrimental to the community welfare.

The change is in conformance with applicable Statewide Planning Goals

Finding: The WWMP is in conformance with Goal 11, Public Facilities and Services, in that it identifies how the city will continue to maintain a wastewater system that is appropriate for the city's current and planned land uses, and addresses the coordination of wastewater service among the various service providers. It also supports Goal 6, Air, Water and Land Resources Quality by maintaining a functioning wastewater system that avoids pollution of streams and groundwater.

The change is consistent with Metro Growth Management Functional Plan and applicable regional policies

Finding: The Urban Growth Management Functional Plan does not specifically deal with the provision of wastewater service. The WWMP is generally consistent with the intent of the Urban Growth Management Functional Plan in that it helps the City plan for the on-going provision of adequate wastewater service to support residential, commercial, and industrial development in the Milwaukie. There are no other applicable regional policies.

- ii) MMC 19.905.1.B requires that the anticipated development meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area; the predominant land use pattern and density of the area; the potential for mitigation measures adequately addressing development effects; any expected changes in the development pattern for the area; the need for uses allowed by the proposed zone amendment; and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The planning commission and city council shall use its discretion to weigh these factors in determining the intent of the proposed zone.

Finding: Not applicable. No change in zoning is proposed.

- iii) MMC 19.905.1.C requires that the proposed amendment will meet or can be determined to reasonably meet applicable regional, state, or federal regulations

Finding: As demonstrated above, the adoption of the WWMP is consistent with regional and state goals. There are no identified federal regulations that the WWMP is inconsistent with.

- iv) MMC 19.905.1.D requires that the proposed amendment demonstrate that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area. A transportation impact study (TIS) may be required subject to the provisions of MMC Chapter 19.1400.

Finding: The proposed amendment does not change the zoning or Comprehensive Plan land use designations. The WWMP aids the City in providing adequate services by establishing costs for development to allow the City to maintain adequate wastewater service.

- v) MMC 19.905.1.E requires that the proposed amendment be consistent with the functional classification, capacity, and level of service of the transportation system.

Finding: The proposed amendments do not impact the transportation system.

- 5. The Wastewater Master Plan has been presented in its draft form to the public and various City bodies and departments. It was presented to the public at an open house event on February 25, 2009. It was discussed by the Citizens Utility Advisory Board from January 2008 through April 2011, and this group has endorsed the Wastewater Master

Plan for adoption. It was presented to City Council in March 2009, May 2009, April 2011. It was presented to the Planning Commission in August 2010 and March 2011. The Wastewater Master Plan has review and concurrence from the Milwaukie Engineering Department, Community Development Department, Finance Department, and Planning Department.

ATTACHMENT 1 - Exhibit B

Link to Wastewater Master Plan:

http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/milwaukie_wwmp_051111.pdf

New text is shown in double underline. Deleted text is shown in ~~strikeout~~. Only the portions of the Comprehensive Plan included below are amended.

CHAPTER 3 — ENVIRONMENTAL AND NATURAL RESOURCES

OPEN SPACES, SCENIC AREAS, AND NATURAL RESOURCES ELEMENT

OBJECTIVE #1 — OPEN SPACE

Policies

11. With the exception of the Kellogg-Creek-Sewage Wastewater Treatment Plant and the land surrounding the plant, the City will designate as Public Lands those areas which are existing parks or publicly utilized areas, or City owned properties containing natural resource areas, and will assure that these areas are managed according to open space policies, natural resource policies, and parks and recreation policies, as appropriate. Areas designated Public Lands shall be identified on the Land Use Plan Map, Map 7.

AIR, WATER AND LAND RESOURCES QUALITY ELEMENT

GOAL STATEMENT: To meet federal and State air, noise and water quality standards.

Background and Planning Concepts

Water Quality

One significant ~~The only~~ potential point source for water pollution is the Kellogg-Creek Wastewater Treatment Plant, operated by Clackamas County Service District #1 (CCSD#1).

DEQ has designated Milwaukie as a “sensitive ground water area.” This means the area has been identified as having sensitive aquifers, high groundwater, or soil types which do not allow good percolation, or a combination of these qualities. Water quality problems are most likely to occur in areas with high groundwater and inadequate septic tank systems. Potential water quality impacts from underground storage tanks, storm drainage and chemical spills are also possible.

Milwaukie’s water supply is already experiencing problems. In the summer of 1988, trichloroethylene (TCE) was discovered contaminating three of the City’s seven municipal wells. The City has since contracted for water with the City of Portland and is exploring methods, such as aeration systems, to eventually return to the use of City wells for water supply. DEQ is also investigating to determine if the TCE contamination is of regional concern.

Sanitary sewers are provided in Milwaukie and are required for all new uses. ~~An area along Johnson Creek and portions of the Wichita/Stanley area to the east of the City do not have sanitary sewer service and probably contribute to the water quality problems in Johnson Creek.~~ There is an area along Johnson Creek and portions of the Wichita/Stanley area that began to connect to sanitary sewer in 2010. The lack of sanitary sewer service in the area prior to this time, and the properties in the area that continue to use private septic systems, probably contribute to the water quality problems in Johnson Creek. Agricultural uses along Kellogg Creek and commercial uses and waterfowl usage along Minthorn Spring Creek contribute to low water quality in these waterbodies.

Milwaukie’s sewage treatment needs are provided by ~~Clackamas Service District #1 (CCSD #1).~~ This agency operates the Kellogg-Creek-Sewage Wastewater Treatment Plant, which is the only one significant potential local point source for water pollution. ~~Milwaukie contracts with the District for 40% of the plants capacity, which is designed to eventually handle the sewage~~

Proposed Comprehensive Plan Amendment

requirements of 200,000 people. A 1984 “inflow and infiltration” study identified deteriorated sewer lines in the City. Funding sources, timing of replacement pipe, and improvement locations are identified in the Public Facilities Plan.

OBJECTIVE #4 — WATER QUALITY

To assist federal and State environmental regulation agencies in their efforts to maintain and improve the quality of the water resources of the State and City.

Policies

1. Milwaukie will continue to support and participate in regional planning programs to improve sanitary sewer services in the area. The City will continue to cooperate with Clackamas County Service District #1 (CCSD #1) for the collection and treatment of sanitary sewage. ~~Such cooperation shall include cooperation with CCSD1 regarding regionalized wastewater treatment and replacement or major overhaul of the Kellogg Creek Wastewater Treatment plant to eliminate impacts of that plant on the City and the neighborhood. One effect of regionalization should be to eliminate impacts to the City and the neighborhood from the Kellogg Wastewater Treatment Plant.~~
2. Milwaukie will continue to submit plans to DEQ for approval of any sewage plant construction or expansion, and extensions of sewer systems prior to construction, ~~to DEQ for approval.~~ The City will continue to work with the State to identify and certify construction grant applications and will explore alternative funding sources for sewer system needs.
3. Milwaukie will participate in studies and encourage the prompt implementation of resulting plans to provide sanitary sewer service to surrounding unsewered areas. ~~Particular emphasis is placed on completing sanitary sewer extensions to areas contributing to water quality problems in Johnson Creek.~~
4. Milwaukie recognizes and assumes its responsibility for operating, planning and regulating wastewater systems as designated in Metro's Waste Treatment Management Component.
5. The City will cooperate with State and federal regulatory programs to protect domestic groundwater resources from potential pollution.

CHAPTER 4 — LAND USE

RECREATIONAL NEEDS ELEMENT

OBJECTIVE #7 — RIVERFRONT RECREATION

To maximize the recreational use of the Willamette River shoreland and waterways.

