

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
APRIL 15, 2003**

**CALL TO ORDER**

The 1908<sup>th</sup> meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Deborah Barnes  
Larry Lancaster

Joe Loomis  
Susan Stone

**Staff present:**

Mike Swanson,  
City Manager

Paul Shirey,  
Engineering Director

Tim Ramis,  
City Attorney

JoAnn Herrigel,  
Program Administrator

Alice Rouyer,  
Community Development/  
Public Works Director

Jay Ostlund,  
Associate Engineer

Mary Rowe,  
Human Resources Director

Jeff King,  
Project Manager

**PLEDGE OF ALLEGIANCE**

**Mayor Bernard** read historic moments provided by Milwaukie Museum Curator Madalaine Bohl in honor of the City's Centennial.

**Mayor Bernard** suggested sending a letter to Mayor Vera Katz to find out if Portland would be interested in donating Elk Rock Island as a Centennial gift. Milwaukie already provides police patrols. Councilor Lancaster was concerned about liability issues.

**Mayor Bernard**, with the consent of Council appointed Carlotta Collette, Design and Landmarks Commission; Lisa Batey, Citizens Utility Advisory Board; and Kate McCready, Park and Recreation Board. Reappointments were made for Rosemary Crites, Planning Commission; Ed Miller, Citizens Utility Advisory Board; Pat Healy and Mark Docken, Library Board; Kathy Buss, Park and Recreation Board; and Paul Verbout and Gary Klein to the Riverfront Board. All those who were reappointed but not interviewed will be contacted by staff to meet with Council and discuss their views of their respective boards and commissions.

**CONSENT AGENDA**

It was moved by Councilor Lancaster and seconded by Councilor Stone to adopt the consent agenda that included:

- A. City Council Minutes of April 1, 2003 as amended; and
- B. Resolution 13-2003: A Resolution of the City Council of the City of Milwaukie, Clackamas County, Oregon Setting Fees for Services,

**Classifying the Fees Imposed by This Resolution As Not Subject to Article XI, Section 11B of the Oregon Constitution.**

The motion to adopt the Consent Agenda passed unanimously.

**AUDIENCE PARTICIPATION**

None.

**PUBLIC HEARING**

**Limited Sewer Rate Adjustment for a Small Area of Milwaukie -- Resolution**

**Mayor Bernard** called the public hearing on amending sewer service charges for certain customers to order at 6:10 p.m.

The purpose of the hearing was to consider a resolution that changes sewer rates for some City customers who are connected to the City of Portland system. Mayor Bernard reviewed the order of business.

There were no actual or potential conflicts of interest declared.

**Staff Report**

**Associate Engineer Jay Ostlund** said this resolution would impact 9 commercial and 6 residential customers. Affected parties were given notice of this hearing as well as an estimate of the new charges. Because of the difference in rates, Milwaukie customers are actually subsidizing those customers receiving service from Portland. The City of Portland has a lower base rate for commercial customers, but they pay more for each one hundred cubic feet (ccf) of water. The fixed residential rate for Portland customers is significantly less, but, again, the ccf rate is much higher.

Ostlund summarized the largest impacts excluding Precision Castparts. For commercial customers, the largest increase would be \$415 per year and for residential \$286 per year. Precision Castparts would see an increase of about \$50,000 annually. Precision Castparts who would pay, estimated on only 1 billing cycle, about \$50,000 more annually. The major reason for this is a significant increase in Precision Castpart's water intake from Milwaukie. The current budget practice is to develop a line item based on costs incurred the previous year. When consumption increases during a fiscal year, costs exceed the budgeted amount.

**Mayor Bernard** asked if Milwaukie has been supplementing Precision Castpart's utility bill.

**Ostlund** said not really. Precision Castparts has the option of using Portland or Milwaukie water, which is cheaper. Precision Castparts recently increased its

consumption of Milwaukie water, so the estimate, which is based on 1 billing cycle, gives a limited representation.

**Engineering Director Paul Shirey** said there has been a subsidy in the past, and the proposed increase only passes along the costs. The Citizens Utility Advisory Board unanimously recommends that the City Council adopt the proposed rates with a condition that staff explore the technical and jurisdictional feasibility of extending Milwaukie treatment service to the properties in question and explore the willingness of Precision Castparts to participate in such a service extension. The Board feels given the significant rate increase Precision Castparts might be interested in helping Milwaukie provide the company with an alternative to the higher cost of Portland treatment services. He anticipates reporting to City Council in 2 – 3 months on that issue.

**Councilor Stone** asked how many residential customers are affected.

**Ostlund** said about 6. They were notified of this hearing given an estimate of the impact on future utility bills.

Correspondence – None.

Testimony in Support – None.

Testimony in Opposition – None.

Neutral Testimony – None.

Close Public Hearing – **Mayor Bernard** closed the public hearing at 6:20 p.m.

Council Discussion

**Councilor Barnes** asked how long this issue has gone on and how Precision Castparts has access to both Portland and Milwaukie services.

**Shirey** said Precision Castparts has 2 facilities on Johnson Creek Boulevard. The western most building, the Steel Plant, is in Portland and the eastern facility, the Titanium Plant, is in Milwaukie. The company has connections to both water systems but has only 1 sewer option at this time. Precision Castparts is buying more water from Milwaukie because the rates are cheaper. He does not know how long this situation has gone on. The residential customers all live on Johnson Creek Boulevard.

**Councilor Stone** asked, thus far, how much has Milwaukie paid out to offset the difference in these rates.

**Shirey** replied Utility Billing Clerk Carla Atwood has developed the information, but he did not bring it to the meeting.

Council Decision

It was moved by Mayor Bernard and seconded by Councilor Lancaster to adopt the resolution amending sewer service charges.

Councilor Stone asked if the Citizens Utility Advisory Board's recommendation needed to be included in the motion, and Shirey indicated it did not.

Motion to adopt the resolution passed unanimously.

RESOLUTION NO. 14-2003:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING RESOLUTION 29-2001 AND AMENDING SEWER SERVICE CHARGES FOR PROPERTIES RECEIVING SERVICE FROM THE CITY OF PORTLAND; AND CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION.

**OTHER BUSINESS**

Extend Electric Lightwave Franchise – Ordinance

Program Administrator JoAnn Herrigel provided the staff report in which the City Council was requested to authorize the city manager to sign an agreement between the City and Electric Lightwave, Inc. (ELI) extending the current franchise agreement. During negotiations, it became apparent Council would not have time to consider the contract before the April 20, 2003 expiration date. This is simply a request to extend the contract for 6 months so negotiations can be completed.

