

MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION

JUNE 16, 2009

Mayor Ferguson called the work session to order at 5:30 p.m. in the City Hall Conference Room.

Council Present: Mayor Jeremy Ferguson, Council President Deborah Barnes, Councilors Greg Chaimov, Joe Loomis, and Susan Stone

Staff Present: City Manager Mike Swanson, Community Services Director JoAnn Herrigel, Code Compliance Assistant Sarah Lander

Riverfront Board Interview

The Mayor and City Council interviewed Jason Loomis for a vacant position on the Riverfront Board.

Downtown Parking Update

Ms. Lander discussed the process of parking rounds including marking tires and issuing citations. She provided an update on the new parking device that tracked cars electronically and the block rule code language. She was also working on code language for repeat code violations and updating the bail schedule. The City changed permit providers to Diamond Parking, and customers had indicated they were satisfied with the program. The only other request was that people wanted to purchase permits at City Hall.

Current events are the Main Street Main project construction and last weekend's Cruisin for Hope. Staff was working hard to anticipate and mitigate impacts to the downtown area for businesses and citizens. She continued to recommend filling the full time parking position. It would allow for administration, customer service and making parking rounds. Currently her time was spent on code enforcement and parking and she was not always able to complete all rounds due to the amount of administration and customer service work. She reviewed the utilization survey with overall usage at 46% so there was a lot of available parking both on- and off-street. It was a matter of how it was used and enforcement. The use had changed over the last 6 months.

Councilor Barnes appreciated the work done at the weekend event and said retailers had commented on their increased business. She asked if there was data on repeat offenders.

Ms. Lander proposed code language that would allow for adaptation. She commented on the repeat offenders who were often downtown employees. She said comments she had heard were that tickets were cheaper than the buying a permit. She hoped the new language would provide motivation for those offenders to purchase permits.

Councilor Chaimov asked how she proposed getting the money to fund the position she recommended.

Ms. Lander replied consistent enforcement would bring in more money from the permit program.

Councilor Stone asked if the new way of keeping track of vehicles streamlined the job when looking for possible offenders.

Ms. Lander responded once a person committed an infraction data was stored in the system. Turnover rate has improved in front of Curves since implemented. Most of the downtown core parking was 2-hours and 4-hours on the outer. There was a permit system for those who worked downtown. She reviewed the available lots. Currently a downtown employee can purchase permits monthly or in 6-month packets getting 6 months for the price of 5. She recommended reducing the price of the permit to \$20 in the annual fee resolution. They were also looking at a quarterly packet, and they could be purchased online or through the mail.

Councilor Stone asked how Milwaukie's fines compared to other cities.

Ms. Lander replied overall most of the fines were a lot lower than other communities.

Councilor Stone asked about revenue generated from parking fines and permits.

Ms. Lander replied she would get that information to Council.

Councilor Loomis asked how Ms. Lander would know if a car came for breakfast and then came back in the afternoon.

Ms. Lander reviewed how car positioning was used when determining infractions.

Mayor Ferguson reviewed the red zones where parking was heavily utilized.

Ms. Lander said the diagram indicated use versus total number of available spaces. Surveys are done quarterly.

Code Language Establishing Milwaukie Park Board

Ms. Herrigel was joined by Christie Shaefer, Sherri Dow, and Mart Hughes. She discussed code language and one of the discussion points had to do with the way information flowed from the Park and Recreation Board (PARB) to the City Council, the District Advisory Board (DAB) and the Board of County Commissioners (BCC). For short term projects either she or Mr. Hughes might deliver information that was actually from PARB or Ms. Herrigel. She asked Council if they were okay with that. She asked how the City Council wished to receive the information when there was a need for a more immediate decision. Example of short term might be a letter regarding the Trolley Trail.

Mr. Hughes agreed with Ms. Herrigel's comments. Council should be aware the North Clackamas Parks and Recreation District (NCPRD) was a changing organization and affected how the City reacted with the District. He commented on potential expansion and the need to compete more astutely to ensure Milwaukie got its share. There was a need to discuss the District budget more closely, and he had never heard from the City that it was a bad or a good budget. There were land use issues that created public turmoil. The City should have an early role in discussions before issues land in the City Council and Planning Commission laps. There were certain service expectations in the City. His goal was to have a discussion with City Council and advise PARB on how the language might be constructed to improve communication. He needed more clarification and asked if, as a DAB member, he was speaking for the City or speaking for himself.

