

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
December 4, 2007**

CALL TO ORDER

Mayor Bernard called the 2019th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Mayor James Bernard and Councilors Deborah Barnes, Joe Loomis, and Susan Stone

Staff present: City Manager Mike Swanson, City Attorney Bill Monahan, Community Development/Public Works Director Kenny Asher, Planning Director Katie Mangle, Engineering Director Gary Parking, Assistant Planner Brett Kelper, Resource and Economic Development Specialist Alex Campbell, Associate Planner Susan Shanks, Assistant Planner Ryan Marquardt

PLEDGE OF ALLEGIANCE**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

Mayor Bernard announced the December 8 Umbrella Parade and City Hall Tree lighting ceremony, the December 12 Milwaukie Poetry Reading by Kim Stafford, and the December 14 Winter Solstice.

Council Appointment

Mayor Bernard said the City had some great applicants, and Council appreciated people's love for the community which each of them expressed.

Councilor Barnes said the Council was not paid, and people did it because they grew up in the City. Her children and grandchildren lived in Milwaukie, so she had a stake in making sure the City continued to be a place where people wanted to raise their families. She appreciated the fact that people stepped forward. Each applicant brought a lot of things to the table. The common thread for her was each said the same thing although somewhat differently.

Councilor Stone thanked everyone for participating in the interview process and being willing to fill a seat. It was a testimony to the dedication to the community and love for the City and neighbors. She was very impressed with each, and all interviewed very well. The City Manager and City Recorder compiled the questions from individual Council members suggestions. She thought the questions really captured the essence of what Council really needed to know from the new prospective candidate that was going to fill the seat. She too heard the thread of commonality in all of the interviews. What struck her was that everyone really wanted to emphasize how important it was to be respectful and to trust and listen to people even though one may not agree with them. Any of the applicants would be a welcome addition on the Council, and all could do the work.

Councilor Loomis said this was one of those gut-wrenching nights where it built all day. The difference in this was whatever decision was made was going to be a positive one, because all were quality candidates. Council appreciated each person for her time and effort and history of being involved with the community.

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Mayor Bernard said it had been a tough decision for all.

Councilor Loomis nominated Greg Chaimov. He wanted to touch on all the candidates and say that Ms. Wisner was a lifelong resident of Milwaukie and her hard work in making this a better community by being involved with the neighborhood association and traffic calming and volunteering her time with the Design and Landmarks Committee (DLC). He appreciated that, and that was what made Milwaukie special. He thanked Mr. Eiswerth for being one of the co-founder of Farmers' Market. The Council talked about the dream of a vibrant downtown, and the Market was something people could grasp and say that was what we were looking for. It was a community of people together talking and enjoying the community. He thanked Mr. Eiswerth for that. Ms. King and he had been life-long friends, and that was what made it real gut-wrenching for him. Their sons were best friends; they were both 33 years old now. Most of the great things that you saw in this City were a direct result of her being on the Council. That brought him to why it was so gut wrenching. With the dynamics of today's Council the message came through loud and clear. The dynamics of the community at this time and with the challenges and opportunities facing Milwaukie today, tomorrow, and long into the future he felt Mr. Chaimov was the best fit. Not that all of them would not be a great fit; he could work with all of them. The one thing that struck him and hit home with him on his application was that was how Councilor Loomis had felt since he was on this Council. One of the answers Mr. Chaimov gave was that he did not have strongly held views on issues like light rail and the height of buildings. He did have strong views on the value of listening to others, working collaboratively, and treating everyone, especially those with opposing views with respect. Councilor Loomis said it was most important to him how the City Council reached a decision, not the decision that was made. If he was on the losing end of a vote, it did not bother him as long as he had the opportunity to say what he felt and that everyone listened to the community. The Council was here to make decisions and listen to differing views. The Council should be the compromising body, and he felt Mr. Chaimov would be a good addition. He hoped the other Councilors would support him in that.

Councilor Barnes seconded the nomination. She too was struck in particular about the ability to listen. She was one of those who would be honest. She had a nice chat with Dolly Macken-Hambright for about 1-1/2 hours and had the ability to talk with each other rather than the innuendoes and rumors and people saying things about them. They actually sat down and talked, and it was a wonderful experience. Sometimes the kept people away from actually talking to one another because there were so many outside forces that wanted to hurt the City. This had been 2 good weeks for her to realize that if you have a chance to actually sit with someone who had been said to hate you, you realized that was not really the case. That was a good experience and one all could think about. That would help the communication process as the City went forward.

Mayor Bernard struggled with this one and had campaigned hard for Mr. Chaimov in the past. He looked at looked at his experience at the legislature, and he had a lot of experience. He was probably more qualified than any of us to sit at the dais. He would provide a different outlook, and he liked the comments about a diverse perspective. Ms. King had been a joy to work with on Council. For him this was also a very difficult decision to make because he had asked Ms. King to apply. The Council was surprised that 5 people had applied. Ms. King had done more for this community than he would ever had the opportunity to do, and he respected her highly. However, he intended to support Mr. Chaimov for the appointment.

The City recorder polled the Council: Mayor Bernard and Councilors Barnes, Loomis, and Stone voted 'aye.'

Mr. Monahan administered the Oath of Office for Council Position #1 to Greg Chaimov.

Mr. Swanson cited Milwaukie Municipal Code 2.04.300(a) that required Council members to vote on all questions before the Council unless the member had a conflict of interest. A member can chose to abstain with the reasons for doing so entered into the record. Silence when a vote was taken was considered an affirmative vote.

CONSENT AGENDA

- A. City Council Minutes of the October 2, 2007 Regular Session.**
- B. OLCC Application for Red Brick Pizza, 10843 SE Oak Street, New Outlet**

It was moved by Councilor Barnes and seconded by Councilor Stone to adopt the consent agenda. Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

Adoption of Transportation System Plan and Related Amendments Proposed Amendment to the Comprehensive Plan (Chapter 5) and Milwaukie Municipal Code Title 19 – Zoning (Land Use Files CPA-07-01 / ZA-07-01) – Ordinance

Mayor Bernard called the public hearing on the legislative Comprehensive Plan Amendment / Zoning Ordinance Amendment initiated by the City of Milwaukie to order at 7:19 p.m.

The purpose of the hearing was to consider an ordinance to adopt proposed amendments to the Comprehensive Plan and Zoning Ordinance which included the updated Transportation System Plan (TSP) as an ancillary document, amend the Transportation Element of the Comprehensive Plan, and amend 2 sections of the zoning code.

Mayor Bernard reviewed the order of business. The City Council decision was the final decision of the City. All testimony and evidence must be directed toward the applicable substantive criteria. Failure to address a criterion or raise any issue with sufficient detail would preclude an appeal based on that criterion or issue. Any party with standing may appeal the decision of the City Council to the State Land Use Board of Appeals according to the rules adopted by that Board. Persons with standing were those who submitted written comments or testified and signed the City Council Attendance sign-up sheet on the information table in the hallway.

Mr. Monahan reviewed the code authority and decision-making process for the record. No member of Council declared any potential or actual conflicts of interest as defined in ORS §244. No member of the audience made any challenges to a Council member's ability to participate in the decision.

Ms. Mangle provided the staff report. She reviewed the process, proposal, and recommendation. Councilor Chaimov was on the TSP Advisory Committee so was familiar with the work that went into it. This was a legislative land use hearing on the TSP adopting amendments into the Comprehensive Plan, transportation element. There were also 2 minor code amendments traveling with this application to make sure the Plan was implemented according to State regulations. She provided an overview of the process and what was learned, an overview of the recommendations, a summary of the proposed amendments, comments received and related clarifications, and compliance with criteria for amendments.

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The Planning Commission recommended Council adoption. The process began about 1 year ago when the City was awarded an Oregon Department of Transportation (ODOT) grant in the amount of \$128,000 to update the 10-year old TSP. Immediately staff knew in order to do this well and make it meaningful for Milwaukie there needed to be a lot of public input in a variety of ways. Staff planned a work program that included over 30 public meetings, extensive use of the City website, and public surveys. She read from the scope of work, "The public involvement process for the Milwaukie TSP update will encourage and provide opportunities for citizens to participate in all phases of the planning process and keep citizens informed through open lines of communication for the sharing of questions, problems, and suggestions. People not only attended the meetings but also went out and took pictures to bring back to the next meeting. They came back time and time again with more and more ideas of not only just the problems but also the solutions and new ways of dealing with those. It was a very successful process, and the product was the product of those people's work. There was an enormous amount of energy in the community, and it was impressive to watch everyone working together to come up with some really concrete recommendations that would make a difference.

What did we learn through all that process? We learned that there were some areas of town that people felt were priorities for public investment. Those were generally downtown, the Milwaukie MarketPlace area, Railroad Avenue, and railroad crossings throughout the City needed improvements for safety and connectivity.

Through the surveys and working groups people had their own pet issues that generally related to their own streets. There were priority issues in which people felt the City should invest. Five really rose to the top: improving pedestrian and bike facilities, enhancing public transit service throughout the community, maintaining existing facilities, managing traffic in the neighborhoods, and improving the crossings over the major corridors like Hwy 224, 99E, and the railroads. Specific recommendations related to policies and attitudes the City should take toward transportation and a list of projects for specific investments. There was a lot of leadership in the community from those who came up with the recommendations.

Mr. Kelter introduced Matt Menely and Matt Pichio. He discussed the process in the Bicycle Working Group and appreciated the energy that came out of the community about bicycle issues. They first started the conversation by talking to people about their experience with the bicycle network in Milwaukie to identify some of the problems and to find solutions. They explored some of the solutions and talked in more detail about improvements and priorities.

Mr. Menely had lived in Milwaukie for approximately 5-1/2 years. Not only was there a lot of public participation but also the City staff was top notch. At the end of second meeting people felt they, as citizens had not gotten enough process, so they asked for more time to talk about emerging ideas. They also went for a bike ride. The process evolved into a better plan than what they would have had if the process had stopped after the first 2 scheduled meetings. This was a great process from a citizen point of view compared to other interactions he had seen occur with the City or had with similar processes.

Matt Pichio had been a resident of Milwaukie or unincorporated Clackamas County for 3 years. recently he took a position as the executive director for bike non-profit which necessitate him to move out of Milwaukie and into Portland. This had been a tremendous process, and the planners were top notch – Ms. Mangle, Mr. Kelter, Ms. Shanks, and Mr. Marquardt. He was also involved with the Streets Working Group, Bicycle Working Group, and Traffic Working Group. He believed strongly that everyone who could should give something back to the community and participate in the public

process wherever possible. The amount of public process the City provided was phenomenal. He joined with 3 groups here, and before moving to Portland he was a member the Clackamas County Enhanced Law Enforcement District Citizens Advisory Committee. They had 2 meetings, and there was an uprising for a third. The third meeting focused on the concept of bike boulevards. This was something partially developed by the Bicycle Transportation Alliance in cooperation with the City of Portland. Maybe a better term would be community streets or public parkways or something of that nature. It was a fantastic concept because it allowed neighborhoods to retain their character. People really wanted a neighborhood where their kids are safe walking to school and to the parks – where they can bike and walk without fear of being run over. One of the great things about the bicycle boulevard concept was that it kept the neighborhood character and preserved it and allowed people to feel safe in their communities. Some intersections and roads were identified as problem areas such as 17th Avenue and McLoughlin Boulevard. That area had been somewhat taken care of with the recent repaving and realignment project, but there were still some issues that would require State cooperation. It was on the radar and was identified. Railroad Avenue was a potential key link that right now was only good for cars at best. This was a great experience, and some wonderful things had been identified especially the prioritization, cost, and what can be done with available resources. The work really captured that.

Mr. Kolver showed the 3 routes identified.

Mr. Pichio pointed out Monroe Street that ran east and west, which was the highest priority if there were limitations; Stanley Avenue from Railroad Connections up to the Springwater Trail; and from the Springwater Trail from 29th Avenue south with a potential to continue if 29th Avenue were extended. These provided north-south-east connections on less-traveled streets for bicyclists, and cars were not speeding through. He also sat on another group that was more traffic based, and there was a lot of conversation about trying to keep Monroe a low-flow street in terms of car traffic and keeping it a neighborhood street and keeping traffic down. He thought the bike boulevard concept crossed over to a community feel that was not just for bicycles. Other options for naming other than bike boulevard were discussed.

Ms. Mangle discussed the elements of bike boulevards. One of the themes was a little more nuanced approach to transportation and melding transportation with community building, which included signage, medians and often those can be traffic calming and enhance the neighborhood character with that toolbox approach.

Mr. Asher said he was the task manager for the Transit Working Group and that Kathy Buss was one of 15 members of the transit group and their main focus was on buses. At the beginning it was made clear that the light rail transit project had its own process and what they really needed to figure out what the bus feeder system would look like if and when light rail ever arrived. Light rail was fixed transit and most people did not live within a quarter mile of fixed transit, so they took the bus. The Group started by looking at the Comprehensive Plan and what it said about transit. They grouped those travel-related policies together; reduce congestion, access, transit service, density, safety, convenience, environmental and coordinating with the provider. He shared the results of an internal poll that was done by the Working Group and asked if the members were in support of the transit policies or if they needed to be rethought; the answer was 'no.' In every case the working group supported or strongly supported the policies in place. They also asked how the City had done in implementing the 1997 TSP with regards to transit including features like more frequent bus service, new bus service, and more accessible service. In every instance the Working Group said that the progress was unacceptable and did not rise to acceptability. The low scorers were improving transit facilities and adding light rail service. That was a good way to set context. The group

felt the City had the right policies in place and were on the right track. People understood transit was key, but they were dissatisfied with the progress the City had made over the last ten years.

Ms. Buss said she was on 3 of the committees, and she found it convenient to know what the teams were doing so they could help the other. She was a TriMet rider and found that while everyone had the usual complaints about TriMet some of it was just that people did not have transit on their streets. The volunteers and staff worked closely with TriMet to identify needs, problems, and challenges and brainstormed a wide assortment of ideas for possible solutions. The process included presentations from staff and TriMet on the budget, physical requirements, current usage, and needs. They went through the Comprehensive Plan to get an understanding of what was in it and what needed to be done. Then they got to the needs assessment section where they got to dream and make a wish list; from that they made a priority list. They started with a list of about 30 priorities and winnowed that down. Regardless of the whether light rail comes and the related controversy, mass transit was in Milwaukie, and buses would be a part of it. One concern was how buses would connect when light rail came because people did not wish to lose any services. People identified places that had little to no service. There were challenges of narrow streets and wanting to keep buses on arterials where they should be. The Group really did try to learn a lot. Some of the City codes needed to be updated or improved to promote mass transit. That would involve working with closely with TriMet, Metro, or other agencies. Key items were to add new lines on Railroad, Johnson Creek Boulevard, and Linwood to Flavel. One challenge they found was that there was a wonderful new Safeway area with little or no bus service to it. We all want to move the downtown transit center. There were things Milwaukie needed to deal with such as policies, codes, streets designed for bus service, new development and property owners should set aside land for bus stops where appropriate, and have the downtown transit center resolved. The particular chapter had a depth of planning, encompassed inter-agency relationships, neighborhood improvement and protection, new development, and successfully supported and sustained 7 of TSP goals.

