

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
OCTOBER 3, 1995**

The one thousand seven hundred and twenty-eighth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 p.m. in the Council Chambers at Milwaukie City Hall. The following Councilors were present:

Craig Lomnicki, Mayor Rick Farley	Jean Schreiber Rob Kappa Don Trotter
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Also present:

Dan Bartlett, City Manager Charlene Richards, Assistant to the City Manager Ted Baird, City Attorney Angus Anderson, Finance Director	Maggie Collins, Community Development Director Greg Drechsler, Acting Public Works Director Linda Mullen, Neighborhood Services Coordinator Pat DuVal, Recorder/Secretary
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PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Recognize Linwood Neighborhood District Association -- Resolution

Linda Mullen, Neighborhood Services Coordinator, presented the staff report in which City Council was requested to adopt a Resolution officially recognizing the Linwood Neighborhood Association as part of the City of Milwaukie's Neighborhood Program. Linwood, the fifth neighborhood to be recognized, met the City's minimum guidelines for organizing. They held two meetings, elected officers, and adopted bylaws. She commented that the Linwood members have a good sense of how to organize and get neighbors involved. She introduced Tracy Cook, Linwood Neighborhood Association's recently elected Chairperson.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to adopt the Resolution recognizing the Linwood Neighborhood Association as the official representative organization for District #4.

Councilmember Trotter said he attended one of Linwood's organizational meetings. If that meeting was any indication, the members were a great group of people and would be a wonderful addition to the Neighborhood Association Program.

Councilmember Kappa commented on the issues the residents identified in their neighborhood survey.

Councilmember Schreiber added that as a participant in the recent Linwood Parade, she was impressed by the level of organization and cooperation between the school and the residents.

Motion passed unanimously.

RESOLUTION NO. 42-1995:

A RESOLUTION OF THE CITY OF MILWAUKIE RECOGNIZING THE LINWOOD NEIGHBORHOOD ASSOCIATION AS THE OFFICIAL REPRESENTATIVE ORGANIZATION FOR NEIGHBORHOOD DISTRICT #4 AS DEFINED IN RESOLUTION NO. 6-1994.

Fire Prevention Week -- Proclamation

Dave Olson, South Metro Fire Marshal, discussed the history of Fire Prevention Week and current fire-related death statistics. He mentioned the fire prevention activities during the month of October in local schools and the Public Safety Open House on Saturday, October 7.

Mayor Lomnicki read the following proclamations designating:

- *Fire Prevention Week, October 8 - 14, 1995*
- *Crime Prevention Month, October 1995*
- *Red Ribbon Week, October 23 - 31, 1995*
- *Disability Employment Awareness Month, October 1995*
- *Involved to Solve Day, October 7, 1995*

SAIF Dividend

Angus Anderson, Finance Director, announced that the City of Milwaukie received a \$25,786.00 supplemental dividend from SAIF.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

SB 122 Process Phase II Participation

Bartlett presented the staff report. The City Council was requested to adopt a Resolution to participate in the second phase of the North Clackamas Urban Services Agreement Project. He pointed out correspondence from Kent Squires, Oak Lodge Sanitary District, regarding project funding. The Resolution under consideration indicates that the City of Milwaukie will participate in the planning process by appointing key staff and elected official representatives to participate in project advisory committee meetings; hold regular discussions of the governing body on project issues; provide governing body input at appropriate times; communicate project issues to the community; and contribute funding based on mutually agreed upon cost-share formula for staff services. He added that the City of Milwaukie was not designating a specific amount. The cities of Lake Oswego, Oregon City, and West Linn have decided not to participate at this time. This action by the three cities will probably result in an effort to find another cost-sharing allocation or to trim down the scope of the project.

Councilmember Farley discussed funding and asked what the cost difference would be without the three cities' participation. **Bartlett** said that would be difficult to estimate at this time because the cost-sharing formula and project scope could be revised.

Councilmember Kappa referred to packet page five. He asked which Representatives might be asked to participate. **Bartlett** said the SB 122 Committee would be looking for a broad-based legislative representation. Legislators need to be involved to understand the reasons local governments are requesting changes to ORS 450 authority laws.

Councilmember Kappa asked what the make-up of the Citizen Focus Groups would be. **Bartlett** said the groups would be geographically-based businesses and all others who receive service from the cities or districts.

Councilmember Kappa asked how the governance structure would be formed. **Bartlett** said the Committee would probably ask what is or is not acceptable in a manner similar to what was done by the Blue Ribbon Committee.

Councilmember Kappa referred to packet page nine regarding cost allocation. He asked **Bartlett** if he would inform City Council of costs over his authorization limit. **Bartlett** said, in the case of the City of Milwaukie's participation in a multi-jurisdictional project such as this, City Council would be aware of all costs and be intimately involved in the process.