Planning Concepts

The Willamette River shoreland and waterways offer the most significant potential to improve recreational opportunities in Milwaukie. A 1979 Port of Portland report and a 1986 Marketing Study analyzed the feasibility for developing the City boat launch area as a marina. A marina near downtown, linked with public lands such as the grounds of the Kellogg Wastewater Treatment Plant, Elk Rock Island, and Spring Park would form a riverfront corridor providing a variety of river-oriented experiences. Even more significant is the notion of the riverfront area linked to the proposed 40-mile loop trail system (see Map 8) with potential for a southern arm extending to North Clackamas Park.

Policies

1. The City will develop a Greenway Design Plan to guide the implementation of its Willamette Greenway Program.
2. Existing waterfront park lands will be developed to maximize use and enjoyment of the river, while maintaining the environmental integrity of sensitive areas (See corresponding policies in Open Space, Natural Resources and Greenway Elements).
3. Public and private uses shall be combined in any mixed used development in the commercial area along the Willamette River. Any mixed use development shall include public access and open space considerations along the length of the riverfront connecting to existing paths. Other public uses may include a public gathering place, such as an amphitheater, or a marina or other special use facilities.
4. The City will cooperate with the City of Portland to encourage suitable recreational use of Elk Rock Island.
5. The Downtown and Riverfront Land Use Framework Plan anticipates redevelopment of the Kellogg Wastewater Treatment Plant site. The City will make reasonable efforts to reduce the area of land devoted to the Kellogg Wastewater Treatment Plant or bring about the decommissioning of the Kellogg Wastewater Treatment Plant. The City will make these efforts in an expeditious but orderly fashion that assures proper sewage treatment for Milwaukie citizens while effectuating a transition to treatment at another location. Reasonable efforts may include revising the Zoning Ordinance to make the existing facility a nonconforming use and restricting any modification of the sewage treatment use at that site. Riverfront access will be maintained with any redevelopment of the treatment plant site.
6. The Parks and Recreation Master Plan should address the idea of connecting the riverfront area to the proposed 40-mile loop trail system with a southern arm extending to North Clackamas Park.

WILLAMETTE GREENWAY ELEMENT

OBJECTIVE #7 — CENTRAL RIVERFRONT

To acquire property necessary for public open space, public trails, riverfront access and riverfront-related development, consistent with the Downtown and Riverfront Land Use Framework Plan.

Policies

1. The City has adopted a Downtown and Riverfront Land Use Framework Plan to reconnect downtown Milwaukie to the Willamette River. The Willamette River, Johnson Creek, and Kellogg Creek all provide beautiful natural borders to the downtown area. The Downtown and Riverfront Land Use Framework Plan capitalizes on these natural resources, by restoring the creeks and connecting the river to the historic blocks of downtown. The plan implements updated designations for the riverfront and addresses the following issues:
 - Public access.
 - Safe pedestrian access across McLoughlin Boulevard.
 - Public recreational use.
 - Natural resource protection.
 - Historic resource protection.
 - Visual access.
 - Transportation.
 - Riverfront-related commercial development and redevelopment.
 - Public-private partnerships for the riverfront.
 - Redevelopment of Kellogg-Creek ~~Sewage~~ Wastewater Treatment Plant.

CHAPTER 5 — TRANSPORTATION, PUBLIC FACILITIES AND ENERGY CONSERVATION

PUBLIC FACILITIES AND SERVICES ELEMENT

GOAL STATEMENT: To plan, develop and maintain a timely, orderly and efficient arrangement of public facilities and services to serve urban development.

Background and Planning Concepts

Milwaukie provides a full range of services needed to support urban development. Statewide Goal #11 states that development should be provided with services at levels “appropriate for, but not limited to, the needs and requirements of . . . the area to be served.” To satisfy Goal #11, each jurisdiction is required to develop a Public Facilities Plan (PFP) which will outline water, sanitary sewer, storm sewer, and transportation projects needed over the next two decades, their timing, costs, and possible funding sources.

The City has commissioned two urban services studies: the Cogan Report (1983) and the Don Barney Study (1987), to define how the City should respond to service needs in unincorporated but developed areas surrounding the City. As a result, the City adopted an Urban Services Policy and Urban Growth Policies that serve to guide the City’s response to urban service needs outside of its present city boundaries.

To adequately respond to and to plan for public facilities and service needs, the City found it had to establish an ultimate boundary for the area within which City services may be offered. The City Growth and Governmental Relationships chapter of the Plan establishes long and short term strategies to work with Clackamas County, cities, and numerous service districts in identifying and evaluating alternatives for the ultimate provision of urban services. The State PFP rule requires intergovernmental agreements between the County, cities, and service districts that outline the responsibility for provision of urban services. The City is negotiating these agreements with the jurisdictions surrounding Milwaukie.

The overriding concepts for public facilities and services are to improve conditions for existing residents and businesses, to plan for and make available facilities and services for development within the City and within the City’s growth area, and to cooperate with other public and semi-public agencies in providing the best services at the lowest cost.

Following are brief descriptions of the conditions and problems of facilities and services.

Sewer Services

Milwaukie’s sewage collection system is installed and maintained by the City but is integrated into the Clackamas County Service District #1 (CCSD #1) system. The District owns and operates the Kellogg-Creek treatment plant Wastewater Treatment Plant, which serves the cities of Milwaukie and Johnson City as well as the unincorporated areas in the district District. ~~The plant is designed to provide treatment for 10 million gallons of sewage per day (MGD) but currently provides treatment for 6.4 MGD. Milwaukie purchased 4 MGD of treatment capacity, which represents 20% of the plant’s capacity at full development but 40% of today’s capacity. The City utilizes only 3 MGD of capacity which leaves sufficient capacity to accommodate projected full development in the City. The City also has agreements with the City of Portland and Oak Lodge Sanitary District for wastewater service to a limited number of properties within the city.~~

To alleviate capacity concerns at the Kellogg Wastewater Treatment Plant created by growth outside the city, Clackamas County Water Environment Services (WES) is expanding the

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treatment capacity at the Tri-Cities Wastewater Treatment Plant in Oregon City. CCSD #1 is purchasing capacity at the Tri-Cities Wastewater Treatment Plant.

~~Based on population growth and economic development, the Kellogg treatment plant may need to expand or additional treatment facilities may need to be constructed elsewhere. Projections indicate the treatment capacity needed is 20 MGD, double what was originally planned. The District has purchased sufficient land south of the present plant to accommodate the expansion. If the plant is expanded, Milwaukie's financial arrangement with the District may have to be renegotiated. Plant expansion may also encroach into Milwaukie neighborhoods as well as into the Greenway.~~

In 2010 the City adopted a Wastewater Master Plan (WWMP) as an ancillary document to the Comprehensive Plan. The WWMP deals with the portions of the wastewater system controlled by the City of Milwaukie, such as sewer pipes and pump stations. The WWMP does not address operation or maintenance of sewage treatment facilities, nor associated rates for these services, because these facilities are owned and operated by other agencies. In the WWMP, the City has identified and prioritized the most problematic areas in the City's sewer system and placed them into a new capital improvement maintenance program.

Milwaukie recently conducted inflow and infiltration (I & I) studies which indicated potential I & I problems during wet weather periods in the older portion of the collector system. This resulted in some line rehabilitation with more scheduled.