Ms. Mangle then called upon Mr. Parkin and Ben Horner-Johnson who worked on the Traffic plan. Mr. Horner-Johnson was also the volunteer editor. He read the entire TSP cover to cover, and re-read it when drafts were completed. She said he was a wonderful and very important volunteer.

Mr. Parkin was the Traffic and Street Network group staff leader, and they met four times over the summer. The group was responsible for looking at traffic studies that the consultant as well as the modeling. Members spent a lot of time in technical review with the consultants. Traffic volume issues were more on the state routes than on City streets.

Mr. Horner-Johnson said he had been a resident of Milwaukie for three years and he participated on 3 groups. They reviewed data from DKS and the reality of traffic counts. They looked at a lot of problem intersections and future traffic on all functional classifications. They wanted to keep all the traffic levels appropriate and keep cut through traffic down. Hwy 224 and 99E came up a lot, and the Group realized they could not solve all of the problems in those areas. He said the City needed to get together with the state and come up with a refinement plan to solve those problems.

Mr. Parkin said several intersections needed improvements, and there was a need to coordinate with the state on the Hwy 99E and Hwy 224 network. Railroad Avenue was also a high priority but primarily for adding infrastructure for pedestrians and bicycles and possibly adding a turn lane at some of the intersections. Linwood Avenue was a

similar issue in that people would like to see a 3rd lane in the middle for turning on to the side streets and the driveways.

Mr. Marquardt was the leader for the Pedestrian Group. They reviewed existing inventory and the master plan. There were 2 Working Group meetings in the spring held in conjunction with the Bicycle Working Group, and about 15 citizens attended. They started by looking at the map of Milwaukie and went over the existing infrastructure to determine where the problems were. He showed a map of Milwaukie that explained what streets had sidewalks and good connectivity. Historic Milwaukie had fairly good sidewalk connectivity, but to the north and east of Railroad Avenue there was a disconnected street network, so the Working Group decided that had a high priority. The poor connectivity forced pedestrian trips onto the higher traffic routes. In the second meeting they had smaller group of 5 – 10 citizens that prioritized the needed projects which he indicated on a map. There were a lot of projects and he thought the Pedestrian Working Group came up with the most number of projects out of any group in the TSP, which spoke to the need for pedestrian upgrades in the City. The high priority projects in the action plan were 17th Avenue, Logus Road, Monroe Street, Railroad Avenue, upgrades to bridge the Sellwood Gap, and King Road. There were a lot of projects and there was no shortage of need for pedestrian facilities.

Mr. Campbell was the task leader for the freight group that worked on issues in the North Industrial Area and encompassed the highways and freight access. Transportation and heavy trucking were important for the local economy. He invited all of the North Industrial businesses because there were real issues with ingress and egress in that area. They did interviews with some businesses on International Way including Blount. PCC, Providence, Oregon Transfer, Holman, landowners from North Industrial, some concerned citizens and freight rail were all represented. The key issues the group addressed had to do with North Industrial access. They went through a formal evaluation process developing criteria, rankings, and conceptual alternatives. There were some promising approaches in creating an overpass at Ochoco and reorienting some of the on- and off-ramps that functioned like an interchange. They did not come up with a plan that the group was comfortable advancing to the next level for a preferred alternative, but they did lay some good ground work for future work in that area including traffic mitigation for light rail. Wisely, the group thought any proposal to address that problem should be tackled in the context of the overall refinement plan that was coming out of the traffic and circulation group. There was recognition that when looking at the way Hwy 224 and 99E interacted there may be some new opportunities to address North Industrial access at that point. They also discussed railroad quiet zones and the impact of freight on neighborhoods. The group was not opposed to the quiet zone, but did not feel that it was a priority for freight traffic safety. They felt it would be more appropriately considered under the Pedestrian Safety Working Group. Some advances made over the last TSP were that there were additional turn movement problems at Main and at Omark. The Harrison and railroad crossing came out as a main concern not only for traffic circulation, but also the people using freight routes in town recognize that the frequent closure of Harrison Street by UP was a real issue. They also had a lot of concern about the configuration of the 37th Avenue / Hwy 224 intersection. They also realized street guideline updates needed to address freight routes.

Ms. Shanks was the Street Design Working Group task leader. She took a moment to say that Ms. Mangle did an extraordinary job in managing this project. Ms. Shanks worked with 10 citizens at a total of three meetings. They agreed on three fundamental things; complete streets by adding pedestrian and bike facilities, to have environmentally sound streets to include managing storm water on site, landscaping and reducing width of pervious areas, and they wanted more flexibility regarding street

design standards. They called their street design elements by functional classification. Sometimes those illustrations were called cross sections, which generally have dimensions to them. They deliberately chose not to focus on dimensions, but to focus on creating good strong policy framework for more flexible street design standards. They focused on the elements of the street itself. The many different components -- pedestrian facilities, bike facilities, landscape strips, and parking and travel lanes. The cross section showed a standard for typical functional classification with options. Those options depending upon the context in which the street existed might not be appropriate to include, so they hoped to move forward and create more flexible design standards. Some of the more specific design alternatives discussed were having different pedestrian facility alternatives. To have safer and more complete streets it is often about adding pedestrian and bike facilities. There is a wide range of opinions about having or not having sidewalks. Certainly people wanted safe streets, but there were other people that would not want a sidewalk in lieu of keeping their neighborhood character. There was great debate among the group, and they were able to share reasons for their preferences. They learned they could come to a compromise and support having at least one-sided pedestrian facilities on every street in the City, and sometimes it was appropriate to have two-sided pedestrian facilities. The group agreed that the City should not only consider the traditional sidewalk that was separated from the street by a curb or landscape strip, but also to include a style of sidewalk not currently in, which is not usually classified as a sidewalk but is separated from the street horizontally by some kind of buffer. They talked about skinny streets that support areas that have constrained right of ways or possible environmental constraints. Lastly, they talked about green streets, which are a way to manage stormwater on site, which is a really important issue that jurisdictions are feeling. DEQ had required a lot more of cities and the requirements were going to get more stringent. She also talked about neighborhood traffic management and she said there wasn't a group that specifically talked about it, but the auto street network group and the street design group talked about ideas in general. They discussed design of traffic calming elements and people's preferences such as traffic circles, speed bumps, and others that slowed and reduced cut through traffic. The consensus in her group was that they wanted to include as many options as possible and allow the neighborhood to choose for itself what would be most appropriate with assistance and guidance from the engineering department. The chapter presented a wide range of tools available to slow traffic and prevent cut through traffic, and they recommend that the City have an annual fund to construct these kinds of treatments. They had been doing it to some extent, but it had not been funded on an annual basis.

Ms. Mangle was the task leader on the Downtown Parking, which was based on work done in 2003 when the City worked with a consultant, neighborhoods, and downtown businesses to develop a set of policies and policy framework for managing downtown parking. The project was not quite completed or adopted. They held 2 workshops where they reviewed and edited the previous work. They wanted to address new issues that surfaced, which were primarily related to downtown parking and resident parking standards. There were really no standards in place, so they addressed that need. Lastly, they wanted to clarify the City's role in managing parking.

Mr. Zumwalt was a part of the Downtown Parking Group. He said it started in 2003 but was never finished. Before the TSP started Ms. Mangle inventoried all of the downtown parking. Rick Williams, a consultant was involved and was very knowledgeable and explained inventory and how to use parking inventory wisely. We were not using the parking right, but we were getting there now. With all of the development now and in the future as things changed we would need to watch parking closely. Lack of parking would strangle development. There were trigger points where something needed to occur. When we got to 85% of the inventory being used something drastic would need

to be done such as meters or a parking structure, which would cost a lot of money. He felt Milwaukie was going in the right direction. He said that he was in 2-3 of the groups and he said it was a remarkable process and there was a lot of passion.

Ms. Mangle touched on the two elephants in the room -- Hwy 224 and light rail. Without really understanding those they were not going to understand everything else. She wanted to acknowledge that it was the case, and part of the recommendations were to move forward with the SDEIS, which would help them figure out the light rail situation and to get more aggressive on working with the state and county on the refinement plan for Hwy 224. It was important to understand the future of Hwy 224 would affect the City. On the other end of the spectrum there were recommendations for code changes that came out of several of the working groups. Ms. Shanks mentioned updating the design manual and zoning section 1400, which addressed how development influenced design standards. The parking section had called for some changes to the parking in the downtown zone. Council would see those over the next year. They would start to work on some changes. Appendix B was the prioritized project list that the staff tried to tie to the goals and future funding. They ranked the projects against the 9 goals outlined in Chapter 2 and hopefully that would be a helpful guide for future funding and grant applications. We only had \$7.15 million over the next 22 years to implement the plan in City funds so it was very important for the City to be actively looking for grants and working with partners. There were three ways the projects were implemented; through city funds like traffic calming, grants from feds, state, and region and to require development to implement some of the projects. An important part of the TSP was to link land use and development with required street improvements.

She briefly touched on amendments which had to do with the TSP and Comprehensive Plan amendments. They were basically replacing the transportation element of the Comprehensive Plan. Currently there was about 12 pages of maps and text and was fairly repetitive and included big chunks of the TSP document. The amendments would refer to the TSP to make the document more user friendly. The other amendments were in the Zoning code. One had the effect of giving preferential parking to carpools and vanpools, and the other was clarifying that the capital projects the City did were exempt from development review. That had been the practice, but when the State reviewed the code they pointed out that it should be clarified. Does the draft plan fulfill state requirements for TSP's? Was there a public need for the updated TSP and was it best met by this proposal? Did the draft TSP meet relevant approval criteria? Did the TSP comply with the Comprehensive Plan? Generally, staff felt the answer was 'yes' to all of those questions. It was a great plan, met the public need, met or exceeded state requirements for TSP's and met relevant approval criteria. It was a project that had a high level of community involvement. It was a multi-modal transportation plan as required by the state. It increased an understanding of long-term needs. Staff would carry the understanding that they had learned into other long-term projects. It established the City's priorities and emphasized the connection between the community's goals and transportation investments. They had received a letter from Metro in support of adoption and they hadn't received any additional comments since the Planning Commission meeting. There were two issues that came up during the work session briefing. One was Johnson Creek Boulevard, and the second was Harmony Road. The intersection of Johnson Creek Boulevard and 32nd Avenue was in Portland but affected our system. Originally they recommended widening the street and installing signals. That would be what we would want to do if we wanted to make the street meet all City standards. Staff heard an outpouring of comments from the neighborhood and the community so revised the recommendation. The new recommendation was to signalize only at 42nd Avenue because that was the only intersection that the City had jurisdiction over and only when it was warranted and appropriate to make that corridor function. They added a note that they would ensure

that the corridor was safe and traffic was managed to the posted speed limit of 25 mph. The TSP did acknowledge that Harmony Road was a regionally and fiscally constrained project. The 1997 TSP included a 5-lane Harmony Road as a City project. The 2007 TSP did not include a 5-lane Harmony Road project and it was not on any of the City's project lists. However, grade separation at Linwood Avenue and the railroad tracks were included as a low priority City project. They added a footnote that clarified that the TSP did not include a specific recommendation on widening Harmony Road, but that the City was actively working with the County to define the project. In closing she asked for adoption of the TSP, the transportation elements of the Comprehensive Plan, and the two amendments to the City code.

Councilor Loomis commented that he had missed the work session briefing and thanked Ms. Mangle for meeting with him to go over it. He appreciated the time and effort of staff and citizens that had been put into the Plan.

Councilor Stone said that she was amazed at the work session briefing what a comprehensive document it was compared to the original TSP. She did have a comment about the final decision on Johnson Creek Boulevard and 42nd Avenue. She understood the need to move traffic, but she felt a signal there would destroy the goal to preserve livability. She was concerned about freight movement in the City and trucks knowing where they needed to go. She suggested more signage. She was pleased to see how many options that were kept in the plan for neighborhood traffic management. She had a question about speed humps versus bumps. She wanted to make sure that the City was not just confined to a raised crosswalk because there were places they were appropriate.

Ms. Mangle generally this was meant to be a toolbox and many things could be done including signage, education and physical changes. It wasn't a limiting list. If it was appropriate we could include those in a Public Works Standard or in the Street Design Standards. Site-specific design would always carry the day; the engineering department and fire department would determine what was safe and appropriate. It was an educational tool so when those conversations happened they could use it.

Councilor Stone said she and Mr. Parkin discussed criteria and she thought there would probably be another piece that would fit in with this in terms of the engineering. She also liked having bike routes in the City and to have designated places where there was less conflict between vehicles and bicycles. Cyclists used 32nd Avenue constantly because it was a straight shot between north and south. She might include that as a shared bikeway.

Ms. Mangle said that one of the thoughts behind the 29th Avenue bikeway was that it was an alternative to 32nd Avenue. If it was just a block or two off the main route cyclists would usually be happy to use streets like that, but they needed to use signage to tell them that it was there. Part of the idea was to encourage cyclists to use streets that were not heavily traveled.

Councilor Stone said that was great because it connected to the Springwater Corridor. Bikes were not being prohibited on 32nd Avenue; they were just not being encouraged to use it.

Ms. Mangle said what the document said was that they were not spending money to make 32nd Avenue better.

Councilor Barnes said the staff did a tremendous job and appreciated hearing from a community that cared. She asked for a clarification regarding the explicit exemption of maintenance, repair to or operational changes to an existing transportation facility by a public agency from land use regulations.

Ms. Mangle replied basically that meant road maintenance, sidewalk construction, and general types of public work projects that the City undertook would not be subject to the standards and processes as a developer as outlined in section 1400.

Councilor Barnes expressed concern about bikes on Monroe from 42nd to Linwood. She couldn't imagine riding a bike that way without being hit by a car.

Ms. Mangle said they characterized the bike boulevard idea as a quicker, cheaper option. That was not always the case, and in some cases like Monroe Street it may require road widening to make it safe. The cost in the TSP for Monroe Street reflected that, so it was more expensive than other streets. On Monroe and Stanley there were standards for lane width and visibility and it would have to meet those.

Councilor Barnes said that was on the list of priorities with gas tax money, and asked if those could be done at the same time.

Ms. Mangle said there were some limitations on using the money, but now knowing that would be a great bike route hopefully they could look for additional grant money. The best lesson out of the process was understanding the network and what needed to be done in looking for opportunities.

Councilor Chaimov said he could not recall being involved in a finer public process, and he hoped this would serve as a model for future decision-making efforts by the City. The people who were involved at every stage came away feeling better about their government.

Mayor Bernard thought the downtown parking section was great, and it was nice to see that move forward. He appreciated Mr. Zumwalt's supportive comments. He thanked all of the citizen volunteers for their participation in the process and for coming to the hearing.