It was moved by Councilmember Kappa and seconded by Councilmember Farley to adopt the Resolution to participate fully in the second phase of the North Clackamas Urban Services Agreement Project. Motion passed unanimously.

RESOLUTION NO. 43-1995:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO FULLY PARTICIPATE IN THE SECOND PHASE OF THE NORTH CLACKAMAS URBAN SERVICES AGREEMENT PROJECT.

Adopt Action Plan for 1995 - 1997 City Council Goals

Bartlett presented the staff report. City Council has been involved in forming the City's Vision for the next 20 years. On September 5, 1995, the City Council adopted its 1995 - 1997 Goals. For each major Goal, staff developed an action plan that City Council could use as a checklist. Staff requested that Council approve the action plan so it can be published for public information.

Mayor Lomnicki discussed the citizen involvement in developing these goals and expressed his appreciation to those who had participated.

It was moved by Councilmember Trotter and seconded by Councilmember Farley to adopt the Action Plan for 1995 - 1997 City Council Goals as presented by staff and directed staff, upon adoption of the Action Plan, to proceed with developing preliminary benchmarks to be discussed with the City Council at the next review.

Councilmember Kappa said, for clarification, that this was the Action Plan, and staff responsibilities and due dates would be developed at a later time.

Councilmember Trotter commented that, as the Mayor indicated, Council worked on the Goal project for a considerable amount of time. Adoption of the Action Plan is a good indication that both City Council and staff are committed to these Goals. He added that there are many points throughout the implementation of the Goals for citizen comment.

The motion to adopt the 1995 - 1997 Goals Action Plan passed unanimously.

League of Oregon Cities Voting Delegate

Bartlett presented the staff report. City Council was requested to designate a voting delegate and an alternate for the City of Milwaukie at the League of Oregon Cities Annual Business Meeting on Sunday, November 12, 1995.

Councilmember Farley nominated Councilmember Kappa as the voting delegate.

Councilmember Kappa nominated Councilmember Trotter as the alternate.

It was moved by Mayor Lomnicki and seconded by Councilmember Trotter to designate Councilmember Kappa as the voting delegate and Councilmember Trotter as the alternate for the City of Milwaukie at the League of Oregon Cities Annual Business Meeting on Sunday, November 12, 1995. Motion passed unanimously.

CONSENT AGENDA

It was moved by Councilmember Farley and seconded by Councilmember Kappa to adopt the Consent Agenda which consisted of the City Council minutes of September 19, 1995. Motion passed unanimously.

Information

1. **Bartlett** discussed Information Item VII.K regarding US West's work on the 9-1-1 system.
2. **Councilmember Kappa** said he has heard positive comments on both the *Pilot* and *Co-Pilot* City newsletters.
3. **Mayor Lomnicki** said he understood from a PGE representative that the franchise agreement with the City of Milwaukie has not been signed to date. **Anderson** said he was working with the City Attorney on this issue. PGE did not accept the City's signature within the designated timeline, so the problem is one of technicality. Neither party wants out of the agreement. The City is still providing right-of-way services, and PGE is making its franchise payments.

Mayor Lomnicki announced that the City Council would hold an Executive Session pursuant to ORS 192.660 immediately following adjournment of the Regular Session to discuss property acquisition.

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 7:40 p.m.

Pat DuVal

Pat DuVal, Recorder/Secretary

EXECUTIVE SESSION

Mayor Lomnicki convened the Executive Session at 7:50 p.m. to discuss property acquisition. In addition to Council, City Manager Bartlett, City Attorney Baird, and Community Development Director Collins were present.

Bartlett reported on the status of property acquisition. He reported that a property owner of a priority parcel had contacted staff. He reviewed the "due diligence" process. He discussed the financial considerations of past purchases for Fund 27, the Parks District Fund. He noted that a revised financial plan would need to be prepared.

Collins relayed the nature of the conversation with the property owner.

Baird confirmed the legal aspects of acquisition.

Councilors questioned staff about the property map and land value. Staff reported that they would bring a Resolution for Council consideration.

The Executive Session was adjourned at 8:15 p.m.


Dan Bartlett, City Manager

CITY OF MILWAUKIE
CITY COUNCIL AGENDA
OCTOBER 3, 1995

MILWAUKIE CITY HALL
10722 SE Main Street

1728th MEETING

WORK SESSION

- 4:00 - Council Information Sharing
- 4:30 - Metro 2040 and 40 Ways to Implement the Growth Concept
(Jean Schreiber and Maggie Collins)
- 5:30 - Council Goals: Action Plan (Dan Bartlett)

EXECUTIVE SESSION

5:00 p.m. - Encroachment Settlement

REGULAR SESSION

7:00 p.m.

