

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
February 21, 1995**

The one thousand seven hundred and thirteenth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 p.m. at Milwaukie City Hall with the following Councilmembers present:

Craig Lomnicki,
Mayor
Rick Farley

Jean Schreiber
Rob Kappa
Don Trotter

Also present:

Dan Bartlett,
City Manager
Charlene Richards,
Assistant to the
City Manager
Ted Baird,
City Attorney

Greg Drechsler,
Acting Public Works Director
Maggie Collins,
Community Development Director
Pat DuVal,
Recorder/Secretary

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Parking Lot Permit Program Update

Greg Drechsler, Acting Public Works Director, summarized the parking lot utilization. The number of permits issued indicates relative stability, and lowering the fees seemed to have little impact. He added that the MDDA Board approved a parking permit matching fund program for downtown employees in the amount of \$2,000. The first lottery drawing will be March 15, and the Board hopes to increase the actual usage of the City lots. **Drechsler** said he would continue to report on a quarterly basis.

Councilmember Kappa asked Drechsler why he thought there was a gradual decline in utilization. **Drechsler** said the decline might be a result of seasonal work.

Councilmember Farley asked Drechsler if he believed MDDA's lottery program would be advantageous to the City. **Drechsler** said he hoped it would be advantageous and would help the downtown businesses by moving employees' cars from the streets into lots.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

Consider Repealing Milwaukie Municipal Code Chapter 2.08, Civil Service Commission- Ordinance, second reading

Richards said the proposed Ordinance reflects the Charter amendment approved by Milwaukie voters in the November 1994 General Election. The section of the Municipal Code that refers to the Civil Service Commission would be repealed.

It was moved by Councilmember Schreiber and seconded by Councilmember Trotter to read the Ordinance pertaining to the Civil Service Commission for the second time by title only. Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Farley nay; no abstentions. The Ordinance was read for the second time by title only.

It was moved by Councilmember Schreiber and seconded by Councilmember Trotter to adopt the Ordinance pertaining to the Civil Service Commission.

Councilmember Farley said he felt that those employees not covered by bargaining unit agreements would have to hire an attorney to go through the process. It may cause a financial hardship.

Councilmember Schreiber said the voters approved the Charter amendment, and the Ordinance amends the Code.

Mayor Lomnicki said City Council worked with the unions and the employees before the Charter amendment was put on the ballot. A majority of the City employees agreed with the action.

Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Farley nay; no abstentions.

ORDINANCE NO. 1780:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1712, THE MILWAUKIE ZONING ORDINANCE (ZC-94-01) AND AMENDING ORDINANCE NUMBER 1440, THE MILWAUKIE SUBDIVISION ORDINANCE (ZA-94-07).

Consider Intergovernmental Agreement with Portland for 17th Avenue and Ochoco Street Intersection Improvements - Resolution

Greg Drechsler, Acting Public Works Director, presented the staff report in which the City Council was requested to consider a Resolution authorizing the City Manager to sign an intergovernmental agreement with the City of Portland to provide for the design and construction management of the improvements proposed for the SE 17th Avenue/Ochoco Street intersection.

The project is sponsored by the Oregon Public Utilities Commission (PUC), and the City of Portland is the lead agency. Milwaukie is responsible for the south side approach stop clearance line, and this will be a minimal cost to the Street Department.

Councilmember Kappa asked if the northbound, right-turn lane would be adapted for truck use. **Drechsler** said there will be modifications that will accommodate truck traffic.

Councilmember Kappa asked how this modification would be compatible with what appeared to be a bike lane. **Drechsler** said the dotted line on the map indicated a pedestrian crosswalk.

Councilmember Kappa asked if there were any water or sewer line issues that needed to be addressed. **Bartlett** said all the utilities in the area are maintained by the City of Portland.

Councilmember Farley asked if this intersection had been rebuilt earlier. **Drechsler** said the intersection was badly in need of repair.

Councilmember Trotter asked how far the sidewalks extended. **Drechsler** said the sidewalks end at the disabled ramps.

Councilmember Schreiber said she hoped the City would pay close attention to the replacement of the bike lane. She mentioned that Northwest Natural Gas was currently putting in a new line.

It was moved by Councilmember Schreiber and seconded by Councilmember Kappa to adopt the Resolution authorizing the City Manager to sign an intergovernmental agreement with the City of Portland to provide for the design and construction management of the improvements proposed for the SE 17th Avenue/Ochoco Street intersection. Motion passed unanimously.

RESOLUTION NO. 9-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PORTLAND TO PROVIDE FOR THE DESIGN AND CONSTRUCTION MANAGEMENT OF THE IMPROVEMENTS PROPOSED FOR THE SE 17TH AVENUE/OCHOCO STREET INTERSECTION.

Consider Support for Amtrak and Inter-City Rail Program - Resolution

Bartlett presented the staff report in which the City Council was requested to approve a Resolution supporting Amtrak and high speed light rail. This refers to the Cascadia Corridor between Vancouver B.C. and Eugene. The City of Milwaukie is on the main line for the Seattle-Portland-Eugene service. The City would benefit from increased federal support to passenger rail through crossing improvements and possible links to the light rail system. The Resolution also indicates support of Amtrak's being excused from paying fuel taxes that airlines do not pay.

Councilmember Kappa asked how the funding package would impact the City of Milwaukie. **Bartlett** said there have been no decisions on station locations. Crossings, however, would be upgraded or eliminated by going over or under intersections to accommodate high speed trains. The greatest impact to Milwaukie would be having one of the major rail lines in the country going through our City.

Councilmember Kappa said he did not think a light rail line and a bullet train line would be compatible in the Railroad Avenue corridor. **Bartlett** discussed the current Banfield arrangement with separated corridors.

Councilmember Kappa asked if this would go along I-5. **Bartlett** said current rail tracks would be used. Most of the train volume is already there, and passenger increases would result in two to four additional trains.

It was moved by Councilmember Farley and seconded by Councilmember Trotter to adopt the Resolution supporting Amtrak and high speed light rail. Motion passed unanimously.

RESOLUTION NO. 10-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF AMTRAK AND HIGH SPEED RAIL.

Consider Regional Committee Assignments

It was moved by Mayor Lomnicki and seconded by Councilmember Schreiber to make the following regional committee assignments:

1. North Clackamas Regional Parks - Don Trotter and Jean Schreiber (alternate)
2. Storm Water Steering Committee - Don Trotter
3. UGMA Coordination Committee - Craig Lomnicki
4. Oak Lodge Fire - Rob Kappa and Rick Farley
5. South Metro - Don Trotter
6. Community Action - Rick Farley and Jean Schreiber
7. CREG - Craig Lomnicki and Jean Schreiber
8. Johnson Creek Corridor Committee - Don Trotter and Rob Kappa
9. SB 122 Committee - Jean Schreiber and Rob Kappa (alternate)
10. Board of Ratio Review - Jean Schreiber
11. Drug Prevention Coalition - Craig Lomnicki and Rick Farley
12. Youth Gang Task Force (ad hoc) - Rob Kappa
13. JPACT for Clackamas Cities - Craig Lomnicki
14. MDDA Board - Craig Lomnicki
15. MPAC for Clackamas Cities - Jean Schreiber
16. Clackamas Cities - all
17. Juvenile Fire Setters - Jean Schreiber
18. Mental Health Advisory Board - Jean Schreiber
19. Town Center Plan Advisory Committee - Craig Lomnicki

Motion passed unanimously

It was moved by Councilmember Kappa and seconded by Councilmember Trotter to nominate Mayor Lomnicki as Clackamas Cities designee to JPACT, and Heather Chrisman as alternate.

Councilmember Schreiber questioned local jurisdictions recommending representatives to the body. **Bartlett** discussed the process by which Metro develops a ballot, based on nominations from the largest jurisdiction in the County. This form of ratification is part of the federal funding process.

Motion passed unanimously.

CONSENT AGENDA

It was moved by Councilmember Kappa and seconded by Councilmember Farley to adopt the Consent Agenda which consisted of the City Council Executive Session, Work Session, and Regular Session Minutes of February 7, 1995. Motion passed unanimously.

INFORMATION

1. **Councilmember Farley** said he spoke with Sen. Kennemer and the Drug Prevention Coalition regarding alcohol distribution.
2. **Councilmember Trotter** discussed his attendance at a Surface Water Management Steering Committee and the bid award for the Surface Water Management Master Plan. **Drechsler** said negotiations were still underway, and various jurisdictions would have to approve the award.
3. **Councilmember Farley** said he talked with people living along Johnson Creek near Bell Avenue. He asked if the neighbors were informed of what to do when there was potential flooding. **Drechsler** said both the City and Clackamas County have sandbags available for residents to pick up.
4. **Councilmember Farley** asked when the City Council work sessions would be televised. **Bartlett** said there have to be some modifications to the conference room, and he would work on a time line.
5. **Councilmember Kappa** discussed Johnson Creek Corridor Coordinating Committee activities.
6. **Councilmember Kappa** asked when the City Council would get a report from the Neighborhood Services Coordinator. **Bartlett** said Mullen was currently preparing a report for Council presentation.
7. **Councilmember Schreiber** discussed the Visioning Policy meetings and the upcoming tabloid publication with an attached questionnaire. **Councilmember Kappa** said he hoped residents would give their input and become more involved in the process.
8. **Councilmember Schreiber** asked if there would be any public information on the upcoming serial levy renewals. **Bartlett** said staff is only distributing the information from the County Voter's Pamphlet, and Political Action Committees would be responsible for any other activities. The key element is the use of public funds for advocacy.

Mayor Lomnicki announced an Executive Session pursuant to ORS 192.660 to discuss property acquisition and consult with legal counsel.

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 7:50 p.m.



Pat DuVal
Pat DuVal, Recorder/Secretary

EXECUTIVE SESSION

Mayor Lomnicki called the Executive Session to order at 8:04 p.m. for the purpose of consulting with Counsel and property purchase. In addition to the Councilmembers, City Manager Dan Bartlett and City Attorney Ted Baird were present. Council reviewed legal issues handled by the City Attorney's office through the first six months of the year. Council asked that additional detail of cases processed be prepared and reported to Council.

City Manager Bartlett reviewed information regarding property that is available. Acquiring this property would advance Council goals. Councilors discussed the potential use for the property and how it was key to achieving long-term Council goals. Bartlett was directed to prepare a Resolution for Council consideration at a public meeting.

The meeting was adjourned at 8:55 p.m.



Dan Bartlett
Dan Bartlett, City Manager

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CITY OF MILWAUKIE
CITY COUNCIL AGENDA
FEBRUARY 21, 1995

MILWAUKIE CITY HALL
10722 SE Main Street

1713th MEETING

WORK SESSION

5:00 - Information Sharing
5:30 - North Clackamas Parks & Recreation District Budget
6:15 - South/North Update

REGULAR SESSION

7:00 p.m.

- I. **CALL TO ORDER**
Pledge of Allegiance
- II. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

Parking Permit Program Update (Greg Drechsler)
- III. **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.)*
- IV. **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.)*

None scheduled
- V. **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. **Consider Repealing Milwaukie Municipal Code Chapter 2.08, Civil Service Commission - Ordinance, second reading**
(Charlene Richards) 1780
 - B. **Consider Intergovernmental Agreement with Portland for 17th Avenue and Ochoco Street Intersection Improvements - Resolution (Greg Drechsler) 9-1995**
 - C. **Consider Support for Amtrak and Inter-City Rail Program - Resolution (Dan Bartlett) 10-1995**
 - D. **Consider Regional Committee Assignments (Mayor Lomnicki)**

- VI. **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.)*

**City Council Executive Session, Work Session, and Regular Session
Minutes of February 7, 1995**

VII. **INFORMATION**

- A. **Planning Commission Minutes of January 24, 1995**
- B. **Ardenwald-Johnson Creek Neighborhood Association Meeting, January 10, 1995**
- C. **Correspondence: Island Neighborhood District Association from Clackamas County Board of Commissioners**
- D. **Parks District Information**
- E. **MDDA 1995 Calendar of Events**
- F. **1995 Community Development Block Grant Project Summary**
- G. **JPACT Meeting Report, January 12, 1995**
- H. ***Business Journal Article: Light Rail***
- I. ***Business Journal Article: Hillman Property Sales***
- J. **Mt. Hood Economic Alliance Information**
- K. **North Clackamas School District #12 Superintendent Retirement**
- L. ***In FOCUS, February 1995***
- M. **FOCUS Meeting Notes, January 19, 1995**

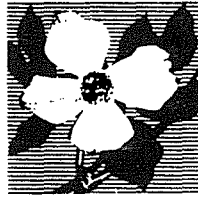
VIII. **ADJOURNMENT**

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

CITY OF MILWAUKIE



COMMUNITY DEVELOPMENT

TELEPHONE: 786-7650

PUBLIC WORKS

TELEPHONE: 786-7600

6101 S.E. JOHNSON CREEK BLVD.
MILWAUKIE, OR 97206

FAX: 786-7699

MEMORANDUM

TO: Mayor and City Council

THRU: Dan R. Bartlett, City Manager *DB*

FROM: Gregory J. Drechsler, Acting Public Works Director *GJD*

SUBJECT: Parking Lot Permit Program Update

DATE: February 10, 1995

Recommendation/Action Requested

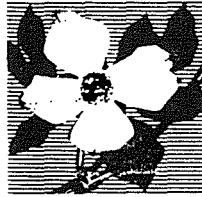
None, information only.

Background

City Council passed a resolution reducing monthly parking fees for permits at the April 5, 1994 council meeting. The total number of spaces available in the three lots is 126. The following is a summary of the utilization of the lots as reported through Pacific Development Inc. monthly reports:

| REPORT DATE | PERMITS ISSUED | UTILIZATION |
|--------------------|----------------|-------------|
| April 6, 1994 | 42 | 33% |
| May 20, 1994 | 74 | 59% |
| June 13, 1994 | 77 | 61% |
| July 19, 1994 | 80 | 63% |
| August 10, 1994 | 83 | 66% |
| September 13, 1994 | 82 | 65% |
| October 17, 1994 | 83 | 66% |
| November 22, 1994 | 76 | 60% |
| December 12, 1994 | 77 | 61% |
| January 20, 1995 | 74 | 59% |

Staff will continue to provide Council with up dated reports on the utilization rate for the parking lots on a periodic basis.



CITY OF MILWAUKIE

FAX (503) 652-4433

Date: January 27, 1995
To: Honorable Mayor and City Council
Through: Dan Bartlett, City Manager *Dan*
From: Charlene Richards, Assistant to the City Manager *CR*
Subject: Repeal Milwaukie Municipal Code, Chapter 2.08, Civil Service Commission

Recommendation:

Review and adopt the attached ordinance to repeal the subject code to be consistent with the Charter Amendment passed November 1994.

Background:

In November 1994, the citizens of Milwaukie approved a Charter amendment to delete the Civil Service System from the City Charter. This resulted in the Civil Service Commission having no further function within the City. To make the City Code consistent with the Charter, the attached ordinance will delete the enabling act for the Civil Service Commission from the City Code.

Enc. 1

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CITY OF MILWAUKIE

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON,
PERTAINING TO THE CIVIL SERVICE COMMISSION.**

WHEREAS, the citizens of Milwaukie voted on November 15, 1994, to repeal Chapter X, Milwaukie Civil Service System, of the City of Milwaukie Charter;

WHEREAS, Chapter X of the City of Milwaukie Charter sets forth the composition and function of the Civil Service Commission;

WHEREAS, repeal of this Chapter X provides no function for the Civil Service Commission; and

WHEREAS, the Milwaukie Municipal Code Chapter 2.08, Civil Service Commission, establishes the terms of office for the Commission;

WHEREAS, the City Council finds that it is no longer necessary to maintain a Civil Service Commission;

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

The Milwaukie Municipal Code is hereby amended by repealing Chapter 2.08, Civil Service Commission.

Read for the first time on this _____ day of February 1995, and moved to a second reading by a _____ vote of the City Council.

Read for the second time and adopted by the City Council on this _____ day of _____ 1995.

Signed by the Mayor on _____, 1995.

Craig Lomnicki, Mayor

Attest:

Approved as to form:

Pat DuVal, City Recorder

City Attorney



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

THRU: Dan Bartlett, City Manager *DB*
Greg Drechsler, Acting Public Works Director *GD*

FROM: Paul Roeger, Civil Engineer *PR*

RE: Intergovernmental Agreement with Portland
17th Avenue and Ochoco Street Intersection Improvements

DATE: February 9, 1995

ACTION REQUESTED

Approve the attached Resolution authorizing the City Manager to sign an intergovernmental agreement with the City of Portland to provide for the design and construction management of the improvements proposed for the S.E. 17th Avenue/Ochoco Street intersection.

BACKGROUND

The S.E. 17th Avenue and Ochoco Street intersection is on the border between the City of Portland and the City of Milwaukie as well as the county line between Multnomah and Clackamas County. St. Andrews Drive also enters 17th Avenue from the west, just south of the railroad crossing, from the Garthwick neighborhood in the City of Portland. Portland and Milwaukie have jurisdiction of the streets entering this intersection so the counties have no involvement in this project.

However, the East Portland Traction Company has ownership of the railroad track crossing through this intersection. Therefore, they are the prime reason for the improvements that are proposed for this project.

Currently there are two sets of railroad tracks crossing the intersection from west to east. The northern most line formerly served businesses as far east as Boring, but now has been abandoned and therefore is no longer needed. The southern line currently serves businesses in the Milwaukie industrial area west of McLoughlin Blvd. However, there is no railroad-highway grade crossing protection at the intersection.

S.E. 17th Avenue carries approximately 20,000 vehicles per day. The crossings are in poor condition and the surrounding roadway is rough and in disrepair. Also, the alignment of S.E. 17th Avenue north of Ochoco Street is offset from that to the south impacting traffic flow.

This project is sponsored by the Oregon Public Utility Commission (PUC). The PUC has been concerned for several years about the status and condition of the railroad crossings. Funding has now become available to make the necessary safety improvements. The PUC has been working with the City of Portland, City of Milwaukie, and East Portland Traction Co. to develop a conceptual design and is now preparing to issue an order for the improvements.

DISCUSSION

The proposal is to eliminate one set of railroad tracks, upgrade the remaining crossing with concrete, install railroad lights, gates, and cantilever arms, re-align S.E. 17th Avenue, Ochoco Street and St. Andrews Drive, and reconstruct the surrounding pavement.

The funding source for this project is 90 percent from the Oregon Department of Transportation, Highway Division, using Section 130 federal funding and the 10 percent match is from the Grade Crossing Protection Account pursuant to ORS 763.290. This funding will cover everything except the furnishing and installing of the stop clearance line on the approaches to the track. Milwaukie will be responsible for the south side approach stop clearance line. This will be of minimal cost to our street department. Milwaukie will be responsible for maintaining the road improvements to the south approach once they are installed. We already maintain the advance signing and pavement markings, so the only additional item to maintain will be the curbing in the southeast quadrant.

Because of the funding source, this project will be designed, built and administered by the City of Portland to State format, but awarded by ODOT.

RECOMMENDATION

Authorize the City Manager to sign the intergovernmental agreement with the City of Portland to provide for the design and management of the crossing safety improvements to the S.E. 17th Ave./Ochoco St. intersection because the improvements are long over due and there is minimal cost to the City.

Attachments: Resolution
Copy of Intergovernmental Agreement
Proposed Final PUC Order

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PORTLAND TO PROVIDE FOR THE DESIGN AND CONSTRUCTION MANAGEMENT OF THE IMPROVEMENTS PROPOSED FOR THE S.E. 17TH AVE./OCHOCO ST. INTERSECTION.

WHEREAS, the Oregon Public Utilities Commission has directed Portland and Milwaukie to construct and maintain certain crossing safety improvements in the S.E. 17th Ave./Ochoco St. intersection; and

WHEREAS, Portland has the staff and resources to design and manage the construction of the ordered improvements for both Cities; and

WHEREAS, Portland and Milwaukie staff have met and agree it would be in the best interest of both parties to have Portland manage the design and construction of the ordered improvements; therefore

BE IT RESOLVED by the City Council of the City of Milwaukie that it hereby authorizes the City Manager to sign an intergovernmental agreement with the City of Portland which sets forth the framework for obligations by each City and outlines the terms for cooperative interaction between the Cities in the design and construction of the improvements in the S.E. 17th Ave./Ochoco St. intersection.

Introduced and adopted by the City Council on _____ 1995.

Craig J. Lomnicki, Mayor

ATTEST:

Pat Duval, City Recorder

APPROVED AS TO FORM:

O'Donnell, Ramis, Crew, Corrigan & Bachrach

INTERGOVERNMENTAL AGREEMENT

This is an agreement between the City of Portland (Portland) and the City of Milwaukie (Milwaukie) to provide for the design and construction management of roadway improvements proposed for the SE 17th Ave./Ochoco St. intersection.

RECITALS

1. The Oregon Public Utilities Commission (PUC) is preparing to issue an Order that directs Portland and Milwaukie (Parties) to construct and maintain certain roadway improvements in and around the SE 17th Ave./Ochoco St. intersection.
2. These improvements are in connection with safety improvements proposed for the rail crossing in the intersection.
3. Portland has the staff and resources to design and manage the construction of the proposed roadway improvements for both Cities.
4. Portland and Milwaukie staff have met and agree it would be in the best interest of both parties to have Portland manage the design and construction of the roadway improvements.

AGREEMENT

1. Portland Obligations

- (a) Prepare the construction plans, specifications, and estimate for the Project. Monitor and maintain an overall design budget. Conduct field surveys and solicit public, Agency, and utility reviews. Chair the Technical and Citizen's Advisory committees. Finalize and submit the plans, specifications, and estimate to the Oregon Dept. of Transportation for final review and bidding.
- (b) Manage and inspect the construction of the Project, prepare and maintain an overall construction engineering budget, provide survey and engineering support during construction, administer all construction activities, negotiate all changes to the plans and specifications, prepare and submit all required documentation .
- (c) Serve as the lead agency on the Project with the Oregon Dept. of Transportation and the Oregon Public Utility Commission during the design and construction phases.
- (d) Acquire the additional street right-of-way and permanent and temporary easements across private property necessary to construct the project as designed. If negotiations for the acquisitions are not successful, Portland will pursue condemnation action to acquire the necessary property rights.

2. Milwaukie Obligations

- (a) Provide a liaison during the design and construction phases of the project.
- (b) Coordinate design review internal to the City of Milwaukie.
- (c) Waive all fees and permits required to construct the Project within the Milwaukie city limits.

- (5)
- (d) Prepare and maintain a budget of internal engineering and other related charges for both the design and construction phases of the project and submit a monthly summary of these charges to the Portland project manager for insertion into the overall project budgets.
 - (e) Agree that Portland is authorized to act as its agent to acquire the necessary property rights to construct the project as designed including negotiating and conducting condemnation proceedings as necessary.

3. Project Managers

- (a) The Portland Project Manager shall be Brett I. Kesterson or such other person as shall be designated in writing by the head of the Bureau of Transportation Engineering.
- (b) The Milwaukie Project Manager shall be Paul Roeger or such other person as shall be designated in writing by the City of Milwaukie.
- (c) The Project Managers are authorized to approve work and give notices referred to herein, to deliver notice to terminate this Agreement as provided herein, and to carry out any other actions referred to herein.

4. Termination of Agreement

- (a) Both parties reserve the right to terminate this agreement with 30-days written notice to the other party and may terminate this agreement for any reason(s) deemed appropriate based on the sole discretion of the party requesting termination. To the maximum extent possible, the decision to terminate this agreement shall seek to minimize the negative impact on the non-terminating party.
- (b) This Agreement shall terminate upon completion of the project, and in any event no later than January 1, 1997, unless extended by mutual agreement.
- (c) Both parties agree that should the PUC fail to issue an Order directing either party to design and/or construct and/or maintain improvements related to the rail crossing in the SE 17th/Ochoco intersection this agreement shall terminate and become null and void. Upon such termination each party shall prepare a final billing for all project related and non-reimbursed costs incurred and submit the billing for payment per the procedures outlined herein.

5. Amendments

By mutual agreement this Agreement may be amended by a written document signed by the authorized representatives of each party.

6. Compliance with Laws

In connection with their activities under this Agreement, both Parties shall comply with all applicable federal, state, and local laws and regulations.

6) 7.

Oregon Law and Forum

- (a) This Agreement shall be construed according to the law of the State of Oregon.
- (b) Any Litigation between Portland and Milwaukie under this Agreement shall occur, if in the state courts, in the Multnomah County Court having jurisdiction thereof, in the Clackamas County Court having jurisdiction thereof, and if in the federal courts, in the United States District Court for the District of Oregon.

8. Indemnification

To the extent permitted by Oregon law, Portland and Milwaukie shall hold harmless, defend, and indemnify each other, their officers, agents, and employees against all claims, demands, actions, and suits (including all attorney fees and costs) brought against any of them arising from the design and/or construction of the roadway improvements proposed under the PUC Order or each parties negligence under this Agreement.

9. Subcontracting

Neither Party shall subcontract their work under this Agreement, in whole or in part, without the written approval of the other party which shall not be unreasonably withheld. Portland and Milwaukie shall require any approved subcontractor to agree as to the portion subcontracted, and to fulfill all obligations as specified in this Agreement. Notwithstanding each parties approval of a subcontractor, each party shall remain obligated for full performance hereunder, and shall incur no obligation other than its obligations hereunder. Each party agrees that if subcontractors are employed in the performance of this Agreement, they are subject to the requirements and sanctions of ORS Chapter 656, Workers' Compensation.

10. Assignment

Neither Party shall assign this agreement, in whole or in part, or any right or obligation hereunder, without prior written approval of the other party which shall not be unreasonably withheld.

11. Workers' Compensation Insurance

The parties, its subcontractors, if any, and all employers working under this Agreement are subject employers under the Oregon Worker's compensation law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers. The Parties further agree to maintain workers' compensation insurance coverage for the duration of this Agreement.

12. Billing

Each party shall gather and submit all internal engineering and other project related charges incurred by each party and its subcontractors to the Oregon Department of Transportation for reimbursement. Reimbursement shall come from the Title II Safety Fund and the Grade Crossing Protection Accounts. Failure to submit billings either in a timely manner or at all or failure of the Oregon Department of Transportation to reimburse either in a timely manner or at all will not constitute an obligation on either party to reimburse these costs.

CITY OF PORTLAND

By: _____
Commissioner of Public Works

Date: _____

By: _____
Auditor

APPROVED AS TO FORM:

Deputy City Attorney

CITY OF MILWAUKIE

①

By: _____
City Manager

Date: _____

REVIEWED:

By: _____
City Attorney

ORDER NO.

ENTERED

PUC CROSSING NO. 46A-4.55
DOT CROSSING NO. 862 969 R

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

RX 661

In the Matter of the Alteration of the Railroad-)
Highway Grade Crossing at SE 17th Avenue and)
EAST PORTLAND TRACTION COMPANY,)
main track, in Portland and Milwaukie, Multnomah)
and Clackamas County, Oregon.)

PROPOSED FINAL ORDER

In the furtherance of its duties in the administration of ORS 763.030, the Commission Staff has investigated the adequacy of the safety at the subject grade crossing. The affected railroad is East Portland Traction Company. The public authorities in interest are City of Portland and City of Milwaukie. Oregon Department of Transportation (ODOT) is also a party in this matter. Pendleton Woolen Mills, Inc. and Daisy F. Hudson are "interested persons" in this matter.

A diagnostic team reviewed the crossing during meetings at the site and at the offices of the Commission, City of Portland, and City of Milwaukie. The team consisted of representatives from East Portland Traction Company, City of Portland, City of Milwaukie, ODOT and the Public Utility Commission. The meetings were held on October 27, 1993; March 22, August 9, 11, and 15, 1994. The diagnostic team reached agreement regarding the proposed safety improvements at the crossing. Based on that agreement, a Proposed Final Order was prepared and circulated by Staff for all parties to review and acknowledge their agreement with its terms. The proposal was presented to the Sellwood Moreland Improvement League on September 7, 1994.

All parties in this matter have agreed that the proposed crossing alterations are required by the public safety, necessity, convenience and general welfare. Therefore, under ORS 763.080 no hearing is required and the Commission may enter this order without hearing.

Appendix "A" to this Order depicts the crossing vicinity, including the alignment of the roadways and tracks at the crossing. The north track was previously designated as the main track. It is

PROPOSED

ORDER NO.

now a spur track that will be removed. The south track is now used as the main track and is so designated. The main track intersects SE 17th Avenue at an angle of approximately 85 degrees. The crossing is equipped with crossbucks. The railroad is required to stop and flag all movements over the crossing by PUC Order No. 32377, entered July 8, 1953. The average daily traffic volume is approximately 20,000 vehicles at the crossing. The average speed of vehicles is approximately 35 miles per hour (mph). Motorists' sight distance of approaching trains is restricted in two crossing quadrants by buildings, vegetation and fences. There is a daily average of two freight trains, two passenger trains and ten switching movements over the crossing at a maximum authorized speed of 10 mph. There have been two reported train-vehicle collisions at the crossing in the last ten years. The collisions resulted in no injuries.

It is proposed that one cantilevered flashing light signal, two flashing light signals, and three automatic gate signals be installed at the crossing as depicted on Appendix "A." The automatic signals will be installed to accommodate a roadway 34 feet wide at the crossing, consisting of two 12-foot paved travel lanes and two 5-foot paved shoulders. Two 6-foot wide sidewalks will be constructed as shown on Appendix "A."

On the basis of the foregoing, the Commission finds that the proposed alterations are required by the public safety, convenience, and general welfare, and that it is appropriate to authorize expenditure of funds from the Grade Crossing Protection Account, as provided by ORS 763.290, in the amount agreed upon by the parties.