Ms. Mangle said she wanted to give thanks to the community. She thanked Ben Horner-Johnson again for his volunteer editing and Matt Pichio for being their volunteer photographer and tour guide and that he had put an enormous amount of his personal time in aside from meetings. She thanked the most valuable participants, which were the people who were involved in three groups. That group was David Aschenbrenner, Ben Horner-Johnson, Matt Pichio, Matt Menely, Ed Zumwalt, Forris Frick and Kathy Buss. She also thanked Susan Shanks who was the deputy project manager and did an enormous amount work, Marcia Hamley who made the document look so good, Gail Curtis at ODOT and Kenny Asher. The public involvement process was Mr. Asher's vision and he went and found additional money for ODOT to make sure there was enough money to do all of the meetings.

No additional correspondence was received on the matter other than those items included in the packet.

Mayor Bernard called for public testimony.

Testimony in support

- **Matt Pichio, Portland, Exchange Cycle Tours**

During the TSP process he had served on 3 working groups and led 4 different community rides during the process and participated in a community ride with PDOT. He also contributed input on the Milwaukie bike map for Jeff Smith of PDOT. During the process he had a lot of discussion in and out of the Working Group about the state of biking in Milwaukie. They came to realize the issues regarding pedestrian and bicycle connectivity in Milwaukie were more complex than they might seem at first glance. Ms. Andrews put together a Yahoo Group, called *Milwaukie Bikes* in order to get more

community involvement. One thing that came out was that there were a lot of issues with a limited amount of money to deal with those issues. They felt that the City Council should consider the creation of a pedestrian/bicycle advisory committee. If created it would involve some cost in terms of staff time for agenda's, minutes etc. They felt it would be well served because it would give an opportunity to leverage volunteer resources to gather information and provide that to the planning staff. Also, it would enable them to coordinate with other cities and jurisdictions to ensure bicycle and pedestrian improvements at the boundaries of Milwaukie would connect in a way that made sense and allowed people to get across the City. They requested that the City consider the creation of such a committee. The issues were complex and since there was not a lot of City money it would be best to leverage the resources of the community and of groups like the Bicycle Transportation Alliance, the Willamette Pedestrian Coalition and other inter-jurisdictional and private groups that could provide resources to the City. He had a letter to that effect from the Bicycle Transportation Alliance giving support for a bike advisory committee.

- **Jamie Damon, Jeanne Lawson Associates, Inc.**

Ms. Damon read her comments to the City Council members into the record:

I extend the heartfelt congratulations to the staff, community members and agency partners for their development of the Milwaukie Transportation System Plan Update.

The effort on the part of the community was extraordinary. Knowledgeable community activists came together with new community members and businesses to understand the complexities involved in transportation planning and to recommend priorities that make sense for Milwaukie. I was very impressed with the staff involved in the process and their willingness to engage directly with the community and each other to develop clear, sound policy direction to you.

Members of your community contributed hundreds of hours in meetings, reading documents, pouring over maps, talking with staff and each other, and offering their local knowledge of the challenges and opportunities of the Milwaukie transportation system. We heard from commuter cyclists, disabled bus riders, downtown works, large employers, freight users, longtime neighborhood activists, and new families to the area. All interested in the future of their mode of transportation. All caring about the future of the City of Milwaukie.

I especially would like to recognize the vision, integrity, and leadership brought to the process by Planning Director Katie Mangle. Her willingness and commitment to create a community dialogue around transportation issues transformed what could have been a dry technical process or a polarized debate on priorities, into a lively, productive exchange of ideas. The process resulted in a plan that reflects a transportation vision and the priorities of your community because they worked together with Katie and her staff to create it.

I fully support your adoption of this plan and thank you for the opportunity to be part of the consultant team on this process.

- **Gail Curtis, Sr. Planner ODOT**

Ms. Curtis served as grant manager on the project management team and the freight committee. ODOT funded along with the DLCDC as part of a growth management plan. When the State, ODOT and City Staff were working together on a land development proposal it became apparent that the current TSP needed to be updated so it was through that partnership that they identified the need and got the funding. She said that the City had a very professional and dedicated staff and would be able to accomplish much on the TSP and other aspects of City business. Ms. Mangle led the effort, and

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Ms. Curtis publicly thanked her, Ms. Shanks, and Mr. Asher and others. When the City staff laid out the citizen involvement program ODOT questioned it since it was more than it typically funded, but City staff convinced them it was the right thing for Milwaukie. She recommended adoption of the Plan and acknowledged that there was more work to be done that involved 99E and Hwy 224. The refinement planning effort that had been identified as part of the regional transportation plan update was currently under way. There was a lot of work to still be done, but it provided a good policy base.

Neutral Testimony

None.

Testimony in opposition.

None.

It was moved by Councilor Barnes and seconded by Councilor Stone to close the public hearing. Motion passed unanimously. [5:0]. Mayor Bernard closed the public hearing at 9:05 p.m.

It was moved by Councilor Barnes and seconded by Councilor Loomis for the first and second readings by title only and adoption of the ordinance amending the Comprehensive Plan and Title 19 of the Milwaukie Municipal Code to adopt the updated Transportation System Plan, amend the Transportation Element of the Comprehensive Plan, and ensure compliance with the Oregon Transportation Planning Rule.

Councilor Chaimov asked how the portion dealing with the light at 42nd Avenue and Johnson Creek Boulevard might be excised if necessary.

Ms. Mangle replied they could adopt with modifications.

Mayor Bernard said that Councilor Chaimov could propose an amendment to the motion to approve.

Councilor Chaimov moved to amend the motion to approve the TSP by excising or modifying that portion of the Plan that recommended a light at 42nd Avenue and Johnson Creek Boulevard.

Councilor Barnes understood it was needed and did not accept the amendment.

Councilor Stone understood the proposed project at 42nd Avenue and Johnson Creek was not imminent, and they looking at the potential.

Ms. Mangle said it was on the City project list as a low priority. Most likely it would be funded as a result of development so she did not want to imply it would never happen. It would only be done in conjunction with other signals.

Councilor Stone asked when would the TSP be up for review?

Ms. Mangle replied it should be updated every 5 years, and Comprehensive Plan amendments could be done at any time. It could be funded by private development in the future as well.

Councilor Stone asked Councilor Barnes if that clarification helped her to consider the amendment to the motion.

Councilor Stone agreed with Councilor Chaimov and that certainly this document was all about livability and preserving the neighborhood. A light at that intersection did not do that. She agreed with removing it at this time since it would be reviewed in 5 years.

Motion passed with the following vote: Mayor Bernard and Councilors Barnes, Chaimov, and Loomis voting 'aye' and Councilor Stone abstaining. [4:0:1]

Mr. Swanson read the ordinance twice by title only:

ORDINANCE NO. 1975:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE COMPREHENSIVE PLAN AND TITLE 19 OF THE MILWAUKIE MUNICIPAL CODE TO ADOPT THE UPDATED TRANSPORTATION SYSTEM PLAN, AMEND THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN, AND ENSURE COMPLIANCE WITH THE OREGON TRANSPORTATION PLANNING RULE (CPA-07-01 / ZA-07-01)

OTHER BUSINESS

A. Purchase of Real Property Located at 2808 SE Balfour

Mr. Swanson said the closing of the property was scheduled for December 13. Two resolutions were required in order to close the real property purchase. One was approval of the purchase of the property located at 2808 Balfour in the amount of \$245,000. \$10,000 had been deposited as earnest money. He drew Council's attention to the Resolution that stated. "whereas the previous offer and acceptance established a reasonable value for the Balfour property..." He had an appraisal dated November 30, 2007, and appraised value of the property was \$245,000 pursuant to a valid appraisal. The second resolution was necessary to transfer funds. The \$235,000 would be required to be made out of the contingency. He added that in addition to the transaction the City about one year ago approached the property owners for a drainage easement and it was not granted at that time. Staff will be looking at the drainage issue that we couldn't close on a year ago.

It was moved by Councilor Loomis and seconded by Councilor Barnes to adopt the resolution approving the purchase of real property located at 2808 SE Balfour.

- **Juli Howard, Milwaukie**

Ms. Howard thanked Mr. Swanson and Council for making an offer on the Balfour property and supported the adoption of the resolutions. She said it protected livability, safety, and property values. She said while those facilities needed to go somewhere they should not be placed in neighborhoods, and she supported code changes that would prevent those kinds of facilities going into the City including changing parking space limitations.

- **Alex, Milwaukie** (last name not clear on tape)

He had a similar comment and thanked Council for its efforts in blocking the sale of this property to the halfway house. He had a question and understood there might be some legal challenge to the purchase of the property.

Mr. Swanson said there was not currently a legal challenge. It was a risk that they were aware of. It was not possible for the City to purchase the property as long as the seller had accepted a valid offer. There was a window of time where the buyer requested an extension of the contract, and the seller decided that they would not grant the extension and that allowed the City to purchase the property. The City could not have purchased it out from under the buyer without an avenue. There was a risk of challenge, but the City had other needs for the property.

• **Ronn Palmer, Milwaukie**

Mr. Palmer was chair of Ardenwald Neighborhood Association, and thanked the City and Council for its efforts that went beyond the call of duty. The City could not just keep on buying property when these issues came up. We needed address both local laws and challenge state and federal legislation so this City and other cities were not put in this position.

Mr. Swanson added the City and Mr. Palmer had been steadfast in defending facilities like Oxford House that are protected under Federal Fair Housing. The City had defended and taken a position that was consistent with that law. It was important to recognize that the purchase of the property satisfied goals in their position as members of the Milwaukie community, but there was still an issue out there including the Clackamas County, Oregon Community, and federal community, and those issues still needed to be addressed. He said on December 18 Bob Nickkel, State Mental Health, was invited to a work session to discuss the type of population that still needed to be served. It was an important issue, but so was the integrity our neighborhoods.

Mr. Palmer added that contrary to what many may have read in a local newspaper there were no witches, caldrons or backdoor dealings in this matter. Everyone was kept apprised of what was going on.

Councilor Loomis commented on some of the articles in the newspapers, and he wanted to be clear that if these people had moved into an existing structure he would be more supportive. His issue was the size of the building and a parking lot of that size did not fit with the neighborhood. Just because our code permitted it did not make it right. Council would not have gone to these steps had it not been the right thing to do. He did think we needed to address the code issues. We understood the problem and want to be part of finding a solution.

Councilor Barnes agreed with Councilor Loomis. There were 2 group homes in her neighborhood, and she had aunt and uncle who were mentally challenged. It was not an issue of mental retardation but of a house set up with barbed wire. How many children would have to walk by that property and wonder? That was the main issue for her.

Councilor Stone said they all agreed it was an inappropriate site for the type of facility that they wanted to put there because they wanted to house not only mentally ill but people that had committed criminal offenses. It was a lock down facility. We needed to be ahead of the game next time with code changes so that these types of facilities would be located in more suitable places. We needed to work with Clackamas County to find appropriate locations because there was a need in the wider community.

Motion passed unanimously

RESOLUTION NO. 69-2007:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 2808 SE BALFOUR PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 3.15.030.

It was moved by Councilor Barnes and seconded by Councilor Stone to adopt the resolution approving a transfer of FY2007 – 2008 appropriations for the purchase of real property located at 2808 Balfour

Motion passed unanimously

6827-31

RESOLUTION 70-2007:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING A TRANSFER OF FY2007-2008 APPROPRIATIONS FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 2808 BALFOUR IN THE CITY OF MILWAUKIE.

B. Council Reports

Councilor Loomis attended the Harmony Road Visioning Open House

Councilor Barnes would attend the Harmony Road PRC meeting on the 10th.

Mayor Bernard announced the Council would reconvene the work session immediately upon adjournment of the regular session.

ADJOURNMENT

It was moved by Councilor Barnes and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously. [5:0]

Mayor Bernard adjourned the regular session at 9:32 p.m.

Pat DuVal

Pat DuVal, Recorder

AGENDA

MILWAUKIE CITY COUNCIL DECEMBER 4, 2007

MILWAUKIE CITY HALL
10722 SE Main Street

2019th MEETING

REGULAR SESSION – 7:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Council Appointment

3. CONSENT AGENDA *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the “Consent” portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*

- A. City Council Minutes of the October 2, 2007 Regular Session**
- B. OLCC Application for Red Brick Pizza, 10843 SE Oak Street, New Outlet**

4. AUDIENCE PARTICIPATION *(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, only issues that are “not on the agenda” may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, “all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous.” The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.)*

5. PUBLIC HEARING *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

**Adoption of Transportation System Plan and Related Amendments
Proposed Amendment to the Comprehensive Plan (Chapter 5) and
Milwaukie Municipal Code Title 19 – Zoning (Land Use Files CPA-07-01 /
ZA-07-01) – Ordinance (Katie Mangle)**

6. **OTHER BUSINESS** *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

A. **Purchase of Real Property Located at 2808 SE Balfour – Resolutions (Mike Swanson)**

B. **Council Reports**

7. **INFORMATION**

Milwaukie Center/Community Advisory Board Minutes, October 12, 2007

8. **ADJOURNMENT**

Public Information

- Executive Session: The Milwaukie City Council may meet in executive session immediately following adjournment 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.

- 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.

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
October 2, 2007**

CALL TO ORDER

Mayor Bernard called the 2015th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Mayor James Bernard and Councilors Deborah Barnes, Carlotta Collette, Joe Loomis, and Susan Stone

Staff present: City Manager Mike Swanson, Community Development & Public Works Director, and Finance Director Valerie Warner

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. National Fire Prevention Week Proclamation

Mayor Bernard read a proclamation naming October 7 – 13, 2007 as *Fire Prevention Week*.

B. National Walk a Child to School Day, October 3, 2007

Councilor Barnes read a proclamation recognizing October 3, 2007 as *National Walk a Child to School Day*.

Mr. Swanson announced the City Attorney was excused pursuant to Resolution 9-2003.

CONSENT AGENDA

A. City Council Minutes of August 21, 2007 Work Session

B. Resolution 60-2007: A Resolution of the City Council of the City of Milwaukie, Oregon, Amending the City's Intergovernmental Agreement with the Metropolitan Area Communication Commission (MACC) to Allow MACC Staff to Negotiate a Cable Franchise with Qwest Broadband Services

It was moved by Councilor Barnes and seconded by Councilor Collette to adopt the consent agenda. Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

- **Ed Parecki, Milwaukie business owner**

Mr. Parecki talked about public area improvements as required by the Downtown Plan, his current situation with the planning department, and the progress on his project on the corner of Main and Monroe. Right now there was no progress. It was halted. He felt it was halted for all the wrong reasons. He hoped the City Council could do something to expedite a building permit so he could continue with the renovation of the building. The building department granted basically all the approvals based on the drawings he submitted. He was waiting for word from the planning department to tell him how much he would be responsible for in public area improvements. He had not been given a number. They expected him to give them a number. He gave them a

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number, and they basically rejected it. The code read that they expected him to do all the public area improvements on Main and Monroe. To him that was like signing an open blank check and saying, "sure I'll do everything you require me to do." He did not even know what the outcome could be. He referred to case law, *Armstrong v. United States*. One of the purposes of the takings clause was to bar government from forcing some people alone to bear public burdens which in all fairness and justice should be borne by the public as a whole. His view of the public area improvement was that they were public, and they were for the public. Therefore, they should be paid for by the public. Right now the way the City formulated its Downtown Plan, businesses and developers were expected to make improvements to the City. This Downtown Plan was implemented in 2000, and since 2000 there were only 4 public area improvements imposed on people. At this rate the City would have its Downtown Plan implemented in about 30 years. It did not make any sense for him to set a vision and expect it to be instigated and implemented in such in a piecemeal manner where it was practically impossible for it to be adopted. It was extremely counterproductive, and he did not think it made any sense. He offered the City planning department 10% of the total improvement value that he expected to make. That came up to \$22,500 which he was more than happy to put toward some kind of improvements, and he was waiting to hear from them about which improvements they would like to see. They were going back and forth and could not come to an agreement. He did not know how long this was going to take, but every week that goes by costs money. There was a very ugly building waiting to get beautiful. He was ready and willing to do it. He was trying to comply with all the Downtown Plan ideas that were envisioned back in 2000, and it felt like he was being hampered. It was all because someone wrote something in the code that really made very little sense. He had to figure out how to make it work. Mr. Parecki noted the Mayor was smiling and wanted to hear some of his comments.