I. CALL TO ORDER

Pledge of Allegiance

II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

- A. Recognize Linwood Neighborhood District Association -- Resolution (Linda Mullen)
- B. Fire Prevention Week -- Proclamation (Dave Olson)
- C. Crime Prevention Month -- Proclamation
- D. Red Ribbon Week -- Proclamation
- E. Disability Employment Awareness Month -- Proclamation
- F. Involved to Solve -- Proclamation

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. **SB 122 Process Phase II Participation -- Resolution (Dan Bartlett)**
- B. **Adopt Action Plan for 1995 - 1997 City Council Goals (Dan Bartlett)**
- C. **League of Oregon Cities Voting Delegate (Dan Bartlett)**

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 Minutes of September 19, 1995

VII. **INFORMATION**

- A. **Planning Commission Minutes of September 12, 1995**
- B. **Linwood Neighborhood Association Meeting Minutes of September 21, 1995**
- C. **Parks District Information**
- D. **MDDA Information**
- E. **Johnson Creek Watershed Committee Meeting Minutes of August 16, 1995**
- F. **Update: Southern Pacific Transportation Company East Milwaukie Site**
- G. **Regional Water News, Fall, 1995**
- H. **JPACT Meeting Report of August 17, 1995**
- I. **Mt. Hood Economic Alliance Information**
- J. **Metro Study of Boundary Commission -- September 11, 1995**
- K. **Correspondence: US West Regarding 9-1-1 Service**
- L. **Memorandum: Minor in Possession (MIP) Diversion Program**

VIII. **ADJOURNMENT**

EXECUTIVE SESSION

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

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



MEMORANDUM

TO: Honorable Mayor and City Council

THROUGH: Dan R. Bartlett, City Manager *Dan*

FROM: Linda Mullen, Neighborhood Services Coordinator *Linda Mullen*

RE: Linwood Neighborhood Association Recognition

DATE: September 22, 1995

ACTION REQUESTED

Officially recognize the Linwood Neighborhood Association as part of the City of Milwaukie's neighborhood program.

BACKGROUND AND DISCUSSION

At its September 21st meeting the Linwood Neighborhood Association approved a vote to seek official recognition from the city. The Linwood group has organized quickly. They began meeting in July and have completed the city's minimum requirements for organizing. They promoted their first and second meeting with fliers distributed throughout the neighborhood boundaries. An additional flier was distributed at the Linwood school parade on September 16th. The city also promoted their meetings with press releases and a notice in the Pilot.

Association members have elected officers and established a land-use committee. They have conducted a survey to begin prioritizing neighborhood issues. Copies of this information are attached.

FINDINGS

Members of the Linwood Neighborhood Association have met the City's minimum guidelines for organizing. They have held two meetings, promoted them throughout the district, elected officers and approved by-laws. The Linwood Neighborhood Association demonstrates the potential to be a successful organization.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MILWAUKIE RECOGNIZING THE LINWOOD NEIGHBORHOOD ASSOCIATION AS THE OFFICIAL REPRESENTATIVE ORGANIZATION FOR NEIGHBORHOOD DISTRICT # 4 AS DEFINED IN RESOLUTION #6-1994.

WHEREAS, Council has previously passed resolution #5-1994, establishing standard by-laws for the operations of neighborhood associations; and

WHEREAS, Council has previously passed Resolution #6-1994, adopting official neighborhood boundaries within Milwaukie; and

WHEREAS, The Linwood Neighborhood Association has submitted a request for recognition as the official Neighborhood Association representing District #4; and

WHEREAS, the Linwood Neighborhood Association has adopted the City's Model Neighborhood District Association Bylaws; and

WHEREAS, the Linwood Neighborhood has provided outreach throughout District #4 inviting and encouraging involvement in the neighborhood association;

NOW, THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE:

The Linwood Neighborhood Association is recognized by the Milwaukie City Council as the Official Neighborhood District Association Representing District #4, Linwood.

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

Linwood Neighborhood Association Officers

Chairperson:	Tracy Cook	5651 SE Harlene	654-2946
Vice Chair:	Cindy Lewis		
Sec/Treas:	Dolly Hambright	12258 SE Grove Loop	659-7582
Land Use:	Dick Schwarz	5678 SE Harlene	654-7593
	Tracy Cook	5651 SE Harlene	654-2946
	Cindy Lewis		
	Curtis Rumpel	5911 SE Sundial	654-8967
	Randy Betts	5527 SE Harlene	653-6624

Linwood Neighborhood Survey

Results as of September 18, 1995

Total number of surveys collected: 30

1) Issues people are most concerned about:

Issue	Number of replies
Crime	21
Traffic	16
(primarily on Stanley, Linwood, Monroe, Rail Road 60th)	
Zoning and land use	13
Lack of Sidewalks	11
Neglected/abandoned property	9
Other	
Knowing neighbors	4
Bike paths	1
Max line	1

2) Three top issues people want addressed:

Issue	Number of replies
Crime/neighborhood watch	18
Safety/traffic/sidewalks	17
Land use/zoning	9

Other common issues brought up in this section:

Property maintenance/beautification	6
Community involvement	3

3) Ratings

Housing and yards were rated the areas with highest satisfaction, earning an excellent or good rating from nearly all survey respondents.