IT IS ORDERED that:

1. The subject grade crossing shall be altered as set forth below. All alterations shall be completed within 15 months from the entered date of this Order.
2. City of Portland shall:
 - a. Subject to reimbursement as set forth below, reconstruct that portion of the crossing lying outside lines drawn two feet outside each rail and that portion of SE Ochoco Street that is within the city limits of Portland to accommodate a roadway 34 feet wide with 6-foot wide sidewalks as shown on Appendix "A." The northerly roadway approach to the crossing shall comply with OAR 860-42-215(1).
 - b. Subject to reimbursement as set forth below, furnish and install barrier-type curbing adjacent to the automatic signals on SE 17th Avenue, north of the crossing, and on SE Ochoco Street, east of SE 17th. The devices shall be constructed according to OAR 860-42-060(7) and installed according to OAR 860-42-070(14) and Appendix "A."

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ORDER NO.

- c. Furnish, install, and maintain stop clearance lines on the north side of the main track on SE 17th, and on the east approach to the crossing on SE Ochoco, and bear all the costs. The devices shall be located according to OAR 860-42-070(10) and installed according to Appendix "A."
 - d. Maintain the ordered curbing, that portion of the crossing lying outside lines drawn two feet outside each rail that is within the city limits of Portland, and the existing advance warning sign and advance warning pavement markings on the north approach to the crossing, and bear all the costs.
3. City of Milwaukie shall:
- a. Subject to reimbursement as set forth below, reconstruct that portion of the crossing lying outside lines drawn two feet outside each rail and that portion of SE Ochoco Street that is within the city limits of Milwaukie to accommodate a roadway 34 feet wide with 6-foot wide sidewalks as shown on Appendix "A." The southerly roadway approach to the crossing shall comply with OAR 860-42-215(1).
 - b. Subject to reimbursement as set forth below, furnish and install barrier-type curbing adjacent to the automatic signals on SE 17th Avenue, south of the crossing. The devices shall be constructed according to OAR 860-42-060(7) and installed according to OAR 860-42-070(14) and Appendix "A."
 - c. Furnish, install, and maintain a stop clearance line on the south side of the main track on SE 17th, located according to OAR 860-42-070(10), and bear all the costs.
 - d. Maintain the ordered curbing, that portion of the crossing lying outside lines drawn two feet outside each rail that is within the city limits of Milwaukie, and the existing advance warning sign and advance warning pavement markings on the south approach to the crossing, and bear all the costs.
4. East Portland Traction Company shall:
- a. Subject to reimbursement as set forth below, furnish and install automatic signals at the crossing as follows:

--Southeast quadrant of the crossing--One Standard No. 2B cantilevered flashing light signal and one Standard No. 4

ORDER NO.

automatic gate signal. The set of automatic signals will be equipped with two additional sets of flashing lights that will be directed at eastbound traffic on SE St. Andrews Drive and southbound traffic on SE 17th Avenue.

--Northwest quadrant of the crossing--One Standard No. 2 flashing light signal and one Standard No. 4 automatic gate signal.

--Northeast quadrant of the crossing--One Standard No. 2 flashing light signal and one Standard No. 4 automatic gate signal.

The automatic signals shall be activated according to OAR 860-42-090.

- b. Subject to reimbursement as set forth below, reconstruct that portion of the crossing lying between lines drawn two feet outside each rail to accommodate a roadway 34 feet wide with 6-foot wide sidewalks as depicted on Appendix "A."
 - c. Subject to reimbursement as set forth below, remove the entire spur track. Coordinate removal in conjunction with reconstruction of the SE 17th Avenue/SE Ochoco Street intersection. Provide for unimpeded flow of motor vehicles during and after the removal of the track.
 - d. Maintain the ordered automatic signals and circuitry, and that portion of the crossing lying between lines drawn two feet outside each rail, and bear all the costs.
5. Each party shall comply with the provisions of ORS 757.541 to 757.571, Excavation Regulations.
 6. Each party shall notify the Commission upon completion of its portion of the project.
 7. Oregon Department of Transportation, Highway Division, using Section 130 federal funding, shall bear 90 percent of the cost of work items listed in paragraphs 2.a, 2.b, 3.a, 3.b, 4.a, 4.b, and 4.c, above.
 8. Pursuant to ORS 763.290, the Grade Crossing Protection Account shall bear the 10 percent match of the items listed in Paragraph 7 above.

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ORDER NO.

- 9. Upon completion of the ordered reimbursable work, East Portland Traction Company, City of Portland; or City of Milwaukie, whichever advances the share of the cost apportioned to the Grade Crossing Protection Account, shall present its claim for reimbursement for Commission approval.

The provisions of Order No. 32377, entered July 8, 1953, that require all railroad movements across SE 17th Avenue to be protected by a flagger are hereby rescinded, effective on the date the ordered automatic signals and circuitry are installed and fully operational at the subject grade crossing. All other provisions of Order No. 32377 that are not in conflict with this Order remain in full effect.

Made, entered, and effective

Robert E. Russell
 Assistant Commissioner
 Transportation

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PROPOSED

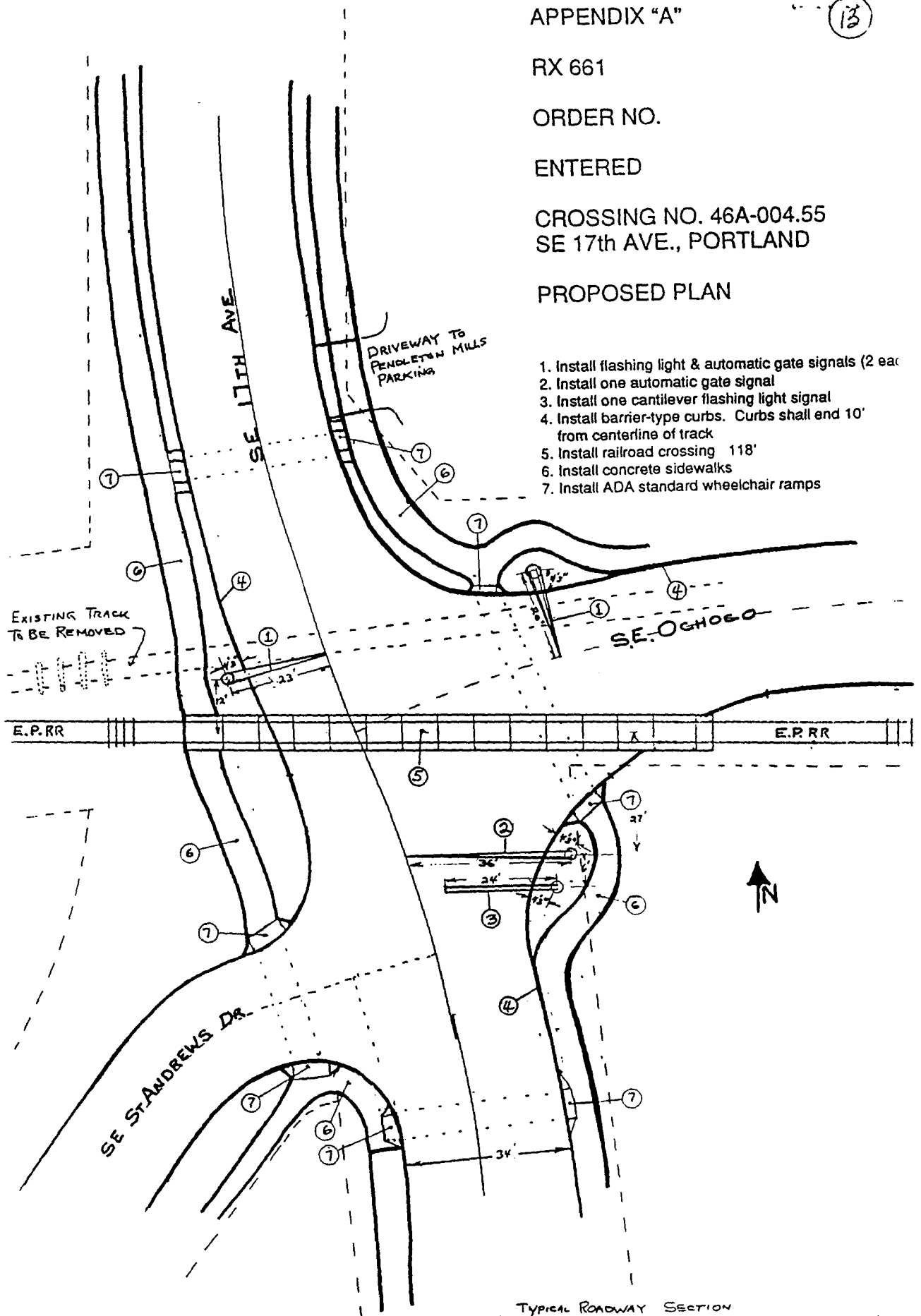
RX 661

ORDER NO.

ENTERED

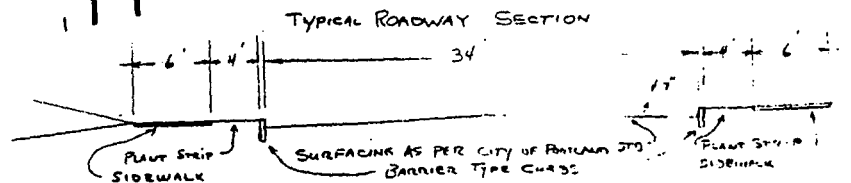
CROSSING NO. 46A-004.55
SE 17th AVE., PORTLAND

PROPOSED PLAN

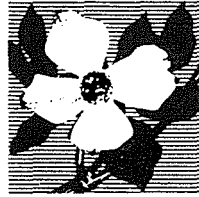


1. Install flashing light & automatic gate signals (2 ea)
2. Install one automatic gate signal
3. Install one cantilever flashing light signal
4. Install barrier-type curbs. Curbs shall end 10' from centerline of track
5. Install railroad crossing 118'
6. Install concrete sidewalks
7. Install ADA standard wheelchair ramps

PROPOSED



CITY OF MILWAUKIE



FAX (503) 652-4433

*** M E M O R A N D U M ***

February 15, 1995

To: Mayor and City Council
From: Dan Bartlett, City Manager *Dan*
Re: Amtrak Resolution

Action Requested

Adopt the attached Resolution supporting Amtrak and high speed rail.

Background

Mayor Lomnicki has received the attached material from the Cascadia Task Force. Milwaukie is on the main line for the Seattle-Portland-Eugene service. The City could benefit from increased federal support to passenger rail through crossing improvements and possible links to the light rail system.

cc: File
cm814/hd

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,
OREGON, IN SUPPORT OF AMTRAK AND HIGH SPEED RAIL.**

WHEREAS, the National Railroad Passenger Corporation (“Amtrak”) was established by Congress in 1970 to provide and sustain a nationwide network of intercity passenger trains; and

WHEREAS, increased use of passenger trains will help to reduce America’s reliance on imported oil, contribute to our region’s economic vitality and enhance our global competitiveness; and

WHEREAS, Amtrak is energy efficient and environmentally-beneficial, consuming half as much energy per passenger-mile as airlines and causing less air pollution; and

WHEREAS, Amtrak provides mobility to citizens of many smaller communities poorly served by air and bus services, as well as to those senior citizens, people with disabilities, students, and persons with medical conditions preventing them from flying who need trains as a travel option; and

WHEREAS, Amtrak is nine times safer than driving on a per passenger-mile basis, and operates even in severe weather conditions; and

WHEREAS, Amtrak travel rose 48 percent from 1982 to 1993 and Amtrak dramatically improved coverage of its operating costs from revenues; and

WHEREAS, enhancement of Amtrak services and the development of High Speed Rail in the Cascadia region can reduce the need for auto trips and short-haul flights, thus extending the useful lives of existing transportation infrastructures and resources like Interstate 5 and the Seattle Tacoma International Airport; and

WHEREAS, expansion of Amtrak service by using existing rail rights-of-way would cost less and use less land than new highways or airports, and would further increase Amtrak’s energy-efficiency advantage; and

WHEREAS, the Washington State Transportation Commission has determined that the State cannot afford to construct additional freeways in the future, and has determined that development of passenger and freight rail is a viable alternative to provide transportation capacity in the future; and

WHEREAS, states may use highway trust fund money as an 80 percent federal match for a variety of non-highway programs, but are prohibited from using such moneys for Amtrak projects; and

WHEREAS, Amtrak pays a fuel tax that airlines do not pay; and

WHEREAS, Amtrak workers and vendors pay more in taxes than the federal government invests in Amtrak; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Milwaukee that it urges President Clinton and the Congress to take the following steps: that Federal funding of Amtrak not be reduced; that Amtrak be excused from paying fuel taxes that airlines do not pay; that states be given the flexibility to use Federal highway trust fund moneys on Amtrak if they so choose; and that Federal officials include a strong Amtrak system in any plans for a National Transportation System.

Introduced and adopted by the City Council on _____.

Craig Lomnicki, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:

O'Donnell, Ramis, Crew, Corrigan & Bachrach

DISCOVERY INSTITUTE
CASCADIA
PROJECT

1201 Third Avenue, 40th Floor / Seattle, WA 98101-3099 / PHONE: (206) 287-3404 FAX: (206) 583-8500

To: Mayor Craig Lomnicki, - City of Milwaukie

From: Bruce Agnew, Discovery Inst./ Cascadia Inst./ ICSC

Fax Number: (206) 583-8500

Date: Thu, Feb 2, 1995 • 2:34 AM

Transmitting (4) pages, including cover sheet.

If there is difficulty with this transmission, please call: (206) 287-3404

Cascadia Task Force urges support for Amtrak and state inter-city rail program

While the state and local communities of the Cascadia Corridor (Vancouver B.C. to Eugene) have made significant investments in regional passenger rail services and multi-modal facilities, Amtrak is threatened not only with cutbacks in Federal funding, but possible elimination by the new Congress.

To improve productivity, Amtrak is eliminating 20% of its services nationwide beginning in February. In our region, the East-West *Empire Builder* was reduced, while Seattle-Portland-Eugene service was left intact. Although Washington and Oregon are viewed as national leaders in incremental high speed rail development, the pending new Amtrak service between Seattle and Vancouver, BC may be cut at the Federal level during service reductions to be announced in March. Without this extended service (scheduled to begin May 26th), federal high speed rail funds are history.

The Cascadia Task Force and Washington Association of Rail Passengers went to Washington, D.C. last week to advocate continued Amtrak service through state partnerships. Community support is now essential to maintain Amtrak service (and matching state and private sector capital investments).

Amtrak President Thomas Downs speaks at noon at the Cascadia Conference on Sustainable Communities February 16, in Eugene, Oregon. It is critical that we in the Cascadia region let both Mr. Downs and our state and federal representatives know how important Amtrak and state inter-city rail programs are to our corridor's economic and environmental vitality.

We urge you to do the following:

1. Have your city, county or regional council consider and adopt the attached model resolution of support for Amtrak and high speed rail and send to representatives on the attached list. Please fax a copy to us!
2. Deliver support letters from your community to Mr. Downs personally at the conference. One day only or luncheon reservations for Feb. 16th can be made through the attached form.

Please contact the Cascadia Task Force at (206) 287-3404 if you have any questions. If your representatives and Amtrak do not hear from you, we will lose our best chance for high speed rail.

Sincerely, Bruce Agnew, Director, Cascadia Task Force

The Discovery Institute

Amtrak / Rail Facts

- **Trains carry more using less land space.**
 - Two railroad tracks can handle the equivalent of 16 lanes of freeway traffic. (*Worldwatch Institute*)
 - One double deck commuter rail car can seat 145 passengers, and take another 150 standees. One ten car train of these cars could remove approximately 3,000 commuters' cars from a city's freeways during rush hours. (*Bombardier Corp.*)
 - Each double stack container freight rail car carries two standard truck loads. A 100 car double stack freight train can remove up to 200 trucks at a time from our highways. (*various sources*)
 - 500 kilometers (312.5 miles) of French TGV right-of-way occupies approximately the same amount of land as one large airport. (*Worldwatch Institute*)
- **Trains encourage more efficient uses of other transportation resources.**
 - Enhancement of Amtrak and future High Speed Rail trains, can eliminate the need for many short distance flights, and extend the useful life of airports like Seattle-Tacoma International, in lieu of building a new regional airport. (*various sources*)
 - In France, the TGV has caused Air France to virtually end its Paris - Lyons short-haul flights, while in the U.S., Amtrak has beat the air shuttles to become the most popular carrier between Washington, DC and New York. (*various sources*)
 - German and Italian airlines, among others, have found that it is more cost effective to run their short-haul domestic "flights" using trains instead of planes, choosing to save their aircraft and valuable take-off and landing slots for more profitable longer-haul flights. (*various sources*)
 - Amtrak's Northeast Corridor Improvement Project between Boston, New York and Washington, DC is projected to eliminate 1.4 million airline trips annually, and 2,500 auto trips to Boston's Logan airport alone. The project is also expected to mitigate the need for a new Boston airport, projected to cost over \$10 billion. (*National Association of Railroad Passengers*)
- **Trains are energy efficient.**
 - An intercity passenger train is three times as energy efficient as commercial air, and six times as energy efficient as a typical American car with one occupant. (*Worldwatch Institute*)
 - Switching 5 percent of U.S. highway driving to electrified rail travel would save more than one-sixth of the amount of oil imported annually from the Middle East. (*Worldwatch Institute*)
- **Trains produce less pollutants per mile travelled than other modes.**
 - For every ton of cargo moved one kilometer (0.625 miles), freight rail emits a third the nitrogen oxide and carbon monoxide, and one-tenth the volatile organic compounds and diesel particulates emitted by heavy trucks. (*Worldwatch Institute*)
 - For every ton of cargo moved one kilometer (0.625 miles), freight rail emits a third the nitrogen oxide and carbon monoxide, and one-tenth the volatile organic compounds and diesel particulates emitted by heavy trucks. (*Worldwatch Institute*)
- **Trains help keep cities and communities compact by encouraging pedestrian rather than vehicular activity.**

Washington State Legislature Transportation Committee Members
(Olympia, Washington, 98504)

House

Representative Karen Schmidt, Chair (Dist. 23)
John L. O'Brien Building #328

Rep. Bill Backlund...JLOB#417
Rep. Don Benton...JLOB # 336
Rep. Jerry Blanton...JLOB#440
Rep. Lisa J. Brown...LEG# 415
Rep. Jim Buck...JLOB#436
Rep. Jack Cairnes...JLOB# 430
Rep. Gary Chandler...JLOB# 406
Rep. Frank Chopp...JLOB#322
Rep. Ian Elliot...JLOB #423
Rep. Ruth Fisher...JLOB# 314
Rep. Shurley Hankins...LEG# 401
Rep. Brian Hatfield...JLOB#317
Rep. Jim Horn...LEG#407
Rep. Peggy Johnson...JLOB #425
Rep. John Koster...JLOB #414
Rep. Lois McMahan...JLOB#327
Rep. Maryann Mitchell...JLOB#421
Rep. Val Ogden...JLOB#342
Rep. Julia Patterson...JLOB#240
Rep. Dave Quall...JLOB#305
Rep. Sandra Singery Romero...JLOB#319
Rep. Dave Schrudt...JLOB#437
Rep. Karen Schmidt...JLOB#328
Rep. Patricia "Pat" Scott...LEG#414
Rep. Mary Skinner...JLOB#434
Rep. Kip Tokuda...JLOB #323
Rep. Eric Robertson...JLOB#422

Senate

Senator Brad Owen, Chair (Dist. 35)
Cherberg Building #432

Sen. Darlene Fairley...JAC #425
Sen. Mary Margaret Haugen...JAC#414
Sen. Michael Heavey...LEG#411
Sen. Jeanne Kohl...JAC#412
Sen. Bob Morton...INST# 107
Sen. Bob Oke...INST # 110
Sen. Brad Owen...JAC#432
Sen. Margarita Prentice...JAC #419
Sen. Eugene Prince...INST#102
Sen. Marilyn Rasmussen...LEG# 408
Sen. Ray Schow...INST #105
Sen. George Sellar...LEG#302
Sen. Jearnette Wood...INST#203

Leadership (Thurd Floor, LEG Bldg.)

Rep. Clyde Ballard, Speaker
Rep. Brian Ebersole, Minority Leader
Sen. Marc Gaspard, Majority Leader
Sen. George Sellar, Minority Leader

Cascadia Corridor Congressional Delegates*

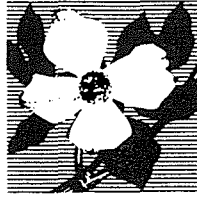
Oregon

Senator Mark Hatfield
Senator Bob Packwood
Representative Jim Bunn
Representative Peter DeFazio
Representative Elizabeth Furse
Representative Ron Wyden

Washington

Senator Slade Gorton
Senator Patty Murray
Representative Norm Dicks
Representative Jim McDermott
Representative Jennifer Dunn
Representative Randy Tate
Representative Rick White
Representative Linda Smith
Representative George Nethercutt

* Address to "The Honorable____", U.S. House of Representatives/Senate,
Washington D.C., 20515



MEMORANDUM

To: Mayor and City Council
From: Dan Bartlett, City Manager *Dan*
Subject: Regional Committee Assignments
Date: February 14, 1995

Action Requested/Recommendation

Consider designating Councilors to serve on regional committees.

Background

The City is involved in a number of regional committees. Since the seating of a new Councilor in January, staff believes it is appropriate to review and discuss assignments to these committees. Each Councilor representing the City on these assignments is responsible for reporting significant issues and highlighting important points during Council Information Sharing. The June 9, 1994, responsibility sheet is attached for your review and comment.

COUNCIL REGIONAL COMMITTEE ASSIGNMENTS

6/9/94

| COMMITTEE MEETING DATE AND TIME | STAFF | COUNCILOR |
|---|-----------------------------------|------------------------|
| <hr/> | | |
| NORTH CLACKAMAS REGIONAL PARKS 2nd Thursday 7 - 9 p.m. | Charlene PARC member alternate | Don / Jean (4) Jean |
| PMG | Dan B. | Don |
| FOCUS Monthly Evenings | Dan | Jean |
| STORMWATER STEERING Quarterly 4th Thursday, morning | Dan, Tim | Don Bob |
| UGMA COORDINATION COMMITTEE 1st Tuesday, 7:00 a.m. | Maggie | Craig |
| OAK LODGE FIRE varies | Dan Olsen | Bob Bob Rob |
| SOUTH METRO Quarterly | Dan Olsen | Bob D |
| COMMUNITY ACTION 4th Monday, 7:00 p.m. | County Alternate | Rick Jean |
| CREG 4th Tuesday, 7:00 p.m. | Dan Alernate | Craig Jean |
| SEWER unknown | Tim | Rick |
| WATER COORDINATING 4th Tuesday, 7:30 p.m. | Tim | Rob |
| WILLAMETTE RIVER CORRIDOR MASTER PLAN - PAC | Maggie | Rick Bob |
| JOHNSON CREEK CORRIDOR COMM. 3rd Thursday, 7:00 p.m.- 9:30 p.m. | Maggie Alternate | Don Rob Bob |

Each Councilor representing the City on these assignments is responsible for reporting significant issues and highlighting important points during Council Information Sharing. These Regional Committee assignments are designated by the Milwaukie City Council.

OTHER REGIONAL COMMITTEES

6/9/94

| COMMITTEE MEETING DATE AND TIME | STAFF | COUNCILOR |
|---|-------|---|
| BOARD OF ^{Rate} Rate REVIEW | | Jean |
| DRUG PREVENTION COALITION | | Craig ^{Bill} & ⁹ Craig |
| YOUTH GANGS TASK FORCE (ad hoc) | | Rob |
| JPACT FOR CLACKAMAS CITIES | | Craig |
| MDDA BOARD 2nd Wednesday, 7:30 a.m. | Dan | Craig |
| MPAC | | Jean (Clackamas cities) |
| CLACKAMAS CITIES 4th Thursday, 6:30 p.m. | | all |
| JUVENILE FIRE SETTERS NETWORK State Fire Marshal, Oak Lodge, & Clackamas Fire District #1 | | Jean |

These Regional Committee assignments are not dependent of City Council designation. They are included for informational purposes.

NC Urban ^{services} (122) Jean, Rob

~~Board of~~

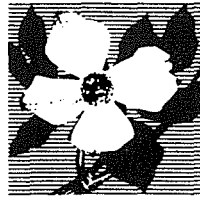
County Mental Health Advisory - Jean

Town Center Plan AC - Craig

SB 127

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CITY OF MILWAUKIE



FAX (503) 652-4433

*** M E M O R A N D U M ***

February 15, 1995

To: Mayor and City Council
From: Dan Bartlett, City Manager
Re: Claims Against the City

Action Requested

For Council Information.

Background

At a recent meeting, the issue of the number of claims being filed against the City was raised. Angus Anderson acts as the City's Risk Manager. He works with Sedgwick James of Oregon who is the City's Insurance Agent of Record.

Robert H. Lilly is one of our primary contacts with Sedgwick. He has prepared the attached summary of some claims filed from 1991-1994. The letter indicates that about one-third of the claims and 36% of all pay-outs come from Public Works. The report suggests that an operational audit be conducted to identify loss control options.

His report shows that during this period \$24,015 was paid to settle claims. Three claims are still open.

Angus and I will review this report with Public Works and take appropriate action.

cc: File
cm814/hd



Sedgwick

Sedgwick James of Oregon, Inc.

111 Southwest Columbia, Portland, Oregon 97201-5897

Telephone 503 248-6400; inside Oregon 1 800 452-0122, outside Oregon 1 800 547-0135

Facsimile 503 274-2481

January 16, 1995

Angus Anderson
City of Milwaukie
10722 SE Main St.
Milwaukie OR 97222

RE: Claim trends

Dear Angus:

Part of our role as risk management consultant is to review claim trends in an attempt to develop pro-active strategies to reduce potential cost to the City. We are seeing a trend of occurrences within the public works department that need to be identified. I have listed below some of these incidences and the reserve which the insurance company has placed on these occurrences as potential payments or claims against the City. The reserve is eliminated once a claim is closed.

| Date | Incident | Reserve | Paid | Closed |
|-------------|--|----------------|-------------|---------------|
| 6/30/94 | Auto damage from manhole | \$ 780 | | X |
| 9/15/94 | Fire hydrant flooded garage | \$ Open | | |
| 10/29/94 | Tank control failed; water damage to home | \$ Open | | |
| 10/25/94 | Storm drain backup | \$ Open | | |
| 3/16/94 | Compressor damage (incident report only) | 0 | | X |
| 3/12/94 | Improper road work | \$ 2,340 | | X |
| 5/23/94 | Damage to power line | \$ 780 | | X |
| 11/1/93 | Water damage to property | \$ 5,460 | | X |
| 10/1/93 | Loss of income due to construction | \$ 3,276 | | X |
| 10/26/93 | Tank overflow, damaged home | \$ | 6,006 | X |
| 10/27/93 | Injury at construction site | \$ 2,120 | | X |
| 8/24/93 | Street sweeper damage to basketball post | \$ 500 | | X |
| 11/6/93 | Auto damage from pothole | \$ 780 | | X |
| 10/31/92 | Bodily injury from toxic pollutants in water | \$ 31,200 | | X |
| 6/22/92 | Foundation damage from backhoe | \$ 780 | | X |
| 8/26/92 | Vehicle damage from pothole cover | \$ | 590 | X |
| 3/23/92 | Damage to shrubbery | \$ | 827 | X |
| 11/1/91 | Possible pollution from maintenance work | \$ 5,460 | | X |
| 8/27/91 | Deterioration to land from pumped water | \$ 870 | | X |
| 10/26/91 | Sewer backup | \$ | 500 | X |
| 12/10/91 | Sewer backup | \$ | 16,182 | X |



Angus Anderson
Page 2
January 16, 1995

Angus, when we show a reserve, this is the amount the insurance company has placed as a value for liability against the City. In many of these cases, the claim was settled with no payment or was under the \$500 property damage deductible. In those cases, the City paid the \$500 out of its pocket. We show these reserves because even though they were not actually paid out, the insurance company looks at reserves as well as claims paid in determining future liability premiums.

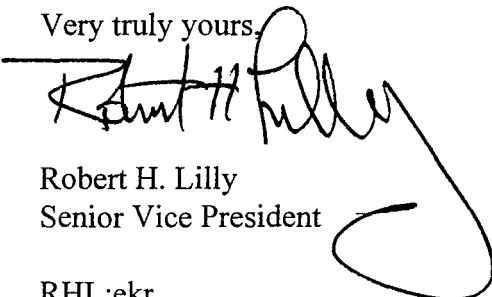
The goal of this analysis is to assist the City in developing a pro-active approach to its operational procedures. Obviously, the fewer incidences that the City has, the lower its insurance costs will ultimately be, resulting in reduced costs to the taxpayers.

One option that the City has is to complete an operational audit of the public works or water department. Sedgwick could assist in this area and provide loss control recommendations and policy and procedure review. We would estimate that this would take six to ten weeks to complete. Sedgwick is also available to assist the City in developing training manuals for safety procedures if the City so desires.

We have analyzed the number of incidences for all City operations for 1991-94. Public Works accounts for 32% of all incidences or claims reported to the City. This would include those incidences that were reported but no claim was actually paid. In contrast, Public Works accounts for 36% of all total paid claims costs.

If we can be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,



Robert H. Lilly
Senior Vice President

RHL:ekr

**CITY OF MILWAUKIE
CITY COUNCIL EXECUTIVE SESSION
February 7, 1995**

Mayor Lomnicki called the Executive Session to order at 5:10 p.m. City Manager Dan Bartlett presented the Council information concerning acquisition of property. He reviewed a previous Resolution of Council, a proposed purchase and sale agreement, and a memo from the City Attorney.

Councilmember Kappa asked questions concerning terms of the sale. Bartlett explained the limits to the City's liability under environmental laws. Councilor Farley asked questions about the environmental assessment. Councilmember Trotter agreed with the need for a Level II Environmental Assessment. Bartlett explained the time schedule.

Bartlett reviewed letters drafted by the City Attorney concerning the UP/SP property. He indicated that he would send the letters as recommended by Council. He also suggested limiting access in order to prevent unlawful dumping. Council directed Bartlett to work with the City Attorney to bring this matter to them at a further meeting.

The Executive Session adjourned at 5:35 p.m.

