

CITY COUNCIL MEETING
July 5, 1977
7 p.m.

COUNCIL CHAMBERS

1293rd Meeting

The one thousand two hundred ninety-third meeting of the Council of the City of Milwaukie, Oregon, was held on the 5th day of July, 1977, with the following councilpersons present:

Allen Manuel	Joy Burgess
Charles E. Swan	Mayor Bill E. Hupp

Absent:

Jerry N. Hutchison (excused)

Also present:

Harold L. Schilling, City Mgr. (entered meeting at 8:15 p.m.)

David Nemo, Administrative Assistant

Myer Avedovech, City Attorney

Dorothy E. Farrell, Secretary

The invocation was given by the Reverend Arvle Knight, Minister of Music and Christian Education, Milwaukie First Assembly of God Church, and the Pledge of Allegiance was recited.

Mayor Hupp turned over the gavel to Councilman Manuel, who conducted the rest of the meeting.

CONSENT CALENDAR

- a) Approval of minutes - June 20, 1977 meeting
- b) League of Oregon Cities action call on Revenue Sharing
- c) Memo explaining Bill #74 on list of bills, 6/20/77
- d) List of expiration of committee appointments

It was MOVED by Burgess, SECONDED by Swan, to adopt the Consent Calendar. Burgess asked to have item d removed for discussion.

- b) League of Oregon Cities has sent "SRS Action Call," dated June 28, 1977, concerning State Revenue Sharing for Cities.
- c) As requested, Police Chief and Finance Director have explained bill number 74 on the list of bills payable for June 20, 1977.
- d) Staff has listed committee appointments which expire between July 1 and December 31, 1977. Councilwoman Burgess asked for staff concurrence to direct staff to find out: (1) if the persons whose terms are expiring live in the city, (2) has their attendance record been good? (3) have they actively contributed to the work of the board? If all answers are affirmative, staff is to write letters asking if they would appreciate reappointment. Staff also would be asked to check city files to see if there are letters from candidates for appointment who were not appointed. Councilman Manuel recommended a written policy for procedures to fill vacancies.

On the motion to adopt the Consent Calendar, including item d, MOTION CARRIED unanimously by those present.

PRESENTATION OF CERTIFICATES

Mayor presented the following certificates from the Department of Commerce, Building Codes Division, to Jim Mishler, City Building Inspector: Building Official, Plans Examiner A-level Non-structural, Structural Inspector A-level, and Mechanical Inspector C.

NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council Coordinator has sent memo, dated June 29, concerning Library Board appointments, giving recommendations. One person, Lettie Barrett, who had previously applied, has withdrawn. Candidates will be interviewed at the next regular meeting.

APPOINTMENTS TO ORDINANCE STUDY COMMITTEE

Mayor recommended Jim Redman for the Ordinance Study Committee. City Attorney stated Mr. Redman does not live in the city. Staff was asked to furnish names of attorneys who practice and live in the city. Councilman Manuel recommended Stanley Craig.

TRANSFERRING JURISDICTION - RIVER ROAD

Clackamas County Board of County Commissioners has sent Order No. 77-939 transferring jurisdiction of a portion of River Road to the City of Milwaukie. It was MOVED by Swan, SECONDED by Hupp, to accept jurisdiction of that portion of River Road, County Road No. 887, between Milport and Ochoco Street, from Clackamas County. MOTION CARRIED unanimously by those present.

EMPLOYEE RESIDENCY REQUIREMENT

Discussion of possible residency requirement for employees was tabled at the June 20 meeting. It was MOVED by Burgess, SECONDED by Swan, that this matter be removed from the table. MOTION CARRIED unanimously by those present.

It was MOVED by Swan, SECONDED by Hupp, to move this item to the next regular meeting agenda. MOTION CARRIED unanimously by those present.

GARBAGE RATE INCREASE MEMORANDUM

Finance Director has sent memo, dated June 30, concerning garbage rate increase proposals.

It was MOVED by Swan that the rate increase be 55¢ on single can per week, and 26.9% increase on commercial rate. MOTION FAILED for lack of a second.

It was MOVED by Hupp, SECONDED by Burgess, to accept the recommended rate increase of 45¢ for one can residential, and take the others up as they come up. MOTION CARRIED with the following roll-call vote: AYES: Manuel, Burgess and Hupp. NOES: Swan.

It was MOVED by Swan, to increase the other types of collection by 30%. MOTION FAILED for lack of a second.

It was Council consensus to ask staff to prepare a resolution for adoption at the next meeting, with the increases on other types of service being proportionate.

(Meeting recessed at 9:05 p.m., reconvened at 9:12 p.m. with all present.)

LETTER TO B. MITCHELL RE APPOINTMENT TO AREA AGENCY ON AGING

Staff has written letter to B. Mitchell, Clackamas County Area Agency on Aging, dated June 22, concerning a Milwaukie appointment to the AAA advisory board. No answer has been received.

REPORT ON HOUSES NOT CONNECTED TO SEWER

City Manager pro tem has sent memo, dated June 29, with a map attached showing those general areas where sewer service is not now conveniently available. Staff was asked for a rough percentage of those houses paying the monthly sewer charge that are not connected to the sewer.

REPORT ON HOUSE NUMBERING ORDINANCE

Staff has checked Ordinance No. 1306, as requested, and reports that the ordinance does not include a penalty provision for not having house numbers visible from the street. It was MOVED by Hupp, SECONDED by Swan, that an amendment to the ordinance be prepared which would make mandatory the changed house numbers which are merely requested at the present time, with a penalty, and notification of the penalty in the next newsletter. MOTION FAILED to pass with the following roll-call vote: AYES: Hupp. NOES: Manuel, Swan and Burgess. It was suggested that the Code Enforcement Officer be asked to check on house numbers as he drives throughout the city. It was Council consensus that the requirement be publicized as much as possible. Councilman Swan requested that the matter be on the agenda for reconsideration at the first meeting in October. Manager was asked to suggest a program for summer youth employment to check house numbers.

AGREEMENT FOR BASE REFUND AND EQUALIZATION GRANT - LIBRARY SERVICES

The matter was deferred to the next Council agenda, because staff feels the amount of base refund is below what the city should be getting.

EDA PUBLIC WORKS GRANT APPLICATION

City Manager pro tem has written memo, dated June 28, concerning EDA Local Public Works Program application. North Clackamas School District has sent letter, dated July 5, asking for allocation of some of the EDA target funds to a swimming pool to be located at North Clackamas Park. The city has two continuing priorities that were submitted in the first funding period: improvements to the city's water system, and storm sewer street improvements. School district made a presentation on their proposal.

REQUEST FOR SIGN OVER PUBLIC RIGHT-OF-WAY

Milwaukie Festival Daze committee has requested permission to hang the Festival banner over the public right-of-way. It was MOVED by Hupp, SECONDED by Burgess, that the Festival be permitted to put the banner up, providing the sign complies with all applicable laws. MOTION CARRIED unanimously by those present.

OTHER BUSINESS

1. Manager gave a progress report on his meeting with Wichita Water District Board of Directors on request for interconnection through Wichita to Portland water system.
2. City Attorney was asked to research what claim the school district has on the city's EDA funds.
3. Staff was asked to check how the school district is charged for water.
4. Staff was asked to contact Kronberg and request the tall grass

be cut near the railroad trestle.

5. Mrs. Burgess stated she had been asked if the city intends to consider reduced sewer rates for senior citizens.

6. Manager reported Police Chief Don Jones is resigning to take the position of Oregon City Police Chief, effective August 1.

EXECUTIVE SESSION

The meeting adjourned at 10:55 p.m. and went into executive session to discuss Fire Department bargaining contract.

FIRE DEPARTMENT CONTRACT

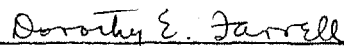
Council went back into regular session at 11 p.m., and it was MOVED by Burgess, SECONDED by Hupp, that the Mayor be authorized to sign the 1977-78 contract with the Milwaukie Fire Department, as submitted with their signature. MOTION CARRIED unanimously by those present.

The meeting adjourned at 11:05 p.m.



Bill Hupp, Mayor

ATTEST:



Dorothy E. Farrell, Secretary

COUNCIL AGENDA
 July 5, 1977
 7 pm

COUNCIL CHAMBERS

1293rd MEETING

1. CALL TO ORDER
2. INVOCATION - The Reverend Arvle Knight, Minister of Music and Christian Education, Milwaukie First Assembly of God Church
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
 - a. Approval of minutes - June 20, 1977 meeting
 - b. League of Oregon Cities action call on Revenue Sharing
 - c. Memo explaining Bill #74 on list of bills, 6/20/77
 - d. List of expiration of committee appointments
5. AUDIENCE PARTICIPATION
 - a. Presentation of certificates to J. Mishler
6. NEIGHBORHOOD COUNCIL REPORTS
 - a. Memo regarding Library Board appointments
7. CORRESPONDENCE
8. OLD BUSINESS
 - a. Appointments to Ordinance Study Committee
 - b. Transferring jurisdiction - River Road
 - c. Residency requirements - sample ordinances (tabled June 20, 1977)
 - d. Garbage rate increase memorandum
 - e. Letter to B. Mitchell regarding appointment to Area Agency on Aging
 - f. Report on houses not connected to sewer
 - g. Report on house numbering ordinance
9. CONSIDERATION
 - a. Agreement for Base Refund and Equalization Grant - Library Services
 - b. EDA - Public Works Grant application
10. OTHER BUSINESS
11. ADJOURNMENT
12. EXECUTIVE SESSION on labor negotiations - under ORS 192.660 (2) (a)

SRS

ACTION CALL

agenda

State Revenue
Sharing
for Cities

June 28, 1977

League of Oregon Cities
1201 Court St. NE
Salem 97308 588-6466

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A form of city revenue sharing was approved by the Policy subcommittee of Ways and Means late Monday afternoon. Since the Policy subcommittee is comprised of both the House and Senate chairpersons of Ways and Means plus the chairmen of all other Ways and Means subcommittees, it is likely that the full committee will approve the measure on Wednesday and send it to the Senate floor for action. Your contact with your Senators and Representatives is needed 'now' to insure passage of revenue sharing this session.

Here are the details of SB 11 as amended by Ways and Means:

1. Funding Source: Liquor receipts rather than income tax receipts. Continuing strong opposition to income tax sharing from Senate President Jason Boe and Ways and Means Co-Chairman, Senator Jack Ripper made getting a share of the income tax virtually impossible.
2. Funding Level: \$15.2 million for the biennium. This is an additional 14 percent of the liquor receipts. This is approximately ten million less than contained in the Governor's budget but almost three million more than Ways and Means had originally planned to give to cities.
3. Formula: The formula has been revised to reflect only consolidated property taxes and has removed service charges and other fees. This was done because data on these other charges is hard to collect and was done only after computer runs failed to show any appreciable difference between the two formulas. In a budget note, the League was requested to return next session with further information about the effect of including service charges and other fees in the formula.
4. Allocation Limit: The amount allocated to any city is limited to the total amount of property taxes raised by that city in the preceding year. This and one other amendment effectively excludes cities with no property taxes from the program. Based on computer runs, no cities that levy property taxes would have their share of revenue sharing funds reduced because of this provision.
5. Five Year Projections: Cities over 10,000 population, as a condition of receiving revenue sharing funds, would be required to complete and annually update a five year projection of revenues and expenditures.
6. Other Conditions: Other conditions in the bill are the same as amended into the bill by the Senate Committee on Local Government and Elections:
 - (a) A city must request the revenues annually by ordinance.
 - (b) A city must hold two hearings on use of the money, one before the budget committee and one before the city council. Both can be held in conjunction with the annual budget process.

- (c) A city must report at the end of each fiscal year on actual use of the funds in comparison with anticipated use of the funds.
- (d) Cities may return quarterly payments if they do not wish to continue in the program.
- (e) There is no time limit to the program and the Ways and Means amendments clearly state that the money is for general uses by cities.

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Assuming that SB 11 will pass the full committee on Ways and Means on Wednesday, the bill could be expected to reach the Senate floor on Friday or Saturday. Following passage in the Senate, the bill would be referred to Ways and Means again on the House side and could be expected to be up on the House floor early next week. Cities should contact their legislators immediately and urge strong support for SB 11. We realize that the bill does not achieve everything that cities originally asked for but believe that it is extremely important this session to establish the notion of unrestricted revenue sharing based on a formula relating to need. We can then return to subsequent sessions seeking to trade liquor receipts for a percentage of the income tax.

Panel approves increase in liquor monies for cities

SALEM — A \$15.2 million program to provide state assistance to cities by giving them an increased share of liquor sale revenues was approved Monday by a Joint Ways and Means subcommittee.

The amount approved by the subcommittee is about \$10 million less than the city revenue sharing program recommended by Gov. Bob Straub and sought by the cities. Straub had proposed earmarking a percentage of state income and corporate tax receipts for the cities.

The subcommittee, however, decided to give the cities an additional 14 per cent of the net receipts from the sale of alcoholic liquor with the increased amount to be distributed on the basis of relative tax effort and per capita income for each city.

Cities currently receive 20 per cent of the liquor revenues with the distribution based on population. Counties receive 10 per cent of the revenues. Those programs would continue.

The measure approved by the policy subcommittee, Senate Bill 11, also provides that the amount distributed to a city under the new revenue sharing program will not exceed the city's total tax levy. That provision is aimed at some smaller cities that do not levy any local taxes, relying on state liquor, cigarette and gasoline tax payments.

City officials have been seeking the

increased state aid, saying that their local costs have increased more rapidly than their revenues.

Ellen Lowe, member of the Salem city council and president of the League of Oregon Cities, told the subcommittee the league is willing to accept the funds from the liquor revenues, although cities would have preferred to receive a percentage of the income tax.

A revenue program linked to the income tax would increase as state tax receipts increase. Some subcommittee members noted that the liquor revenues also are increasing by about 10 per cent a year which should increase city receipts in future years if their percentage remains the same.

The subcommittee last week allotted counties some \$7.5 million in increased state payment of county court costs and for some new health and mental health programs. That amount was also substantially less than the counties had requested.

The subcommittee-approved proposal would give an additional \$4.5 million to Portland over the next two years. Estimated allocations to other cities for the biennium include: Eugene, \$1.1 million; Salem \$936,000; Corvallis, \$432,000; Medford, \$360,000; Albany, \$241,000; Pendleton, \$145,000; Grants Pass, \$142,000, and La Grande, \$110,000.

ORIGINAL RETURN TO MANAGER

REQUEST FOR SERVICE

CITY OF MILWAUKIE
10722 S.E. MAIN ST.
MILWAUKIE, OR. 97222
(503) 659-5171

OFFICE OF THE
CITY MANAGER

TO: Don Jones

DATE: 6-22-77 TIME: _____ : _____ A.M. P.M.

No. 00637 ^{4c}

WHO & WHERE	}	NAME _____ ADDRESS _____ PHONE _____	HOW	}	<input type="checkbox"/> IN PERSON <input type="checkbox"/> PHONE <input type="checkbox"/> MAIL	<input type="checkbox"/> CITY COUNCIL <input type="checkbox"/> _____ COMMITTEE
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SUBJECT Bills Payable

REQUEST Please send me a memo explaining bill number 74 on the last list of bills payable.

This represents coverage previously approved. Bill # 74 represents the balance due for the coverage previously obtained.

[Signature]

SIGNED _____

<input checked="" type="checkbox"/> DATE REQUIRED <u>6/30</u>	<input type="checkbox"/> REVIEW REQUIRED BY _____
<input checked="" type="checkbox"/> SUBMIT MEMORANDUM	<input type="checkbox"/> NOTIFY REQUESTOR _____
<input type="checkbox"/> REPLY ON FORM	<input type="checkbox"/> ACTION ONLY _____

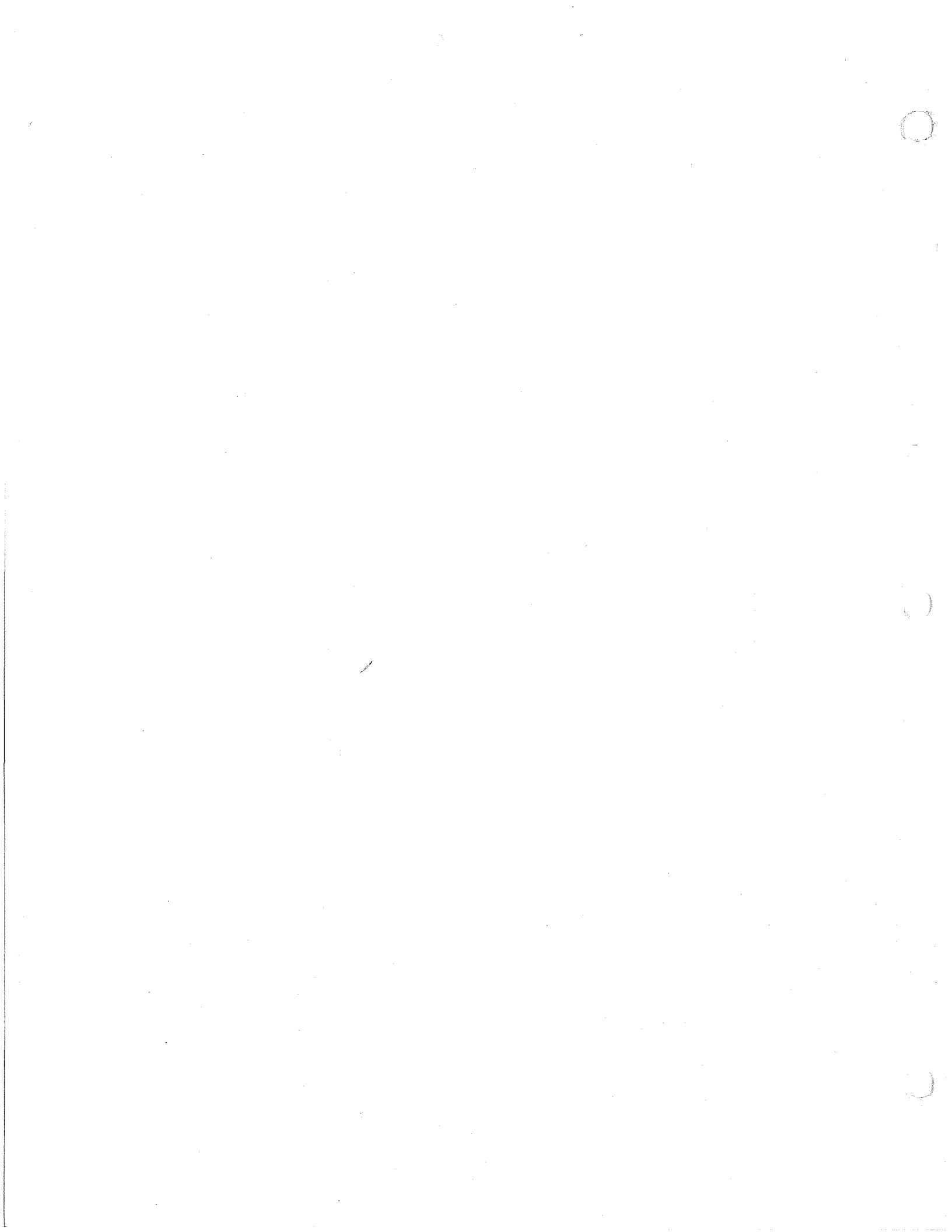
ACTION TAKEN Done

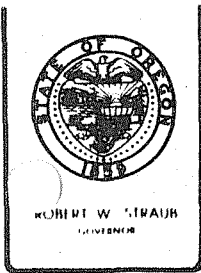
DATE 6/23/77 TIME 12 : 10 ^{AM} _{P.M.}

The bill paid was to the National Sheriffs Association for False Arrest & other required insurance for Police, Fire & other officials of the City. There are 35 high hazard policies; 14 medium hazard policies & 8 low hazard policies.

See addendum may have other comments in reference to the manner of selection of these coverages. Formerly we carried the insurance through Lloyd's of Milwaukee.

SIGNED [Signature] REVIEWED BY _____





Department of Commerce
BUILDING CODES DIVISION

401 LABOR & INDUSTRIES BUILDING, SALEM, OREGON 97310 PHONE 378-4133

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June 24, 1977

Mr. James R. Mishler
CITY OF MILWAUKIE
10722 Main Street
Milwaukie, Oregon 97222

Dear Jim:

We are happy to inform you that the Department of Commerce
Building Codes Certification & Training Advisory Board has
approved your application for certification as a Building
Official.

Your certificate is enclosed.

Don R. Ellinwood
Education Director

DRE:ov

Enclosure

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State of Oregon

Department of Commerce Building Codes Division

JAMES R. MISHLER

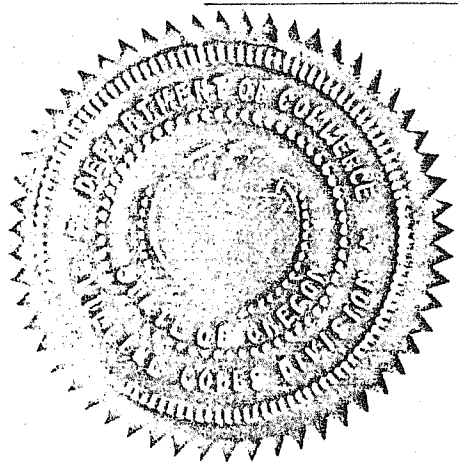
having demonstrated his knowledge of the code and techniques of inspection pursuant to an examination is hereby certified as

BUILDING OFFICIAL

In Testimony Whereof, *I have hereunto set my hand and affixed hereto the seal of the Department of Commerce of the State of Oregon this 23RD day of JUNE*

1977
C.R. Bol
Director of Commerce

Certificate # 585





ROBERT W. STRAUB
GOVERNOR

Department of Commerce
BUILDING CODES DIVISION

401 LABOR & INDUSTRIES BUILDING, SALEM, OREGON 97310 PHONE 378-4133

5a
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June 24, 1977

Mr. James R. Mishler
CITY OF MILWAUKIE
10722 Main Street
Milwaukie, Oregon 97222

Dear Jim:

We are happy to inform you that the Department of Commerce Building Codes Certification & Training Advisory Board has approved your application for certification as a Plans Examiner A-level Non-Structural .

Your certificate is enclosed.

Don R. Ellinwood
Education Director

DRE:ov
Enclosure

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State of Oregon

Department of Commerce Building Codes Division

JAMES R. MISHLER

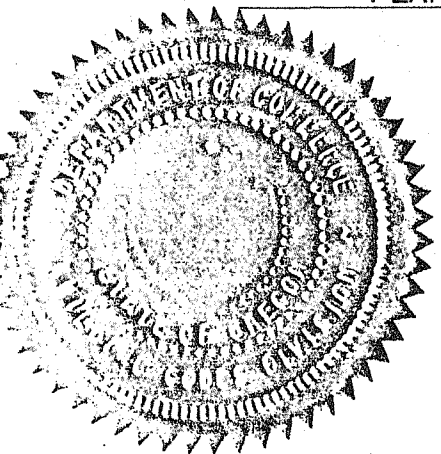
having demonstrated his knowledge of the code and techniques of inspection pursuant to an examination is hereby certified as

PLANS EXAMINER A-LEVEL NON-STRUCTURAL

In Testimony Whereof, I have hereunto set
my hand and affixed hereto the seal of the Department
of Commerce of the State of Oregon this 23RD day
of JUNE

1977
C.C. Bol
Director of Commerce

Certificate # 583





Department of Commerce
BUILDING CODES DIVISION

401 LABOR & INDUSTRIES BUILDING, SALEM, OREGON 97310 PHONE 378-4133

June 9, 1977

Mr. James R. Mishler
10722 Main Street
Milwaukie, Oregon 97222

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Dear Jim:

We are happy to inform you that the Department of Commerce Building Codes Certification & Training Advisory Board has approved your application for certification as a Structural Inspector A-level.

Your certificate is enclosed.

Don R. Ellinwood
Education Director

DRE:ov

Enclosure

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State of Oregon


Department of Commerce Building Codes Division

JAMES R. MISHLER

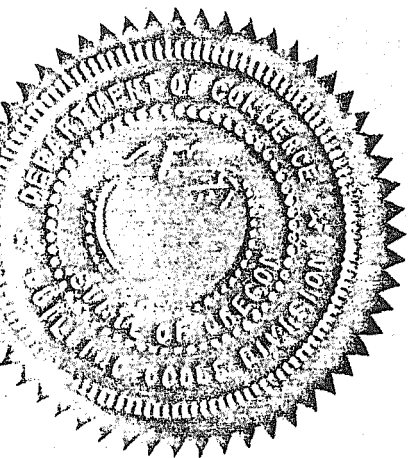
having demonstrated his knowledge of the code and techniques of inspection pursuant to an examination is hereby certified as

STRUCTURAL INSPECTOR A-LEVEL

In Testimony Whereof, I have hereunto set
my hand and affixed hereto the seal of the Department
of Commerce of the State of Oregon this 9TH day
of JUNE

1977

Director of Commerce

Certificate # 511





ROBERT W. STRAUH
GOVERNOR

Department of Commerce
BUILDING CODES DIVISION

401 LABOR & INDUSTRIES BUILDING, SALEM, OREGON 97310 PHONE 378-4133

June 24, 1977

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Mr. James R. Mishler
CITY OF MILWAUKIE
10722 Main Street
Milwaukie, Oregon 97222

Dear Jim:

We are happy to inform you that the Department of Commerce Building Codes Certification & Training Advisory Board has approved your application for certification as a Mechanical Inspector C.

Your certificate is enclosed.

Don R. Ellinwood
Education Director

DRE:ov

Enclosure

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State of Oregon

Department of Commerce Building Codes Division

JAMES R. MISHLER

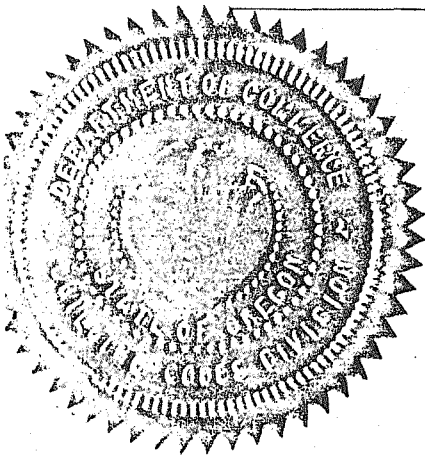
having demonstrated his knowledge of the code and techniques of inspection pursuant to an examination is hereby certified as

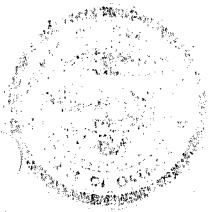
MECHANICAL INSPECTOR C-LEVEL

In Testimony Whereof, I have hereunto set
my hand and affixed hereto the seal of the Department
of Commerce of the State of Oregon this 23RD day
of JUNE

1977
C.C.C. B. O.
Director of Commerce

Certificate # 584





COUNTY OF CLACKAMAS
 BOARD OF COMMISSIONERS
 OREGON CITY, OREGON 97045
 655-8581

Agenda
 86
 (1)

ROBERT SCHUMACHER, Chairman
 RALPH GROENER, Commissioner
 STAN SKOKO, Commissioner

June 15, 1977

City of Milwaukie
 City Hall
 Milwaukie, Oregon 97222

Enclosed please find copy of Order No. 77-939 in which Clackamas County transfers the jurisdiction over portions of certain road as stipulated in said order and lying within the corporate limits of the City of Milwaukie.

You will note that it will be necessary for you to accept this jurisdiction by Resolution of your Council within 90 days from the date of the order at which time this transaction will be finalized by entering an order in the Commissioners' Journal.

BOARD OF COUNTY COMMISSIONERS

Chairman

Ralph Groener
 Commissioner

Stan Skoko
 Commissioner

/dab
 Enc.
 cc: John McIntyre

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the matter of Transferring to the City
of Milwaukie jurisdiction over a portion
of RIVER ROAD, County Road No. 887, between
Milport and Ochoco Street.

ORDER NO. 77-939

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This matter coming before the Board of County Commissioners and it appearing to the Board that a petition has been filed by the City of Milwaukie requesting that the jurisdiction of the following described road located within the corporate limits of the City of Milwaukie, Clackamas County, Oregon, be relinquished and conveyed to the City of Milwaukie, as provided for in ORS 373.270:

That portion of River Road, County Road No. 887, between Milport and Ochoco Street

It further appearing to the Board that the City of Milwaukie has requested jurisdiction over the above described roads and deems it necessary and for the best interest of the City of Milwaukie; and

It further appearing to the Board that within the provisions of ORS 373.270, notice for the hearing was given by publication in a newspaper of general circulation in the County, said notices being published May 11, 1977; May 18, 1977; May 25, 1977; June 1, 1977; and June 8, 1977 in the Milwaukie Review.