Housing - 28 out of 30 think housing is excellent or good (no poor ratings)

Yards - 22 out of 30 think yards are in excellent or good shape (2 poor ratings)

Street Lighting and Storm Drains were rated favorably, but not as strongly as housing and yards. They earned good and fair ratings.

Street Lighting - 28 out of 30 think Street Lighting is good or fair (no poor ratings)

Storm Drains -24 out of 30 think storm drains are good or fair (5 poor ratings)

Street Pavement generated the most unfavorable ratings, but a third of the respondents gave positive ratings also.

Street Pavement - 22 out of 30 think street pavement is fair or poor, but 9 think it is good or excellent.

4) The three best things people like about Linwood Neighborhood

<u>Issue</u>	<u>Number of replies</u>
The people who live there	18
Quiet	8
Lot sizes	5
Neighborhood character (tie)	5

Other good things included: Schools (4 responses)
Location/access to schools and shopping (3)
Mix of people, home styles
Trees and landscaping

PROCLAMATION NO. _____

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, RECOGNIZING "FIRE PREVENTION WEEK 1995" IN THE CITY OF MILWAUKIE.

WHEREAS, every year in the America, destructive fires result in over 4,000 fatalities, tens of thousand burn injuries and more than 8.1 billion dollars in direct property loss;

WHEREAS, fire departments in the United States respond to a structure fire every 51 seconds somewhere in this county;

WHEREAS, the majority of fire fatalities, injuries and property loss occur in residential properties:

WHEREAS, smoke detectors and automatic sprinkler systems greatly reduce the risk of dying in a home fire but the best defense against fires is to stop them before they start by practicing fire prevention;

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

The City of Milwaukie designates October 8 -14,1995 as Fire Prevention Week in Milwaukie and urges all citizens, government agencies, public and private institutions and businesses to increase their participation in our community's fire and burn injury prevention efforts and thereby good citizenship.

Introduced and adopted by the City Council on October 3, 1995.

Craig Lomnicki, Mayor

ATTEST:

Approved as to form:

PROCLAMATION NO. _____

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, RECOGNIZING "CRIME PREVENTION MONTH 1995" IN THE CITY OF MILWAUKIE.

WHEREAS, the vitality of our nation depends on how safe we keep our homes, neighborhoods and communities, because crime and fear diminish the quality of life for all;

WHEREAS, people of all ages must be made aware of what they can do to prevent themselves, their families, neighborhoods and workplaces from being harmed by violence, drugs and other crime;

WHEREAS, the personal injury, financial loss and community deterioration resulting from crime are intolerable and need to be addressed by the whole community;

WHEREAS, effective crime prevention programs excel because of partnerships among law enforcement, other government agencies, civic groups, schools and individuals as they help to rebuild a sense of communal responsibility and shared pride and;

WHEREAS, crime prevention initiatives are more than self-protection and security, but must promote positive alternatives to delinquency and drugs among young people and emphasize the power of youth to better communities.

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

The City of Milwaukie designates October 1995 as Crime Prevention Month in Milwaukie and urge all citizens, government agencies, public and private institutions and businesses to increase their participation in our community's prevention efforts and thereby promote good citizenship.

Introduced and adopted by the City Council on September 26, 1995.

Craig Lomnicki, Mayor

ATTEST:

Approved as to form:



Memorandum

To: All City Employees
From: Craig Stensrud
Date: September 26, 1995
Subject: RED RIBBON WEEK

The Red Ribbon Campaign originated when Federal Agent Enrique Camarena was murdered by drug traffickers in 1985. The Red Ribbon became the symbol to reduce the demand for drugs, just as the yellow ribbon symbolized the hostages in Iran, and later support of our troops in the Gulf War.

The Oregon Federal of Parents for Drug Free Youth, an affiliate of the National Federation of Parents, is conducting their seventh annual Red Ribbon Campaign, October 23-October 31, 1995. This year's campaign theme is "Healthy Means Drug Free". The campaign is directed toward increasing public awareness of substance abuse in school age children by unitizing, strengthening, and mobilizing entire communities to say "My Choice...Drug Free."

The OFP program is sponsored locally by Oregon Partnership.