Dan Bartlett, City Manager

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION
February 7, 1995**

The work session opened at 5:30 p.m. The following Councilmembers were present:

Craig Lomnicki,
Mayor
Rick Farley

Jean Schreiber
Rob Kappa
Don Trotter

Staff present:

Dan Bartlett,
City Manager
Charlene Richards,
Assistant to the
City Manager
Tim Ramis,
City Attorney

Angus Anderson,
Finance Director
Maggie Collins,
Community Development Director
Debbie Bischoff,
Senior Transportation Planner
Pat DuVal,
Recorder/Secretary

Also present:

Chuck Swank,
Grove, Mueller, Hall & Swank

Review Comprehensive Annual Financial Report

Angus Anderson, Finance Director, introduced Chuck Swank from the City's auditing firm, Grove, Mueller, Hall & Swank.

Swank discussed the management letter and the areas in which the City would have an opportunity to strengthen internal controls and operating efficiency. These areas were:

1. Check Signer. **Swank** said duties should be segregated so the same person does not process the cash disbursements and operate the check signer.

Councilmember Farley said there should also be a third person for backup in the event one of the regular employees responsible for the issuance of checks is not available. That person could act as an emergency signer.

Swank agreed that there would have to be enough signers available. Someone could be assigned as a backup. He suggested that checks under \$500 might only need one signer.

2. Vendor Acceptance. **Swank** recommended that the City develop a policy for formal vendor acceptance, to assure that only approved vendors are paid.

Anderson said the size of the department made it difficult to separate duties. Bonnie Shield handles the invoices and the check writing. Signing and mailing the checks are the third and fourth steps. He said he signs off on the check edit before any checks are run. He said he would probably assign Pat Walsh to run the checks through the signer. He said the department would also work on a vendor acceptance policy.

Councilmember Schreiber asked if there was competition for vendor status with the City of Milwaukie. **Anderson** said there was not.

3. Cash Receipts. **Swank** discussed the need for supporting documentation for certain cash receipts. As an example, he noted a deposit of \$480,000 that was deposited incorrectly and took six months to resolve because there was no supporting documentation. Standardized methodology is needed.

Anderson reviewed the recently implemented procedure for depositing large checks in the amount of \$100,000, or more. When the department needs to deposit a check immediately, the receipt is completed and either he or Jim Stockton, Senior Accountant, review it.

4. Payroll. **Swank** recommended using the payroll service to access more computer-generated information. The benefit would be increased accuracy while saving labor costs.

Anderson said staff is continuing its training on the system. He added that a full reconciliation is done on each payroll.

5. Utility System. **Swank** discussed the concern that the monthly utility billings are not reconciled to the revenue accounts. This would cross-check the accuracy of the system.

Anderson said the department has already begun addressing this issue.

6. Business Licenses. **Swank** discussed the need for increased control to assure that all businesses operating in the City are billed and that the appropriate amount is being collected. This would also need to be accomplished in a cost-effective manner.

Anderson said Jan Vallandingham was using the reverse directory to locate businesses.

Bartlett said there is an electronic phone number system that the City could purchase, but he questioned that it would be cost effective. He added that Jan was working with business parks to identify new tenants. The City also contacts people who put flyers soliciting business on utility poles.

7. Court Reconciliations. **Swank** said that Court personnel was continuing to work on reconciling the accounting records to the general ledger.

Anderson said he was proud of what was being done in Court. Billings are now done on a monthly basis. By the end of this month, bail will be reconciled.

8. Fixed Assets. **Swank** said the City has not updated its fixed asset inventory since 1989, although capital outlay figures have been picked up.

Anderson said it was in his budget to contract for a fixed asset inventory that would include evaluation and depreciation.

Swank added that this has some insurance benefits.

9. General Ledger. **Swank** noted that reconciliations of balance sheet accounts were not being prepared in a timely manner.

Anderson said all reconciliations are now done on a monthly basis and completed by the tenth of the following month.

Councilmember Farley asked if a contractor could slip by without a business license. **Anderson** said the contractor would usually be caught during the inspection process.

Swank discussed employee cross training. He said, although it can be disruptive to an organization, it is good for internal control. **Anderson** agreed that cross training was good for both the organization and the employee. He said to fully implement cross training in the Finance Department would be about a two- or three-year process.

Transportation System Plan Update

Debbie Bischoff, Senior Transportation Planner, updated City Council on the Transportation System Plan (TSP) project. She summarized the Transportation Planning Rule requiring local governments to complete a long-range, multi-modal plan. The City received a Transportation and Growth Management Program grant from ODOT and DLCD that includes a project deadline of June 30, 1995. Two aspects that Milwaukie needs to address are: (1) reduce parking and vehicle miles by 10% in the next twenty years; and (2) develop a plan that is fundable. **Bischoff** had a timeline of the TSP project on which the technical and public involvement elements were being done simultaneously.

Mayor Lomnicki asked if the TSP would look at issues like speed humps on 32nd Avenue. **Bischoff** said the TSP would usually be more general; however, more specific programs could be considered.

Bischoff displayed maps from Milwaukie's GIS division. The first map indicated the locations of sidewalks in the City. The greatest number of sidewalks exist in the downtown and MarketPlace areas.

The next map showed an inventory of bicycle facilities in the City. **Councilmember Farley** asked about bike lanes on the Springwater Corridor. **Bischoff** said the Springwater Corridor bike lanes would be in addition to the City's inventory. The Corridor is close to Johnson Creek Blvd., but staff believes many people will use the on-road facilities. Current bus routes were shown on the public transportation map.

Bischoff said the Transportation Plan would be complete by June and will go through periodic updates.

Councilmember Schreiber said she thought there would be people interested in finding out where sidewalks and bus lines will go in the future and asked if copies of these maps were available to the public. **Bischoff** recommended that interested parties contact the Community Development Department.

Bischoff said the figures indicate a need for more bike facilities and transportation connections. Most of the routes are adequate, and there is not too much congestion. There are some delays at Harrison at McLoughlin Blvd. and 32nd Avenue; and Johnson Creek Blvd. at 32nd Avenue, Linwood Avenue, and 82nd Avenue.

Councilmember Kappa asked if these volumes were measured at peak hours.

Bischoff said the traffic counts were taken between 4:00 p.m. and 6:00 p.m. Intersections that could become a problem in the future are Linwood at Harmony and 34th Avenue at Lake Road.

Councilmember Trotter asked if the problems at Harrison and McLoughlin were observed before or after completion of the jughandle. **Bischoff** said probably after construction. She added that side streets generally suffer when a large volume of traffic is being moved on a highway.

Bischoff said, now that existing conditions have been identified, staff and working groups will look at the next twenty years. Staff is concerned about Johnson Creek Blvd. at both Linwood and Stanley Avenues and King Rd. at 43rd Avenue. She discussed the County's plan for signalization at Linwood and Johnson Creek Blvd.

Councilmember Farley said sometimes there are 20-30 cars backed up behind a slow driver on King Rd.

Councilmember Kappa said he hears complaints about King Rd. all the time.

Bischoff said that, once transportation needs are identified, the City will work with Metro 2015 data to help identify future needs. The City will also look for ways to fund projects to meet these needs.

Councilmember Schreiber asked if the City was working with Clackamas County. **Bischoff** said a lot of work is being done with the County. Technical people from the County and Tri-Met, among others, are sharing information.

Bischoff discussed the public involvement portion of the program. The Roads Working Group report indicates a concern about major east/west connectors in the City. The Group is also interested in intersection improvements, signage, freight routes, speeding, and truck routes through the City. The Ped/Bike Group has a long list of desirable changes that include the availability of bike racks and lockers. This month, the Transit Working Group evolved from the Light Rail Group.

Councilmember Kappa asked if there was any feedback from freight haulers. **Bischoff** said representatives attended the December meeting, and their continued attendance was encouraged. The working groups are developing goals, objectives, and policies to reflect the different modes of transportation within the TSP.

Councilmember Schreiber asked if the Ped/Bike Working Group members saw themselves as more than recreational. **Bischoff** said the group is very knowledgeable, and some members either bike or walk to work instead of driving. The Plan needs to look at ways to encourage alternate forms of transportation.

Bischoff said the Plan will also look at what is adjacent to the roadways. She had a map of arterials and where they lie in the City. The data indicates that there is a lot of residential along the major streets. Each modal element will have a primary system.

Mayor Lomnicki said he thought it would be helpful if the various elements of the Plan could be on acetate overlays, rather than individual diagrams.

Bischoff summed up her presentation by saying that the City was looking at the function of roadways as being multi-modal. Arterials and collectors get people into and out of the City. The Working Groups and staff will prepare a final feasibility report and a funding recommendation. Technical agencies will review the projects and continue to work with the City Council and Planning Commission.

Pat DuVal, Recorder/Secretary

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
February 7, 1995**

The one thousand seven hundred and twelfth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:01 p.m. in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,
Mayor
Rick Farley

Jean Schreiber
Rob Kappa
Don Trotter

Also present:

Dan Bartlett,
City Manager
Charlene Richards,
Assistant to the
City Manager
Tim Ramis,
City Attorney
Ted Baird,
City Attorney

Angus Anderson,
Finance Director
Maggie Collins,
Community Development
Director
Greg Drechsler,
Acting Public Works Director
Jim Crumley,
Associate Planner
Pat DuVal,
Recorder/Secretary

Troop 144 presented the Colors and led the Pledge of Allegiance

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Proclamation - Scouting Anniversary Week

Mayor Lomnicki read a Proclamation naming February 5 - 11, 1995, as *Scouting Anniversary Week* in the City of Milwaukie. He urged Milwaukie residents to express their appreciation to Boy Scout volunteers.

PUBLIC HEARING

Consider Traffic Safety Commission Request Regarding Signal Device on 32nd Avenue

Mayor Lomnicki called the public hearing on the installation of a traffic signal device on 32nd Avenue to order at 7:05 p.m.

The purpose of the hearing was to consider the Traffic Safety Commission's recommendation and to determine whether a signal device should be installed on 32nd Avenue.

Staff Report: **Dan Bartlett**, City Manager, presented the staff report in which the City Council was requested to consider Traffic Regulation No. 256 and the Traffic Safety Commission's recommendation. Continued implementation of the Traffic Regulation would call for the installation of traffic control signs, traffic control signals, or other traffic control devices to improve the safety of school crossings on 32nd Avenue. At its January 9, 1995, meeting, the Traffic Safety Commission recommended that the City curtail further action on any traffic signal device on 32nd Avenue until it had the "opportunity to work with the 32nd Avenue Task Force to identify the most appropriate solutions for overall pedestrian safety."

Bartlett signed the Traffic Regulation based on the authority of Code Chapter 10.08.020. He based his decision on review of the site and consultation with the City Engineer. DKS Associates, who completed a 32nd Avenue Signal Warrant Investigation, supported his decision. Traffic Regulation No. 256 also calls for a comprehensive School Trip Safety Plan and an adult crossing guard program. The Regulation would not preclude looking at other ways to improve school traffic safety. It has already been identified by the Task Force that Ardenwald School is the only park-like setting in the neighborhood and is in year-round use.

Bartlett said he was looking for Council direction on the next steps the City should take. He reviewed the tasks that would take place. If Council directs staff to continue with the signal device, it could be in place by June 30, 1995. Completion of the School Trip Safety Program would probably be completed on September 7, 1995. The County has agreed to allow the City to buy the signal from its contract and to install the device. If City Council decides to wait, the next opening would be the 1996 construction season.

Bartlett requested that City Council direct staff to go ahead and work through the process. Both a preliminary design for the signal device and a preliminary report from the 32nd Avenue Task Force should be ready for the March 21, 1995, City Council meeting.

Councilmember Kappa questioned the need for a public hearing, since the School Trip Safety Program has been initiated. **Bartlett** said, under the process, the City Council has granted him the authority to sign traffic regulations. City Council also has the authority to stop the process, based on the Traffic Safety Commission's recommendation.

Councilmember Kappa stated that action seemed premature if City Council has not seen any reports from the Task Force or the School Trip Safety Group.

Bartlett said these groups have just formed, and they have not had the opportunity to complete any reports. The City has been responding to a December 1, 1994, meeting request that a signal be installed by February 1, 1995.

Mayor Lomnicki said, from the staff's perspective, it would be more effective to move through the preliminary design and let the Task Force gather their data. City Council may determine at its March 21, 1995, meeting that the device is not appropriate. There will still be an opportunity in April to modify the plans before a purchase order is issued.

Bartlett said the key factor would be engineering costs.

Councilmember Farley asked the length of 32nd Avenue. **Bartlett** said 32nd Avenue was about one mile long.

Councilmember Farley said he did not think all of the school children would go to that particular corner to cross the street. He mentioned that he had not seen all of the adult crossing guards wearing reflective vests. **Bartlett** said the School Trip Safety Program would address training both children and adult volunteers. There is a commitment to patrolling the area and modifying driver and pedestrian behavior.

Councilmember Farley asked if there would be zero tolerance for speeders. **Bartlett** said this would be up to the Police Chief. Neighborhood representatives will be able to use the speed gun and give the Police Department license plate numbers. The department will then issue warning letters to offenders. Enforcement will be increased if this method indicates a need.

Councilmember Schreiber asked if there were other areas in the City more in need of traffic signals. **Bartlett** said this information would come from studies at the other six elementary schools. He noted that installation of the light at Linwood and Johnson Creek Boulevard was scheduled.

Correspondence: **Bartlett** said he received a fax from Colin B. Veach that indicated he did not support a signal at that intersection.

Public Testimony: **Joe Loomis**, 3610 SE Filbert, spoke in support of the light because it would provide a safer way for pedestrians to cross the street. The accident did not involve any traffic violations. He did not believe speed humps would help the situation.

Michelle Greeley-Roberts, 2924 SE Malcom, 32nd Avenue Task Force Member, Ardenwald Neighborhood District Association President, and Ardenwald PTA member, spoke in support of both installing a signal on 32nd Avenue and looking at other methods to ensure pedestrian safety. A majority of the Task Force members support this statement.

Greeley-Roberts noted the concern that the children might not cross at the signalized intersection and discussed the possibility of volunteer parents doing route checks. She said school, child, and parent accountability needed to be developed. She noted that a crossing guard volunteer program was instituted, and the neighborhood was showing good faith in working on the process. Delaying installation of the light would not send a positive message to the group.

Councilmember Kappa said the Task Force seemed focused on this one intersection. **Greeley-Roberts** said she would like to see a program that addressed the entire area around Ardenwald School. The group is interested in moving beyond just the signal.

Councilmember Trotter asked who was present from the Traffic Safety Commission that would like to address City Council.

Julie Wisner, 3325 SE Wister, Traffic Safety Commission member, said the board was concerned with safety on the entire street. The importance of the Task Force is to identify safety issues and to find viable solutions. She asked how much the pedestrian signal would cost. **Bartlett** said the pedestrian signal would cost between \$20,000 and \$40,000.

Wisner said she would like the neighborhood to look at the entire amount of funds available and determine how best to spend the money. Children cross 32nd Avenue at all points. The signal would emphasize this one intersection. She discussed a pilot project in the City of Portland using flashing lights, speed humps, and fluorescent green signs. She agreed that adult crossing guards were needed. She expressed concern that a pedestrian signal might create a false sense of security.

Councilmember Trotter asked Wisner if she recommended that all work on traffic signal design stop. **Wisner** said she believed that final decisions should not be made without getting input from the School Trip Safety Task Force.

Councilmember Kappa said he understood that the Traffic Safety Commission and the 32nd Avenue Task Force had met, and asked if any further recommendations had come out of that meeting. **Wisner** said Susan Stone would be the person to address that issue.

Close Hearing: **Mayor Lomnicki** closed the public testimony portion of the hearing at 7:38 p.m.

Councilmember Trotter said, based on the information in the staff report, there seemed to be enough time to address the Traffic Safety Commission's concerns at the March 21 and April 7, 1995, meetings without stopping design work on the proposed signal. He perceived an obligation to continue with both elements -- Task Force work and design development.

Councilmember Schreiber was concerned that there might be a conflict of interest because she was serving as a cross-walk guard. **Ramis** said there was no limitation based on participation in a volunteer program.

Councilmember Kappa said he was concerned that there might be a problem with a pedestrian-activated signal because children would be tempted to play with it. He said he was also worried that the signal might give children a false sense of security. He did not want to see the signal process stop; however, he wanted to be able to consider other options.

Councilmember Farley said he believed it was a good idea to continue with the signal, while taking the time to look at other avenues. He did not want to make too hasty a decision.

Mayor Lomnicki said the process could move forward with two safeguard points to determine if the signal installation was appropriate.

It was moved by Councilmember Trotter and seconded by Councilmember Kappa to direct staff to continue to implement Traffic Regulation 256 to install traffic control signs, traffic control signals, or other traffic control devices to improve the safety of school crossings on 32nd Avenue. Motion passed unanimously.

AUDIENCE PARTICIPATION

Judith Duncan, 1936 SE Eagle St., Island Neighborhood District Association, presented an update on neighborhood concerns. From their experience, residents of the neighborhood do not believe the odor mitigation program was successful. Clackamas County purchased an expensive process and expected a 97% improvement. She suggested that the County, contractor, and neighbors work together on a more acceptable odor level. She recommended that the City Council and Clackamas County find a proactive method of working with the vendor before the warranty period ends.

Bartlett said Helene Lichtman, Director, Clackamas Service District, is taking these concerns seriously and is planning an open house to look at the remaining issues.

OTHER BUSINESS

Zoning Map Amendments for Annexed Lands (ZC-94-01) and Subdivision Ordinance Text Amendment for Flag Lot Buildability (ZA-94-07) - Ordinance, second reading

It was moved by Councilmember Schreiber and seconded by Councilmember Farley to read the Ordinance amending Ordinance No. 1712, the Milwaukie Zoning Ordinance (ZC-94-01) and amending Ordinance No. 1440, the Milwaukie Subdivision Ordinance for the second time by title only. Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Kappa nay; no abstentions. The Ordinance was read for the second time by title only.

It was moved by Councilmember Schreiber and seconded by Councilmember Trotter to adopt the Ordinance amending Ordinance No. 1712, the Milwaukie Zoning Ordinance (ZC-94-01) and amending Ordinance No. 1440, the Milwaukie Subdivision Ordinance. Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Kappa nay; no abstentions.

ORDINANCE NO. 1778:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1712, THE MILWAUKIE ZONING ORDINANCE (ZC-94-01) AND AMENDING ORDINANCE NUMBER 1440, THE MILWAUKIE SUBDIVISION ORDINANCE (ZA-94-07).

Consider Repealing Milwaukie Municipal Code Chapter 2.08, Civil Service Commission - Ordinance

Charlene Richards, Assistant to the City Manager, presented the staff report in which the City Council was requested to consider an Ordinance that would repeal Chapter 2.08 of the Municipal Code to be consistent with the November 1994 Charter amendment.

It was moved by Councilmember Kappa and seconded by Councilmember Trotter to read the Ordinance pertaining to the Civil Service Commission for the first time by title only. Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa and Councilmember Trotter aye; Councilmember Farley nay; no abstentions. The Ordinance was read for the first time by title only.

Councilmember Farley said he believed that the working man and woman were losing something by doing away with the Civil Service Commission.

The second reading will be scheduled for the February 21, 1995, meeting.

Consider Johnson Creek Boulevard Safety Improvement Plan - Resolution

Mayor Lomnicki announced that he would step down from this discussion because he owned property on Johnson Creek Boulevard. Council President Trotter took over the meeting.

Maggie Collins, Community Development Director, presented the staff report in which the City Council was requested to consider a Resolution endorsing a safety improvement plan for Johnson Creek Boulevard from 32nd to 45th Avenue. The proposed right-of-way would be 44 feet and includes a travel lane, bike lanes, and one sidewalk. This is a joint project with the City of Portland and is a result of several years of discussion.

Phase I of the project is: completion of the design and plans for the entire project; street construction beginning at Sherrett and running along Johnson Creek Boulevard from 32nd to 45th Avenues; right-of-way acquisition; sewer line installation on Johnson Creek Boulevard from 36th to 32nd, then south to Sherrett; and storm water facility construction from about 36th to Roswell with drains along Johnson Creek Boulevard. In essence, the proposal brings storm drainage to the entire length of Johnson Creek Boulevard. The second phase involves the right-of-way purchases and street construction from 36th to 45th Avenues. Phase I will cost about \$308,000 and Phase II, \$822,000.

Collins read names into the record of those who indicated an interest in the proposal: Caroletta Collett, 3905 SE Johnson Creek Boulevard, David Tefelski, 4435 SE Johnson Creek Boulevard, Joshua Schulman, 3436 SE Johnson Creek Boulevard, and Terri Zumbusch, 3840 SE Johnson Creek Boulevard received copies of the staff report; Roger DeCarlo, 4425 SE Johnson Creek Boulevard, called February 3, 1995, to support the project; Roger Haas called February 7, 1995, to oppose the project; and Linda Hatlelid submitted a report stating her opposition to the project.

Collins discussed the proposed removal of about 12 trees in the City of Milwaukie. The final design will minimize the impact as much as possible. The proposed Resolution endorses the project, but does not authorize the expenditure of any funds.

Councilmember Kappa said the initial phase would cost \$308,000, and the City of Portland was responsible for the design portion.

Councilmember Farley asked if Clackamas County would pick up any portion of the costs. **Drechsler** said there was a meeting last week involving Milwaukie, Portland, and Clackamas County. They discussed how to fund those portions of street that were in Clackamas County. He said there might be a transfer of road responsibility from the County to the City of Milwaukie after improvements were made.

Councilmember Farley asked how much of Phase I was in Portland. **Drechsler** said 100% of Phase I was in Portland, and Phase II was multi-jurisdictional.

Mulvey Johnson, City of Portland, added that the City of Portland would pay about 15%, and the balance would come from State highway funds. Milwaukie's benefit would be project design and storm sewer installation. The concept is to have the project ready during the State and Federal budget process. He discussed the storm water facility recently purchased by the City of Portland at the recycling site.

Councilmember Schreiber asked how much disruption there would be to residents along the right-of-way. **Johnson** said some trees and retaining walls might be removed, but no structures would be demolished.

Councilmember Farley asked if the pitch of the street would change. **Johnson** said the center of the road and the grades would remain about the same.

Johnson said he understood that some residents were concerned about their trees. He said property owners would be notified of any proposed changes to their property.

Councilmember Farley asked if the streets were designed with reverse crowns. **Johnson** said there might be reverse crowns on the curves, but the road was being designed for 25-mph traffic.

Councilmember Kappa said he was concerned about driveway blind spots. **Johnson** said the design would improve vision, particularly by removing some trees. He mentioned that there were several trees in the 33rd Avenue area that blocked vision. The design includes shorter, wider driveways and a five-foot bike lane.

Councilmember Kappa asked how the construction would impact the traffic study being done on 32nd Avenue. **Collins** said there would be a traffic diversion during construction, and she understood the Councilor's concern. The construction area is only about a block and a half, from Sherrett to 32nd Avenue.

Councilmember Kappa said he was concerned that diverted traffic would skew the 32nd Avenue traffic counts. **Collins** agreed that this could happen, but she assured him that Public Works would work to minimize the project's impact.

Councilmember Farley asked Johnson if there was funding for Phase I. **Johnson** said funds were available. One of the reasons for stopping at 36th Avenue was because it is an intersection. That part of the project could stand alone if necessary. At a minimum, the storm sewer infrastructure would be complete. This would also be a good incentive during the budget process to push the project up on the priority list. He said he believed Phase II could also be done in sections.

Councilmember Schreiber asked when the traffic disruption would begin. **Johnson** anticipated that it would begin in January 1996 and continue through October 1996.

Councilmember Schreiber asked if the Traffic Safety Commission would be involved since there were safety issues. **Collins** said involving the Traffic Safety Commission had not been considered at this point of the project.

Council President Trotter asked what determined the variation from the standards for the preferred 49-foot right-of-way. **Collins** said, if full design guidelines were used, the street would be about fifty feet wide and the amount of right-of-way acquisition would be greater. There were also safety concerns because of the slope on the north side of Johnson Creek Boulevard. She said the state would accept five-foot bike lanes, and six-and-one-half-foot sidewalks were consistent with ADA requirements. Eleven-foot travel lanes were acceptable. These minimums would have the least impact on the neighborhood, were safe, and would not increase capacity.

Council President Trotter discussed the recommendation in Linda Hatlelid's letter regarding bike lanes on both sides of the street. This is required by City Ordinance.

Bud Border, Milwaukie resident and member of the Ped/Bike Working Group, spoke in support of the improvements. Bike lanes on both sides of the street were an absolute requirement. Wrong-way bicyclists are in the greatest position of danger, particularly when approaching an intersection from a direction not expected by cross traffic. The cyclist traveling on the wrong side of the street will increase the chance of a conflict with other users of the bike lane. Lanes must be provided for bicyclists on both sides of the road to minimize the danger to themselves and others.

Collins said she did not believe there was a State law that required lanes on both sides of the street. However, Milwaukie has an Ordinance that states that two bike lanes are necessary.

Doug McCullom stated that the City of Portland and ODOT also follow this standard.

Collins said the bike paths make it a skinny street design and offer multi-modal transportation. The design will tend to slow traffic through the area. The segments need to be treated differently according to the land use.

Councilmember Farley said there was not much room for larger vehicles to pass on certain areas of Johnson Creek Boulevard. **Collins** agreed.

Councilmember Farley asked if the ten feet needed for the improvements would be taken from both sides of the street. **Collins** said, in most cases, the right-of-way acquisition would be from the north side. She discussed curves and clear-vision requirements.

McCullom said the design flattens curves and provides bike lanes and sidewalks. Sight lines should be improved greatly.

Councilmember Schreiber asked how casual parking along the residential streets would be impacted. **Collins** said there would be some loss of on street parking.

Councilmember Schreiber asked if off-street parking would be developed. **Johnson** said the driveways would be widened.

Councilmember Farley asked if any of the trees planned for removal were magnolias. **Johnson** said he did not believe so.

Council President Trotter asked if there was any additional correspondence other than those contacts which Collins read into the record at the beginning of the staff report. There was none.

Council President Trotter said staff forwarded a letter to City Council from Linda Hatlelid on February 6, 1995.

Linda Hatlelid, 8617 SE 36th, has lived in Milwaukie for 46 years. She has attended meetings regarding Johnson Creek Boulevard regularly for the past fourteen years. Her letter outlined the history of Johnson Creek Boulevard meetings, including the proposal to construct a new street in the "gulch." The new street would divert traffic from Johnson Creek Boulevard. She was concerned that, although residents were invited to attend meetings regarding

street improvements, they did not get complete information. She said she was concerned that shortening driveways would alter the pitch to the point of making them inaccessible. She questioned that blind spots would be improved by this proposal, particularly when bike lanes were added. She discussed the meetings that were held, which were informal, four-hour open houses.

Councilmember Kappa asked Hatlelid to indicate her residence on the map. **Hatlelid** said she lived near 43rd, where it was most steep.

Arnold Hatlelid, 4277 SE Johnson Creek Boulevard, said he lived there since 1948. He discussed Metro's light rail bridge locations and the potential routes through the City of Milwaukie. He recommended that the Milwaukie City Council postpone all further work. He also indicated that the City Council might not have the authority to make these decisions on a street that is under Clackamas County jurisdiction.

Lillie Moore, 4001 SE Johnson Creek Boulevard, reminded City Council that this road was about 150 years old and meanders through the neighborhood. Much of the area is full of springs and the ground is very mushy. She said she considered it wetlands, and much of the water is used for irrigation. There is already a bike path in the Springwater Corridor. She questioned the need for a bike path on the north side of the street where there is a steep incline and there are no cross streets. She noted that there was a steep drop on the north side of the street, so a bike path would be impossible. She recommended a curb on the north side, and a bike path and sidewalk on the other side. She asked whether it would be possible to have one-way traffic during construction in order to get to McLoughlin Boulevard.

Councilmember Farley asked Moore if the traffic increased since the overpass was completed. **Moore** said the traffic was backed up a couple of times each afternoon.

Roger Haas, 8618 SE 36th Avenue, urged City Council not to pass the Resolution as presented. Milwaukie City Council should not be dictated to by the City of Portland. He believed eleven-foot lanes were too narrow for most vehicles. A hard surface road will soon be completed on the Springwater Corridor, and there is a way for bicyclists to get to Johnson Creek Boulevard. He said he was concerned that livability would decrease. Traffic will be faster and there will be greater numbers of vehicles.

Ron Wiley, 3325 SE Johnson Creek Boulevard, asked about assurances that there would be tree replacement similar to the Eastmoreland area. He was also concerned about large trucks that he sees exceeding the speed limit in his neighborhood. He was concerned that a narrow street might be dangerous, as he sees cars losing control now. He suggested speed humps. He agreed that

there were accommodations for bike paths on the Springwater Corridor, and perhaps it would be better to make the street wider. He indicated that the amount of traffic has increased since the Tacoma overpass was completed.

Collins addressed residents' concerns: (1) Driveway pitch issues will be design specific. The impact on each site would be considered. A re-design is not proposed for the north side of the street; (2) A straightened road would improve driver vision and help eliminate blind spots. The sidewalks already installed near the overpass have helped drivers navigate their vehicles; (3) There are two studies that will continue to monitor proposed Willamette River crossings. The South/North Light Rail Study will also continue to look at needs in the area. Monitoring of issues, such as the signalization of Linwood and Johnson Creek Boulevard, will continue; (4) The Springwater Corridor cannot meet all the needs of bicyclists. Johnson Creek Boulevard should be a true multi-modal route. Bike lanes on one side of the street would not comply with the City Ordinance; (5) Work will have to continue with the neighborhood on traffic control issues; (6) The Milwaukie City Council does have the authority to make a decision on proposed improvements to Johnson Creek Boulevard.

Johnson spoke on the issue of traffic diversion during construction. He said concern at this stage was a little premature, but he would work with the City to make it as easy as possible. Tree replacement is not included at this point. Each right-of-way acquisition is done on an individual basis.