Mayor Bernard thought it was funny that Mr. Parecki was telling the Council just a few weeks ago that it had to adhere to the code. The code said you had to spend so much money on public improvements.

Mr. Parecki responded it did not. It said up to 10% or more which meant anywhere between zero and an upper limit which was endless because 'or more' did not give him any cap.

Mayor Bernard thought a certain percentage had to be spent on the improvements around the property.

Mr. Parecki had to spend up to 10% or more, which was pretty meaningless to him because it did not tell him how much he could spend. That was why he was going back and forth. How much did he need to spend? Give him a number. If he agreed to it, he would go on. Otherwise he would have to go on to whatever next thing. He was here telling the City Council it should keep to the code because there were a lot of codes that were not being enforced. The City chose to adhere to some codes and not to others. That did not seem fair. If the City was going to quote the code and say it had to administer the code, then do it across the board and not just to certain people at certain times. The code says if the development permit value was less than 50% of the value of the land and existing improvements as determined by the county assessor then an amount equal to least 10% of the development value shall be utilized to meet the public area requirements. He offered 10%.

Mr. Asher had been tracking this matter because Mr. Parecki's was an important project he wanted to see built as soon as possible. Ms. Mangle and City Attorney Monahan had been working to come up with the appropriate code interpretation and the appropriate public area requirements. He concurred with some of what Mr. Parecki said. It was going slower than people wished. It was an important project and a

building everyone wanted to see done and get beautiful. He did differ with Mr. Parecki's interpretation of the code and the allegations that the planning department or anyone on staff was dragging their feet or being arbitrary. The issue boiled down to the value of this building permit as compared to the value of the property. Mr. Parecki was talking about a 10% contribution, and the code did say if the value of building permit was less than 50% of the value of property, then that was what the City would require the applicant to do. The code read any renovation, expansion, or alteration of an existing building that had a development permit value that exceeded 50% of the value of the land and existing improvements as determined by the County Assessor shall comply with the public area requirements. The building official determines the building permit value. The operative phrase was "shall comply." There was a book that said what those were. Staff provided that book and those requirements to Mr. Parecki because indeed his project was 60% of the value of the property. The length of time that passed was because staff believed "shall comply with the public area requirements" was a very general statement. The public areas requirements were fairly extensive. Staff was continuing a daily dialogue about this matter and trying to assess the appropriate level. The City was not quite there yet, and Mr. Asher believed the planning staff was within days of making the proposal. Staff asked Mr. Parecki for his assessment, and he came back with 10%. The code did not put this in the 10% category.

Mayor Bernard commented on the remodel work at Key Bank that triggered the sidewalk improvements.

Mr. Asher said that was a 10% case. This was the first project in that category of code. Part of the mutual struggle was that the code was not written perfectly and did not anticipate everything. It was going slowly because this was a unique situation.

Councilor Collette asked if Mr. Parecki could not move forward on the interior remodel.

Mr. Parecki did not have a permit and would not start without one. He did begin with the roof because he was granted a permit to pull that out of the overall project. He was postponing it because of the weather; it could have been done two weeks ago. He did not want to do any interior remodeling to happen until the roof was done. He and Mr. Asher were talking daily, and he met with Ms. Mangle and talked on the phone. There was frustration on his part that he could not move ahead. All he really needed was for the City to grant the permit subject to figuring this out, and he could continue. He could do it. Hold off on the final occupancy permit that could take 3 or 4 months to complete. Within that time they could figure out what this code really was trying to say. One of the problems he had was that the value of property based on the assessor's value was over 10 years old. The improvements he was doing were over 50% of a 10-year old assessed value and not of the current value or what he paid for it. That was a problem with the code. It was punishing people because of increased value. Mr. Asher said market value. That was where the ambiguity came in. Mr. Asher said market value; Mr. Parecki was listening very carefully. Then Mr. Asher read the proper one, which said "assessed value." It was right there; people heard that.

Mr. Asher said if he misspoke it was indeed assessed value. There was a market value that the assessor used which still was not the market value that one would transact. This was what we were down to. He wanted to be more specific about how close they were. It was not the best practice to grant conditional permits and figure things out later. That was done on occasion in the past, and it tended to make things more difficult. It was better to come to an agreement upfront. They had a list of all the improvements that was provided to Mr. Parecki. The list he provided the City did not meet with the code. They would meet tomorrow morning to come up with another list and provide it to Mr. Parecki in hopes of reaching some agreement upfront. They were trying to meet the spirit of the code, serve the customer, and do the right thing by the

Downtown Plan. He agreed with Mr. Parecki that the City opted not to fund its public area requirements downtown through urban renewal or any other mechanism. The Plan was pretty clear. The developers will provide those sidewalk improvements, the lights, the benches, and the street trees along with development. The City wanted to do that in a way that allowed the buildings to be redeveloped.

Councilor Collette thought this was an important project, and everyone would love to see the building as Mr. Parecki's drawing showed. She was comfortable having people move forward and see this get done. The sooner the better.

Mr. Asher added this was a Type 1 permit handled by the planning director and could be appealed to the Planning Commission and City Council. If the parties could not come to terms, Mr. Parecki's course of action would be to take it up with the Planning Commission. If still dissatisfied, then he could ask the City Council's opinion.

Mr. Parecki really wanted to avoid doing that because it took so much time. That meant he would be back before the City Council in 2 or 3 months. That was counterproductive and was why the conditional permit idea would work well. He was not going anywhere. He had 16 businesses to take care of and 4 of his own. This was where he landed. He felt he could do a lot more for the City if they could work together. It felt really ugly when someone said you would not get your permit unless you gave us money. Tell him how much the City wanted, and maybe it could be worked out. That was not a good way to conduct business. He did not have an open checkbook and did not plan to write a blank check. He just needed to know what it was. He was given a list that included absolutely everything possible, and he had no clue how much he might be liable for. He would not sign on this dotted line. Whatever they came up with he would appeal to whatever level he needed to appeal to. That was the problem. This was an open checkbook, and no one was giving him any figures on how much it would cost to do all of these enhancements to the City.

Councilor Stone had a question in terms of interpretation of the code. When she looked at the code and heard the term developers she thought of big developers like Gramor and people who had much deeper pots of money to do improvements in terms of City improvements and public improvements. Were there any concessions to private developers to help them so they were not so overwhelmed with doing public improvements? The list looked fairly extensive and did not know if everything on there was a reasonable thing to expect a private developer to do. Or was this more in line with a bigger developer taking care of these things?

Mayor Bernard did not believe one could classify big or small developers as things needed to be fair across the board. He agreed there were problems with parts of the code and its interpretation. He felt it needed to be more lax, but everyone needed to be treated equally. There were some things that affected him, and he would like to see a broader interpretation. He asked if Mr. Parecki's first project was before the Plan adoption because it looked like about 70% of the building.

Mr. Parecki replied it probably was. He guessed it was interpreted differently. The planning director had the ability to interpret the code anyway she wished. Back then it was interpreted one way, and now it was being interpreted a little more harshly or more to the letter of the current state of the rules.

Councilor Stone said in looking at the 3 sections, the Main Street frontage, the Monroe Street frontage, and the intersection a couple of things popped out at her as high end items. She did not know how a private developer could do this. Like the bulb out design transition for Monroe Street from 2 lanes to 3 lanes and 15-foot corner radius. Those were expensive. They were very expensive. She was looking at 7-foot parking strips, new curb and gutter, and 12-foot sidewalks. Was there any way that the City

could help private developers to offset some of these costs? These were public rights-of-way; they did not belong to the developer. She thought it seemed like the City should have some responsibility to do some of this.

Councilor Collette understood even residences had to make public improvements on sidewalks and the surrounding area to bring it up to standards and code.

Councilor Stone thought that was what blew the deal for Norm Scott in terms of developing because he could not afford to do the sidewalk improvements. She did not think the intention was to make it difficult for private developers to improve our City. We encourage that.

Mr. Asher thought that was an important question. In community development there was nothing he would like more than more tools to help people like Mr. Parecki get these projects done. This came down to money and who would pay for the new, envisioned Main Street that included lights, trees, benches, bulb outs, pedestrian improvements, and the wonderful environment this community envisioned in 2000 and still wholeheartedly bought into. The City had no tools to help other than its best efforts at making these projects go quickly and being smart about how the code was applied. The City had no subsidy or funds lying around to make it easier. The code did not begin to distinguish between developers with shallow pockets and developers with deep pockets. The City was somewhat handcuffed by what the code said. They were trying to get the street built. Someone needed to pay. They were trying to stay true to that without being overly onerous on the developers to the extent there was not any latitude at all. Council had more latitude than staff. If that bulb out were not built as part of this project, no one else would come forward build it. There was nothing in the street fund to do it with. It was an important question, and he would like to do more.

Mayor Bernard commented on the feasibility of tax increment financing (TIF) and noted people said in the past they did not want to do that.

Mr. Parecki observed that Councilor Stone made a very interesting point about the difference of leveling a City block or leveling 3 buildings versus restoring an existing building where the footprint was not larger and there was no additional height. Nothing was changing; only the building was being beautified. There was a huge difference. If one was going to level a City block then it should be rebuilt to standards in the Downtown Plan. If one were remodeling and beautifying an existing building, there was a huge difference.

Councilor Stone asked what the requirements were on the McLoughlin Building with Spring Creek.

Mr. Parecki did not remember. There was a public area requirement imposed on his last tenant to install bike racks.

Mayor Bernard noted the sidewalks were built as part of the ODOT improvements.

Mr. Parecki did not have to do the sidewalks because it was already being done as part of ODOT's money.

Councilor Collette thought ideally some of this could be phased.

Mr. Parecki would love to add lighting as it was critical. Okay, fine. He could call someone and ask how much for the post and those 2 lights. He would know what the costs would be, but he did not know how much a bulb out would cost.

Mr. Asher committed that staff would have items by the end of the week because the intent was not to let this drag on while the City was pondering it.

Mayor Bernard thought there might be neighborhood funding for a street light and suggested Mr. Parecki check with the Historic Milwaukie Neighborhood Association.

Mr. Asher stated a refined list would be forthcoming.

Councilor Stone said the way the code was written in terms of the developers, it was pretty generalized in terms of what the City wanted the developers to do. It was generalized in terms of big guys and little guys, big pots of money and little pots of money. She loved development that came from private money because it did not at all encroach on public funds. The public was not supporting it. This was a particular development with private money with absolutely no public subsidies in it at all, and no tax abatements. It would be revenue for the City. If it was anything like the success of the Spring Creek Coffee House it would be a wonderful amenity for the City. She would like to see everything done for any developer, not just Mr. Parecki, but any private developer to help them to revitalize the downtown and taking some of these old buildings and turning them into things of beauty again. She agreed with things like sidewalks; they were fine now unless they were all broken up, but she thought that would be the City's responsibility as well and that the City would own some of that. It was not like we were completely tearing down that block and starting over. Mr. Parecki brought up a good point.

Councilor Collette said there were some funds, and she gave Mr. Parecki the information, when she came back from a conference. There was some money from the Oregon Heritage Foundation, which was a State office that had money for this kind of restoration. She recalled talking with Mr. Parecki about it.

Mr. Parecki said he was not sure, but he was not asking for any money for the restoration. He was doing the restoration.

Councilor Collette understood, but it might help offset the cost of the public area requirements. This was all private money, and there may be government pots that could be tapped into. For the sake of the viewing public, she did not want this conversation to go on all night. There were other sources, and she could help Mr. Parecki by going through her files for the information. There were also some grant funds available for street area improvements.

Mr. Parecki said that was where he would like to go.

Mayor Bernard suggested contacting the Oregon Downtown Development Association (ODDA).

Mr. Asher summarized. Mr. Parecki was not really asking where to go to get the funds. He did not hear Councilor Stone trying to figure out where to go for the funds. There seemed to be a real issue being raised here by Mr. Parecki and Councilor Stone about the City's code and the way it was written. The planning department would likely agree that this and other sections of the code were not written in the best way. The City did not have that discretion to begin to apply it on an ad hoc basis depending on who staff was dealing with. People were doing their best, especially in this climate, to be as consistent as they could be in applying the code. That required staff to interpret it in a certain way. The Planning Commission and City Council were sitting in a place, if they wished to reinterpret it or overturn judgments made by the planning director and staff, then that could happen. However, staff could not do that. He could come back to the very next work session to talk about things the City could do to raise public funds to help in a situation like this.

Councilor Stone was concerned about having a code that was subject to interpretation. To her a code was something that should be spelled out very clearly. If the Council can interpret it and if someone else can interpret it as Mr. Asher was suggesting in another

way and could overturn what was interpreted that told her there was some flaws in the code and how it was written. Maybe it needed to be a lot more specific.

Mr. Asher responded staff would not disagree.

Mayor Bernard noted people were interpreting the Constitution since it was written.

- **John Otsyula, Milwaukie**

Mr. Otsyula followed up on what he asked one month ago about the Supplemental Draft Impact Statement (SDEIS). From what he read in *The Pilot* it was underway. He never did get a response from the City, so he had to go ahead and talk with the FTA. He was wondering if there was any response at all.

Councilor Collette said the City responded in writing and at the meeting in a discussion with Mr. Otsyula. The City responded with the information from Metro. She understood the City responded on several levels to Mr. Otsyula in writing.

Mr. Otsyula said, 'no.' As a matter of fact he wanted to make a correction. The last time he was at a City Council meeting, he picked up what was supposed to have been a response to him. Councilor Barnes gave it to him. If the City responded by mail, it never came to him. There was never a section that said a copy was sent to him. He had not received anything. That was a misrepresentation. He did not receive even that one. He did receive a copy from Councilor Barnes. The Mayor had stated that a copy had been sent to him. There was no copy sent to him. It was one thing to have amnesia about issues, but the reality was alternatives needed to be included in the SDEIS. The City Council had no authority. Even Metro was here saying the City Council had no authority to remove viable alternatives. This project had gone on for over 10 years, and things have changed dramatically in 10 years. Even prices have changed. Even the previous EIS written over 10 years ago did not address the full range of alternatives. Even Metro agreed that whatever token effort they did in assisting the City to invalidly reject alternatives was not a complete scoping process. Just because Metro had done this over and over again did not mean they were really right. It was like someone running a red light all the time. Maybe no one called them on that. In this case, he just wanted to assist the City in not making as grievous mistake as happened with the Kronberg property where his acquaintances keep asking if the City was still trying to get the property from that lady and take it away by false efforts. Mr. Otsyula says 'no' and tries to defend it all the time. The director said he would make sure a response was sent. Councilor Stone did ask that he get a copy of the response.

Mayor Bernard asked that a copy be sent.

Mr. Asher committed he would follow up with Metro and make sure Mr. Otsyula had a copy. Ms. Wieghart would brief the Council on the project in 2 weeks. He asked explicitly that she address the questions raised about NEPA and requested something in writing for his Council. She committed to doing that if not before the meeting but certainly by the time of the meeting. It would be copied for Mr. Otsyula. He was not sure if that would necessarily address the concerns that Mr. Otsyula raised, but it was in Metro's court. There would be something forthcoming, and Mr. Asher was working to shepherd it along.

Mr. Otsyula clarified his concerns had to do with the alternatives. He added it was nice to see that Councilor Stone was back, and from the public point of view, he felt sorry for her at the last Council meeting.

Councilor Stone said he should not feel sorry for her because she was the one who got re-elected. She ran for office. She was looking through some things and did not see a response particularly to him. There was an August 27 letter from the City to Ms. Wieghart, Metro Project Manager, and then there was a letter from Mr. Otsyula to Mr.

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Krochalis, the Region X Administrator, and a September 18 e-mail from Mr. Asher with an update to the City Council on this issue. She did not see any other response.

Mr. Asher said it was his understanding that the first letter was the Council's response to Mr. Otsyula.

Councilor Collette recalled the request was to forward his recommendation to Metro which was what the Council did in that letter which was handed to Mr. Otsyula at the last meeting.

Councilor Stone said all of this went to Ms. Wieghart about a month ago, so the City Council was waiting for her response.

Mr. Otsyula said a copy of that was not sent to him.

Councilor Barnes gave him her copy that night at the Council meeting.

Mr. Otsyula did get the copy from Councilor Barnes, but the Mayor said that night that a copy had been sent to him. He was clarifying.

Councilor Stone said he was only saying a copy had not been sent to him. The correspondence had not been getting to him contrary to popular belief.

Councilor Collette would make sure a copy was mailed.

Mr. Otsyula offered to pick it up at City Hall.

- **Rosemary Crites, Clackamas County**

Ms. Crites wanted to clarify the development in downtown Milwaukie. She was a commercial broker and had been behind both of the Parecki buildings. She felt strongly about private investment. Private investment was very expensive especially when there was no federal or state money or whatever. When you were dealing with Metro, they had really deep pockets. She would say to look at what you really want in Milwaukie. She went back to the original plan. Do you want it more institutionalized or do you want the private money and some really unique architecture plan? If you do, then those codes – she was being redundant – they needed to be tightened up now. She was looking at another project. When you negotiate the deal, it was very expensive. When you come to an agreement and the investors were in there but you do not have that final equation about the other permits, etc. that put a developer into a very bad position of going back and saying it was going to cost x amount of dollars. Was that clear? Going forward with the next project that will probably not include any government money, if those codes could be tightened so people would know exactly what was going to be required. When people got to the final agreement they knew what they were dealing with. She knew the City did not have any money. It was really important to get the right businesses in this town. One of the hottest neighborhoods around was N. Mississippi; it was hot and had some life to it. They had PDC money. She did not know what the City could come up with because it did not have the money. What can we do to help people? She was not here for Mr. Parecki. He did not know she was coming tonight. She was not teaming up with him. She was teaming up because she believed in this town. Help all of us to have a really concrete formula on how to reach their objectives so the City can reach its objectives and visualize the final project.

Mayor Bernard thought the City needed to look at an economic improvement district or tax increment financing (TIF). When someone bought a piece of land, they put in for a building permit and were handed the list of public improvements if it met the dollar threshold. Do people do that before they buy the property? When he talked about the North Main Village he recalled penciling out the how much the public improvements would cost before the property was purchased. The buyer knew he had to have a

certain amount of money. Is that not what happens when one walks into the department?

Mr. Asher wished it happened more regularly and with more diligence. It may happen more than we know because there was not a lot of downtown development. Part of the reason may be that there was not a lot of help to offer people downtown. In most places like Milwaukie there were more tools. More Main Streets had more public funds to help with the public part. Milwaukie's Plans said these improvements will come on the developer's nickel. He was not sure people realized that in a way Mayor Bernard suggested they might. He was not sure Mr. Parecki knew he would be in the other category that said it was not 10%. He was putting a lot of value into the building compared to what was there today, throwing him into the other category. There was a pre-application process that Mr. Parecki went through. This was presented to him months and months ago. As Milwaukie became more attractive to Ms. Crites's clients there will be more of that kind of dialogue between the City and prospective developers. Each new project brought more and more people interested in doing things here, and it cannot be prohibitive. On the other hand if we just got private development and nice architecture in these buildings and the state of Main Street stayed the same with dying trees and broken street grates and no shelters and so forth and the public realm was not improved by somebody or some combination, then the vision for this town would not happen, and the private investment would not happen. After all no one benefited more from those public area requirements than the private investors. Usually there was more of a dialogue. In Milwaukie it was not done a lot yet, and the City was not bringing a lot to the dance. Maybe the time was ripe for refining the way things were done.

Councilor Stone said whatever was done the City needed to take into account the private developer to encourage that kind of thing. Ms. Crites made a really good point. It was about envisioning the unique types of businesses that we want down here or everything could be cookie cut. People wanted some beautiful unique features to these buildings and unique businesses.

Mr. Asher understood people wanted that. He could speak from experience having shepherded the Town Center project through a year and one-half of planning and taking that committee through the process that the public wanted public space. Everyone on the committee recognized that no matter how the building turned out – gorgeous or funky or something else – they wanted public space with sidewalks that were wide with big, beautiful street trees and places to sit and meet. All of his negotiating on that deal was about getting the public space into the requirements with the expectation that the development would pay for all of that. The City had a good design review process that ensured some of that would happen. The public improvements were not as clear. They were desired in the community, and now the rubber was meeting the road about who would put them into place. It was painful for those who had to foot the bill because there were a lot of them. The Main Street plan was expensive. The Plan envisioned a nice, beautiful Main Street, and code tells us to try to implement it.

Councilor Stone asked, since the assessment was 10 years old, if a current assessment could be used since the application was already in the process.

Mr. Asher had Mr. Campbell checking into the datedness of the assessment. More problematic was whether or not some other methodology could be used. Mr. Parecki suggested appraised value rather than assessed value, but that was not promising. The code clearly said 'assessed value.' Staff was being responsive to some of the ideas being brought forward by Mr. Parecki, so that effort was slowing the process. He thought staff would have an answer from the City Attorney tomorrow.

Mayor Bernard said it was a common story of an old building that probably needed to be gutted and remodeled. Once you reached a certain point, the sidewalks and other

amenities needed to added. When he bought his building and gutted it, he had to rebuild the sidewalks and plant trees. His advantage was that he only had the frontage. Mr. Parecki was on the corner and had to do it all.

Councilor Collette said in some communities downtown business associations had funding access, and perhaps the Milwaukie Downtown Development Association (MDDA) might be reactivated. They had access to funds through the membership and downtown business associations.

Mayor Bernard added the MDDA was a taxing entity, and it was dissolved because the businesses did not feel they were getting anything out of it.

Mr. Asher said Mr. Campbell was getting businesses talking in downtown to discuss common interests. The City also had its Riverfront Park that needed funding, and there was no developer to turn to there.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

Council Reports

Councilor Collette attended the League of Oregon Cities (LOC) Conference, and she commented on things she learned about downtown redevelopment and financing efforts around the state. She attended the Harmony Road Visioning session last week.

Councilor Stone attended the LOC conference in Bend and the Site Steering Committee for wastewater treatment.

Councilor Loomis attended the LOC conference and toured the Norm Scott property.

Councilor Barnes attended LOC Conference and met with County Administrator Mantay and County Commission Peterson regarding wastewater treatment.

Mayor Bernard attended the LOC Conference and was on a panel that discussed street maintenance funding. He would walk in the Portland Marathon next weekend and challenged residents to join him next year and lose weight for better health in 2008.

ADJOURNMENT

It was moved by Councilor Collette and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously

Mayor Bernard adjourned the regular session at 7:59 p.m.

Pat DuVal, Recorder



To: Mayor Bernard and Milwaukie City Council
Through: Mike Swanson, City Manager
From: James M. Colt, Acting Chief of Police
Date: November 14, 2007
Subject: **O.L.C.C. Application – Red Brick Pizza - 10843 SE Oak Street**

Action Requested:

It is respectfully requested the Council approve the O.L.C.C. Application To Obtain A Liquor License from Red Brick Pizza – 10843 S.E. Oak Street.

Background:

We have conducted a background investigation and find no reason to deny the request for liquor license.



To: Mayor and City Council

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

From: Katie Mangle, Planning Director

Subject: November 21, 2007 for December 4, 2007 Public Hearing

Date: Adoption of Transportation System Plan and Related Amendments
Proposed Amendments to the Comprehensive Plan (Chapter 5) and
Milwaukie Municipal Code Title 19 – Zoning (Land Use Files CPA-07-
01/ ZA-07-01)

Action Requested

Adopt the Transportation System Plan (TSP) and related amendments. This action would amend the Comprehensive Plan to include the updated TSP as an ancillary document, amend the Transportation Element of the Comprehensive Plan, and amend two sections of the Zoning Code.

Background

The Transportation System Plan (TSP), the City's long-term master plan for the transportation system, provides policy direction for transportation matters and includes a list of projects that could be implemented through the Capital Improvement Plan (CIP), development review, or grant funding. This TSP planning process has been a great opportunity for the community to define its transportation goals, and discuss how the whole transportation system can be improved to support the livability and economy of Milwaukie.

The TSP adoption package includes:

1. A Comprehensive Plan Amendment to adopt the updated TSP as an ancillary document to the City's Comprehensive Plan (see Attachment 1, Exhibit B).
2. A Comprehensive Plan Amendment to amend the Transportation Element section of the City's Comprehensive Plan (see Attachment 1, Exhibit C).
3. Two Zoning Code amendments needed to comply with the state Transportation Planning Rule (see Attachment 1, Exhibit E).

Revised Draft TSP

Since staff provided Council with a draft TSP document for the October 16, 2007 work session discussion, staff made the following revisions and modifications to the Draft TSP:

- Minor text and map editing throughout to improve readability and consistency (with no change to recommendations or content).
- Reviewed the project tables (Master Plans, Action Plans, and Appendix B) for consistency. Removed “policy projects,” which are effectively described in the text, so the tables focus on operational and capital projects.
- Chapter 1 - Revised Executive Summary to provide more background and serve as a “stand alone,” easily accessible summary of the TSP
- Chapter 8 –
 - Corrected figures 8-3a and b to show McLoughlin Blvd south of Hwy 224 as changing from Regional Route to Arterial, as was explained on page 8-21, but not illustrated in figures 8-3a and b.
 - Modified the description of the analysis of and recommendations for Johnson Creek Boulevard on page 8-17. The revisions clarify that though road-widening would be necessary for the intersection of Johnson Creek Blvd and SE 32nd Ave, to meet standards, the Milwaukie TSP recommendation is only to consider signaling the intersection of SE 42nd Ave when that intersection meets signal warrants. The following statement was added to footnote 10 in response to the Ardenwald NDA’s comments at the October 23rd hearing: “Changes to the intersections in this corridor should be coordinated to ensure they work together to improve safety and are designed for the posted speed (25 mph).”
 - Corrected typos on Table 8-3, which listed incorrect figures for the following intersections: Johnson Creek Blvd/32nd Ave, Harrison St/Main St, McLoughlin Blvd/Main St.
- Chapter 10 –
 - Added the following footnote to the Street Zone section on page 10-5, in response to comments from DLCD: “A typical travel lane is between 10 and 11 feet wide. Narrower lane widths are appropriate on lower volume streets; wider lane widths are appropriate on higher volume streets and on freight and transit routes.”
- Added DKS’s Cost Estimating methodology to the end of Appendix F.
- Revised the project description of bike facilities on SE 17th Avenue to state that bike lanes or a multi-use path should be considered in this corridor.
- Added a footnote to Table 8-2 on page 8-7 that reads: “The widening of Harmony Road is not included in this document as a City project because it is outside

of the City's jurisdiction. As such, this document does not contain a specific recommendation about this project. The City and its citizens, however, are actively working with the County to minimize this project's physical extent. As a result, alternatives to widening continue to be evaluated as part of the Environmental Impact Study underway for this project."

Public Process

The TSP public involvement process that began in November 2006 may very well have been the most extensive to date for a TSP in Oregon. In total, the City hosted almost 30 meetings in which over 100 people participated. Many individuals chose to participate in more than one way, and this greatly strengthened the process and the resulting recommendations.

What We Learned

Throughout the project, staff repeatedly encouraged participants to discuss and consider transportation issues and solutions that weren't being addressed by other groups, projects, or jurisdictions. Though coordination with other projects, such as Portland – Milwaukie Light Rail and Harmony Road was important, we reminded participants that the TSP process was the only place in which Milwaukie's needs and decisions could be focused on exclusively. As a result, participants created a set of recommendations that implement state and regional policies but are tailored to Milwaukie's current and future needs, and with a finer grain of detail than is typically found in a TSP for a city the size of Milwaukie.

From all of the input that citizens and businesses offered during the TSP process, some clear messages shone through. The highest priorities for improving transportation in Milwaukie are:

- Improved pedestrian and bicycle facilities throughout the city.
- Enhanced public transit service.
- Well-maintained transportation facilities.
- Managed traffic in neighborhoods (address "cut-through" traffic) as regional traffic volumes increase.
- Improved safety and accessibility of crossings over major corridors.

Though it is common for people to be focused on their own street, neighborhood or bus line, a broad number of people identified the following areas as a priority:

- Downtown
- Milwaukie Marketplace area
- SE Railroad Avenue
- Railroad crossings throughout the city.

Recommendations

Project staff drafted TSP chapters by drawing on the 1997 TSP, best practices, and, most importantly, on the work of the Advisory Committee and Working Groups. Though generally each chapter is the result of a different mode-focused working group, in the end staff did not find that the recommendations were inconsistent or incompatible.

The heart of the plan is in chapters five through twelve, which describe the needs, strategies and recommendations for improving the various transportation modes in Milwaukie. Each section has been written to address Milwaukie's specific needs, and to reflect the recommendations that emerged from the community discussions. The draft TSP includes not only recommendations for capital improvements, but also updated policy direction. See Attachment 1, Exhibit B, the full draft TSP. A sampling of the key findings and recommendations are outlined in Table 1.

Table 1 – Select TSP Recommendations

Recommendation	Problems this Addresses
Initiate a Hwy 224 / Hwy 99 Refinement Plan to explore improvements to the interchange, North Industrial access, and reducing the barrier effect of Hwy 224.	As development in the County increases, traffic that flows through Milwaukie will increase significantly, and may put pressure on Highway 224. It is in the City's best interest to understand and guide how this corridor changes. A new overpass at Ochoco over 99E could solve access challenges in the North Industrial Area.
Use a variety of tools to improve the bicycle network. Specifically, create "bicycle boulevards" to enhance existing bike routes on lower traffic streets.	While bike lanes are needed on many arterials, filling the gaps in the bike lane system will require costly road and bridge widening. Small improvements, such as directional signage, can guide cyclists to the few existing routes that connect Milwaukie neighborhoods.
Develop "complete streets" to ensure pedestrian connections and allow more people to choose not to drive. Develop more flexible street design standards for pedestrian improvements and stormwater management.	Though the community wants to improve conditions for walking, a traditional gutter and sidewalk design could dramatically alter the character of many streets. Allowing for "context-sensitive" pedestrian improvements can help achieve the goals of both enhancing neighborhood character and improving walking conditions.
Expand transit service to cover currently underserved neighborhoods, and enhance quality and safety of bus stops.	Several areas in Milwaukie do not have transit service at all, and many areas have very limited service during off-peak hours.

The City needs to invest in projects that support the redevelopment of downtown by improving facilities and connections for parking, cycling, walking, and riding transit.	The effort to reinvigorate downtown relies on the creation of a multimodal environment in which residents and employees are able to bike, walk, take transit, or drive. Existing infrastructure is deficient for all of these modes.
Use City funds to implement projects that best meet the TSP Goals.	Approximately \$7 million in local funds will be available to implement the Master Plans in the TSP.

In addition to outlining recommended capital and operational investments, the TSP also includes policy direction. Most of the City’s previous policies are re-confirmed in this document. However, some sections of the plan also include important new policy direction that acknowledge the City’s current challenges and will guide staff and decision makers as Milwaukie evolves. Key new policy recommendations include:

- Parking management policies and principles that were originally developed during the 2003 Downtown Parking and Traffic Management Plan.
- Promotion of “context sensitive” street design to acknowledge the need to balance mobility with livability.
- Re-classification of three streets – Johnson Creek Boulevard (from Arterial to Collector), International Way (from Local to Collector), and McLoughlin Blvd south of Hwy 224 (from Regional Route to Arterial).
- Use the nine goals (Livability; Safety; Travel Choices; Quality Design; Reliability and Mobility; Sustainability; Efficient and Innovative Funding; Compatibility; and Economic Vitality) to define the relative merits of transportation investments.
- Practice environmental stewardship in all aspects of planning, developing and managing the transportation system.
- Several new transit policies, including the dissolution of the Transit Center, increasing transit service to the under-served neighborhoods in the east part of the city and local reinvestment of transit “savings” as high capacity service is introduced into Milwaukie.
- Increasing the City’s System Development Charge rate to increase funding for transportation projects.

Citywide Priorities and Action Plan

Collectively, the Master Plans in each chapter describe the proposed capital and operational improvements to manage, expand, or complete the transportation system between 2009 and 2030.

From these Master Plans, the Advisory Committee (AC) created the citywide Action Plan, which focused on the highest priority projects that are most likely to be funded over the next 15 years with limited City funds. The citywide Action Plan is built upon the premise that, given the limited funds available, the City should prioritize funding of transportation projects that 1) effectively address identified problems, and 2) best meet the City’s transportation goals. Therefore, the financially constrained Action Plans at the

end of chapters five through twelve identify projects that the City should prioritize for funding with limited City funds. While these Action Plans will set the priorities for the use of local funds, they do not assume funding sources such as state or regional grants, or contributions from local development. Therefore, the “financially constrained” list is very constrained indeed.

Financing and Implementation

A required element of a TSP is a realistic financing plan. The intent is to inform both decision makers and the public about the resources available and how many projects the jurisdiction can reasonably expect to fund.

The first step is to project future revenues for the plan period, which in this case is 22 years. Project staff assumed that recent history is the best basis for forecasting and made no assumptions about future rate increases, for example, in the State gas tax. Projections were made for all transportation-dedicated revenues:

- local share of the Oregon Highway Trust Fund (state motor vehicle fuel taxes and license fees);
- franchise fee payments to the Street Fund from city-operated utilities;
- System Development Charges and funds collected as Fee in Lieu of Construction (FILOC); and
- Street Surface Maintenance Program (SSMP) revenues (local gas tax, street surface maintenance fee, and PGE privilege tax).¹

The City’s total projected revenue stream for transportation is about \$60 million over 22 years. The vast majority of this is either specifically dedicated to preservation and maintenance, or has traditionally been spent on maintenance. Staff assumed that historical maintenance spending will continue (for operations), with all new SSMP revenues also dedicated to the capital costs of the maintenance program.

After subtracting expected maintenance expenditures from total revenues, the balance available is approximately \$7 million. About half of that \$7 million will be generated by SDCs or FILOC revenue, and is therefore dedicated to new capital projects. The other half is flexible funds that could also be spent on capital or new operations activities.

The Action Plans in the TSP reflect only projects that fit within this \$7 million. The Advisory Committee and staff believe that the City’s past practice of seeking to leverage local funds with grant opportunities should continue. Therefore, the Action Plan cost for many projects reflects an assumption that the projects will be pursued if and when grants are secured to pay for the balance of the project.

¹ As directed by Council when it established this program, all revenues from these sources are dedicated by ordinance to street surface maintenance and repair and may not be used to construct capital projects.

Comprehensive Plan Amendment

Chapter 5 of the Milwaukie Comprehensive Plan includes a section that specifically addresses transportation. The Transportation Element currently contains the goals, objectives, policies, and master plans from the 1997 TSP. Since the TSP contains the City's long-term transportation goals and policies and is the City's guiding transportation document, the Transportation Element of the Comprehensive Plan needs to be updated to reflect the adoption of the 2007 TSP.

Staff proposes to reduce the amount of duplication contained in the Comprehensive Plan by summarizing key points from the 2007 TSP, highlighting the public involvement process, and directing readers to the document for more detailed information. See Attachment 1, Exhibit C.

Zoning Code Amendments

The Oregon Transportation Planning Rule ("TPR", or Oregon Administrative Rule Chapter 660, Division 12) requires local governments to implement a TSP that is supported by local land use regulations. The rule sets requirements to protect transportation facilities and enhance pedestrian and bicycle travel. TPR requirements are fairly broad and allow local governments flexibility in how they comply with the rule.

The City of Milwaukie's code generally complies with the TPR, and requires only minor modifications to be compliant. A few areas were identified as needing revision to comply with TPR requirements (see Chapter 14). Staff recommends deferring some of the amendments for consideration during either Periodic Review or in the context of a broader analysis of the pertinent code sections. Staff does, however, recommend adoption of two code sections at this time. See Attachment 1, Exhibit E.

1. The TPR requires new development to provide "preferential parking for carpools and vanpools." The Milwaukie zoning code has a provision that quantifies the number of carpool/vanpool spaces that must be provided (10 percent), but it does not require that they have preferential status. To remain compliant, staff recommends that the Milwaukie Municipal Code (MMC) section 19.506 be amended as part of the 2007 TSP update to require such preferential treatment of carpools.
2. The TPR requires that local codes separate transportation projects into three categories for review purposes. The categories are: those that are exempt from design standards and procedures, those that are subject to limited review (e.g., Type I) under objective standards, and those that are subject to more extensive review (e.g., Type II) because they are significant or require discretionary decision-making. The Milwaukie zoning code clearly identifies which projects are in the second and third categories in MMC sections 19.1405.1 and 19.405.2. However, no projects are explicitly categorized as exempt. Staff recommends an amendment to explicitly exempt maintenance of, repair to, or operational changes to an existing

transportation facility by a public agency, from land use regulations. To remain TPR compliant, the proposed zoning code amendment is recommended for adoption as part of the 2007 TSP update.

Key Issues for Adoption

- Key Issue 1: Does the draft plan fulfill state Transportation Planning Rule requirements for a Transportation System Plan?

The Oregon Transportation Planning Rule (TPR), outlines the state requirements for Transportation System Plans. Requirements include elements that must be addressed in a multi-modal plan, specific standards that must be met, and agency coordination that must occur during the planning process. The draft TSP meets these requirements.

- Key Issue 2: Is there a public need for the updated TSP and is this need best satisfied by the proposal?

The City is required by the State to have a TSP. This requirement was fulfilled in 1997 when the City adopted its first TSP. This TSP update represents the City's first update effort, which, while not required at this time, was long past due. The current TSP was adopted in 1997 and is outdated in many ways. It was one of the first TSPs prepared in Oregon, and therefore does not reflect current approaches to planning, traffic modeling, or project development. The project lists are outdated and therefore not helpful during the annual development of the CIP. Most importantly, it does not reflect either the complexities of Milwaukie's built and natural environment nor the policy preferences of today's citizens.

Milwaukie and the surrounding region have also changed, and the updated TSP will reflect those changes. While growth in Milwaukie has not increased dramatically over the last ten years, growth around Milwaukie, particularly to the east, has increased and will continue to increase and impact Milwaukie's transportation system. This TSP update gives the City the tools with which to manage these impacts. Additionally, new street designs and treatments, which were once viewed with skepticism, are now widely recognized as viable approaches to reduce transportation facility impacts on neighborhoods and the environment.

Though project staff were able to draw upon the 1997 document for policy guidance and as a starting point for project lists, the "updated" TSP can be viewed as an "overhauled" TSP. Significant staff and volunteer time went into understanding both the existing transportation system and the community's needs and aspirations, and crafting a plan that will support a healthy Milwaukie.

The TSP contains the community's vision for the city's transportation system and includes both a policy framework (in the form of goals, policies, and recommendations) and a financially constrained project list (in the form of mode-

specific Action Plans). In order for the TSP to realize the community's vision and satisfy the needs identified above, it needs to be adopted and implemented.

Partial implementation of the projects identified on the TSP Action Plans could be accomplished with City resources; however, full Action Plan implementation will require additional funding and/or resources. Having an adopted plan strengthens the ability of the City to obtain funding and leverage resources from public and private sources to implement Action Plan projects identified by the TSP.

- Key Issue 3: Does the draft TSP meet the relevant approval criteria for a Comprehensive Plan and Zoning Code amendments?

Comprehensive Plan amendments are subject to approval criteria found in Policy 7 of Objective 1 of Chapter 2 of the Comprehensive Plan and in Milwaukie Municipal Code (MMC) Section 19.905. In general, all amendments must conform to the goals, policies, and objectives of the Comprehensive Plan and be consistent with all applicable portions of the Milwaukie Municipal Code, Metro Functional Plan, and Statewide Planning Goals.

Zoning Code amendments are subject to approval criteria found in 19.904.1 – Requirements for Zoning Text Amendments and 19.905 Approval criteria for all amendments. All amendments must be consistent with unamended portions of the Comprehensive Plan and with the statewide planning goals.

As demonstrated by Attachment 3 (Comprehensive Plan Amendment Criteria Checklist) and Attachment 4 (Zoning Amendment Criteria Checklist), the proposed amendments meet all applicable approval criteria.

- Key Issue 4: Does the draft TSP further the goals, objectives, and policies of the Comprehensive Plan?

The Draft TSP furthers the goals of the Milwaukie Comprehensive Plan in many ways, primarily by promoting the maintenance and development of a transportation system that provides safe and efficient land access and that supports the land uses it serves. The TSP pays particular attention to residential and commercial/industrial land uses recognizing that (1) residential neighborhoods need to be protected from transportation-related impacts, (2) transportation facilities need to contribute to, not detract from, neighborhood character, and (3) the business community has unique and complex transportation needs.

Attachment 3, the Comprehensive Plan Amendment Criteria Checklist, outlines how the proposed amendments further the goals, objectives and policies of the Comprehensive Plan.

Conclusions

The TSP project has achieved many of the goals identified by the City when we embarked on this project.

- The community has engaged in this process to a degree that appears to be unprecedented in Oregon, and the resulting document displays the result of such astute and extensive public participation.
- By including non-traditional issues such as Street Design, Downtown Parking, and Neighborhood Traffic Management, the City has been able to address community concerns in a more thorough way. Though not all community concerns are resolved, the TSP will establish a policy framework for continuing to address these issues.
- The fundamental purpose of the TSP—planning for multi-modal transportation improvements to support planned development—has been met in a manner that exceeds state requirements.
- The plan emphasizes the connection between the community's goals for the transportation system and the transportation investments the city should make or require of others.

Staff believes that the draft TSP and related amendments are consistent with the spirit of the Comprehensive Plan and represents the desires of the community. The proposed amendments are consistent with applicable provisions of the Milwaukie Municipal Code, Milwaukie Comprehensive Plan, Metro Functional Plan, and Statewide Planning Goals. Staff recommends that the Planning Commission recommend adoption of the proposed amendment to City Council.

Code Authority and Decision Making Process

Comprehensive Plan amendments are legislative actions governed by MMC Section 19.1011.5 and Chapter 2 of the Comprehensive Plan. The Planning Commission initiated the proposal, held public hearings, and prepared findings and conclusions for City Council consideration. City Council is required to conduct a public hearing on the proposal prior to adoption.

Zoning Ordinance text amendments are legislative actions governed by Milwaukie Municipal Code as follows:

Section 19.901 - Initiation of amendments.

Section 19.902 - Amendment procedure

Section 19.904 - Requirements for zoning text amendments

Section 19.905 - Approval criteria for all amendments

Section 19.1011.5 - Legislative Actions

The City Council has the following decision making options:

1. Adopt of the proposed amendments and ordinance.
2. Adopt the proposed amendments and ordinance with modifications.

Concurrence

The Planning Commission voted unanimously on November 13, 2007 to recommend adoption of the Draft TSP. The Draft TSP has been posted on the City of Milwaukie website since October 5, 2007, and was distributed to City departments, the Advisory Committee, the Neighborhood District Associations for review.

Fiscal Impact

The adopted plan will take effect 30 days from the date of adoption. Publishing and distributing the final plan can be accomplished within the current adopted Planning Department budget. By adopting this plan in December 2007, the City fulfills it's commitment to ODOT's Transportation Growth Management program, the agency that funded the consultant contract for the project. Fulfilling this commitment will reflect well on the City when it seeks grants for future projects.

Work Load Impacts

Adoption of the TSP will substantially conclude a project that has demanded commitment from staff throughout the City, but particularly in Planning and Community Development. Completion of this project will allow staff to begin work on other important tasks on each department's work plan.

Alternatives

1. Adopt the proposed amendments and ordinance.
2. Adopt the proposed amendments and draft ordinance with modifications.

Attachments

1. Ordinance

Exhibit A. Recommended Findings in Support of Approval

Exhibit B. Draft Updated TSP

The draft TSP is also available online at:

<http://www.cityofmilwaukie.org/milwaukie/projects/tspupdate/tspupdate.html>

Exhibit C. Draft amendments to Comprehensive Plan Chapter 5, Transportation Element

Exhibit D. Draft amendments to Zoning Code (strikeout version)

Exhibit E. Draft amendments to Zoning Code (clean version)

2. Commentary on revisions
3. Comprehensive Plan Amendment Criteria Checklist
4. Zoning Amendment Criteria Checklist

Attachment 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE COMPREHENSIVE PLAN AND TITLE 19 OF THE MILWAUKIE MUNICIPAL CODE TO ADOPT THE UPDATED TRANSPORTATION SYSTEM PLAN, AMEND THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN, AND ENSURE COMPLIANCE WITH THE OREGON TRANSPORTATION PLANNING RULE (FILE #CPA-07-01/ZA-07-01).

WHEREAS, the 1997 Transportation System Plan (TSP) is outdated in many ways and no longer meets the City's needs;

WHEREAS, the state awarded a Transportation Growth Management grant to the City for the purpose of updating the TSP to comply with current State and regional requirements;

WHEREAS, the scope of the project emphasized public involvement and an open process, during which all meeting materials and draft chapters were posted on the City website;

WHEREAS, the multimodal plan takes a holistic approach that emphasizes the connection between the community's goals and the investments the City should make or require of others;

WHEREAS, Milwaukie has engaged in this transportation planning process to a degree that appears to be unprecedented in Oregon, with over 160 people attending over 30 meetings and responding to surveys;

WHEREAS, amendments to Title 19 fulfill the City's responsibility to comply with the State Transportation Planning Rule (ORS 660);

WHEREAS, the fundamental purpose of a TSP, to plan for multimodal transportation improvements to support planned development, has been met in a manner that meets or exceeds State requirements;

WHEREAS, the TSP creates a foundation for future updates to the City's annual Capital Improvement Program;

WHEREAS, legal and public notices have been provided as required by law;

WHEREAS, on November 13, 2007, the Milwaukie Planning Commission conducted a public hearing, as required by Zoning Ordinance Section 19.1011.5, and recommended that the City Council approve all Comprehensive Plan and MMC amendments; and

WHEREAS, the Milwaukie City Council held a public hearing on December 4, 2007 and finds that these amendments are in the public interest of the City of Milwaukie;

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

Section 1. Findings. Findings of fact in support of the proposed amendments are attached as Exhibit A.

Section 2. Transportation System Plan, ancillary document to the Comprehensive Plan. The Transportation System Plan adopted by Ordinance Number 1820 is replaced in its entirety with Exhibit B.

Section 3. Comprehensive Plan Text Amendment. The Comprehensive Plan text is amended as described in Exhibit C.

Section 4. Title 19 Zoning Ordinance Text Amendment. The Zoning text of the Milwaukie Municipal Code is amended as described in Exhibits D (clean version) and E (strikeout version).

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

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

Signed by the Mayor on _____.

Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney

Document2 (Last revised _____)

Exhibit A

Recommended Findings in Support of Approval

1. **Land Use Application CPA-07-01/ZA-07-01 has been processed and public notice has been provided in accordance with MMC Sections 19.902 (Amendment Procedure) and 19.1011.3 (Legislative Actions).**
2. **The proposed Comprehensive Plan amendment meets the approval criteria found in Policy 7 of Objective 1 of Chapter 2 of the Comprehensive Plan and in Milwaukie Municipal Code Section 19.905. The proposed amendment is consistent with applicable provisions of the Milwaukie Municipal Code, Milwaukie Comprehensive Plan, Metro Functional Plan, and Statewide Planning Goals.**
3. The proposed Comprehensive Plan amendments are the result of extensive public involvement and reflects the desires of the community.
4. The City of Milwaukie fulfilled the requirements for an application for a zoning text amendment, as outlined in MMC sections 19.901 and 19.902.
5. Public notice has been provided and a public hearing has been conducted in accordance with MMC section 1011.5.
6. The Planning Commission initiated the amendments and held a public hearing on the proposal. The Commission approved a motion to recommend adoption of the amendments.
7. The proposed amendments fulfill the approval criteria found in MMC 19.904.1 and 19.905.1. They are consistent with the Comprehensive Plan, the Metro Urban Growth Management Functional Plan, and Oregon Statewide Planning Goals (see Attachment 1, Code Compliance Report).
8. The proposed amendments fulfill the requirements of the Oregon Transportation Planning Rule, which outlines the state requirements for Transportation System Plans. Adoption of the amendments will fulfill the City's responsibility to comply with regional and state plans and policies.

Exhibit B

See Draft Updated TSP

<http://www.ci.milwaukie.or.us/milwaukie/projects/tspupdate/tspupdate.html#drafttspdoc>

Exhibit C
Comprehensive Plan Text Amendment

Repeal the Transportation Element of Chapter 5 of the Comprehensive Plan and replace with the following text:

TRANSPORTATION ELEMENT

The Transportation System Plan (TSP) is an ancillary Comprehensive Plan document that contains the City's long-term transportation goals and policies for pedestrians, cyclists, drivers, transit users, and freight carriers. It provides for the coordination of transportation improvements at the local level and the integration of the local transportation system with the regional transportation system. It also identifies the transportation issues, policies, and projects that are important to the community.

Transportation goals form the basis for how the local transportation system will be developed and maintained over the long term. Given their importance, the City involved agency, business, and citizen stakeholders in developing goals that support a multimodal approach to transportation planning that reflects how citizens think about and experience the transportation system. Since they are equally important in different ways, they are not listed in order of importance or priority.

- Goal 1:** **Livability.** Design and construct transportation facilities in a manner that enhances the livability of Milwaukie's community.
- Goal 2:** **Safety.** Develop and maintain a safe and secure transportation system.
- Goal 3:** **Travel Choices.** Plan, develop, and maintain a transportation system that provides travel choices and allows people to reduce the number of trips made by single-occupant vehicles.
- Goal 4:** **Quality Design.** Establish and maintain a set of transportation design and development regulations that are sensitive to local conditions.
- Goal 5:** **Reliability and Mobility.** Develop and maintain a well-connected transportation system that reduces travel distance, improves reliability, and manages congestion.
- Goal 6:** **Sustainability.** Provide a sustainable transportation system that meets the needs of present and future generations.
- Goal 7:** **Efficient and Innovative Funding.** Efficiently allocate available funding for recommended transportation improvements, and pursue additional transportation funding that includes innovative funding methods and sources.
- Goal 8:** **Compatibility.** Develop a transportation system that is consistent with the City's Comprehensive Plan and coordinates with County, State, and regional plans.
- Goal 9:** **Economic Vitality.** Promote the development of Milwaukie's, the region's, and the state's economies through the efficient movement of people, goods, and services, and the distribution of information.

The 2007 TSP Advisory Committee and Working Groups assisted City staff in refining and developing policies that further define the nine multimodal goals listed above. They also translated transportation needs and improvements into mode-specific master plans that prioritize

the improvements the City should undertake in the short and long term. Refer to the Transportation System Plan for additional detail, as it is the City's guiding transportation document.

Exhibit D

Title 19 Zoning Code Amendments (strikeout version)

**CHAPTER 19.1400 TRANSPORTATION PLANNING, DESIGN STANDARDS,
AND PROCEDURES**

19.1403.1 Limitations.

- D. The following activities and uses are exempt from the requirements of this section:
1. Operation, maintenance, and repair of existing transportation facilities.
 2. Public capital improvement projects.

CHAPTER 19.500 OFF-STREET PARKING AND LOADING

19.506 Carpool and Vanpool Parking.

- A. Applicability. New industrial, institutional, and commercial development with fifty (50) or more employees shall provide carpool/vanpool parking.
- B. Number of Spaces. Carpool/vanpool parking shall be provided for at least ten percent (10%) of the required parking.
- C. Location. Parking for carpools/vanpools shall be closer to the main entrances of the building than other employee or student parking, except parking spaces designated for use by the disabled.
- D. Standards. Carpool/vanpool spaces shall be regular-sized, per requirements in Section 19.503.10, and shall be clearly designated with signs or pavement markings for use only by carpools/vanpools.

Exhibit E

Title 19 Zoning Code Amendments (Clean version)

**CHAPTER 19.1400 TRANSPORTATION PLANNING, DESIGN STANDARDS,
AND PROCEDURES**

19.1403.1 Limitations.

- D. The following activities and uses are exempt from the requirements of this section:
1. Operation, maintenance, and repair of existing transportation facilities.
 2. Public capital improvement projects.

CHAPTER 19.500 OFF-STREET PARKING AND LOADING

19.506 Carpool and Vanpool Parking

- A. Applicability. New industrial, institutional, and commercial development with fifty (50) or more employees shall provide carpool/vanpool parking.
- B. Number of Spaces. Carpool/vanpool parking shall be provided for at least ten percent (10%) of the required parking.
- C. Location. Parking for carpools/vanpools shall be closer to the main entrances of the building than other employee or student parking, except parking spaces designated for use by the disabled.
- D. Standards. Carpool/vanpool spaces shall be regular-sized, per requirements in Section 19.503.10, and shall be clearly designated with signs or pavement markings for use only by carpools/vanpools.

Attachment 2
Commentary on the Proposed TSP-Related Zoning Code and
Comprehensive Plan Amendments

COMPREHENSIVE PLAN

Transportation Element

This amendment reduces the amount of duplication contained in the Comprehensive Plan by summarizing key points from the 2007 TSP, highlighting the public involvement process, and directing readers to the document for more detailed information. The Transportation Element currently contains the goals, objectives, policies, and master plans from the 1997 TSP, thereby duplicating some of the information contained in the 1997 TSP.

TITLE 19 - ZONING CODE

Section 19.1403.1 Limitations:

This amendment adds a subsection to the list of project types that are exempt from the standards of section 19.1400.

The Oregon Transportation Planning Rule ("TPR", or Oregon Administrative Rule Chapter 660, Division 12) requires that local codes separate transportation projects into three categories for review purposes. The categories are: those that are exempt from design standards and procedures, those that are subject to limited review (e.g., Type I) under objective standards, and those that are subject to more extensive review (e.g., Type II) because they are significant or require discretionary decision-making. To remain TPR compliant, the proposed zoning code amendment is recommended as part of the 2007 TSP update.

The Milwaukie zoning code clearly identifies which projects are in the second and third categories in Milwaukie Municipal Code (MMC) sections 19.1405.1 and 19.405.2. However, no projects are explicitly categorized as exempt. The City has interpreted its current code as exempting certain activities from land use regulations, such as maintenance of, repair to, or operational changes to an existing transportation facility by a public agency. Since this is not explicit in the code, some of these activities could qualify as "development" per MMC section 19.103, and would therefore be subject to all of the transportation planning, design standards, and procedures of MMC Chapter 19.1400, per the catch-all category "other," listed in MMC section 19.1403.A.

The proposed amendment explicitly exempts two categories of development from MMC 19.1400: 1) operation, maintenance, and repair of existing facilities these types of projects, and 2) construction of public capital improvement projects.

Section 19.506 Carpool and vanpool parking:

The proposed amendment adds two subsections to require that carpool spaces be located close to the main entrance of a building.

The TPR requires that new development provide "preferential parking for carpools and vanpools." To remain TPR compliant, the proposed zoning code amendment is recommended as part of the 2007 TSP update.

The Milwaukie zoning code has a provision that quantifies the number of carpool/vanpool spaces that must be provided (10 percent), but it does not require that they have preferential status.

ATTACHMENT 3

Comprehensive Plan Amendment Criteria Checklist

For adoption of the TSP and Transportation Element of the Comprehensive Plan:

Milwaukie Comprehensive Plan (MCP) Chapter 2 – Plan Review and Amendment Process.
Objective 1.7 – All Plan amendments will be evaluated based on the following criteria:

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

1. MCP Chapter 1 – Citizen Involvement.

The City strove to involve citizens throughout the Transportation System Plan (TSP) development process as stated below in the City's public involvement goal for this project.

The public involvement process for the Milwaukie TSP update will encourage and provide opportunities for citizens to participate in all phases of the planning process and keep citizens informed through open lines of communication for the sharing of questions, problems, and suggestions.

To reach this goal, the City provided numerous opportunities for business owners and citizens to participate in the development of the TSP over the course of nine months. Over one hundred of them chose to participate at a mode-specific project level and/or at a citywide policy level. Public outreach and involvement efforts included the following:

- Community Briefings (4 meetings total)
- Advisory Committee (6 meetings total)
- Working Groups and Workshops (20 meetings total)
- Open Houses (2 meetings total)
- One-time Web Survey
- Ongoing E-mail Announcements
- Multiple *Pilot* Articles and Announcements

In addition to these outreach and involvement efforts, the City created a TSP webpage on the City's website that contained up-to-date information about the TSP update process, draft TSP chapters, meeting materials and notes, and survey results.

The TSP was distributed to all Neighborhood District Associations in the City for review and comment prior to the first public hearing. The public was properly notified of all public hearings pursuant to Milwaukie Municipal Code (MMC) Section 19.1011.5.

2. MCP Chapter 3 – Environmental and Natural Resources

TSP Goals 3 and 6 support the goals and objectives of MCP Chapter 3 by calling for the City to develop and maintain its transportation system in a manner that reduces transportation-related impacts on the environment; preserves and enhances the City's land, air, and water resources; and provides access to open spaces and scenic areas for public enjoyment.

TSP Goal 3: Travel Choices. Plan, develop, and maintain a transportation system that provides travel choices and allows people to reduce the number of trips made by single-occupant vehicles.

TSP Goal 6: Sustainability. Provide a sustainable transportation system that meets the needs of present and future generations.

3. MCP Chapter 4 – Land Use

Travel can be a means in and of itself, but it is typically a means to an end, with the end being a destination involving a particular land use. Land use and transportation, as a result, are inextricably linked. The City's transportation system must, at a minimum, provide access to land and its associated uses. In addition to providing access, a well-designed transportation system should also compliment and even contribute to the success of its adjacent land uses.

Consequently, the TSP promotes the maintenance and development of a transportation system that provides safe and efficient land access and that supports the land uses it serves. The TSP pays particular attention to residential and commercial/industrial land uses recognizing that (1) residential neighborhoods need to be protected from transportation-related impacts, (2) transportation facilities need to contribute to, not detract from, neighborhood character, and (3) the business community has unique and complex transportation needs. The TSP also recognizes that local and regional activity centers and destinations such as parks, schools, and churches serve the entire community and need to be accessible by many modes of travel.

TSP Goals 1 and 9, in particular, support the goals and objectives of MCP Chapter 4.

TSP Goal 1: Livability. Design and construct transportation facilities in a manner that enhances the livability of Milwaukie's community.

TSP Goal 9: Economic Vitality. Promote the development of Milwaukie's, the region's, and the state's economies through the efficient movement of people, goods, and services, and the distribution of information.

4. MCP Chapter 5 – Transportation, Public Facilities and Energy Conservation

The Transportation Element of the Comprehensive Plan needs to reflect the City's long-term transportation goals and policies. Since the TSP contains the City's long-term transportation goals and policies and is the City's guiding transportation document, an updated Transportation Element is being adopted along with the TSP. The updated Transportation Element will summarize key points from the TSP, highlight the public involvement process, and direct readers to the document for more detailed information.

5. MCP Chapter 6 – City Growth and Governmental Relationships

Oregon law authorizes the City to plan for growth within Milwaukie's Urban Growth Management Area (UGMA). The UGMA contains land that is both within and outside of the current city limits. The land outside the current city limits is in Clackamas County, making coordination between the City and the County essential. The City also recognized that it was necessary to coordinate TSP development with other agencies and jurisdictions given the regional nature of many transportation facilities and issues.

As a result, the City formed an Advisory Committee to oversee the TSP development process. The committee included citizen, business, and agency representatives.

Agency representatives included Clackamas County, Metro, TriMet, and Oregon Department of Transportation. Advisory Committee members refined the TSP goals, reviewed TSP policies, and prioritized TSP projects.

TSP Goal 8, in particular, supports the goals and objectives of MCP Chapter 6.

TSP Goal 8: Compatibility. Develop a transportation system that is consistent with the City's Comprehensive Plan and that coordinates with county, state, and regional plans.

B. Public need for the change.

The City is required by the State to have a TSP. This requirement was fulfilled in 1997 when the City adopted its first TSP. This TSP update represents the City's first update effort, which, while not required at this time, was long past due. This update is needed because Milwaukie's first TSP was also one of the first TSPs in the State, and many aspects of TSP development have improved and/or changed in the last ten years. Traffic modeling and mapping capabilities, for example, have improved dramatically, and a multimodal approach to transportation planning has replaced mode-specific planning. Additionally, new street designs and treatments, which were once viewed with skepticism, are now widely recognized as viable approaches to reduce transportation facility impacts on neighborhoods and the environment.

Milwaukie and the surrounding region have also changed, and the updated TSP will reflect those changes. While growth in Milwaukie has not increased dramatically over the last ten years, growth around Milwaukie, particularly to the east, has increased and will continue to increase and impact Milwaukie's transportation system. This TSP update gives the City the tools with which to manage these impacts.

Moreover, new project lists and policies, which were developed with broad citizen involvement, will replace outdated project lists and policies. This in turn will provide staff and decision makers with a better platform for developing the City's annual Capital Improvement Program list and much-needed transportation-related code amendments.

C. Public need is best satisfied by this particular change.

The TSP contains the community's vision for the city's transportation system and includes both a policy framework (in the form of goals, policies, and recommendations) and a financially constrained project list (in the form of mode-specific Action Plans). In order for the TSP to realize the community's vision and satisfy the needs identified above, it needs to be adopted and implemented.

Partial implementation of the projects identified on the TSP Action Plans could be accomplished with City resources; however, full Action Plan implementation will require additional funding and/or resources. Having an adopted plan strengthens the ability of the City to obtain funding and leverage resources from public and private sources to implement Action Plan projects identified by the TSP.

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

The TSP will improve the health, safety, and welfare of the community through the adoption and implementation of a policy framework that specifically supports livability (TSP Goal 1) and safety (TSP Goal 2) and through a series of fundable projects that will:

- Encourage walking and cycling
- Slow traffic where appropriate
- Improve intersection safety at key locations (including railroad crossings)
- Add vehicular capacity along key corridors

Project development and prioritization was a collaborative effort. The City's traffic consultant analyzed existing traffic and crash data, collected additional traffic data at key locations, modeled future traffic scenarios, and developed various design options to fix locations that are currently failing or unsafe or projected to fail. TSP Working Groups augmented the consultant's data with their personal knowledge of the city, identifying, for example, unsafe intersections for pedestrians and cyclists, streets with drainage problems, and streets most often used by cut-through traffic. A list of projects that addressed the identified problems was subsequently developed and vetted by Working Group members, the City's consultant, and staff.

Project prioritization occurred in the Working Groups and at the Advisory Committee level. The final product, as represented by the TSP prioritized citywide project list, represents the community's plan for maintaining and developing a safe, efficient, and reliable transportation system that will benefit all users.

E. The change is in conformance with applicable Statewide Planning Goals.

The TSP conforms to the following applicable Statewide Planning Goals.

Goal 1: Citizen Involvement. This goal directs the City to develop a citizen involvement program that ensures that citizens have the opportunity to be involved in all phases of the planning process. The public outreach and involvement program developed by the City for this project conforms to this goal. See Response A.1 above for more detail.

Goal 2: Land Use Planning. This goal directs the City to develop a land use planning process and policy framework for all decisions and actions related to the use of land. The TSP is a kind of land use document in that it guides how the City should use, develop, and maintain its various public rights-of-way, which account for a significant percentage of the City's land area. Since land use and transportation are inextricably linked, the TSP was developed with adjacent land uses in mind and how best they could be served. See Response A.3 above for more detail.

Goal 12: Transportation. This goal directs the City to provide and encourage a safe, convenient, and economic transportation system. The City conforms to this goal through the adoption and implementation of the TSP, which is the City's long-term plan for transportation. The TSP directs the City through goals, policies, and projects to build and maintain a transportation system that maintains Milwaukie's livability and is safe, reliable, sustainable, efficient, and compatible with the City's Comprehensive Plan and other jurisdictions' transportation plans.

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

The TSP and related Transportation Element update are consistent with the Metro Growth Management Functional Plan. Staff has complied or will comply with all applicable Metro noticing requirements and functional plan analysis requirements.

ATTACHMENT 4
Zoning Code Amendment Criteria Checklist

For adoption of TSP-related Zoning Code Amendments:

Milwaukie Municipal Code (MMC) Chapter 19.900 – Amendments. Section 19.904 Requirements for Zoning Text Amendments. Subsection 19.904.1 – Proposals for zoning text amendments must provide written evidence that the following requirements are satisfied:

A. Applicable requirements of Section 19.1003.

All applications were made on forms prescribed by the City and were accompanied by all required submission materials.

B. Reasons for requesting the proposed text amendments.

The Oregon Transportation Planning Rule ("TPR", or Oregon Administrative Rule Chapter 660, Division 12) requires local governments to implement a transportation system plan that is supported by local land use regulations. The rule sets requirements to protect transportation facilities and enhance pedestrian and bicycle travel. The Milwaukie Municipal Code has been periodically updated to comply with the TPR, with the most recent updates occurring in 1994 and 2002. To remain TPR compliant, two zoning code amendments are recommended as part of the 2007 TSP update.

C. Explanation of how the proposed text amendment is consistent with other provisions of this title.

The two proposed text amendments are consistent with other provisions of this title. One serves to affirm the City's existing practice of exempting existing transportation facilities and public capital projects from the standards and regulations of Chapter 19.1400 of the Milwaukie Municipal Code. The other serves to clarify where to locate and how to size and sign required vanpool/carpool spaces.

D. The approval criteria of Section 19.905.

See below.

For adoption of the TSP, Transportation Element of the Comprehensive Plan, and TSP-related Zoning Code Amendments:

Milwaukie Municipal Code (MMC) Chapter 19.900 – Amendments. Section 19.905 Approval criteria for all amendments. Subsection 19.905.1 – For all proposals, the applicant shall have the burden of proof regarding the following criteria:

A. The proposed amendment must conform to applicable comprehensive plan (MCP) goals, policies and objectives and be consistent with the provisions of city ordinances (Milwaukie Municipal Code, MMC), Metro urban growth management functional plan and applicable regional policies.

MCP: The TSP and related Transportation Element update conform to all applicable MCP goals, policies, and objectives as detailed in Attachment 4 (Comprehensive Plan Amendment Criteria Checklist). The TSP-related Zoning Code amendments also conform, as they are an extension of the TSP policy framework.

MMC: The TSP and related Transportation Element update are Comprehensive Plan amendments. They are consistent with the provisions of the MMC in that they conform to the requirements for amendments as detailed in MMC Chapter 19.900 Amendments. The TSP-related Zoning Code amendments are consistent with the provisions of the MMC as detailed at the beginning of this attachment.

Metro: The TSP, Transportation Element updates, and TSP-related Zoning Code amendments are consistent with the Metro Growth Management Functional Plan. Staff has complied or will comply with all applicable Metro noticing requirements and functional plan analysis requirements.

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

Not applicable. No development is proposed and no zone change is requested or required with these amendments.

- C. The proposed amendment will meet or can be determined to reasonably meet applicable regional, state or federal regulations.**

The proposed amendments meet all regional and state regulations. The TSP and related amendments have been reviewed and approved by Clackamas County, Metro, TriMet, Oregon Department of Transportation, and Department of Land, Conservation, and Development.

- D. The proposed amendment demonstrates that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area.**

Not applicable. No development is proposed with these amendments.

- E. The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact analysis may be required subject to the provisions of Chapter 19.1400.**

The TSP is the City's guiding transportation plan. It contains the City's functional classification system, identifies streets where capacity is needed, and identifies the policies pertaining to level of service. The TSP provides the transportation policy framework against which future amendments and development will be evaluated. Since the proposed Comprehensive Plan amendments replace the existing TSP, the proposed amendments will be consistent with themselves, as it were, once adopted.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING A TRANSFER OF FY2007-08 APPROPRIATIONS FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 2808 BALFOUR IN THE CITY OF MILWAUKIE

WHEREAS, ORS 294.450(1) permits “transfers of appropriations” within any fund “when authorized by official resolution or ordinance of the governing body;” and

WHEREAS, ORS 294.450(2) limits “[t]ransfers of general operating contingency appropriations’ to no more than 15 percent of the total appropriations of the fund’ unless adopted pursuant to a supplemental budget; and

WHEREAS, the following transfer request represents less than 15 percent of the total appropriations of the fund; and

WHEREAS, transfers made pursuant to any of the above must state the need for the transfer, the purpose for the authorized expenditure, and the amount of appropriation transferred; and

WHEREAS, the following transfer is made pursuant to ORS 295.450; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon that:

Section 1: A transfer of appropriations for FY2007-08 in the amount of \$230,000 from General Fund-Interfund/Intergovernmental Contingency to General Fund-Interfund/Intergovernmental in the amount of \$230,000 for the purchase of real property located at 2808 Balfour in the City of Milwaukie is hereby approved.

Section 2: The said budget transfer does not increase FY 2007-08 revenues or expenditures.

Section 3: This Resolution becomes effective upon adoption.

Introduced and adopted by the City Council on December 4th, 2007.

SIGNED:

Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:

Pat DuVal, City Recorder

Jordan, Schrader, & Ramis, P.C.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 2808 BALFOUR PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 3.15.030

WHEREAS, THE City Manager is proposing that the City purchase real property located at 2808 Balfour (Balfour property) in the City of Milwaukie; and

WHEREAS, an offer of \$240,000 had been made by another prospective buyer and accepted by the seller; and

WHEREAS, the Balfour property subsequently became available when the seller elected not to extend a requested extension by the prospective buyer; and

WHEREAS, Milwaukie Municipal Code Section 3.15.030 requires that a purchase of real property valued at more than \$25,000 requires the "approval of city council;" and

WHEREAS, the previous offer and acceptance established a reasonable value for the Balfour property; and

WHEREAS, the purchase will be financed by a one-time expenditure from the City of Milwaukie FY 2007-08 General Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon that:

Section 1: Pursuant to Milwaukie Municipal Code Section 3.15.030, the City Council approves the purchase of the real property located at 2808 Balfour and authorizes the City Manager to take all action necessary, including execution of all necessary documents, to complete the said purchase.

Section 2: This Resolution becomes effective upon adoption.

Introduced and adopted by the City Council on December 4th, 2007.

SIGNED:

Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:

Pat DuVal, City Recorder

Jordan, Schrader, & Ramis, P.C.

North Clackamas Parks and Recreation District
MILWAUKIE CENTER/COMMUNITY ADVISORY BOARD
Minutes of October 12, 2007

MEMBERS PRESENT: Ben Horner-Johnson, Joan Staley, Chuck Petersen, Molly Hanthorn, Jane Hanno, Joy Estes, Eleanor Johnson, Kim Buchholz, Carolyn Mills.

MEMBERS EXCUSED: Katie Rudfelt

GUESTS: None

CALL TO ORDER: Molly Hanthorn called the meeting to order at 9:40. Chuck moved to approve the minutes and Ben Horner-Johnson seconded. The motion passed unanimously. Joan Staley took over chairing the board meeting.

CORRESPONDENCE: Joan Young received a letter from Jim McCready announcing his resignation from the C/CAB board.

BOARD/COMMITTEE REPORTS

North Clackamas District Advisory Board: Molly reported that Dan Zinzer opened a discussion on a possible name change for the Parks District if Canby and Molalla areas decide to join our District. A process for a name change will be developed as the meetings continue. A final meeting for the Stringfield master plan was held. The District has \$1.3 million and hopes to build Phase 1 in the summer of 2008. The developer at Eagle Landing has presented a preliminary proposal to build an amphitheater using SDC money and staff is studying it. The finish work on the Horse Arena in North Clackamas Park will continue in the spring. A ten acre parcel along the Springwater Trail may be available for a joint project of the District, City of Portland and Metro to work on Johnson Creek, sewers and provide park area and soccer fields.

North Clackamas Park Stewardship Committee: Eleanor reported that the ball field useage was discussed and a list of games was distributed. On October 24 the final informational meeting for the North Side Plan will be held at the Center.

Nutrition/Transportation: No meeting

Program/Services: Ben reported that the walking program is up and going, local trips are sold out and over 400 people are enrolled in classes. Two Spanish classes have been added to the class schedule. North Clackamas 12 pulled their participation in classes with very little transition time. The wood assistance program is being used.

Building Review: Ben Horner-Johnson is the new chair of the Building Review committee. He reported that the earthquake proofing on the south side has been completed and the new guard for the kitchen mixer is in place. The painting and carpeting are nearly finished and a wireless hub has been installed in the library and is

ready for use. A new janitorial company has been hired and will be a performance based service.

Future Vision Task Force: The Task Force met on October 11 and are working on a process for input and putting together ideas to bring to the Center. Kim read a letter from a Hillsboro individual who addressed the changes and pitfalls facing Senior Centers and what needs to be done so that the Centers survive.

Friends of the Milwaukie Center, Inc.: Eleanor reported that a New Year's Eve party and the Mystery Dinner in May are being planned.

Governor's Commission: Joan Staley attended a meeting in Lake Oswego as a follow up to the forum last year. Caregivers were in attendance. Joan also visited the Oregon City meal program as an observer. The annual celebration will be held on October 25 and will include the entire Governor's Commission and former members.

CENTER REPORT: Joan Young reported that the position of Recreation Supervisor for the Parks District is still open and will close on October 17. The North Clackamas Art Guild held a successful art show at the Center. Planning is being held for the future March For Meals efforts in March 2008.

Kaiser Permanente foundation provided nearly \$9,000 for the Meals on Wheels program last year and 25 employees of Kaiser will be volunteering in the kitchen and dining room on December 4. The annual Bazaar will be held on October 19 and 20 and there is a need for baked items. Joan will be attending the Oregon Recreation and Park Association conference in Eugene October 15th, 16th and 17th. Joan also shared that there is a need for volunteers in many areas.

AGENDA FOR THE NEXT MEETING: Cheryl Nally will present the Milwaukie Center Annual Report.

The meeting was adjourned at 10:45.

Carolyn Mills, Secretary