As we have done in the past, we are asking you to display a red ribbon on your personal vehicle and all city vehicles--fire, police and public works. A drug information display will be presented at City Hall and Ledding Library. The City Council will be asked to issue a proclamation on October 17, 1995, Declaring "Red Ribbon Week" affirming our concern on the substance abuse issue and to reinforce the significance that it takes the effort of local government, schools, organizations, industry, individuals, and parents to combat use of alcohol and drugs among our juvenile population.

Your assistance is needed to raise public awareness on this matter. In order to make a significant change in today's society, every segment of the community must be involved.

PROCLAMATION NO. _____

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,
OREGON, RECOGNIZING "RED RIBBON WEEK" IN THE CITY OF MILWAUKIE.

WHEREAS, alcohol and drug abuse in this nation has reached epidemic proportions, and the 15-24 year old age group is significantly affected by alcoholism, drug abuse and drug dependency; and

WHEREAS, substance abuse adds to the incidence of crime and delinquency, contributes to physical deterioration in areas of the community, and detracts from the livability of the city; and

WHEREAS, the City of Milwaukie recognizes its role in the community to work with business, schools, service organizations, and other public and private resources to combat alcohol and drug abuse; and

WHEREAS, the National Federation of Parents for Drug Free Youth, the Oregon Federation of Parents for Drug Free Youth, are sponsoring the National Red Ribbon Campaign, offering citizens the opportunity to demonstrate their commitment to drug free lifestyles;

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

The City of Milwaukie designates October 23-31, 1995, as "Red Ribbon Week" and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to making this city a "drug free" community.

Introduced and adopted by the City Council on October 17, 1995.

Craig Lomnicki, Mayor

ATTEST:

Approved as to form:

PROCLAMATION

WHEREAS, Congress has declared October 1995 as DISABILITY EMPLOYMENT AWARENESS MONTH in the United States; and

WHEREAS, Governor Kitzhaber has done likewise in the State of Oregon; and

WHEREAS, Americans with disabilities have a disproportionately high rate of unemployment; and

WHEREAS, studies have shown that a two-thirds majority of adult Americans with disabilities are able and want to work; and

WHEREAS, architectural, communication and attitudinal barriers prevent people with disabilities from working; and

WHEREAS, government budgets are drained by benefits paid to persons with disabilities who want to work and cannot find jobs;

NOW, THEREFORE, I, Craig J. Lomnicki, Mayor of Milwaukie, Oregon, do hereby proclaim October 1995, as

"DISABILITY EMPLOYMENT AWARENESS MONTH"

in Milwaukie, and I ask all citizens of Milwaukie to join me in encouraging and promoting the employment of people with disabilities, removing barriers which prevent them from fully participating in all aspects of daily living and encouraging independence for all individuals with disabilities.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October 1995.

Craig J. Lomnicki, Mayor

ATTEST:

Pat DuVal, City Recorder

PROCLAMATION

WHEREAS, "Involved to Solve" is a volunteer community involvement program of Chrysler Corporation and its family of Chrysler-Plymouth, Dodge and Jeep/Eagle dealerships; and

WHEREAS, "Involved to Solve's" local non-profit partner is "Hands on Portland," a volunteer action center that creates and implements "hands-on" community service projects throughout the greater Portland area; and

WHEREAS, the mission of "Involved to Solve" is to identify community problems that can be solved with volunteers and donations which help mobilize others to make positive change, one step at a time; and

WHEREAS, "Involved to Solve" is committed to leading other citizens and businesses to community volunteerism; and

WHEREAS, all "Involved to Solve" dealerships will implement volunteer projects for a variety of non-profit agencies in the Portland area on Saturday, October 7th, between 8 a.m. and 1 p.m.; and

WHEREAS, the vision of "Involved to Solve" is to improve the quality of life for others by involving all of Chrysler's 4,700 dealerships in the program on an ongoing, national basis; and

WHEREAS, "Involved to Solve" is a grassroots effort that empowers Chrysler Corporation dealerships to partner with citizens, City officials and other businesses to make a visual, positive difference in their communities;

NOW, THEREFORE, I, Craig J. Lomnicki, Mayor of Milwaukie, Oregon, do hereby proclaim October 7, 1995, as

"INVOLVED TO SOLVE" DAY

in Milwaukie, in recognition of the goal to better our communities, where hands-on involvement is of great importance.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October 1995.

Craig J. Lomnicki, Mayor

ATTEST:

Pat DuVal, City Recorder



*** MEMORANDUM ***
September 25, 1995

To: Mayor and City Council
 From: Dan Bartlett, City Manager *DB*
 Re: North Clackamas Urban Services Project:
 Phase II Participation

Action Requested

Consider adopting a Resolution to participate in the second phase of the North Clackamas Urban Services Agreement Project.

Background

The City has received a memo (attached) from Kent Squires, outlining the Work Program for Phase II of the North Clackamas Urban Services Project. The project would look at incorporation and service delivery issues for the North Clackamas Urban Area. This phase would conclude in a model urban service agreement.