CCSD #1, in conjunction with the City of Milwaukie, completed a study in 1987, that identified sewer needs in ~~this area,~~ the Johnson Creek/Lents Interceptor drainage basin. The Lents Interceptor is part of the City of Portland's system but traverses this section of Clackamas County. The study identified Milwaukie as the logical provider of sanitary sewers in the area west of Linwood Avenue to the City limits- and labeled this area "Dual Interest Area "A." Since both Milwaukie and CCSD #1 have agreements with Portland to utilize the Interceptor, both agencies could serve the unincorporated area that drains to this interceptor. The City and Clackamas County have signed an intergovernmental agreement that has resulted in the City becoming the sewer service provider for Dual Interest Area "A." ~~has informed CCSD #1 of its intention to provide service in its Urban Growth Management Boundary.~~

Because Milwaukie's annexation activity has resulted in annexation into CCSD #1 territory, and because of the potential treatment plant expansion, Milwaukie is renegotiating its contract with CCSD #1.

OBJECTIVE #5 — SANITARY SEWER SERVICE

To continue to provide adequate wastewater collection and treatment to all Milwaukie residents.

Policies

1. The City will continue to contract for wastewater treatment and services and will comply with federal and State clean water requirements in managing the wastewater collection system. ~~The City will continue to cooperate with the Clackamas County Service District No. 4 in contracting for capacity of the Kellogg Creek Treatment Plant or other plant or plants. The City will comply with Federal and State clean water requirements in managing the wastewater collection system.~~
2. The City will maintain and improve the existing sanitary sewer system through preventive maintenance and ongoing appraisal.
3. The City will ensure that all future residents are provided with adequate wastewater collection services.

4. The City recognizes and assumes its responsibility for operating, planning, and regulating wastewater systems as designated in Metro's Waste Treatment Management Component.
5. The City will use best efforts to decommission or downsize the Kellogg-Creek Wastewater Treatment Plant and will cooperate with the County, county service districts, Metro, other affected cities, and other parties in examining feasible alternatives for sewage disposal in the transition from the Kellogg-plant Wastewater Treatment Plant to some other sewage treatment facility. The existing plant is aging and will continue to need constant expensive upgrades. A new plant with modern technology and design and economies of scale will provide better sewage treatment and environmental protection. The City's preferred alternative is a regionalized system with a single plant serving all of the area currently served by CCSD ~~No. #1~~, the Tri-City Service District, and the City of Milwaukie. Such a system would provide for better, more environmentally-friendly sewage treatment, and result in economies of scale. While the City believes this is the best solution, the City is committed to cooperate with other governmental entities and work towards a long-range sewage treatment system ~~that is the best for the region~~. Future sewage and wastewater facility plans, and related planning efforts, shall take into account and plan for a regional sewage system and facility other than the current Kellogg-Creek-plant Wastewater Treatment Plant.

Only the portions of the Comprehensive Plan included below are amended.

CHAPTER 3 — ENVIRONMENTAL AND NATURAL RESOURCES

OPEN SPACES, SCENIC AREAS, AND NATURAL RESOURCES ELEMENT

OBJECTIVE #1 — OPEN SPACE

Policies

11. With the exception of the Kellogg Wastewater Treatment Plant and the land surrounding the plant, the City will designate as Public Lands those areas which are existing parks or publicly utilized areas, or City owned properties containing natural resource areas, and will assure that these areas are managed according to open space policies, natural resource policies, and parks and recreation policies, as appropriate. Areas designated Public Lands shall be identified on the Land Use Plan Map, Map 7.

AIR, WATER AND LAND RESOURCES QUALITY ELEMENT

GOAL STATEMENT: To meet federal and State air, noise and water quality standards.

Background and Planning Concepts

Water Quality

One significant potential point source for water pollution is the Kellogg Wastewater Treatment Plant, operated by Clackamas County Service District #1 (CCSD#1).

DEQ has designated Milwaukie as a “sensitive ground water area.” This means the area has been identified as having sensitive aquifers, high groundwater, or soil types which do not allow good percolation, or a combination of these qualities. Water quality problems are most likely to occur in areas with high groundwater and inadequate septic tank systems. Potential water quality impacts from underground storage tanks, storm drainage and chemical spills are also possible.

Milwaukie’s water supply is already experiencing problems. In the summer of 1988, trichloroethylene (TCE) was discovered contaminating three of the City’s seven municipal wells. The City has since contracted for water with the City of Portland and is exploring methods, such as aeration systems, to eventually return to the use of City wells for water supply. DEQ is also investigating to determine if the TCE contamination is of regional concern.

Sanitary sewers are provided in Milwaukie and are required for all new uses. There is an area along Johnson Creek and portions of the Wichita/Stanley area that began to connect to sanitary sewer in 2010. The lack of sanitary sewer service in the area prior to this time, and the properties in the area that continue to use private septic systems, probably contribute to the water quality problems in Johnson Creek. Agricultural uses along Kellogg Creek and commercial uses and waterfowl usage along Minthorn Spring Creek contribute to low water quality in these waterbodies.

Milwaukie’s sewage treatment needs are provided by CCSD #1. This agency operates the Kellogg Wastewater Treatment Plant, which is the one significant potential local point source for water pollution.

OBJECTIVE #4 — WATER QUALITY

To assist federal and State environmental regulation agencies in their efforts to maintain and improve the quality of the water resources of the State and City.

Policies

1. Milwaukie will continue to support and participate in regional planning programs to improve sanitary sewer services in the area. The City will continue to cooperate with Clackamas County Service District #1 (CCSD #1) for the collection and treatment of sanitary sewage. One effect of regionalization should be to eliminate impacts to the City and the neighborhood from the Kellogg Wastewater Treatment Plant.
2. Milwaukie will continue to submit plans to DEQ for approval of any extensions of sewer systems prior to construction. The City will continue to work with the State to identify and certify construction grant applications and will explore alternative funding sources for sewer system needs.
3. Milwaukie will participate in studies and encourage the prompt implementation of resulting plans to provide sanitary sewer service to surrounding unsewered areas.
4. Milwaukie recognizes and assumes its responsibility for operating, planning and regulating wastewater systems as designated in Metro's Waste Treatment Management Component.
5. The City will cooperate with State and federal regulatory programs to protect domestic groundwater resources from potential pollution.

CHAPTER 4 — LAND USE

RECREATIONAL NEEDS ELEMENT

OBJECTIVE #7 — RIVERFRONT RECREATION

To maximize the recreational use of the Willamette River shoreland and waterways.

Planning Concepts

The Willamette River shoreland and waterways offer the most significant potential to improve recreational opportunities in Milwaukie. A 1979 Port of Portland report and a 1986 Marketing Study analyzed the feasibility for developing the City boat launch area as a marina. A marina near downtown, linked with public lands such as the grounds of the Kellogg Wastewater Treatment Plant, Elk Rock Island, and Spring Park would form a riverfront corridor providing a variety of river-oriented experiences. Even more significant is the notion of the riverfront area linked to the proposed 40-mile loop trail system (see Map 8) with potential for a southern arm extending to North Clackamas Park.

Policies

1. The City will develop a Greenway Design Plan to guide the implementation of its Willamette Greenway Program.
2. Existing waterfront park lands will be developed to maximize use and enjoyment of the river, while maintaining the environmental integrity of sensitive areas (See corresponding policies in Open Space, Natural Resources and Greenway Elements).
3. Public and private uses shall be combined in any mixed used development in the commercial area along the Willamette River. Any mixed use development shall include public access and open space considerations along the length of the riverfront connecting to existing paths. Other public uses may include a public gathering place, such as an amphitheater, or a marina or other special use facilities.
4. The City will cooperate with the City of Portland to encourage suitable recreational use of Elk Rock Island.
5. The Downtown and Riverfront Land Use Framework Plan anticipates redevelopment of the Kellogg Wastewater Treatment Plant site. The City will make reasonable efforts to reduce the area of land devoted to the Kellogg Wastewater Treatment Plant or bring about the decommissioning of the Kellogg Wastewater Treatment Plant. The City will make these efforts in an expeditious but orderly fashion that assures proper sewage treatment for Milwaukie citizens while effectuating a transition to treatment at another location. Reasonable efforts may include revising the Zoning Ordinance to make the existing facility a nonconforming use and restricting any modification of the sewage treatment use at that site. Riverfront access will be maintained with any redevelopment of the treatment plant site.
6. The Parks and Recreation Master Plan should address the idea of connecting the riverfront area to the proposed 40-mile loop trail system with a southern arm extending to North Clackamas Park.