Councilor Barnes noted an article in *The Oregonian* regarding Portland's problems with ELI and wanted to ensure Milwaukie would avoid these problems. She also wants a 5% franchise fee.

Herrigel discussed Portland's problems with the city attorney, and negotiations are caught on this similar issue. Staff will monitor this closely to ensure Milwaukie is not getting less than other communities.

It was moved by Councilor Stone and seconded by Councilor Barnes for the first and second reading by title only and for adoption of an ordinance authorizing the city manager to sign an agreement between the City and Electric Lightwave, Inc. extending the current franchise agreement. Motion passed unanimously. The city manager read the ordinance twice by title only.

The city recorder polled the Council: Mayor Bernard, Councilor Barnes, Councilor Lancaster, Councilor Loomis, and Councilor Stone aye; no nays; no abstentions.

**ORDINANCE NO. 1919:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF MILWAUKIE AND ELECTRIC LIGHTWAVE, INC. TO EXTEND THE CURRENT NON-EXCLUSIVE FRANCHISE AGREEMENT.**

**Amend Municipal Code Chapter 13 Relating to Water System Cross Connections and Backflow Devices – Ordinance**

Shirey provided the staff report in which the City Council was requested to adopt an ordinance amending the municipal code section relating to cross-connections and backflow devices. Installation of these devices is required to protect the City's drinking water. Backflow devices prevent contamination when there is a cross connection, or link, between systems that provide potable water and water for things like fire suppression and boilers. The proposed ordinance represents the City's interest in being compliant with the most current cross connection regulations. The City will be working with businesses on required annual inspections. Property owners are responsible for having inspections done, and the City's role is to have an enforcement program in place to ensure they are done.

It was moved by Councilor Stone and seconded by Mayor Bernard for the first and second reading by title only and for adoption of an ordinance amending Municipal Code Chapter 13.08.010 to update and expand the City's regulations relating to cross connection and backflow devices. Motion passed unanimously. The city manager read the ordinance twice by title only.

The city recorder polled the Council: Mayor Bernard, Councilor Barnes, Councilor Lancaster, Councilor Loomis, and Councilor Stone aye; no nays; no abstentions.

**ORDINANCE NO. 1920**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE SECTION 13.08.010 TO MAINTAIN THE HIGH QUALITY OF THE CITY'S DRINKING WATER SUPPLY THROUGH UPDATED CROSS CONNECTION CONTROL.**

**Set Economic Improvement District Base Rate -- Resolution**

Swanson provided the staff report in which the City Council was requested to consider a resolution setting the base rate for the Economic Improvement District (EID) assessment. The intent of the assessment is to create a program for promoting the downtown through the Milwaukie Downtown Development Association (MDDA). Each year the city manager or designee prepares an assessment roll and a base rate is recommended that results in a total assessment that does not exceed \$24,000.

The proposed resolution sets that rate in order to raise \$24,000. He understands, however, there is interest on the part of a majority of the MDDA membership in not continuing to exert that particular role. The city attorney suggested adopting a base rate of \$0 that would result in a collection of \$0.

Ramis said the code actually specifies the rate will be suggested by the city manager and that the Council will adopt that rate or an alternative rate. The code does call upon the Council to take some action, and the alternative rate could be zero.

Mayor Bernard removed himself from consideration of this resolution as a property owner within the EID.

Council President Lancaster took over as presiding officer.

It was moved by Councilor Stone and seconded by Councilor Loomis to adopt a resolution establishing the economic improvement district base rate as \$0.

Council President Lancaster said the Council has been considering phasing out this process for several years in favor of creating a Milwaukie Development Commission. Councilor Barnes has expressed a great deal of interest in breathing life into that new entity. Milwaukie's economic situation is impeding activity, but the City is still moving toward that.

Motion passed 4 – 0.

**RESOLUTION NO. 15-2003:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON RECOMMENDING THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT ASSESSMENT BASE RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2002 AND CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION.**

**Compensation for Those Called to Active Military Duty**

Rowe presented the staff report in which the City Council was requested to adopt an administrative rule that provides for continued compensation for those called to active military duty. She noted Milwaukie received an award from the National Committee on Employer support of the Guard and Reserves which was based largely on the fact that Milwaukie ensures those called to active duty for an extended period of time receive pay equivalent to what they normally earn while working for the City. The policy was for a term of 1 year, so it is now expired. She requested the City Council essentially re-adopt the administrative policy that would grant this differential pay for those called to active military duty as a result of a war or state or national emergency. The cost impact is

difficult to establish. At this point in time, 2 Milwaukie employees are active in the reserves, and military pay depends on the assignment.

**Councilor Loomis** asked if this has come up in the past and what the cost was.

**Rowe** said it did occur once after September 11, and the cost was nominal. She believes it was less than \$400.

**Councilor Stone** understands the military does provide some wage, and Milwaukie is simply making up the difference. In essence, the City is paying less for the employee to be in active duty than if the employee were actively working for the City.

**Councilor Loomis** asked if someone is hired to take the person's place.

**Rowe** said that has not been done in the past. If it were for an extended period of time, the City would probably hire someone on a temporary basis, but by law the City could not displace the person on military duty with another regular status employee. As a rule, other employees have absorbed the workload.

**Councilor Loomis** how many people are employed by the City.

**Rowe** believes next year's budget calls for 119 or 120 employees.

**Swanson** added that when the original policy was written, staff believed it should only be in effect for a 1-year period. He recognized the balance between doing what it takes to support the nation and carrying out the services citizens expect. This policy is for a limited time, and he recommended continuing that practice.

**Mayor Bernard** asked if this type of policy is common.

**Rowe** knows of several cities and counties that enacted this type of policy after September 11.

**Councilor Barnes** commented North Clackamas School District has a similar policy.

**Councilor Loomis** asked if the City would keep up the PERS payment.

**Rowe** said PERS is paid on a percentage of salary, so the amount of the payment would be less.

**It was moved by Councilor Barnes and seconded by Councilor Lancaster to adopt the administrative procedure relating to compensation for those called to active military duty.**

**Councilor Loomis** is supportive of the troops but is struggling with the policy. Being new to Council and the Budget Committee, he sees the cuts made necessary by a very

short supply of money. When someone signs up for the reserves, he/she understands there is the possibility of being called and the sacrifices that go along with that. He knows it is a hardship. As part of the Council, he believes things need to be done differently. He suggested all employees and Council donate \$10 per month instead. Other Milwaukie citizens are called to active duty and are not being compensated. He asked Milwaukie residents involved in this conflict to contact him, so they can be honored when they come back. Government gets in trouble when it is looked to for bailouts. It is not that these people are not deserving, but he did question using taxpayer money. Help can come in many forms – mowing the lawn, watching the kids, or chipping in some money.