Councilmember Kappa said he was concerned about tree replacement, and it should be part of the design. He asked when, if the project is rejected now, will there be another window of opportunity. **Collins** said the funding sources are complex. Deadlines have already been pushed as far as possible, and funds might begin to evaporate.

Councilmember Schreiber said, by looking at the map, there appeared to be some traffic problems that needed to be worked out with the City of Portland. Johnson Creek Boulevard needs to be improved to remain a viable street. The City is currently going through other major traffic planning. If assured that we are developing a good, sound neighborhood street, the City of Portland and Clackamas County could help us. Traffic patterns could be looked at together. **Collins** said this segment is a part of the whole. The project list fits the land use. Eleven-foot travel lanes, with bike lanes and sidewalks, is the best design possible with the land uses and the neighborhood. First, the City would watch the design process all the way through; then look at how to assimilate tree replacement.

Councilmember Schreiber said she believed the City of Milwaukie needed a major planning process with the City of Portland and Clackamas County so that Milwaukie does not become a funnel for all the traffic.

Councilmember Kappa said eleven-foot lanes would discourage truck use.

Councilmember Farley said he still had concerns about erosion and school busses using such narrow lanes.

Councilmember Schreiber thought that Johnson Creek should be called a "Lane" in the residential area, rather than a "Boulevard." She said she was also concerned about school and Tri-Met busses negotiating the narrow street. If the community wants the least impact and the best pedestrian and bike service, this looks like the plan that will do that. The City must make a commitment that Johnson Creek Boulevard is a residential, neighborhood street.

Councilmember Kappa discussed the bike lanes and how they fit into the City's Transportation System Plan. He recommended that the designers and builders work with the Neighborhood District Association. He said he was also concerned about tree replacement. Other issues he noted were: trucks would probably not use a street as narrow as proposed; existing curves need to be straightened; funding for street improvements is inadequate; and Johnson Creek is not a through boulevard.

Council President Trotter said he thought that the Comprehensive Plan addressed the needs for improvements on Johnson Creek Boulevard. Section 1400 addressed the need for bike lanes. The narrow travel lane widths send the message that "This is a neighborhood street." He said he discussed the travel lane widths with Collins and Tri-Met, and he was satisfied with the eleven-foot lane width. He urged working with other jurisdictions in the region to develop a comprehensive design. There are design issues, such as erosion, that need to be addressed. He agreed with an earlier statement that Milwaukie must not become a traffic funnel. McLoughlin at the Tacoma overpass and Johnson Creek Boulevard and Hwy. 224 are significant problem areas. The City needs to look for east/west routes without impacting King Rd., Linwood Avenue, and Johnson Creek Boulevard.

Councilmember Kappa said he was still concerned about off-street parking.

Councilmember Schreiber said she had heard Johnson indicate an interest in widening the driveways.

Councilmember Kappa said he did not see any reference to Clackamas County as a funding source in the proposed Resolution. **Council President Trotter** said the Resolution does not address the funding issue; it only recommends proceeding with planning and design issues. **Bartlett** said the funding sources would probably be addressed in an Intergovernmental Agreement among the Cities of Milwaukie and Portland and Clackamas County.

Councilmember Schreiber said the proposed Resolution deals only with Johnson Creek Boulevard between 32nd and 45th Avenues.

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to adopt the Resolution endorsing a proposed safety improvement project for Johnson Creek Boulevard from 32nd to 45th Avenue. Councilmember Schreiber referred to paragraph six and stated that public involvement process should include the neighborhood district in the design.

Councilmember Kappa said that a lot of specific issues had been discussed.

Councilmember Schreiber pointed out that there were many methods available to active neighborhood associations.

Council President Trotter said the ongoing staff process would involve individual property owners and indicated continued neighborhood involvement.

Bartlett said the tree replacement issue would be addressed in the design process.

Motion passed 3 - 1 - 1 with the following vote: Council President Trotter, Councilmember Schreiber and Councilmember Kappa aye; Councilmember Farley nay; Mayor Lomnicki abstained.

RESOLUTION NO. 6-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ENDORSING A PROPOSED SAFETY IMPROVEMENT PROJECT FOR JOHNSON CREEK BOULEVARD FROM 32ND AVENUE TO 45TH AVENUE.

Consider Purchase Order Approval

Bartlett presented the staff report in which the City Council was requested to ratify Purchase Order No. 08098 in the amount of \$58,669.42 for the acquisition of three police vehicles. He said, by approving this purchase order, he violated City policy; but he believed it was necessary. He conducted an investigation with key staff involved, and determined that there was no need for disciplinary action. The City was notified that, due to budgetary cutbacks at the State level, the "window" for purchasing vehicles was decreased by about three weeks. The deadline would have been missed if he had waited for the next regularly scheduled City Council meeting. He was approached by the Police Chief and Finance Director to approve the purchase, so he signed the purchase order on January 19, 1995. The purchase of these vehicles was adopted in the 1994 - 1995 budget. If this action had not been taken, the Police Department would not have received the needed vehicles until 1995 - 1996.

Mayor Lomnicki announced that this issue was discussed in an executive session on Monday, February 6, 1995. City Council found there was not wanton disregard of City policy.

Councilmember Farley said he was confused because he was not at the February 6 executive session. He asked if there was only one time per year that the City was allowed to purchase police vehicles. **Bartlett** said this was correct. He reviewed other attempts to find used vehicles, but they were found to be unsatisfactory. There is only one time during the year when auto manufacturers produce police vehicles. He discussed the reasons for standardizing the police fleet with Chevrolets; the primary reason being officer safety.

Councilmember Farley asked why the purchase order was not brought before City Council. **Bartlett** said he was not aware that the purchase requisition he received was an emergency, so he put it in a suspense file. He pointed out that the Finance Director's initials indicated that funds were budgeted for the purchase, but the amount was above his authorization. He determined that the act was not intentional, and corrective action was taken with those involved.

Councilmember Kappa suggested a work session on purchasing procedures to remedy such problems.

Councilmember Schreiber said some of these issues were discussed during the February 6 executive session.

Councilmember Farley asked if there was an extended warranty on the vehicles. **Bartlett** said they had the standard warranty package that comes with a police vehicle.

It was moved by Councilmember Schreiber and seconded by Councilmember Kappa to ratify approval of Purchase Order No. 08098 in the amount of \$58,669.42 for the acquisition of three police vehicles. Motion passed unanimously.

Consider Purchase Order Request

Anderson presented the staff report in which the City Council was requested to approve a purchase order request in the amount of \$16,553 for the acquisition of a truck for the Street Division. The truck is 10,000 gvw chassis. It will replace a 1978 flatbed truck and will have a tool box installed by another vendor. The funds for this purchase were adopted in the budget.

Councilmember Farley asked if some of the items listed on page three of the staff report -- such as tilt wheel with speed control, radio, and air conditioning -- were options. **Anderson** said these all are part of the standard package and are not options.

Councilmember Farley asked what vehicle this was replacing. **Anderson** said it replaces a 1978 flatbed truck.

Councilmember Kappa asked if this would get rid of the old Public Works' vehicles. **Anderson** said the department was getting close.

Councilmember Schreiber asked for clarification of page four. **Anderson** said this was a budget detail of the Street Division and simply indicated that the vehicle proposed for purchase was included in the budget.

Councilmember Farley referred to page five and asked for clarification of a handwritten note. **Bartlett** said the department was trying to determine if it will have enough money to pay for the 800 MHz radios.

It was moved by Councilmember Kappa and seconded by Councilmember Trotter to approve a purchase order request in the amount of \$16,553 for the acquisition of a truck for the Street Division.

Councilmember Farley said, if the flatbed still works, it should not be replaced.

Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Farley nay; no abstentions.

Consider Establishing Expendable Trust Fund

Anderson presented the staff report in which the City Council was requested to adopt a Resolution that would establish an Expendable Trust Fund, numbered as Fund 81, the Pioneer Cemetery Maintenance Fund - Leona Knutson Trust. The funds will be held in the trust for the specific purpose of maintaining the Pioneer Cemetery.

Councilmember Kappa asked whether this was a one-time-only fund.

Anderson said the portion that is not used immediately will earn interest that will be added to the principal.

Mayor Lomnicki asked if the District would request a certain amount of these funds for maintenance.

Councilmember Schreiber suggested holding the funds until such time as the City might need to pay for maintenance.

Bartlett said these funds would aid in rehabilitating the cemetery and make enhancements beyond the current level of maintenance. It has not been restored and damage, such as the gate, has not been repaired.

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to adopt the Resolution that established the Pioneer Cemetery Maintenance Fund as an expendable trust fund and establishing appropriations for expenditure of trust funds.

Councilmember Farley said he believed Leona Knutson's name should be included in the title of the Resolution.

Councilmember Schreiber expressed concern that this might inhibit donations from others.

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to adopt the Resolution and amend the title to read the "Leona O. Knutson Memorial Trust Fund." Motion passed unanimously.

RESOLUTION NO. 7-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING THE PIONEER CEMETERY MAINTENANCE FUNDS AS AN EXPENDABLE TRUST FUND AND ESTABLISHING APPROPRIATIONS FOR EXPENDITURE OF TRUST FUNDS.

Consider Bid Award for 1994 Waterline Upsizing Project

Greg Drechsler, Acting Public Works Director, presented the staff report in which the City Council was requested to award the contract for the 1994 Waterline Upsizing Project, Alternate "B", to D.M. Excavating in the amount of \$139,969.13.

Councilmember Farley asked if this would be standard piping. **Drechsler** said, primarily, small lines will be replaced with larger lines.

Councilmember Kappa said he was concerned about tearing up the street. **Drechsler** said about \$28,000 in street repairs will be required and will come from the Water Fund.

Councilmember Kappa asked if this action would improve the City's fire rating. **Drechsler** said he doubted if there would be an improvement, because the City is already highly rated.

Councilmember Kappa said some of the streets involved are very old. **Drechsler** said most of the work will be done on the roadside.

Councilmember Farley asked how much the flow would increase. **Drechsler** said the gallons per minute would increase from 25% - 30%.

Councilmember Schreiber asked if this would create any problems on 32nd Avenue. **Drechsler** said there will be some minor traffic diversion.

Councilmember Kappa asked if 32nd Avenue would go back to its original condition. **Drechsler** said the area that will be dug up will be very small, and the Department will use the infrared machine to ensure a smooth surface.

It was moved by Councilmember Schreiber and seconded by Councilmember Farley to award the contract for the 1994 Waterline Upsizing Project, Alternate "B", to D.M. Excavating in the amount of \$139,969.13. Motion passed unanimously.

Consider Revisions to Municipal Code Chapter 2: Election of Council President and Order of Business - Ordinance

Bartlett presented the staff report in which the City Council was requested to consider an Ordinance that would amend Municipal Code Chapter 2, "Election of Council President" and "Order of Business." This would deal with the differences between the Charter and Chapter 2 of the Municipal Code.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to read the Ordinance amending Municipal Code Sections 2.04.040 and repealing Ordinance 1480, Section 2(A); and 2.04.140(A) and repealing Ordinance 1678 for the first time by title only. Motion passed unanimously. The Ordinance was read for the first time by title only.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to read the Ordinance amending Municipal Code Sections 2.04.040 and repealing Ordinance 1480, Section 2(A); and 2.04.140(A) and repealing Ordinance 1678 for the second time by title only. Motion passed unanimously. The Ordinance was read for the second time by title only.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to read the Ordinance amending Municipal Code Sections 2.04.040 and repealing Ordinance 1480, Section 2(A); and 2.04.140(A) and repealing Ordinance 1678. Motion passed unanimously.

ORDINANCE NO. 1779:

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON,
AMENDING MUNICIPAL CODE SECTIONS 2.04.040 AND
REPEALING ORDINANCE 1480, SECTION 2(A); AND
2.04.140(A) AND REPEALING ORDINANCE 1678.**

Consider Support of Transportation Finance Package - Resolution

Bartlett presented the staff report in which the City Council was requested to adopt a Resolution supporting the Transportation Finance Package. It allows the City to alleviate some of the shortfall for transportation system improvements by supporting progressive gas tax increases over the next two years; annual increase of passenger vehicle registration fees; and appropriation of lottery funds in the amount of about \$100 million.

Councilmember Kappa said he was concerned that education also needed lottery funds.

Bartlett pointed out the breakdown of package elements on page eleven of the staff report.

Councilmember Trotter said the Legislature would have to make the final decision. The Resolution indicates the City's desire to get funding for certain projects. If the City of Milwaukie does not ask to be considered, the funding might possibly be gone.

Councilmember Farley said he believed this was a very good idea.

Councilmember Kappa said he was concerned about the damage done to streets and roads by studded tires. He suggested banning studded tires.

Mayor Lomnicki said this, and taxing studded tires, was under consideration.

Councilmember Kappa discussed taxing truck drivers. **Bartlett** said there has been a cost-responsibility study, and periodically it is reviewed and adjusted.

Councilmember Farley remarked that Oregon has one of the lowest rates in the country.

Mayor Lomnicki pointed out that City Council's support of the transportation package does not indicate it does not support education.

Councilmember Schreiber pointed out that the second page of the Resolution recommends other options for increased funding other than lottery funds.

It was moved by Councilmember Schreiber and seconded by Councilmember Trotter to adopt the Resolution supporting transportation finance recommendations and recommending approval by the 1995 Oregon State Legislature. Motion passed unanimously.

RESOLUTION NO. 8-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, SUPPORTING TRANSPORTATION FINANCE RECOMMENDATIONS AND RECOMMENDING APPROVAL THEREOF BY THE 1995 OREGON STATE LEGISLATURE.

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to suspend City Council rules to continue the meeting after 11:00 p.m. Motion passed unanimously.

Consider Participation in North Clackamas Urban Services Project

Mayor Lomnicki recommended a review of the regional committees on which City Council serves. This item was postponed.

Consider Property Acquisition

Bartlett presented the staff report in which the City Council was requested to consider purchase of the Eastman property. Negotiations were concluded and staff stayed within the latitude given by City Council. The City interests were adequately protected, and the goal of procuring waterfront property for open space and bike paths was fulfilled.

Mayor Lomnicki said funds for this property acquisition were budgeted.

Bartlett pointed out the City Attorney opinion on this item.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to purchase the Eastman property in the amount of \$220,000. Motion passed unanimously.

CONSENT AGENDA

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to adopt the Consent Agenda which consisted of the City Council Minutes of January 17, 1995, work session and regular session. Motion passed unanimously.

INFORMATION

Councilmember Schreiber announced that, due to a conflict, she would not be attending the FOCUS meetings.

Councilmember Farley discussed the upcoming issues before the Legislature.

Bartlett discussed the informational report on the "open container law." Chief Collier reports that it was used once on a vagrant in Scott Park, but the Police Officers consider it a useful tool.

Bartlett discussed Light Rail information.

Bartlett announced Council Goal Setting sessions on February 14 and 28, 1995, from 3:00 p.m. to 9:00 p.m.

Bartlett discussed the ANI/ALI, or Call ID, feature for the "dispatch center."

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 11:03 p.m.

Pat DuVal, Recorder/Secretary

DRAFT

MILWAUKIE PLANNING COMMISSION
MINUTES
TUESDAY, JANUARY 24, 1995

COMMISSIONERS PRESENT

Carolyn Tomei, Chair
Bill Johnson
Debi Linn
Michael Smith
Scott McClure

COMMISSIONERS ABSENT

Gordon Jones
Calvin Walter

STAFF PRESENT

Maggie Collins,
Community Dev. Dir.
Jim Crumley,
Associate Planner
Debbie Bischoff,
Sr. Transportation Planner
Shirley Richardson,
Hearings Recorder

1.0 CALL TO ORDER

Chair Tomei called the meeting to order at 6:31 p.m.

2.0 PROCEDURAL QUESTIONS

An audience member asked if he would be able to request rebuttal after the Applicant's rebuttal? **Jim Crumley** stated that the Chair could grant that request if she wanted to.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES -- January 10, 1995

Bill Johnson moved to approve the minutes of January 10, 1995, as corrected. **Debi Linn** seconded. MOTION CARRIED 3-0 with one abstention. Scott McClure was not at that meeting.

4.0 PUBLIC COMMENT -- None.

5.0 PUBLIC HEARINGS

5.1 Applicant: Dale Chaney
Property Owner: Ron and Joan Lauinger
Location: 3504 SE Rockwood Avenue
Proposal: Minor Land Partition for 3 parcels (MLP-94-12) and a Variance for three flag lots (VR-94-09)

Chair Tomei explained the public hearing format. She then opened the public hearing on a Minor Land Partition for 3 parcels with a Variance for three flag lots. She asked if there were any conflicts of interest or ex-parte contacts to declare. **Debi Linn** explained that her husband knows the property owners but she does not feel this will affect her vote. Neither she nor her husband have financial interests in this Application. No other conflicts of interest or ex-parte contacts were declared. She asked if there were any Commissioners who visited the site; one hand was raised. **Scott McClure** explained that when he visited the lot, he noticed an existing residence on the second lot which was not shown in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

Jim Crumley explained that the Applicant proposed to partition two parcels totaling 29,956 square feet into three parcels. This property is zoned R-7 which requires that each lot have a minimum of 7,000 square feet. Parcel 1 is proposed to be 7,040 square feet; Parcel 2, 17,742 square feet and Parcel 3, 8,321 square feet. A complementary Administrative Variance has been requested.

The subject site is located on the south side of S.E. Rockwood Avenue between S.E. 34th Court and S.E. 37th Street. The property is surrounded by single-family dwellings.

Minor Land Partitions are normally processed as Type II Administrative Reviews pursuant to Section 1011.2 of the Zoning Ordinance. However, the variance application for three flag lots can only be reviewed by the Planning Commission. The procedures set forth in Section 1005 of the Zoning Ordinance allows for concurrent reviews, provided that separate findings are made for each decision.

In regards to Commissioner McClure's statement about the house on Parcel 1, Exhibit #2 shows the existing house. Parcels #1, 2, and 3 are three recorded partition parcels today. There is room for two houses behind the existing house on Parcel #2 and #3. It is a separate ownership and not part of this development.

This is a re-division of Parcels #2 and #3 of MLP-94-02 approved in March of 1994 and recorded as Partition Plat PP-1994-136. Mr. Lauinger is eligible to re-partition this property because the proposed plat will not record during the same calendar year as the previous plat. All conditions of approval for MLP-94-02 have been complied with.

During the public review period of MLP-94-02 concern was raised regarding the run-off from the proposed driveways onto properties to the west. Pursuant to the requirements of the Department of Public Works, the driveway will have an inverted crown or sloped to one side and bermed, and have a catch basin installed at the low point connected to a drywell.

Concern was also raised regarding the removal of trees on the property. There is only one tree located along the westerly boundary approximately 1,100 feet north of the southwest corner of the site. This tree poses no obstacle to construction of access to either parcel #2 or #3. A condition of approval will prohibit the removal of this tree.

Staff has determined that the findings demonstrate that MLP-94-12 and VR-94-09 satisfy the requirements of the Milwaukie Subdivision and Zoning Ordinances. Staff recommends approval subject to the six conditions as stated in the Staff Report.

QUESTIONS OF STAFF -- None.

APPLICANT PRESENTATION:

Speaking: Dale Chaney, 3306 SE Barba Street, Milwaukie

Mr. Chaney stated that he has read the Staff Report and he concurs with all of the findings and agrees with the six conditions as stated in the Staff Report.

QUESTIONS OF APPLICANT FROM THE COMMISSIONERS - None.

TESTIMONY IN FAVOR OF THE APPLICATION

Speaking: Ron Lauinger, 14150 SE Matilda Drive, Milwaukie

Mr. Lauinger stated that he is in favor of the Application.

Speaking: Clark Smith, 3506 SE Rockwood, Milwaukie

Mr. Smith stated that he owns the lot directly in front of the subject site. He stated that he, too is in favor of the Application.

Speaking: Joan Lauinger, 14153 SE Matilda Drive, Milwaukie

Ms. Holinger stated that she is in favor of the Application.

Speaking: Maggie Holquest, 10630 SE Stanley Avenue, Milwaukie

Ms. Holquest stated that she is in favor of the application.

QUESTIONS OR COMMENTS ON THE APPLICATION -- None.

TESTIMONY IN OPPOSITION OF THE APPLICATION

Speaking: Larry Sweeney, 9755 SE 36th, Milwaukie

Mr. Sweeney stated that he lives on the lot directly behind the subject property. He has one major complaint. He requested information and did not receive the forms in time to review them.

When you look at the lot, you do not see the home in front of it; it is a very deep lot. This is not three parcels, it is four parcels. His concern is of public safety. He is a general contractor and has built structures for many years. He teaches at Portland Community College. He teaches his students to be aware of the codes and what they are for. The codes are minimum standards for public safety; life, limb, health, occupancy, consumer, and owner. The codes are to protect people from the worst-case type scenarios. In this instance, he can see cars parked on the access strip and an emergency vehicles can get to these lots. There are four houses along this strip. The vehicles will have problems getting out; they will have to back out on this road.

These lots are surrounded by cul-de-sacs. There is no access for these properties.

Speaking: Marene Feuerborn, 9797 SE 36th, Milwaukie

Ms. Feuerborn stated that she too is concerned about the fire conditions and the overcrowding that will result from an additional home on the lot. She asked if the access strip would be 12-feet wide as noted in the Staff Report. She stated that it is only ten feet wide.

Commissioner McClure asked Staff to comment on the access strip. **Jim Crumley** stated there is 30 feet of access to parcels #2 and #3 of the existing partition plat, 1994-136 referred to as MLP-94-02. There is currently 30 feet (two 15-foot strips) serving these two lots. The Applicant is proposing to take the 30-foot strip and divide it into ten strips so each parcel will have frontage on the public street. The access requirements remain the same, 24-feet of improved hard surface access to the property. In concurrence with the Fire Marshall, the turn-around has been relocated from what was shown on the original land partition up to the north of Parcel #1.

Speaking: Carmelita Sweeney, 9725 SE 36th, Milwaukie

CITY OF MILWAUKIE PLANNING COMMISSION MEETING
MINUTES OF JANUARY 24, 1995
PAGE 5

Ms. Sweeney stated that her property is directly behind this subject site. She is concerned because when her home was built, the City allowed them to place the home all the way back to the property line. Her deck is only 4 feet from the fence.

She is very close to the subject site. Her living room window faces this lot. If a house is put on the lot, she will lose her view of the west hills. She feels the proposed houses would be too close and it will result in a fire hazard. If one house burns, being so close, hers will burn also.

She asked the Planning Commission that if this Application is allowed, that the house be built 20 feet from her property line. She would like to have some degree of safety. She has lived in this City for 30 years; her husband has been in the area since the 1930's.

Bill Johnson asked Ms. Sweeney how close her house was to the property line? She stated that the house deck is about 4 feet from the property line and the house is about 11 feet from the property line.

Speaking: Mervin John, 9702 SE 36th, Milwaukie

Mr. John stated that he feels the value of his property is being lowered just so this Applicant can get one more house on their property.

Speaking: Doug Bourquein, 9701 SE 36th, Milwaukie

Mr. Bourquein stated that he lives on Lot 5200, one lot away from the subject site. He is concerned about safety. He purchased his property a year ago. He asked that the Planning Commission consider the safety aspect of this proposal.

Speaking: Al Sweeney, 9755 SE 36th Avenue, Milwaukie

Mr. Sweeney stated that he, too is opposed to this Application.

Speaking: Michelle Greeley-Roberts, 2924 SE Malcolm Street, Milwaukie

Ms. Greeley-Roberts stated that she is the President of the Aldenwald/Johnson Creek Neighborhood Association. She asked if the driveway minimum is 10 feet; this is less than code. **Jim Crumley** stated that the driveway will be 24 feet of improved surface back to the end of Parcel #2. The access strip will be 12-feet wide and have the approval of the Fire Department.

Ms. Greeley-Roberts asked the Planning Commission to consider the livability and quality of life issues of those who have already invested in this neighborhood. This should be weighed against the profitability of development of these lots.

APPLICANT'S CLOSING COMMENTS

Speaking: Dale Chaney, 3306 SE Barba, Milwaukie

Mr. Chaney stated that he will be improving the access strip. It will be 25-feet wide. It will look like its own street. He will have more pavement and access than the neighbors on Rockwood Street.

There is no need to be concerned about fire danger. The Fire Department has reviewed the turnaround and has deemed it adequate.

Mr. Chaney stated that if anything, his development will result in a better access to the homes to the rear. He is improving the area. The house he is building and the house that was remodeled have values above the surrounding homes on Rockwood Street.

Mr. Chaney showed pictures of how close the deck is to the property line. The deck and house are close to the property line also.

This property was originally zoned R-10. The zoning changed to R-7. He is trying to make the best use of his property.

In regards to protection of views, Parcel #2 will be a one-story home. He did take concern of the neighbor's view into consideration.

QUESTIONS FROM THE COMMISSIONERS

Bill Johnson asked where the fire hydrant would be on Rockwood Street? **Mr. Chaney** stated that the hydrant would be on the corner of 34th Ct. and Rockwood. The Fire Department reviewed the application and agreed to the access and turn-around proposal.

The current home on Parcel #1 sold for \$137,000.

Speaking: Al Sweeney, 9755 SE 36th Avenue, Milwaukie

Mr. Sweeney reported that his home was built 35 years ago. When his house was built, there was a grassy field all the way to 32nd; a hugh area. The irregular lots were done long ago when they were apple orchards. This is a very deep lot. The existing deck was built shortly after the home was built and was replaced about ten years ago. He is the builder, the permits were filed exactly to code. He is concerned that the tree may die if this access strip is put in. There have been violations in this Application.

DELIBERATION AMONG COMMISSIONERS

Chair Tomei closed the public portion of the hearing and opened the hearing to deliberations by the Commissioners.

Scott McClure asked if the emergency vehicle turnaround was in compliance? **Jim Crumley** explained that the turnaround would be paved. The Fire Department has verbally approved this configuration. After placement of the house the Fire Department will again review the site.

Debi Linn read a portion of the Subdivision Ordinance, 1732040(D) Flag Lots to the audience. This section addresses the safety concerns of the audience.

At this point, **Mike Smith** came into the meeting; it was 7:30 p.m.

Scott McClure moved to approve the Minor Land Partition (MLP-94-12) for three parcels, with the Findings and Conditions as outlined in the Staff Report. **Bill Johnson** seconded. MOTION CARRIED 5-0.

Bill Johnson moved to approve the Variance (VR-94-09) for the three flag lots, with the Findings and Conditions as outlined in the Staff Report. **Debi Linn** seconded. MOTION CARRIED 5-0.

Recess was called at 7:45 p.m. and the meeting reconvened at 7:55 p.m.

6.0 CONSIDERATION ITEMS -- None.

7.0 OLD BUSINESS -- None.

8.0 OTHER BUSINESS

8.1 Transportation System Plan Update

Chair Tomei opened discussion on the Transportation System Plan Update. **Debbie Bischoff** reviewed the Commission Packet memo on the Transportation System Plan. She stated that the essence of the Transportation Planning Rule is to address multiple transportation modes such as bicycling, walking, transit, and automobile and freight movements, that are planned, developed, operated and maintained in a coordinated manner.

The Transportation System Plan is a requirement of the Transportation Planning Rule and it must be fundable; i.e., identified transportation improvements must have funding sources associated with them; and that is part of being in the Portland metropolitan region. Also, we must reduce vehicle miles traveled and parking spaces by 10% over the next twenty years.

The City has a grant from Oregon Department of Transportation, through their Transportation and Growth Management Program to complete this Transportation System Plan, with a deadline of June 30, 1995.

The elements of a Transportation System Plan that are applicable to Milwaukie are in the summary. A schedule of the Transportation System Plan was passed out to the Commissioners.

The City is about done with the inventory of its existing transportation system. Staff is still in the process of preparing the data. **Debbie Bischoff** then put inventory maps up on the easel and explained each one to the Commission.

Mike Smith asked if the Zoning Ordinance requirements for off-street parking for offices will be changed? **Debbie Bischoff** stated that Staff has started addressing minimums and maximums, and reduction incentives for reduction in parking in its last adopted revision to the parking regulations adopted a few months ago. The completed draft of the Plan will be ready for review in May or June and the Planning Commission would hold worksessions and a public hearing and make a recommendation to City Council on the Plan adoption.

Debbie Bischoff announced that there will be a Regional Transportation Fair, Saturday, January 28, 1995, at Metro. She invited all the Commissioners to attend.

9.0 COMMUNITY DEVELOPMENT REPORT

9.1 Community Development Schedule

Maggie Collins stated that a 3-month Community Development Department Schedule was at the table tonight. This schedule is to inform the Commissioners of Community Development Department meetings. It will let you know what Community Development is working on, and where major efforts are in project work. The Commission is welcome to attend these meetings.

9.2 Planning Commission Training

Maggie Collins informed the Commission that Staff will be scheduling a Planning Commission training session on hearing procedure and general business orientation, possibly in March.

9.3 Light Rail Corridor Meeting

Maggie Collins informed the Commission that there will be a Light Rail Corridor Clearinghouse meeting, Wednesday, February 1, 1995. There will be a presentation of the Calthorpe map. She passed out copies of the final report on this project.

9.4 Willamette Valley Transportation Strategies

Maggie Collins passed out a newsletter from a consortium of people who have been looking at how the Willamette Valley will coordinate itself in the future. Mayor Lomnicki and Ed Lindquist, County Commissioner, served on VPACT, Willamette Valley Policy Advisory Committee on Transportation. They have been working to come up with ideas on how to bring some issues together in the ten Counties that form the Willamette Valley.

9.5 Position Vacancy in Community Development Department

Maggie Collins explained that when the Associate Planner position became vacant, Community Development did not have immediate authorization to refill the position. She explained the budgeting process and decisions which have affected rehiring for Community Development.

9.6 Commission Goals and Priorities

Maggie Collins passed out a list of goals previously created by the Commission. This can be used as a basis for planning this year's projects. **Scott McClure** asked that Staff revise

CITY OF MILWAUKIE PLANNING COMMISSION MEETING
MINUTES OF JANUARY 24, 1995
PAGE 10

the list to include the margin of time for other Department projects. Then the Commission can better prioritize the list. Staff will create a chart of items on the list that will leave space for the Commissioners to write in their input.