WILLAMETTE GREENWAY ELEMENT

OBJECTIVE #7 — CENTRAL RIVERFRONT

To acquire property necessary for public open space, public trails, riverfront access and riverfront-related development, consistent with the Downtown and Riverfront Land Use Framework Plan.

Policies

1. The City has adopted a Downtown and Riverfront Land Use Framework Plan to reconnect downtown Milwaukie to the Willamette River. The Willamette River, Johnson Creek, and Kellogg Creek all provide beautiful natural borders to the downtown area. The Downtown and Riverfront Land Use Framework Plan capitalizes on these natural resources, by restoring the creeks and connecting the river to the historic blocks of downtown. The plan implements updated designations for the riverfront and addresses the following issues:
 - Public access.
 - Safe pedestrian access across McLoughlin Boulevard.
 - Public recreational use.
 - Natural resource protection.
 - Historic resource protection.
 - Visual access.
 - Transportation.
 - Riverfront-related commercial development and redevelopment.
 - Public-private partnerships for the riverfront.
 - Redevelopment of Kellogg Wastewater Treatment Plant.

CHAPTER 5 — TRANSPORTATION, PUBLIC FACILITIES AND ENERGY CONSERVATION

PUBLIC FACILITIES AND SERVICES ELEMENT

GOAL STATEMENT: To plan, develop and maintain a timely, orderly and efficient arrangement of public facilities and services to serve urban development.

Background and Planning Concepts

Milwaukie provides a full range of services needed to support urban development. Statewide Goal #11 states that development should be provided with services at levels “appropriate for, but not limited to, the needs and requirements of . . . the area to be served.” To satisfy Goal #11, each jurisdiction is required to develop a Public Facilities Plan (PFP) which will outline water, sanitary sewer, storm sewer, and transportation projects needed over the next two decades, their timing, costs, and possible funding sources.

The City has commissioned two urban services studies: the Cogan Report (1983) and the Don Barney Study (1987), to define how the City should respond to service needs in unincorporated but developed areas surrounding the City. As a result, the City adopted an Urban Services Policy and Urban Growth Policies that serve to guide the City’s response to urban service needs outside of its present city boundaries.

To adequately respond to and to plan for public facilities and service needs, the City found it had to establish an ultimate boundary for the area within which City services may be offered. The City Growth and Governmental Relationships chapter of the Plan establishes long and short term strategies to work with Clackamas County, cities, and numerous service districts in identifying and evaluating alternatives for the ultimate provision of urban services. The State PFP rule requires intergovernmental agreements between the County, cities, and service districts that outline the responsibility for provision of urban services. The City is negotiating these agreements with the jurisdictions surrounding Milwaukie.

The overriding concepts for public facilities and services are to improve conditions for existing residents and businesses, to plan for and make available facilities and services for development within the City and within the City’s growth area, and to cooperate with other public and semi-public agencies in providing the best services at the lowest cost.

Following are brief descriptions of the conditions and problems of facilities and services.

Sewer Services

Milwaukie’s sewage collection system is installed and maintained by the City but is integrated into the Clackamas County Service District #1 (CCSD #1) system. The District owns and operates the Kellogg Wastewater Treatment Plant, which serves the cities of Milwaukie and Johnson City as well as the unincorporated areas in the District. The City also has agreements with the City of Portland and Oak Lodge Sanitary District for wastewater service to a limited number of properties within the city.

To alleviate capacity concerns at the Kellogg Wastewater Treatment Plant created by growth outside the city, Clackamas County Water Environment Services (WES) is expanding the treatment capacity at the Tri-Cities Wastewater Treatment Plant in Oregon City. CCSD #1 is purchasing capacity at the Tri-Cities Wastewater Treatment Plant.

In 2010 the City adopted a Wastewater Master Plan (WWMP) as an ancillary document to the Comprehensive Plan. The WWMP deals with the portions of the wastewater system controlled by the City of Milwaukie, such as sewer pipes and pump stations. The WWMP does not address

Proposed Comprehensive Plan Amendment

operation or maintenance of sewage treatment facilities, nor associated rates for these services, because these facilities are owned and operated by other agencies. In the WWMP, the City has identified and prioritized the most problematic areas in the City's sewer system and placed them into a new capital improvement maintenance program.

Milwaukie recently conducted inflow and infiltration (I & I) studies which indicated potential I & I problems during wet weather periods in the older portion of the collector system. This resulted in some line rehabilitation with more scheduled.

CCSD #1, in conjunction with the City of Milwaukie, completed a study in 1987 that identified sewer needs in the Johnson Creek/Lents Interceptor drainage basin. The Lents Interceptor is part of the City of Portland's system but traverses this section of Clackamas County. The study identified Milwaukie as the logical provider of sanitary sewers in the area west of Linwood Avenue to the City limits and labeled this area "Dual Interest Area "A." Since both Milwaukie and CCSD #1 have agreements with Portland to utilize the Interceptor, both agencies could serve the unincorporated area that drains to this interceptor. The City and Clackamas County have signed an intergovernmental agreement that has resulted in the City becoming the sewer service provider for Dual Interest Area "A."

Because Milwaukie's annexation activity has resulted in annexation into CCSD #1 territory, and because of the potential treatment plant expansion, Milwaukie is renegotiating its contract with CCSD #1.

OBJECTIVE #5 — SANITARY SEWER SERVICE

To continue to provide adequate wastewater collection and treatment to all Milwaukie residents.

Policies

1. The City will continue to contract for wastewater treatment and services and will comply with federal and State clean water requirements in managing the wastewater collection system.
2. The City will maintain and improve the existing sanitary sewer system through preventive maintenance and ongoing appraisal.
3. The City will ensure that all future residents are provided with adequate wastewater collection services.
4. The City recognizes and assumes its responsibility for operating, planning, and regulating wastewater systems as designated in Metro's Waste Treatment Management Component.
5. The City will use best efforts to decommission or downsize the Kellogg Wastewater Treatment Plant and will cooperate with the County, county service districts, Metro, other affected cities, and other parties in examining feasible alternatives for sewage disposal in the transition from the Kellogg Wastewater Treatment Plant to some other sewage treatment facility. The existing plant is aging and will continue to need constant expensive upgrades. A new plant with modern technology and design and economies of scale will provide better sewage treatment and environmental protection. The City's preferred alternative is a regionalized system with a single plant serving all of the area currently served by CCSD #1, the Tri-City Service District, and the City of Milwaukie. Such a system would provide for better, more environmentally-friendly sewage treatment, and result in economies of scale. While the City believes this is the best solution, the City is committed to cooperate with other governmental entities and work towards a long-range sewage treatment system. Future sewage and wastewater facility plans, and related planning efforts, shall take into account and plan for a regional sewage system and facility other than the current Kellogg Wastewater Treatment Plant.



To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Kenneth Asher, Community Development and Public Works Director
Nicole West, Community Development Coordinator

Subject: Walk Safely Milwaukie Program Funding Recommendations

Date: June 06 for June 21, 2011 Regular Session

ACTION REQUESTED

Approve projects recommended by PSAC for funding under the '10-'11 and '11-'12 Walk Safely Milwaukie Program (WSMP) budget.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Oct 2010: Council approved Resolution 83-2010 to amend the WSMP and move forward with implementation of the program.