The City's estimated financial participation would be between \$8,000 to \$16,000 depending on a potential grant and the number of participants. At this time it does not appear that Lake Oswego, Oregon City, or West Linn will participate. This would raise the estimated financial share allocated to the City. This amount has not been determined.

I believe that the City should adopt the model Resolution modified to reflect mutually agreed upon financial participation by the City and participating jurisdictions. Since the City needs to adopt urban services agreements with several special districts before our next periodic review, it would be in our interest to negotiate several of the agreements at the same time using model language to be developed as a part of Phase II.

cc: File
 cm893/hd



MEMORANDUM RECEIVED

AUG 09 1995
NORTH

TO: Cities, Special Service Districts, and County Service Districts in North Clackamas County

FROM: Kent Squires

DATE: August 7, 1995

SUBJECT: Urban Service Agreements Project (SB 122)

During the past year we have worked together diligently to develop and test a model process for achieving consensus for long term planning and service delivery in the North Clackamas area. This project was undertaken as a result of the passage of Senate Bill 122, now codified as ORS 195, and our desire to pro-actively meet the challenges of the future. This work was funded in part by an Oregon Department of Transportation/Department of Land Conservation and Development Transportation and Growth Management grant. We are now finalizing the North Clackamas Urban Services Agreements Project, Phase I report and expect to be closing out this first phase within the next few days.

At the conclusion of Phase I of the North Clackamas Urban Service Agreements Project the participants prepared a work program for Phase II. Since that time we have received a cost estimate for executing the work program from McKeever/Morris, the Phase I consulting firm. As you know the work scope for Phase II is ambitious including execution of Urban Service Agreements and the development of annexation plans; consulting costs are estimated to be \$200,000 over a two year period.

I believe we have an excellent opportunity to secure funding from the State for up to half of these costs through the Transportation Growth Management Program. This program provided funding for Phase I and preliminary inquiries indicate that a proposal for Phase II would be well received by the State. Proposals are due August 18 in Salem. I have been working with Clackamas County to meet this application deadline. The County has agreed to submit the application as we have not had time to formalize jurisdictional agreements and the accompanying signatures to create the partnership arrangement which we used for the Phase I grant application. We are having a draft of the application prepared and expect to have it to the County no later than Friday, August 11. A copy of the proposed work program along with budget and cost allocation information is enclosed for your review.

Through their agreement to serve as the grant applicant for Phase II, I believe the County has demonstrated its commitment to this project to the participants as well as to the State. I recommend all jurisdictions within the North Clackamas area commit to funding their portion of \$100,000 and that the other \$100,000 be requested in the State grant. If the State does not fund the project, or funds it at a lower amount, then all participants would be asked to consider funding that remainder out of their own funds. That funding decision would be made based upon the progress of the project at the time the decision needed to be made. Please remember the scope of the Urban Services Agreement Project, Phase II will span two fiscal years.

3

I appreciate the continued support of your organization for this process. We made an enormous amount of progress together in Phase I and I am confident we have a plan for Phase II that will bring meaningful results for the citizens of the County for many years to come. The completion of the work contemplated in Phase II will place all of us in North Clackamas County in an optimum position to meet all the requirements of Senate Bill 122 without the time constraints which would be faced otherwise. The successful completion of Phase II should also enhance the acceptance of currently proposed County policy related to annexation and incorporation issues and facilitate the implementation of that proposed policy. Without this consensus building process you will be left to your own devices in achieving compliance with ORS 195 by the next periodic review (1998).

If you have any questions or would like to discuss this matter further please call me at 653-1653.

Phase II North Clackamas Urban Services Project Work Program(Revised)

(NOTE: Slight revisions have been made to the Phase II work program to address issues identified by the State to help qualify the project for partial State grant funding. Additions are underlined, deletions stricken.)

The four step work program is summarized below.

STEP I

The purpose of this step is to expand public agency and citizen representation beyond Phase I of the project and develop information about the best strategic approach to pursue regarding the incorporation issue.

Task 1. County Board of Commissioners adopts policy statement supporting incorporation of urban/urbanizable land.

The success of the project will depend on the County playing a strong leadership role. Phase I of the project and policy development work done by the Clackamas County Board of Commissioners during the last few months has laid the foundation for the Board to take a clear policy position in support of incorporating the urban/urbanizable land. This action by the Board at the outset of the project will help to focus project efforts on how best to accomplish the goal.

Task 2. Expand current SB122 Committee to ensure comprehensive local government representation (e.g., sheriff, all cities and special district). All participants pass resolution to be involved in SB 122 Committee.