Mayor Ferguson said when he went through the list of representatives, Council discussed this position. His understanding was that Mr. Hughes would represent the City at the District level.

Mr. Hughes said he did not feel there was good communication with the City and channels were only opened from time to time. He felt there needed to be more communication based on the impact the District had on Milwaukie residents' quality of life. He asked for the City to make an effort to give the representative to the District more stature.

Councilor Chaimov understood the role was to represent the City and one whom the City Council trusted based on the issues. The role was to use expertise in service to the City. He understood Mr. Hughes was seeking more time with the City Council so he understood what information the City wanted conveyed.

Councilor Barnes agreed. She suggested email updates to keep communication open by highlighting key things.

Councilor Loomis recalled the position was originally filled by a Council member but went to a PARB representative. He would be uncomfortable with Mr. Hughes speaking on issue and taking an official City stand without direction from Council. If hot point issue he felt representative should seek City Council direction.

Mayor Ferguson asked how far in advance he got an agenda.

Mr. Hughes said agendas are out about 1 week in advance but new material was sometimes added at the Board meeting. He appreciated the level of confidence. There was a question of if there was code language that should be considered. He was looking at how to go forward into the future whether the position was filled by a Councilor or appointed member. It was important to be able to speak with some authority.

Mayor Ferguson asked if there had been an issue at the DAB of them not recognizing that Mr. Hughes had authority.

Mr. Hughes said yes and no. It was a sense of place and role one pursued. It was important to have the role defined in the code. He did not have a strong sense he was speaking for the City.

Mayor Ferguson asked to reaffirm the regional assignments in a resolution.

Mr. Swanson said the job for representatives or Councilors was to represent the City's position and felt it would be a good idea to come to the City Council. For example, he had not seen a District budget for years. He would be happy to take a look at it. He thought it was a good idea if something came up to send an email. Some things may be in the normal course of business that Council would not need to know. There was a certain level of trust.

Councilor Chaimov suggested whatever writing was appropriate City representative to the DAB was the City's representative to help with external relations. City representative would inform City Manager of any issues of significance to the City. Pick a timeline for a quarterly work session between the DAB representative and the City Council.

Mr. Swanson said a lot of it was to exercise reasonable judgment and knowing when to take matters to the City Manager and City Council. Most advisory board members were selected from throughout the District and appointed by the BCC.

Councilor Barnes said we should have something in writing that states if you are elected to a board or commission you are a representative of the City.

Councilor Stone asked if Mr. Hughes was the only non-elected official on the DAB.

Mr. Swanson replied most were rank and file community members. We are the only other entity that appoints a member other than the BCC. The other members are selected by the District and appointed by the BCC.

Mr. Hughes said he was not sure if that was the case with Happy Valley. The BCC appointed people to the positions. He did represent the City because the Council appointed him to the position. Most positions on the DAB were 2 year positions.

Councilor Stone commented on Councilor Chaimov's proposal. She suggested Mr. Hughes report to Ms. Herrigel since she was the staff liaison. She liked the idea of quarterly updates.

Ms. Herrigel felt quarterly meetings might help communication and she would begin sending draft minutes to get information out to Council earlier.

Councilor Chaimov said Mr. Hughes had an issue as representative to DAB. He understood we also had an issue of PARB communicating with others. He suggested doing so with Mr. Swanson on letters prior to being sent.

Councilor Loomis asked how Mr. Hughes appointed to the DAB.

Ms. Herrigel was not sure if the PARB member was appointed and selected by group or if Mr. Hughes specifically was appointed by the DAB.

Councilor Barnes suggested setting a term that was either renewed or not.

Ms. Herrigel would review that with the PARB. She would work on language and bring it back to Council for adoption.

Councilor Stone had question on membership qualifications and talked about geographic representation. Would that be similar to PSAC with a neighborhood representative?

Mr. Herrigel replied they had not thought about having members appointed by neighborhoods.

Councilor Stone thought that was a great idea whenever possible so all neighborhoods were represented.

Mr. Swanson announced exec session. 192.660(2)(h) consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

Mayor Ferguson adjourned the work session at 6:40 p.m.