June 2010: Council approved Resolution 65-2010 to initiate a three year pilot phase of the Walk Safely Milwaukie Program.

May 2010: Council provided staff feedback from the neighborhoods regarding the proposed WSMP and requested staff revisit expected revenues and refine program elements.

Feb 2010: Staff introduced WSMP concept to Council and requested Council direction for use of new revenues expected under HB 2001B.

BACKGROUND

The Walk Safely Milwaukie Program seeks to promote improved walking conditions and pedestrian safety by empowering Milwaukie's neighborhoods to identify and implement projects that will make walking in Milwaukie a safer, more comfortable and commonplace experience.

Since Council's approval of Resolution 83-2010, Milwaukie neighborhoods have been active in partnering with staff to identify and prioritize potential projects. Activities have included:

Dec 2010: Walk Safely Milwaukie Program Workshop. The workshop included a presentation to provide context for the program, a review of program timeline and responsibilities for staff, NDAs, and PSAC, and break-out sessions for the NDAs to discuss neighborhood impediments to walking, problem locations, and potential solutions. Each neighborhood was provided a binder of print materials and maps to support them during the process.

Feb 2011: NDAs complete Walk Safely Reports. NDA members invested an impressive level of community organizing and neighborhood involvement in soliciting the perspectives and opinions of their neighbors. The reports themselves were high-quality and represent a citizen-created framework for pursuing effective projects on neighborhood streets. Staff addressed questions and concerns about the reports during the April PSAC meeting. Following the meeting, Staff and PSAC produced the attached memo to provide the NDAs comments to each report.

March 2011: Technical Advisory Workshops for each NDA. The workshops provided an opportunity for NDAs to further develop individual project design concepts.

April 2011: NDAs submit final project proposals. A total of 12 project proposals were submitted, on behalf of all seven neighborhoods. Staff reviewed the proposals, gathered additional data where needed, scored each according to the program guidelines, and provided cost estimates. This information was made available to NDAs and PSAC via email communications and the regularly-updated city website. Staff presented the scores to PSAC and fielded questions during the April PSAC meeting. Following the meeting, Staff responded to PSAC/NDA scoring concerns in writing. This response is attached.

May 2011: Project funding recommendations were developed by City Staff, presented to PSAC on May 24, and discussed by the committee in its May meeting. The staff funding recommendation follows from the Program Guidelines as adopted by council resolution 83-2010. The Guidelines state that the Community Development/Public Works Director shall draft a list of projects for funding for PSAC review, and that PSAC shall recommend a final list of projects for the City Council to consider. The Guidelines also direct that resources be allocated in consideration of four factors:

- Overall Project Score
- Cost (Availability of Resources)
- Cost Effectiveness
- Geographic Equity

The staff's funding recommendations attached to this report are intended to serve as background information for Council's funding decision.

Per Resolution 83-2010, the WSMP budget is \$47,000 for the current fiscal year and \$100,000 for each of the other two years of the period (FY11-12 and 12-13). This WSMP allocation is for the first two years (FY10-11 and FY11-12). \$147,000 is available in this WSMP round for all infrastructure projects and awareness/education efforts. Of this, approximately \$500 has been spent on outreach and incentive materials including; Walk and Bike to School Day snacks, a

Walk Safely Milwaukie banner, and print materials used in the December and March workshops. Additionally, PSAC decided to set aside \$3,500 for education and outreach projects that may be proposed later in the year. Thus the **total available funding for design and construction of the proposed WSMP projects is \$143,000.**

The WSMP Program Guidelines establish that PSAC will use staff funding recommendations as a guide to develop a set endorsed by the committee. These recommendations are to be forwarded to City Council within 30 days of receiving the staff recommendations (i.e. by June 23, 2011). Council is to consider the PSAC recommendation to determine the final slate of projects to be funded within this round.

CONCURRENCE

Staff supports the PSAC recommendation.

FISCAL IMPACT

Council's funding recommendation decision will allocate funding for budget years '10-11 and '11-'12, within the funding targets established by Resolution 65-2010.

WORK LOAD IMPACTS

The public engagement process that has been under implementation by Community Development will continue within existing workloads. The Community Development workload is expected to lessen as projects move toward design and construction. Engineering will see increased workloads as it provides survey and design support as well as construction bidding and management for the identified projects within existing workloads.

ALTERNATIVES

Council may outright approve the projects that are proposed by PSAC or may request more information about the proposed projects or background on the process.

ATTACHMENTS

1. PSAC Project Funding Recommendations
2. Joint PSAC/Staff Comments to the Walk Safely Milwaukie Reports
3. WSMP Project Scores Discussion
4. Background Document, Staff Funding Recommendations for PSAC Consideration
5. Resolution

Attachment 1

2011 WSMP PROJECT RECOMMENDATIONS (PSAC) 6-17-2011

PSAC re-examined the WALK SAFELY MILWAUKE PROJECT mission statement, and we feel our rankings are in compliance with the mission statement.

1. ISLAND STATION: RIVER ROAD AND LARK PROJECT (CROSSWALK)

Project has been requested by NDA for over 10 years. It is a very dangerous area with documented high traffic speed. NDA has saved \$10K for this project to provide matching funds.

2. CAMPBELL: HOME AVENUE PATH (SIDEWALK)

This safety request has been made for over 5 years and has been, and is an NDA safety issue. Easement is available for project, and \$5K has been saved by NDA for this project.

3. LEWELLING: STANLEY/WILLOW (CROSSWALK)

Safety of school children, and pedestrians combined with documented high traffic speeds and park usage make this a priority.

4. HISTORIC MILWAUKIE: WASHINGTON AT HIGH SCHOOL (CROSSWALK)

Wish to re-evaluate project without Island, and possibly make area into pedestrian zone.

5. HISTORIC MILWAUKIE: 27th AND HARRISON (CROSSWALK)

Re-evaluate project in light of recent change in school policy which will increase school children foot traffic across an arterial street.

6. CAMPBELL: 42ND AND WASHINGTON (CROSSWALK)

With school closure the volume of pedestrian usage is unknown compared to before. Re-evaluate after school has started, and new bus routes are determined.

7. ARDENWALD: INFILL ON HARVEY/ 32ND TO WATER TOWER (SIDEWALK)

Cost estimates seem low if poles have to be moved for ADA compliance. Request city to review project taking into account "no loss of trees".

8. ISLAND STATION: BLUEBIRD/22nd (CROSSWALK)

Need to re-evaluate after Trolley Trail is completed.

9. LINWOOD: DESIGN OF STANLEY PROJECT (SIDEWALKS)

Want commitment from City that funding in any form will be available to complete project before design dollars are spent. (This project could be moved to number one position if the City can commit to funding the project.)

10. LAKE ROAD: WASHINGTON FROM OAK TO 35th (SIDEWALK)

Radical change from the original project design. Recommend city looks into different funding source outside WSMP. NDA needs to verify they still want the project after the radical alterations to the original project.

\$3500 has been set aside out of the \$143,000 available for years 1 and 2 to fund Awareness and Education projects. Only one NDA-Campbell- has so far requested funding, and that is for support for street painting in front of Homewood Park on Home Avenue to raise awareness of the two entrances to the park. The other 6 NDAs will be able to apply for the \$500 each throughout the next year.

Once the projects have been selected, PSAC feels that the Neighborhood Associations that will be having their projects completed should be notified about the final project design before any construction takes place. Any deviance from projected estimated budgets must be explained in full.