The geographic area of Phase I was expanded to include the entire County. It will be important to solicit the involvement of Lake Oswego and West Linn in Phase II of the project as well as to increase participation from one or two of the cities east of the Willamette River. Key affected County officials, such as the sheriff, should be included in Phase II. All special districts were actively involved in Phase I. The project should also re-invite Metro, the Boundary Commission and the State to participate in the project during Phase II. It may also be appropriate to establish some participation mechanism for key neighboring jurisdictions, such as Portland and Gresham. All participants will be asked to formalize their commitment to the project by passing a resolution (drafted during Phase I) and contributing to funding for staff resources. Recent experience with an annexation plan project in Springfield, Oregon highlights the importance of this Task. It is essential that all public agency participants be formally committed to the project at the outset. Any disagreements among the governmental agencies will cause confusion in the public and seriously undermine chances for project success.

Once the expanded Committee is constituted all participants will discuss with each other all projects and activities planned for implementation during the same time period as Phase II.

Task 3. Have the Portland State University Institute for Metropolitan Studies produce a White Paper which describes the key issues in transitioning to incorporation given unique conditions in Clackamas County and the various methods of incorporation available under current state statute.

This White Paper is a critical piece of the foundation for Phase II of the project. It must be a solid, objective description of the pros and cons of incorporation options (the term incorporation used throughout this document is inclusive of both annexation to existing cities as well as creation of new cities). *This review will include an analysis of the provisions for developing and implementing an annexation plan, including the legal issues and merits of including a requirement for consent of the population to be annexed.* The review of state statutes should ~~should~~ *will* include recommendations for any statutory changes which may be appropriate. The paper will also review unique features of the Clackamas County physical and political environment and later will be updated to summarize the opinions of the citizens Task Force to be appointed in Task 4. *This review shall include a comparative assessment of Clackamas County conditions to those in Multnomah County prior to their aggressive annexation program and the recent and on-going experience with an annexation plan in Springfield, Oregon.*

Task 4. Expanded SB 122 Committee appoints broad-based Task Force of citizens and business representatives to advise them in general terms how best to proceed with incorporation (timing, which geographic areas first, etc.)

All members of the expanded Task Force should participate in the appointment process to ensure credibility of the results. The Task Force will meet for a short period of time to review the results of Phase I of the project, the White Paper, and other appropriate information such as the Metro 2040 Plan and develop their recommendations. The Task Force is expected to keep their discussion on a broad, strategic level. Incorporation details will be addressed later by the SB122 Committee. Of particular interest will be whether the Task Force concludes statutory change is needed. For this reason legislative representation on the Task Force should be considered.

STEP II

The purpose of this step is for the participants in the SB122 Committee to develop agreement on the broad, strategic approach to pursue regarding incorporation and on which entities will provide each of the urban services. These two tasks are inextricably linked and will be addressed through parallel processes and then resolved as part of a comprehensive package. At the outset of this step Citizen Focus Groups will be established and other public involvement activities initiated. These activities will continue throughout Step II and Step III.

Tasks addressing the incorporation strategy are labeled with an "A"; those addressing the service deliverer issues are labeled with a "B".

Task A.1 SB122 Committee reviews the White Paper and Task Force recommendation and seeks consensus agreement, in broad terms, of how best to proceed with incorporation (timing, phasing, etc.) based on service provision scenarios in process described below.

The expanded SB 122 Committee will thoroughly review and discuss the White Paper and Task Force recommendation. It may be appropriate for the Committee to have a joint meeting with the Task Force to receive its recommendations.

July 31 Draft

Task A.2 Endorsement by individual agencies of Committee recommendations.

It will be important to know that the full elected bodies for the participants support the recommendations. All participants will be asked to adopt a resolution in support of the Committee's conclusions before the project proceeds to the next steps.

Task A.3 Continuous feedback with elected officials.

Throughout the project it will be essential to maintain a communication system which includes all elected officials for the participating governments. This will be accomplished with a combination of individual communications, brief project update bulletins approximately six times during the project, and extra briefings when needed to deal with unique circumstances.

Task A.4 In no consensus, return to Task Force in Step I, Task 4.

A critical mass of consensus is necessary for the project to successfully proceed to the next steps. If either the SB 122 Committee members disagree among themselves, or the entire Committee disagrees with the Task Force's recommendations related to incorporation, then the project should go back to the Task Force and work on the recommendations until agreement between all key parties is reached.

Task B.1 What should be the future boundaries for urban service providers? (Use maps from current SB 122 work as starting point for more detailed analysis.)

The very general boundaries from Phase I of the project will be analyzed and fine-tuned based on political boundaries (urban services boundaries, urban growth boundary expansion, designation of urban reserves, etc.) and physical boundaries (drainage basins, topography, etc.). This work will probably be done initially in subcommittees for each urban service.

Task B.2 What are the un/under-serve urbanized unincorporated areas of the County?