Pat DuVal, City Recorder

WORK SESSION

AGENDA

WORK SESSION MILWAUKIE CITY COUNCIL JUNE 16, 2009

MILWAUKIE CITY HALL

Second Floor Conference Room
10722 SE Main Street

A light dinner will be served.

WORK SESSION – 5:30 p.m.

Discussion Items:

| | <u>Time</u> | <u>Topic</u> | <u>Presenter</u> |
|----|-------------|---|------------------|
| 1. | 5:30 p.m. | Riverfront Board Interview | |
| 2. | 5:45 p.m. | Code Language Establishing Milwaukie Park Board | JoAnn Herrigel |
| 3. | 6:15 p.m. | Downtown Parking Update | Sarah Lander |
| 4. | 6:45 p.m. | Adjourn | |

Information

Executive Session: The Milwaukie City Council may go into Executive Session pursuant to ORS 192.660(2). 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.

Public Notice

- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- 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.



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: JoAnn Herrigel, Community Services Director

Subject: Code Language Establishing Milwaukie Park Board

Date: June 4, 2009

Action Requested

Provide the City Park Board and their staff liaison with input on City of Milwaukie code revisions for Section 2.12.010, Park and Recreation Board.

History of Prior Actions and Discussions

NA

Background

In anticipation of a City Code republication planned for November of 2009, the Milwaukie Park Board has been reviewing the section of code which established the Board and described its purpose and the qualifications for its members. On the recommendation of the City attorney, the group is proposing to add language to the Code describing the existence of the North Clackamas Parks and Recreation District and the flow of "advice and guidance" among and between the City's Park Board, the City Council, the District Advisory Board and the Board of County Commissioners.

The Park Board would like Council's input on how the communication between the Park Board and these other entities should take place.

Attachments

- Section 2.21.010, Park and Recreation Board
- Draft revisions to Section 2.12.010, Park and Recreation Board.

Chapter 2.12 PARK AND RECREATION BOARD

Note:

* Prior ordinance history: Ord. 1696.

2.12.010 Established—Purpose.

The park and recreation board is established for the purpose of advising and making recommendations to the city council regarding Milwaukie's recreation programs and facilities. The board shall be responsible for, but is not limited to, the following activities:

- A. Surveying recreation and leisure time needs through the neighborhood associations and recommending the roles the city should or ought to pursue in meeting such needs;
- B. Serving in an advisory capacity to the city council on the location, service areas, siting, standards, class, number and needs for existing and future parks within the community;
- C. Identifying desirable future park locations consonant with established plans and standards;
- D. Ensuring the development of a master plan for each park site;
- E. Exploring the feasibility of meeting community park and recreation needs through consolidating grounds and programs with local schools;
- F. Identifying park acquisition and development priorities and recommending methods of financing;
- G. Establishing, evaluating and monitoring maintenance standards of city parks and advising council of the status; and
- H. Such other activities as the council may assign. (Ord. 1801 § 3 (part), 1996)

2.12.020 Membership—Qualifications.

The board shall consist of seven members appointed by the council, all of whom must be city residents. Whenever possible, persons will be appointed who have demonstrated interest, experience, or expertise in some area of parks, recreation or related services. (Ord. 1801 § 3 (part), 1996)

Chapter 2.12

PARK AND RECREATION BOARD*

Sections:

2.12.010 Established—Purpose.

2.12.020 Membership— Qualifications.

* Prior ordinance history: Ord. 1696.

2.12.010 Established—Purpose.

The City of Milwaukie is a part of the North Clackamas Parks and Recreation District (NCPRD), created in 1990 by a vote of the Clackamas County Residents. NCPRD is responsible for operation and maintenance of the City's parks and recreation programs under an Intergovernmental Agreement signed in 1992 and amended in 2008.

The Park and Recreation board is established for the purpose of advising and making recommendations to the city council regarding Milwaukie's recreation programs and facilities. The City Council, in turn, shall advise the North Clackamas Parks and Recreation District (NCPRD) Advisory Board and the Board of County Commissioners on these programs and facilities in the City. The Park and Recreation Board shall be responsible for, but is not limited to, the following activities:

- A. Surveying recreation and leisure time needs of City residents through the neighborhood associations and recommending the roles the city and the NCPRD should or ought to pursue in meeting such needs;
- B. Serving in an advisory capacity to the city council and the NCPRD, through their regular master planning and capital improvement plan process, on the location, service areas, siting, standards, class, number and needs for existing and future parks within the community;
- C. Identifying desirable future park locations consonant with established plans and standards;
- D. Ensuring the development of a master plan for each park site;
- E. Exploring, along with NCPRD staff, the feasibility of meeting community park and recreation needs through consolidating grounds and programs with local schools public and private entities;
- F. Identifying park acquisition and development priorities and recommending current or potential locations and financing methods; methods of financing to City Council and NCPRD;
- G. Participating in planning and development processes for regional park and recreation programs or facilities which provide services benefiting Milwaukie citizens;
- H. Establishing, evaluating and monitoring maintenance standards of city parks and advising council and NCPRD of the status; and
- I. Such other activities as the council may assign. (Ord. 1801 § 3 (part), 1996)

2.12.020 Membership—Qualifications.

The board shall consist of seven members, [representing the geographic diversity of the City](#), appointed by the council, all of whom must be city residents. Whenever possible, persons will be appointed who have demonstrated interest, experience, or expertise in some area of parks, recreation or related services.
(Ord. 1801 § 3 (part), 1996)



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Sarah Lander, Code Compliance Assistant
JoAnn Herrigel, Community Services Director

Subject: Downtown Parking Update

Date: June 16, 2009

Action Requested

No action is requested at this time. The intent is to provide an update and have a discussion regarding the City's parking management strategy in downtown Milwaukie.

Background

This briefing is an update to council on projects underway. This report addresses current enforcement challenges, strengthening the Block Rule, increasing fines, and provides updates on permit lot usage and the City's conversion to a new parking management system and permit provider. In addition, the report discusses the impacts of summer events on downtown parking.

Parking Enforcement Management:

Since February 2009 parking enforcement has been using a new parking handheld tool in the field that allows enforcement to be done electronically. After some initial difficulties, the tool and related computer software is performing well.

Parking rounds have been intermittent since the implementation of the new parking system and tool, but have become more regular and frequent in the past month and a half. Parking rounds are sometimes skipped due to the other responsibilities required of the parking enforcement position, which is currently only a part-time position. Other responsibilities include overseeing the permit parking program for the City's four lots and two on-street areas, and management of parking during construction and special events. This being the case, staff advises adding a full-time position to oversee all aspects of parking.

Proposed Code and Fine Revisions:

To improve on-street parking availability in the downtown area for visitors and customers, staff is working on new code to clarify language and strengthen penalties pertaining to the “Block Rule.” The Block Rule encourages parking circulation to make spaces available for customers. To better enforce the “Block Rule,” we are preparing a code amendment to the current language of Milwaukie Municipal Code 10.20.080 (B) and (C) to better clarify when a person violates this section of code. In addition to this code amendment we will need to install signage wherever the rule will apply to fully implement the “Block Rule”. We anticipate requesting funds for the signage in the 2010/11 budget year.

To strengthen the consequence of repeat violations of parking regulations we are also preparing a code amendment to 10.20.090 that would allow a bail increase for repeat violations of five or more times within a calendar year. At this point staff is recommending this new code only be applied to the overtime regulation as it is the most commonly violated regulation.

Additionally, staff is preparing a bail schedule update for parking regulations. This update will set a baseline of \$15.00 for low public safety risk violations and a high of \$50.00 for high public safety risk violations. Low public safety risk violations include things like parking over the space line or parking on the wrong side of the street. High public safety risk violations include things like parking in an emergency or safety zone or blocking a driveway. Staff expects to deliver revised code language for Council’s consideration at the July 7, 2009 Regular Session.

Permit System:

The conversion to the City’s new permit provider, Diamond Parking Services, has been completed. Permit customers are now able to purchase permits online and through the mail. Overall, customers are satisfied with the provider, and any criticism that has been offered has been constructive and easy to solve or implement. The only improvement yet to be realized is permit purchasing at City Hall. With the purchase of the new parking system and tool the City now has the option of bringing permitting in-house. Staff believes this can be achieved if staffing is increased.

Public Information:

To inform and gather feedback about downtown parking, staff has presented to the City-sponsored Business Group on two occasions - once in the winter of ‘08 and again this spring. Staff was also invited to present and answer questions about parking at the Downtown Business Group in the fall.

Parking Utilization:

In May 2009, the City sold 153 permits to park in the available 236 permit-only stalls (65% of the permits available were sold). Of these permits, approximately 13% were sold to people identified as Portland-bound commuters. (18 permit spaces were removed in the month of May to mitigate for the Main Street construction project. This will be in effect until the end of the project).

Impacts of Summer Events on Downtown Parking:

Recently the City began a construction project on Main Street installing a sewer main between Jefferson Street and Scott Street. To lessen the impacts on parking during this project we created 18 parking spaces in the municipal lot across from City Hall for 2 hour parking, replacing parking that is closed on-street during construction.

Summer marks the time of year when there are more community events in our downtown. This year the community is looking forward to the Cruisin for Hope, Milwaukie Daze, Farmers Market and the Pietro's Pizza Cruisin. All of these events include permitting that look at potential parking impacts. To mitigate these impacts staff helped event staff work with downtown businesses to ensure the event is beneficial to all. For example, staff worked with the Cruisin for Hope to coordinate on-street parking in the Main Street sewer project construction zone and relocated permit parkers to allow the placement of carnival rides during the event.

Concurrence

Fiscal Impact

None at this time

Work Load Impacts

Staff in the Planning, Community Services and Community Development Departments will continue to work on identifying and implementing ways to improve the City's management of parking in downtown Milwaukie and implementing the objectives and programs of the TSP.

However, effectively implementing the recommendations described above and funding the associated capital improvements will be a challenge under current funding and staffing levels. The responsibility for parking management is spread across five departments - Planning (planning and implementation direction), Community Services (enforcement, permit contract management), Operations (parking lot maintenance and improvement, signage), Community Development (business outreach), and Engineering (design and traffic management). Without a designated Parking Manager to coordinate the effort of implementing the recommendations, it has proven difficult for Planning and

Community Services staff to manage the implementation effort. For example, enforcement of time limits is crucial for protecting on-street parking for Main Street retail customers. However, the City's parking enforcement officer's time is split between parking enforcement, parking administrative duties and important Code Compliance duties throughout the City.

Alternatives

None at this time.

Attachments

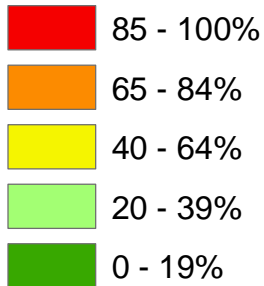
May 2009 Parking Utilization Map

Downtown Milwaukie Parking

Utilization Survey
May 26, 2009
11:00 - 11:30 AM

Legend

Parking Utilization



Downtown Core boundary

Label = parked vehicles/
number of spaces

Parking Utilization

Entire Downtown

| Parking Category | # of Spaces | # Utilized | % Utilized |
|----------------------|-------------|------------|---------------|
| Long Term Off-Street | 246 | 119 | 48.37% |
| Long Term On-Street | 69 | 43 | 62.32% |
| Other | 48 | 15 | 31.25% |
| Private Lots | 1114 | 504 | 45.24% |
| Public ADA Parking | 16 | 3 | 18.75% |
| Short Term On-Street | 271 | 138 | 50.92% |
| TOTAL | 1764 | 822 | 46.60% |

Downtown Core

| Parking Category | # of Spaces | # Utilized | % Utilized |
|----------------------|-------------|------------|---------------|
| Long Term Off-Street | 172 | 105 | 61.05% |
| Long Term On-Street | 2 | 2 | 100.00% |
| Other | 29 | 7 | 24.14% |
| Private Lots | 368 | 207 | 56.25% |
| Public ADA Parking | 13 | 1 | 7.69% |
| Short Term On-Street | 193 | 113 | 58.55% |
| TOTAL | 777 | 435 | 55.98% |

Notes:

1) Construction activity on the Main Street Sewer Main has temporarily closed parking at the Cash Spot and on-street between on Main Street between Jefferson and Monroe Streets. These spaces are not included in this count.

2) Building expansion at Milwaukie High School has permanently eliminated a parking area with 13 off-street spaces.