Joint PSAC/Staff Comments to the Walk Safely Milwaukie Reports

The following comments are based on discussions between PSAC and City staff during the regularly scheduled PSAC meeting on Thursday Feb 24, 2011.

General PSAC Comments:

- Ray Bryan: Appreciated the process of developing the Walk Safely Reports-especially the communication with the public.
- Jo Anne Byrd: Believed the Walk Safely Reports were a worthwhile process. The response to the survey was high and she felt they effectively reached the neighborhood.
- Linda Hedges: Felt the survey process was also beneficial in that it held surprises. Most of the survey responses were what they expected (and have heard for years), but there was some surprise, for example the number of responses which complained of problems on 42nd Ave. Going out to take on-the-ground photos was helpful. All together the Hector Campbell WSMP sub-committee dedicated over 100hrs to the report.
- Pepi Anderson: Noted with interest that most of the problems are reoccurring in each neighborhood; similar problems different locations.

General Staff Comments:

- **Make the most out of the March Design Workshop!** If you are interested in attending the design workshop please indicate your availability here: <http://doodle.com/fnz5we9fzwf43s7u>. Each NDA will be allotted a one-hour time slot, which best fits your availability, to review specific design recommendations for improving walkability and pedestrian/bike safety at your priority locations. To make best use of your time, identify 3-5 key problems or problem locations in your neighborhood to focus on during your session. Please send your priorities to Nicole, westn@ci.milwaukie.or.us, at least one week in advance of the workshop. We will print maps, take and print photos of key locations, and have any other needed materials made up and circulated between staff members to insure the workshop is a success. This session will be a great opportunity to sit down with highly experienced engineers and vet your ideas for great potential projects.
- **May is Walk and Bike to School Month!** This is a fantastic month-long awareness campaign that involves the whole family. Encourage your neighborhood school's administration or PTO/PTA to register and start planning today! The Oregon Bicycle Transportation Alliance (BTA) organizes this event and provides TONS of free resources

like snacks, incentive, prizes, organizing support, outreach materials, tips, etc. to help you get started. For more information, see their website: <http://walknbike.org/>

- **Staff resources to support education and awareness program development:** The Walk Safely Reports outline great ideas for education and awareness campaigns. These programs can be highly cost-effective and are proven to deliver results. Many examples of successful programs are all around us; such as City of Gresham's Safe Trips Program and City of Portland's Safe Routes to Schools Program. Contact Community Development staff if you are interested in having someone from one of these programs come and share information at an NDA or NDA Leadership meeting.
- The deadline for final Project Proposals for Infrastructure and Education/Awareness Projects is April 15.

Ardenwald

PSAC Comments:

- Great survey and presentation of data
- Potential problem and solution lists are long. Did the neighborhood identify top priorities?
- City Police Department would be happy to look for archives of speed data that may have been taken at priority locations. Let City Staff know if this is of interest to the NDA.
- Sidewalks and crossings seems to be the neighborhood priority, PSAC strongly supports the NDA if they choose to pursue a project proposal to address this.
- Correcting clear-site issues may be a simple, cost-effective tool for improving safety at certain crossings. PSAC suggests neighbors check for visibility issues at problem locations. Report issues to the City.
- Do the NDA's shade tree goals align with City Council goals for Tree City USA?
- Various PSAC members appreciated the weather shelter idea.
- The report mentioned missing sidewalk sections or a complete lack of sidewalks. Does the NDA have a particular location they would like to focus in on for a project(s)?
- The report mentioned the possibilities of using bulbouts for traffic calming. Does the NDA see a particular location where these can be utilized? A couple of possible locations are the crosswalks on Filbert and Olsen between 32nd and 42nd.

Staff Comments:

- Like PSAC has mentioned, this is a great summary of neighborhood responses to the online survey.
- A couple issues were mentioned in the report, i.e. crosswalk enforcement and poor lighting which may be able to be addressed outside of the WSMP. Staff has made note

of these and will follow-up internally to see if there are ways we can address some issues operationally.

- Lack of bike lanes was identified as a barrier to walking/biking. If the NDA decides to pursue a project to install more bike lanes, consider cross-referencing with the City TSP to insure proposed lanes compliment that plan.
- You have listed some great education/awareness project ideas. Is the NDA considering submitting a project proposal to pursue any of these ideas? What type of support or resources do you or anyone else in your NDA need to advance these ideas?
- Other Cities in our region (such as Portland and Gresham) have implemented very cost and effective public education and awareness campaigns. Examples include the Safe Routes to Schools and Smart Trips Programs, which both consist of delivering free biking and walking resources to households. Would Ardenwald be interested in having someone from one of these programs come and speak at a neighborhood meeting?

Hector Campbell

PSAC Comments:

- Members unanimously agree on the high quality of this report!
- PSAC acknowledges that the walking path along Home has been presented to the Committee three or four times now in recent years.
- There may be an opportunity to pursue this path in segments if the entire project cost is too high. PSAC would prefer to see part of the path than no path at all.
- Consider the impacts of potential elementary school closure on walking and locations of potential new bus stops.
- Roll projects out with an element of public education/awareness.

Staff Comments:

- Are there any education or awareness projects that were identified within this report that you would like support developing?
- Concrete and asphalt would be comparably priced materials for the Home Ave path. Gravel or other permeable surface would probably not meet ADA standards.
- You've done a fantastic job of prioritizing projects and will be very prepared for a successful Design Workshop in March.
- The Report mentions the issue of vegetation obstructing clear-site and creating visibility problems. There is a chance this issue could be addressed outside of the WSMP. Staff has made note of this and will follow-up internally to see if we can address it operationally.

- The Report mentions safety resulting from parent/child drop-off traffic in the vicinity of the school. Thank you for identifying this. It's a nation-wide trend, and quite a Catch-22. In response to this problem, PBOT developed a Stop+Walk Campaign as part of their Safe Routes to Schools Program. The campaign encourages parents to drop off their kids at a neighborhood location (i.e. a park) that is a close, safe walk from the school. The program effectively reduces congestion around the school, improving safety for everyone's kids.
- Regarding the specific projects identified; #1 is duly noted. Staff will continue conversations about best use of existing speed radar and future technology to invest in. #2, #4, and #5 are great suggestions and warrant deeper review during the workshop. For #5, a blubout with vegetated swale may be a more effective traffic calming treatment than a roundabout and would have a secondary positive water quality function. #6 is a great suggestion, but WSMP funds can only be used in the right of way.

Historic Milwaukie

PSAC Comments:

- Stylistic headings were appreciated
- PSAC supports the value of cross-walk safety improvements, especially in the vicinity of schools.
- Historic Milwaukie demonstrates interest in increasing walking by creating more pleasant corridors for walkers (with pedestrian amenities like benches, gardens etc). PSAC recognizes that this could be of interest/effective in all neighborhoods.
- PSAC/staff discussed the process for removing speed bumps. There would be a public involvement/notification process if hump removal is needed.

Staff Comments:

- Great job collecting survey data in the neighborhood. It could be very informative to see neighborhood responses shift over time as we implement successful projects and programs.
- Items 1, 2, 5, and 6 all appear viable, and should be explored more deeply in the workshop. Crosswalks, when poorly placed or designed, can actually have the effect of decreasing pedestrian safety. They can lend to an incorrect assumption that crossing is safer than it actually is, which jeopardizes pedestrian safety.
- #3 and 4 may be issues we can approach operationally, outside of the WSMP process. These Items are noted and staff will follow-up.
- Is the NDA interested in any education or awareness projects? With the proximity to so many neighborhood schools, it's a great candidate for Walk and Bike to School projects

or other awareness campaigns. Are there any programs that the NDA may be interested in learning more about or receiving funding for?