9.7 Open Spaces Bond Measure

Chair Tomei asked that Staff schedule a speaker from Metro on the Open Spaces Bond Measure for the next Planning Commission meeting, February 14, 1995.

9.8 SEWER PLANT ODOR CONTROL

Chair Tomei asked Staff to reproduce a letter from the Island Station Neighborhood Association for each of the Commissioners. This letter voices concern about the odor mitigation that was done. It was supposed to eliminate the odor from the area and it hasn't.

10.0 NEXT MEETING - February 14, 1995

10.1 S-9-03/VR-94-14 (Blazo)

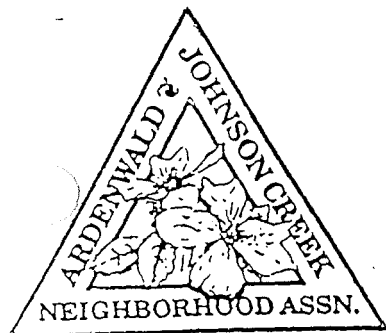
10.2 Willamette River Greenway Coordination Plan Worksession

10.3 CD Report

Bill Johnson moved to adjourn the meeting of January 24, 1995. **Mike Smith** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 8:45 p.m.

Carolyn Tomei, Chair

Shirley Richardson, Hearings Reporter



MONTHLY MEETING OF
ARDENWALD-JOHNSON CREEK NEIGHBORHOOD ASSOCIATION

1/10/95

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MICHELLE GREELY-ROBERTS @ 7:30 PM IN ARDENWALD SCHOOL.

IN ATTENDANCE WERE 19 PEOPLE.

THERE WAS A CORRECTION IN THE MINUTES THAT THE STREET SAFETY PROGRAM WAS A REQUEST TO THE CITY OF MILWAUKIE FOR THINGS THAT COULD BE DONE TO IMPROVE THE SAFETY OF THE CHILDREN WALKING TO SCHOOL.

MICHELLE: GAVE THE INTRODUCTIONS, REPORTED ON SEUL AND THE TASK FORCE THAT THE CROSS WALK SIGNS WERE IN A TESTING PERIOD AND THAT NOTHING ELSE CAN BE DONE TILL THE TEST PERIOD IS OVER -NO SPEED HUMPS TILL THE TESTING DONE ON 34TH ST FOR A YEAR - SO GOING TO CHECK LIST TO WHAT ELSE COULD BE DONE.

GEORGETTE BEESON: INFORMED US OF A RESPITE PROGRAM @ THE MILWAUKIE CENTER FOR A "TIME OUT "FOR CAREGIVERS OF OLDER ADULTS WITH ALZHEIMER OR RELATED DISORDERS. HOURS ARE ON WEDNESDAY & FRIDAY 1:00 TO 5:00

JOANN HERRIGAL: GAVE US NEW RECYCLING ITEMS SUCH AS CEREAL BOXES, MILK CARTONS, SCRAP PAPER AND MANY MORE ITEMS - HOW TO PREPARE THEM FOR PICK UP.

ROGER: GAVE SOME INSIGHT ON THE JOHNSON CREEK IMPROVEMENT PROJECT THERE WILL BE A MEETING ON FEB 7TH TO DISCUSS FURTHER PLANS - THE PROJECT WOULD START IN 1996.

NINA: WAS TO CHECK WITH THE SCOUTS ON BUILDING A BRIDGE FOR THE ARDENWALD STATION ACCESS

MEETING ADJOURNED AT 9:00 PM

SECRETARY SHARON VAN HORN

CC/
DAN BARTLETT, CITY MANAGER
LINDA MULLEN, NEIGHBORHOOD LIAISON
MARIE ANDERSON, SEUL
ROSELAND MULKEY, SUNNYSIDE NEIGHBORHOOD ASSOCIATION



CLACKAMAS COUNTY

Board of Commissioners

JUDIE HAMMERSTAD
CHAIR

DARLENE HOOLEY
COMMISSIONER

ED LINDQUIST
COMMISSIONER

MICHAEL F. SWANSON
CHIEF EXECUTIVE OFFICER

February 6, 1995

Mr. Kent Frutiger, President
Ms. Carolyn Tomei, Secretary
Island Station Neighborhood Association
11907 SE 19th
Milwaukie, OR 97222

Dear Mr. Frutiger and Ms. Tomei:

Thank you for your letter dated January 19, 1995 regarding continued odors at the Kellogg Creek Treatment Plant. I was certainly distressed to hear that the level of odor, as described by you, continues to be a problem. We were all under the impression that the abatement plan would be highly effective.

I have contacted Helene Lichtman of our Utilities Department, and based upon the information I received from her, I would like to offer some suggestions and comments.

Until we had received your letter, the records maintained at the plant show that only one complaint call has been received (on January 5, 1995) after the system started up on November 15, 1994. Plant staff have also received a number of favorable comments noting the reduction in odors from neighboring residents and businesses, including dining establishments, retailers, and health care providers. With a single complaint offset by several more positive comments, and no other data, our utilities department was under the impression that the project was as successful as anticipated.

Your letter advocates complete odor abatement at the plant, which we, too, would love to see. However, the Citizens' Advisory Committee, on which both Mr. Frutiger and Mary Jo Morris served, unanimously selected Option B, calling for covering of selected odor sources and treating exhaust air. Throughout the public input and design review processes, it was emphasized that the project was intended to eliminate 95% of the odors from the chosen source. The system which was installed is designed to remove 95% of the odors from the key sources, then filter the air again and remove another 95% of the remaining odor. The evaluation by our utilities department concludes that the system attains a high level of removal, and exceeds the project goal.

Even Option D, the maximum mitigation option considered by the Citizens' Advisory Committee, cannot guarantee a 100% odor free facility, despite a \$30 million price tag. The only assured way of eliminating odors in the Milwaukie area would be to decommission the plant and attempt to replace the capacity, with its attendant odors,

somewhere else. Both the Facilities Plan and the KOLTT Study show that the cost of giving up the plant's remaining useful life and building a new plant would cause the typical customer's bill to triple or quadruple. The Advisory Committee, in evaluating this option, determined that the higher costs did not justify the incremental benefits. As policy makers, the Board of County Commissioners carefully weighed the impacts of these decisions on all citizens, and agreed with the Advisory Committee that such an option would not be in the best interests of the community.

As you recall, no tax revenues were used for this project; all funding came from rates paid by the 56,000 Service District 1 customers.

We greatly appreciate your continued involvement in attempting to solve this problem. It would assist the District if you would notify them immediately of any odor complaints. This would allow them to conduct a timely investigation and to gather enough information to locate the source of the problem.

In addition, Ms. Lichtman has assured me that the District will continue its odor reduction program through a number of actions, including complaint investigation and analysis, periodic sampling for odorous compounds, transfer of the misting system to the secondary clarifiers (work that is currently under way), and the treatment of odors from the digesters and aeration basin influent channel (proposed as part of FY 1995-96's Capital Improvement Program). We hope that these efforts will improve upon the gains in odor control that have been achieved to date and will provide a satisfactory result for you, your neighbors and the citizens of Milwaukie.

Thank you for writing to notify us of your observations and concerns.

Sincerely,



JUDIE HAMMERSTAD, CHAIR

c: Mike Swanson
Helene Lichtman
Craig Lomnicki
Milwaukie City Council ✓
Milwaukie Planning Commission
Milwaukie Downtown Development Association
Dennis McCarthy, The Oregonian
Clackamas Review



**NORTH
CLACKAMAS**
PARKS & RECREATION
DISTRICT

MEMO

TO: DAN BARTLETT, CITY MANAGER
CITY OF MILWAUKIE

FROM: ROGER K. BROWN, DIRECTOR

DATE: FEBRUARY 6, 1995

SUBJECT: DISTRICT FUNDING COMMITMENT

In response to a request concerning the funding allocation of capital dollars to the five neighborhoods of the District, I am of the opinion that the District is only committed to spending \$500,000 (in 1990 dollars) in each of the five neighborhoods that comprise the District. The IGA with the City does provide that the District can spend up to \$800,000 in each of the neighborhoods. While this initial commitment of \$500,000 to \$800,000 referenced spending through the 1996-97 FY, it is certainly likely that each of the neighborhoods will have projects that will take them beyond the \$500,000 as the District grows and matures.

The Regional Parks Advisory Board has not taken any action that supports or precludes the additional funding. Rather, decisions have been made based upon the value of a given project to the neighborhood and District. The RPAB is very cognizant of the commitments to the neighborhoods and our budget will again reflect these commitments. Additionally, the RPAB is not likely to recommend funding just to meet the 1996 -97 FY deadline. If there are not good projects available for a given neighborhood, the District will continue its commitment but will delay expenditures until the right project(s) come along.

I am providing copies of this letter to the RPAB in the event they would like to place this item on a future agenda for discussion.

RKB

f:/roger/ctymilwk/295nhcom

cc: RRAB members



**NORTH
CLACKAMAS**
PARKS & RECREATION
DISTRICT

MEMO

TO: REGIONAL PARKS ADVISORY BOARD

FROM: *Roger K. Brown*
ROGER K. BROWN, DIRECTOR

DATE: FEBRUARY 2, 1995

SUBJECT: FEBRUARY 9, 1995 BOARD MEETING

Enclosed is the agenda and backup information for the February 9th Board meeting.

Elk Rock Island Management Plan

This item was presented to the Board at the October, 1994 Board meeting and was on the agenda last month for approval. Action was delayed by the Board until the February meeting. Please call Thom Kaffun if you have any questions about the plan that you would like to have answered prior to the meeting.

Neighborhood Park Development Program

Staff has reviewed with the Board at the December 14th Work Session and again at the January Board meeting the options and recommendations concerning the beginning development of various neighborhood properties for parks. This program would use a majority of the funds from the sale of the revenue bonds that was originally identified to be used at the Regional Park. Due to the anticipated length of time that will be required to make the entire Regional Park site usable, staff believes that the assignment of these funds to the development of neighborhood parks is appropriate. The proposed development program is included in the agenda packet. Please note that all parks will not receive the same level of development. All will be usable, however, with the exception of the James/Abele Park which will only receive the required improvements associated with meeting the requirements that came with the approval of the minor partition at the time of acquisition.

-over-

Acquisition of Property

Staff has secured a Preliminary Proposal to Purchase Agreement with the Clackamas United Church of Christ to purchase the property adjacent to Ann-Toni Schreiber Park. The agreement is based upon the same per acre price that we paid for the Schreiber property. Funds are included in the proposed development costs of this park for this purchase. Staff will update the Board on discussions with the Realtor concerning the Wang property.

Alternates to the RPAB

Included in the agenda packet is a memo that was approved by the RPAB at the January , 1992 meeting. It outlines the process by which appointments will be made to the neighborhood boards and to the RPAB. However, it does not address appointments by the BCC to serve as alternates to the Board who represent the Neighborhood Parks Advisory Boards. We have currently a member of a NPAB who does not wish to continue serving on the neighborhood board but desires to remain an alternate to the RPAB. The Board should decide if it is appropriate for an alternate to represent a specific neighborhood board (including Community/Center Advisory Board) who does not sit as a member of that board.

Since this issue is on the agenda for discussion, it would be appropriate to review the entire process that was adopted in 1992. The process has not been followed in its entirety, but the "spirit" has been followed.

Clarification of District Board Title (RPAB)

The official name of the District is the **North Clackamas Parks and Recreation District**. It is my understanding that originally the name was the **North Clackamas Regional Parks and Recreation District**. Somehow, the advisory board for the District became the **Regional Parks Advisory Board**. When we use the abbreviated title, we normally refer to "The District", and refer to the RPAB as the "Regional Board". It seems that the use of "Regional" may be confusing when we consider some parks as regional and even refer to the development of the SP site as the Regional Park. While everyone understands RPAB is the body that oversees the operation of the entire District, I think it is appropriate to review whether or not the Board perceives any difficulty with its title. (Was it Shakespeare that said " What's in a name?")

Guest at Meeting

Mike Swanson, Clackamas County Administrator , is planning to attend the Board meeting. He has been anxious to visit for several months, but has not been able to have a clear schedule at the time of our meetings.

Attendance Report

The six month attendance report is enclosed. Again, the Board has an excellent attendance record and that is much appreciated.

Aquatic Park Gift Certificates

A list of the free Gift Certificates to District organizations that have been approved and issued for the Aquatic Park for the six month period ending December 31, 1994 is enclosed.

RKB

f/roger/rpab/295agn



**NORTH
CLACKAMAS**
PARKS & RECREATION
DISTRICT

MEMO

TO: REGIONAL PARKS ADVISORY BOARD

FROM: ROGER K. BROWN, DIRECTOR

DATE: FEBRUARY 2, 1995

SUBJECT: DISTRICT UPDATE

RPAB/BCC Meeting

As a reminder, the luncheon meeting of the RPAB and the County Commissioners is scheduled for Wednesday, February 8th from noon until 1:30 p.m. at the Aquatic Park. RPAB chair, vice-chair, and past chair met to determine the items that the RPAB might like to discuss. This info is included in the agenda packet.

Light Rail Meetings

Staff is attending the Light Rail meetings being held this month in the City of Milwaukie and OIT.

1995-96 Budget

Staff has been preparing the 1995-96 FY budget which will be presented to the Board at the March 9th meeting.

Gold Medal Nomination

Caplan Sportworld of Portland has agreed to nominate the District for the 1995 National Gold Medal Award for excellence in the field of park and recreation management. This will be our first attempt, and while it is unlikely that we will make the final cut, it will be a good experience for staff.

-over-

Office Assistant Change

Cindy Hubbard, Office assistant, has requested for personal reasons that her position be established as a Job Share position. After review of the position, I have determined that Job Share will work for the position. We are currently recruiting for a qualified individual to share the position.

Congressional Delegate

Alice Neely, a long time (and fulltime) volunteer staff member at the Milwaukie Center, has been selected by Congressman Ron Wyden to be his representative to the White House Conference on Aging which will be held in May. Congressman Wyden could not have selected a better delegate and the District is extremely pleased that one of our very own will be representing us at this important conference.

Portland Traction Line

Staff met with Palmer Kellum, leader of an informal neighborhood group in the Oak Grove community, to review the District's interest in the abandoned PTL. Staff was encouraged by his support and we will follow this initial meeting with a community meeting in the next few weeks.

RKB

f/roger/rpab/295dupda

REGIONAL PARKS ADVISORY BOARD MINUTES

Meeting #45, January 12, 1995

BOARD MEMBERS PRESENT:

Jim Ellis, Southgate/Town Center representative
Champ Husted, at-large member
Daisa Lawson, Oatfield representative
Jean Schreiber, Milwaukie representative
Tom Peterson, Sunnyside representative
Mitch Wall, Milwaukie Center representative

BOARD MEMBERS ABSENT:

* Gary Barth, Chairman, Oak Lodge representative
* Bill Brod, at-large member
* Lynn Sharp, at-large member
(* = excused absence)

STAFF PRESENT:

Roger Brown, Director
Diane Campbell, Administrative Analyst
Thom Kaffun, Park Services Manager
Don Robertson, Program Services Manager
June Southworth, Administrative Assistant
Joan Young, Director of Milwaukie Center

STAFF ABSENT:

None

GUESTS:

Jim Sjulín, Portland Parks & Recreation Dept.
Theresa Kelley, former NCAP employee
Dave Gay, Cooke Road resident

Minutes

The meeting was called to order by Vice Chairman Tom Peterson at 7:06 P.M. in the Salal Room of the Milwaukie Center.

1. Neighborhood Updates:

None

2. **Approval of Minutes:**

Champ Husted moved to approve the minutes of the January 12, 1995 meeting. Jim Ellis seconded the motion. Minutes approved.

3. **Approval of Elk Rock Island Management Plan:**

The Director requested that Thom Kaffun provide details of the Elk Rock Island Management Plan. Kaffun explained the Management Plan, giving an overview of what it covers and the jurisdictions involved. Brown added that the City of Milwaukie would call on the City of Portland as a backup for police and fire protection. No additional personnel would be hired by Milwaukie to work with this particular management plan.

Kaffun stressed that the plan mainly addresses future development of the park. Mitch Wall asked about the time frame for the plan and the pros and cons as it relates to the Park District.

Don Robertson added that this plan has been in the works for five years or so and was developed to ensure each jurisdiction's cooperation.

Jim Sjulín stated that the goal is to provide the most police protection possible to the area and he believes that Portland would be happy to keep providing this park space for the people of the area.

Jean Schreiber asked if any discussion had been held about having Elk Rock Island become a Metro responsibility. Sjulín responded that he was not aware of any such plans.

Board members discussed the problems of response to 911 calls for this area. Sjulín added that neighbors are frustrated that the 911 number they call isn't necessarily the one who would handle the problem.

Mitch Wall questioned why it is so important to approve this plan tonight. Thom Kaffun responded that plans are to bring this issue before the Portland City Council within the next month or so, and they would like to say at that time that it has been approved by NCPRD and the City of Milwaukie.

Mitch Wall stated he would like to abstain from voting at the present time because he has not reviewed the plan. Roger Brown stated this item could be placed on the agenda of the February meeting for action. The Board concurred with this suggestion.

4. Neighborhood Park Improvement Program:

The Director gave an overview of December's work session and the options related to the eight specific parks discussed at that meeting. He asked to discuss potential property acquisitions at Executive Session.

Brown asked Thom Kaffun to review the plans. Kaffun presented an overview of all of the proposed park development plans.

At 8:24 p.m. the Director asked Vice Chairman Tom Peterson to call the meeting into Executive Session under ORS 192.660.

5. Speakers from the Floor:

(Prior to calling the Executive Session, Vice Chairman Peterson called for this agenda item to be heard out of order.)

Dave Gay, a resident of Cooke Road, stated that he believes the County would like to develop access to the Willamette River by using a 25 foot piece of property located at the end of Cooke Road. Thom Kaffun pointed out the property in question on a map. Mr. Gay explained his problems of late night traffic and people using his yard to turn around. Jim Ellis questioned how much traffic used this access. Roger Brown and Tom Peterson stated that a recommendation is needed to present to the Board of County Commissioners. It was decided that a vehicular barricade should be installed to help alleviate some of the problems residents of Cooke Road are currently experiencing. The consensus is for staff to forward this information to the County Transportation and Development on behalf the neighbors of Cooke Road Willamette River Access.

Theresa Kelley, a former employee of the North Clackamas Aquatic Park, stated that she had resigned her position at NCAP the day before and would like to ask what had been done pertaining to the issues addressed in her resignation letter. The Director stated that he has copies of a letter he composed which responds to issues addressed in her letter. Jim Ellis

Regional Parks Advisory Board Meeting Minutes

January 12, 1995

Page 4

noted that the Board has not met regarding this matter and suggested that everyone read over the subject memos and the issue be resolved through normal levels. Brown gave Ms. Kelley a copy of his response to the Board of County Commissioners.

6. Board Members Comments:

None.

7. Director's Comments:

The Director stated that last year when Jim Ellis and he met with the BCC for the annual report, the BCC stated they would like to meet with the RPAB once a year. He invited them to attend one of our RPAB meetings, or schedule a late afternoon or lunch. The suggestion was made for a lunch between the RPAB and the BCC on February 7th or 8th at the Aquatic Park. February 8th was decided on, with Brown stating the he would make arrangements for this meeting. Board members need to plan what they would like to discuss during this meeting.

Brown updated the RPAB on recent issues at the North Clackamas Aquatic Park.

8. Adjournment:

The meeting adjourned at 10:05 P.M.

NCPRD DISTRICT PROJECTS

| PROJECTS | ESTIMATED CONSTRUCTION COST | CONSTRUCTION DOCUMENTS | TOTAL PROJECT COST |
|--|-----------------------------------|---------------------------|--------------------------|
| REGIONAL PARK | 100,000 | 10,000 | 110,000 |
| AQUATIC PARK SOCCER FIELD (complete) | 59,040 | 5,000 | 64,040 |
| *MILL PARK (Rock Shop) (complete) | 131,194 | 19,850 | 151,044 |
| SOUTHERN LITES | 100,556 | 14,500 | 115,056 |
| JAMES/ABELE | 15,600 | 2,940 | 18,540 |
| **RIVERVILLA PARK (complete) | 260,796 | 31,850 | 292,646 |
| ALMA MYRA | 68,294 | 9,995 | 78,289 |
| ANN-TONI SCHREIBER (complete) | 430,789 | 15,980 | 446,769 |
| ANN -TONI SCHREIBER 1.92 ac. ADDITIONAL LAND | 96,630 | 5,000 | 101,630 |
| REDDIE NOTZ | 181,083 | 9,190 | 190,273 |
| SCOTT PARK (complete) | 40,000 | 5,000 | 45,000 |
| ARDENWALD (complete) | 54,500 | 5,500 | 60,000 |
| SUB TOTALS | 1,538,482 | 134,805 | 1,673,287 |

REVENUE

| | |
|----------------------------------|-----------------------|
| REVENUE BONDS | 2,300,000 |
| *MILL PARK CDBG | 106,000 |
| **ODFW FISHING PLATFORM GRANT | 15,000 |
| TOTAL | 2,421,000 |
| LESS DISTRICT PROJECTS | <u>1,673,287</u> |
| REMAINING FUNDS AVAILABLE | <u>747,713</u> |

DOCUMENT DATE 2/3/95

H:\mnt\budget\95-96\project4.wk1

North Clackamas Parks & Recreation District
PROGRAM SERVICES DIVISION
Monthly Report
January, 1995

Mini Hoopers: 160 first and second graders have registered to play in this first time program. They will be coached by 20 volunteers who have been screened and trained by District staff with background checks by the sheriff's office.

Adult Basketball: 110 players on nine teams are participating in this league. Games are played on Wednesday and Sunday evenings at Mount Scott Elementary School. The game times were chosen to minimize the impact on youth leagues operating in the area.

Horseback Riding: Our January session operated at capacity with 22 participants. Registration for the February session has already sold out with an additional six on a waiting list for this popular program.

Drama and Dance: Twenty kids have tried out and received roles in the play Hansel and Gretel. Rehearsals are being held at McLoughlin Jr. High. An additional 16 participants attended our drama and dance workshop. This area of recreation seems to show a steady growth for us.

Kids Power: 118 kids have been attending our weekly safety and self defense programs offered by contract through Genesis 1. This popular activity has developed into a very popular program.

Employee Suggestions: There is now an employee suggestions box located in the staff lounge. To date, there have been over 30 suggestions with responses posted weekly to keep the staff informed of what is being done with their suggestions. Suggestions range from synchronizing the facility clocks to new rescue equipment. This has been a very positive way for staff to be able to communicate with management.

Praise Report: A new report has been developed for the District. It is called a Praise Report and was developed by Jim Kitch, a Shift Coordinator. The purpose of the report is to give credit to employees doing an outstanding job in customer satisfaction, safety and other good work habits.

New Swim Lessons: There has been overwhelming response to the American Red Cross lesson program. The majority of classes are filled until May. In an attempt to get more youth in lessons, we will be adding additional classes for Sessions V and VI. With the new year, there also has been a huge demand for more aquatic exercise classes. We have added two classes at 7:00 P.M. Monday through Thursday.

This Week Magazine: *This Week Magazine* will feature the Aquatic Park in an upcoming issue. A 100% trade-out exchange with the *Clackamas Review* will enable weekly advertisements in the paper and allow the *Review* to offer swims to youths as well as their subscribers.

A brief summary of patrons follows for the month of January with grand totals for the fiscal year:

| | | | |
|-------------------------------|---------|--------------------------|-------------------|
| Open swims: (In-District) | 6,220 | Lap swims: (In-District) | 449 |
| (Out-of-District) | 6,899 | (Out-of-District) | 149 |
| Birthday party participants: | 1,331 | Tube rental per cap | \$.27 |
| Group participants | 1,329 | Locker rental per cap | \$.31 |
| | | Concessions per cap | (\$14,219) \$1.08 |
| Grand totals for fiscal year: | 152,305 | | |
| Open Swims: (In-District) | 43,568 | 33% | |
| (Out-of-District) | 87,000 | 67% | |

RPAB MEMBERS ATTENDANCE RECORDS
July, 1994 - December, 1994

P = Present
** = Absent*
C = Meeting Cancelled

| <i>Name</i> | <i>7/94</i> | <i>8/94</i> | <i>9/94</i> | <i>10/94</i> | <i>11/94</i> | <i>12/94</i> | <i>Totals</i> |
|-----------------------|-------------|-------------|-------------|--------------|--------------|--------------|---------------|
| <i>Gary Barth</i> | <i>P</i> | <i>*</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>4/5</i> |
| <i>Bill Brod</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>*</i> | <i>4/5</i> |
| <i>Jim Ellis</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>5/5</i> |
| <i>Champ Husted</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>*</i> | <i>C</i> | <i>P</i> | <i>4/5</i> |
| <i>Daisa Lawson</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>5/5</i> |
| <i>Tom Peterson</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>5/5</i> |
| <i>Jean Schreiber</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>5/5</i> |
| <i>Lynn Sharp</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>P</i> | <i>5/5</i> |
| <i>Mitch Wall</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>P</i> | <i>C</i> | <i>*</i> | <i>4/5</i> |

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North Clackamas Parks & Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report
January 1995

Services

The Milwaukie Center hosted a presentation by the State Division of Seniors and the Disabled regarding the Governor's recommendations for significant cuts to Human Services budgets even in light of the demographic increases.

Congress is considering separation of the nutrition program from the Older Americans Act which would also separate the program from other aging service programs and will make it harder for communities to respond to older people who have complex and multiple needs. Our methods here in Clackamas County that are working very well would be undermined.

Education

Melba Bruce, Center Yoga Teacher, has resigned, but not before receiving her ten year pin from Clackamas Community College for her classes at the Milwaukie Center.

January's Wellness Seminar featured Carol Peterson talking about "Using Words That Create Good Health", Carol is the Author of "Watch Your Language".

Recreation

Center co-sponsored a workshop with the North Clackamas Fine Arts Guild which was the first in a series of workshops entitled "Explore the Arts" currently scheduled monthly through July.

Ruth Sanborn started as coordinator for the Cable Television Show sponsored by the Friends, staffed by Center. A new audience participation format is planned and shows are scheduled through June.

Friends

Fran Whitehill, Program Chairman of the Friends, was named Senior Woman of the Year by the Clackamas Review. Fran's selection was celebrated at a luncheon at the Broetje House.

Volunteers

The White House Conference on Aging will be held in May 1995. Alice Neely has been named Ron Wyden's Delegate. Alice has spent many years advocating for older adults and knows the issues inside and out.

The Tax Assistance Program is geared up to start in February. During January 50 volunteers were trained for this program co-sponsored by AARP and the Internal Revenue Service.

Nutrition

During the month of January over 4600 Meals on Wheels were delivered and over 1600 Congregate meals were served.

Assistant Cook position was filled.

Miscellaneous

Budget meetings were held by the Center/Community Advisory Budget Committee and Board, the Center Staff, the Nutrition and Transportation Steering Committee, and the Budget was ready 1/31/95.

North Clackamas Parks & Recreation District
PARK SERVICES DIVISION
Monthly Report
January, 1995

System Development Charges:

Clackamas County has collected \$19,037.00 in SDC park fees since the month of November and the City of Milwaukie has collected \$2,520.00 during that same period. The total collected to date for park SDC's is \$21,557.00.

Construction of the Master Planned Parks:

The District has developed a construction schedule for several of the recently master planned neighborhood parks using the Regional Park funds for development. Upon approval by RPAB, consultants will begin construction documents in February, 1995. The projects will be put out for competitive bidding in May, 1995, with award of construction contracts in June, 1995. We anticipate construction to begin in July, 1995, with completion prior to November 1, 1995.

Steering Committees:

The District has been asked by Clackamas County to have a staff person serve on the steering committees associated with the North Bank Project and the Clackamas Town Center Project.

Neighborhood Advisory Boards:

The next advisory board meeting will be held on March 16, 1995, at the Aquatic Park at 7:00 p.m. Topics for discussion will be the 1995-96 FY budget, land acquisition, neighborhood park construction updates, and an Open Space, Parks and Streams Bond Measure presentation. If you have other topics you would like included on the agenda please contact Diane Campbell.

Park Maintenance:

It appears the District will be moving its maintenance operations to the old Milwaukie fire station around the first of March, upon approval by the Milwaukie City Council. Additionally, due to the recent warm weather, the mowing season will begin earlier than usual this year. We anticipate mowing to begin during the month February.

Vandalism Report:

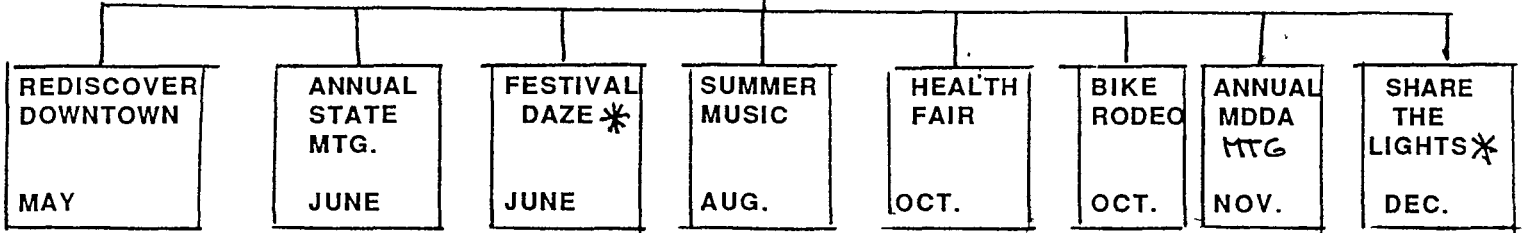
During the month of January there were four acts of vandalism which included graffiti at Dogwood park and the Jefferson Street Boat Ramp, turf damage at Century park, and damage to tennis net at Risley Park. Total repair costs were \$77.00. Additionally, damage to the turf and irrigation system at the neighborhood park on Harmony Rd. resulted from a truck that jumped the curb. The repair costs have been estimated at \$500.