**Councilor Lancaster** fully supported Loomis's proposed outreach program and helping families of soldiers currently in action, but he could not disagree more with the other comments. It is a matter of principle. The amount of money is nominal, and there is both an emotional and economic hardship on those directly involved in military action. The very least Milwaukie can do as an organization is to support these people. Contributions would be great, but there is a possibility of creating a messy support attempt he does not believe would be workable. He agrees the policy should be adopted for 1 year then re-evaluated. From his perspective, this is a no-brainer in terms of support the City should be giving.

**Mayor Bernard** agreed with Councilor Lancaster's comments and Councilor Loomis's outreach suggestions.

**Councilor Stone** supported all of Councilor Lancaster's comments as well as Councilor Loomis's ideas. Bear in mind, according to Rowe, the costs incurred has been nominal. It sounds like staff is picking up the slack when people are called to duty, so it is really not a great economic hardship on the City. She does like the fact this policy is reviewed annually, and the City is not entering into economic trouble. The military and their families deserve the City's support, and she is happy to make up any difference. She encouraged those interested in helping the families to look into outreach programs.

**Councilor Loomis** thought it was a good point that employees are picking up the slack. He does not wish his comments to be construed as non-supportive.

**Motion passed unanimously.**

### **Regional Investment Fund Grant Applications**

**Project Manager Jeff King** provided the staff report in which the City Council was requested to authorize the Mayor to sign a letter supporting 2 Regional Investment Fund applications through the Mt. Hood Economic Alliance (MHEA). Municipalities, non-profits, and some businesses apply for these lottery fund grants for the purpose of community and economic development. The focus is on economic development particularly on availability of shovel-ready land and job creation.

Staff proposes that Milwaukie submit 2 grant applications. The first is a request for \$35,000 for an economic development implementation program that would be a series of strategies to address land use issues and capacity building. The other \$35,000 request to help fund the 21<sup>st</sup> Avenue access road extension as part of the North Main Street Project. The match would be in-kind staff assistance, some cash the City has set aside for economic development, and a transportation study.

**Mayor Bernard** said he received a call from a party in the Omark Industrial Park that wanted to move in an inappropriate business. This is Milwaukie's job base and industrial area. He felt it was the City's responsibility to help bring in the right people, and this is an effort in that direction. Property owners may need some help from an economic development committee to keep buildings vacant until the appropriate business comes along.

**King** said the private sector would be engaged through surveys, technical assistance, and helping craft ideas and policies.

**Councilor Lancaster** asked how long these grants have been available.

**King** said for about 8 years. The City did receive a grant for a market study for the Safeway project. Staff is concerned, however, about availability of funds in the next biennium. He feels both applications are strong because they focus on economic development.

**Councilor Barnes** asked how Milwaukie is being marketed. Is there something in writing now or are we looking at ways to come up with new wording and ideas.

**King** said there is really nothing right now. He wants to create a professional piece as well as establish an Internet presence.

**Councilor Barnes** would like the Council to consider putting together some kind of economic development expertise commission from lay people in the community who have experience in areas such as printing, web design, and communications. She would like this done in advance, so the City can move quickly if funds are granted.

**Councilor Lancaster** said the only thing he would add is his preference for those who have a broad scope in terms of bringing in people who are willing to invest in those interested in development in Milwaukie vs. the mechanics of the promotion.

**It was moved by Councilor Loomis and seconded by Councilor Stone/Councilor Barnes to authorize the Mayor to sign a letter of support for 2 Regional Investment Fund applications to the Mt. Hood Economic Alliance. Motion passed unanimously.**

**Letters of Support for MTIP Projects**

**King** presented the staff report in which the Council was asked to authorize the mayor to sign a letter supporting Metropolitan Transportation Improvement Projects (MTIP). The City of Milwaukie submitted the Lake Road Multi-Modal Plan, and it has made the 150% cut list. Metro is accepting public comment through May 16 via phone, fax, e-mail, writing, and testimony at various open houses. In addition to the Lake Road project, King outlined other projects that have made the cut list, which staff feels complement or are beneficial to Milwaukie's transportation efforts.

**Mayor Bernard** understands some projects were added, and the cut list is about 180%.

**Councilor Lancaster** asked King if he thought that the number of people writing or calling would make a difference.

**King** said absolutely yes. Metro goes through a qualitative process with technical scoring in the first round. At this cut off point, all are good projects; but funding is limited. Milwaukie is up against Portland projects that can generate, at least in volume, a lot more support.

**Mayor Bernard** and **Councilor Stone** encouraged staff to put the contact information on the City's website.

**King** is working with the City's Webmaster on this, and information will be included in *The Pilot*. He verbally provided the contact phone and fax numbers and addresses. He encouraged people to attend the Metro open house in Oregon City on April 21.

**Mayor Bernard** said the Lake Road Multi-Modal Plan was adopted in 1997, and some residents have never seen it or have forgotten it. He suggested King make a presentation at a Council work session.

**Councilor Stone** participated in the development of the Lake Road Multi-Modal Plan and agreed it has been some time. She suggested using cable access to post the MTIP contact information in addition to the website.

**King** said the deadline for comment is May 16 at 5 p.m. He attended last week's Lake Road Neighborhood District Association meeting and provided sample letters, post cards, and contact numbers. He explained this project does not add lanes and is mostly concerned with safety, connection to downtown, and opening up multi-modal opportunities on Lake Road. All of these are important factors and talking points that can be highlighted in the public comments.

**Rouyer** added King has contacted the School District, Clackamas ESD, Chamber of Commerce, and Historic Milwaukie and Lake Road neighborhood associations. The technical ranking is done, so now it is a political process. Only \$41 million are available

for these projects, and it is important for Milwaukie to stand out. The City's request is for \$1.6 million for preliminary engineering and right-of-way acquisition. She encouraged as many Council members to attend as possible because it would show a lot of support on the part of Milwaukie's elected officials.