Island Station

PSAC Comments:

- Consider the impact of lightrail on River Rd. Have there been studies that indicate how traffic patterns are expected to change?
- Consider the temporary detour of the Trolley Trail. There may be potential to partner with North Clackamas Park
- How is the NDA planning to address some of the other livability factors that came out in the survey raw data (i.e. dog issue)?
- Whereas in other neighborhoods we may be treatments that *enhance* the pedestrian experience, PSAC notes that motor/non-motor traffic issues in Island Station are long-standing and are genuine concerns of human safety.
- Describe the actual current need and real solutions (dream big) even if they are not immediately fundable.

Staff Comments:

- The critical areas highlighted in the report are excellently presented.
- Level of detail is perfect for flushing out potential design solutions in these areas during the workshop.
- To make the most of your time in the workshop, consider prioritizing the projects in order of importance to the community (if they aren't already) to insure you're able to cover the highest priorities in the allotted 1-hr.

Lake Road

PSAC Comments:

- The Washington Walkway Project appears important and well supported. Are there others?
- Consider taking advantage of existing infrastructure (i.e. the pre-existing gravel walkway pictured in front of someone's home) for cost-effectiveness.
- Filling the walkway gaps could be the most cost-effective means to complete the project. The entire route may not need to meet the highest standard.

Staff Comments:

- After this year, there will be at least one additional round of WSMP funding. Make the most of the March Workshop by identifying backup project ideas. Even if you have already isolated one project to propose this year, the workshop could provide design alternatives for upcoming year(s).
- Is Lake Road interested in any education or awareness projects in your neighborhood? With the proximity to schools, it's a great candidate for Walk and Bike to School projects or other campaigns. Are there any programs that the NDA may be interested in learning more about?
- The sidewalk would not necessarily need to be setback on the south side of Washington St. A sidewalk may be curb-tight to meander around trees and vegetation. Also a sidewalk may be curb-tight due to the lack of right of way. A sidewalk should be constructed of a hard surface to meet all ADA standards. A detractor from using a gravel path is that it is not considered ADA compliant and requires constant maintenance.
- The NDA might want to look at other infill sidewalk projects throughout the neighborhood. An example is a sidewalk connection from SE 34th Ave to SE 35th Ave on SE Sellwood St. to encourage a walking destination to Century Park. A new crosswalk was installed on SE 35th Ave at the park.
- The Lake Road NDA might also want to look at Historic Milwaukie's report for partnering in a project since downtown is a common destination.

Lewelling**PSAC Comments:**

- Are there specific hedges or locations where clear-site is a particular problem?
- Are there priority locations where the NDA would like to see bus shelters?
- PSAC supports the NDAs interest in the types of community outreach outlined by Pepi; Home Zones, gathering spaces, speed monitoring, identifying and reducing signage clutter, etc.

Staff Comments:

- 43rd is the logical focus for sidewalks. The street is complicated and project cost far outside WSMP fundability. But the Design Workshop could provide some lower cost strategies to improve walkability in this area.
- The cut-thru traffic noted between Brookside and Stanley is a great item to bring to the March Design Workshop. Some creative ideas for eliminating this hazard could be identified.

- The Lewelling PE teacher has expressed significant interest in bike/ped projects with Lewelling students. Last staff communicated with him, he was planning to launch a bike safety club at the school this spring. His name is Brad Bateman, he can be contacted at batemanb@nclack.k12.or.us or 503-353-5440 x 22627
- The Walk Safely Report mentions a roundabout at Regents and Brookside and also Regents and Windsor. To install a roundabout, the amount of right of way may need to be increased to achieve a proper turning radius. A possible solution would be to install bulb outs at these locations and also look at the intersections of Regents and Rainbow along with Rainbow and Windsor. The neighborhood might achieve 3 goals in 1; reduced traffic speed, provide for stormwater treatment of runoff, and provide for beautification in these areas.
- The NDA might want to look at a paved pedestrian connection on Willow St from Windsor to 51st. Right of way is currently in place to utilize a connection.

Linwood

PSAC Comments:

- The final project proposal will benefit from a clearer map. (request one from Nicole anytime)
- Photos or other depiction of site (especially during flooding) could make the proposal more compelling
- Stanley may also have a lot of early a.m. walkers. These could be mentioned in the final project proposal.
- There is a section of reoccurring graffiti on the corner of Stanley and Monroe. Could anything be done to enhance the safety of this area?

Staff Comments:

- The lack of bus service within 1-mile of Linwood is both a challenge and an opportunity. There is significant potential to provide Safe Routes to School education and awareness campaigns in your neighborhood. Interested NDA members, PTO/PTA parents, or school administration should contact Nicole.
- City staff would be happy to support an opening-day celebration, as suggested, that coincides with International Walk and Bike to School Day.
- The Stanley Ave sidewalk infill project is a great focus. The NDA might want to look at breaking the length of the project into sections, with a focus on a sidewalk connection that is close to Linwood School and working north.

ATTACHMENT 3

WSMP Project Scores Discussion

5/12/2011

Background: On 4/28/2011, PSAC and staff discussed that any **oversights** or errors to the scoring shall be corrected outright. Staff suggested that **critical changes** to the scores, which are unanimously agreed upon by PSAC, could be made at this late stage in the program. Additional **improvements** to the scoring criteria should be implemented for next year.

The scoring criteria are designed to be applied to all NDA proposals objectively, without being subject to interpretation. It's a technical tool to help see projects, and the relevant data associated with each, relatively. The criteria were made readily available to the PSAC and NDAs and were included as part of the project proposal form in effort to be transparent about scoring expectations.

The scores are simply one decision making tool, among many. PSAC will deliberate based on multiple factors; by reading the project proposals, the scoring and staff recommendation, and the cost estimates. These projects are nuanced by factors that are as diverse as the neighborhoods themselves. During its deliberation, PSAC representatives have space to weigh in on these subjective nuances of each project.

Staff received two appeals from PSAC/NDAs regarding the scoring of 2011 project proposals.

Oversights: Thank you for catching the following oversights (additional points in parenthesis). The updated score card is attached and available on the City website.

- Multi-Family Housing Units were overlooked within 500ft of Island Station's proposed project at River Rd and Lark. (1pt)
- A church was overlooked within 500ft of Hector Campbell's proposed project at 42nd and Washington. (1pt)
- A facility serving the handicapped was overlooked within 500ft of Hector Campbell's proposed walking path along Home Ave. (1pt)
- Hector Campbell Elementary is within 500ft of the proposed walking path along Home Ave. (2pts)

Other Changes: The two NDA appeals request several additional changes to individual scores. Each would require changing the way the criteria is applied. For consistency, this scoring criteria was applied exactly the same to each proposal, without subjective interpretation. So, if awarding additional points to one proposal changes the way the criteria is applied, this change should be made universally to all proposals (i.e. awarding a point to a project proposal because it's near a restaurant would require we award points to all proposals near restaurants). We recommend maintaining the scoring criteria as an objective, technical tool that's applied evenly to all NDAs. But, let's make it a great tool. If PSAC unanimously agrees on critical changes to the scoring criteria that should be made this funding cycle, let's work together to apply these changes quickly and universally to all project proposals.

ATTACHMENT 4



To: Public Safety Advisory Committee (PSAC)
From: Kenny Asher, Community Development/Public Works Director
CC: Bill Monahan, City Manager
Bob Jordan, Chief of Police
Gary Parkin, Engineering Director
Brad Albert, Civil Engineer
Nicole West, Community Development

RE: Funding Recommendations for the 2011 WSMP

On behalf of the city's Community Development and Engineering Departments, I am pleased to present the PSAC with this funding recommendation for the first round of WSMP projects. Thank you to all the NDA's for putting so much care and effort into the applications.