NOW, THEREFORE, IT IS HEREBY ORDERED that jurisdiction over the heretofore mentioned road in this Order be placed in and given to the City of Milwaukie; and

IT IS FURTHER ORDERED that acceptance of this jurisdiction must be made to the Clackamas County Board of Commissioners within ninety (90) days from the date of this Order.

DATED this 15th day of June, 1977.

Chairman

Commissioner

BCC

Heard H. ...

Commissioner

8d

MEMORANDUM

June 27, 1977

TO: CITY MANAGER

FROM: EXECUTIVE SECRETARY/CITY RECORDER

SUBJECT: Council discussion re garbage franchise fee

As requested, I have read my shorthand notes of Council discussions on the garbage franchise fee last Fall, to find any reference I took down to Council discussion of the impact of the lowering of the franchise fee on garbage collection rates. Below are the pertinent remarks I was able to find:

EXCERPTS FROM COUNCIL MEETING DISCUSSION OF GARBAGE FRANCHISE FEE - September 20, 1976 meeting

Hutchison: ... Presumably any saving on cost of franchise fee would be passed on to the user.

Swan: The whole process was to come up with as low a figure for franchise fee as possible to keep the user service low.

Hupp: ... because of the lowered cost to be passed on to the consumer.

CITY OF MILWAUKIE
Inter-Department Memorandum

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TO: City Manager

Date: June 30, 1977

FROM: Don Oblander

QUESTION - Where is the HOME rate \$3.25 ??? Mine is \$12 for 2 cans
FOR 2 MONTHS - HOW ABOUT 2nd can???

SUBJECT: Garbage Rate Increase

The City Council, at their June 20 meeting, requested information relevant to collection rates and franchise fees in surrounding jurisdictions. Schedule 1 presents a comparative analysis of this information based upon the cities used in reviewing our franchise fees last year. In addition, Clackamas County has been added, as much of our franchisee's non-Milwaukie business is in the County.

Schedule 2 contains the most recent information I have been able to obtain on our 6 franchisees. Due to different forms of ownership, services within and without the City, and owners with various degrees of participation in the business, it is hard to directly compare this information. Nevertheless, the limited information available indicates that some substantial amounts of revenue are being earned from the franchises.

Also illustrated in Schedule 2 are estimates of additional revenue which would be received by our franchisees at various collection rates. As was indicated during earlier discussions on franchise fees, each 1¢ increase in rates will increase the cost to Milwaukie residents by over \$1,000.

As of this time, there has been a lack of both information and time to do a real in-depth analysis. Nevertheless, I believe that much useful data is afforded by the available information in Schedules 1 and 2.

While I do not have a firm grasp of the Councils' intended direction on this issue, the following facts may provide a framework for a decision:

1. Some rate relief is necessary, both from a comparative and equitable basis. Our rate of \$3.25 is from 25¢ to 60¢ below comparable jurisdictions.
2. The \$4.00 request would make our rates the highest of comparable jurisdictions listed. (Washington County is now at \$4.00, however).
3. It has been over 2½ years since the last increase.
4. Franchise fees have been lowered from about \$6,000 to \$1,500 rather than increased to the proposed \$10,000. Our fee is substantially lower than average (Schedule 1). Thus it would appear that our rates could be lower than average without causing a hardship on our franchisees.

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5. Average comparable rates are below \$3.70 on both an overall and a Clackamas County only basis.
6. Lake Oswego and Clackamas County are expected to consider rate increase requests within the next several months.

Based on the foregoing, the following recommendation would appear appropriate:

1. Grant a rate increase of 45¢ per month (13.85%) to \$3.70 effective July 1, 1977.
2. Provide an opportunity for the franchisees to present information for consideration of a further increase (possibly July 1, 1978) if supported by increases in comparable jurisdictions and by economic conditions.

Discussion:

An increase of 13.85% to \$3.70 would put our franchisees slightly above the averages, despite the fact that the franchise fee is substantially lower than the averages. This would seem at odds with a desire to keep our rates on the low side of average (but reasonable). However, since two of the listed entities will be considering increases, those averages will be increasing somewhat. Accordingly, \$3.70 would be near average for the upcoming year.

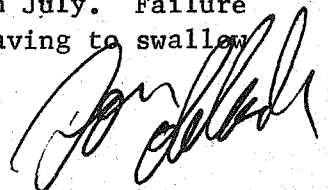
In view of the City Councils' desire to hold down rates through lower franchise fees, it would seem appropriate to consider a 45¢ per month increase to be the absolute maximum. Such a rate would be reasonable, in my opinion, but not excessive. The Council may wish to hold down the increase to less than 45¢, but to reduce it substantially would ignore the realities of large cost increases in areas such as personnel and dumping charges.

The recommended increase of 45¢ would provide an estimated total new cost to City residents of \$45,706 or \$5.40 annually for the single can family. Schedule 2 offers an analysis of estimated new revenue for each franchisee. Those amounts (at \$3.70) reach as high as \$29,639 for S.C.A. Services, our largest collector.

The requested increase of 75¢ would provide over \$76,000 of new revenue. In my opinion, a \$4.00 rate may be necessary a year from now, but is not economically justified currently. It would seem to be inappropriate to provide an excessively high increase now in order to avoid dealing with the issue for 2 or 3 more years.

Conclusion:

If the above recommendation meets with the Council's approval such a resolution will be prepared for the July 18 Council meeting. Should the Council prefer some other sense of direction on the issue, that consideration will be incorporated. As stated previously, it is desired that the amount of the increase be determined no later than the July 18 meeting in order to allow the rate to become effective in July. Failure to do so will place the franchisees in the position of having to swallow their recent mandated cost increases for another month.



COMPARISON OF GARBAGE RATES
AND FRANCHISE FEES

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	<u>Monthly Garbage Rate</u>	<u>Last Increase Effective</u>	<u>Franchise Fee (Total)</u>
Gladstone	\$3.85	1977	\$ 360
Gresham	3.75	1976	12,112
Hillsboro	3.75	1976	10,730
West Linn	3.75	1977	1,125
Clackamas County	3.70	1975	32,000
Oregon City	3.60	1976	750
Beaverton	3.50	1976	24,000
Lake Oswego	3.50	1976	6,000

Average overall	\$3.67½		\$10,885
Average Clackamas Co.	3.69		5,030
Milwaukie	3.25	1974	1,500

*Rep. Boxes must go to rep. No
Comptroller + No. Dep'tees
Inventory Tax
1973 Figures*

SCHEDULE I

ANALYSIS OF GROSS REVENUES, INCOME TO OWNERS
AND EFFECT OF NEW RATES ON FUTURE REVENUES

8d
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	<u>DEINES BROS.</u>	<u>MEL DEINES</u>	<u>PEARL DEINES</u>	<u>WICHITA SANITARY</u> (annualized)	<u>OAK GROVE</u>	<u>SCA SERVIC</u>
Year Ending	12-31-76	9-30-76	12-31-76	2-28-77	?	3/31/77
Gross Revenues (Rounded)						
Total	\$101,000	\$49,000	\$48,000	\$64,000	?	?
Milwaukie	20,000	16,000	11,000	64,000	\$5,000	\$214,000(est)
Total Income and Other Distributions to Owners (including salaries) (1)	19,213	32,065	5,525(2)	18,400	?	? (3)

ADDITIONAL ANNUAL INCOME AT
A RATE OF:

	<u>%</u>	<u>Total</u>						
\$3.70	13.85%	\$45,706	2,770	2,216	1,524	8,864	693	29,639
3.75	15.38%	\$50,754	3,076	2,461	1,692	9,843	769	32,913
4.00	23.08%	\$76,164	4,616	3,693	2,539	14,771	1,154	49,391

Each 1¢ increase in rate equals about \$1,016 in new revenues for our franchisees on an annual basis.

- (1) It should be noted the expenses have increased since these figures were current.
- (2) Owner is not employed in the business, hence the return of \$5,525 represents a return on investment by the owner. The cost of the route and the equipment (in 1969) is listed as \$16,443, resulting in a 33.6% return on investment in 1976.
- (3) Since S.C.A. Services in Milwaukie is only a very minor portion of a national company, it would be quite difficult to derive meaningful figures. Documentation from S.C.A. is available (should the Council desire) to confirm their various cost increases.

SCHEDULE 2

82

June 22, 1977

Bertha Mitchell
c/o Clackamas County
Area Agency on Aging
825 Portland Avenue
Gladstone, OR 97027

Dear Ms. Mitchell:

There is some confusion over your recent request to the Mayor for the name of an appointment by the City of Milwaukie to the AAA Advisory board. I would appreciate your directing in writing to the City Council your request clarifying which action is appropriate:

- 1) The designation of an existing member as the city's official representative.
- 2) The nomination of a new member representing the City of Milwaukie.

With this information the Council will be able to proceed with your request.

Sincerely,

David B. Nemo
City Manager Pro-Tem

DEN:kw

Did we Get Answer?

MEMORANDUM
June 29, 1977

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TO: City Council
FROM: City Manager Pro-Tem

Subject: Request for Information

* * * * *

A quick review by the engineering staff produced an estimation that less than 2% of the homes in the city are not connected to the sewer, either because it is not available or they still have a functioning septic tank. The attached map illustrates those general areas where sewer service is not now conveniently available.

David B. Nemo

kw

ISN'T IT THE LAW IN MILWAUKIE THAT IF SEWERS ARE AVAILABLE IT IS MANDATORY THAT A HOOK-UP BE MADE WITHIN ONE YEAR ???



AREAS WITHOUT SEWER SERVICE

88
②

REQUEST FOR SERVICE

RECEIVED

CITY OF MILWAUKIE
10722 S.E. MAIN ST.
MILWAUKIE, OR. 97222
(503) 659-5171

OFFICE OF THE
CITY MANAGER

6-22-77 2:15 pm

89 ①

TO: Myer Avedovech

DATE: 6-22-77

TIME: : A.M.
P.M.

No. 00636

WHO & WHERE } NAME _____
ADDRESS _____
PHONE _____

HOW } IN PERSON CITY COUNCIL
 PHONE _____ COMMITTEE
 MAIL _____

SUBJECT New house numbers

REQUEST Please research the ordinance establishing the new house numbers, to see what penalty is included for those persons not posting the new numbers in a prominent place.

THERE IS AN OBVIOUS LACK OF RESPONSIBILITY ON THE PART OF MANY HOME OWNERS TO COMPLY WITH THE REQUIREMENT HOUSE NUMBERS BE INSTALLED AND IN PLAIN VIEW. IF THEY ARE NOT THEN THE REASON FOR PUTTING THIS PROJECT INTO LAW IS NOT FULLY EFFECTIVE. LETS PUT PENALTIES IN THE LAW WHICH DOES NOT NOW CONTAIN THEM.

SIGNED *David Avedovech*

DATE REQUIRED 6/30
 SUBMIT MEMORANDUM
 REPLY ON FORM

REVIEW REQUIRED BY _____
 NOTIFY REQUESTOR _____
 ACTION ONLY _____

ACTION TAKEN

DATE 6/28/77 TIME 5: : 00 A.M.
P.M.

As can be seen from a photocopy of Ordinance No. 1306, no penalty provision is included. If the Council wishes to have this amended to include any penalty they can amend Ordinance No. 1306 to include any penalty they feel appropriate.

SIGNED *Myer Avedovech*

REVIEWED BY _____

ORDINANCE NUMBER 1306

89
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AN ORDINANCE PROVIDING FOR RENAMING OF CERTAIN STREETS AND FOR RENUMBERING CERTAIN HOUSES IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. That the recommendation of the City Council to rename certain streets and to renumber certain houses in the City of Milwaukie is in the best interest of the City.

Section 2. That the streets to be renamed, containing both the old name, new name and Clackamas County road number, are contained in Exhibit "A" attached hereto and by this reference made a part of this ordinance.

Section 3. That the houses to be renumbered will be done in accordance with the metropolitan grid system. The exact houses and the new numbers will be available by October 1, 1975.

Section 4. That the owners and/or the residents of the houses which must have the numbers changed are responsible for making said change.

Section 5. That all houses which must make number changes must have the new numbers on the houses no later than October 1, 1976.

Read the first time this 7th day of April, 1975, and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council this 7th day of April, 1975.

Signed by the Mayor this 7th day of April, 1975.

Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell, Recorder

Approved as to form:

Myer Avedovech, City Attorney

agenda
9a



CLACKAMAS COUNTY PUBLIC LIBRARY ①

999 LIBRARY COURT
OREGON CITY, OREGON 97045
June 23, 1977

To: City Manager, Milwaukie
From: Jane Putnam, Clackamas County Library
Re: Contracts for base refund and equalization grants

Enclosed is the contract to be executed between your city and Clackamas County for the exchange of money and library services as stipulated in the Dalton report and provided by the Library Levy.

The final form was drawn up by the Office of County Counsel (655-8362, Scott Parker). The money amounts are the higher ones arrived at on the basis of 13% of uncollectible taxes rather than the 15% figures used in the Dalton report.

Please have it signed and returned to me as soon as possible. The appropriate order will go before the Board of County Commissioners as soon as all 9 contracts have come back.

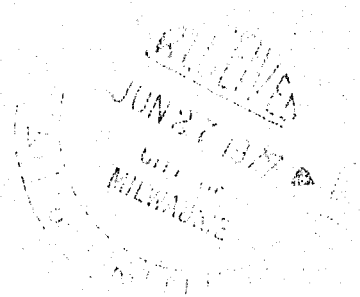
Let me know if you anticipate delay - July 1 is approaching rapidly.

Thank you

Jane Putnam

Jane Putnam

655-8543



AGREEMENT FOR BASE REFUND AND EQUALIZATION GRANT

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This Agreement is entered into and effective the _____ day of _____, 19____, by and between Clackamas County, hereinafter referred to as County, and the City of Milwaukie, hereinafter referred to as City.

WHEREAS County has determined that cooperative library service is in the public interest and finds that library service can be provided economically and effectively through contract for part of that service with an established library facility;

WHEREAS City is willing and able to provide library service to Clackamas County residents living outside the city limits of said city on a non-fee basis as hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual promises of the parties hereto and by virtue of the authority granted by the provisions of Chapter 357 and Chapter 190 of the Oregon Revised Statutes, it is mutually agreed as follows:

1. This contract shall commence July 1, 1977, and shall terminate on June 30, 1978.
2. It is expressly understood and agreed by the parties hereto that said parties shall perform all lawful acts necessary to accrue to the mutual benefits of cooperative library service.

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3. County herewith agrees to pay to City the sum of \$ 59,640 as a Base Refund of the actual amount of the taxes paid by the city residents of said City into the library levy through taxation.

4. County agrees to pay the sum of \$ 67,085 as an Equalization Grant to be used by City in defraying costs of materials, personnel and services rendered to out-of-city residents in Clackamas County.

5. This allocation of funds has been made by County under this agreement in accordance with the formula agreed upon by County and the nine (9) Cities providing the services prior to the passage of the serial levy.

6. City herewith agrees to expend the entire library fund paid under this agreement in accordance with the purpose for which it was levied.

7. Should either party hereto breach the terms of the agreement, the exclusive right of the other party shall be the right to cancellation of this agreement effective upon 100 days after written notice to the other party, with payment of funds to be made pro-rated to the termination date.

8. This agreement is subject to all applicable public contracting laws of the State of Oregon and is expressly subject to the debt limitation of Oregon Counties set forth in Article XI,

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Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefor. Any provisions herein which would conflict with law are deemed inoperative to that extent.

BOARD OF COUNTY COMMISSIONERS

City of Milwaukie
Name of City

Chairman

By _____
Name of City Official or
Officials

Commissioner

Commissioner

MEMORANDUM
June 28, 1977

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TO: City Council
FROM: David Nemo, City Manager Pro-Tem
Subject: EDA - Local Public Works Program

* * * * *

At the risk of creating more confusion about this subject, I need to bring you up-to-date on this federal program and explain certain responsibilities the council must perform to comply with the guidelines and be eligible to receive funds.

On June 13 the City received notice that it has been awarded a "planning target" of \$388,000. This planning target was arrived at by EDA through a formula/calculation taking into consideration mainly 1970 unemployment data. This is the maximum funding level that the City may submit projects for.

As you are aware, we again expressed our dissatisfaction with the distribution formula which produced an apparently inequitable funding allotment throughout Clackamas County. We have been advised that a recalculation is being made by EDA and an adjustment to our planning target (if any) might be expected July 1. ???

By July 8 EDA must receive from the City a list of projects in order of priority that we propose to be funded from our planning target. In certain cases where a school district (such as NC #12) is proposing a project that will principally serve a city with a planning target (Milwaukie) then the school district has the option to share in the planning target funds. If this is the case, the city and the school district must jointly submit one priority list, agreeing to the rank and funding of eligible projects.

With some exceptions, only project applications submitted for funding under round 1 of this program (due December 23, 1976) are eligible for funding within this planning target. Related to the Milwaukie planning target, the following applications would pass the first hurdle:

Milwaukie - Water System Improvements	\$ 267,800
Milwaukie - Storm Sewer/Street Improvements	\$4,050,000
N.C. #12 - Recreation Facilities (Swimming Pool)	\$1,387,264

According to the program guidelines, the school district only has an "option" on Milwaukie's planning target if more than 50 percent of the students served by the project will come from the City. As originally proposed the swimming facility would serve the entire school district of which Milwaukie residents comprise less than one-third. Therefore, without changing the scope of their project, or obtaining permission to submit a new project which would meet this service

Memorandum
June 28, 1977
Page 2

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criteria, the school district would have no option on Milwaukie's planning target and a joint priority submission would not be necessary. If the school district does propose a project which would qualify in this regard, then a joint priority determination will be necessary. The process to achieve agreement on such a thing is up to the parties involved exclusively. It lends itself to either the best or worst example of "local decision making", a phrase often repeated in government circles. In the event the two jurisdictions can not come to agreement, EDA will make the final determination, using probably less rationale and making less sense than their funding process.

We are in a position to resubmit both of our prior applications at adjusted funding levels to meet whatever our "planning target" turns out to be.

Planning Target \$388,000

Resubmit project #OR-0292, Water System Improvements, at a funding level of \$388,000. The original application for \$267,800 can be amended to include the drilling of one (maybe two) wells for our system. The land acquisition cost would not be eligible as part of the EDA funding.

Planning Target ± \$1,000,000

Resubmit project #OR-0292 as amended above.

Resubmit project #OR-0106, Storm Sewer/Street Construction amended to whatever funding level would use up the remainder of the planning target. We can complete isolated sections of the system to reach whatever funding level is available.

"Late breaking developments" may void some of the information I have just discussed or make necessary other decisions by the Council. These will be discussed at the Council meeting as necessary.

David Nemo
City Manager Pro-Tem

kw

MILWAUKIE CITY COUNCIL

July 5, 1977

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AGENDA ITEM:

NORTH CLACKAMAS SCHOOL DISTRICT 12
E.D.A. SWIMMING POOL PROJECT

1,528,288 Now

North Clackamas School District submitted a proposal for E.D.A. Funds in the amount of \$1,387,264.00 to construct a swimming pool and six tennis courts on the property adjacent to the District Administration Building at 4444 S. E. Lake Road, Milwaukie, Oregon.

Because of current E.D.A. Regulations requiring cooperation between target cities and applicant special service districts within those cities, the North Clackamas School District Board of Directors believes it would be in the best interest of the citizens of Milwaukie to allocate some of the E.D.A. Target Funds to a swimming pool to be located at North Clackamas Park. The pool would be owned and managed by the City with appropriate agreements for lease or rental of the pool facilities for school district sponsored swim training and competition programs.

Attached is a description of the proposed pool.

I will be present at the Council Meeting for further discussion.

Dan Browne
Planning and Evaluation
North Clackamas School District

Att.: 1
rf

City Determine Site in Park

Exhibit II-B-3
Architect/Engineers Report

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Project Description:

The North Clackamas School District, as part of an overall plan to expand their curriculum, bring North Clackamas up to modern standards and to provide the much needed educational/recreational facilities for the citizens of Milwaukie and North Clackamas County, intends to build on school district property, a covered swimming pool with supporting facilities and six outdoor tennis courts.

The covered swimming pool building is approximately 22,000 sq. ft. The pool area of 13,750 sq. ft. includes the main pool "L" shaped in design with 75 ft. in one direction and 25 meters in the other direction both 45 ft. (six racing lanes) wide. The teaching pool to be 20 ft. x 28 ft. with a maximum depth of 3'-0". One and three meter diving boards and three lifeguard chairs/stations will be provided. The main pool will meet National Collegiate Athletic Association (NCAA), National Interscholastic Association, Amateur Athletic Union (AAU) standards, Life Safety Codes and will provide for the need of the handicapped. The decks are open for teaching and recreational use except for spectator events when folding bleachers will accommodate an audience of 350.

The 4,800 sq. ft. of locker/bath area includes a general purpose meeting/classroom, restroom for non-swimmers (spectators), pool equipment storage, men and women instructors office/dressing, lifeguard office, first aid room lobby and checking area, director's office and locker/dressing toilet showers for men and women.

The new swimming pool building will be constructed of reinforced concrete, concrete masonry units insulated wood frame walls with exterior brick veneer. The floor will be concrete slab on grade. The roof structure will be made up of glued laminated beams, purlins, decking ridged insulation and build-up roofing. Ceramic tile is to be used in shower and toilet rooms for floors and walls. Special acoustical treatment will also be included throughout. The building will be built in accordance with Oregon State Structural Code (Uniform Building Code), Fire, Health and Life Safety Code and Architectural Barriers Code for the handicapped.

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June 27, 1977

C. Mark Smith
Regional Director
Economic Development Administration
1700 Westlake Avenue North
Seattle, Washington 98109

Dear Mr. Smith:

The City of Milwaukie is in receipt of your letter dated June 10, 1977 regarding round II Local Public Works Program Planning Targets. Along with other jurisdictions in the area, we again find the distribution of funds a paradoxical escapade in light of economic and demographic data about Clackamas County.

We have been in contact with the local EDA office and have been advised that final adjustments of planning targets in Clackamas County will occur approximately July 1. Given this information and an indication that the submission of project priorities and revisions would likewise be delayed, the City Council has postponed action on submitting these items pending any adjustment in the planning target for Milwaukie. Since any adjustment will greatly influence the scope of projects submitted, we do not wish to extend our limited resources on project revisions until a more definite planning target is established.

Whereas the original planning target information arrived on June 13, and in light of the recent decision to recalculate the distribution in Clackamas County, I would appreciate an indication from your office as to when the necessary forms will be due in your office. I appreciate your attention to this matter.

Sincerely,

David B. Nemo
City Manager Pro-Tem

DBN:kw

cc: Tom Current



U.S. DEPARTMENT OF COMMERCE
Economic Development Administration

1700 Westlake Avenue North
Seattle, Washington 98109

June 10, 1977

(206) 442-5868

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①

Dear Applicant:

Under the Public Works Employment Act of 1977, the Economic Development Administration (EDA) will soon begin processing applications from eligible applicants for the extension of the Local Public Works Program (LPW-Round II). This letter is to notify applicants from Round I, and potential new applicants, of their eligibility or ineligibility under Round II. It briefly discusses the alternatives eligible applicants may use in expending project dollars.

Please refer to the list of planning targets (see "Enclosures" item 1). Listed are the State governments and all areas which receive planning targets. These targets are arranged alphabetically in the following sequence:

- . State government;
- . Pockets of Poverty shown as a Statewide set aside (see Guidelines for further discussion);
- . County governments; and
- . Cities and other municipalities.

To be eligible, areas must have an unemployment rate equal to or above 6.5 percent or the State's average, whichever is lower.

School districts have not been assigned planning targets as such. They are eligible to share the planning targets of jurisdictions which their projects serve. This is discussed further in Section IV of the Guidelines. Special purpose districts have not been assigned planning targets. They are eligible to receive funds by "endorsement" from other jurisdictions. This is discussed further in Section V of the Guidelines.

If the name of your jurisdiction is not on the planning target list, you are ineligible for Round II funds. If your jurisdiction is assigned a planning target of zero, you have either expended your target in Round I, the State's or area's allocation was exceeded before reaching your area, or your target is below \$75,000, the minimum planning target to be assigned. However, an eligible applicant might obtain funding for a project by endorsement from one or more eligible applicants.

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If you suspect the omission of your jurisdiction from the list is due to an over-sight, rather than legal and administrative constraints, you may address an inquiry to this Regional Office. Such an inquiry should be made promptly and in no case later than June 24, 1977. Should EDA determine that planning targets must be recalculated, affected applicants will be notified. No planning target adjustments will be made after the funds are obligated.

The following items are important to all project applicants:

- . You have a maximum of 28 days from receipt of this package to list your projects in order of priority and resubmit them or submit new projects. All submissions must reach this Regional Office by midnight of the twenty-eighth day;
- . You should complete and return to EDA the listing of priority projects (Exhibit S-11-3a and/or S-11-3b of the Application Supplement) as quickly as possible. This must be done before any applications are resubmitted or submitted and before the 28 day deadline expires;
- . To resubmit a Round I project, you should complete only the Application Supplement, ED-101LPW-S;
- . To submit a new application, you should complete the ED-101LPW plus all parts except III of the Application Supplement, ED-101LPW-S;
- . You should be prepared to submit additional project applications if priority projects cannot be approved because of irreversible deficiencies; and
- . Please note that your planning target represents a funding ceiling which cannot be exceeded.

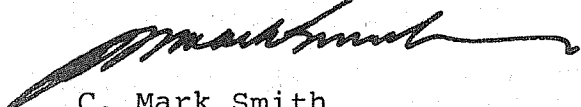
All eligible applicants should make every effort to resubmit pending projects. New applications will be accepted only from eligible applicants in eligible areas if the projects fulfill compelling local needs or achieve objectives of the Public Works Employment Act of 1977. New applications will also be accepted if necessary to fill the planning target.

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Eligible applicants may select projects or endorse projects of other eligible applicants according to procedures spelled out in Section V of the Guidelines.

The principal objective of the Local Public Works Program is to begin the construction of capital projects without delay. Eligible applicants are urged to prepare and submit their list of priority projects as quickly as possible. This list must show all resubmitted and new projects proposed to be funded within the planning target, including projects endorsed for or by other jurisdictions and, where applicable, projects jointly endorsed by local governments and school districts. After submitting this list, the application or resubmission form for each listed project or endorsement should be sent as it is completed by you to the Regional Office. By using this approach, applicants can obtain the earliest possible review which will alert them to deficiencies that need to be remedied and which will expedite the award of project grants.

With warm regards,



C. Mark Smith
Regional Director

Enclosures:

1. A list of planning targets for your State;
2. Rules and Regulations for Round II (published May 27, 1977 in the Federal Register); and
3. Guidelines for Round II (which set forth Agency policy for administration of the program).

(Additional items are enclosed for the use of those eligible applicants that have or may share planning targets.)

4. A list of projects pending from Round I located in your state;
5. Application Form ED-101LPW
6. Application Supplement ED-101LPW-S;
7. Exhibit S-11-3a (List of Submitted, or Endorsed LPW Applications in Order of Priority); and
8. Exhibit S-11-3b (Local Government-School Districts List of Submitted and/or Endorsed LPW Applications in Order of Jointly Assigned Priority).

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If you suspect the omission of your jurisdiction from the list is due to an over-sight, rather than legal and administrative constraints, you may address an inquiry to this Regional Office. Such an inquiry should be made promptly and in no case later than June 24, 1977. Should EDA determine that planning targets must be recalculated, affected applicants will be notified. No planning target adjustments will be made after the funds are obligated.

The following items are important to all project applicants:

- . You have a maximum of 28 days from receipt of this package to list your projects in order of priority and resubmit them or submit new projects. All submissions must reach this Regional Office by midnight of the twenty-eighth day;
- . You should complete and return to EDA the listing of priority projects (Exhibit S-11-3a and/or S-11-3b of the Application Supplement) as quickly as possible. This must be done before any applications are resubmitted or submitted and before the 28 day deadline expires;
- . To resubmit a Round I project, you should complete only the Application Supplement, ED-101LPW-S;
- . To submit a new application, you should complete the ED-101LPW plus all parts except III of the Application Supplement, ED-101LPW-S;
- . You should be prepared to submit additional project applications if priority projects cannot be approved because of irreversible deficiencies; and
- . Please note that your planning target represents a funding ceiling which cannot be exceeded.

All eligible applicants should make every effort to resubmit pending projects. New applications will be accepted only from eligible applicants in eligible areas if the projects fulfill compelling local needs or achieve objectives of the Public Works Employment Act of 1977. New applications will also be accepted if necessary to fill the planning target.