**Councilor Stone** asked the scope of the project and where it is exactly on Lake Road.

**King** said the length of the project is Lake Road from Hwy 224 to 21<sup>st</sup> Avenue.

**It was moved by Councilor Stone and seconded by Councilor Lancaster to authorize the Mayor to sign letters of support for Metro Transportation Improvement Projects. Motion passed unanimously.**

#### Other Items

**King** announced the Safeway Building Demolition Ceremony on May 2 and added both phases will be done at once because the bid was lower than anticipated.

**Mayor Bernard** discussed the increase of identify theft and suggested someone from the Police Department talk to the City Council about how to protect themselves.

**Councilor Loomis** has heard that Ed Zumwalt if doing better and encouraged people to drop off cards at the library while checking out lots of books.

#### **Adjournment**

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

**Mayor Bernard** adjourned the meeting at 7:22 p.m.

*Pat DuVal*

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Pat DuVal, Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
APRIL 15, 2003**

**MILWAUKIE CITY HALL**

10722 SE Main Street

**1908<sup>TH</sup> MEETING**

**REGULAR SESSION - 6:00 p.m.**

**I. CALL TO ORDER  
Pledge of Allegiance**

**II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND  
AWARDS**

**III. 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 April 1, 2003**
- B. Adopt New Lien Search Fee – Resolution (Smith)**

**IV. AUDIENCE PARTICIPATION** *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*

**V. 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.)*

**Limited Sewer Rate Adjustment for City of Portland Customers in  
Milwaukie – Resolution (Ostlund/Shirey)**

**VI. 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. Extend Electric Lightwave Franchise – Ordinance (Herrigel)**
- B. Amend Municipal Code Chapter 13 Relating to Water System Cross Connections and Backflow Devices – Ordinance (Rouyer/Shirey)**
- C. Set Economic Improvement District Base Rate – Resolution (Swanson)**
- D. Special Event Military Pay Policy (Rowe)**
- E. Regional Investment Fund Economic Development Grant Applications to Mt. Hood Economic Alliance (King)**

**VI. OTHER BUSINESS -- continued**

- F. Authorize Letters of Support for Metro Transportation Improvement Projects -- (King)**

**VII. INFORMATION**

**Library Board Minutes, February 24, 2003**

**VIII. ADJOURNMENT**

**EXECUTIVE SESSION** -- *At the end of the regular meeting, the Council may hold an Executive Session under the authority of Oregon Revised Statutes 192.660 as needed.*

*For assistance/service per the Americans with Disabilities Act (ADA), dial TDD 786-7555.*

***The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.***

City Council Meeting Minutes item III.A. will be available  
and distributed later this week.

Thank you for your patience,

A handwritten signature in black ink, appearing to read "Tim Salyers". The signature is fluid and cursive, with a prominent initial "T" and "S".

Tim Salyers  
Office Clerk



To: Mayor and City Council  
Through: Mike Swanson, City Manager  
From: Steve Smith, Finance Director  
Subject: Amend Lien Search Fee  
Date: March 26, 2003

Action Requested

Adopt a Resolution amending Fees & Charges – Lien Search.

Background

The present Resolution established a Lien Search Fee of \$12.00. New software purchased to allow Title Insurance companies to use the Internet to do lien searches will result in less man-hours to process. The software will allow the City to invoice the Title Insurance companies monthly. The standard fee in the Portland area for this service is \$25.00 per day per search. This will result in an increase of 42% to lien search revenue, amounting to approximately five to ten thousand dollars per year increase.

Concurrence

The City Council can adopt a new Lien Search Fee.

III. B. 2

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON SETTING FEES FOR SERVICES: CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION.

**WHEREAS,** The City completed an updated Study in fiscal year 2002-2003; and

**WHEREAS,** The City Council has previously established Lien Search Fee service charges; and

**WHEREAS,** Affected departments annually review labor costs as well as compare fees with other local jurisdictions and adjust accordingly; and

**WHEREAS,** fees are set by City Council resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of The City of Milwaukie, Clackamas County, Oregon determines that the Lien Search Fee, herewith attached as "Miscellaneous Fees & Charges", that the fees imposed by this Resolution are not taxes subject to the property limitations of Article XI. Section 11(b) of the Oregon Constitution Amends Resolution Number 23-2002:

Introduced and adopted by the City Council on April 15, 2003.

This resolution is effective on April 16, 2003.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
RAMIS, CREW, CORRIGAN & BACHRACH



**To:** Mayor and City Council

**Through:** Mike Swanson, City Manager  
Alice Rouyer, Community Development Director *ACR*

**From:** Jack R. Ostlund Jr., Associate Engineer *JRO*  
Paul Shirey, Engineering Director

**Subject:** Limited Sewer Rate Adjustment for a Small Area of Milwaukie

**Date:** March 31, 2003 for April 15, 2003 Meeting

**Action Requested**

Adopt rate structure for sewer/water customers of City of Milwaukie that have sewage treated by City of Portland.

**Background**

Currently, a limited number of the City of Milwaukie sewer/water customers have their sewage processed by City of Portland. The City of Milwaukie bills the customer at it's rate, but must pay for the sewer portion at the Portland rate that is considerably higher than the rate used by Milwaukie. As a result, the City of Milwaukie ratepayers are subsidizing these customers because of the higher Portland sewer rates.

This rate change will affect nine commercial accounts and six residential customers. The City of Milwaukie sent a notice to these customers via mail informing them of the proposed rate changes and a public hearing scheduled for April 15, 2003.

V. 2

The following chart describes the difference between the Portland and Milwaukie rates:

CURRENT RATE STRUCTURE	MILWAUKIE RATES		PORTLAND RATES	
	Fixed	Volume (per ccf)	Fixed	Volume (per ccf)
Residential (Incl. MFR)	\$22.00	\$1.40	\$2.71	\$4.46
Commercial	\$22.00	\$2.75	\$8.60	\$4.585

As can be seen from the above chart, the City of Portland has a lower fixed charge and a higher volume charge than the City of Milwaukie. The City of Portland's structure would lower the bill of customers with low consumption due to the City of Portland's lower fixed charge. However, as their consumption increases the higher volume charge would cause their bill to increase at a quicker rate.

The customer most impacted by this change will be Precision Castparts, who have tripled their water consumption and, as a result have tripled their sewer bill. This increase in consumption has created a gap of approximately \$50,000 a year between what Milwaukie collects (based on lower Milwaukie sewer rates), and what Milwaukie pays the City of Portland. In addition to Precision Castparts, the billing changes for commercial service range from an increase of \$415 to a slight decrease per year. For residential service, the range includes an increase of \$285.78 to a slight decrease per year.