The staff funding recommendation follows from the Program Guidelines, as adopted by Council by resolution 83-2010. The Guidelines state that the CD/PW Director shall draft a list of projects for funding for PSAC review, and that PSAC shall recommend a final list of projects for the City Council to consider. The Guidelines also direct that resources be allocated in consideration of four factors:

- Overall Project Score
- Cost (Availability of Resources)
- Cost Effectiveness
- Geographic Equity

Total funding available in this WSMP round for both infrastructure and awareness/education projects is approximately \$146,500. PSAC has agreed to set aside \$3,500 for education and outreach projects that may be proposed later in the year, which means the **total available funding for design and construction of all WSMP projects is \$143,000.**

In developing this recommendation, the staff scored the project proposals, considered input on the scoring from PSAC members, developed preliminary cost estimates for the projects, and reviewed the Program Guidelines. One important factor to remember is that the actual project costs will not be known until they are designed and put out to bid for construction. The recommendation assumes that all the projects can be built at or near the mid-point of the Engineer's Estimate. Since actual project costs won't be known until the projects are bid out, the recommendation includes an Optimistic Alternative (explained below).

The recommendation also assumes use of the matching grant contributions from the Hector Campbell and Island Station neighborhoods. The Hector Campbell match was part of the proposal as submitted. The Island Station match was offered after the proposal was submitted. Staff did not award the Island Station projects with extra points for the match, because it was not part of the initial submittal. However in preparing the recommendation, the staff recognized that use of the Island Station match might make the difference between funding another NDA's project in this round, and that the staff's funding recommendation would not change whether or not additional points were awarded to Island Station for the match contribution.

Finally, staff would point the committee's attention to modifications that are recommended on two of the projects themselves. This was done to deal with funding limitations or engineering concerns. These modifications are for committee discussion; the committee should consider that they were not included in the NDA project proposals and may have less support in the NDA than the project proposals that were submitted by the NDA. PSAC representatives from the two affected NDAs are encouraged to come to the PSAC meeting prepared to discuss the recommended modifications.

Staff Funding Recommendation

The Funding Recommendation in the following table is intended to assist PSAC in developing its recommendation to the City Council, due within 30 days of receiving this report. The City Council will make the final funding decision based on PSAC’s recommendation.

Rank	NDA	Project As Proposed	Recommended Modifications	Total Score	Match	Prelim. Cost Est.
1	Linwood	Construct half street improvement from Harlene to Monroe	Preliminary design of half street improvement for grant application to construct sidewalks	21	\$0	\$5k
2	Island Station	Bulbouts/chokers and crosswalk at Bluebird and 22nd	None	20	\$10k	\$15-25k
3	Lewelling	Curb and sidewalk on east side of Stanley Ave (at Ball Mitchel Park) w/ marked crosswalk and ped refuge island	Curb and sidewalk on east side of Stanley (at Ball Michel Park) w/ marked crosswalk	19	\$0	\$25-35k
4	Hector Campbell	Walking path on Home Ave from Wilma to Hunter Ct.	None	17	\$5k	\$40-50k
5	Ardenwald - JC	Sidewalk in-fill on Harvey from SE 32nd - SE 40th	None	17	\$0	\$40-50k
N/A	Hector Campbell	Homewood Park, proposed YR1 improvements (Awareness/Education)	None	N/A	\$2k	\$500
N/A	Hector Campbell	Safe Routes to School Neighborhood Flier (Awareness/Education)	None	N/A	\$480	\$500
Total projects estimated cost =						\$126k-166k

* Optimistic Alternative: The Ardenwald/JC project is recommended for funding and will be designed and bid out. However in the event that the total cost for the five projects exceed available resources, staff recommends this project be resubmitted for funding under next year’s WSMP round.

Notes on the Modifications

The Linwood project proposal addresses a high need in the neighborhood and was a very strong proposal, scoring and ranking the highest among those received. However the preliminary cost estimate for the project as proposed is \$350,000-\$400,000, since it would require a complete survey, design, and construction of nearly 1000 ft of “half-street” improvements (e.g. sidewalk, planting strip, curb, gutter, roadway). That project is beyond the funding available under the WSMP, and is not easily segmented into a first phase (which would itself leave little funding for any other projects). As a result, the staff recommends using WSMP funds to take the project through preliminary design, which would position the project to compete in external grant programs (e.g. ODOT Safe Routes to School grant program).

The Lewelling project as proposed raised engineering concerns about the feasibility of a pedestrian refuge at Willow and Stanley because of narrow travel lanes in conjunction with turning movements from Willow onto Stanley. Staff consulted with Wallis Engineering for an outside opinion and Wallis concurred that turning movements would be difficult with a new pedestrian refuge given the existing street configuration. Instead, the recommendation is to mark a crosswalk at this location with curb and sidewalk on the east side of Stanley. This project would provide significant pedestrian benefits while meeting cost and engineering parameters.

2011 WSMP Infrastructure Project Scores and Cost Estimates				
NDA	Project as Proposed	Total Score	Match	Prelim. Cost Est.
Ardenwald/JC	Sidewalk in-fill on Harvey from SE 32nd - SE 40th	17	\$0	40-50k
Historic Milwaukie	Crosswalk at Washington (between St John's and Mil HS)	15	\$0	35-45k
Historic Milwaukie	Crosswalk at 2700 block of Harrison	13	\$0	35-45k
Hector Campbell	Homewood Park Improvements	14	\$2k	1k
Hector Campbell	Walking path on Home Ave from Wilma to Hunter Ct.	17	\$5k	40-50k
Hector Campbell	Crosswalks (N/S and E/W) at 42nd and Washington	16	\$0	4-5k
Island Station	Bulbout chokers and crosswalk at Bluebird and 22nd	20	\$10k	15-25k
Island Station	River Rd-Lark-Sparrow-Wren-Bluebird	17	\$10k	65-75k
Lake Rd	Sidewalk infill on Washington (SE Oak to SE 35th)	12	\$0	70-80k
Lewelling	Curb/sidewalk east side of Stanley Ave (at Ball Mitchel Park) w/crosswalk	19	\$0	25-35k
Linwood	Sidewalks on Stanley from Harlene-Monroe St. (half street improvement)	21	\$0	350-400k**

ATTACHMENT 5

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APROVING THE PROJECTS TO BE FUNDED IN THE FIRST ROUND OF THE WALK SAFELY MILWAUKIE PROGRAM TO IMPROVE PEDESTRIAN SAFETY AND LIVIBILITY IN MILWAUKIE NEIGHBORHOODS.

WHEREAS, the City Council adopted Resolution 65-2010 establishing the Walk Safely Milwaukie Program to improve livability, support pedestrian safety and raise the level of “walkability” of Milwaukie; and

WHEREAS, the City Council adopted Resolution 83-2010 revising the three-year pilot design for the Walk Safely Milwaukie Program, and supporting its implementation; and

WHEREAS, Walk Safely Milwaukie Program Guidelines establish that City Council use the funding recommendation provided by the Public Safety Advisory Committee and supporting documents developed by City staff to make the final project funding determination; and

WHEREAS, the total available funding for design and construction of all projects to be implemented within the first round of the Walk Safely Milwaukie Program is \$143,000.

NOW, THEREFORE, BE IT RESOLVED that the City approve the project funding recommendations as developed by PSAC and direct staff to proceed with the design and construction of the selected projects.

Introduced and adopted by the City Council on June 21, 2011.

This resolution is effective on _____.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney