

MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION

July 17, 2007

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

Council Present: Councilors Barnes, Collette, Loomis, and Stone.

Staff Present: City Manager Mike Swanson, Community Services Director JoAnn Herrigel, Engineering Director Gary Parking, Transportation Liaison Gavin Hales, and Community Development/Public Works Director Kenny Asher

Intergovernmental Agreement with North Clackamas Parks and Recreation District

Ms. Herrigel and Park and Recreation Board (PARB) member Sherri Dow discussed the intergovernmental agreement (IGA). It was signed August 1992 and had not been modified since that time with one exception. The agreement transferred City staff and equipment to the District and established that the District would maintain and operate the City's park and recreation facilities listed in the attachment to the IGA. A lot of things had changed over the last 15 years not only in the District but also in the City. There had been a lot of input on how outdated the agreement was and that it should be modified. PARB and staff went through the agreement and came up with four major areas for renegotiation. She asked for approval to meet with the District to discuss outdated language; amend language regarding the Center/Community Advisory Board; expand the list of parks being maintained by the District including Riverfront Park, Lewelling Community Park, and Homewood Park; and amend the maintenance standards.

Mayor Bernard was concerned about financial impacts since no funds had been budgeted. He agreed the IGA needed a lot of work. One of the issues had always been maintenance, and he had not realized that there were different levels. He was also concerned about the condition of the tennis court at Century Park. A citizen had suggested converting it to a basketball court.

Ms. Herrigel said the District had budgeted \$50,000 to resurface the Century Park tennis court. She discussed the desire of the neighborhood to go pesticide free.

Councilor Collette did not see anything in the agreement about how complaints were handled, for example ballfield noise.

Ms. Herrigel said for that park specifically there was a neighbor agreement, and that was outside the City ordinances at this time. She might advise Council not to go that way since there were so many local parks. She believed parks were exempt from the noise ordinance but she would check the code.

Councilor Collette said that was the complaints that she was hearing that there was noise before 7:30 a.m. and after 10:00 p.m.

Councilor Stone was curious about changing the Center/Community Advisory Board membership to 12.

Ms. Herrigel said it was difficult to maintain membership of 18 members.

Councilor Stone was interested to know why Ms. Herrigel referred to a San Francisco template for maintenance.

Ms. Herrigel responded they could only find two templates. One was from San Francisco and the other was from a school.

Councilor Stone understood it was difficult to find a comparable community. She looked at the IGA and the land acquisition and their goals. Which were acquired and which were not. Aquatic and ballfields were done, but she believed there were still some to work on.

Ms. Herrigel said the District was asked for two multi-purpose fields. Most had been met but she was not sure if there were lighted soccer fields to date.

Councilor Loomis reported there was an agreement with Aldercreek Middle School, and artificial turf fields were slated for Milwaukie and Putnam High Schools.

Ms. Herrigel said there was money slated to be spent on Milwaukie parks between 1991-1996. The amount that was allotted for parks in the City was \$800,000 but they ended up spending over \$1 million.

Councilor Stone had questions on the levels of maintenance. She did not see Kellogg Lake Park listed.

Ms. Herrigel said that was one of the gaps that needed to be filled. Things needed to be more specific.

Councilor Stone understood signage would remain the same.

Ms. Herrigel replied PARB suggested that be done by having the signage read owned by the City of Milwaukie and maintained by NCPRD to be consistent. She anticipated reporting back by the end of the year. The Council may consider the financial implications at that time.

Councilor Stone suggested starting an adopt-a-park program.

Ms. Herrigel said that was raised by the PARB. The District has a program that covers all parks, but it might be feasible for the City to have one.

There was consensus that Ms. Herrigel move forward.

Harmony Road Environmental Impact Study

The agenda item was postponed to a future meeting.

Railroad Crossing Safety

Mr. Parkin and **Mr. Hales** discussed progress made in the past three months and safety improvements needed to establish a quiet zone. They asked for direction so they could return with a resolution to implement these improvements.

Mr. Hales described the existing railroad crossing safety project, rules governing quiet zones, the three impacts to the Union Pacific main line on Milwaukie, the specific improvements the project would undertake at each crossing and the impacts and benefits of those, the community response regarding train noise, the budget for these improvements and staffs recommendation regarding the proposal.

Mr. Parkin said they budgeted for 37th Avenue and Oak Street to be improved this year with Community Development Block Grant (CDBG) funds. This would be done regardless of the outcome on the quiet zone piece, but the project

included elements needed for a quiet zone. At 37th Avenue sidewalk improvements would cross at a right angle, and the sidewalk would be extended. The next crossing at Oak Street had sidewalks on both sides and connect to the curb return. It will also have the pedestrian and bike crossing improvements. Right now there was nothing at those intersections, so it was a needed improvement. The reason for promoting the quiet zone at this time was that there were some efficiencies of doing the projects together using CDBG grant funds. There is a lot of public sentiment in favor of doing this project.

Mr. Hales said the legislation governing quiet zones was authorized by the Federal Railroad Administration (FRA) after over 10 years of intense study. The purpose was to enhance safety at crossings, reduce noise impacts on communities, and to replace the train horns with Supplementary Safety Measures (SSM). The goal of SSMs is to prevent movement across the rail line when gate arms are lowered. All of the options listed accomplish that goal but the 5 options that were available to the City is a technology called four quadrant gates. Additional gate arms were added at each crossing, median barriers, one way streets with the existing gates fully blocking the lane of travel, temporary night time street closure and permanent street closure. The proposal presented relies on median barriers. The UP Main line has three main impacts on Milwaukie: safety, noise nuisance, and access constraints. Train horn noise affects approximately 82% of Milwaukie households above the level considered acceptable for normal residential land use by the Federal Railroad Administration. He pointed out the whistle points. The third impact was an access impact that primarily stems from safety concerns for pedestrian, cyclists, and handicapped. This project seeks to address elements of all three problems at three crossings of UP main line at 37th, Oak, and Harrison.

The 37th Avenue crossing proposal would construct a total of three median barriers. One extends in each direction from the rail crossing and one along Railroad Ave. with the purpose of channeling traffic away from the rail crossing. This project would also realign the intersection of 37th and Railroad to accommodate the presence of the median barriers and preserve passenger vehicle turns at that intersection.

He showed a slide of the current traffic patterns, and what it would look like by moving up the intersection and increasing the queue length. The result of the improvements would improve crossing safety for pedestrians, cyclists, and drivers. They would limit truck and bus access to Railroad Avenue; improve sight lines and geometry at the intersections of Railroad and 37th.

The Oak Street crossing turns were retained under original proposal. He pointed out the freight driveway. Under original proposal we would lose three turns at this intersection. The freight turn into the freight access way, the left turn from Campbell onto Oak, and the left run from Oak onto Campbell. They talked with the neighborhood associations and they were concerned about the loss of those turns. They determined they could regain one of those three turns by adding a curb section that channeled the existing left turn lane on Oak so vehicles could make the turn and allow the SSM. They expanded the end pieces to the median barrier to discourage people from cutting through. Freight access was significant in this area, and this proposal retained full freight access to the Milwaukie Marketplace by adjusting the existing freight driveway slightly towards Hwy 224 to allow for the continued egress and ingress for trucks from that point. They spoke to the representatives at the Milwaukie Marketplace, and they are in favor of this proposal. The existing crosswalk would be eliminated in this proposal.

The idea would be to move the crosswalk to a well-lit location, and it added some distance from the intersection.

Overall results of the improvements at Oak Street was crossing safety for pedestrians, cyclists, and drivers; improve access to the Marketplace and Gramor; loss of two left turns, and preserved others including freight access to the back of the Marketplace.

Mr. Parkin discussed the Harrison crossing. He explained that it is not part of the CDBG project so they would have to do the improved crosswalks and median barriers. He showed Council the existing turning motions, and said that 31st Avenue was a dead end that had many unsafe turning motions. With the new median one could not turn left from the car wash. A possible way to mitigate the loss of the left turning motion was to utilize the existing driveway to the east. Both properties were under common ownership with a left in and out termed east driveway. DKS looked at this area and suggested extending the median longer than needed to make sure that people couldn't make a left turn. Future development of the Murphy site would likely vacate the current access point. In the long term the loss of access at 31st Avenue was not an issue. That was right-of-way for a street. The results of these improvements would be improved crossing safety for pedestrians, cyclists, and drivers. It also improves pedestrian, bike, and handicapped access to Providence Milwaukie, downtown Milwaukie and nearby businesses; full movement access to carwash and provides internal circulation for Purdy's.

Mr. Hales explained the result of doing all 3 improvements would reduce noise to less than 65 decibels for 69% of Milwaukie households. He further explained that the community response on this issue was strong with 189 residents indicating an interest in the issue through self-selection. 165 of those were in favor of silencing; 17 were opposed, and 7 were neutral. They have contacted the affected businesses that were by in large in favor of the proposal with the exception of Purdy's that was opposed to the proposal. As a result of initial research he added a question about train horn noise to his survey and compiled a log of community concern. He reviewed the calendar of community outreach that began August 2006 through July 2007. Six NDA's were in favor of the proposal and one was neutral.

Mr. Parkin reviewed the budget. Total project cost was \$480,000. The funding in the current budget for CDBG was \$99,000, funds in lieu of (FILO) was \$15,000, gas tax \$64,700, and SDC \$37,500. The proposal would cost \$285,000 and they would look to fund it with FILO funds, gas tax contingency funds, and SDC funds. He gave an additional breakdown of the cost at each crossing.

Mr. Hales said improvements would make three key rail crossings substantially safer. The project had the added benefit of a quiet zone designation, which in addition to improving neighborhood livability had broad community support. Additionally, Milwaukie would be train horn free with the completion of the Harmony Road project. The result is reduced noise, improved access, reasonable alternatives to lost turns, efficiency, and cost effectiveness.

Mr. Parkin recommended establishing the quiet zone and was seeking Council direction on preparing a resolution implementing these improvements. The gas tax listed was from the state and not local.

Councilor Barnes asked about the comment regarding the need to sound horns 16 times. What happens when the train hits Harmony and Linwood? How far will

the train noise travel? She wanted people to realize there will still be train noise in Milwaukie until Linwood/Harmony was dealt with.

Mr. Parkin responded that the Linwood neighborhood would still be within the 65-decibel zone. He pointed out that it was a small area compared to the overall City.

Councilor Barnes wanted it clear that it would not eliminate train noise.

Mr. Hales explained the challenges at the Harmony Road Crossing. There were two key considerations. The rail crossing immediately abuts the intersection so median barriers were not an option. Second, whatever technology they looked at using, the Harmony Road project looked at making substantial changes to that intersection, and staff was concerned that any City effort to quiet train horn noise and install improvements would be removed by the project a few years later.

Councilor Collette said she wanted a considerable amount of signage at 37th Avenue so people knew there was a crossing. The crosswalk seemed out of the way for someone going from the Museum and neighborhood to the Marketplace.

Mayor Bernard asked why the crosswalk wouldn't be located where the signs were instead of moving it up.

Mr. Parkin replied the width of that intersection made it difficult to place it any closer, and the stop is for the side street not for 37th Ave.

Mayor Bernard said he had major concerns with the carwash. He was surprised that 31st Ave. was actually a public street. To have someone turn into a driveway and into a blank wall and then into a carwash seemed absurd. The carwash was dependent on vehicle access. Disallowing the left turn was an issue for him. He would like to know the cost of the four bars at that intersection.

Mr. Hales said it would at the least add an additional \$250,000 to the project because the four quadrant gate technology involved the existing Railroad circuitry and that work has to be done by the railroad, and the circuitry is expensive. The Railroad may ask the City to replace existing arms.

Mayor Bernard said he read about a bell or horn that could be used at the intersection.

Mr. Hales responded it was alternative #2 in staff report that involves putting a fixed horn at the crossing itself, which did not carry as far. At the actual approach noise level was still quite high. There is a complication with wayside horn systems in that they could make the City liable for any accident at that crossing that could be traced to the use of that horn system. There was a case pending in Sugarland, TX that resulted in abandoning the Wayside system and they ended up installing four quadrant gates at 8 crossings.

Councilor Loomis went back to the carwash question. For clarification he asked if one landowner owned the carwash and the vacant office space, and verified that the landowner would have to agree for that to work. He still wasn't clear how that would work.

Mr. Hales responded that the landowner would have to agree. He referred to the second page of the handout that showed right turns still coming in and out from 31st Ave. Both left turn motions moved to the east driveway. Cars coming out of the carwash that did not want to make a left on Harrison would go behind the office building and then make a left.

Mr. Parkin reiterated that this did made for a safer intersection and provided access to the property.

Mayor Bernard asked if the entire property was owned by Murphy. He said Purdy's has some interest in moving to the property it owned across the street, but current standards made it very expensive. He asked if the City could talk with Purdy's and negotiate. The carwash would likely lose 60% of their business with these changes.

Councilor Stone said she was also concerned but the changes still gave them an in and out option if the current owner allowed it. She asked about the accident history.

Mr. Parkin replied he did not have the exact numbers, but it did show up in the Transportation System Plan (TSP) as a high accident area.

Councilor Stone understood without the landowner's cooperation they could not go forward with it.

Mr. Parkin said that was not true and they could go further with it regardless, but it did make it harder for Purdy's if the property owner did not allows access via their driveway. The City can block off right of way for safety improvements regardless of what the owner allowed.

Councilor Stone asked if they have spoken with owner.

Mr. Parkin replied they spoke with owner who was not very supportive of the median because it would mess with the current conditions.

Councilor Stone asked about the double gates at that crossing

Mr. Parkin replied there would continue to be safety problems with that entryway even with the double gates but we would have a quiet zone.

Councilor Stone was interested in knowing the accident history.

Mayor Bernard had some serious concerns. Could we put in barriers on the west side of Harrison St. and eliminate a gate?

Mr. Parkin was starting to investigate that and may be able to have one gate instead of two. One of the issues was the possibility of having to buy new gates.

Mr. Hales said ODOT rail and UP were opposed to using more than one type of mitigation. They are proven to work, have been federally tested and known to be safe. The combination of them would not save the City that much money as the expense was in the circuitry.

Councilor Loomis was concerned about funding and using the gas tax after adopting the local gas tax.

Mr. Parkin could balance out some of the funding a little bit better with the new finance director. Some gas tax money would be used for this project and those monies would come from contingency.

Mr. Asher said they have gotten as creative with funding sources as possible. He was hearing from Council that they are already drawing too much gas tax and may need to go to a more expensive solution to preserve access to Purdy's.

Mr. Swanson added that two years ago they brought someone in to look at creating a safety zone. Cost from outside approached \$2 million. Staff had gone to great lengths to look at options that provided safety as well as reducing or eliminating a livability issue.

Mayor Bernard said two intersections that would be done and made safer were 37th Avenue and Oak Street. Those were relatively inexpensive and were on the way to creating the quiet zone.

Councilor Stone asked if it was \$250,000 for a double gate at each crossing.

Mr. Hales responded yes and Oak would be more expensive.

Councilor Stone asked if there has been discussion with railroad. There seemed to be some discrepancy on the length of the horn. Have they been asked to minimize?

Mr. Hales replied operators were being nice to the community and sounding horns below level and fewer times. Those which were louder were probably adhering to the regulations.

Councilor Collette said we have an opportunity to look to the future. Murphy would benefit by a quiet zone for future development. She would like to encourage staff to go forward to negotiate with the owner of the Murphy site and look into signage. She thought it was best for the City to continue with this process as it affected 89% of the City in a positive way. Change would benefit the community.

Mr. Swanson did not wish to ignore the quiet zone situation and suggested taking a longer look. He heard some of the issues and wanted to give staff a chance to answer questions. He would like to stay with the concept of three as the goal.

Councilor Stone asked about closing the street at night.

Mr. Hales replied street closings occur where there are more crossings than needed, which was not the case in Milwaukie.

Mayor Bernard said the consensus was to consider the matter again in a couple of weeks. His main concern was with Purdy's. He thought Oak and 37th Avenue should be done and perhaps delay the third crossing.

Mr. Hales said there would not be a quiet zone unless all three crossings were done.

Design and Landmarks Committee Interview

The Mayor and Council interviewed Becky Ives for a vacant position on the Design and Landmarks Committee.

Adjournment

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


 Pat DuVal, City Recorder

AGENDA

WORK SESSION

MILWAUKIE CITY COUNCIL

JULY 17, 2007

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.	Design and Landmarks Committee Interview – Becky Ives	Mayor and Council
2.	5:40 p.m.	Intergovernmental Agreement with North Clackamas Parks & Recreation District	JoAnn Herrigel
3.	6:00 p.m.	Harmony Road Environmental Impact Study	Gary Parkin
4.	6:20 p.m.	Railroad Crossing Safety	Gary Parkin/ Gavin Hales
5.	6:45 p.m.	Adjourn	

EXECUTIVE SESSION

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: Renegotiation of Intergovernmental Agreement with North Clackamas Parks and Recreation District

Date: July 2, 2007

Action Requested

Provide staff with input and guidance regarding initiation of negotiations with North Clackamas Parks and Recreation District (NCPRD) to update and amend the 1992 intergovernmental agreement (IGA) with the City.

Background

In 1992, the North Clackamas Parks and Recreation District was formed after Clackamas County voters approved a ballot measure creating the District and committing funds to various projects in the North Clackamas County region. Soon after the District's creation, the City of Milwaukie signed an IGA with the District, effectively transferring the City's park equipment, park staff and the responsibility for operating its existing parks and recreation facilities and programs to the District. This agreement is now 15 years old and is in need of not only updating but also amendment.

Over that past 15 years, the City and the District have changed a great deal. The City has acquired additional land for parks, has developed new park facilities on its own and has made major progress toward construction of a major regional amenity, Milwaukie Riverfront Park. The District, despite a multitude of funding hurdles since its creation, has established and maintained a state of the art Aquatics Park, designed and constructed several parks, purchased the right of way for the Trolley Trail and most recently, constructed a state of the art ball park at North Clackamas Park. In November of 2004, Happy Valley voted to approve annexation into the District expanding the District's scope of work even further.

Acknowledging all the changes in the City and the District, the Milwaukie Park Board decided in 2006 to review the IGA in detail and identify areas that might need to be updated or amended. With staff's help, the Park Board developed the following list of issues to discuss with the District:

- 1) **Revise outdated language.** The majority of the language used in the original IGA focused on the 1992 transition. Therefore much of the verbiage is no longer useful as it was written. Proposed language amendments would "modernize" the document, reflecting current conditions and practices. Other "housekeeping changes" are also in order, such as changing the name "Regional Parks Advisory Board" to its current title, "District Advisory Board."
- 2) **Amend the language describing the Milwaukie Center Community Advisory Board membership.** In 2006, the City adopted amendments to the 1992 IGA that modified the District Advisory Board membership to reflect the annexation of Happy Valley. Those changes will be reflected in the renegotiated IGA. However, the Milwaukie Center Community Advisory Board (CCAB), the membership of which is spelled out in the 1992 IGA, is also in need of reorganization. Knowing that the City was looking at the IGA, the CCAB has proposed new language to address their long-held concerns regarding size and representation. For instance, the current Board membership requires 18 members and the Board has proposed that this be decreased to twelve.
- 3) **Expand list of City-owned Parks operated by the District .** The city has built parks within the past 15 years that are not maintained or operated by the District. In addition, a few City parks that are operated by the District have been or will be upgraded in the near future and the Park Board feels strongly that the District should maintain these properties. The negotiations with the District would attempt to place all current City-owned park facilities under the responsibility of the Park District. A well-defined process for adding new or expanded parks to the District's maintenance list will also be discussed.
- 4) **Amend maintenance standards .** The current IGA established maintenance standards for City parks and recreation facilities. The Park Board reviewed and discussed the existing standards. They also reviewed standards written by the Association of Higher Education Facilities Officers and the City of San Francisco. After some discussion, the Board recommended that the existing standards be enhanced and expanded by incorporating some of the methods and guidelines represented in the other standards they'd reviewed. One area, for instance, that the current maintenance standards do not address is natural areas and wetlands.

The Park Board did not recommend that the financial aspects of the IGA be amended. However, it is anticipated that some of the issues raised by the City may have financial implications for the District. The addition of new facilities to the existing maintenance list, for instance, will place a financial burden on the District and may result in a request for additional funds from the City.

Concurrence

The Park Board enthusiastically supports moving forward with IGA renegotiation with the District. The District is receptive to this process and awaits Council's guidance and endorsement of the process. The Community Development and Public Works Director and the Operations Director for Public Works are supportive of amending the IGA in order to better define maintenance of parks facilities in the City.

Fiscal Impact

No fiscal impact will result from the IGA negotiation process itself. Staff will update Council on the status of negotiations as they progress. Any negotiated amendments would be brought to Council for their approval and adoption.

Work Load Impacts

The Community Services Director and the Operations Director for Public Works will work directly with the District on the IGA amendments. The Park Board will provide City staff with guidance and input.

Alternatives

Direct staff to hold off on IGA negotiations with the District.

COOPERATIVE INTERGOVERNMENTAL AGREEMENT

This agreement, made this 20 day of August, 1992, is entered by and between North Clackamas Parks and Recreation District, a district formed under ORS Chapter 451 "County Service Facilities," hereinafter referred to as "Service District," and the City of Milwaukie, hereinafter referred to as "City," pursuant to the provisions of the Intergovernmental Cooperation Act, ORS 190.003-190.250.

The City of Milwaukie and Service District agree to the following:

SECTION A. PARKS CAPITAL IMPROVEMENTS

SERVICE DISTRICT

- 1) The Service District will acquire land and develop regional parks and recreation facilities for the North Clackamas area. These regional facilities include:
 - A State-of-the Art Aquatics Complex
 - 4 Lighted Softball Fields
 - 2 Lighted Soccer Fields
 - 2 Multi-purpose fields
 - 1 Riverfront Park in Oak Grove
 - Approximately 75 Acres of Natural Areas
 - Walking Trails Linking North Clackamas Park, the Southern Pacific Property, and Mount Talbert
- 2) Between 1991 and 1996, the Service District will provide a total of between \$500,000 and \$800,000 (in 1990 dollars) in funding and resources for land acquisition and the development of neighborhood parks facilities within the City of Milwaukie.
- 3) Between 1991 and 1996, the Service District will provide each of 4 other subareas of the district with funding and resources equivalent to a total of \$500,000 to \$800,000 (in 1990 dollars) for land acquisition and the development of neighborhood parks facilities.
- 4) The Service District may undertake improvements to parks currently under the jurisdiction of the City of Milwaukie. These improvements are subject to the approval of the Milwaukie City Council, or it's designee.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

CITY OF MILWAUKIE

- 1) The City of Milwaukie, or it's designee, will decide how the total \$500,000 to \$800,000 in neighborhood facilities funding, provided by the Service District between 1991 and 1996, will be allocated. This funding may be used to do one or more of the following:

- Acquire land for neighborhood or mini-parks
- Build neighborhood parks
- Build mini-parks or vest parks
- Improve or rehabilitate existing parks facilities
- Expand existing parks facilities.
- Improve school district ballfields or play facilities within the area
- Build walking and biking trails within the area
- Other similar capital improvements for parks purposes
- Improvements to and/or expansion of senior centers

- 2) The City of Milwaukie will retain the deeds to all parks facilities currently under the City's jurisdiction. These parks and facilities are listed in Attachment #1.

The Milwaukie City Council, or it's designee, must approve all capital improvements to these facilities undertaken by the Service District before such improvements can be made.

All proposed name changes to these parks are also subject to the approval of the Milwaukie City Council, under the advisement of the Milwaukie Parks Commission.

All parks and facilities owned by the City of Milwaukie, but maintained and operated by the Service District will have signage explaining this dual relationship. Signs within these parks would make statements along the lines of: "This park built by the City of Milwaukie and maintained by the North Clackamas Regional Parks and Recreation District".

- 3) The City of Milwaukie may construct new parks or make improvements to parks currently under its jurisdiction over and beyond the \$500,000 to \$800,000 allocation described above. These improvements will be at the City's own expense and will not be covered by Service District funds.

At the City's request, the Service District may maintain such parks. For parks not listed on Attachment #1, the City and Service District will negotiate a maintenance agreement covering the level of service to be provided and cost to be paid by the City.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

SECTION B. MAINTENANCE OF PARKS FACILITIES

SERVICE DISTRICT

- 1) The Service District will be responsible for the maintenance of all new indoor and outdoor park facilities constructed by the district (see #1 and #2 under capital improvements).
- 2) The Service District will maintain and operate those parks facilities currently under the City's jurisdiction (See Attachment #1) beginning September 1, 1992.
- 3) Upon assuming maintenance of City of Milwaukie parks facilities in fiscal year 1992-93, the Service District will guarantee employment for City of Milwaukie parks staff according to the guidelines established in ORS 236. Employees must perform to District standards and abide by District personnel regulations.
- 4) The Service District will maintain all parks listed on Attachment #1 for district maintenance at a level equal to or better than the Milwaukie maintenance standards on August 31, 1992. (See Attachment #2)

CITY OF MILWAUKIE

- 1) The City of Milwaukie will continue to maintain those parks currently under its jurisdiction through August 31, 1992. The funding "passed through" to the City of Milwaukie by the Service District during fiscal years 1991-92 shall be used exclusively for the maintenance and operations of the parks facilities. Any funds remaining will be used by the City for the purchase of park land.
- 2) As of September 1, 1992 the City of Milwaukie will transfer maintenance responsibility of its parks to the Service District. This transfer will include a complete transfer of parks and recreation staff according to ORS 236. If the City desires to sell any parks and recreation associated equipment, including mowers, tractors, and vehicles, to the District and the District is interested in purchasing these items, this equipment will be sold at fair market value.

The City may at it's option transfer parks and recreation associated equipment to the District in exchange for a credit toward the maintenance by the District of properties listed on Attachment #1, Milwaukie Open Spaces to be Maintained and Operated by the City of Milwaukie or transfer of employee vacation credits in excess of 80 hours (ORS 236.610(2)). This credit will be equal to the fair market value of the equipment transferred to the District

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

SECTION C. RECREATIONAL PROGRAMMING

SERVICE DISTRICT

- 1) The Service District will provide extensive aquatics and recreational programming including programs for all ages and differing abilities, coordination and scheduling of fields services, and summer youth recreation programs for the entire North Clackamas area. Some recreational classes to supplement existing recreation programs may also be provided by the Service District.
- 2) As of September 1, 1992, the Service District will provide City of Milwaukie residents with a Summer Youth Recreation Program equal or better than the program currently operated by the City's Parks Department. (See Attachment #3)
- 3) As of September 1, 1992, the Service District will assume responsibility for the scheduling and management of all sports fields (such as soccer, softball, and baseball) located on parks currently under the jurisdiction of the City of Milwaukie. All programs operated in Milwaukie will be acknowledged as "City of Milwaukie Parks and Recreation Program operated under contract with North Clackamas Parks and Recreation District thru June 30, 1995.

CITY OF MILWAUKIE

- 1) The City of Milwaukie will continue to provide recreational programs as it sees fit through August 31, 1992. These programs may be funded with parks maintenance and operations funds provided by the Service District.
- 2) The City of Milwaukie may provide recreation programs in addition to those provided by the Service District. These programs will be at the City's own expense and will not be covered by Service District funds.

SECTION D. MILWAUKIE CENTER

SERVICE DISTRICT

- 1) During the fiscal year 1991-92, the Service District will provide the City of Milwaukie with funding to maintain and operate the Milwaukie Center.

This "pass-through" of funding will be equivalent at a minimum to the current, 1990 City of Milwaukie budget allocation for the Milwaukie Center (\$165,955) plus a 6% annual increase for inflation. Upon transition the Milwaukie Center's budget shall increase each year by at least 6% per year until June 30, 1995.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

The Service District will also provide the Milwaukie Center's budget with an additional funding of \$98,000 to maintain and operate the Milwaukie Center upon completion of the Center's expansion by the City of Milwaukie. Subsequently, this sum will also increase annually by at least 6% per year until June 30, 1995.

- 2) On September 1, 1992, the Service District will assume responsibility for the maintenance and operation of the Milwaukie Center.
- 3) Upon assuming maintenance and operation of the Milwaukie Center, the Service District will guarantee employment for the Milwaukie Center staff in accordance with ORS 236. Employees must perform to District standards and abide by District personnel regulations.
- 4) Under the jurisdiction of the Service District, the Milwaukie Center will continue to administer and provide a combination of educational, recreational, and social services to the community. These programs will continue to be primarily geared towards the needs and interests of older residents in the North Clackamas area.
- 5) The Service District and the City of Milwaukie may use the Milwaukie Center facilities for such activities as public meetings without charge, consistent with building policies and 1991-1992 frequency of use. All other governmental users will pay a fee consistent with building use policies approved by the City of Milwaukie.
- 6) The Service District will maintain the Milwaukie Center at a level equal to or better than the Milwaukie Center maintenance standards on August 31, 1992. (See Attachment #4)

CITY OF MILWAUKIE

- 1) The City of Milwaukie will continue to maintain and operate the Milwaukie Center through August 31, 1992.
- 2) As of September 1, 1992 the City of Milwaukie will transfer maintenance and operations responsibility of the Milwaukie Center to the Service District.
- 3) At the time of transfer (September 1, 1992) all Milwaukie Center policies developed by the Milwaukie Center Community Advisory Board will be adopted by the Service District. This Board will also continue its present role as primary policy advisor with regards to the activities and operations of the Milwaukie Center.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

- 4) It is understood that, half (9) of the Milwaukie Center Community Advisory Board's members will be appointed by the Service District Board and half (9) will be appointed by the Milwaukie City Council. Current members will continue to serve until their term ends. All future appointments must reside in the District.

Milwaukie Center Community Advisory Board decisions regarding capital improvements, programs policies, and maintenance and operations policies will have to be approved by both the Milwaukie City Council (deedholders to the property and facilities) and the Service District Boards.

Milwaukie Center Community Advisory Board will also provide the Service District Board of Directors with budget recommendations.

- 5) The City of Milwaukie and Service District will make major capital improvements to the Milwaukie Center and City parks, as designated in its Neighborhood Masterplan and Capital Improvements Plans using the District's Neighborhood Parks Allocation funds to the City and/or a portion of the City General Fund.
- 6) The City of Milwaukie will continue to retain the deed to the Milwaukie Center and all subsequent capital improvements or name changes by the Service District must be approved by the City Council, under advisement of the Milwaukie Center Community Advisory Board.

SECTION E. ADMINISTRATIVE ISSUES

- 1) The Board of County Commissioners is the governing body (referred to as the "Service District Board" in this document) of this County service district, which is officially called the North Clackamas Parks and Recreation District.
- 2) An Regional Parks Advisory Board (RPAB), composed of 9 members (1 from each of 5 subareas of the district, 3 at-large; and 1 from the Milwaukie Center) will advise the Board of County Commissioners on all capital improvements, maintenance and operations, and recreational programming activities to be undertaken by the Service District. The Milwaukie City Council will appoint the individual representing the Milwaukie parks subarea. The Milwaukie City Council will also appoint the Milwaukie Center Board member during 1991-92. As of September 1, 1992, the Milwaukie Center Board will designate one of its members and an alternate to serve on the RPAB.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

- 3) Each of the five subareas of the District will also have its own Neighborhood Parks Advisory Board to make recommendations on the allocation of the \$500,000 to \$800,000 in neighborhood facilities funds.

The approval of the Neighborhood Parks Advisory Board, the RPAB, and the Service District's Board of Directors will be necessary before neighborhood facilities funds are allocated. All Neighborhood Parks Advisory Boards will hold public meetings within their subareas in order to receive input from the public concerning the allocation of neighborhood park funds.

The Milwaukie City Council, or it's designee, will serve as Milwaukie's Neighborhood Parks Advisory Board.

- 4) The Service District Director will provide the Milwaukie City Council with a quarterly report describing District operations and maintenance of facilities and programs within the City.
- 5) The Service District will provide cost-center accounting adequate to track expenditures for Milwaukie parks development, maintenance, recreation programs, and Milwaukie Center operations and maintenance.

SECTION F. WITHDRAWAL OF THE CITY OF MILWAUKIE FROM THE
SERVICE DISTRICT

- 1) The City of Milwaukie may choose at any time to withdraw those parks currently under its jurisdiction (as of November 1, 1990) and the Milwaukie Center from the Service District. (Parks are listed in Attachment #1.)

If the City withdraws its parks and senior facilities, no reduction in the tax rate will be provided to City of Milwaukie residents. City of Milwaukie residents will continue to receive all of the benefits of in-district residents (lower user fees, priority use of facilities, etc.).

- 2) If the City of Milwaukie chooses to withdraw those parks currently under its jurisdiction and the Milwaukie Center after improvements have been made to these facilities using Service District funds, a pass-through of funds (i.e. rebate) will be provided by the Service District to the City for maintenance and operations.

For parks, if withdrawn between September 1, 1992 and July 1, 1994, this pass-through would be equivalent to the 1990 City of Milwaukie budget allocation for parks and recreation (\$174,795), plus a 6% annual increase for inflation. After June 30, 1995, this pass-through will be negotiated based on

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

the tax rate of the Service District at the time of withdrawal times the assessed valuation of Milwaukie minus the amount expended by the Service District in the City of Milwaukie subareas on District-owned facilities.

For the Milwaukie Center, this pass-through would be equivalent to the portion of the District's senior center funding allocated to maintenance and operations of the Milwaukie Center, but will not be less than the total amount identified on page 5, D-1.

- 3) The City of Milwaukie may choose at any time to withdraw entirely from the service district subject to legal restrictions established in the Oregon Revised Statutes and Boundary Commission regulations, provided that the City's share of any outstanding bonded indebtedness has been retired or is paid off.

SECTION G MISCELLANEOUS (BOILER PLATE)

1) HOLD HARMLESS

Each party agrees to release, defend, indemnify and/or hold harmless the other, its officers, commissioners, councilors, employees, and agents from and against all damages, claims, injuries, costs or judgements which may in any manner arise as a result of the party's performance under this contract, subject to Oregon Tort claims limitations.

2) DISPUTES

Disputes regarding this agreement, which cannot be resolved by respective managers, shall be first directed to each party's counsel. Failing resolution, parties shall mutually agree upon a third party mediator.

3) LAWS GOVERNING

THIS CONTRACT shall be construed and governed in all respects in accordance with laws of the State of Oregon. Should any portion of this agreement or amendment thereto be adjudged by a Court of appropriate final jurisdiction to be in violation of any local, state or federal law, then such portion or portions shall become null and void, and the balance of this agreement shall remain in effect. Both parties agree to immediately renegotiate any part of this agreement found to be in such violation by the Court and to bring it into compliance with said laws.

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

THIS CONTRACT shall remain in effect to the end of the fiscal year in which both parties have signed and will be automatically renewed for successive one (1) year periods effective on July 1 of each year unless written notice of cancellation is given by either party to the other at least 180 days prior to the beginning of the next fiscal year.

THIS CONTRACT subject to any applicable constitutional debt limitations and is contingent upon funds being appropriated thereof.

THIS CONTRACT contains the entire agreement between the parties and supersedes any and all other agreements, written or oral, expressed or implied, pertaining to the subject matter hereof.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by the duly authorized officers on the dates hereinafter written.

NORTH CLACKAMAS PARKS AND
RECREATION DISTRICT

By: Jude Hammestad

By: Darlene Hooley

By: [Signature]
Service District Board

Date: 8/20/92

APPROVED AS TO FORM:

Scott Parker, County Counsel

CITY OF MILWAUKIE

By: Craig J. Lomnicki

Mayor Craig J. Lomnicki

Date: 8/4/92

APPROVED AS TO FORM:

[Signature]
City Attorney's Office

PARKS DISTRICT INTERGOVERNMENTAL AGREEMENT WITH
CITY OF MILWAUKIE July 23, 1992

ATTACHMENT #1

MILWAUKIE PARKS TO BE MAINTAINED AND OPERATED BY
THE SERVICE DISTRICT

SITE	ACRES
Lewelling Tennis Courts	0.31
Rowe Tennis Courts	0.31
Ardenwald Park	0.96
Jefferson Street Park	2.10
Spring Park	6.32
Stanley Park	1.97
Century Park	0.50
Water Tower Park	0.92
Furnberg Park	4.00
North Clackamas Park	45.00
Dogwood Park	0.75
Well #8	0.25
Wichita Water	0.95
Fire Admin/Historical Society	1.22
Monroe/Washington Triangles	0.02
Scott Park/Library	3.08
Pioneer Cemetery	1.77
Spring Creek Park	0.80
Kellogg Lake Park	3.50

MILWAUKIE OPEN SPACES TO BE MAINTAINED AND OPERATED BY
THE CITY OF MILWAUKIE

Old Shop (40th & Harvey)	1.00
Police Dept. Grounds (2566 SE Harrison)	1.00
City Hall Grounds and Parking Lot	0.96

If the City of Milwaukie so chooses, it may contract with the Service District to maintain the three facilities listed above. The Service District would charge the City a fee that would allow the District to cover (but not exceed) its maintenance costs.

DRAFT #3

NCPRD IGA With City of Milwaukie

Page 2, No. 3: Add to last sentence "and the City will reimburse the District for actual cost".

Page 3, Section B, No. 2: Add "Attachment #1".

Page 3, Section B, No. 3: Eliminate "at equal or greater pay".

Page 3, Section B, No. 4: Add "See Attachment #2".

Page 4, Section C, No. 2: Add "brochure" after attached, line 4.

Page 5, No. 3: Add "Employees must perform to District standards and abide by District personnel regulations".

Page 5, No. 6: (Need) See Attachment #3.

Page 6, No. 4: Change second paragraph at end to "Service District Board of Directors".

Page 6, Section E, No. 1: Change "will serve" to "is" in Line 1 and "will be" to "is" in Line 4.

Page 7, Section F, No. 1: Change second paragraph, line 1, "In this case, where" to "If".

Page 8, Section F, No. 2: Top paragraph - Eliminate "For Parks" and combine with previous paragraph, bottom of page 7.

Page 8, Section G: Change title from "Boiler Plate" to "Miscellaneous".

Page 9: Add paragraph following paragraph #2 as follows: "This agreement subject to any applicable constitutional debt limitations and is contingent upon funds being appropriated thereof".

Park Maintenance Standards Milwaukie Parks and Recreation

The following standards are the ones currently being met by Milwaukie Parks and Recreation. Although these standards do not necessarily reflect the desired level of maintenance, it does reflect the actual level of maintenance.

The Milwaukie Parks facilities are broken into several categories. The categories include: High Maintenance, Moderate Maintenance, Special Use Facilities, and Infrastructure.

HIGH MAINTENANCE AREAS

High Maintenance Areas include: ~~City Hall~~, Scott Park, Dogwood Park, The Milwaukie Center, Well #8, ~~Johnson Creek Facility~~, and the Park District temporary Office.

High Maintenance areas are those associated with City buildings, located in the downtown area or are located as an entry point into the City. These areas are mowed a minimum of once per week, edged once per month and fertilized three times per year. Along with this, they are treated for broad leaf weed at least twice a year, flower beds weeded as needed and litter picked up weekly. Generally all High Maintenance areas are irrigated as needed. Mowing in these areas should be performed year a round as weather permits.

MODERATE MAINTENANCE AREAS

Moderate Maintenance areas include: Century Park, Furnberg Park, Water Tower Park, Stanley Park, and North Clackamas Park. Ardenwald Park will be within this category upon completion.

Moderate maintenance areas are typically neighborhood parks. These facilities are mowed an average of every 10 days, trimmed with a weedeator monthly, and edged twice at the beginning of summer and at the end of the summer. Garbage and litter are collected on a weekly basis or more frequent if needed. Playgrounds are inspected on a weekly basis. Herbicides are applied as needed.

SPECIAL USE FACILITIES

Special use facilities: There are a variety of special use facilities. The facilities are treated differently based on the activities that occur within them. These facilities range from the Cemetery to the Boat Ramp. Pieces of larger facilities are included within this category. An example of this would be the horse arena at North Clackamas Park. Although North Clackamas Park is listed as a Moderate area, many of its amenities fit within the special use category. For the purpose of establishing a standard, Special use facilities will be listed independently and defined separately.

Boat Ramp: The boat ramp is primarily a parking lot. It does have some planting area between the upper and lower lots which are kept clear of vegetation. The vegetation removal is done both manually and chemically. To the southern end of the parking lot is a small grass area. This area is mowed on a bi weekly basis. Litter and garbage is collected twice a week during the nonfishing season and three times a week during fishing season. The heaviest use times for this facility is during the Spring Chinook run. During this time of year, we patrol the ramp area on a daily basis for litter.

Cemetery: The cemetery is unique because it has a trustee. Before it became a City facility, an association operated the Cemetery. At that time, the trustee was Ernie Hager. When the Cemetery transferred, Mr. Hager continued to operate as a trustee. Generally, he raises money through donations. The money is used to cover all of the fertilizer and broad leaf control expense. This provides about two applications per year.

Mowing at the Cemetery is done on a weekly basis prior to Memorial Day. All stones are trimmed around and the moss removed at least twice within 5 weeks of Memorial Day. After Memorial Day, the Cemetery is mowed every three weeks or as needed. Weekly mowing resumes three weeks prior to Labor Day along with trimming around the stones. After Labor Day, mowing returns to a three week cycle.

North Clackamas Park (NCP) Horse Arena: The horse arena at NCP is offered on both a reservation and drop in basis. The critical elements of the arena include the fencing and the footing. Footing is replaced on an ongoing basis by using woodchips from local Christmas tree recycling. Fencing is repaired as needed.

NCP Volleyball Courts: Sand is added as needed and the nets are replaced as needed.

NCP Ballfields and Soccerfields: The Softball fields are mowed on a weekly basis. This begins in late March or early April. Lighting maintenance is performed on an annual basis when the ground is firm enough to support the needed truck. The soccer fields are mowed on a year around basis when possible due to

year around use. Historically, these facilities are fertilized annually.

NCP Picnic areas: The three picnic areas in NCP are rented on a daily basis beginning the week after Easter and ending at the end of September. The shelter tables are washed after every picnic. The gravel parking area adjacent to the shelter is raked after every picnic.

INFRASTRUCTURE

Infrastructure: This heading includes such items as roads, irrigation, and restrooms.

Restrooms: There are two restrooms. The first restroom is located at NCP. This block constructed restroom is washed and sanitized using a mixture of chlorine bleach on a daily basis. During days of scheduled events, it is inspected at regularly scheduled intervals depending on the size and type of the event. The other restroom is all steel and located at the boatramp. This restroom is cleaned at least twice per week. During high use time, such as the spring Chinook run, the restroom is cleaned and inspected on a daily basis.

Roads, Sidewalks, and Parking Lots: All debris is blown from sidewalks on a weekly basis. These include the sidewalks along main street. Parking lots and road ways are swept and repaired on an as needed basis by City of Milwaukie Public Works.

BEFORE THE BOARD OF
NORTH CLACKAMAS PARKS AND RECREATION DISTRICT
OF CLACKAMAS COUNTY, STATE OF OREGON

In the matter of entering into an
agreement with the City of Milwaukie
regarding the North Clackamas Parks
and Recreation District

ORDER NO: 92-872

In this matter coming before the
Board of County Commissioners acting as the governing body of the North
Clackamas Parks and Recreation District, and it appearing to the Board
that the North Clackamas Parks and Recreation District desires to provide
for an early transition of the Parks and Recreation Programs, facilities
and staff of the City of Milwaukie;

It further appearing that the City
of Milwaukie has indicated that it is willing to have its programs,
facilities and staff transferred to the Parks District;

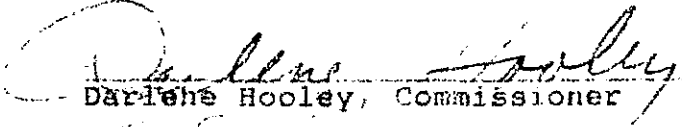
It further appearing that it is in
the public interest to accept the agreement as proposed by the City of
Milwaukie and the Parks District;

NOW, THEREFORE, IT IS HEREBY
ORDERED that the North Clackamas Parks and Recreation District enter
into the attached Intergovernmental Agreement with the City of Milwaukie
for the purposes of providing parks and recreation services as specified
in the agreement.

Dated this 20th day of August, 1992

BOARD OF COUNTY COMMISSIONERS
Acting as the governing body of the
North Clackamas Parks and
Recreation District

N/A
Judie Hammerstad, Chairperson


Darlene Hooley, Commissioner


Ed Lindquist, Commissioner



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Gary Parkin, Engineering Director

Subject: Harmony Road Transportation Improvement Project Update

Date: July 5th for July 17th Work Session

Action Requested
Information

Background

The Harmony Road project is progressing through the scoping process, the initial step of its Environmental Impact Study (EIS). The scoping process involves public outreach and agency coordination eliciting input on project purpose and need, potential alternatives, issues, and analyzing transportation alternatives and environmental impacts.

Three groups were formed to work through this process: the Public Advisory Committee (PAC), comprised of neighbors and interested parties; the Project Management Team (PMT), consisting of staff and consultants from the government agencies involved; and the Policy Review Committee (PRC), formed of elected officials and policy makers from the city, county, state and federal governments.

Significant milestones for the project to date include the public scoping meeting (held May 9, 2007), and the open house held June 25th. Attendees of the scoping meeting were provided information about the project and the alternatives proposed by the PAC. The open house provided attendees the opportunity to comment on the alternatives and list the positive and negative elements of each alternative.

Concurrence

This project is incorporated in the Clackamas County Comprehensive Plan, and the City's Transportation System Plan (multimodal project #6).

Fiscal Impact

No direct fiscal impacts for City of Milwaukie.

Work Load Impacts

None (no action requested), although the Engineering Director attends regular project management team meetings. The meetings, preparation and miscellaneous project support amount to 15-20 hours per month.

Alternatives

Not applicable at this time as no direction is being sought.

Attachments

1. PowerPoint presentation

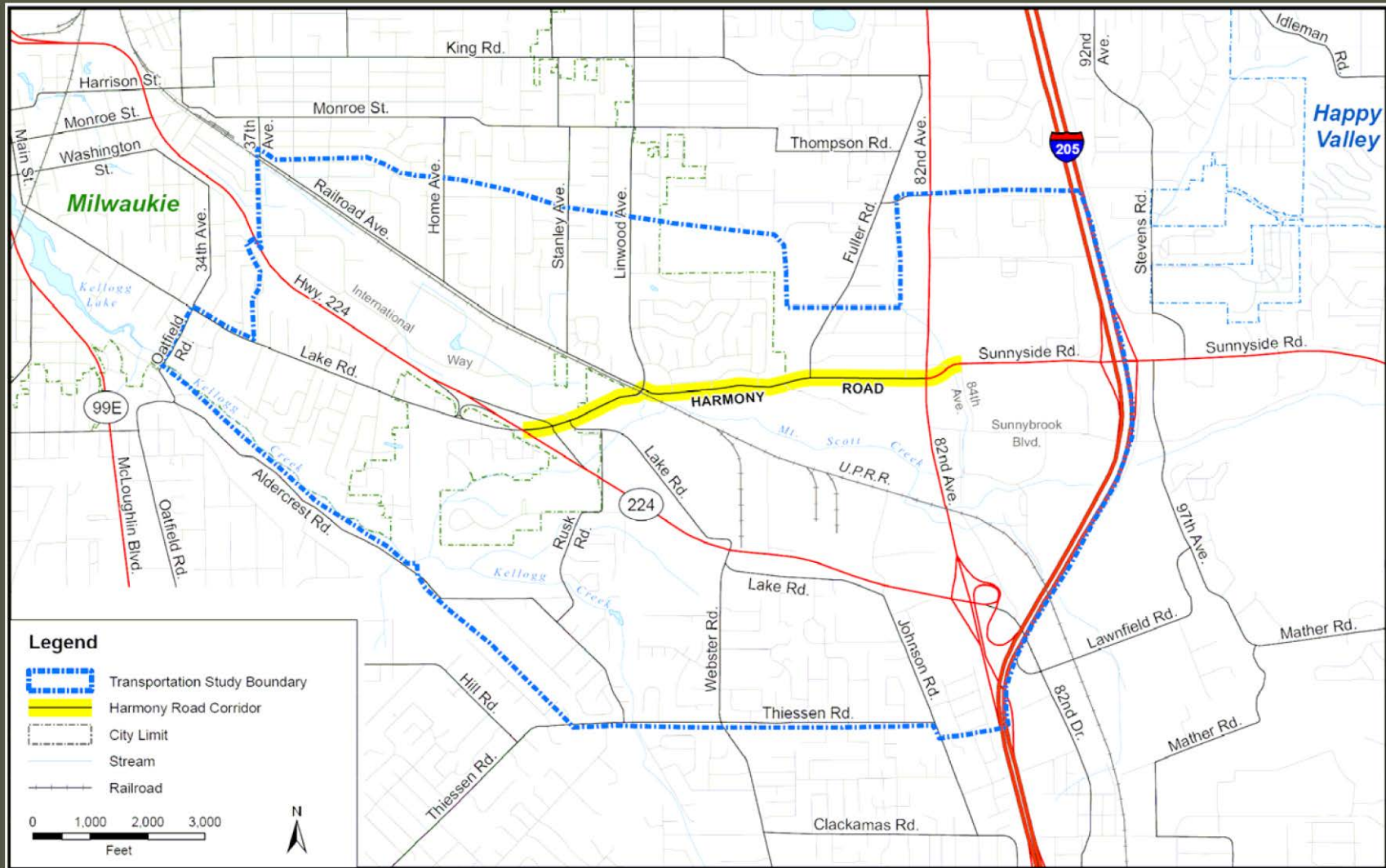
Harmony Road Area Transportation Improvements Environmental Impact Statement

Milwaukie City Council
July 17, 2007

www.HarmonyRoadProject.org



Transportation Study Area



Project Purpose

To improve operation of Harmony Road and allow corridor's transportation system to safely and efficiently accommodate existing and future travel



Project Need

- Population and Employment Growth
 - Land Use Changes
 - Congestion and Delay
 - Safety
 - Roadway Deficiencies

Goals and Objectives

- Improve safety
- Reduce congestion
- Provide connectivity
 - Minimize impacts
- Protect neighborhoods
- Maintain economic vitality
- Consistent with adopted plans



Transportation Problems

- Harmony Road
 - Nearing Capacity
 - 61% Traffic “Cuts Through” Area
- Area Intersections
 - Current Conditions: Level of Service (LOS) “E”
 - Future Conditions: LOS F without improvements
- Rail Crossing at Harmony / Linwood / Railroad
 - Excessive Vehicle Queuing and Congestion
 - Safety





Harmony Road Area Transportation Improvements



U.S. Department of Transportation
Federal Highway Administration



OREGON DEPARTMENT OF TRANSPORTATION



CLACKAMAS COUNTY

Harmony Road Area Transportation Improvements





Harmony Road Area Transportation Improvements

Harmony Road Area Transportation Improvements



Public and Agency Involvement

- First Open House held in October 2006
- Public and Agency scoping meetings held in May 2007
- Numerous meetings with PAC, PRC, and agency stakeholders
- Substantial public and agency comment during the preliminary scoping and scoping period



Project Progress

October 2006 – June 2007

- ✓ Project initiation
- ✓ Scoping

**Understand problem
and issues**

June 2007 – Spring 2008

Alternatives Development

**Determine most promising
alternatives to solve problem**

**Draft Environmental Study
Final Environmental Study**

**Understand potential impacts
and mitigation**

Select Preferred Alternative

**Determine best way
to solve problem**

Conceptual Alternatives



U.S. Department
of Transportation
Federal Highway
Administration



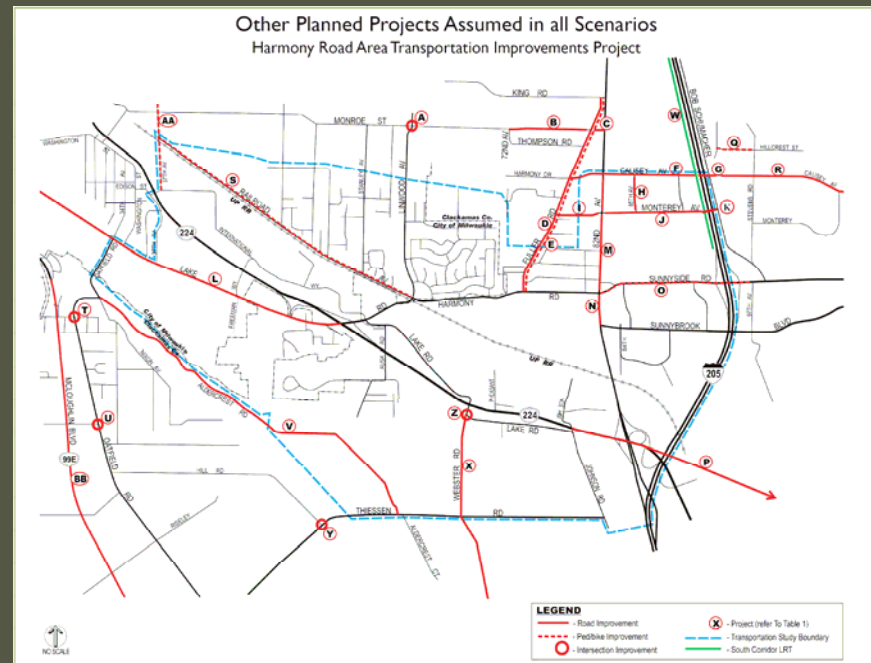
Alternatives Development

- Over 40 conceptual alternatives identified by public, technical team, and agencies
- Categorized into 3 major build concept solutions
- Plus No-Build alternative
- Public workshop held on June 25th to identify pros and cons of alternatives



No-Build Alternative

- 28 other planned and funded projects still in effect
- Variety of projects include
 - Widening roads
 - Improving to urban standards with curbs, bike lanes, and sidewalks
 - Installing traffic signals



Workshop Comment Summary – No-Build

Pros

- Saves money
- Leaves natural resources as they are

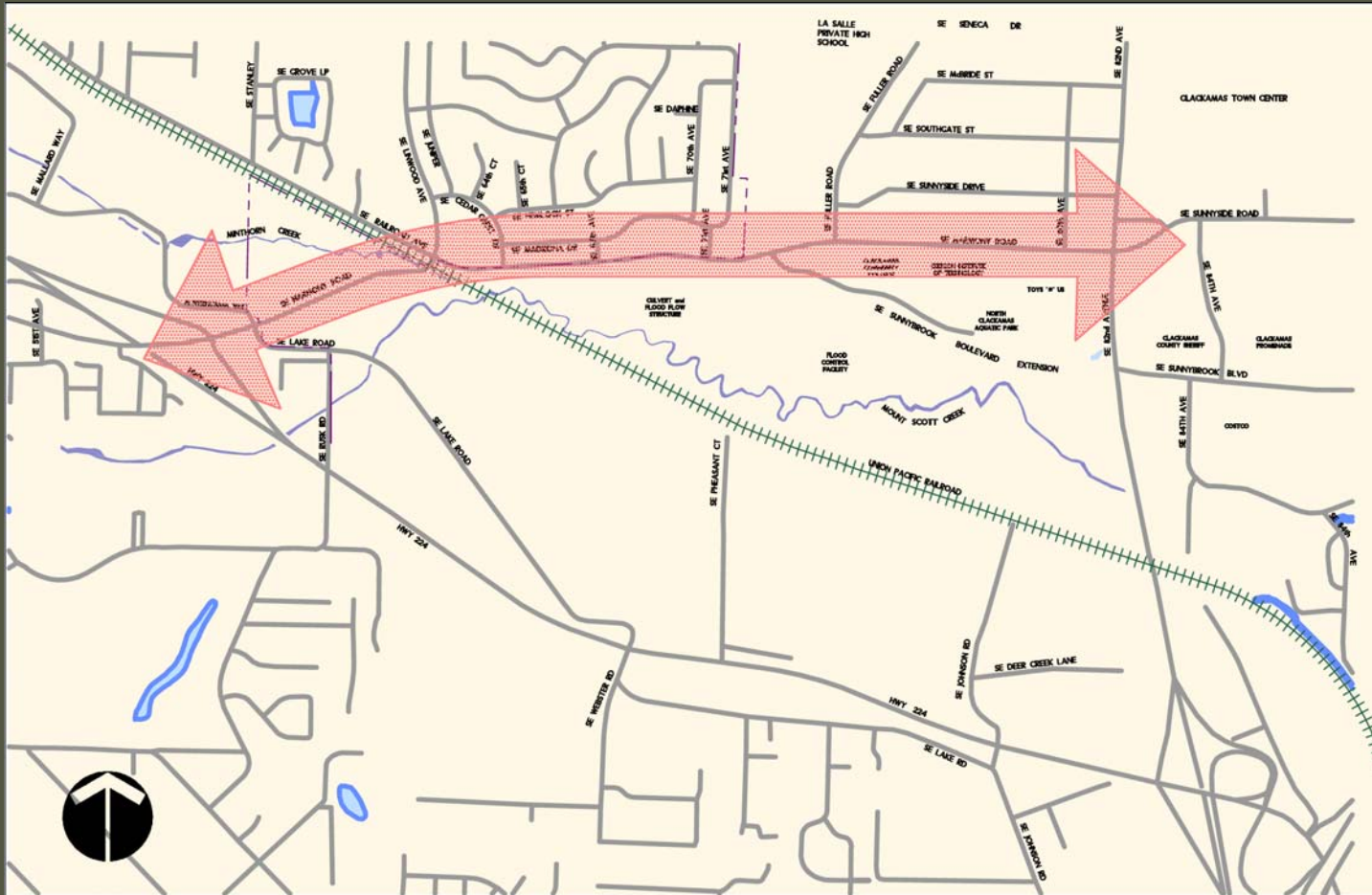
Cons

- Traffic safety will not improve
- Number of project area roads are not safe for kids/pedestrians (school): Linwood, Harmony, Railroad
- Does not discourage people from using Harmony
- Traffic noise, pollution and congestion will increase / worsen
- Thru-traffic may increase in neighborhoods
- Livability is damaged



Harmony Road Area Transportation Improvements

-



Workshop Comment Summary – Harmony/Sunnybrook

Pros

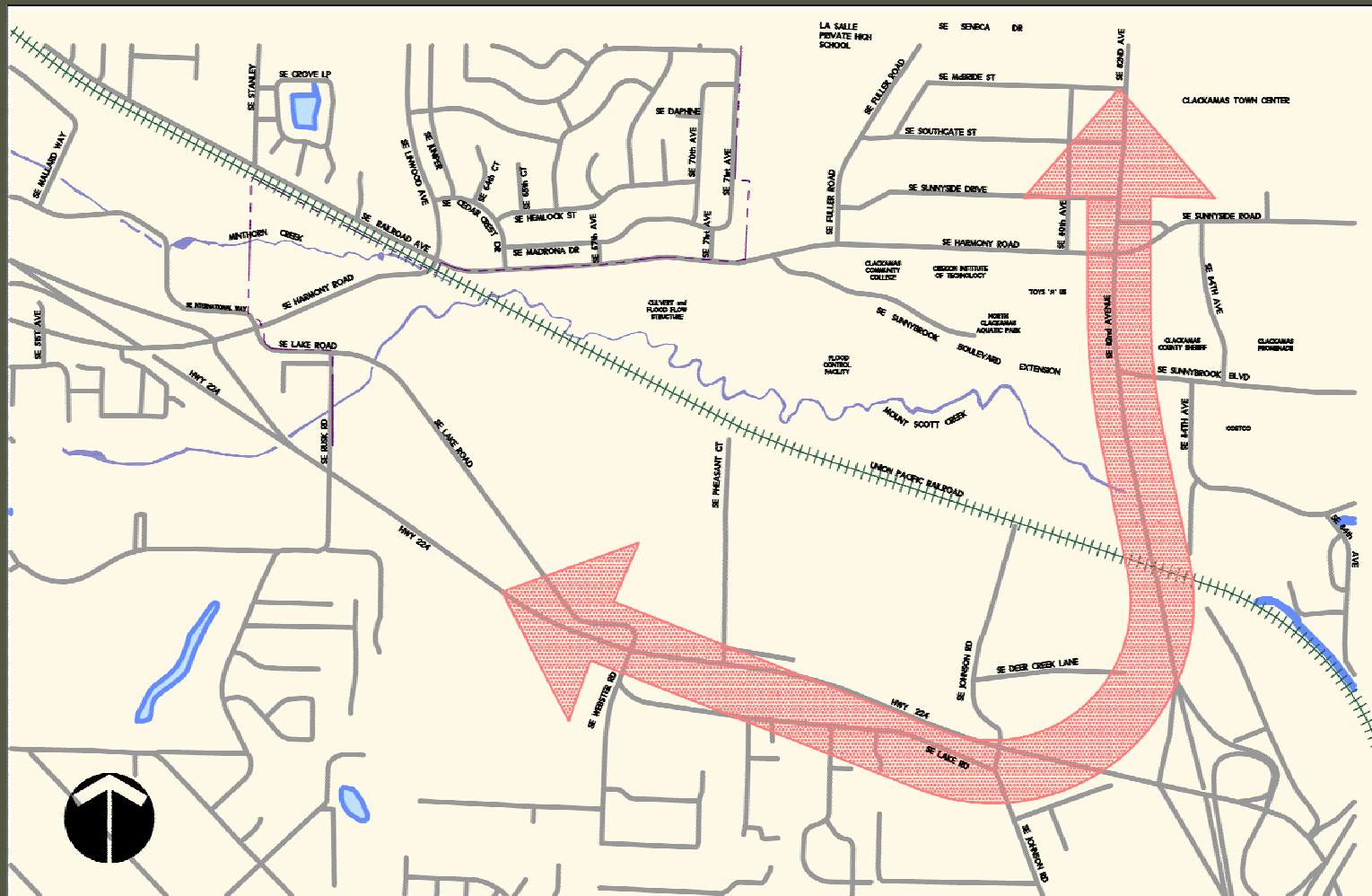
- Better traffic flow, better entry to/from neighborhoods
- Serves OIT & CCC - Economic development
- Better connections to Milwaukie/PDX
- Widened road will allow for faster movement of traffic

Cons

- Widening Harmony will affect old trees
- Widening Harmony will take out homes and businesses
- Destroys neighborhoods along Harmony
- Decreases property value
- Brings traffic into neighborhoods

Harmony Road Area Transportation Improvements

-



Workshop Comment Summary – Move Traffic to 224

Pros

- Could reduce impacts to private property
- Avoids impacts to existing neighborhoods and schools
- Less traffic on Harmony
- Keeps traffic on larger roads, designated traffic corridors
- 224 could be widened

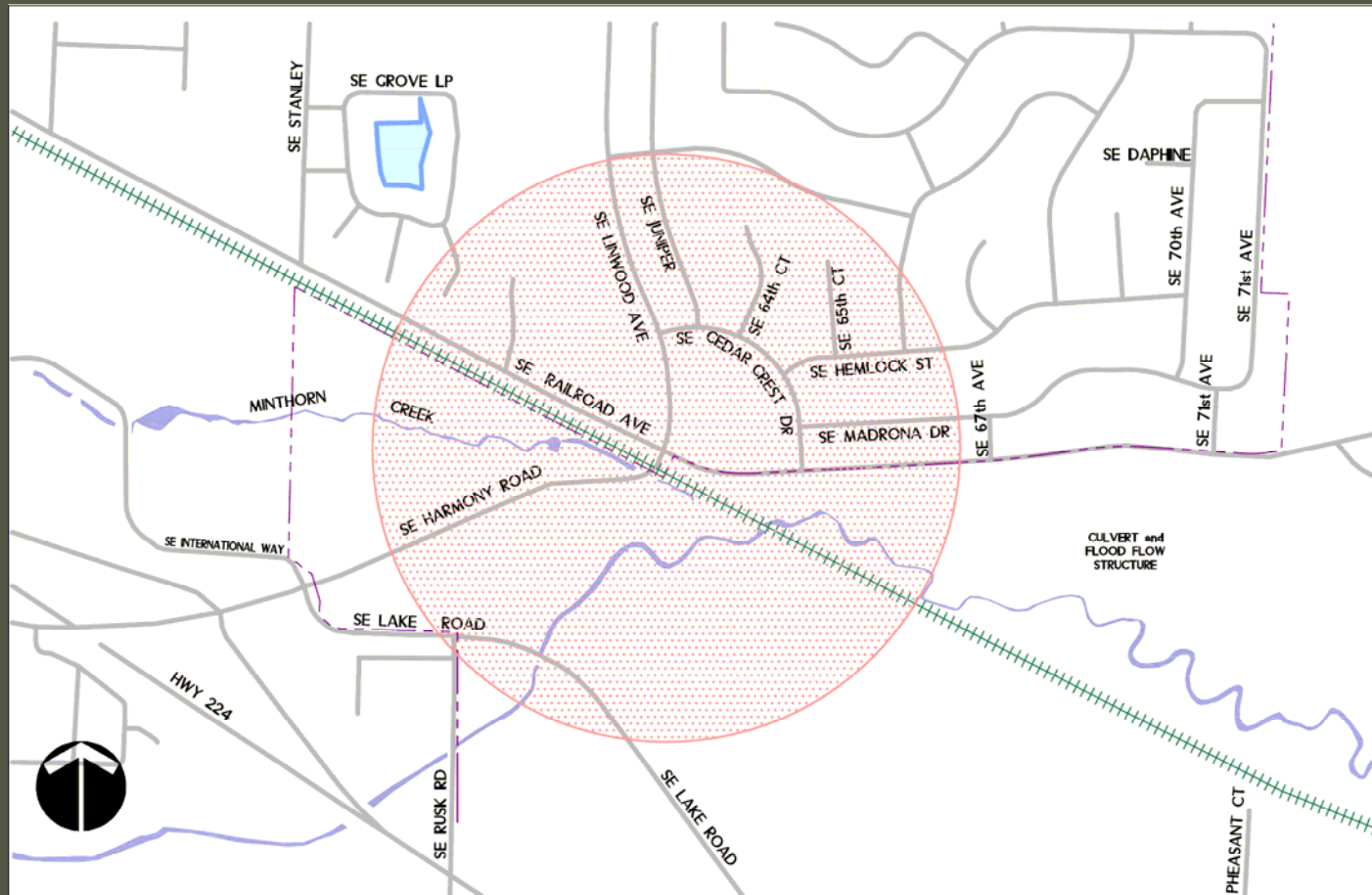
Cons

- Improvements should target CCC/OIT but not rest of Harmony
- May cause more traffic jams on 224
- Protect green space – do no cut through green space from 82nd to 224



Separate Rail Traffic from all Other Modes of Transportation

- Located at Harmony Rd/Linwood Ave/Railroad Ave intersection
- 12 design variations
- Improve safety for vehicles and trains, reduce congestion



Workshop Comment Summary – Separate Rail Traffic

Pros

- Train whistle won't need to blow
- Relieves congestion at intersection of Railroad/Harmony/Linwood
- Possible to provide some stream enhancement
- Improved safety

Cons

- Block off Harmony
- More cost effective to leave Harmony Road alone and leave RR crossing alone
- Options really affect nearby properties and neighborhoods
- Decrease values of property
- Expensive to have road elevated for overpass
- Restrictive to traffic on Railroad Ave and Linwood



Alternatives Screening

- Use Workshop Information and Ideas
 - Refine conceptual alternatives / criteria and measures
- Screen range of conceptual alternatives
- Rate and rank alternatives using criteria and measures



Criteria and Measures



U.S. Department
of Transportation
Federal Highway
Administration



Application

- Criteria and Measures used to
 - Evaluate alternatives
 - Compare and rank alternatives
 - Identify most promising or viable alternatives
 - Determine which alternatives best meet project Purpose and Need
 - Select alternatives



Next Steps

Upcoming Milestones



- Complete Existing Conditions Reports
- Screen & prioritize alternatives
- Draft Screening Reports
 - Sept 2007



To: Mayor and City Council

Through: Mike Swanson, City Manager
Kenny Asher, Community Development and Public Works Director.

From: Gary Parkin, Engineering Director
Gavin Hales, Transportation Liaison

Subject: Railroad Crossing Safety and Quiet Zone Update

Date: July 3rd, 2007 for July 17th, 2007 Work Session.

Action Requested

Staff requests direction from Council on whether to return with a resolution to make improvements to increase railroad crossing safety and establish a Quiet Zone.

Background

Supplementary Safety Measures (SSM): Supplementary Safety Measures are engineering improvements that enhance railroad crossing safety by preventing vehicles from moving across the rail line when trains are present. The measures were approved by the Federal Railroad Administration for use in Quiet Zones, after more than a decade of rigorous testing and trial projects.

The SSM options available to Milwaukie include:

- Four Quadrant gates.
- Median Barriers.
- One-way streets equipped with gates that fully block the street.
- Temporary street closure (i.e., nighttime closure).
- Permanent street closure.

Staff examined two strategies for establishing a Quiet Zone: four-quadrant gates and median barriers. Staff selected median barriers for detailed study based on advantages in safety, cost, and the recommendation of agency partners.

In March of 2007, staff reported to Council on an opportunity to combine the CDBG Railroad Crossing Safety project with the Quiet Zone project. The projects are complimentary in that the pedestrian improvements provided by the CDBG project fulfill the pedestrian safety requirements of the Quiet Zone at the Oak Street and 37th Avenue crossings. Combining the Quiet Zone improvements with the CDBG railroad crossing project already underway provides permitting cost savings of approximately \$5,000. The consultant already in place for the design and permitting of the CDBG project can be used for the Railroad Crossing Safety and Quiet Zone effort. This saves the time and effort of consultant selection. When combined with utilizing their acquired knowledge, an additional \$15,000 savings can be realized.

CDBG Project: The 37th Avenue and Oak Street Railroad Crossing Improvement project will construct pedestrian improvements at the Oak Street and 37th Avenue crossings of the Union Pacific rail line. These improvements include sidewalk and crossing panels along the west side of both crossings, and serve to connect a discontinuous segment of the City's existing pedestrian network. Crossing panels reduce gaps between the paved surface and rails that would otherwise pose a danger to pedestrians and wheelchairs.

The improvements are funded by a combination of Community Development Block Grant funds (granted to the City in 2006), transportation SDC funds, and Funds In Lieu Of funding. The design and engineering for the original CDBG project have been prepared for the permit application.

Noise Impacts: 35 trains per day utilize the Union Pacific Mainline as it passes through Milwaukie. Each train sounds its horn in a four-part sequence as it approaches each of Milwaukie's four at-grade rail crossings. As train horns are quite loud, the sound affects approximately 82% of Milwaukie households above the level considered acceptable for normal residential land use by the Federal Transportation Administration. A map of the area affected above this level is included as Attachment 1 to this report.

Quiet Zone: Establishing a Train Horn Quiet Zone requires that Milwaukie replace the train horn safety feature with engineering improvements that reduce the risk of collision at a crossing by preventing careless movement across it, called Supplementary Safety Measures or SSMs.¹ Once established, a Train Horn Quiet Zone would prevent the sounding of train horns in all but emergency situations at three at-grade crossings in Milwaukie: 37th Avenue, Oak Street, and Harrison Street.

¹ Federal Railroad Administration, *Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings; Glossary of Terms*, Federal Register, Vol. 71, No. 159, August 17th, 2006.

As train horn soundings are directly proportional to the number of at-grade crossings, including these three crossings in a Train Horn Quiet Zone would eliminate three out of four train horns currently sounded along the Union Pacific mainline. This would reduce the percentage of Milwaukie households affected above the residential land use threshold from 82% to 13%.

Community Response: Milwaukie residents were asked through a February *Pilot* article and the city website to provide feedback on the possibility of eliminating train horn noise. Out of 189 persons who've expressed an opinion, 165 were in favor, 7 were neutral, and 17 were opposed. Those in favor noted loss of sleep, crossing safety, and general disturbance to residents/businesses as key reasons. Those expressing opposition indicated a nostalgic or emotional attachment to the horns, concerns about the cost of improvements, and concerns that the loss of train horns would make crossings more dangerous as key reasons for opposing the Railroad Crossing Safety and Quiet Zone project.

Permitting: The Oregon Department of Transportation's Rail Division (ODOT-Rail) has requested that, if the City intends to make improvements through the Railroad Crossing Safety and Quiet Zone projects, a joint application be submitted for all intended improvement designs².

Proposed Improvements:

37th Avenue Crossing

At 37th Avenue, the project would construct median barriers north, south, and east of the rail line (on Railroad Avenue). The intersection of 37th and Railroad Avenues would be realigned to accommodate these changes while preserving passenger vehicle turns. The CDBG crossing safety project will install a sidewalk on the west side of 37th Avenue crossing the rail line with crosswalks north and south of the crossing.

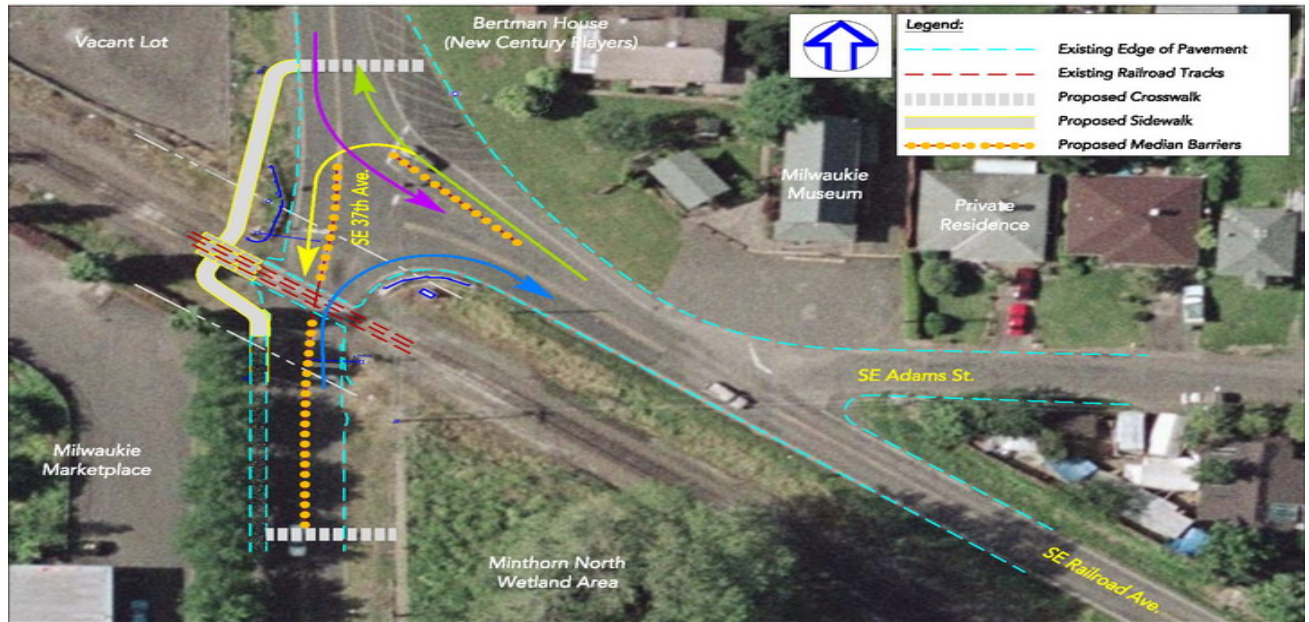
The new configuration would:

- Limit large vehicles (trucks, school and Tri-met buses) to right-in, right-out only access to and from Railroad Avenue.
- Substantially improve crossing safety for motorists, bicyclists, and pedestrians.
- Channel traffic, utilizing median barriers.
- Preserve all existing turns for cars.
- Completely prevent vehicles from crossing the rail line when gate arms are lowered.

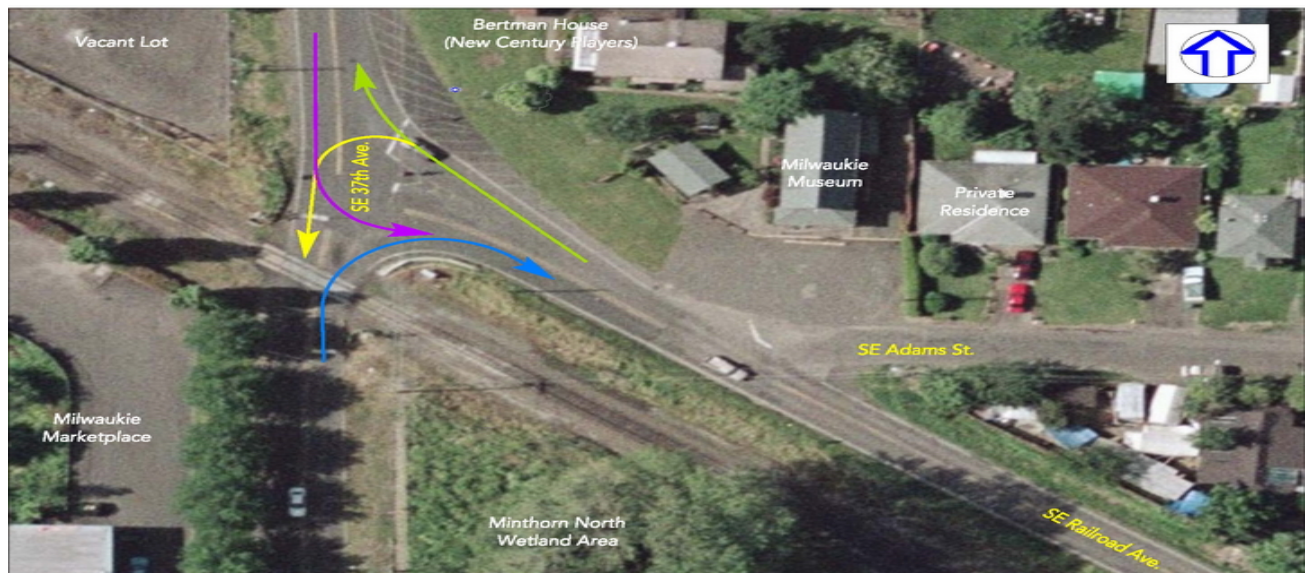
² Pedestrian improvements at the 37th Avenue and Oak Street crossings will proceed even if Council does not implement the Quiet Zone project.

- Improve pedestrian, bicycle, and handicapped access to the Minthorn North Wetland Area, Bertman House, Milwaukie Museum, and other community assets.
- Improve sightlines at the intersection of 37th and Railroad Avenues

37th Avenue Crossing (proposed improvements.)



37th Avenue Crossing (existing conditions.)



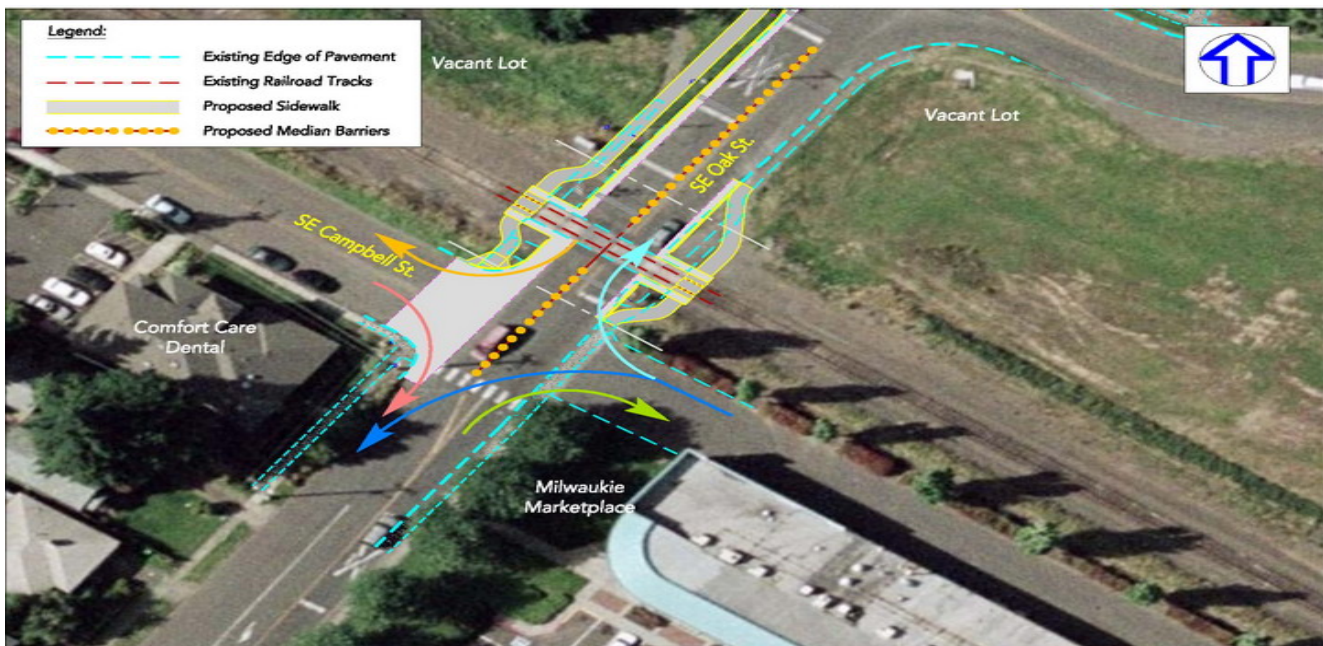
Oak Street Crossing

At Oak Street the project would construct median barriers on both sides of the rail crossing. The freight driveway accessing the Milwaukie Marketplace would be shifted slightly to the south in order to accommodate these changes while retaining freight turns from the driveway toward the 224 expressway. A short median barrier segment would be used to channel turning vehicles onto Campbell Street. The CDBG crossing safety project will construct sidewalks on both sides of Oak Street and move the crosswalk on the southwest side away from the intersection of Oak Street and Campbell Street.

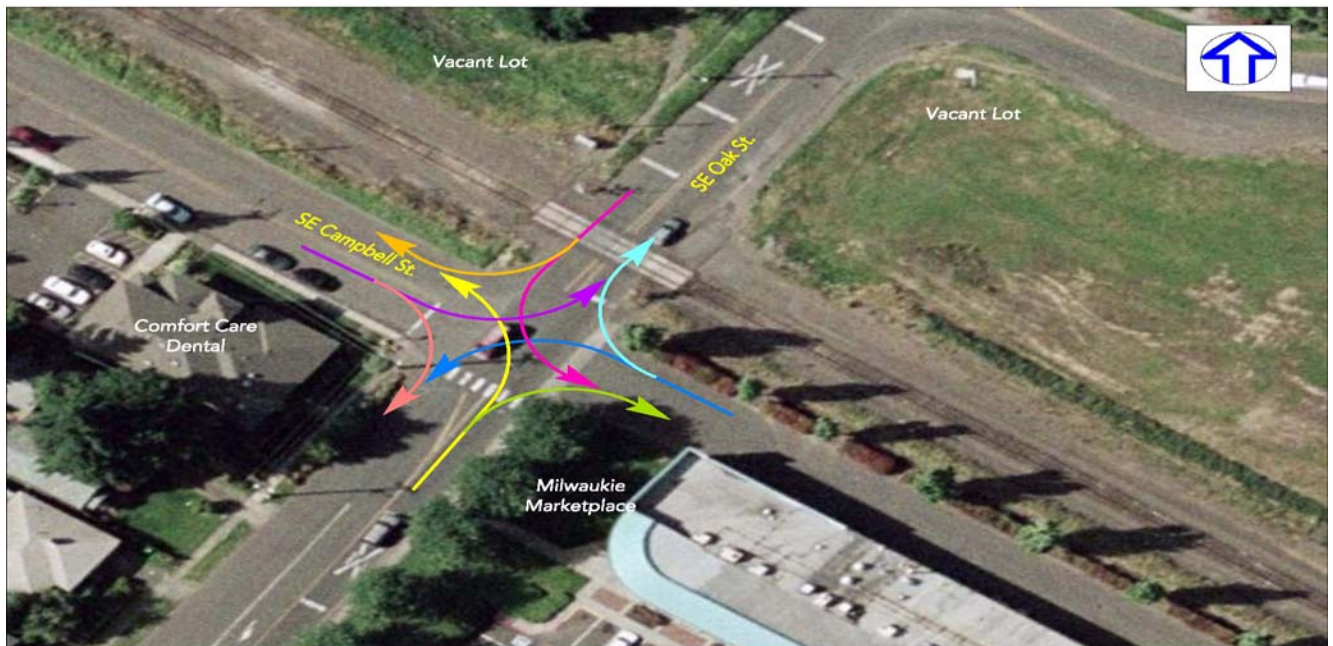
This configuration would:

- Prevent left turns from SE Campbell Street onto SE Oak Street.
- Prevent left turns from SE Oak Street into the Marketplace freight driveway.
- Completely prevent vehicles from crossing the rail line when gate arms are lowered.
- Improve pedestrian, bicycle and handicapped access to The Milwaukie Marketplace and Gramor development.
- Modify the driveway accessing the north side of the Milwaukie Marketplace, allowing a shallower approach for freight vehicles and preserving their access.

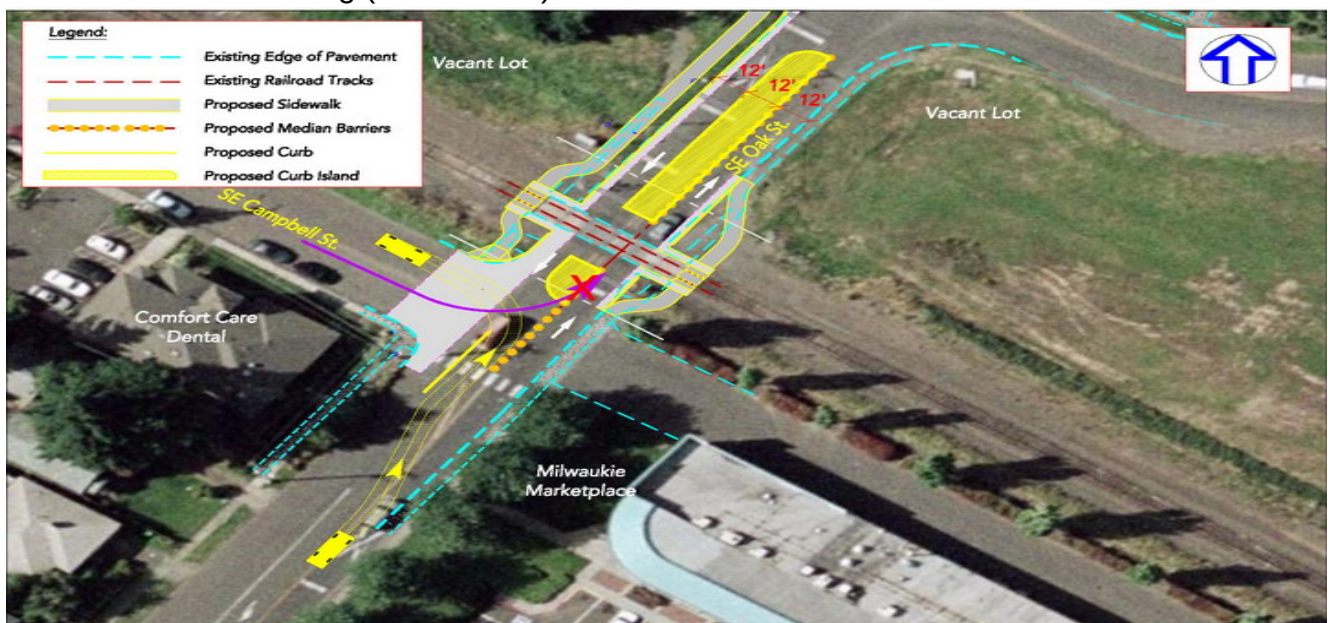
Oak Street Crossing (proposed improvements.)



Oak Street Crossing (existing conditions)



Oak Street Crossing (lost left turn)



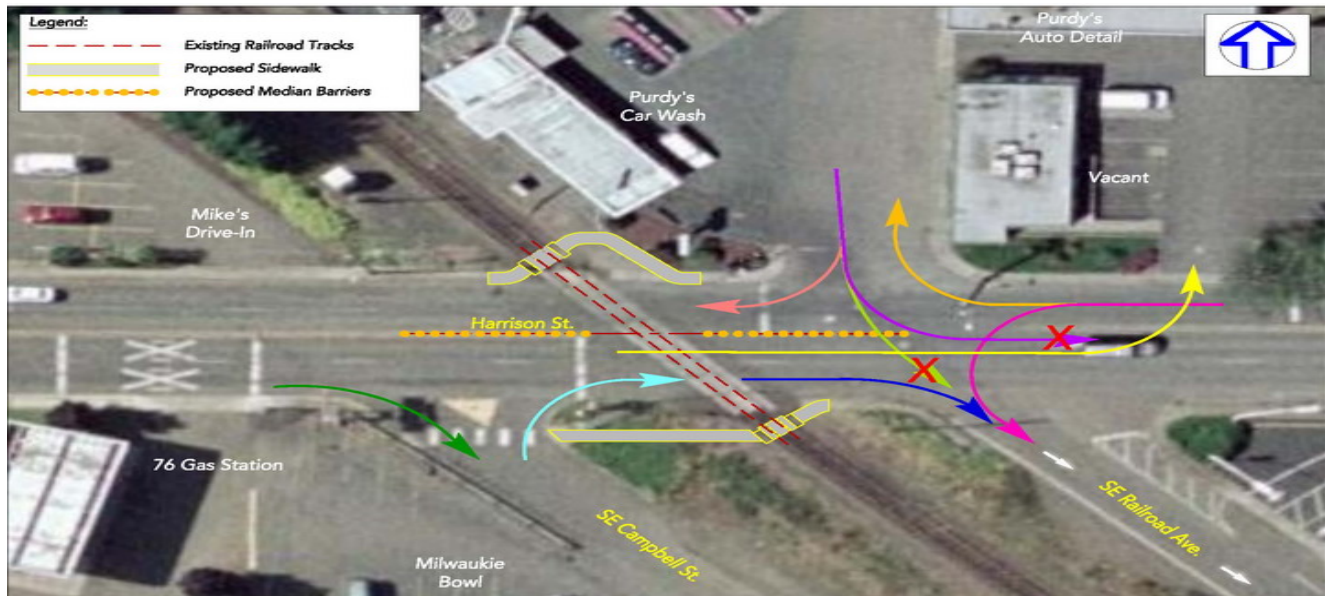
Harrison Street Crossing

At Harrison Street the project would construct median barriers east and west of the rail line. The left turn from Harrison Street to 31st Avenue would be shifted east to accommodate median barriers. Up to two turns from 31st Avenue would be lost. As the CDBG project does not include improvements at Harrison Street the combined project would construct sidewalks (including crossing panels) across the rail line on both sides of Harrison Street.

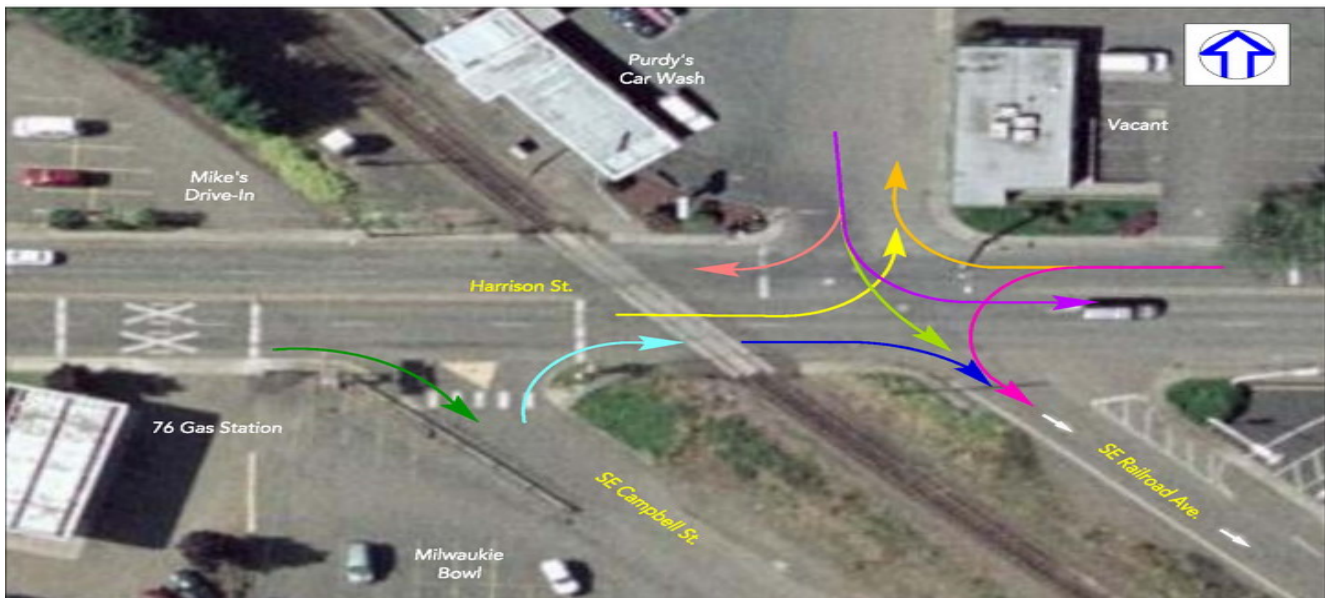
This configuration would:

- Impact Purdy's car wash by preventing left turns from the site and altering traffic flows internal to the site.
- Substantially improve crossing safety for motorists, bicyclists, and pedestrians.
- Completely prevent vehicles from crossing the rail line when gate arms are lowered.
- Allow pedestrian, bicycle, and handicapped access across the Harrison Street crossing not present today.
- Improve pedestrian, bicycle, and handicapped access to Providence Hospital and Downtown Milwaukie

Harrison Street Crossing (proposed improvements.)



Harrison Street Crossing (existing conditions.)



Recommendation: By making select improvements at the crossings, and building on the CDBG project, this project would make three key rail crossings substantially safer. The project has the added benefit of a Quiet Zone designation, which, in addition to improving neighborhood livability and the local business climate, has broad community support. The vast majority of those who expressed opinions to staff are in favor of the proposed Railroad Crossing Safety and Quiet Zone. Furthermore, this strategy seems to have the concurrence of the neighborhoods, of city staff, and of area businesses (with one notable exception). This is the most cost effective way to improve rail crossing safety and quiet train horns. Staff recommends Council proceed with consideration of a resolution to establish a Quiet Zone.

Concurrence:

Community:

- Of 189 persons who've expressed an opinion to Staff regarding the proposal, 165 are in favor, 7 are neutral, and 17 are opposed. A complete list of interested persons is included as Attachment 2 to this report.
- Staff met with representatives of all seven Milwaukie NDAs at their May 30th leadership meeting. A number of those present had concerns about the impacts of the project, particularly at two locations. At Oak Street, NDA leaders were concerned that two lost turns at the intersection with Campbell Street would limit cross town connectivity. At Harrison Street, leaders were concerned that the impacts to Purdy's Car Wash were enough to put them out of business.

- Staff met with representatives of all seven NDAs at their June/July meetings to present a revised proposal that retains one turn at Oak Street previously lost. Staff met individually with the leadership of the Lewelling and Ardenwald NDAs, as they did not hold July meetings. The NDAs were supportive of the revised proposal. As of the submission of this report staff received favorable responses from 3 NDAs, neutral responses from 1 NDAs and responses in opposition from no NDAs.

Businesses/ Agencies:

- Mr. John Murphy, who owns various sites adjacent to the Harrison Street Crossing (including the land leased by Purdy's car wash), has indicated his strong opposition to the proposed improvements at that location. Mr. Murphy opposes the alteration of left turns to and from the site and Harrison Street, as well as the elimination of turns from the site onto Railroad Avenue. Additionally, Mr. Murphy opposes the use of a private driveway that would allow access to the site via another parcel he owns. This appears to be an option for retaining access, but would require his cooperation.
- Mr. Roger Shirley, who represents the Milwaukie Marketplace, is in favor of the proposed improvements to the 37th Avenue and Oak Street crossings. Mr. Shirley is particularly supportive of the proposed changes to his present freight access.
- Ms. Tonya Fellner, General Transportation Routing Specialist for the North Clackamas School district, indicated that three school bus routes currently pass through the intersection of 37th and Railroad Avenues. She has reviewed the proposed improvements and confirmed that school buses could easily be rerouted around the resulting conflicts.
- Dr. Kenneth Chung, who represents Comfort Care Dental, was primarily concerned with backup of southbound traffic across the rail line at Oak Street due to the proximity of the pedestrian crosswalk. He is supportive of the project but wants to ensure that drainage and pedestrian safety issue are well addressed.
- Mr. Bob Dant, who represents the owner of a parcel of land adjacent to the rail line, confirmed that train noise, including train whistles, poses an impediment to development (particularly residential development) at the site and expressed his opinion that a Railroad Crossing Safety and Quiet Zone could help encourage re-development of property near the rail line.
- Mr. Michael Hayes, and Mr. David Lanning of the Oregon Department of Transportation's Rail Division (ODOT-Rail) and Mr. John Trumbull of the Union Pacific Railroad (UPRR) support a City effort to establish a Railroad Crossing Safety and Quiet Zone.

Staff:

- Operations concurs that the livability and safety improvements associated with the Railroad Crossing Safety and Quiet Zone project make this a prudent expenditure.
- Economic Development agreed that quieter rail crossings would make the surrounding areas more attractive to prospective developers, particularly residential developers.
- Public Safety concurs that the proposed improvements will not impede their operations. Furthermore, Public Safety believes these changes would significantly benefit crossing safety along the rail line and would be welcome additions to the City.
- Street Engineering believes that the proposed improvements would make the intersection at 37th and Railroad Avenue safer by creating a more perpendicular approach, and improving sight distance, reaction time, and turning radius. Additionally Traffic Engineering believes the median barriers will improve safety by removing conflicts at intersections and preventing “head-on” collisions. Furthermore Traffic Engineering felt that the relocation of crosswalks away from the intersections (proposed in the project) would reduce automobile conflicts with pedestrians.
- Engineering was of the opinion that the access management study for any future redevelopment of the Murphy site would likely find the site has alternate access off of 32nd Avenue which would allow them to comply with Municipal Code 19:1413. Engineering noted that pursuant to 19.1413.2 Location of Driveway Access, in the case of properties with double frontage (such as the Murphy site,) “access shall be provided first from the street with the lowest classification,” and that the access spacing targets contained in part 1 of the same section indicate that 31st Avenue as it exists today is a non-conforming street stub which ultimately would not be relied upon for access.
- Planning concurs that any reduction in access to the Murphy site now would have an impact on the short-term use of the site, but can’t be claimed to have a long-term impact. Furthermore planning believes the private driveway the project proposes utilizing should be the primary ingress to the Purdy’s site. This configuration would better comply with the City’s access spacing goals.

According to an access management strategy prepared by HHPR engineering access can be maintained by using the existing driveway to the east of 31st Ave. The study is included as attachment 3 to this report.

Fiscal Impact:

The total cost of the combined project is \$480,000. The total cost of the CDBG portion of the combined project is \$195,000 and will be funded with a

combination of the Community Development Block Grant (CDBG) the City received in 2006, SDC, and Gas Tax revenues.

The total cost of the Railroad Crossing Safety and Quiet Zone portion of the combined project is \$285,000 and will be funded with a combination of Fee In Lieu Of funds, Gas Tax, and Transportation SDCs.

**City of Milwaukie - Railroad Pedestrian
Crossing and Quiet Zone Project**

<u>Crossing</u>	<u>Total Cost w/Eng</u>	<u>Total QZ cost</u>
<u>37th Ave</u>	<u>\$235,000</u>	<u>\$150,000</u>
<u>Oak</u>	<u>\$135,000</u>	<u>\$25,000</u>
<u>Harrison</u>	<u>\$110,000</u>	<u>\$110,000</u>
	<u>\$480,000</u>	<u>\$285,000</u>

CDBG project funding

<u>CDBG</u>	<u>FILO</u>	<u>Gas Tax</u>	<u>Trans SDC</u>	<u>Total</u>
<u>\$50,000</u>		<u>\$27,000</u>	<u>\$8,000</u>	<u>\$85,000</u>
<u>\$49,000</u>	<u>\$15,000</u>	<u>\$37,700</u>	<u>\$8,300</u>	<u>\$110,000</u>
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>\$0</u>
<u>\$99,000</u>	<u>\$15,000</u>	<u>\$64,700</u>	<u>\$16,300</u>	<u>\$195,000</u>

Proposed funding for QZ

<u>CDBG</u>	<u>FILO</u>	<u>Gas Tax</u>	<u>Trans SDC</u>	<u>Total</u>
	<u>\$30,000</u>	<u>\$105,000</u>	<u>\$15,000</u>	<u>\$150,000</u>
		<u>\$17,500</u>	<u>\$7,500</u>	<u>\$25,000</u>
<u>-</u>	<u>\$60,000</u>	<u>\$35,000</u>	<u>\$15,000</u>	<u>\$110,000</u>
<u>\$0</u>	<u>\$60,000</u>	<u>\$157,500</u>	<u>\$37,500</u>	<u>\$285,000</u>

There are some timing issues with this project, CDBG funds for the pedestrian improvement are specified for expenditure by June 30, 2008.

A proposed construction schedule is included as Attachment 4 to this report.

Work Load Impacts

Staff from the Community Development and Engineering Departments have spent approximately 80 hours on this project to date, the project will be incorporated into existing work schedule without significant issue.

Alternatives

1. Two Crossing Expanded CDBG Project Alternative . Full improvements at 37th and Oak crossings, without Train Horn designation. Would improve crossing safety at these two crossings. No noise reductions. Would cost approximately \$100,000 less. Not recommended.

2. Wayside Horns Alternative. Wayside Horn Systems (WHS) replace the safety feature of horns mounted on trains by providing fixed horns at each crossing that use recordings of train horn signals and emit them in directionally concentrated signals along approaches to the crossing. They can be used in conjunction with SSMS to mitigate crossings in a Quiet Zone. The city may also equip all three crossing with wayside horns. While the later would not result in a Quiet Zone, it would reduce noise impacts at each of these crossings³.

Based on the experience of the city of Glendale, Ohio, staff's preliminary cost estimate for WHS in Milwaukie is at least \$90,000 to \$100,000 per crossing, not including the pedestrian improvements required by State law. The curvature of the rail line may also result in some additional expense, in the form of remote confirmation indicators.

Furthermore, staff has determined that cities can be held liable for accidents that can be clearly traced to the use of wayside horns. From conversations with ODOT-Rail concerning this issue and recent examples from cities in Texas, staff has determined that liability insurance for wayside horns may range as high as \$10 to \$25 million⁴. While this technology might be a good alternative in the absence of liability concerns, staff believes its use in this case would be premature. Not recommended.

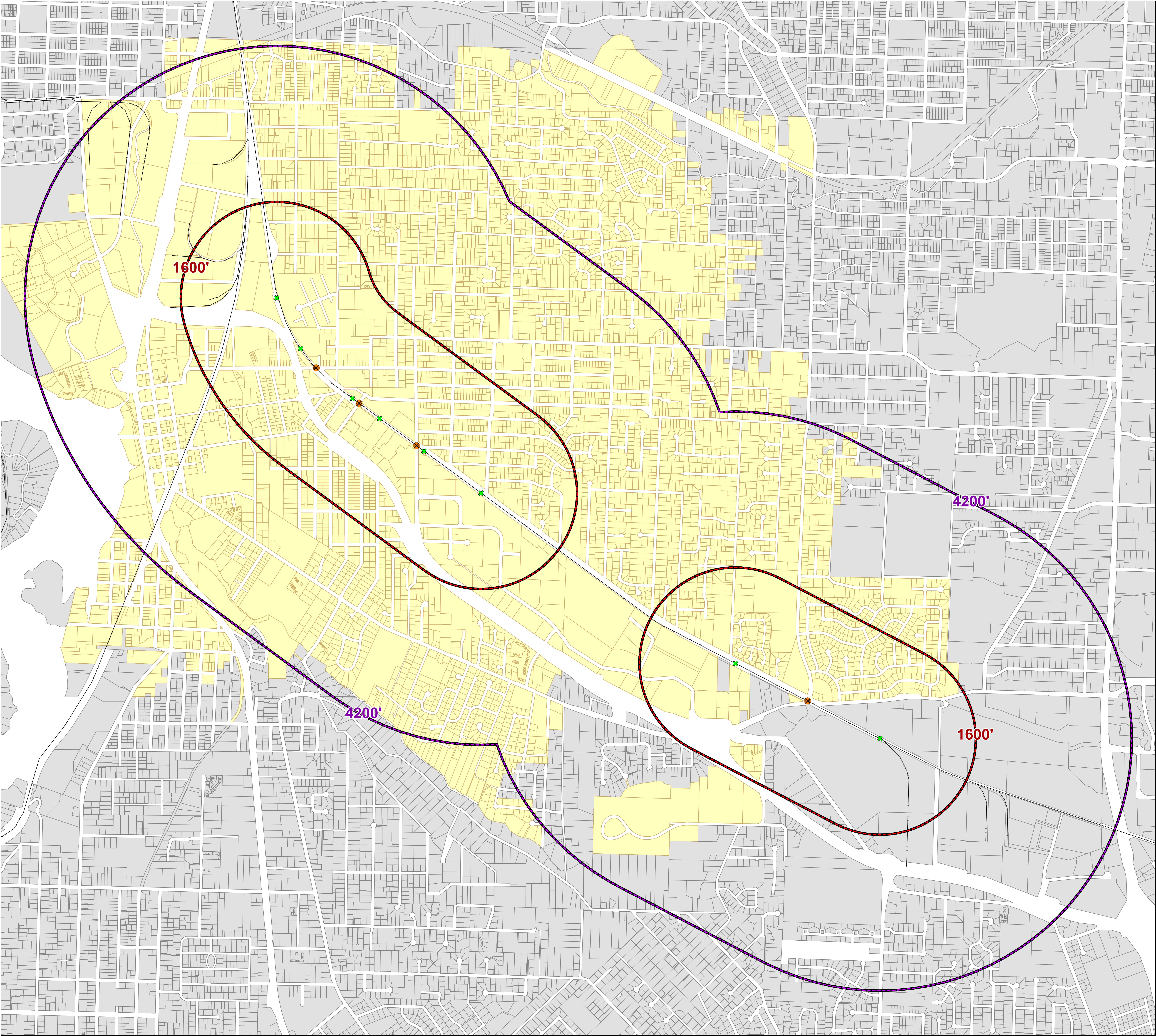
Attachments

1. Area impacted by Train Horns. (Pdf)
2. Quiet Zone Interested Persons List.
3. Access Management Study for Purdy's Car Wash.
4. Construction Schedule.
5. Interim Approval for the Use of the Wayside Horn System.
6. City of Sugarland, Texas. Letter to the Union Pacific Railroad.
7. Quiet Zone Ppt Presentation.

³ See Attachment 5.

⁴ See Attachment 6.

Train Horn Estimated Impact Area



- ✱ Whistle Point
- ✕ RR Xing
- 65 Decibel
- 75 Decibel
- RR Line
- Milwaukie Tax Lots
- Other Tax Lots

Data Sources: City of Milwaukie GIS
Clackamas County GIS
Metro Data Resource Center

Date: September 29, 2006

The information depicted on this map is for general reference only. The City of Milwaukie cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated.

GIS Coordinator
City of Milwaukie
3200 SE Harrison Street
Milwaukie, OR 97222
(503) 786-7498



0 400 800 1,600 2,400 3,200 Feet

Attachment 2

Quiet Zone Interested Persons

Adair, Nancy
Anderson, Chuck
Anderson, Kori
Anderson, Rian
Aschenbrenner, David
Ausmann-Moreno, Cheryl
Baccitich, Matthew R.
Baldwin, Laurie
Barbur, Scott
Barrow, Barbara
Bergdorf, Steve
Best, Rob
Betschart, Dick
Betschart, Virginia
Brandt, Michelle
Branson, Debbie
Breck, Lisa
Bryan, Pat
Bryan, Ray
Bui, Carrie
Bui, Donny
Burgess, Jeffrey
Burningham, Donna
Burroughs, Amy
Calene, Bethany
Calene, Jacob
Casey, Mike
Castillo, Eli
Castillo, Margaret
Chojnacki, Michael
Churchill, Scott
Cole, Cindy
Conelly, Sean
Criss, Carol
Cross, Becky
Cross, Becky
DeVito, Doe
Doerfler, Jeff
Donsbach, Landon
Dorman, Steven
Dorr, Bryan
Dryden, Patti
Duncan, Lillian
Eiswerth, Brendan
Ekeren, Laurie

Elliot, Ben
Elliot, Jennifer
Elliot, Roman
Ellis, John
Estupinian, Aris
Faiman, Paul
Favorite, Anne
Favorite, Phil
Felisiano, Hollie
Fitts, Kim
Follis, Mike
Foz, Alex
Frick, Forris
Fussell, Jean
Fussell, John
Gaffney, Sandra
Garrison, Cathy
Garrison, Rob
Gibert, Daniel C.
Gleeson, Daniella
Greenwood, Maryland
Griffey, Mary
Gronholm, Mike
Gunion-Rinker, Lisa
Guzzo, Angela
Hamersly, Lynne
Hamersly, Wayne
Harmon, Maria
Hartung, Maureen
Hartung, Nick
Hatfield, Doug
Hay, Gerald
Hespen, Margaret
Hockersmith, Karin
Holzgraf, Betsy
Hubbard, Val
Hungerford, Paul
Ingram, Karen
Karr, Mike
Karr, Shirley
Kenney, Donald
King, Mary
Kirk, Birdie
Kirk, Bonnie
Kirk, Roy
Klein, Gary
Koch, Bonnie

Koch, Larry
LaFrank, Gena
Lake, Laverne
Larson, Penny
Leahy, Richard
Leek, Julie
Lockhart, Marge
Loehning, Jenny
Loudon, Jeff
Lundgren, Susanna
Maier, Dave
Mangala, Dorothy
Martell, Casey
Matich, Nancy
Michael, Gary
Minnick, Alma
Mishler, Bonnie
Naef, Bob
Naef, Yvonne
Nasty, D
Nellis, Virginia
Nelson, Florence
Nelson, Liz
Niesnack, Paul
Noe, Julia
Norell, Steve
Nutrie, Brady
Park, Timothy
Pat, VanOsdol
Patricia
Petersen, Greg
Petersen, Lowell
Pierzchala, Edmund
Pierzchala, Sarah
Pollan, Lew
Pollock, Lynda
Powers, Elaine
Pugh, Mark
Rand, Steve
Rasch, Ron
Ratkowski, Terri
Raynor, Richard A.
Reichardt, Ron
Relei, Steve
Richardson, Robert
Richardson, Sue
Rogers, Judy
Rogers, Mike
Rolison, Pat

Rowack, Micah
Sanders, Rene
Schwartz, Todd
Schwindt, Lorraine
Seadbarg, Margaret
Seagler, Greg
Sears, Linda
Sears, Richard
Sellers, Libby
Sellers, Terry
Shannon, Kelly
Shaw, Jim
Shawn, Kelly
Shepard, Dion
Shepard, Mike
Smith, Sarah
Snider, Lillian
Snider, Lisa
Snider, Mike
Snyder, Eugene
Sobolewski, Shirley
Stacey, Mike
Stai, Duwayne
Stangel, Ben
Stephen, Chris
Strader, Tom
Strauss, Ileana O.
Thompson, Deedra L.
Tinat, Ashley
Trulock, Mitchel
Twigg, Joby
Vamer, Dale
Wasko, Beth
Wenger, Casey
Wenger, Laura
West, Mary
Wester, Maribeth M
Winner, Jeff S.
Winner, Lynn S.
Wisner, Julie
Yaggero, Anne May
Younce, Jill
Younce, Tim
Young, Jennifer
Young, Ron
Yunde, Olive
Zitzer, Jean
Zumwalt, Ed

Attachment 3



Harper
Houf Peterson
Righellis Inc.

Job No.: MWK-19

Date: July 9, 2007

To: Gary Parkin
City of Milwaukie Public Works
6101 SE Johnson Creek Blvd
Milwaukie Oregon 97206

From: Travis Kruger, P.E.

Project/Subject: Harrison Street Improvements

☐ Fax - Number: _____; Number of pages _____
(If you did not receive the correct number of pages, please call 503-221-1131)

☐ E-mail ☒ Mail ☐ Hand Deliver ☐ Interoffice

Gary:

We have taken a preliminary, planning level type review of the traffic improvements for SE Harrison Street and 31st Avenue (Purdy's Car Wash). All work has been completed using available aerial maps for the area, and a site visit. Please note that prior to any additional design, topographic survey will be required in the area.

It appears as though many of the proposed improvements found on Page 8 of the Council Staff Report (attached in exhibit) are feasible for the site. We have completed an autoturn analysis, and identified improvements associated with the work (attached in drawings).

A summary of the proposed improvements are as follows (see attached estimate):

- Restriction of left turn access to Purdy's Car Wash (31st Ave) from Harrison.
- Approximately 170 LF of a concrete traffic separator along SE Harrison and "No Left Turn" signage.
- New striping along SE Harrison
- Approximately 36 LF of new curb and landscaping in the vacant lot
- New striping for the vacant lot, and parking spots along existing entrance.
- New driveway apron at vacant lot

The existing parking lots appear to meet current requirements for stall width with a minimum of 24 foot in the travel lanes. The majority of the existing striping can be re-striped and updated in order to delineate travel lanes versus parking stalls. No parking signs will be necessary in a few locations to preserve travel lanes. There should be no net decrease in parking stalls, as both entrances are configured for 24' travel lanes.

The City Council Staff Report identified access between the detail shop and the vacant building. However, clear space between the buildings is approximately 17 feet, and is slightly under the

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Suite 580
Portland, OR 97239
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F 503.221.1171
www.hhpr.com

typical width of 24 ft. This lane width will work for the level of volume likely to occur, but will require yield signs at both ends to handle two way traffic.

The median shown on the schematic drawings allows for a left turn from the Purdy's car wash onto Harrison. Due to the median being shortened to allow for this turn, cars may still turn around the median from Harrison into Purdy's. If left turns are still being made into Purdy's, the median can simply be extended, and right-in, right-out access can be implemented from Purdy's.

It should be noted by City staff that these traffic revisions are a safety issue. The City has the right to determine which roads require traffic control measures such as traffic barriers, and right-in, right-out. This is a safety issue, and is typically a non-compensable issue for nearby property owners. It also appears that SE 31st Avenue is public ROW, and should be researched by City staff to identify long term access issues.

Please feel free to contact me with any questions / clarification.

A handwritten signature in black ink, appearing to read "Travis Kruger". The signature is stylized with a large, sweeping initial "T" and a long, horizontal stroke extending to the right.

Travis Kruger, PE



SCHEMATIC

CITY OF MILWAUKIE
PUBLIC WORKS DEPARTMENT
 6101 SE JOHNSON CREEK BLVD.
 MILWAUKIE, OREGON 97206
 TEL. (503) 786-7600
 FAX. (503) 774-8236

DATE	NO.	DESCRIPTION

REVISIONS

DESIGNED: TAK
 DRAWN: SMR
 CHECKED: DSH
 DATE: JUNE, 2007

HHPR Harper
 Houf Peterson
 Righellis Inc.
 ENGINEERS • PLANNERS
 LANDSCAPE ARCHITECTS • SURVEYORS
 5200 SW Macadam Avenue, Suite 580, Portland, OR 97239
 phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

EXISTING CONDITIONS
SE 31ST AVENUE ACCESS PLAN
 MILWAUKIE, OREGON

SHEET NO.
 1 OF 3
 JOB NO.
 MWK-19



SCHEMATIC

CITY OF MILWAUKIE
PUBLIC WORKS DEPARTMENT
 6101 SE JOHNSON CREEK BLVD.
 MILWAUKIE, OREGON 97206
 TEL. (503) 786-7600
 FAX. (503) 774-8236

			DESIGNED:	TAK
			DRAWN:	SMR
			CHECKED:	DSH
DATE	NO.	DESCRIPTION	DATE:	JUNE, 2007
R E V I S I O N S				

HHPR Harper Houf Peterson Righellis Inc.
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 LANDSCAPE ARCHITECTS • SURVEYORS
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 phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

PROPOSED CONDITIONS
SE 31ST AVENUE ACCESS PLAN
 MILWAUKIE, OREGON

SHEET NO.	2 OF 3
JOB NO.	MWK-19



SCHEMATIC

CITY OF MILWAUKIE
PUBLIC WORKS DEPARTMENT
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206
TEL. (503) 786-7600
FAX. (503) 774-8236

DATE	NO.	DESCRIPTION
R E V I S I O N S		

DESIGNED: TAK
DRAWN: SMR
CHECKED: DSH
DATE: JUNE, 2007

HHPR Harper
Houf Peterson
Righellis Inc.
ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS
5200 SW Macadam Avenue, Suite 580, Portland, OR 97239
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

AUTOTURN ANALYSIS
SE 31ST AVENUE ACCESS PLAN
MILWAUKIE, OREGON

SHEET NO.
3 OF **3**
JOB NO. MWK-19

**City of Milwaukee
Railroad Pedestrian Crossing Project
June 20, 2007**

		2007-08															
Task	Description	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	Aug	
1	General Project Management and Coordination																
2	Preliminary Design																
2.1.0	37th Avenue - RR Avenue Re-alignment Survey																
2.1.1	37th Avenue - RR Ave. Re-alignment Design																
2.2	Oak Street Design																
2.3	Harrison Street Survey and Design																
3	Railroad Permitting																
2.1	Prepare Attachments to ODOT Railroad-Highway Crossing Safety App.																
2.2	Prepare and Submit UPRR Permit of Entry Applications for surveyor																
2.3	UPRR Right-of-Way and Easement Identification																
2.3.1	Prepare UPRR Easement																
2.3.2	Set Right-of-Way Construction Points																
2.4	Coordinate UPRR/City Construction & Maintenance Agreement																
2.5	Coordinate UPRR Materials Ordering and Installation																
3	90% Plans, Specification, and Opinion of Cost																
3.1	Prepare 90% Plans, Specifications, and Opinions of Cost																
3.2	90% Review Meeting with City																
4	Construction Plans, Specifications, and Opinions of Cost																
4.1	Prepare Construction Plans, Specifications, and Opinion of Cost																
5	Bidding Assistance																
6	Construction Contract Documents																
7	Construction																

Assumptions:

1. ODOT Safety Application Submittal Requires 75% Plans
 - a. 37th Avenue - RR Avenue Re-Alignment: requires approximately 8-10 weeks to complete survey and design.
 - b. Oak Street: requires approximately 1 week to complete design
 - c. Harrison Street: approximately 2-4 weeks required to complete survey and design
2. It is assumed that all three (3) projects will be moved forward together through the ODOT Rail/UPRR Permitting Process
3. Task 2 - Preliminary Design Vehicles for the 37th Avenue Re-design, initial tasks will be preparation of a supplemental agreement and completing surveys at 37th Street and Harrison Street

Interim Approval - Manual on Uniform Traffic Control Devices

U.S. Department of Transportation

Federal Highway Administration

Subject: **INFORMATION:** MUTCD - Interim Approval for Use of the
Wayside Horn System

Date: August 2,
2004

From: Regina S. McElroy
Director, Office of Transportation Operations

Reply to: HOTO-1
Attn. of:

To: A. George Ostensen, Associate Administrator for Safety
Division Administrators
Resource Center Directors
Federal Lands Highway Division Offices

Purpose: The purpose of this memorandum is to issue an Interim Approval for the optional use of wayside horn system (WHS) at highway-rail grade crossings.

Background Summary: The use of train horns provides an audible indication to road users of the approach of a train at a highway-rail grade crossing. Although this device provides a safety benefit to the road user, the community in close proximity to the railroad crossing can be subject to the sound impact of the train horn, which can occur any time of the day or night. To mitigate this problem, the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA) Office of Safety have monitored over the past 10 years the development and implementation of a WHS. The WHS is located at the crossing and directed at oncoming motorists, which (1) simulates the sound and pattern of a train horn; (2) provides similar (or safer) response from road users, and (3) minimizes the audible impact on individuals located near the crossing (the WHS theory of operations is attached to this memo). Additionally, the FRA has documented an Interim Final Rule, entitled "Use of Locomotive Horns Highway-Rail Grade Crossings" (published in the Federal Register at 68 FR 70586 on December 18, 2003), which provides the use of train horns at public crossings and the use of the WHS.

Interim Approval for the WHS is hereby granted based on FRA's Interim Final Rule, as well as current deployments and evaluations.

Provisions for the WHS:

Option:

The wayside horn system may be installed in accordance with part 222 of title 49 of the Code of Federal Regulations (49 CFR) to provide directional audible warning at highway-rail grade crossings equipped with active traffic control devices consisting of, at a minimum, flashing lights and gates.

Standard:

The wayside horn system for use at active highway-rail grade crossings shall conform to the FRA's requirements for the wayside horn prescribed in Part 222 of 49 CFR, Appendix E.

As a minimum, the wayside horn system shall be installed for each roadway approach to the highway-rail grade crossing to provide audible warning.

Guidance:

A diagnostic review should be conducted by a diagnostic team to determine the optimal placement of the wayside horn system and to ensure the correct and most effective use of the system. The diagnostic team should be composed of railroad personnel, public safety or law enforcement, engineering personnel from the public agency with the responsibility for the roadway that crosses the railroad, and other concerned parties.

The highway agency or authority with jurisdiction should consider the inclusion of remote health (i.e., status) monitoring capable of automatically notifying maintenance personnel when anomalies have occurred within the system.

The wayside horn system should comply with the same lateral clearance and roadside safety features described in the MUTCD Section 8D.01. When a wayside horn is mounted on a separate pole assembly, it should be installed no closer than 4.6m (15 ft) from the centerline of the nearest track. In addition, a wayside horn should be located where the device will have optimal results, and not obstruct the motorists' line of sight to the flashing-light signals.

Conditions of Interim Approval:

Jurisdictions wishing to install the WHS under this Interim Approval of WHS must meet the following conditions:

1. The use of WHS shall comply with provisions described in the above Provisions for the WHS.
2. A written request shall be submitted to the Director of the Office of Transportation Operations acknowledging the jurisdiction's agreement to comply with MUTCD Section 1A.10, item F. The request must also state the location(s) where the device will be used.
3. Jurisdictions shall be responsible to notify the FRA of installation of WHS as required in 49 CFR 222, and shall inform the FHWA of such notification in their written request to FHWA for interim approval.

Any questions concerning this Interim Approval should be directed to Ms. Guan Xu at guan.xu@fhwa.dot.gov or by telephone at 202-366-5892.

References:

1. 49 CFR Part 222
2. Wayside Horn System Interim Approval Request from A. George Ostensen
3. 2003 MUTCD Section 1A.10

Attachments:**Theory of WHS Operations:**

The WHS system operates in conjunction with train operations. Under normal conditions at an active crossing, the train's locomotive will normally engage its horn approximately one-quarter of a mile from the crossing. The horn will continue to sound several additional times until the train enters the crossing. The WHS focuses the sound of the horn to the road user, thereby eliminating the requirement that the locomotive sound its horn from such a far distance (currently trains typically sound their horns a quarter-mile from the crossing). The WHS is located at the crossing

on a pole in close proximity to the Crossbuck. Once the train has approached the crossing where the train horn would begin to blow its horn, the WHS is engaged. The WHS emits a digitized horn sound that is directed in the path of the user. Based on the location and orientation of the WHS, significant sound abatement is created for the general area surrounding the crossing, and provides a warning to road users approaching the crossing. Additionally, a visual signal is placed along the rail corridor's right-of-way in advance of the crossing to notify the locomotive engineer that the WHS is operating. Pursuant to FRA's Interim Final Rule (49 CFR 222, Appendix E), the locomotive engineer has the right to engage the onboard train horn, when it is determined that it is in the best interest in safety (for both the road user and the train).

WHS Research Summary

The effectiveness of the WHS has been studied and documented over 10 years at active highway-rail grade crossings, and has shown substantial benefits to such grade crossings. The studies were conducted by agencies/organizations such as the FRA, Volpe Center; Northwestern University; City of Richardson, Texas; Association of American Railroads; Iowa State University, and Texas Transportation Institute. Key conclusions of the studies include:

- The studies showed significant reduction (more than 50 percent) in the number of motorists' violations of the crossing gates as compared to the baseline data collected with the train horns sounding.
- The WHS was well accepted by both motorists and locomotive engineers.
- The WHS gives equal or greater audible notification as compared to train horns.
- The WHS provides a good balance between providing adequate advance notification to road users and minimizing community noise levels.
- The WHS appears to continue to be an effective alternative to the locomotive horn.

[Back to Interim Approvals](#)



CITY OF SUGAR LAND

OFFICE OF MAYOR
DAVID G. WALLACE

November 20, 2006

Richard K. Davidson, Chairman
Union Pacific Corporation
1400 Douglas Street
Omaha, NE 68179

James R. Young
President and Chief Executive Officer
Union Pacific Corporation
1400 Douglas Street
Omaha, NE 68179

Dear Mr. Davidson and Mr. Young:

In response to a legislative mandate, the Federal Railroad Administration (FRA) issued a Final Rule on the use of train horns at highway-rail crossings on April 27, 2005. This rule allows for the use of wayside horns in lieu of locomotive horns. This Rule and the previous Interim Final Rule issued on December 18, 2003, describe evidence that use of wayside horns improves safety over rail crossings using train-mounted horns. In fact, the FRA's Interim Final Rule (published in the Federal Register Vol. 68, No. 243, page 70609) describes an extensive 2003 study conducted in Mundelein, Illinois, where driver behavior was videotaped at three crossings where wayside horns were installed. The study results indicated a 70 percent decrease in the number of times drivers disregarded the warning devices when wayside horns were used instead of train horns.

With the Final Rule now issued and wayside horns federally approved, the City began to take action to address the persistent complaints of City residents over train horn noise. Through discussions with Union Pacific (UP), UP indicated that the City could not install the horns without UP's installation of "interconnect" circuitry to tie into UP's signal equipment. As a result of our dependence on UP's installation of the interconnect, the City began negotiating an agreement with UP in late 2005 for the installation of wayside horns at ten intersections. By July 2006, the City and UP had reached agreement on most of the significant issues relating to installation and maintenance of the horns. One key element of disconcert, however, was UP's

demand that the City provide liability insurance of \$10 million and name UP as an additional insured.

The City believed (and still does believe) that providing UP with \$10 million in insurance coverage as a condition for the use of an approved traffic control device was unfair and disproportionate to any safety risk arising from the use of the wayside horns. Despite several requests, UP's negotiating team showed absolutely no willingness to seek a reasonable position. In the interest of moving forward and providing relief to our citizens, the City agreed to UP's request and identified a suitable insurance provider. By July 2006, it appeared the City and UP could find terms with which each party could agree.

In August 2006, UP changed its position and demanded that the City provide insurance of \$25 million. With the City dependent on UP's cooperation, the City seemed to have little choice but to comply. Consequently, the City contacted insurance brokers in an attempt to obtain estimates of the cost of the coverage. All of the brokers, including those recommended by UP, have refused to provide the requested coverage. Many suggested that the required coverage was excessive.

In further efforts to find the required insurance, the City contacted other cities that have installed wayside horns under agreement with UP. To our surprise, we have discovered that UP has agreed to far less onerous insurance coverage for other entities. For example, the Kansas Department of Transportation only provides coverage of \$2 million per incident and \$5 million per occurrence for multiple wayside installations along UP tracks in that state.

As we have conveyed in our negotiations, the City is willing to pay for installation and maintenance of the horns. We are willing to indemnify UP for acts of fault of the City. However, in light of studies that show that wayside horns improve safety, and recognizing that the wayside horns are approved by both the FRA and the Federal Highway Administration, any provision of additional insurance to UP is unwarranted and unreasonable. UP appears to be taking advantage of the City's dependence on UP to force the City into a false choice: either provide to UP a financial benefit disproportionate to any real risk or liability, or withdraw our request to install an approved traffic control device. The City believes this choice is unfair, unreasonable and inconsistent with the intent of the FRA's Final Rule.

Because of onerous insurance requirements that UP has insisted upon, the City has begun to investigate other options, such as installing "alternative safety measures", that eliminate the need for an agreement and any insurance provisions. ASMs include measures such as raised medians of non-standard lengths, programmed enforcement, and public education and awareness. Because the Final Rule stipulates that calculations of risk be done on a corridor-wide basis, rather than the basis of individual crossings, it may be that the City could receive FRA approval for a quiet zone by only making improvements to as few as three of the ten intersections. Although we believe the use of wayside horns is the preferred option providing an exceptional

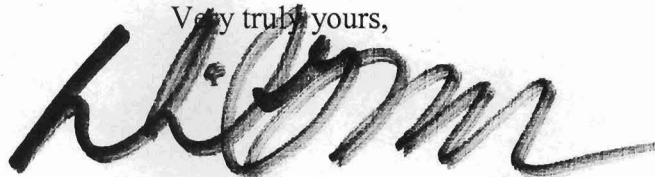
Mr. Richard K. Davidson
Mr. James R. Young
November 20, 2006
Page 3

level of safety and offers a preferred stance with regard to risk and liability for all parties, we may be forced to pursue these options if UP's requirements make wayside horns unfeasible.

UP's current position on wayside horns will have detrimental effects for communities across our state. During this process, we have contacted or been contacted by numerous Texas cities that are also trying to reach an agreement with UP on the installation of wayside horns in their cities. All of them have told us UP will not sign an agreement for their installations unless and until UP reaches an agreement with the City of Sugar Land. We intend to contact all other Texas cities working on wayside horns and tell them that UP, in defiance of the FRA's Final Rule, is not willing to enter into an agreement under reasonable terms to provide for wayside horns in Texas. We will recommend that their city officials contact their Congressional representatives about UP's action to block the use of wayside horns and ask their affected residents to do the same. We intend to do so as well.

The City requests that UP return to the negotiating table with a reasonable stance on insurance requirements for wayside horns. If you should have any questions, please do not hesitate to contact me at 281-275-2710. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "David Wallace", written over a light gray rectangular background.

David Wallace
Mayor

cc:

Senator John Cornyn
United States Senate
517 Hart Senate Office Building
Washington D.C. 20510-4305

Senator Kay Bailey Hutchison
United States Senate
284 Russell Senate Office Building
Washington, DC 20510-4304

Congressman-elect Nick Lampson
17043 El Camino Real
Suite 107
Houston, TX 77058

Governor Rick Perry
Office of the Governor
P.O. Box 12428
Austin, TX 78711-2428

Mr. Richard K. Davidson
Mr. James R. Young
November 20, 2006
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Darin Kosmak, Section Director
Railroad/Highway Grade Crossings Section
Texas Department of Transportation
125 East 11th St.
Austin, TX 78701-2483

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Federal Railroad Administration
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Ron Ries
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Crossing & Trespass Prevention
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Assistant Crossing Manager
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Dale Hill
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Union Pacific Corporation
24125 Aldine Westfield Rd.
Spring, TX. 77373

Phil Hardberger, Mayor
City of San Antonio, Texas
P.O. Box 839966
San Antonio, Texas 78283-3966

Mr. Richard K. Davidson
Mr. James R. Young
November 20, 2006
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Dr. Robert Cluck M.D.
Office of the Mayor
City of Arlington, Texas
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Arlington, Texas 76004-0231

Allen Owen, Mayor
City of Missouri City, Texas
1522 Texas Parkway
Missouri City, Texas 77489

Bill Lanford, Mayor
City of Haltom City, Texas
2901 Haltom Road
Haltom City, Texas 76117

Will Wynn, Mayor
City of Austin, Texas
P.O. Box 1088
Austin, Texas 78767

Leonard Scarcella, Mayor
City of Stafford, Texas
2610 South Main Street
Stafford, Texas 77477

Robert Bizzell, Mayor
City of Flatonia, Texas
125 E. South Main
P.O. Box 329
Flatonia, Texas 78941

Railroad Crossing Safety & Quiet Zone Project

Proposed improvements, impacts, and benefits of a Quiet Zone at the Harrison, Oak, and 37th Avenue crossings of the Union Pacific Mainline.

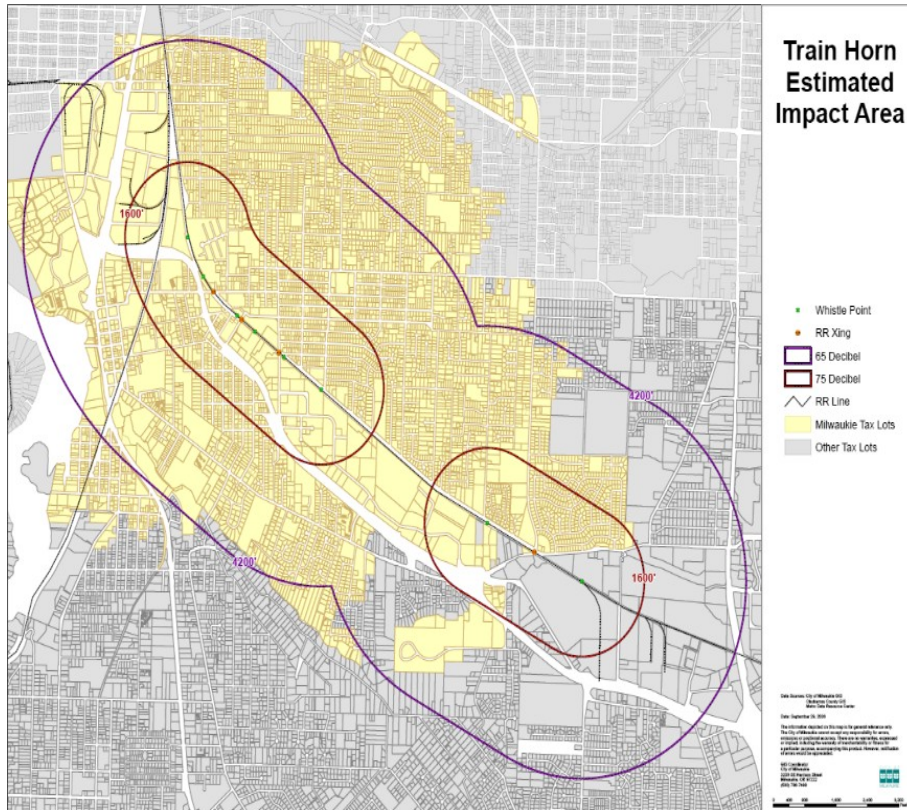
Presentation to Milwaukie City Council

July 17th, 2007 Work Session

Gary Parkin, Engineering Director

Gavin Hales, Transportation Liaison

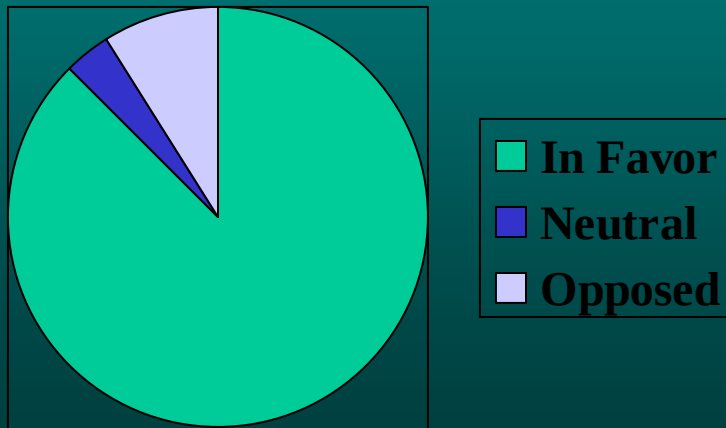
Train Horn Impacts



- 35 trains per day.
- Each train is required to sound it horn at least 16 times.
- Operators required to sound horns between 96 and 110 decibels.
- The area impacted at a federally unacceptable level extends to 4200' from the rail line, while the area of greatest impact extends 1600' from the rail line.

Community Response

Respondent Opinion Regarding the Proposed Quiet Zone



- Outreach through:
 - A February *Pilot* article.
 - The City website.
 - Transportation Liaison conversations.
- 189 respondents, self selecting.
- Rationale in favor of a Quiet Zone:
 - Loss of sleep.
 - Current lack of crossing safety.
- Rationale opposing a Quiet Zone:
 - A nostalgic attachment to train horns.
 - Concerns about cost.
 - Safety concerns.

Requirements of a Train Horn Quiet Zone

Under Federal law, a Train Horn Quiet Zone may be established if the City replaces the train horn with approved supplementary safety measures, or SSMs. In order to qualify for a Quiet Zone, the city must:

- Install SSMs at all crossings to be included in the Quiet Zone.
- Include at least one half mile of rail line in the zone.

Approved SSMs include:

- Four-quadrant gates.
- Gates with medians (median barriers.)
- One-way streets with gates.
- Temporary closure (nighttime closure.)
- Permanent closure.



One-way street with gates in
Richmond, Virginia.

Supplementary Safety Measures (SSMs)

SSMs:

- Are engineering improvements that enhance crossing safety.
- Prevent vehicles from moving across the rail line when trains are present.

Each SSM was approved by the Federal Railroad Administration for use in Quiet Zones, after over a decade of rigorous testing and trial projects.

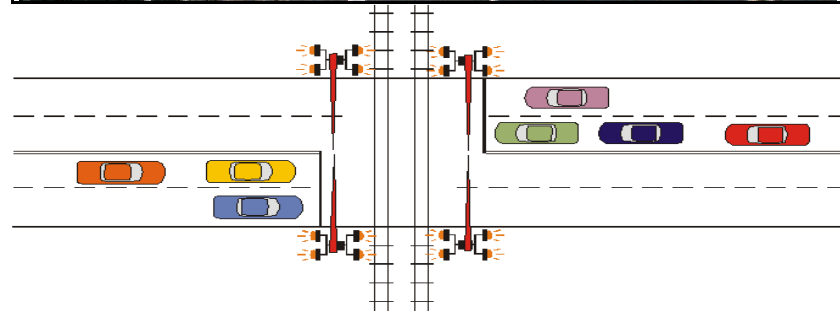


Median barrier SSM with existing gate arms.

Four-Quadrant Gates

Four Quadrant Gates on the North Carolina Sealed Corridor.

- Four Quadrant Gates are a type of SSM whereby additional gate arms at a rail crossing supplement the existing arms.
- The result is that gates lower across both approach and departure lanes, (on both sides of a rail crossing), when a train approaches.



Four Quadrant Gates Diagram, CALTRAC.

Median Barriers

For the Milwaukie Quiet Zone project, median barriers were selected for detailed study based on advantages in:

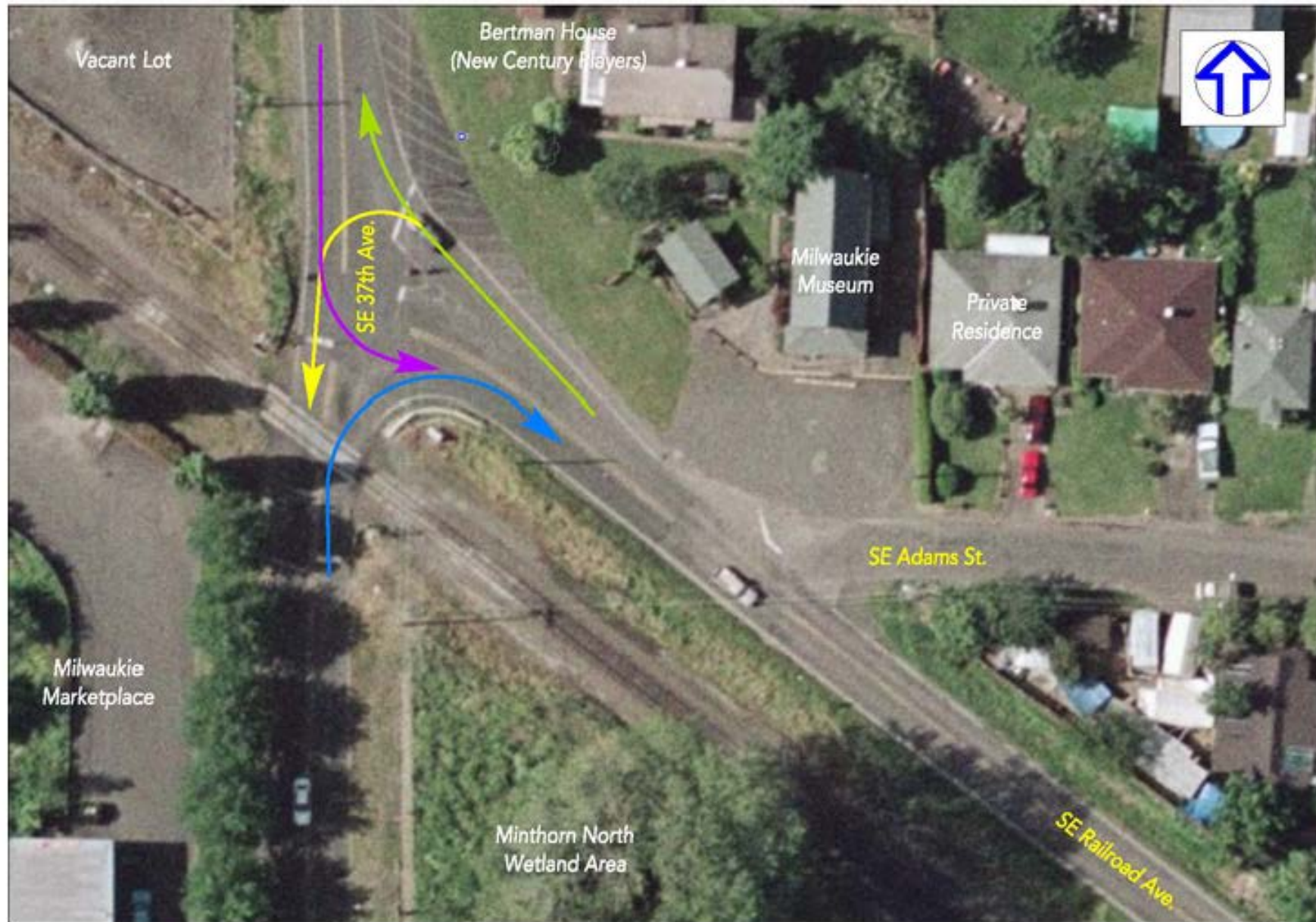
- Safety
- Cost
- Compatibility
- The recommendation of ODOT-Rail and the Union Pacific Railroad.



Median Barrier SSM

37th Avenue Crossing

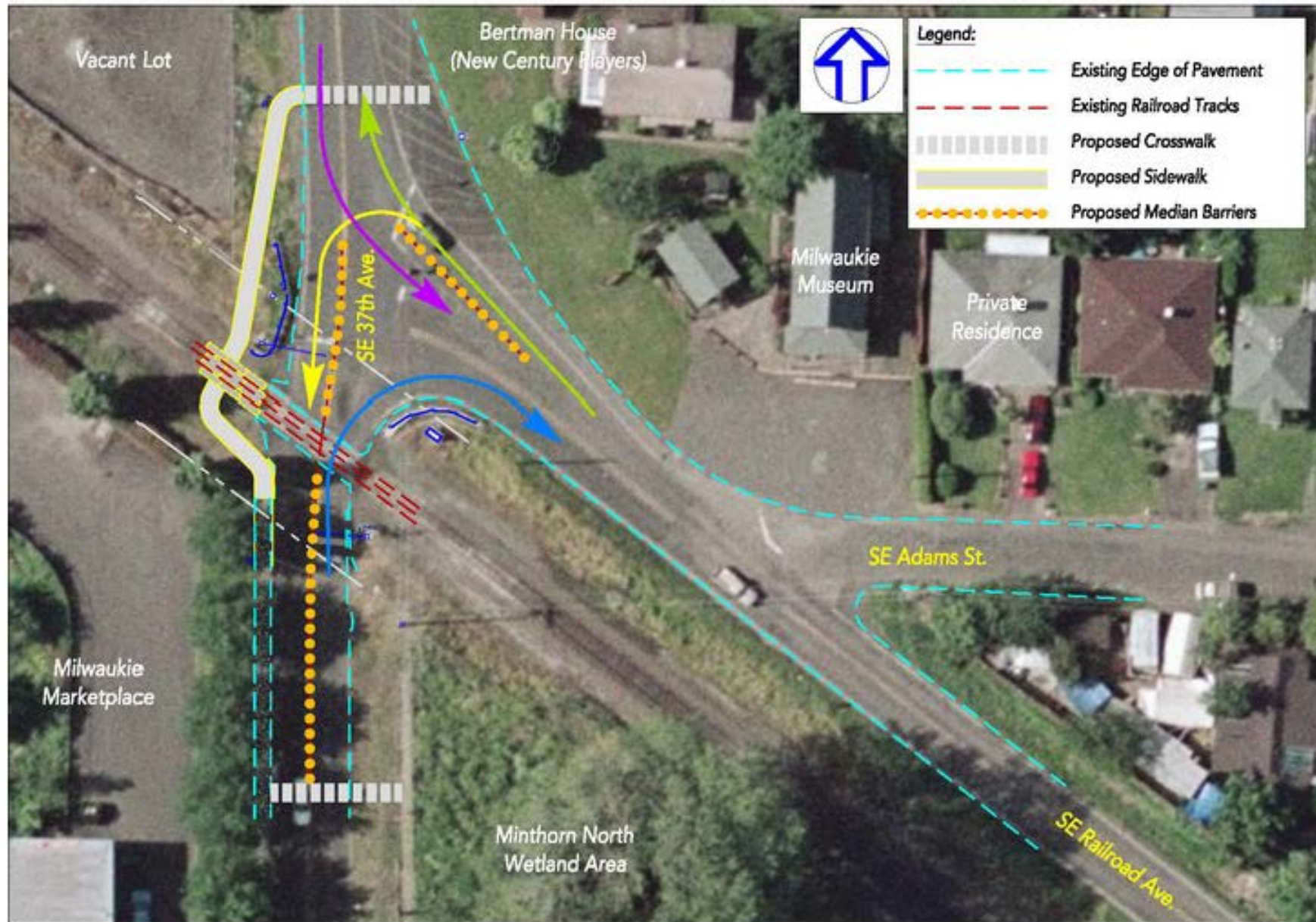
Existing Turning Motions



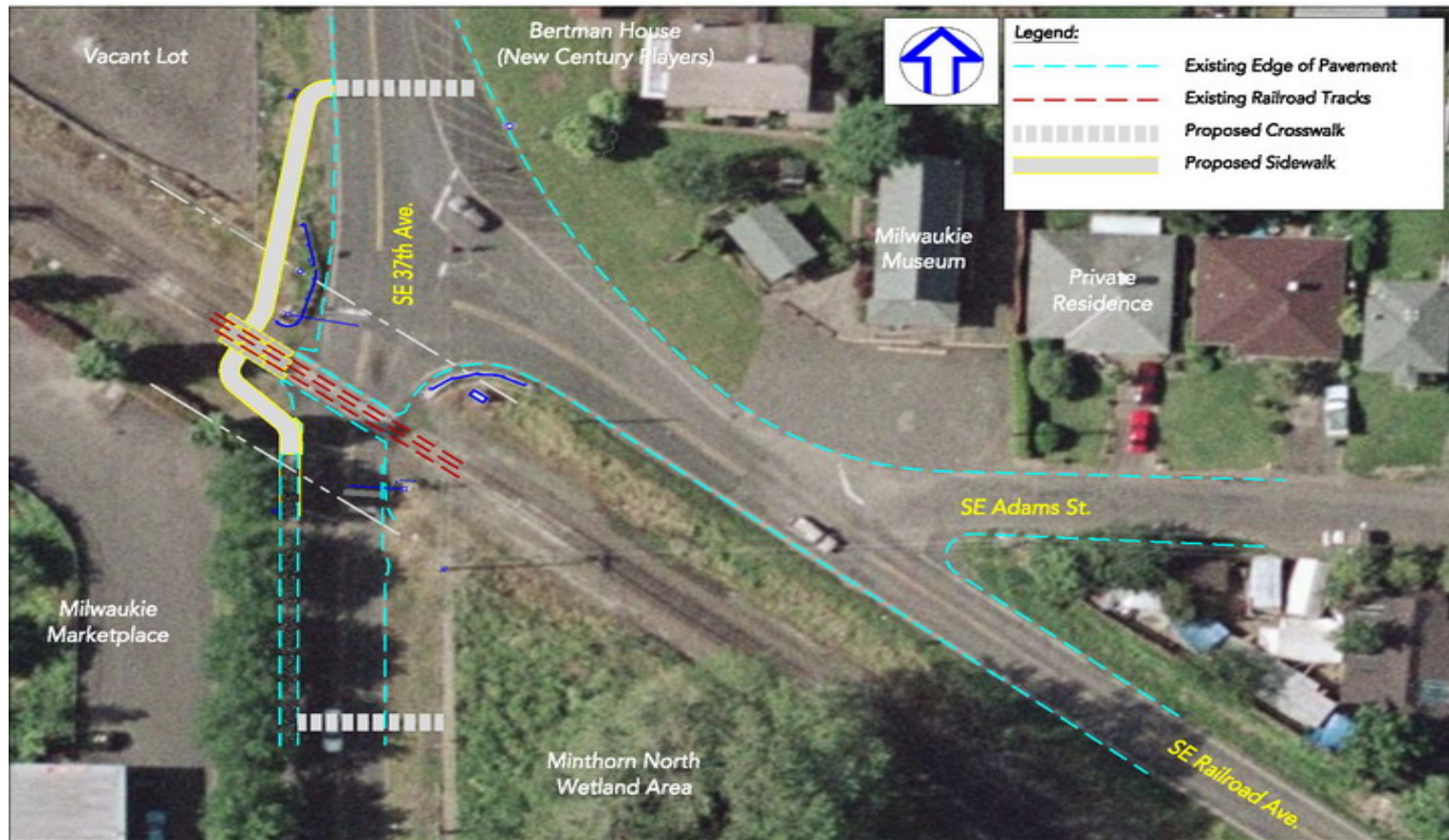
37th Avenue Crossing

\$150,000

Proposed Sidewalk and
Median Barrier Curb Improvements



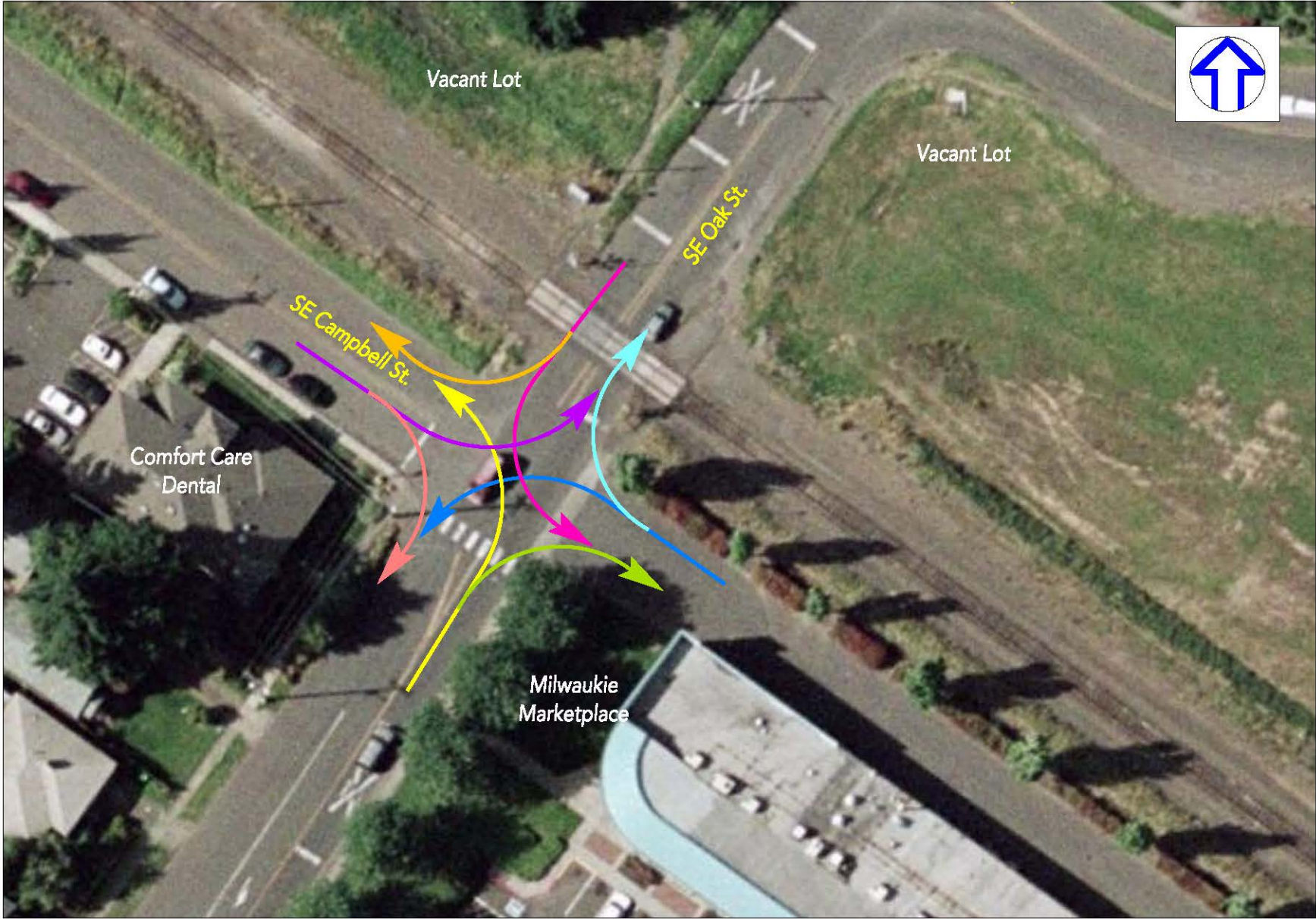
37th Avenue CDBG Project



37th Avenue crossing pedestrian improvements- \$90,000 (already budgeted)

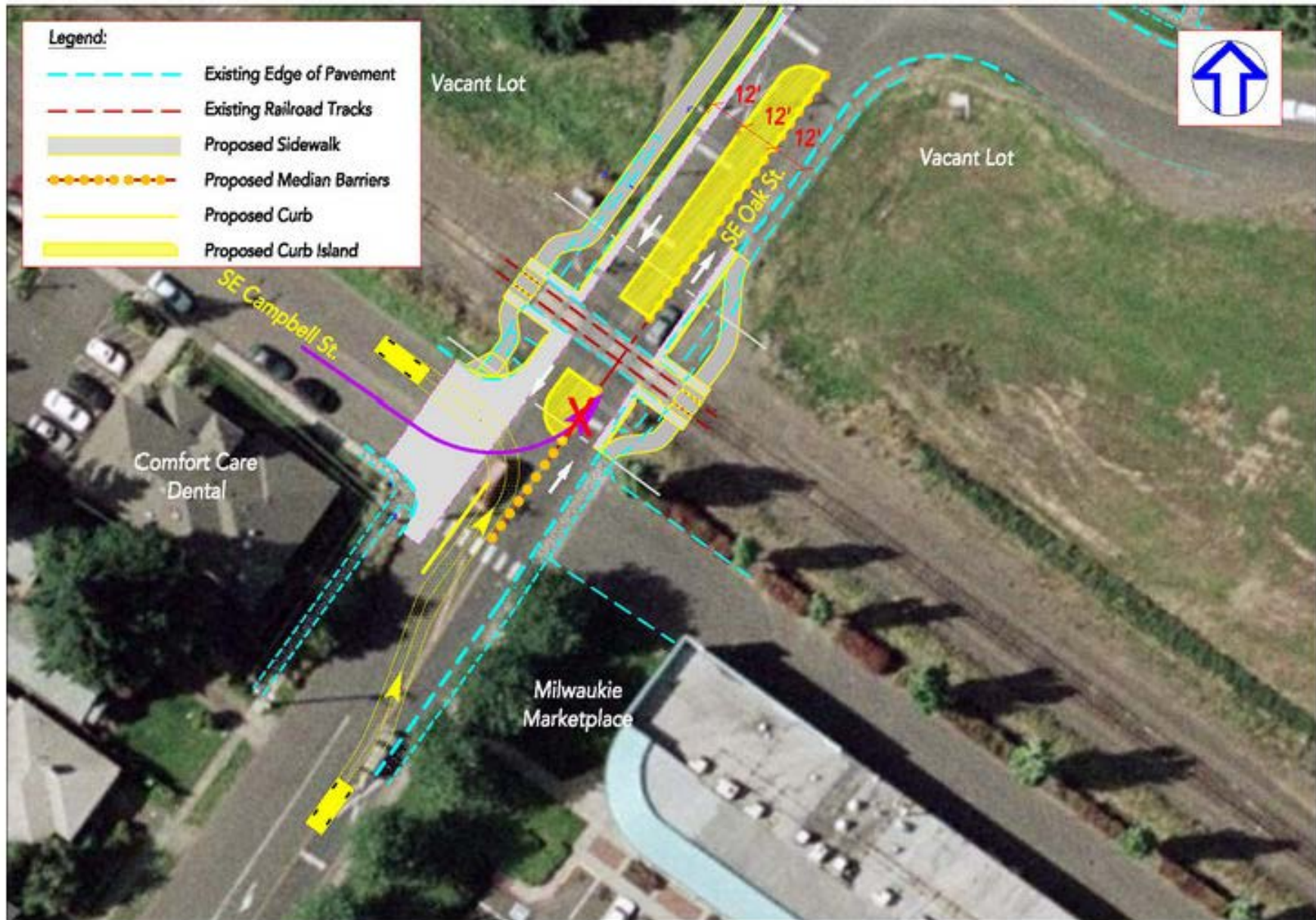
Oak Street Crossing

Existing Turning Motions



Oak Street Crossing

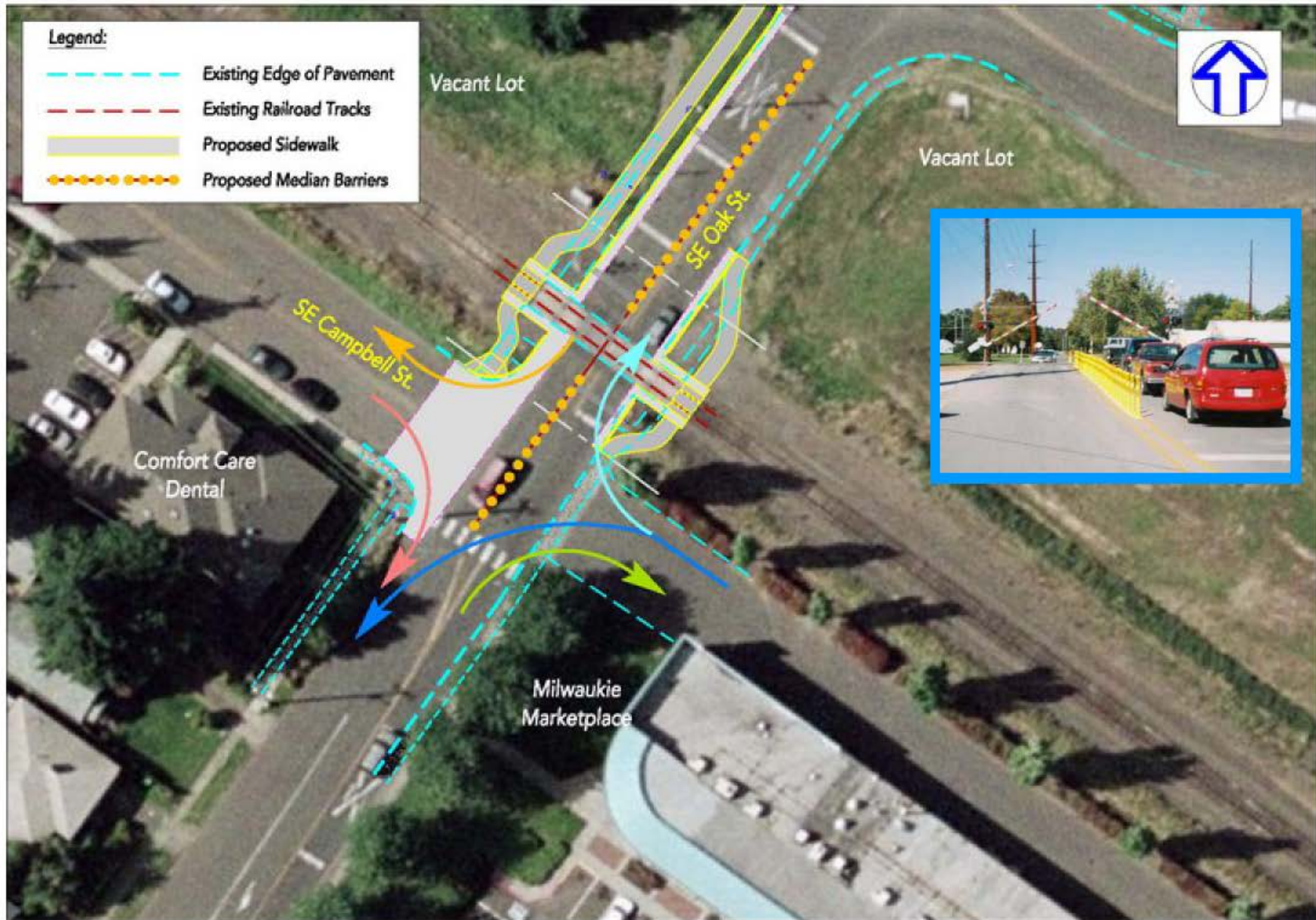
Lost Turning Motions



Oak Street Crossing

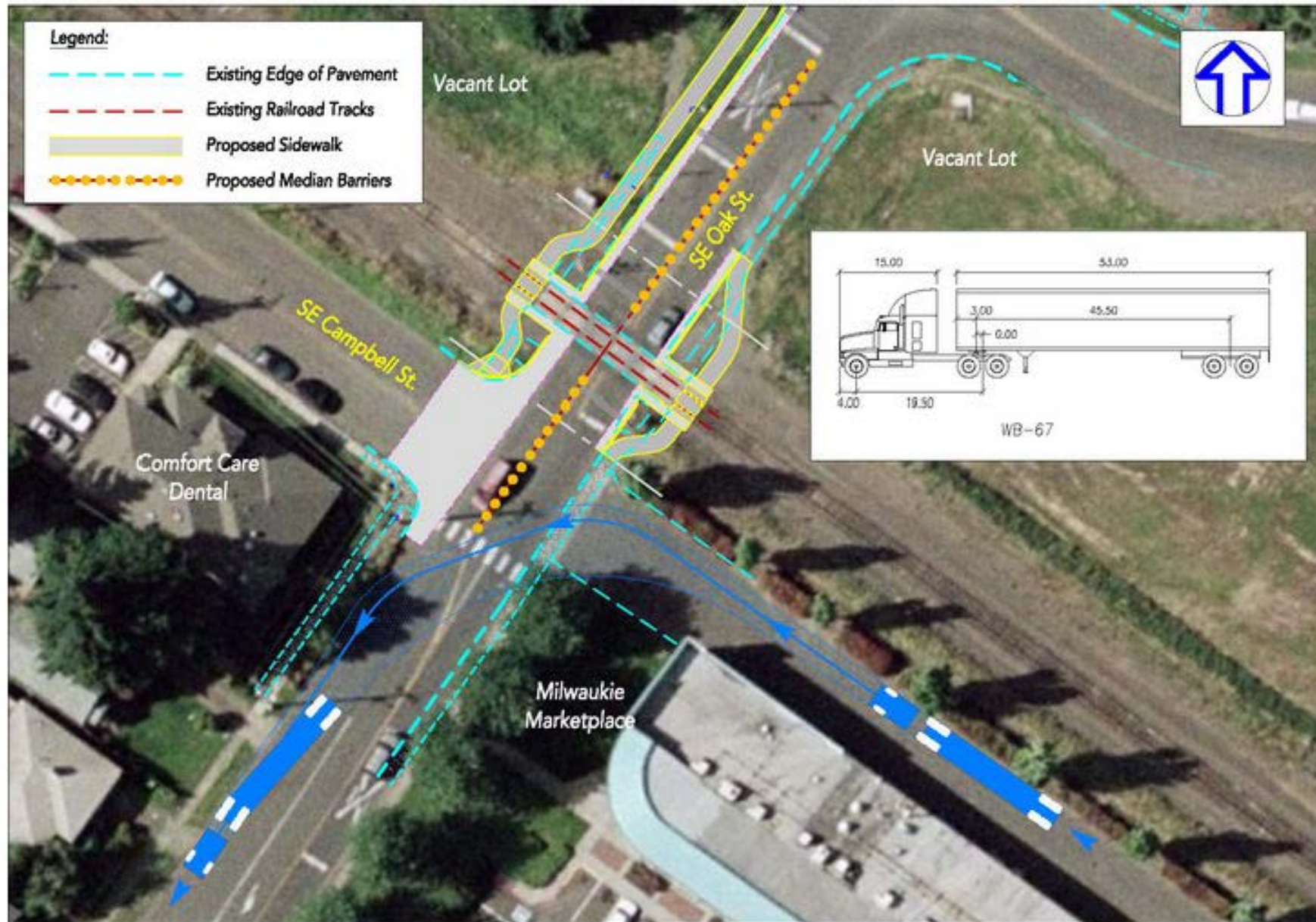
\$25,000

Proposed Sidewalk and
Median Barrier Curb Improvements



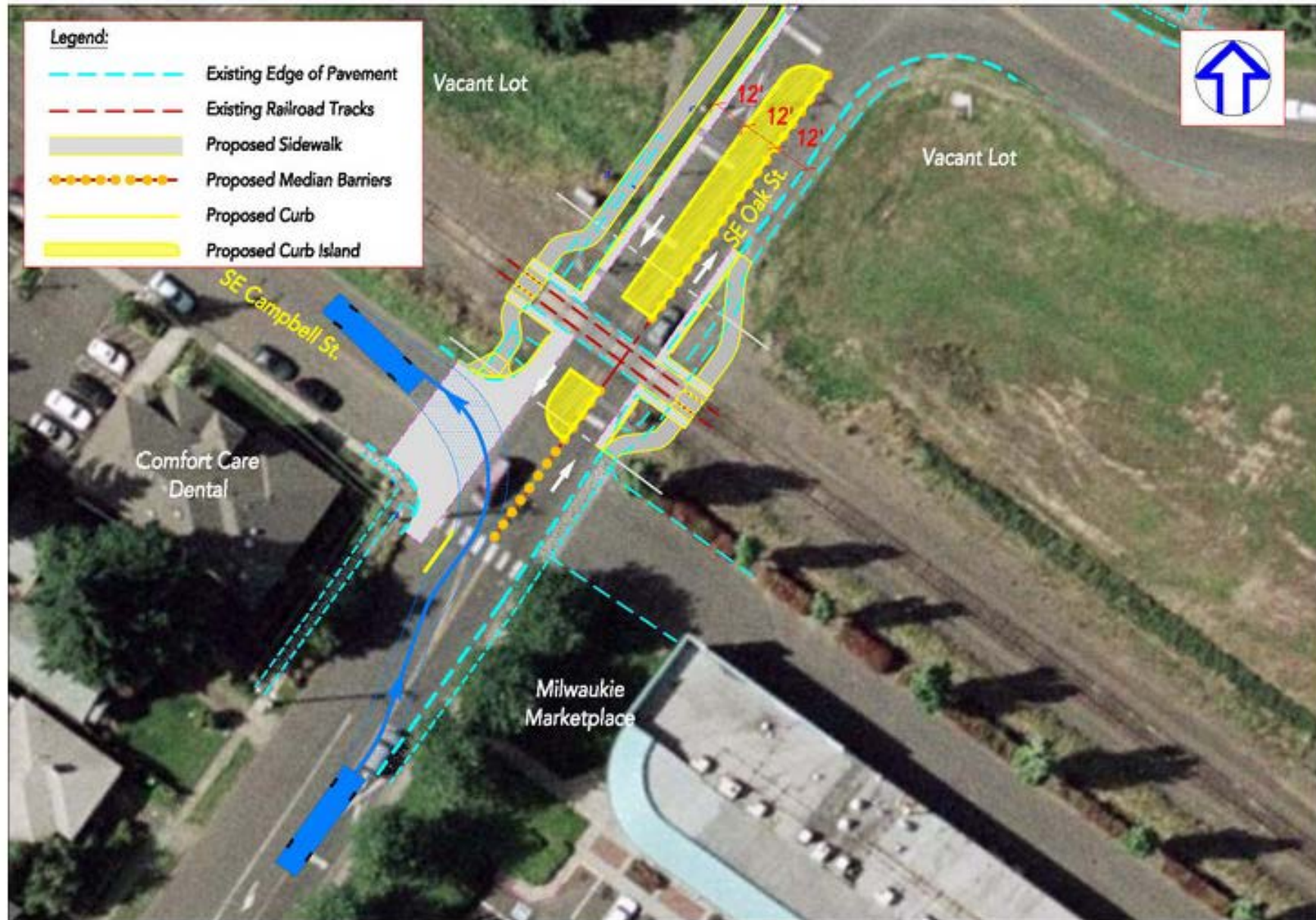
Oak Street Crossing

Proposed Freight Turning Motions

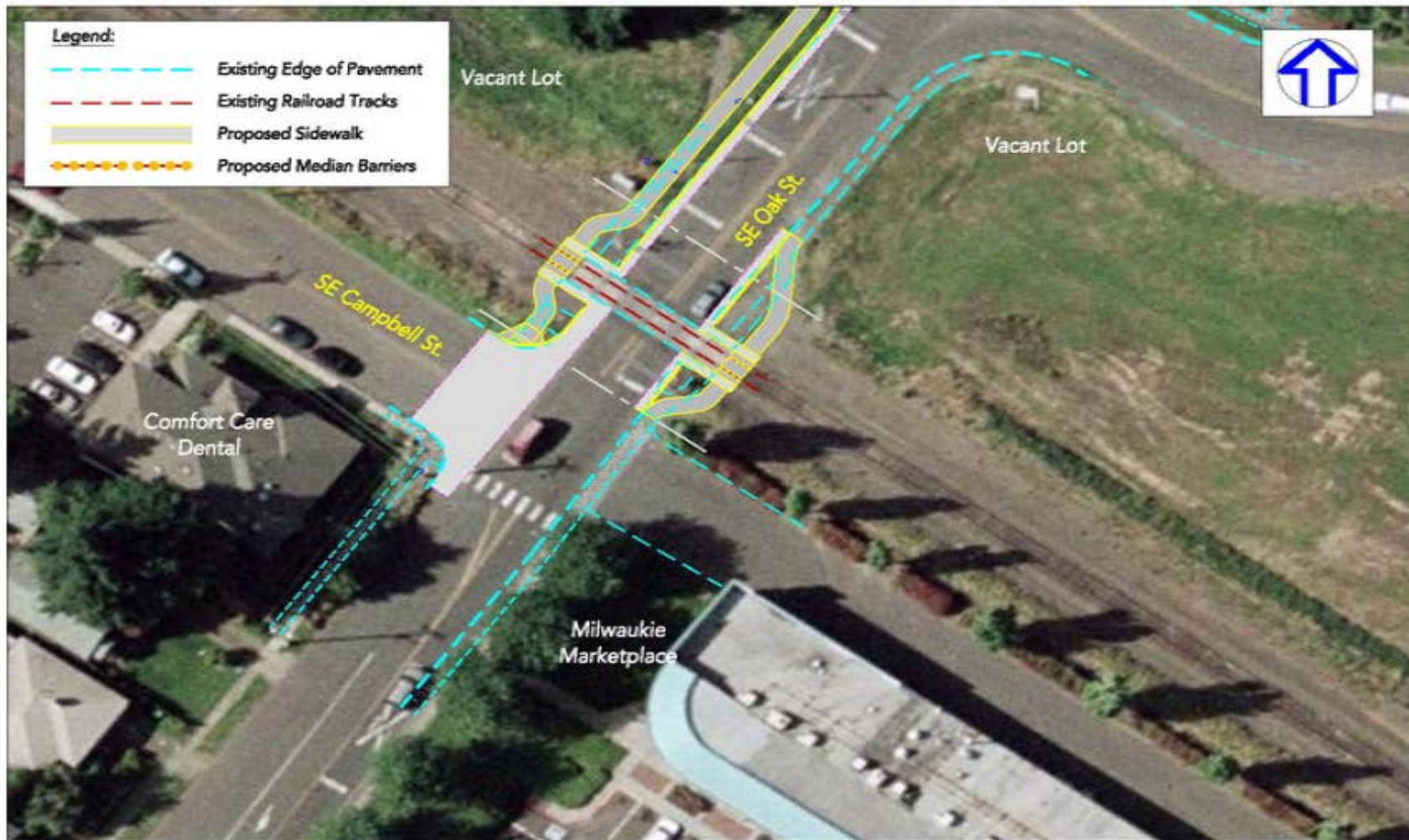


Oak Street Crossing

Proposed Freight Turning Motions 2



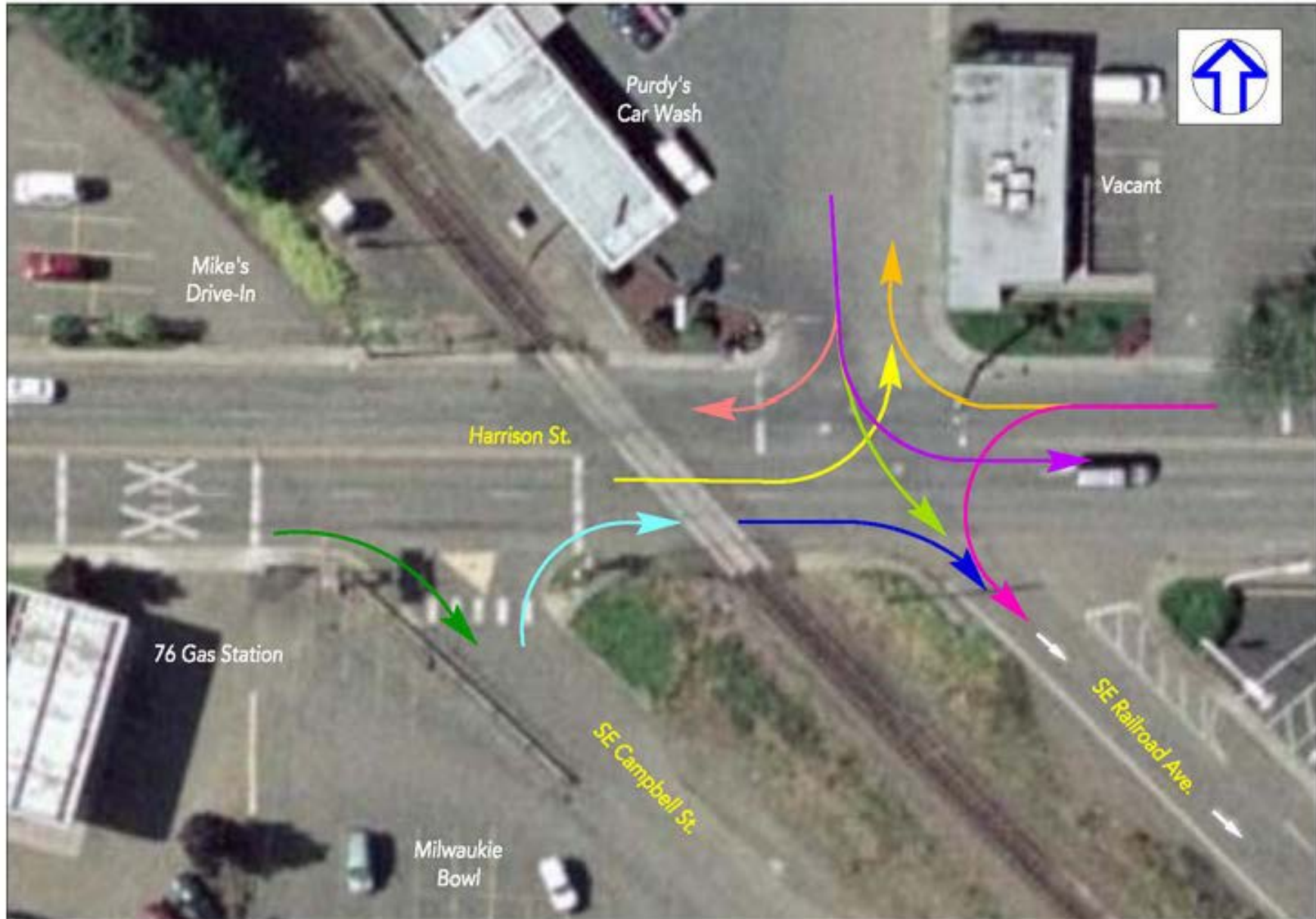
Oak Street CDBG Project



Oak Street crossing pedestrian improvements- \$120,000 (already budgeted)

Harrison Street Crossing

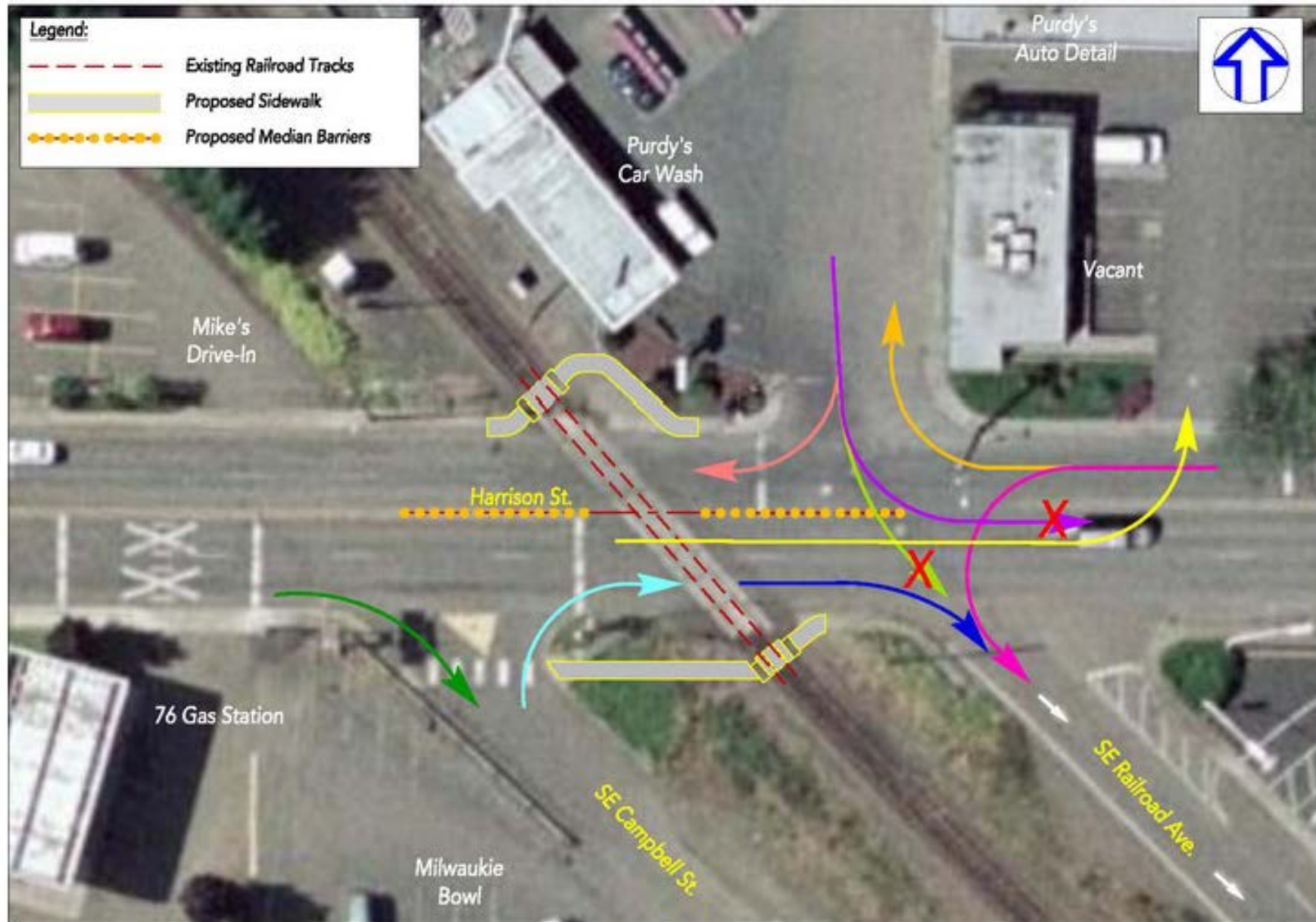
Existing Turning Motions



Harrison Street Crossing

\$110,000

Proposed Turning Motions



Concurrence from Neighborhood District Associations.

Staff presented the above presentation to the leadership or representatives of all 7 Milwaukie NDA's at their May 30th meeting. The NDA leadership expressed concerns regarding lost access at the intersection of Oak and Campbell Streets, and impacts to Purdy's Car Wash at Harrison Street.

Subsequent to the May 30th leadership meeting, staff has presented the Quiet Zone project to:

- Lake Road, Linwood, Island Station, Historic Milwaukie, Hector-Campbell NDAs.
- Individually to NDA chairs of Ardenwald and Lewelling neighborhoods.

Key feedback from these presentations included:

- Support for the Quiet Zone project.
- Oak turns, Harrison access concerns.

Concurrence from Staff/ Agencies

- The Resource and Economic Development Specialist believes that quieter rail crossings would make the surrounding areas more attractive to prospective developers, particularly residential developers.
- Public Safety (Milwaukie Police Department and Clackamas County Fire District 1) concurred that the proposed improvements will not impede their operations. Furthermore, they expressed their opinion that these changes would significantly benefit crossing safety along the rail line and would be welcome additions to the City.
- The Public Works Operations Director believes that the livability and safety improvements associated with the Quiet Zone make this a prudent expenditure.
- ODOT-Rail and the Union Pacific Railroad have indicated they would support a City effort to establish a Quiet Zone.

Concurrence from the Business Community

- Bob Dant, who represents the owner of a parcel of land adjacent to the rail line, confirmed that train noise, including train whistles, poses an impediment to development (particularly residential development) at the site and expressed his opinion that a Quiet Zone could help encourage re-development of property near the rail line.
- Tonya Fellner, General Transportation Routing Specialist for the North Clackamas School district, has reviewed the proposed improvements and confirmed that school buses could easily be rerouted around the resulting conflicts.
- Mr. Roger Shirley, who represents the Milwaukie Marketplace, is in favor of the proposed improvements to the 37th Avenue and Oak Street crossings
- Mr. John Murphy, who owns various sites adjacent to the Harrison Street Crossing (including Purdy's car wash), has indicated his strong opposition to the proposed improvements at that location.
- Dr. Kenneth Chung, who represents Comfort Care Dental, confirmed that the proposed improvements would...

Recommendation

- Staff feels the proposed project is the safest and most cost-effective option available should the Council wish to establish a Quiet Zone.
- While the project does adversely impact at least one property owner, on balance the proposal benefits Milwaukie residents and businesses within the proposed zone by providing safer crossings and a quieter environment and a better overall business environment.
- Given the impacts, benefits, cost, and proposed funding sources for developing a Quiet Zone utilizing median barriers, staff recommends Council proceed with consideration of a resolution to establish a Quiet Zone.