Under current practice, a sewer budget line item is developed during the budget process based upon cost incurred that year. This budgeted item is then used in the following year to cover the cost of Portland sewage treatment. If consumption increases from the previous year, or as in this case increased substantially, the result is a fiscal strain on that line item.

Based upon the consumption levels in the December/January billing cycle, the City of Portland line item will be over-budget by approximately \$80,000 at the end of the fiscal year, if current rates are maintained. This is a function of the increase in consumption primarily by Precision Castparts that resulted in a tripling of cost to over \$60,000 during this two-month billing cycle alone. This amendment will rectify this situation, making the City's revenues for these customers match with expenditures.

### Concurrence

Engineering is working jointly with Finance staff to monitor consumption and the revenue differential. The departments will continue to work together to correct any inequities in our billing system.

### **Fiscal Impact**

Adoption of this resolution would result in customers being billed based upon the fiscal impact that is placed upon the city. Also, adoption would promote a more stable and fair method for billing non-traditional customers.

### **Work Load Impacts**

No additional staff time would be needed upon adoption.

### **Alternatives**

1. Adopt Portland sewer rates for customers that are served by Portland.
2. Keep the current system in place.

### **Attachments**

Resolution adopting new rates

# ATTACHMENT 1

V. 4

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING RESOLUTION 29-2001 AND AMENDING SEWER SERVICE CHARGES FOR PROPERTIES RECEIVING SERVICE FROM THE CITY OF PORTLAND**

**WHEREAS**, Milwaukie Municipal Code Section 13.12.070A authorizes the City Council to establish sewer service charges by resolution; and

**WHEREAS**, the City Council by Resolution No. 29-2001 established sewer service charges for sewer customers billed by the City; and

**WHEREAS**, the rates established by Resolution No. 29-2001 are set at a level to cover the City's costs for customers whose sewer is processed through City and Clackamas County Service District facilities; and

**WHEREAS**, some City customers, for technical reasons, are connected to the City of Portland sewage system and have the sewage processed by the City of Portland; and

**WHEREAS**, under an intergovernmental agreement with the City of Portland the City pays Portland the regular rates charged by Portland for service provided to City customers but collects from the customers the rates established under Resolution No. 29-2001; and

**WHEREAS**, Portland's sewage rates are higher than the rates established by Resolution No. 29-2001, resulting in a net loss by the City based on the difference in rates and resulting in a subsidy to City customers who are connected to the Portland sewage system; and

**WHEREAS**, the City's goal in rate-setting is to recover the costs of service;

**NOW, THEREFORE, BE IT RESOLVED** that the Milwaukie City Council amends Resolution No. 29-2001 by adding a new section to be added at the end of the resolution to read as follows:

The rates listed above apply for all sewage processed through the City of Milwaukie system. For any customer billed by the City of Milwaukie who is connected to the City of Portland sewer system and whose sewage is processed by Portland, the rates to be charged are:

CURRENT RATE STRUCTURE	MILWAUKIE RATES		PORTLAND RATES	
	Fixed	Volume (per ccf)	Fixed	Volume (per ccf)
Residential (Incl. MFR)	\$22.00	\$1.40	\$2.71	\$4.46
Commercial	\$22.00	\$2.75	\$8.60	\$4.585

Resolution for Limited Sewer Rate Adjustment

V. 5

Introduced and adopted by the City Council of the City of Milwaukie, Oregon on \_\_\_\_\_.

\_\_\_\_\_  
James Bernard. Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis Crew Corrigan & Bachrach, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney



VI. A. 1

To: Mayor and City Council  
Through: Mike Swanson, City Manager  
From: JoAnn Herrigel  
Subject: Extension of Electric Lightwave Franchise  
Date: April 2, 2003

Action Requested

Approve the ordinance authorizing the City Manager to enter into an agreement between the City of Milwaukie and Electric Lightwave, Inc. (ELI) to extend the current non-exclusive franchise agreement.

Background

The current franchise agreement between ELI and the City of Milwaukie expires on April 20, 2003. The City entered into negotiations with ELI in February of 2003. Although negotiations have been progressing smoothly to date, it appeared unlikely that negotiations would be completed by the time the staff report was due for the April 15 meeting packet.

The extension of the existing contract will allow negotiations to be completed in a reasonable amount of time while assuring that telecommunications services provided by ELI to their Milwaukie customers is uninterrupted.

Concurrence

The City attorney concurs with the extension of this franchise.

VI. A. 2

Fiscal Impact

None.

Work Load Impacts

The Program Administrator will continue to work with ELI and the City attorney to complete a final franchise to be brought to Council at a future meeting.

Alternatives

Approve the ordinance authorizing the City Manager to enter into an agreement between the City of Milwaukie and Electric Lightwave, Inc. (ELI) to extend the current non-exclusive franchise agreement.

Disapprove the ordinance and deny the extension, jeopardizing ELI's ability to provide services in the City of Milwaukie pending completion of the new franchise.

## ORDINANCE \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF MILWAUKIE AND ELECTRIC LIGHTWAVE INC. TO EXTEND THE CURRENT NON-EXCLUSIVE FRANCHISE AGREEMENT.**

Whereas, Electric Lightwave, Inc. ("ELI") currently holds a telecommunications franchise with the City of Milwaukie ("City"), granted by Ordinance No. 1736, on April 20, 1993; and

Whereas, ELI's franchise with the City is schedule to expire on April 20, 2003; and

Whereas, ELI and the City have been engaged in renewal negotiations, in good faith, since February, 2003; and

Whereas, the amount of time required to conclude negotiations and allow for public review will exceed the initial expiration date; and

Whereas it is in the public interest to extend the franchise for an additional period of time so that the telecommunications service to ELI's customers in the City will not be interrupted;

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

Section 1. That the City Manager is hereby authorized, on behalf of the City of Milwaukie, to execute and otherwise enter into an extension of the non-exclusive franchise agreement with ELI. The extension shall expire and be of no legal effect as of October 31, 2003 or on such date as the City may grant a new non-exclusive franchise to ELI , whichever comes first.

Read for the first time on April 15, 2003, and moved to second reading by \_\_\_\_\_ vote of the City Council.