Downtown Milwaukie
1995 CALENDAR OF EVENTS

| <u>Date</u> | <u>Description</u> |
|---|---|
| May 19 (Friday Noon -5:00p.m.) | Rediscover Downtown Milwaukie Day A spotlight on downtown Milwaukie businesses including service, office & retailers. Main Street Photo - wide lens photo of members of the downtown community. Downtown Clean-up Day Downtown Worker Appreciation Day - special discounts, refreshments, and business tours. |
| June 23,24, 25 (Friday, Sat., Sun.) | Milwaukie Festival Daze Join Milwaukians in celebrating a 23+ year tradition in downtown Milwaukie on Main Street off Hwy. 99 (McLoughlin Blvd.) This year the event will feature one the region's few "Sanctioned Fire Musters". Festivities start on Friday with food booths, the Funtastic Carnival and a beer garden. Saturday is packed with activities with the key event the traditional parade at 10:00 a.m. Horse drawn wagon rides, group performances and music fill the day topped off by a Street Dance in front of Libbey's Restaurant on Main Street. |
| August 2,9,15, & 23 (Wed. 11 am - 2pm) | "Sampling of Sound All August Long!!" Sponsored by North Clackamas Parks and Recreation District and downtown Milwaukie's own Libbey's Restaurant, the public and downtown employees are invited to "free" fun and entertainment at Scott Park by the Library. Jazz, blue grass, country and 50's music will be featured. Come downtown and enjoy the views and sounds from the newly restored Scott Park. |
| October 18th (Tues. 4:00 p.m. - 6:00 p.m.) | Health Fair Sponsored by downtown's St. John's Episcopal Church and the Milwaukie Downtown Development Association, dozens of health related services will be featured. Blood pressure and cholesterol testing, massage, and counseling services to name only a few are part of the day's menu. The event will be held in St. John's Episcopal Church located at 2036 SE Jefferson Street in Downtown Milwaukie. |
| October 28th (Sat. - 9:00 a.m. - 2:00 p.m.) | Halloween Safety Bike Rodeo Milwaukie's local Scout Troop highlights the day's activities. Starting at 9:00 a.m. in the rear parking lot of Kellogg Bowl, 10306 SE Main Street, the Scouts will conduct their fourth annual Bike Safety Rodeo testing junior cyclists on coordination, maneuvering, and overall bicycle safety. Free bicycle inspections are provided and certificates awarded. Also, the local police department provides fingerprinting for child identification purposes. Downtown merchants provide "goodies" for goblins throughout the day. |
| December 2nd (Sat. - Noon 5:00 p.m.) | "Share the Lights"® Festival December 2nd marks the fifth annual Milwaukie "Share the Lights"® festival in downtown Milwaukie. The main event of the holiday promotion is the children's Umbrella Parade at 3:00 p.m. Children are encouraged to decorate umbrellas in a festive theme with creativity shining "rain or shine"! Other downtown activities include a scavenger hunt to find holiday characters, free horse drawn trolley rides, an arts and crafts fair, carolers, a gingerbread creations contest all culminating in the annual tree lighting. Downtown businesses are illuminated along Main Street and many "Share the Light" with those less fortunate by sponsoring sharing wreaths and trees with the cards indicating the special needs of children and families in the Milwaukie area. |

*For more information on all of these events contact:
Milwaukie Downtown Development Association
10952 SE 21st, Ste. #5
(503) 653-0378*

**PROMOTIONS
MDDA
GENERAL PARTNER**



* Major Events - 6 mo. lead prep.



CLACKAMAS COUNTY

Department of Human Services


Community Development Division

MEMORANDUM

GARY DICENZO
DIRECTOR

Date: January 18, 1995

To: Citizens Advisory Committee (CAC)
Policy Advisory Board (PAB)
Interested Persons

From: Gary DiCenzo 

Subject: 1995 Community Development Block Grant (CDBG) Program

CC: Board of County Commissioners

Attached is a copy of our current three year project summary which was approved by the Board of Commissioners last May. The 1995 column represents the second year of our program which will begin July 1, 1995.

Although these projects have already been approved, we need to meet to reaffirm the 1995 projects and to decide on the use of additional funds we expect to receive (approximately \$100,000). This meeting is scheduled for 2:00 PM on Wednesday, February 8, 1995 to be held at the Oregon City Senior Center.

With regards to the additional \$100,000 we expect to receive in 1995, our recommendation is to apply the funds to project #24, the Clackamas Heights Water System Improvements. The water lines in this public housing development are deteriorating quite rapidly. If any of the funds allocated in the third year (\$105,000) are not needed to complete the water line improvements, we can reallocate those dollars next year.

Alternative recommendations concerning the additional funds can be discussed at the February 8 meeting.

Another agenda item I would like to discuss is the new requirement by the Department of Housing and Urban Development (HUD) that we prepare a "Consolidated Plan" covering various housing and community development programs. Staff will provide an overview of this new requirement. A rough draft of the Consolidated Plan will be mailed to you within the next 4-6 weeks.

If you have any questions, feel free to contact me at 655-8267.

Consolidated Plan Schedule

1994

Wednesday **PUBLIC HEARING**
November 9 6:30 p.m. Gladstone Senior Center 1050 Portland Avenue, Gladstone
The purpose of the Hearing is to receive testimony on Housing and
Community Development Needs within Clackamas County

November 14
to
January 25 Staff Prepares Consolidated Plan & 1995 Project List

1995

Wednesday **Citizens Advisory Committee/Policy Advisory Board Meeting**
February 8 2:00 p.m. Oregon City Senior Center - classroom/library
615 Fifth Street, Oregon City
Discuss Proposed Consolidated Plan/1995 Project List

Wednesday **Citizens Advisory Committee/Policy Advisory Board Meeting (if needed)**
February 15 2:00 p.m. Oregon City Senior Center - classroom/library
615 Fifth Street, Oregon City
Discuss Proposed Consolidated Plan/1995 Project List

Thursday
March 16 30 Day Comment Period on Proposed Consolidated Plan Begins

Thursday **PUBLIC HEARING**
April 6 10:00 a.m. before the Board of County Commissioners
906 Main Street, Oregon City
The Purpose of the Hearing is to Discuss the Proposed Consolidated Plan, Past
Program Performance, and the 1995 Action Plan

Monday
April 16 30 Day Comment Period on Proposed Consolidated Plan Ends

Thursday
April 27 Board of County Commissioners Approves Final Consolidated Plan

Monday
May 15 Submit Consolidated Plan to HUD

July 1 Program Year 1995 Begins

THREE YEAR PROJECT SUMMARY
FOR THE
1994-1996 CLACKAMAS COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

| PROJECT/ACTIVITY | 1994 CDBG Funds | 1995 CDBG Funds | 1996 CDBG Fund. |
|---|--------------------|--------------------|--------------------|
| CITY PROJECTS | | | |
| ===== | | | |
| Canby | | | |
| ----- | | | |
| 1. Canby Adult Center Addition | \$ 175,000 | | |
| - Expansion of the adult center to include a health room and various meeting and class rooms. | | | |
| 2. North Cedar and South Fir Street Improvements | | | \$ 155,000 |
| Reconstruction of a four block section of N. Cedar Street and two block section of S. Fir Street. | | | |
| 3. Handicapped Accessibility Improvements | | \$ 45,000 | |
| Construction of curb cuts, handicapped parking and various accessibility improvements to public buildings in the downtown area. | | | |
| Estacada | | | |
| ----- | | | |
| 4. Lakeshore Street Improvements | \$ 110,000 | | |
| Reconstruction of Lakeshore Street including curbing, sidewalks, storm drains and street paving. | | | |
| 5. Sewer System Rehabilitation | | \$ 140,000 | |
| Replacement of 2,580 lineal feet of deteriorated sanitary sewer lines along 3rd Avenue. | | | |
| 6. Broadway Street Improvements | | | \$ 160,000 |
| Construction of curbs, sidewalks and paving on Broadway Street between 2nd and 6th Avenue. | | | |
| Gladstone | | | |
| ----- | | | |
| 7. Abernethy Lane Drainage Improvements | \$ 90,000 | | |
| Construction of storm drain improvements on Abernethy Lane between Glen Echo Avenue and Portland Avenue in Gladstone. | | | |
| 8. Barton, Beatrice & Bellview Streets Curb Improvements | | | \$ 95,000 |
| Construction of new curbs on Barton Street from Clackamas Blvd. to Fairfield, on Beatrice Street from Arlington to Ipswich and on Bellview Street from Clackamas Blvd. to Jersey. | | | |
| 9. Curb and Sidewalk Reconstruction Assistance | | \$ 25,000 | |
| Provision of assistance to low/moderate income homeowners who need sidewalk improvements. | | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds ----- | 1995 CDBG Funds ----- | 1996 CDBG ----- |
|---|-----------------------------|-----------------------------|-----------------------|
| 10. Glen Echo Avenue Pedestrian Way Widening of the paved surface of Glen Echo Avenue to provide a pedestrian walk way. | | | \$ 40,000 |
| Milwaukie ----- | | | |
| 11. Annie Ross House Improvements Conversion of a garage building to serve as a laundry and storage facility, office renovation and rehabili- tation of the shelter facilities. | \$ 60,000 | \$ 70,000 | |
| 12. Ledding Library Accessibility Improvements Installation of new entry door, enclosure of part of the front porch, replacement of countertops, location of stairway, catalog terminals and multi-purpose room, lighting improvements and replacement of carpeting. | | \$ 120,000 | |
| 13. Senior Locks Program Promote residential security by installing and repairing entry locks for low income residents of the City of Milwaukie. Additional security enhancing improvements would be provided for doors and windows as needed. | \$ 15,000 | | |
| 14. The Challenge Center Mezzanine Remodel Enclosing of the mezzanine of the Challenge Center facility with provisions for wheel chair access. Plans include addition of an accessible restroom to serve the mezzanine area. | \$ 65,000 | | |
| Molalla ----- | | | |
| 15. Main Street Sewer Line Improvements Construction of 5,500 feet of 15 inch sewer line along Main Street from the Molalla Avenue intersection west to the Bear Creek sewer line. | \$ 250,000 | | |
| 16. Sweigle Avenue Sewer Rehabilitation Assess condition of sewer laterals of residences on 5th Street and Sweigle Avenue. Rehabilitate laterals that are found to be deficient. | | \$ 75,000 | |
| 17. Shirley Street Sidewalks Construction of approximately 2,000 feet of 5 foot wide sidewalk on one side of Shirley Street. | | | \$ 48,000 |
| 18. Job Developer/In Home Care A continuation of the existing program which is operated out of the Molalla Service Center. | \$ 20,000 | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds | 1995 CDBG Funds | 1996 CDBG Fund. |
|--|--------------------|--------------------|--------------------|
| ----- | ----- | ----- | ----- |
| Oregon City ----- | | | |
| 19. Oregon City Mental Health Clinic Expansion | | \$ 160,000 | |
| Expansion of the mental health clinic located at Red Soils in Oregon City. The proposed addition would include six offices, a group room and restrooms consisting of a total of 2,884 square feet. | | | |
| 20. Historic Rehabilitation Loan Program | \$ 25,000 | \$ 25,000 | \$ 25,000 |
| Continuation of program to promote residential historic preservation through the provision of deferred payment loans. | | | |
| 21. Park Place Drainage Plan | \$ 24,000 | | |
| Preparation of a drainage master plan needed to determine flow routing and sizing for the Park Place neighborhood. | | | |
| 22. Park Place Water Facility Improvements | | \$ 125,000 | |
| Installation of a water main in Apperson Blvd. from Holcomb Blvd. to Gain Street. | | | |
| 23. Park Place Street and Drainage Improvements | | | \$ 185,000 |
| Construction of drainage improvements, curb and sidewalks and street paving on Apperson Blvd. from Holcomb Blvd. to Gain Street. | | | |
| 24. Clackamas Heights Water System Improvements | | | \$ 105,000 |
| Replacement of water distribution lines serving the Clackamas Heights complex. Replacement facilities will be built to Oregon City Standards to allow for transfer of maintenance to the City. | | | |
| Sandy ----- | | | |
| 25. Sewer Lateral Improvements Program | \$ 75,000 | | |
| Rehabilitation or replacement of sewer laterals which have been identified as leaking. The City has identified 46 laterals and anticipatites further testing will indicate a need to rehabilitate 76 laterals. | | | |
| 26. City Hall Accessibility Improvements | | | \$ 25,000 |
| Renovation of restrooms and installation of new entry doors to provide handicapped accessibility at Sandy City Hall. | | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds ----- | 1995 CDBG Funds ----- | 1996 CDBG Funds ----- |
|--|-----------------------------|-----------------------------|-----------------------------|
| 27. Sidewalk Improvements | | \$ 50,000 | \$ 60,000 |
| Construction of new sidewalks in the downtown area, in the residential area near Sandy Grade School and along Hwy. 26 connecting a residential area to downtown. | | | |
| 28. Meeker Street Storm Drain Improvements | | \$ 60,000 | |
| Installation of drainage improvements on Meeker Street between University Avenue and Bluff Road. | | | |
| 29. Meeker Street Sanitary Sewer | | \$ 100,000 | |
| Construction of 2,500 lineal feet of sewer line on Marcy, Meeker and Bluff Road to serve residences currently using on-site disposal systems. | | | |
| Wilsonville ----- | | | |
| 30. Senior Center Doors | \$ 2,500 | | |
| Installation of two restroom doors and removal of a short wall section which limits wheelchair access. | | | |
| 31. Senior Center Sign | \$ 2,500 | | |
| Provision of a permanent sign at the entry drive way of the Wilsonville Senior Center. | | | |
| UNINCORPORATED AREA PROJECTS ===== | | | |
| Bull Run ----- | | | |
| 32. Bull Run School Gymnasium Preservation Project | | \$ 40,000 | |
| Renovation of gymnasium to enable the structure to withstand high wind and seismic activity. | | | |
| Canby ----- | | | |
| 33. Mark Prairie School House Improvements | | | \$ 65,000 |
| Preservation of this historic school house. Improvements include roof, electrical, plumbing, painting, handicap accessibility, and water and sewer system. | | | |
| Clackamas ----- | | | |
| 34. SE 98th/Christensen Avenue Drainage Improvements | | | \$ 72,000 |
| Construction of drainage system improvements to improve neighborhood livability. | | | |
| 35. 90th Avenue Street Improvements | \$ 45,000 | | |
| Reconstruction of 90th Avenue which serves two low and moderate income housing developments. | | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds ----- | 1995 CDBG Funds ----- | 1996 CDBG Funds ----- |
|--|-----------------------------|-----------------------------|-----------------------------|
| Jennings Lodge ----- | | | |
| 36. Addie Street and Drainage Improvements | \$ 250,000 | | |
| Construction of complete drainage and street improvements on Addie Street, Gill Street, Meyers Avenue and Woodcock Street. Proposed improvements include drainage, curbs, sidewalks and street paving. | | | |
| 37. Glen Echo/Abernethy Lane Drainage Improvements | \$ 25,000 | | |
| Construction of a drainage system to eliminate storm water ponding at the intersection of Glen Echo Avenue and Abernethy Lane in Jennings Lodge. | | | |
| 38. Boardman Slough Park Plan | | \$ 30,000 | |
| Development of a site plan, acquisition and development strategy and management plan for a neighborhood park. Plan would attempt to combine recreational use with preservation of the site as a wetland. | | | |
| 39. Boardman Slough Park Improvements | | | \$ 120,000 |
| Acquisition of land and provision of passive recreational improvements including trails, benches and interpretive signs. | | | |
| Milwaukie ----- | | | |
| 40. Stanley Avenue Sidewalk and Drainage Improvements | \$ 145,000 | | |
| Construction of drainage, curb and sidewalk improvements on the east side of Stanley Avenue between Hecter and Willow Streets. | | | |
| 41. OASES Amputee Center Improvements | \$ 10,000 | | |
| OASES has been granted FY 93 CDBG funds for roofing improvements. Supplemental funds are requested to complete accessibility improvements. | | | |
| Oregon City ----- | | | |
| 42. Parrott Creek Ranch Dining Hall Expansion | | | \$ 45,000 |
| Expansion of the dining hall to accomodate more clients including handicapped individuals. Parrott Creek Ranch is a residential treatment facility for troubled youth. | | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds ----- | 1995 CDBG Funds ----- | 1996 CDBG Fund ----- |
|--|-----------------------------|-----------------------------|----------------------------|
| Oak Grove ----- | | | |
| 43. Holly Avenue Local Improvement District (LID) | \$ 75,000 | | |
| Payment of assessments for low income owner/occupants planned to be levied to finance construction of storm drains, curbs and sidewalks. | | | |
| Overland Park/Battin ----- | | | |
| 44. Kendall Center Annex Improvements | \$ 30,000 | | |
| Renovation of the Kendall Center Annex including foundation improvements, replacement of rain gutters addition of a bathroom and electrical repairs. | | | |
| 45. Inn-Home for Boys Windows | \$ 10,000 | | |
| Replacement of existing windows with vinyl framed insulated windows at the Inn-Home for Boys residential facility. | | | |
| Sandy ----- | | | |
| 46. Sandy Ridge Head Start Renovation | | \$ 165,000 | |
| Renovation of the Sandy Ridge School for use as a Head Start facility. Improvements are proposed in two phases with partial occupancy occurring after completion of the first phase. | | | |
| COUNTY WIDE PROJECTS ===== | | | |
| 47. Clackamas River Protection Plan | \$ 30,000 | | |
| Identification of opportunities and funding options to coordinate land use and water quality programs to assure that water quality along the Clackamas River is not diminished. Preparation of a needs assessment and action plan. | | | |
| 48. Newell/Abernethy Creek Restoration Plan | \$ 6,000 | \$ 24,000 | |
| Preparation of a plan for the protection and resource management of the Newell Creek and Abernethy Creek areas of Oregon City and the Clackamas/Willamette River "Delta". | | | |
| 49. Mental Health Group Home Carpets | \$ 37,000 | | |
| Installation of carpet in 12 group homes which are owned by the Housing Authority and operated by the Mental Health Center. | | | |

| PROJECT/ACTIVITY ----- | 1994 CDBG Funds ----- | 1995 CDBG Funds ----- | 1996 CDBG Fund. ----- |
|--|--|-----------------------------|-----------------------------|
| 50. Fair Housing Information and Referral Provision of fair housing assistance and information and referral services to assist people needing housing accommodations. | \$ 52,000 | \$ 54,000 | \$ 56,000 |
| 51. Local Improvement District Program Establishment of a fund to pay assessments for low income homeowners who are subject to LID assessments for capital improvement projects. | \$ 75,000 | \$ 75,000 | \$ 100,000 |
| 52. Low/Moderate Income Housing Policy Analysis Preparation of a plan to analyze planning and development requirements for housing within Clackamas County. | | | \$ 30,000 |
| 53. Historic Landmarks Rehabilitation Loans Continuation of a program to provide financial incentive to owners of historic properties to promote restoration and preservation of their properties. | \$ 30,000 | \$ 30,000 | \$ 30,000 |
| 54. Housing Rehabilitation Loans Continuation of a program which provides loans to low income residents to finance needed housing rehabilitation improvements. Funding for seven programs is requested. | \$ 400,000 | \$ 603,000 | \$ 589,000 |
| 55. Campfire Teen Parent Housing Acquisition of two housing units to provide transitional housing for pregnant and parenting teens. | \$ 120,000 | | |
| 56. Geographic Information System Parcel Base Completion of a computerized parcel base for all of Clackamas County utilizing County Assessor maps. Upon completion the computerized parcel layer would provide a base for an intergrated county-wide geographic information system (GIS). | \$ 65,000 | | |
| Administration ----- | | | |
| 57. Contingency | \$ 121,000 | \$ 125,000 | \$ 131,000 |
| 58. Administration | \$ 330,000 | \$ 335,000 | \$ 340,000 |
| ----- GRAND TOTAL ----- | \$2,770,000 | \$2,476,000 | \$2,476,000 |
| | (Includes \$294,000 in Carryover & Program Income) | | |

MEETING REPORT

DATE OF MEETING: January 12, 1995

GROUP/SUBJECT: Joint Policy Advisory Committee on Transportation (JPACT)

PERSONS ATTENDING: Members: Chair Rod Monroe, Don Morissette and Susan McLain, Metro Council; Earl Blumenauer, City of Portland; Roy Rogers, Washington County; Royce Pollard, City of Vancouver; Bruce Warner, ODOT; Tom Walsh, Tri-Met; Rob Drake, Cities of Washington County; Gerry Smith, WSDOT; Craig Lomnicki, Cities of Clackamas County; Dave Sturdevant, Clark County; Tanya Collier, Multnomah County; Ed Lindquist, Clackamas County; and Claudiette LaVert, Cities of Multnomah County; Dave Lohman (alt.), Port of Portland; and Gregory Green (alt.), DEQ

Guests: Elsa Coleman, Steve Dotterer, Kate Deane and Meeky Blizzard, City of Portland; Jim Howell and Fred Nussbaum, AORTA; Ray Polani, Citizens for Better Transit; John Rist, Clackamas County; Linda Peters (JPACT alt.); Patricia McCaig (JPACT alt.); Darin Atteberry, City of Vancouver; Park Woodworth, Dick Feeney, Bernie Bottomly, Ross Roberts and G.B. Arrington, Tri-Met; Ron Bergman, Clark County; John Charles, Oregon Environmental Council; Dean Lookingbill, Southwest Washington RTC; Mary Legry, WSDOT; Bob Bothman, MCCI; Kathy Busse, Multnomah County; Dave Williams, ODOT; Jane Heisler (for Tom Coffee), City of Lake Oswego; Susie Lahsene, Port of Portland; Rod Sandoz, Clackamas County; Molly O'Reilly, Citizen; Kathy Lehtola and John Rosenberger, Washington County

Staff: Andrew Cotugno, Mike Hoglund, Tom Kloster, John Cullerton, Casey Short, Heather Nelson, Merrie Waylett and Lois Kaplan, Secretary

Media: Gordon Oliver, The Oregonian

SUMMARY:

The meeting was called to order and a quorum declared by Chair Rod Monroe. He welcomed new members Don Morissette (Metro Council) and Claudiette LaVert (Cities of Multnomah County) and noted that Patricia McCaig (Metro Council), David Ripma (Cities

JPACT
January 12, 1995
Page 2

of Multnomah County), and Linda Peters (Washington County) would be serving as alternates.

ANNOUNCEMENTS

Andy Cotugno announced that the seats on JPACT from the cities of Washington and Clackamas Counties will be vacated shortly and that, according to JPACT's bylaws, it is the responsibility of the largest city in each jurisdiction to convene a forum to initiate the balloting for members.

Andy reported that the Metro Council has decided to repeal its effort to enact a Construction Excise Tax in light of competition with other tax measures. The tax would have generated about \$2.5 million. Discussion followed on the impact on Metro's activities. Andy verified that the budget proposal does not include asking for local government dues but it does mean that some services will have to be paid for by local governments. Chair Monroe indicated that some alternatives being discussed include application of Metro's excise tax to some other areas, citing the Convention Center as an example. The budget proposal does not include the Construction Excise Tax. A discussion followed on the gap in the Metro budget and the resulting implications.

Councilor Morissette noted that the Metro Council budget has been reduced by about \$100,000 and they are examining other means of savings.

MEETING REPORT

Bruce Warner moved, seconded by Commissioner Lindquist, to approve the December 8, 1994 JPACT meeting report as written. The motion PASSED unanimously.

RESOLUTION NO. 95-1995 - CERTIFYING THAT TRI-MET'S JOINT COMPLEMENTARY PARATRANSIT PLAN UPDATE FOR 1995 CONFORMS TO METRO'S REGIONAL TRANSPORTATION PLAN

Park Woodworth, Tri-Met Director of ADA Compliance, reported that Metro has the responsibility of certifying that Tri-Met's joint complementary Paratransit Plan update meets ADA requirements. In 1992, Tri-Met submitted its plan for compliance in September 1994. Park spoke of the significance of this update and the delayed implementation of several milestones from September 1994 to June 1995, which he reviewed as outlined in the Staff Report. He noted there are quality issues that are yet to be addressed through the automated scheduling program.

JPACT
January 12, 1995
Page 4

scope be discussed further. He cited the need to secure the grant at this time and the commitment to fund the \$475 million downstream.

Commissioner Lindquist indicated that Clackamas County supports this proposal. The funds were also set aside for parts of Clackamas County north.

Action Taken: Tom Walsh moved, seconded by Councilor McLain, to recommend approval of Resolution No. 95-2058, allocating I-205 busway withdrawal funds to the South/North EIS and PE and airport ground access study and rescinding Tri-Met's obligation to repay the previous I-205 buslane withdrawal grant. The motion PASSED unanimously.

RESOLUTION NO. 95-2072 - ENDORSING THE OREGON TRANSPORTATION FINANCE PACKAGE

Andy Cotugno explained that the Oregon Transportation Finance Package was developed by a coalition comprised of representatives from ODOT, the League of Oregon Cities, the Association of Oregon Counties, the Oregon Public Ports Association and the Oregon Transit Association. This particular proposal is an attempt to be conservative and prudent, and the real need outstrips the proposal. Andy highlighted the components of the proposal which included: a 2-cent gas tax increase for implementation in January 1996 and 1997 for state/local road and bridge needs; a 2-cent gas tax increase for implementation in January 1996 and 1997 to fund seismic bridge needs; a decrease of the truck's share of the Highway Trust Fund from 38.8 percent to 37.5-38.0 percent; a \$20/year increase in the statewide vehicle registration fee dedicated to mass transit and local road needs; referral of a Constitutional Amendment, enabling the new vehicle fees to be used for transit; and adoption of a lottery funding package for statewide non-highway purposes.

Andy indicated these are critical funds lacking in the Six-Year Program. He noted that seismic retrofitting for bridges is one component that was not considered heretofore. This represents a city/county/state program that would be administered by the state. Andy noted that ODOT has completed its Cost Responsibility Study to determine what the truck share should be.

Commissioner Lindquist spoke of the current composition of the Legislature, its impact on the region, and the other alternatives that were looked at. Kate Deane, Chair of the Steering Committee, reported that a vehicle emission fee and congestion pricing were also considered. She felt that a funding package was developed that would generate some political support. It is a political assessment on what the committee felt the delegation

Park reported that Tri-Met contracts out all paratransit rides. He noted a correction to Table 5 in that a total of 575,000 rides are contracted out. He indicated that Tri-Met is in compliance approval with ADA and the RTP, and that the Committee on Accessible Transportation (CAT) and the Citizens Advisory Committee to the Tri-Met Board have reviewed and recommended approval of the Paratransit update.

Action Taken: Councilor McLain moved, seconded by Commissioner Lindquist, to recommend approval of Resolution No. 95-1995, certifying that Tri-Met's joint complementary Paratransit Plan update for 1995 conforms to Metro's Regional Transportation Plan. The motion PASSED unanimously.

RESOLUTION NO. 95-2058 - ALLOCATING I-205 BUSWAY WITHDRAWAL FUNDS TO SOUTH/NORTH ENVIRONMENTAL IMPACT STATEMENT AND PRELIMINARY ENGINEERING AND AIRPORT GROUND ACCESS STUDY AND RESCINDING TRI-MET OBLIGATION TO REPAY I-205 BUSLANE WITHDRAWAL GRANT

Andy Cotugno explained that this resolution recommends that we not proceed with bus-related improvements in the I-205 corridor but instead support the DEIS, FEIS and PE of the South/North light rail project. The two uses identified for the funds include \$12.6 million for preconstruction activities on the South/North corridor itself (FEIS and PE) and \$300,000 for a comprehensive assessment of ground transportation access to the airport. These funds have already been appropriated but there is need to secure the funds in the form of a grant. All has been appropriated with exception of the remaining \$73,000.

Technical staff determined that it would be inappropriate at this time to provide bus-related improvements in the corridor.

The success of the Gateway shuttle was discussed. Tom Walsh indicated it worked well, was the first step to take, but did not match the Port's capabilities. It was noted that these funds might increase chances of getting South/North LRT funds and would not do anything to inhibit final access to the airport.

Andy Cotugno emphasized the fact that this would represent a federal commitment toward the South/North project, citing the criticality for South/North funds.

Dave Lohman cautioned letting funds for I-205 alternatives slip away, proclaiming this a major step for the Port. He indicated it would include working on several private accesses to the airport and on local match. He wanted an opportunity to discuss the amount of the participants in that match. Andy Cotugno noted that TPAC chose not to make the match a condition to approval of the resolution but suggested that the issue of match and the

but felt it would create a forum for discussion during this legislative session. He noted that it is not perfect but he felt it has a chance to pass because it is balanced modally and regionally. He felt that the lottery funds (\$100 million) may be the most difficult to obtain but the infrastructure is keyed to economic development.

A discussion followed on the Constitutional Amendment. It will not be a vote on higher taxes or fees. Councilor McLain asked whether consideration had been given to a sliding scale, and the answer was "no" due to the small size of the registration fee. Although the economic need of certain individuals would be impacted, the issue didn't come up.

Commissioner Lindquist noted that the cities and counties have both been working together on this funding package. There isn't much money in the proposal. This represents a delicate effort to bring everyone together. Commissioner Lindquist expressed concern about LRT funding. He cited the need to understand the proposal as a package of benefits, noting that the lottery funds would be the most difficult to attain.

Action Taken: Commissioner Lindquist moved, seconded by Bruce Warner, to recommend approval of Resolution No. 95-2072, endorsing the Oregon Transportation Finance Package.

Jim Howell, a member of AORTA, expressed AORTA's concern being the flexibility of transportation funds. AORTA is supportive of South/North funding but takes issue with separation of funds into separate pots. In order to make good judgments on where the funds should be spent, he didn't feel the proposal offered the same flexibility in the Constitutional Amendment that it offered for the registration fee. He spoke of prior defeats before the Legislature on measures tied to additional taxes. He felt it would be easier to get a Constitutional Amendment passed that is broader in scope.

Fred Nussbaum, President of AORTA, commented on the political acceptability in the balance of this package. He felt this proposal was similar to the one that went before the last Legislature. He noted that the Legislature also favors no new taxes and the transit alternative portion of the package is totally dependent on new taxes. He commented that the leadership in the Legislature is from the non-urban areas.

Ray Polani, A TPAC citizen alternate and a member of Citizens for Better Transit, supported AORTA's position. He felt this funding package is out of step with the Clean Air Act Amendments, Transportation Planning Rule and ISTEA and that the public have

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would be receptive to or might have a chance of passing.

Kate reviewed some of the package elements relating to airport improvements, freight mobility improvements, and high-speed rail, noting some of the communities that would benefit. The South Rivergate area in Portland is targeted for \$6 million for a freight mobility project.

A discussion followed on a meeting held in December and the concern over the apparent lack of sensitivity with regard to the availability of lottery funds. Commissioner Rogers spoke of limited dollars and expressed legislators' concerns surrounding such requests.

Councilor McLain assumed that the region would want to go forward with a finance package that provides an infrastructure balance, maintenance of roads, and a clear commitment. She cited the importance of supporting infrastructure that deals with business, schools and quality of life and stressed the need to exercise leadership and lobby collectively and individually. Chair Monroe concurred that this should be a non-partisan effort.

Kate Deane commented on the size of the funding package, noting that there is a clear link between the existence of the transportation facilities and economic development. Because the funds are geared toward economic development, it is our obligation to tell the state how to maximize those dollars. She pointed out that the committee strived to have a balance by mode and by region. She emphasized that there is something in the finance package for every region of the state.

Commissioner Blumenauer felt the package should be pursued with both caution and support. He didn't feel that any two individuals would have designed the package the same because of different perspectives. While he felt it didn't meet all needs, he noted it allowed for flexibility. He pointed out that the State of Washington's resources are more significant than Oregon's. Also mentioned was the fact that there is a significant adjustment for the truckers. It was noted that Oregon is the only state that practices cost responsibility. Commissioner Blumenauer was hopeful that the message is clear that we may need to spend a few years tightening our belts.

In further discussion, Committee members agreed on the importance of a balanced transportation package and individual contact with the local trucking firms, homebuilders, small business people and school districts.

Dave Lohman indicated that the Port has spent a lot of time working on this package. He questioned whether it would pass,

REGIONAL TRANSPORTATION PLAN UPDATE

Andy Cotugno cited three activities to be coordinated this spring relating to the Regional Transportation Plan update: 1) completion of Phase I of the RTP update with added federal requirements and the problems associated with a long-range, constrained RTP; 2) funds set aside for alternative modes and regional flexible ISTEA funds and start-up of the allocation process; and 3) the question of whether an Arterial Fund should move forward, when it would be appropriate to consider a measure, and what should be proposed to meet the needs of the region. Andy spoke of a variety of federal and state requirements to be met, including the Clean Air Act Amendments, the Region 2040 Growth Concept, DEQ's proposed rule and the Transportation Planning Rule.

Commissioner Blumenauer asked to what extent possible federal and state legislative efforts will impact our efforts. Andy Cotugno didn't feel we can forecast what will happen but spoke of potentially reducing unfunded mandates. He noted that the Clean Air Act Amendments set rigid standards and specifies how you meet those standards. He felt that the standards will remain but how you achieve them may change. Two years ago, the Governor's Task Force recommendations were endorsed. If the state or federal requirements are relaxed, it might place more of a burden on the region and some actions might be taken more aggressively. Gregory Green noted that, if some of these requirements are relaxed, there is a corresponding price to pay. Andy Cotugno continued and spoke of the JPACT/MPAC partnership in the transportation/land use process. He noted that work teams are being developed for technical support in the different modes. A Citizens Advisory Committee (CAC) will also be established to participate throughout this process. Membership for the CAC is being solicited at this time as advisory to JPACT and Metro Council. In terms of a timeframe and integration with 2040, it will take place over the next six months.

The immediate phase in the process is driven by federal requirements with a fiscally constrained RTP. The critical issue in the near term is focused on the constrained dollars with the longer term RTP being integrated with land use questions. Andy spoke of reasonable assumptions of available resources and a mix of transportation needs as he reviewed the RTP financial constraints chart. Important objectives for the spring are to define what is a fiscally constrained RTP and to determine whether an Urban Arterial Fund ballot measure should be referred.

Andy announced that a Transportation Fair is being hosted on January 28 at Metro with the intent of gaining input on long-term and short-term needs, on fiscal needs, and on criteria as a means of making those decisions.

demonstrated they understand the benefits of alternative transportation, also commenting on the funding being crucial.

John Charles of the Oregon Environmental Council felt that the approach taken has not worked in the past, will not work in the future, and would bankrupt the state. He felt that people can change habits and cited the rising rates of VMT and the role of putting more buses out. He spoke of marginal cost pricing and user fees and the need to educate people on alternatives.

Councilor Morissette indicated he was supportive of the transit agency and road projects but felt that the public would not support any new taxes. He cited the importance of maintaining the infrastructure but was not comfortable with the funding proposal. Commissioner Blumenauer reported that several surveys indicate that there is public support for these types of improvements. Such resources to the City of Portland could mean funding to do transit-supportive development. Councilor Morissette felt that there could be other ways to realize those goals. Commissioner Blumenauer reported that the City of Portland's transportation program had been downsized and its capital reprioritized.

Councilor McLain felt that the proposal represented a commitment for a balanced transportation program that may need to be taken in steps but stressed the need to pursue it in a united effort.

Commissioner Blumenauer asked that Committee members work with Kate Deane and Andy Cotugno to develop a response to the issues noted. Also discussed was the possibility that AORTA could sponsor the Constitutional Amendment.

There was agreement in the need to be more systematic in terms of what the region will support.

Commissioner Lindquist felt that the region is falling behind in its transportation needs, noting that this funding package doesn't provide much more than preservation of the existing infrastructure. This funding package is intended to get the region back to the point of where inflation set in. Commissioner Lindquist felt that the legislators understand that transportation is a key to the rural areas as well. He noted that there would probably be refinements made through the Legislature but asked for Committee support at this time.

Gregory Green commented that good air quality involves a multi-modal transportation system, expressing his support of the transportation finance package.

The motion PASSED. Councilors Morissette and LaVert abstained, citing their newness to the issues and JPACT.

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Councilor McLain will chair the committee that will screen applicants for participation on the 21-member Citizens Advisory Committee.

REVIEW OF SOUTH/NORTH FUNDING PROSPECTUS

Dick Feeney explained that the South/North LRT project funding prospectus represents a plan, not a proposal, that defines funding participation over the length of the South/North LRT project. It evolved through discussions with the State of Washington, C-TRAN, the Oregon Department of Transportation, federal representatives and Clackamas County and will be reviewed in a series of meetings by the JPACT Finance Committee. The objective is to get a picture of how this entire package can be implemented through Congress. The prospectus was developed largely through staff work of Tri-Met and ODOT but does not reflect a proposal by either party. It has, however, been reviewed by Tri-Met's Bond Counsel and transportation and financial consultants.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Mike Burton
JPACT Members

lmk

Clackamas getting \$18 million industrial park

Local developer Neil Nedelisky expects to break ground this month on an \$18 million industrial park near Precision Castparts Corp.'s Clackamas plant.

Construction will begin on the first two buildings of a planned 350,000-square-foot complex called Interstate Industrial Park, Nedelisky said. The project sits on 25 acres south of Clackamas Promenade shopping center.

"The market seems to be extremely hot," he said. "And there's no more industrial land available in Clackamas County."



By STEVE LAW

The developer is known for building the upscale Barrington Heights subdivision in the hills of West Linn. However, several years ago he built three Clackamas-area industrial parks: Imperial Plaza, Colonial Business Center and I-205 Industrial Park.

Construction will begin soon on a 100,000-square-foot speculative building and a 70,000-square-foot distribution warehouse pre-leased to Scotsco Inc., Nedelisky said.

Scotsco is a distributor of chain saws, lawn mowers and other yard equipment. The company will relocate from a much smaller facility near Southeast 71st Avenue and Flavel Street in Portland.

Four more industrial buildings are planned later, Nedelisky said.

Clackamas County officials have long complained there is not enough industrially zoned land in the county. The vacancy rate at Clackamas-area industrial parks is between 4 percent and 5 percent, Nedelisky said. The average metro-area vacancy rate is about 8 percent, according to statistics from Norris, Beggs & Simpson.

Nedelisky has eyed the site next to Precision Castparts for several years. Last year, the manufacturer's former board chairman, Ed Cooley, decided to put the parcel up for sale.

Company officials decided the property was expendable due to recent cuts in aerospace spending. "They decided that they are not in the mode of upsizing and actually have been downsizing," Nedelisky said.

Access to the property will be enhanced in a few years when the new I-205 Sunnybrook freeway interchange is completed. Construction is slated to begin in 1996. Sunnybrook Street borders the north end of Interstate Business Park and will connect I-205 to 82nd Avenue.

The business park project has already received design approval and an initial building permit from Clackamas County, said county planner Ron Stangel. Nedelisky still needs to work out details of a wetlands mitigation project with state environmental regulators, Stangel said.

Nedelisky's real estate arm Show Timber Co. closed the land purchase in December. Michael Smith of Michael Smith Properties and Bob Baumann of Granite Equities negotiated the deal.

Hillman sells off local parcels worth \$100 million

Hillman Properties Northwest has quietly sold more than \$100 million worth of local properties in recent weeks to WCB Properties.

WCB is a new entity managed by former Hillman executives and funded by Goldman Sachs & Co. Henry Hillman, the billionaire owner of Hillman Properties, sold much of his nationwide portfolio to investors in Goldman's Whitehall Fund.

County property deeds show WCB bought Hillman's six Kruse Way office buildings for \$44.7 million. The Lake Oswego holdings include Kruse Woods One and Two, Kruseway Plaza I and II, 5000 Meadows and 4900 Meadows.

Principal Mutual Life Insurance Co. supplied a \$42 million mortgage to finance the Kruse Way deals. The Iowa-based insurer provided financing for six years.

WCB bought Wilsonville Business Center from Hillman for \$19.6 million. Prudential Insurance Co. of America supplied WCB with \$16.7 million in financing for the deal.

Hillman sold One Pacific Square, also known as the Northwest Natural Gas Co. building, for \$23.3 million. One Pacific Square is a 13-story office building in Portland's Old Town.

WCB received \$20.9 million in financing for the deal. General Electric Capital Corp. provided a \$19.4 million mortgage for five years. Pacific Square Corp., an entity connected with Hillman, provided a second mortgage for \$1.5 million.

WCB also bought some local retail properties from Hillman. Milwaukie Marketplace shopping center was sold for \$8.7 million. Shute Park Plaza in Hillsboro sold for \$2.5 million. Powell Valley Junction in Gresham sold for \$4.9 million. And the Smith's Home Furnishings building in Hillsboro sold for \$3 million.

Hillman provided financing for some of the deals, as evidenced by the second mortgage on One Pacific Square.

Bidtek set to anchor building at Pacific Corporate Center

Wilsonville software company Bidtek will anchor one of the two brick office buildings under construction along Interstate 5 in Tigard.

Bidtek leased 17,880 square feet at the building on 15350 S.W. Sequoia Parkway, said Brooke Myers, leasing agent with Greg Hume Properties.

The twin 58,000-square-foot buildings at Pacific Corporate Center are now 36 percent preleased, Myers said. Lumbermens Mutual Casualty, an arm of Kemper insurance companies, recently inked an 8,300-square-foot deal with project developer PacTrust. And the developer will relocate its own quarters from elsewhere in the complex to a 15,000-square-foot space in one of the new buildings.

PacTrust has stolen away some tenants that ordinarily might go to Kruse Way because there is little empty space there. "We had problems getting Kemper located on Kruse Way," Myers said.

The two new Pacific Corporate Center buildings are built at Class A standards to compete with Kruse Way buildings. Developers and brokers are monitoring how fast the buildings lease up as a gauge for three office-developments-in-waiting along Kruse Way.

The new PacTrust buildings are renting for about \$18.50 a square foot annually, Myers said. Kruse Way buildings offer wooded surroundings but rent for \$18.50 to \$19.75 a foot, he said.

Bidtek produces software for the construction industry. It will relocate from a slightly larger space in Wilsonville.



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PROFILE

Peter Fry

East-side advocate rails against elite renewal

By RACHEL ZIMMERMAN

In Peter Fry's world, class struggle is raging. It's a battle that pits Burger King against Starbucks, "elite urban renewal" vs. "real mixed use," and downtown power brokers vs. east-side laborers.

"What we're doing is community-based economic development," says Fry, a self-employed planner and former anthropologist. "That means working through the community as opposed to the big shots bringing in big companies, big infrastructure, big projects for a big splash. We're just little splash."

A San Francisco native with a 1970s sense of style, Fry's livelihood is derived from working with businesses and neighborhoods on Portland's often maligned east side. He's a consultant for the Central East Side Industrial Council, staffs the Central East Side Land-Use Committee and helps outfits such as Burger King, Freightliner and Nature's through labyrinthine permitting and land-use procedures.

Fry has launched a heavy lobbying effort aimed at convincing Metro's regional planners to choose a Caruthers Street crossing for light rail near OMSI as opposed to a Ross Island crossing, near property owned by the Schnitzer and Zidell families. His stance on the new South/North light-rail line is simple: A Caruthers Street crossing would be a wise investment in a thriving inner city culture laced with industry.

"We don't see industrial as wrecking yards and those kind of things," says Fry. "We see it as high-end distribution and intense manufacturing."

While cities such as New York and Cleveland mourn the loss of their heavy industrial bases, Portland's manufacturing community is relatively intact. In the Central Eastside Industrial District, bound by Powell Blvd. on the south, I-84 on the north, 12th Avenue on the east, and the Willamette River on the west, currently more than 18,000 workers toil away at an average wage of \$17 an hour. The vacancy rate is a low 10 percent compared to a decade ago when it was three times higher.

In small but significant ways, the area has become a magnet for new development. KPTV (Channel 12) has purchased land for a new studio near Southeast Caruthers Street. Portland Community College is about to break ground on a new work force training center on Clay and Water streets, which about 8,000 students a week are expected to attend. Pending a zone change, Portland General Electric plans to build an office which could bring several dozen workers to the area. And the Oregon Museum of Science and Industry is gaining in prominence. During Christmas week, for example, 33,000 visitors toured the museum.

"This is *real* mixed use," says Fry, whose thinking veers toward stream of consciousness with sentences tending to run on. "I have more uses in this district than any other part of the city. I've got commercial, retail, residential. I've got neighborhoods people live in where they're within 500 to 1,000 feet of their job."

The problem, says Fry is that city planners historically have been biased against so-called "dirty" industry, and tend to idealize snazzy new development. "With vacant land you can cut ribbons," he says.

"In a way, they don't understand the complexity of the economy. I'm not against multiple uses, but their designs leave out 80 percent of what we're talking about," Fry says. "Their fixation is housing with little Starbucks scattered around. I call it the 'Cheers' syndrome. That's their fantasy come true. Well, that's wonderful, but it's not an economically vibrant city. We can't live by Starbucks alone."

Adds Neal Naigus, Portland Community College's public affairs liaison: "Historically, the Southeast hasn't received as much attention and as much service as other



Pointing out manufacturing's value to Portland, Fry says, "You can't live by Starbucks alone."

Photo by John Klicker

parts of the city. Maybe it's because there is not as much organization or political clout here, not enough spokespeople who can carry the message of Southeast."

But Metro's South/North project manager, Leon Skiles, says a class analysis of the land-use debate is "an unfortunate way to look at it. It's a question of complex trade-offs; how the region can invest in the area. You win in either place, it's not the lesser of two evils." Skiles and Metro's project management group met this week to determine whether both alignments would undergo further study—a likely scenario.

Tooling around in Fry's four-wheel-drive Subaru, from Lonestar Northwest, the cement company perched above the Willamette, then up the pothole-laden road to the McCoy Co., which sells doors and windows, Fry delivers the message of Southeast with the joy of a new father.

"This, to me, is economic development," Fry says. "It's a beautiful building. I mean maybe you wouldn't like it, but there's pride here."

Passing by several boxy, nondescript concrete structures, he points out one of the problems with the central east side. "It's so inward. You look at these kind of ugly buildings and you don't see what's going on inside them. They're not beautiful, I admit, they're cheap. They create cheap places for business; they keep them here instead of moving them out to the suburban park."

At Oregon Tile and Marble, Fry just about melts: "This is the kind of development we're talking about, converting low-value industry to high-value industry and our mantra is we can't do it without infrastructure."

Fry recounts the story of a teacher in the Brooklyn neighborhood who tried to take her class to OMSI. Although the group was only one and a half miles from the museum, it took them two hours. With light rail, Fry says, it would be one easy stop.

"We need to link institutions and we need to link the region to the institutions," he says. "Just like Bing Sheldon (architect for the Schnitzers and Zidells) says in his

newsletter, 'There is no question here about the right way to go.' We also think there's no question."

Debby Grunefeld, a resident of the Hosford Abernathy neighborhood who serves on the city landmarks commission, echoed the sentiments of several people lobbying for a central east-side crossing. "There are a lot of us here who depend on mass transit," she says. "I have serious doubts about whether the Macadam area is going to utilize light rail as much as the east side will. We've talked for years about this and trying to plan for it and I don't think we're going to see the east side develop until this happens."

The possibility of losing out on light rail simply because the East Side Industrial District is already chugging happily along while the west side is a fresh slate for development infuriates east-siders.

"Designing your own city is always fun," says Len Bergstein, hired by OMSI to push for the east-side alignment. "Basically what we're seeing on the west

side is Portland's own SimCity at work. We're trying to say 'Wait a minute, this is a *real* city here.' People would make millions of dollars reinventing the central east side if it wasn't already here. And all we're saying is it is here and we hope people will take a second look and reinvest."

In an ideal world, Fry would prefer not to share the political spotlight with Bergstein. The planner points out politely that the two have different constituencies. But he accepts Bergstein, and his counterpart on the opposing side, former Gov. Neil Goldschmidt, as necessary evils.

"I don't have a problem with hired guns," says Fry. "But they need to show up at the hearings, they need to get dirty with the people. What I don't like about Goldschmidt is that he won't reveal his client list and he won't participate in the public process. If he would come out and be what he was when he was mayor and go to meetings and suffer through the hours I suffer through with the community I'd probably still be in love with him."

But at the end of the tirade, Fry concedes that both sides—east and west—are playing the same political game.

"Basically the whole game is leveraging public money into your district. That's the game in the '90s because that's where the big bucks are right now."

The extent of the power game is illustrated in the stance of one company, Portland General Electric, which could ostensibly have much to gain from a Caruthers Street crossing. PGE owns 10.3 acres, the largest single property owner in the district. Yet the company is neutral when it comes to the issue of choosing an alignment.

"There are positives to both locations," says Mike Livingston, PGE's property service manager, who advocates proceeding with environmental impact studies of both crossings. But when asked how PGE might benefit from a Ross Island Crossing, Livingston replies: "I don't know."

If light rail is the spine from which all other transit emanates, Fry's strongest argument is that his riders are already waiting for the train to arrive. They are not part of some mythical development. With OMSI, KPTV and PCC, it's all beginning to feel real, he says.

"Were creating a framework now that will evolve over 500 years or more," says Fry, who still believes that anthropology, the study of the development of man, informs his life as a planner. "It forces you to realize that the world is filled with culture and that culture is really the issue," he says. "And it also gives you a sense of history."



MT. HOOD ECONOMIC ALLIANCE

4336 SW CONDOR AVENUE • PORTLAND, OR 97201 • PHONE (503) 228-5565 • FAX (503) 228-7456

CALL FOR PROJECT PROPOSALS

The Mt Hood Economic Alliance (MHEA) as part of the Oregon Economic Development Department's Regional Strategies Program, has partnered Clackamas and Hood River counties in a six-year, lottery-funded economic development program. To implement this program, MHEA is seeking Agricultural Grant or Loan Projects that Will Increase Value-Added and/or Export Business Activity and lead to Full-Time Family Wage Agricultural Jobs in Clackamas County, Oregon.

Proposals Due: March 31, 1995, 5:00 pm, Clackamas County Purchasing Department, Building H, 902 Abernethy Rd, Oregon City, Oregon 97045

Schedule:

| | |
|-------------------------------------|------------------|
| Legal Notice in the Capital Press | February 3, 1995 |
| Last Date to Protest Specifications | March 20, 1995 |
| Proposal Submittals | March 31, 1995 |
| Selection of Grant/Loan Awards | By May 16, 1995 |
| Last Date to Protest Awards | May 23, 1995 |

Section I - Call for Project Proposals:

Notice is hereby given that the Mt Hood Economic Alliance through the Clackamas County Board of Commissioners, will receive sealed Agriculture Grant/Loan Application Proposals until 5:00 pm, March 31, 1995, in the office of the Purchasing Manager, 902 Abernethy Rd, Oregon City, Oregon 97045 for:

Agricultural Projects that Will Increase Value-Added and/or Export Business Activity and lead to Full-Time Family Wage Agricultural Jobs in Clackamas County, Oregon

as per the specifications outlined in Section IV - Proposal Application. No proposals will be received or considered after March 31, 1995, 5 pm.

A workshop will be held on Thursday, February 23, 1995, from 9:00 - 11:00 am at the Clackamas County Department of Transportation and Development, 902 Abernethy Rd, Oregon City, Conference Room "A." Mt Hood Economic Alliance staff will explain the program and answer any questions about the application and process. Attendance is not mandatory, but is encouraged.

Sealed proposals are to be received by Ben Rainbolt - Purchasing Manager, Clackamas County Purchasing, 902 Abernethy Rd, Oregon City, OR 97045. Phone 503/650-3309.

Section II - Instructions and Conditions:

- A. **Specifications Limiting Competition** - Proposers may comment on any specification or requirement contained within this Call For Project Proposals, which they feel limits competition in the selection of an applicant. Such comments may be formal or informal, and are to be addressed to the Purchasing Manager, Clackamas County Purchasing, 902 Abernethy Rd, Oregon City, OR 97045.
- B. **Incurring Costs** - The Mt Hood Economic Alliance is not liable for any costs incurred by the applicant in the preparation or presentation of the proposal.

Section III - General Information:

The Mt Hood Economic Alliance (MHEA) is part of the Oregon Economic Development Department's Regional Strategies Program. MHEA partners Clackamas and Hood River counties in a six-year, lottery-funded economic development program. One of the key industries targeted for economic development is Agriculture. To date, MHEA has preliminarily funded nine Agriculture projects, leaving a balance of \$110,000 for Agriculture projects based in Clackamas County. Eligible applicants are:

- Clackamas County- based companies, organizations or projects which support MHEA's strategic Agriculture industry development goal of increasing value-added and export-oriented business activity by a rate faster than the statewide average.
- Projects that can be completed between May, 1995 and June, 1996.

Section VI of this Call For Project Proposals includes an Executive Summary of the MHEA Strategic Plan for the region. We encourage your reading of the summary prior to applying for funding, to understand the vision and goals established for the region and for the Agriculture industry.

When completing your application, please be as specific as possible and address each of the elements described. Complete applications, with all elements clearly addressed are critical. Funding awards will be based on application information. Please note the following funding priorities and considerations:

1. Priority will be given to jobs that create, lead to or retain permanent family wage jobs (\$22,801 per year). Full-time equivalents (FTE's) are not counted toward job development totals.
2. Funding of private company fixed assets or capital improvements is available in the form of low interest loans only.
3. Quarterly reporting and documentation of project progress, budget and achievement of performance measures are required of all funded projects.

Project review criteria includes:

- Supports development of the region's strategy and selected key industries.
- Demonstrates project is ready to proceed and will be completed by June, 1996.
- Demonstrates financial feasibility.
- Benefits the economy of the region or multiple firms/entities in the region.
- Retains, creates, or leads to an increase in the number of family wage jobs in the region and State.
- Leverages other sources of funds.
- Creates new partnerships with industry and/or other public and private agencies.
- Demonstrates ongoing sustainability
- Demonstrates readiness to proceed (eg, land use, permitting, financial commitments).

Questions? Contact: Renate Mengelberg - Clackamas County: 650-3238 or Mary McArthur - MHEA staff: 228-5565.



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Section IV

REGIONAL STRATEGIES PROGRAM

Project Proposal Form

DEADLINE: March 31, 1995 - 5 pm

Agriculture

Return to:

Ben Rainbolt, Clackamas County Purchasing Department, Building H
902 Abernethy Road, Oregon City, Oregon 97045
650-3348

Project Name: _____

Project Contact:

Name: _____

Organization: _____

Address/Zipcode: _____

Phone: _____

Regional Strategies Funds Requested

| | | |
|--------------------|----|-------|
| Grant | \$ | _____ |
| Loan | \$ | _____ |
| Matching Funds | \$ | _____ |
| Total Project Cost | \$ | _____ |

Project Description: Please provide the following information on your project. Be specific and complete with your responses.

- 1. Description of project - what is the project?
- 2. What will the project accomplish? What will result from completion of the project? What are the project goals, by which it can be evaluated upon completion? (See MHEA Executive Summary for suggested performance measures.)
- 3. How does the project tie into the Mt Hood Economic Alliance long term vision and goals for the region?
- 4. How will the project create, lead to, or retain family wage jobs?

- 5. Who is going to be involved with the project? Specifically what will be the responsibility and involvement of each of the project partners?
- 6. Who will be project manager? Previous experience with managing projects of this kind? How will the project be managed? (Enclose resume)
- 7. What is the plan for implementation of the project? What activities or steps will be taken? What is the expected timeline for implementation of each of the activities or steps involved? When will the project complete?
- 8. How will be project be evaluated regarding meeting established performance measures? What will be measured? What milestones will be met? What information will be collected? How will the data be collected? By whom? How will the information be presented to the MHEA? In what form?
- 9. Attach a line item budget, including sources and uses of funds. Specifically identify what Regional Strategies will fund vs other funding sources.
- 10. Funding schedule - When will the Regional Strategies funds be needed, and for which activities?
- 11. Activities still required before the project can proceed?
- 12. Project long-term self-sustainability - Will the project need future assistance from MHEA? Why/Why not?
- 13. Other unique characteristics of the project?
- 14. Letters of commitment from other funding sources.
- 15. Submit 5 copies, plus 1 unbound original of your application.

For information on possible matching sources of funds, contact Don Mann, Oregon Economic Development Department Regional Development Officer at 650-3768.

Questions about this application? Contact Mary McArthur 228-5565 or Renate Mengelberg, Clackamas County Economic Development 650-3238.

Section V
MT HOOD ECONOMIC ALLIANCE
STRATEGIC PLAN
Executive Summary
May 31, 1994

The Mt Hood Economic Alliance (MHEA) brings together Clackamas and Hood River counties in a two-county economic development partnership for Regional Strategies lottery funding. The Mt Hood Economic Alliance is a regional entity which complements and coordinates with Clackamas and Hood River counties economic development activities, Columbia River Gorge National Scenic Area development efforts, and local industry expansion plans. MHEA's vision looks into the future six to ten years, balancing the projected needs of the two-county region with current economic development plans and limited resources.

Extensive outreach efforts have been undertaken to involve local industry, economic development and employment organizations, minority and disadvantaged workforce training, education, and community government in the development of this Strategic Plan. While the process has provided a wealth of important information for economic development planning, it has also identified clear opportunities for effective targeting of Regional Strategies funding.

MHEA Region Strengths/Opportunities and Resource Gaps/Barriers

Strengths/Opportunities

- Proximity to urban area - access to high education, cultural facilities, transportation, etc. (See Resource Gaps/Barriers as well)
- Quality of life attractive to workers/businesses
- Strong natural resource base
- High export of agriculture products opens opportunity for more value added in orchard and nursery products.
- Skilled or trainable workforce, underutilized. Have capacity to make them job ready.

Resource Gaps/Barriers

- Limited access to higher education facilities in some areas of the region on which some industries are dependent (biotechnology)
- Lack of critical mass in terms of specialized companies to attract or spin-off new companies
- Limited developable land for companies requiring large tracts of land
- Land use policies, environmental regulation - slows development process
- Public attitudes - can be negative to newcomers, visitors
- Lack of access to natural resources such as timber supply
- Perceptions of some industries (tourism) as being negative
- Lack of capital for development/expansion
- Lack of technically trained workforce, eg, environmental services - which results in importing workers from outside
- Lack of entrepreneurial and management skills

REGIONAL ECONOMIC VISION AND LONG TERM GOALS

Vision Statement

"Maintain the quality of life by providing a balance of opportunities for economic prosperity through job diversification for the current population."

The Mt Hood Economic Alliance envisions a future of balanced growth and prosperity. Principal characteristics include maintenance of the quality of life; new and enhanced family wage jobs; and diversification and expansion of employment opportunities for the current population.

Diverse employment opportunities for the current population, based on value-added, export-oriented and technologically leading edge businesses, will provide increased entry and family wage jobs. Maintaining the quality of life includes education, public safety, the physical environment, facilities and services, transportation and leisure time.

Long-term balanced growth and prosperity rely on retention and enhancement of traditional industries, and support of new and diverse locally-based businesses.

Long Term Goals

- Increase the region's standard of living
- Diversify employment opportunities
- Increase the level of value-added business activity

IMPLEMENTATION STRATEGY

Selection of Targeted Key Industries - Rationale

By statute, the Mt Hood Economic Alliance must choose up to three of the State's key industries for targeting the Regional Strategies lottery funding assigned to the region. MHEA specifically sought a dialogue with all thirteen of the State's key industries: Aerospace, Agriculture, Biotechnology, Environmental Services, Film and Video, Fisheries, Forest Products, High Technology, Metals, Plastics, Professional Services, Software, and Tourism.

Following industry presentations and public input, Agriculture, Software and Tourism were selected because they provided the strongest opportunities for achieving the MHEA vision and long term goals. Also important in decision-making was that development of the industries would benefit both Clackamas and Hood River counties. These three industries also most met at least one of the State's Urgent/and or Core Benchmarks: Value added products, global business; work force training; personal income, economic diversity and international trade.

KEY INDUSTRY STRATEGIES

Agriculture

Long Term Goal: Increase value-added and export-oriented business activity by a rate faster than the statewide average.

Priority 1: Provide direct intervention support for a minimum of 5 agricultural companies or organizations. Support facility development for start-ups, expansion, new opportunities, marketing and product research, equipment, regulation compliance.

Priority 2: Fund a minimum 10 management/marketing seminars or projects. Management/Marketing support for start-ups, expansion, new products, tradeshows, niches, agri-tourism, packaging to comply with new government regulations, foreign/international markets, packaging for expansion to foreign markets.

Priority 3: Support distribution and services cooperative networks involving a minimum of 10 value-added businesses. Source network - work with other sources of products to extend product availability season, supplies purchasing coop/Oregon Marketplace - central bidding broker for industry supplies from Oregon businesses. distribution network - increase volume/lower freight costs, cooperative marketing to address volume issues, eg, mail-order catalog, branding - Oregon zone fresh products, central clearinghouse for ordering/fulfillment.

Priority 4: Support expansion of work-related English language, basic education programs and consumer information on the industry. Expansion of ESL classes for Hispanic agricultural workers to include learning work-related English and basic education.

Priority 5: Address declining water table problems in the MHEA region. Address the provision of irrigation water for new lands and for businesses with ground water problems.

Agriculture Performance Measures

Leverage 50% private match.

10 new family wage jobs created.

25 agriculture companies participating. Through customer surveys, 75% find their involvement productive and worthwhile.

Establishment of distribution and services cooperative network.

10 value-added businesses participating in at least one service of the distribution and services cooperative network.

25 workers taught work-related English and/or basic education.

5 consumer education opportunities

Address/Correct one declining water table problem.

Software Industry

Long Term Goal: Increase software employment by 20 jobs over the next 2 years.
Involve 50% of the software companies currently located in the region in the implementation of the strategy over the next 2 years.

Priority 1: Support software incubator services and support centers. Incubator services and support. Co-location, experimental platforms, subsidized rentals, joint use of technology such as telecommunications, etc.

Priority 2: Provide direct intervention support for a minimum of 5 software companies. Product development tying software to finished products, financing for expansion, product promotion, patent development, equipment, etc.

Priority 3: Fund a minimum of 5 management/marketing trainings or direct business consultations. Education, training, professional referrals, business planning, sources of funds, financing introductions/referrals, how to's, identify support associations, etc. Sponsor software marketing professionals to work with software companies on marketing and business issues. Funding would assist companies screen, select and manage consultants. Special one/two day workshops on

specialized subjects. How to use advertising, marketing, business plan review, acceptable gross profit margin. Conference support - professional gatherings focused on education, trade, inter-industry where software was a participant. Sponsor conferences, bring in conferences, subsidize attendance.

Priority 4: Support development of information/communications/research library network services. Basic business information - How to incorporate, protect ideas, do business plans, marketing. Complement with industry specific information. Internet access - on-line searches. Provide communities with access to information highway.

Software Performance Measures:

Leverage 50% private match.
10 software companies successfully using incubator services.
10 new family wage jobs created.
25 software companies and 50 industry professionals participating. Through customer surveys, 75% find their involvement productive and worthwhile.
50% of the region's software companies using library network services.

Tourism Industry

Long Term Goal: Increase off-season visitor business by 10% over the next 2 years.
Expand private sector participation by 15 new employers over the next 2 years.

Priority 1: Expand the off-season for existing visitor businesses. Inventory opportunities for expanding the visitor season. Support start-up, expansion and upgrading of businesses.

Priority 2: Enhance Visitor Site Facilities. Expand existing attractions, improve community appearance, signage, expand visitor support facilities.

Priority 3: Support development of Hospitality Spirit initiatives. Educate visitor industry employers on the value and need for improved worker hospitality and visitor services training. Institutionalize worker hospitality training as an integral component of the region's tourism industry. Increase amount and enhance display of visitor information throughout the region.

Priority 4: Improve visitor information services and marketing communications. Sponsor workshops, conferences, one-on-one counsel on improving visitor information services and marketing communications specific to visitor industry businesses.

Tourism Performance Measures:

Completion of a summary inventory
10 workers moved from part-time to full time family wage employment
10 new industry businesses involved.
Increase visitor spending by 10%. Verify through gate receipts, visitor surveys as site locations.
10 employers paying for hospitality training for their employees.
50 employees trained.
15 new information outlets displaying visitor information for the region.
10 new employers participating in workshops, conferences.
15 businesses/rental car companies provided visitor information services and marketing communications counsel.

Section VI - Minimum Contract Requirements:

Contracts for grant awards will include the following minimum requirements:

- Recipients will receive the final 10% of the grant award once all terms, conditions, quarterly progress reports and other reporting requirements of the contract have been fulfilled.
- Grant monies will be paid on a pro-rata basis within 30 days once documentation of match expenditure is submitted.
- Grant monies can not be used to retire debt.
- Recipients will comply with all applicable laws, rules and regulations such as minimum wage and hour standards, workers compensation, affirmative action, access for disabled persons and land use.
- Proper books and records must be kept and available for inspection. Recipient will provide an annual financial statement, balance sheet, profit and loss statement, etc, for each year the contract is in effect.
- Clackamas County will be named as an additional insured on a General Liability Insurance policy of at least \$500,000 per occurrence.

Contracts for loan awards will include the following minimum requirements:

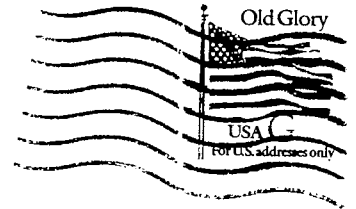
- Proceeds of the loan can only be used for the project approved and funded by MHEA.
- Repayment will be in yearly installments at 4% annual interest.
- Loans will be due immediately upon default, possibly at a higher interest rate. The defaulting party must pay any enforcement costs.
- Borrowers will secure loans with a trust deed on real property, keep the property insured, in good repair, and permit inspections on request.

Copies of the complete contracts are available by contacting Renate Mengelberg, Clackamas County, at 650-3238.

CLACKAMAS
HOOD RIVER
COUNTIES

 **MT. HOOD ECONOMIC ALLIANCE**

4336 SW Condor Avenue
Portland, OR 97201



City Manager
City of Milwaukie
10722 SE Main St
Milwaukie, OR 97222

PRESS RELEASE

Jan. 11, 1995

For more information contact:

Carol Storment/654-0931

Diane West/653-9720, ext. 109

Joe Krumm/654-5180

For immediate release:

Community organizes events to honor retiring superintendent

A group of community leaders is working together to organize events to honor retiring North Clackamas School District Superintendent Ben Schellenberg. Schellenberg, who has served as superintendent for 14 years, will retire effective at the end of the current school year.

The events will be held in late May or early June, according to organizer Carol Storment, a School District Board member.

"We hope that the entire community will have some opportunity to recognize Ben for what he has done for our schools and our community," Storment said. "His work has impacted literally thousands of children.

Anyone interested in helping plan the event should contact Storment at 654-0931 or Board Chair Diane West at 653-9720 ext. 109. Organizers are meeting regularly to plan a dinner in Schellenberg's honor and a reception for the community. These events will be coordinated with events planned by other organizations.

After teaching in Seattle and Portland, Schellenberg, 57, came to Sunnyside Elementary School in 1962. He became principal there a year later. He was principal there and elsewhere until 1974 when he became Director of Administrative Services. He became Deputy Superintendent in 1976 and Superintendent in May 1980.

Schellenberg was the North Clackamas County Chamber of Commerce Business Man of the Year for 1994. He has served as president of the chamber and currently serves on the board of directors. He serves on many service and public organizations.

IN FOCUS:

Local Government and School Coordination, Part Two

Issue Background, February, 1995

OVERVIEW

This Issue Background is part of the special FOCUS issues program. Local government and school coordination is the second in a series of three topics addressed through this portion of the FOCUS work program for this year. The January newsletter provided a history of the issue of school-local government coordination, and described key activities which impact the ability of local governments to serve the public. This Issue Background is an update of the policies being considered by the state legislature and the region in regards to school and local government coordination.

The information presented is illustrative of the concepts being considered to address the issues facing schools and local governments in this region. It is by no means an exhaustive compilation of such efforts in the Metro area.

SCHOOL FINANCING

Ballot Measure Five has led to limitations for the state and school districts around the state by reducing the amount of revenue that can be raised through the traditional means in Oregon. As a result, tax reform is being considered in both arenas, as well as by local governments. Creative solutions are now also being considered since simple solutions do not seem to be so simple.

With all governmental entities experiencing revenue limitations and with a need to create more efficient and effective services, the number of examples of coordination between local governments and school districts is growing. At the beginning of each coordinating effort, the policy question is considered: What is the appropriate role for local and state governments in school financing?

The following policy questions tie together the discussion of school finance:

- Should enhancements to school funding for capital projects be made in the 1995 legislative session? If so, what?
- Should enhancements to school operations funding be made during the 1995 legislative session? If so, what?
- Is it appropriate for local governments to serve as the collector and distributor of revenue for schools?

SCHOOL FINANCIAL ASSISTANCE FROM THE STATE

There are currently a number of bills under review at the state legislature that will, if successful, provide relief to schools. The summaries of the bills described in this section are based on the original bill. As of February 1, all the bills were being discussed in their original form in either the House School and Finance Committee or the Senate Government Finance and Tax Policy Committee.

The state is considering providing both **capital and operational funds** to school districts through lottery funds. HB 2271 provides school districts with grants up to \$3 million in any biennium "when a local school district passes a bond measure that raises at least 50 percent of the cost of construction or maintenance of public school facilities." The total amount set aside for the biennium beginning July 1, 1995, is \$20 million. This bill will be considered in Ways and Means after the School and Finance Committee.

Amendments to the **School Funding Formula** are being recommended in **HB 2254, HB 2270 and HB 2273**. HB 2254 calls for

The Forum on Cooperative Urban Services (FOCUS) is an organization comprised of most of the cities and counties and many special districts in the tri-county metropolitan area. The purpose of FOCUS is to provide a means for these governments to share information on issues of common interest, and identify areas which cooperative action would produce benefits in the quality or cost-effectiveness of government services. McKeever/Morris, Inc., is a consulting firm which provides staff assistance to FOCUS.

For more information, call Mike McKeever or Greg Chew at 503 228-7352, or fax 503 228-7365. Write FOCUS c/o McKeever/Morris, Inc., 722 S.W. 2nd Ave., Suite 400, Portland, Or, 97204.

a regional cost factor to be included in the equation. This would adjust the formula to consider the "cost of providing education services in different regions of the state."

HB 2273 requests that the equation be adjusted for children in poverty families. The amendment would provide that the number of families in poverty be determined by either: the "1990 Census Poverty Data for LEA's," adjusted for the chapter 1 of the Elementary and Secondary Education Act allocation and the number of students in average daily membership for June of the year of distribution, divided by the average daily membership for June 1990; or the number of students in families with incomes less than 185% of the federal poverty guidelines qualifying them for free or reduced price school lunch programs. The larger number of students calculated from the above two formulas will be used in the equation. This should provide a more accurate calculation for children in poverty.

The final amendment to the school funding formula provides revenue dedicated to construction. HB 2270 excludes property taxes received from "new residential construction completed in the district during the last two years" from the calculation of local revenues. The bill specifies that the property taxes received by the district on the new residential construction would be dedicated to construction rather than calculated as part of the local revenue.

HJR 5 proposes to amend the Ballot Measure Five restrictions by allowing the limitation on maximum allowable property taxes, used to fund the public school system, to increase to \$20 per thousand for non-residential property. The increase would begin in 1997-98. The resolution also increases the "rates of the state's personal and corporate income and excise taxes imposed upon taxable incomes in excess of \$75,000 for the tax periods beginning on or after January 1, 1997." This section of the resolution would be repealed on January 1, 1999. Since this resolution would amend the Oregon Constitution, it would be taken to the voters at the next regular state general election.

SB 255 and HB 2272 are both requested by the Beaverton School District. The bills are similar to the **Voluntary Contributions program** which requests that developers, when new development is approved in the district, pay a contribution to help the school district meet capacity needs. The proposals authorize counties to "enter into a cooperative agreement with one or more of the school districts contained substantially within its boundaries to levy, collect and distribute a school equity impact fee on new residential development to pay for new school construction or capital improvements to existing school facilities."

Access to implement the fee is limited to districts which are experiencing student enrollment growth in excess of the state-wide average. Fee limitations would be \$2,500 for individual single-family residence and \$1,500 for a unit in a multifamily complex. The fee would only be collected when the unit is occupied for the first time. The bills also provide that the county

can issue "school equity impact fee credits to residential developments in return for land donations or other material contributions to be used for public elementary or secondary education purposes."

LAND USE COORDINATION ISSUES

In addition to the land use coordination issues involved in siting new schools, there are other land use issues that impact both the local governments and the school districts. In many instances, the school districts are asked if they have the ability to serve the additional students a new development could bring. However, a negative response by the school district will not necessarily result in a denied development request. With more growth coming to the region, more schools will be required. In order to meet the needs of the additional population, coordination between schools and local governments needs to occur. The policy questions revolve around the level of coordination and involvement by the school districts and local governments. The following policy questions tie together the example, along with the SB 908 discussion in the January Issue Background, which follows:

- Should schools be involved in local government annexation discussions?
- Should schools be considered a critical service that must be available before development can be approved?
- Should local government boundaries, the urban growth boundary and school district boundaries be the same?

The **Sherwood School District** has been involved in discussions regarding their school district boundaries. The school district boundaries are larger than the Sherwood city limits. This has led to citizen concern regarding students being in the Sherwood School District when their homes are in the City of Tualatin. In some instances, where there are unique circumstances, school districts are permitted by statute to enter into inter-district agreements allowing students to attend school in a different district if the district is not at capacity. A current discussion between the Sherwood School District and a development inside the Sherwood School District boundary and inside the Tualatin city limits is not considered to be a "unique circumstance" and the request was denied. This discussion has led to questions about the Boundary Commissions lack of authority over school district boundaries and whether or not there is a need to have city boundaries, school district boundaries and the UGB be the same boundary. The authority over the school district boundaries in the disputed area lies with the Sherwood School District and the Tigard-Tualatin School District. The Sherwood School District and the Tigard-Tualatin School District are currently in mediation to resolve the issue.

Forum on Cooperative Urban Services (FOCUS)

MEETING NOTES from the January 19 General Membership Meeting Beaverton City Hall

Topic: Local Government and School Coordination

Participants Present:

Don Allen, City of Sandy
Bill Atherton, City of Lake Oswego
Art Blaisdell, City of Sandy
Bill Brandon, City of Happy Valley
Richard Breakiron, citizen
David Bunnell, Clackamas Water District
Maurie Caba, Portland Public Schools
Eric Carlson, citizen
Jody Carson, City of West Linn
Jon Chandler, Homebuilders
Kathy Christy, Washington County
Brent Curtis, Washington County
Tim Erwert, City of Hillsboro
Royal Harshman, City of Gresham
Bob Hathaway, Tualatin Hills Park and Recreation District
Walt Hitchcock, City of Sherwood
Margaret Holman, City of Sandy
Drenda Howatt, Clackamas County
Kimi Iboshi, McKeever/Morris, Inc.
David Judd, City of Portland
Scott Lazenby, City of Sandy
Peggy Lynch, citizen
Mike McKeever, McKeever/Morris, Inc.
Bob Moore, City of Gresham
Michelle Granger-Moore, Gresham-Barlow School District
Lou Ogden, City of Tualatin
Lisa Novak, Tualatin Hills Park and Recreation District
Jerry Reeves, citizen
Ronald Reilly, Portland Public Schools
Steve Rhodes, City of Tualatin
Alice Schlenker, City of Lake Oswego
Ethan Seltzer, IMS
Forrest Soth, City of Beaverton
Kent Squires, Oak Lodge S.D.
Bruce Starr, City of Hillsboro
Jim Thorn, City of West Linn
Roger Vonderharr, City of Fairview
Neal Winters, Tualatin Hills Park and Recreation District
Roger Woehl, West Linn School District

1.0 Welcome

Forrest Soth, FOCUS Steering Committee member, began the meeting at 6:45 p.m.

2.0 Announcements

Ethan Seltzer announced that the 1995 Annual Leadership Symposium will be April 29. Portland State University's Institute for Metropolitan Studies is organizing the Conference which is partially sponsored by FOCUS. Robert Putnam will be speaking on community, democracy and government. The authors of "The Quickening of America," Francis Moore-Lappe' and Paul DuBois, will also be keynote speakers.

3.0 Presentation and Discussion on Local Government and School Coordination

A panel consisting of: Alice Schlenker, Mayor of Lake Oswego; Jill Thorn, Mayor of West Linn; Roger Woehl, West Linn-Wilsonville School District Superintendent; Brent Curtis, Washington County Land Use and Transportation Department; Jon Chandler, Homebuilders Association; Lisa Novak, Tualatin Hills Park & Recreation District; David Judd, City of Portland Parks; Maurie Caba, Portland Public Schools; and Ron Reilly, Portland Public Schools, led the discussion on local government and school coordination.

Mayor Alice Schlenker gave an overview of the coordination efforts occurring between the City of Lake Oswego and the Lake Oswego School District. The City, in cooperation with the School District and volunteer citizens, installed lighting systems at the two high schools to provide greater flexibility in scheduling uses of the facilities for both the schools and residents of the community. The City and School District jointly purchased an above ground storage fuel tank that is large enough to serve the needs of both organizations. The City provides two police officers to serve as School Resource Officers in the schools. The City also maintains 25 acres of school playgrounds and fields in exchange for the right to schedule city programs at school facilities. The City can require the garbage hauler, in the franchise agreement, to provide the School District with free garbage service in lieu of an increased franchise fee. The District provides services to the City's storm water utility such as water testing, stenciling at curb boxes and stream corridor walls.

Mayor Schlenker also explained that the city took a real estate transfer tax to the voters last spring. The revenue raised, projected to be \$660,000 a year, would have been used by the school district. The voters defeated the proposal three to one. She said that there were difficulties with the City sponsoring a School District measure because the school district and city boundaries differ.

Mayor Jill Thorn, City of West Linn, said that the City, Clackamas County, Wilsonville and the West Linn-Wilsonville School District are in the middle of the SB 908 process. She said that the process has addressed the issue of growth and how to plan for it. They have discussed what is being done currently and what the cities, county and school district can do in the future. The existing facilities are being studied to determine how they will fit in the build-out scenario. Through the process, West Linn has approved the concept of overlay zones for the School District, based on capacity and educational levels.

Roger Woehl, Superintendent of the West Linn-Wilsonville School District, said that the SB 908 process has also discussed the requirements of the existing infrastructure, identified where infrastructure is needed and determined approximately when, based on the build-out scenario, the infrastructure will be

needed. The facilities study being developed from the SB 908 process spells out what has to happen before certain things can be done. For example, enrollment must reach X number of students before the bond measure to build another school can be brought before the voters.

Brent Curtis, Washington County DLUT, said that in 1992, the Beaverton School District, City of Beaverton and Washington County formed an ad hoc committee to discuss ways to address the issue of growth. The conversations addressed the relationships between the school district as an institution and the local governments as land use entities. The discussions became more formal after they received an LCDC grant to look at coordinating land use and school capacity issues. He said that school capacity issues is similar to other facility planning processes. SB 908 reflects the work of the Beaverton ad hoc committee. Washington County has implemented SB 908 by placing the results of the process with Beaverton in their comprehensive plan. The City of Beaverton is still working on implementing SB 908. In the past, local governments did not have to work with institutions. As more growth occurs, there is a greater recognition of the need to work together.

Mr. Curtis said that, in the development application process, there are three types of services that should be available before development will be approved: critical services, essential services and desirable services. The developer must go to the services provider and ask if the services are available to meet the needs of the new development. Schools are considered an essential service which means that if capacity does not exist, the development application can be disputed. He said that, before 1992, the Beaverton School District always responded to development application requests positively, saying that additional capacity was available. Since 1992, the School District has questioned their ability to meet the additional needs. He said that the capacity determined from the SB 908 must be used to respond to development applications. The objective capacity is still used to review plan amendments. He said that SB 908 provides the framework for institutions, groups that typically had not gotten together, to work together and understand each other. The Beaverton School District continues to look at financing and school facility sites, both of which will be added to the plan eventually. He said that Washington County is working with the Tigard-Tualatin School District on their SB 908 process, and expects that the Hillsboro School District will need to do SB 908 planning after they go through consolidation.

Jon Chandler, Homebuilders Association, said that schools and local governments must work together to determine where the growth is coming from and how they are going to deal with it. He said that builders and developers have gotten caught in the middle of discussions between schools and local governments. The Oregon land use law has forgotten to deal with schools.

Mr. Chandler said that SB 908 enables both the school districts and local governments to think outside their boxes and begin to think about ideal school capacity. He said that the point of SB 908 is to bring schools into the planning process. SB 908 is not intended to: prohibit or hinder growth; deal with financing; act as a moratorium; address operating issues; serve as daily advice for local governments on growth issues; and provide schools with veto power over development. He said that SB 908 is intended to: require local governments and schools to sit at the table together; require school districts to plan for growth; require school input when land use rules change; and help focus school districts on planning their own future.

He said that the Beaverton School District is addressing growth by implementing what is considered to be a "voluntary SDC." When developers ask the district if they have the ability to serve more students, the developers are asked to pay a charge to help provide the needed capacity. The Homebuilders Association does not like the concept, but does not know how to legally attack the issue. Some builders are paying the charge, although the number is unknown. He said that HBA is trying to work, on the policy side, to get more revenue for schools.

Lisa Novak, Tualatin Hills Park and Recreation District, said that the park district has a long standing cooperative agreement with the Beaverton School District. THPR oversees and coordinates the scheduling of school district playing fields for community use during the appropriate seasons. They have made improvements to the fields, such as adding backstops and the two entities have reciprocal mowing agreements. Schools rent THPR pools at reduced rates for school district activities and sports. For recreational outings, THPR use school buses and drivers. The two entities also have building use agreements. THPR hires building monitors to allow community use of school facilities on evenings and during the weekends. THPR has an intergovernmental lease agreement with the school district to allow park district use of a future school site as temporary parking and playing fields.

David Judd, Portland Parks Department, said that the City of Portland and the Portland Public Schools have had a community school relationship for over twenty years which allows free school district or city use of the buildings for afternoon and evening programs for both students and adults. Currently, there are 53 city locations and dozens of school buildings that are included in this agreement. He said that the city probably could not do their recreation programs without the use of the school buildings, and the school district probably could not have the programs they have without the use of city facilities.

Mr. Judd said that, last year, the Portland City Council gave \$1 million per year for two years to the School District as part of the "school relief fund." This allowed the school district to continue some programs that might have been suffered BM 5 cutbacks. The city also placed a surcharge on non-resident golfers at the four city golf courses last summer. The revenue raised from the surcharge has been split between the five districts in the City of Portland. The funds are provided to the districts with no strings attached.

Maurie Caba, Portland Public Schools, said that, without the City of Portland "school relief fund," the school district would have made cuts, leaving only a limited varsity athletic program. He said that the conversations with the school district and city revolved around the question, "what can we do for you, what can you do for us?" They have tried to provide better services at a reduced cost to the taxpayers. He said that the school district is currently involved in discussions to implement a KEY program which allows the School District to give the keys to the school district facilities to the city for after hours community use, and the city would pay to have the facilities open in the evenings.

Mr. Caba said that the joint use agreement between the School District and the City allowing priority use of facilities by the school district and the city is the best use of the facilities, but it is also the most misunderstood by the public. The city uses many of the school district facilities after hours, which makes it difficult for citizen groups to find places to meet. He said that, in order for a program to be successful, there must be a philosophy of committed partnerships and a desire to find win-win solutions. He said that it is also important that everything be in writing.

Ron Reilly, Portland Public Schools, said that the School District has several relationships with Multnomah County. The County provides limited service health clinics in seven high schools. The School District provides the space and the County provides the staff to run the clinics. As a result of a grant funding, the County is beginning to provide health clinics in the middle schools.

Mr. Reilly said that Title 19 money has been used by Multnomah County and the school district to open limited integrated service centers in Roosevelt and Marshall High Schools. The centers have county, state and city human service providers from 17 or 18 agencies. The agencies either rotate staff through the service centers or provide case management so that staff can get advice on how to proceed with certain situations. It enables families to connect with services that they may otherwise not know about. Staff at the elementary or middle school levels and at the other high schools can also use the services at the integrated service centers.

Questions were asked of the panelists. The issue of 2040 growth and the impact it will have on schools was discussed. There was discussion of the need to include schools in the 2040 decision making process. The possibility of new school structures was also mentioned. School officials agreed that the main problem is finding future school sites that meet the criteria and other requirements, such as UGB restrictions and transportation policies.

Mike McKeever said that the issue of school and local government coordination will be continued at the February meeting on February 16 at 6:00 p.m. in West Linn.

4.0 Adjournment

Forrest Soth adjourned the meeting at 9:00 p.m.

Notes written by Kimi Iboshi

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

DATE: February 15, 1995

TO: Councilor Patricia McCaig

FROM: Interested Persons and Organizations

RE: Consideration of Metro's Proposed FY 1995-96 Budget

Please find attached a schedule of the Budget Committee meetings for consideration of the proposed FY 1995-96 Budget.

There will be a couple of things different about this budget process than in past years. First, the Metro Council will serve as the Budget Committee. Second, the Budget Committee will meet immediately before most regularly scheduled Council meetings. And third, the process will be conducted in two phases rather than three.

- *Phase I* will consist of a budget background presented by the department staff. Council staff will provide written questions to the Council and the department at the conclusion of Phase I.

The lead councilor, council staff, and department staff will meet prior to Phase II to review questions and prepare recommendations.

- *Phase II* deliberations will involve the Council, council staff, and department staff. The Budget Committee will review a department's budget on consecutive days until the department's budget has been completed.

All meetings are open to the public. I would encourage public testimony on the proposed FY 95-96 Budget during Phase II.

Additionally, we have scheduled a workshop for Friday, February 17 at 12:00 noon for a budget overview.

c:\llymcl\budproc

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METRO

**FY 95-96 BUDGET
 MEETING SCHEDULE**

| DATE | DAY | TIME | AGENDA |
|---|----------|----------|--|
| February 16 | Thursday | 2:00 pm | Executive Officer presents Proposed FY 1995-96 Budget to Council |
| February 17* | Friday | 12:00 pm | Council staff presents budget overview |
| Phase I -- Department Overview | | | |
| February 21 | Tuesday | 12:00 pm | Planning Department |
| February 23* | Thursday | 12:00 pm | Solid Waste Department and Zoo |
| February 28 | Tuesday | 12:00 pm | Metro ER Commission and Regional Parks and Greenspaces Department |
| March 2 | Thursday | 12:00 pm | General Fund, Support Services Fund, Building Management Fund, and Insurances Fund Department |
| Phase II -- Council Discussion and Decisions | | | |
| March 9 | Thursday | 12:00 pm | Planning Department |
| March 14 | Tuesday | 12:00 pm | Solid Waste Department |
| March 16 | Thursday | 12:00 pm | Zoo |
| March 21 | Tuesday | 12:00 pm | Metro ER Commission and Regional Parks and Greenspaces |
| March 23* | Thursday | 12:00 pm | General Fund, Support Services Fund, Building Management Fund, and Insurances Fund |
| March 28 | Tuesday | 12:00 pm | <i>Reserved</i> |
| April 4 | Tuesday | 12:00 pm | <i>Reserved</i> |
| April 6 | Thursday | 12:00 pm | Budget wrap-up meeting |
| April 11 | Tuesday | 12:00 pm | <i>Reserved</i> |
| April 18 | Tuesday | 12:00 pm | <i>Reserved</i> |
| Regular Council Session | | | |
| May 4 | Thursday | 2:00 pm | Council meeting to consider Budget Committee recommendations and approve FY 1995-96 Budget for submittal to TSCC by May 15, 1995 |
| June 22 | Thursday | 7:00 pm | Council meeting to consider and adopt FY 1995-96 Budget |

* February 17 meeting scheduled for adjournment at 5:00 pm. February 23 and March 23 meetings scheduled for adjournment at 4:00 p.m. All other meetings beginning at 12:00 pm scheduled for adjournment at 2:00 pm.

- Notes:**
- All meetings are work sessions and will be held in the Council Annex
 - See reverse for description of fund or department

PURPOSE OF FUND OR DEPARTMENT

Planning Department

Provides regional planning activities including: urban growth management (Future Vision and 2040 programs), transportation, water resources, data services (geographic information system)

Solid Waste Department

Provides solid waste management planning; disposal of region's solid waste; waste reduction; and household hazardous waste programs

Zoo Department

Operates the Metro Washington Park Zoo

Metro ER Commission (MERC)

Operates the Oregon Convention Center, Civic Stadium, Portland Center for the Performing Arts, and the Expo Center.

Regional Parks and Greenspaces Department

Operates Multnomah County Regional Parks, Smith and Bybee Lakes Natural Area, and develops and implements Regional Greenspaces Master Plan

General Fund Departments

- Council Provides support for Metro Council
- Executive Management Provides support for Metro Executive Officer
- Auditor Provides support for Metro Auditor

Support Service Fund, Building Management Fund, Risk Management Fund Departments

- Finance Provides accounting, budgeting, financial planning, data processing, and risk management services to all departments
- Office of General Counsel Provides legal services to all departments
- Office of Public and Government Relations Provides public and government relation services to the Council, Executive Officer, Metro Commissions and departments
- Office of Citizen Involvement Provides support for the Metro Committee for Citizen Involvement (MCCI)
- Personnel Provides personnel services to all departments
- General Services Provides facility planning services, construction management services and manages Metro office space