VI. A. 4

Read the second time and adopted by the City Council on April 15, 2003.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew, Corrigan & Bachrach, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney



**To:** Mayor and City Council

**Through:** Mike Swanson, City Manager  
Alice Rouyer, Director of Community Develop & Public Works

**From:** Paul Shirey, Engineering Director  
Gary Firestone, City Attorney

**Subject:** Ordinance amending Municipal Code provision relating to water system cross-connections and back-flow prevention devices

**Date:** April 2, 2003 for the April 15, 2003 meeting

### **Action Requested**

Adopt an ordinance amending Municipal Code Section 13.08.010 to update and expand the City's regulations applicable to cross-connection and backflow devices.

### **Background**

The 1974 Federal Clean Water Act mandated that all public water systems must protect their drinking water distribution systems from pollution. The most common cause of pollution in a water distribution system is from hazards that occur on the customer side of the service connection. Back flow devices are required to be installed on plumbing systems to protect the quality of the City's drinking water where there is a "cross-connection" linking piping that carries drinking water and the piping that carries other types of water (typically water for fire suppression systems).

The State of Oregon and all other States have adopted rules that require water purveyors to enact local authority to control the causes of pollution in piping systems. Our goal is to protect the water distribution system. The Oregon rules

VI. B. 2 on Amendments

OAR 333-061-0070, 0071, 0072, 0073, and 0074 set the minimum requirements for our Cross Connection Program. Specifically OAR 333-061-0070, (1), (a), (A) States that the water purveyor must have an ordinance that authorizes the discontinuation of water service for not installing an approved backflow assembly or conducting the required annual testing.

Under current regulations and practice, the City of Milwaukie through the Water and Engineering Departments regulates the cross-connection program through the review of building permits, plumbing inspections and a cross-connection program.

City staff recently discovered that the City's Municipal Code sections relating to water system cross-connections are outdated. The existing regulations cite a group of documents as the rules that the City will establish to govern the City's cross-connection regulations. These need to be updated to correspond with the most recent published editions of these documents in order to correctly apply and enforce the regulations in the City. Therefore, a minor amendment to Section 13.08.010 of the Municipal Code is suggested as outlined below:

Underline indicates new text, while ~~strikethrough~~ indicates deleted language:

**Section 13.08.010**

The City Council adopts the Manual of Cross-Connection Control ~~Research~~, Ninth Edition, Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; ; the Recommended Practice for Backflow Prevention and Cross-Connection (M14), American Water Works Association; and the Cross Connection Control Manual accepted Procedure and Practice, Sixth Edition, December 1995, as City regulations applicable to cross-connections and backflow devices. In addition all cross-connections and backflow devices shall comply with all applicable state and federal regulations. and also ~~adopts the Proposed Amendment, Adoption and Readoption of Rules, Eighth Revision, July 20, 1972, adopted by the Health Division, Department of Human Resources, as the rules to be used by the City in relation to interpretation of the Manual of Cross-Connection Control.~~

The adoption of this amendment will allow the City of Milwaukie to properly enforce the cross-connection regulations in accordance with state law but is not sufficient to address some of the bigger programmatic problems in enforcing the law. Therefore, Council should expect to see a more thorough overhaul of the cross-connection ordinance and enforcement program in the coming months.

**RECOMMENDATION**

Adopt the proposed ordinance amending Municipal Code Section 13.08.010 to update and expand the regulations applicable to cross-connection and backflow devices.

**Concurrence**

The Water Department has worked closely with the Engineering Department and the City Attorney to prepare this amendment.

**Fiscal Impact**

None

**Work Load Impacts**

None

**Alternatives**

1. Adopt the proposed Municipal Code amendment as proposed.
2. Adopt an amended version of the proposal.
3. Deny the proposed amendment.
4. Take no action.

**Attachment:**

Proposed Ordinance amending Municipal Code Section 3.08.010

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE SECTION 13.08.010 TO MAINTAIN THE HIGH QUALITY OF THE CITY'S DRINKING WATER SUPPLY THROUGH UPDATED CROSS-CONNECTION CONTROL.

WHEREAS, the City of Milwaukie intends to protect the city's drinking water supply in compliance with the best available technology relating to cross-connection and backflow; and

WHEREAS, the City of Milwaukie intends to regulate the city's drinking water supply in compliance with the latest state and federal rules;

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

Section 1. Section 3.08.010 of the Milwaukie Municipal Code is amended to read as follows:

**Section 13.08.010 Rules adopted.**

The city council adopts the Manual of Cross-Connection Control, Ninth Edition, Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; the Recommended Practice for Backflow Prevention and Cross-Connection (M14), American Water Works Association; and the Cross Connection Control Manual Accepted Procedure and Practice, Sixth Edition, December 1995, as City regulations applicable to cross-connection control and backflow devices. In addition, all cross-connections and backflow devices shall comply with all applicable state and federal regulations. (Ord. 1267 § 1, 1972)

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

Read the second time and adopted by the Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

RAMIS CREW CORRIGAN &  
ACHRACH, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney



To: Mayor and City Council  
Through: Mike Swanson, City Manager  
From: Steve Smith, Finance Director  
Subject: Amend Resolution setting Base Rate for fiscal year 2002-2003.  
Date: April 3, 2003

Action Requested

Adopt a resolution amending; Ordinance 1845 adopted October 6, 1998.

Background

The Ordinance requires the Base Rate be set for each fiscal year. If the Base Rate is not set the Economic Development District assessment can't be invoiced.

Concurrence

This resolution is proposed so the Milwaukie Downtown Development Association can collect the Economic Improvement District assessment.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON RECOMMENDING THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT ASSESSMENT BASE RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2002 AND CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION

WHEREAS, Ordinance 1845, adopted October 6, 1998, pertains to the Milwaukie Downtown Economic Improvement District and the method of assessment; and

WHEREAS, Section 1 of Ordinance 1845 authorizes the total assessment of \$24,000 for each year of the five (5) year term commencing July 1, 1999; and

WHEREAS, prior to July 1 of each fiscal year, the City Manager recommends a base rate that will result in a total assessment that does not exceed \$24,000 calculated upon the following:

<b>Codes:</b>	<b>Rates:</b>
1. Unimproved and improved Lot	1 x Base Rate x Lot Square Footage
2. One Story Commercial and Two Story with Second Level Residential	2 x Base Rate x Lot Square Footage
3. Two or More Story Commercial	3 x Base Rate x Lot Square Footage

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKI THAT:**

SECTION 1: The Base Rate for the fiscal year beginning July 1, 2002 shall be .009797011.

SECTION 2: The City Council determines that the fees imposed by this Resolution are not taxes subject to the property tax limitations of Article XI. Section 11(b) of the Oregon Constitution.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon on April 15, 2003.

Effective date of this resolution is April 15, 2003.

ATTEST:

APPROVED AS TO FORM:  
RAMIS, CREW, CORRIGAN & BACHRACH

\_\_\_\_\_  
Jim Bernard, Mayor

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Mary Rowe, HR Director

Subject: Compensation for Those Called to Active Military Duty

Date: March 18, 2003

Action Requested

To adopt the attached Administrative Procedure, which provides continued compensation for those called to active military duty as a result of being involuntarily activated due to war or other State or National emergencies.

Background

The City was recently recognized by the National Committee on Employer Support of the Guard and Reserve for the City's decision to enact a policy to provide a continuation of current wage and benefit level for those called to active duty as a result of the "War on Terrorism" that was waged following the September 11, 2001 events. We are seeking approval to reinstate this policy.

As a result of the current world events many serving in reserve units of the armed forces have been called to serve for extended periods of time. This can cause an economic hardship for the employees and their families if the compensation from military duty is less than the compensation they would otherwise receive from their regular position held at the City.

Additional compensation for those called to active military duty is limited to six (6) months duration. This may be extended upon request by the employee and with approval of the City Manager.

The policy would be in effect for a period of one year. The City can rescind the policy at any time with 30 days notice to employees.

**VI. D. 2**

Concurrence

This has been discussed with the City Manager and he concurs with providing this benefit for a limited period of time.

Fiscal Impact

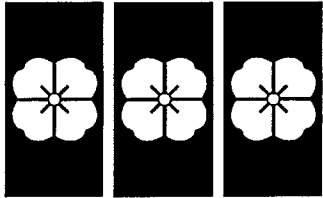
Currently the City has 2 employees that are part of military reserve units and have the potential to be called to active duty. Since the pay received for military duty varies with each assignment, depending upon such factors as specific duties and location, it is difficult to forecast the exact economic impact this will have. It is anticipated that the cost would not exceed \$500/month per employee to enact this policy. There may be no economic impact depending upon the amount of pay the employee receives through the military.

Work Load Impacts

The work load impact for implementing this policy is minimal. There will be some payroll administration to calculating and issuing the pay.

Alternatives

Not adopt the policy. The City must still abide by statute governing employees who serve in the military. Therefore we would still be obligated to allow an employee leave to serve in the military.



MILWAUKIE

**Administrative Procedures**

**SUBJECT:**                    **Military Leave – State or National  
Emergency**

**Effective Date:**            **March 18, 2003**

**Purpose**

To provide continuation of pay for those called to active Military duty as a result of being involuntarily activated due to war or other State or National emergencies.

**Definitions**

Uniformed Service: The uniformed services are the Army, Navy, Air Force, Marine Corps, Coast Guard and their reserve components.

**Objective**

To provide economic support to City employees who are called to active Military duty as a result of being involuntarily activated due to war or other State or National emergencies.

**Scope**

All employees.

**Policy**

The City provides leaves of absence for any employee who is a member of a uniformed service and is absent from work due to an obligation to that uniformed service. The City will provide salary continuation at the employee's current salary level at time of deployment in the above circumstances for a period up to six (6) months, less any military earnings received by the employee (as documented in the employee's service orders or as otherwise confirmed by a military document). The six (6) month time period begins once the employee has exhausted his/her fifteen (15) calendar days of paid military service and may be extended at the request of the employee and with agreement by the City Manager.

**Impact on City Benefits:**

- Employees do not continue to accrue additional vacation or sick leave, but will accrue time towards seniority, vacation and sick leave accrual levels.

## VI. D. 4

- Medical benefits may be continued during any paid military leave, unless comparable benefits are otherwise available to the employee and his/her currently enrolled dependants. All benefits including life insurance are continued subject to all terms and conditions stated in the policy between the City and the provider.
- Contributions to the employees Deferred Compensation/ Section 457 Plan may be continued if the employee elects to make contributions.

The City will reinstate the veteran to the position he or she would have held if employment had not been interrupted by military service as required by law.

This policy is effective as of March 15, 2003 and will remain in effect for one (1) year period of time. The City may rescind this policy at any time with 30 days notice to employees.

### **Responsibilities**

#### Employees

- Provide a copy of written orders at least thirty (30) calendar days in advance of the anticipated date that the leave will begin, or as soon as possible. The notice should be sent to the Human Resources Director.
- Provide a copy of documentation of pay the employee will receive from military service for time spent in active duty status. If there is a change in the employee's military pay while they are on active duty, report that change to the payroll department immediately upon their return.

#### Payroll

- Issue the difference in compensation less any applicable deductions for taxes, health insurance etc.

#### Human Resources

- Complete a Personnel Action Form reflecting the employee's status.



**To:** Mayor and City Council

**Through:** Mike Swanson, City Manager  
Alice Rouyer, Director of Community Development & Public Works

**From:** Jeffrey King, Project Manager JK

**Subject:** Regional Investment Fund Grant Applications

**Date:** March 28, 2003 for the April 15, 2003 meeting

**Action Requested**

Authorize the Mayor to sign a letter of support for two Regional Investment Fund applications to the Mt. Hood Economic Alliance.

**Background**

The Mt. Hood Economic Alliance (MHEA) provides grants and low-interest loans to eligible economic and community development projects in Clackamas and Hood River Counties. MHEA operates two grant programs, both which are funded by state lottery funds. These are the Regional Investment fund, for which Milwaukie qualifies, and the Rural Investment Fund, which is for small rural communities only. Current emphasis is on job creation and adding to industrial land inventory.

Currently MHEA is soliciting applications for both funds in a competitive round. Applications are due April 25, 2003.

Milwaukie is applying for two projects:

**Project 1** is for funds to complete a 21<sup>st</sup> Street access road extension. The funding request is for \$35,000. This is needed for the development of the North Main mixed-use project on the former Safeway site. This access will also serve the Library and Scott

## **VI. E. 2**

Park. The total project cost of the North Main mixed-use project and access road is \$9.86 million. It will create 20 permanent jobs. The cost of the access road alone is \$130,000.

**Project 2** is for a specific set of economic development activities that in time will lead to job creation and retention, increased economic development capacity and increase or enhance available industrial land for redevelopment of new development. The grant funding request is for \$35,000. This application has 8 components. They are:

- Site/ Building Assessment for Redevelopment in North Industrial Area
- Industrial Land Infill Assessment
- Initial Master Planning of Southeastern North Industrial Area
- Site Inventory & Profile of Vacant Buildings and Land
- Marketing Flyer-Industrial Areas/Enterprise Zone
- Economic Development Web Site addition
- Business Survey & Feedback
- Initial Phase of Economic Development Strategic Plan.

The grant will be matched by a transportation study, staff in kind, and \$10,000 in city funds. The total cost of Project 2 is \$60,000.

### **Concurrence**

Community Development staff has consulted with Planning and both support these projects.

### **Fiscal Impact**

The total cost of the two grant projects is estimated at \$190,000. The request for Regional Investment funds will be \$70,000 with the city providing an in-kind or cash match of \$15,000. Private match funds are \$105,000.

### **Work Load Impacts**

The grant projects can be managed by staff within existing capacity. The grants will also allow some work to be completed by consultants.

### **Alternatives**

- Authorize the Mayor to sign the letter of support for projects
- Suggest other projects to be included in the grant application
- Direct staff not to proceed with the grant application



**To:** Mayor and City Council

**Through:** Mike Swanson, City Manager *ACR*  
Alice Rouyer, Director of Community Development & Public Works

**From:** Jeffrey King, Project Manager *JK*

**Subject:** Letters of Support for MTIP Projects

**Date:** March 26, 2003 for April 15, 2003 meeting

### **Action Requested**

To authorize the Mayor to sign letters of support for Metro Transportation Improvement Projects (MTIP) that are complimentary and beneficial to Milwaukie.

### **Background**

On December 20, 2002 Metro received applications under the Transportation Priorities 2004-2007 Program more commonly know as MTIP. Approximately 71 projects were submitted in 12 different transportation categories. One of those projects was the Milwaukie Lake Road Multi-Modal Improvement Project. This project has made it through the first round of reviews and is on the "150%" of funding list.

Beginning April 10 and ending May 16, 2003, Metro has established a public comment period for these projects. Public comment and support methods include three public comment meetings, phone messages, written letters, e-mails and faxes.

In addition to the City of Milwaukie Lake Road Multi-modal Improvement Project, there are also several other projects that could be beneficial or are

VI. F. 2

complementary to our transportation goals and efforts in the City or Milwaukie region. Support for these projects will help funding consideration. In addition, lending support to these projects could encourage support from other intergovernmental partners for the Milwaukie Lake Road improvements. These eight projects are:

- **Metro Transit-Oriented Development (TOD) Program.** This program creates a grant fund which helps stimulate the construction of “transit villages” or compact, mixed use developments of housing, retail and jobs at light rail, commuter rail and streetcar stations in the metropolitan area. City could eventually use this program for projects in downtown Milwaukie or the North Industrial Area.
- **Metro Urban Centers Implementation Program.** This program creates a grant fund, which helps stimulate the construction of significant infill, redevelopment and other public-private partnership projects in 2040 centers and along high frequency bus routes. These projects include compact, mixed-use properties. Upon funding, Milwaukie will immediately seek a grant for our North Main “Safeway Site” mixed use project.
- **Tacoma Street.** This project includes curb extensions, a media refuge and sidewalk improvements to enhance safety. Vehicles traveling in Milwaukie via 17<sup>th</sup> street and Johnson Creek Blvd. use this Tacoma St. corridor.
- **Clackamas RC TOD and Park-and –Ride.** The project will design the proposed regional center parking structure and determine how it would fit with the proposed I-205 light rail line and Clackamas Town Center. The project supports light rail efforts. Phase II of light rail project includes Milwaukie line. The project could reduce overall traffic congestion in Milwaukie UGB area.
- **McLoughlin Boulevard: I-205 to Highway 43.** This is the first phase of a Boulevard retrofit in downtown Oregon City. Project includes sidewalk infill, pedestrian crossings, bike route and riverfront viewpoints. The project is part of on-going efforts to improve the transportation experience and support economic redevelopment and growth all along the McLoughlin Blvd in Clackamas County. Oregon City is mimicking a boulevard project that Milwaukie is now developing along McLoughlin through downtown.
- **Trolley Trail.** The trolley trail is a 6-mile multi use trail between Milwaukie and Gladstone. The project will complete preliminary engineering and construct the first three segments of the trail from Jefferson boat ramp to Courtney Road. Milwaukie residents will have the opportunity to enjoy a

multi use trail for recreation. The trail will also help draw people into the Milwaukie riverfront and downtown.

- **South Metro Amtrak Station.** The project will provide access to the Eugene-Seattle train and future access to the California-B.C. Canada train and includes constructing a 90-space parking lot and relocating the old Oregon City Southern Pacific Railroad station to the site. The project will give Milwaukie access to a nearby transportation alternative and provide access to other regions and states.

### **Concurrence**

Community Development, Planning and Engineering are supportive of sending these project to Council for their review.

### **Fiscal Impact**

No fiscal impact

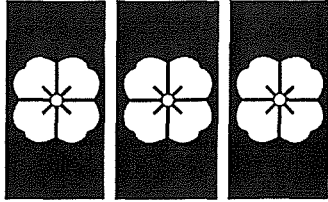
### **Work Load Impacts**

Minimal. Drafting support letters and possibly periodic coordination to help design funded projects.

### **Alternatives**

- Authorize the Mayor to sign the letters of support for projects.
- Approve to support some projects and not others.
- Select other projects for letters of support.
- Decline to offer letters of support.

CITY OF



MILWAUKIE

# Ledding Library Board

## February minutes

Monday, February 24, 2003; 6:30 PM  
Ledding Library

**Meeting called by:**

Pat Healy

**Attendees:**

Attendees: Mark Docken, Pat Healy, Tom Hogan, Sue Trotter, Michael Welling, and Ed Zumwalt.

Guest: Dallas Shaffer

Staff: Cynthia Sturgis, Sharon Bradshaw

### Agenda topics

Approval of minutes

Approved as written.

### Librarian's report

Cynthia reported that the Friends will have their booksale at the Waldorf School during the Milwaukie Centennial Celebration weekend. Carol Kay said the school administration was very cooperative and gracious when she approached them with her request. If this arrangement works out, she may ask if they are interested in making it an annual agreement.

**VII.**

2

Library Foundation

Cynthia has collected the necessary filing forms and samples of by-laws from other library foundations in Oregon. A foundation board must be appointed before application can be approved by the IRS. She recommended that the Facility Committee be asked to form a committee to recruit foundation board members.