This task is, in a sense, a needs analysis. Which currently urbanized but unincorporated areas are underserved?

Task B.3 What form of government should provide each urban service (e.g., cities, county, special districts, authorities, county service districts, etc.)? Research to include current powers of different types of entities, including whether districts providing different types of services can merge (e.g., fire and police, sewer and water).

This analysis will initially occur at the subcommittee level. However, the resolution of this issue will need to be done on a comprehensive basis. Some of the decisions on service deliverer may be dependent on each other. For example, it may be particularly important for the water service deliverers to be able to easily coordinate with each other. Some service deliverer patterns may make this easier than others. Prior projects and discussions make it a safe bet that the cities will want to address the issue of retaining a core group functions for city identity and statutory reasons. To assist the final decision-making process by the

full SB 122 Committee the subcommittees will be encouraged to identify first, second and possibly third priority governance options as well as to identify any options which they probably could not support under any circumstances.

Task B.4 If a change in service providers is needed, what transition steps should be taken to assure success? Over what time frame?

This task will include the development of specific transition steps, with time frames. The transition outlines developed during Phase I will be used as a starting point. Subcommittees will develop recommendations for consideration by the SB 122 Committee.

Task B.5 If no consensus, return to Task Force in Step I, Task 4.

The process and rationale are the same for this task as for Task A.4

Citizen Focus Groups for feedback.

Between one and three focus groups will be established to review options and provide opinions. The focus groups will provide input on the key incorporation and service deliverer issues to provide a means to test public acceptance of different approaches. The groups will be set up and operated using the structured procedures used by professional firms which specialize in this public involvement technique. The number of focus groups and frequency with which they meet will be based on professional advice.

In addition to the focus groups a variety of other public involvement techniques will be used to assure active participation. Each of the participating governments will have the lead responsibility to help identify the appropriate techniques for their community. Examples are expected to include neighborhood and community association meetings, public workshops and coffee klatches. The project will develop a master public plan to coordinate these activities.

STEP III

The purpose of this step is to develop agreement for a specific plan for incorporation. Citizen focus groups and other public involvement activities will continue throughout this step.

Task 1. What specific incorporation pattern should be pursued? (Use maps from current SB122 work as starting point for more detailed analysis.) Complete economic analysis (at a defined level of service).

The very general boundaries from Phase I of the project will be analyzed and modified based on political boundaries (urban services boundaries, urban growth boundary expansion, designation of urban reserves, etc.) and physical boundaries (drainage basins, topography, etc.). The service delivery maps from Step II, Task B1 will play an important part of this analysis. It is essential that the service delivery maps and the incorporation maps be consistent with each other. This task shall include development of an outline of an annexation plan for at least some portions of the affected areas. The strengths and weaknesses of the annexation plan method will be carefully examined, including the possibility of using consent provisions with this method. This is not intended to imply a

commitment to the annexation plan method, only that it will be thoroughly considered. This task shall also include a fiscal impact analysis on city bureaus of annexation.

Task 2. How should the incorporation occur (phasing and timing of process)?

This task will develop a detailed transition strategy. Issues addressed will include which areas should be incorporated first, and how quickly? Variables to consider will include which areas need services first (e.g. which urban areas are underserved now, where will future urbanization first occur under Metro's 2040 plan?) and in what time frame. The phasing and timing plans must be coordinated with the phasing and timing plans for the individual urban services (Step II, Task B.4) to ensure consistency. Some changes to the urban services plans may be necessary to reconcile both sets of needs. If the annexation plan method is selected to address some or all of the unincorporated areas these issues will be answered within the context of preparing the annexation plan.

Task 3. County is responsible for facilitating incorporation, as described in Step III, Task 1.

This task just reiterates the importance of the County continuing to play the prime leadership role throughout the process.

Continued use of Citizen Focus Groups and other Public Involvement Activities

The Focus Groups and other public involvement activities described in Step II will be continued to address the specific incorporation issues in Step III.

STEP IV

The purpose of this step is to ~~develop a specific plan to~~ negotiate and sign urban services agreements to reflect the conclusions of Phase II.

Task 1. ~~SB122 Committee will develop a plan for writing the detailed~~ oversee the preparation of urban services agreements, including phasing and timing. (It is anticipated that those agreements would meet or exceed SB122 requirements and would be negotiated between July 1, 1996 and June 30, 1997, so they would be in place when the County starts Periodic Review in 1998.)

The substance of these agreements should be resolved by the end of Phase II. Nevertheless, agreements of this nature are inherently complex, and SB122 has imposed several specific requirements related to cost analysis, changes in personnel and many other considerations. Completion of the agreements by June 30, 1997 will put all Clackamas County governments in a pro-active position relative to SB 122 requirements. Perhaps more importantly, meeting this timeline will also put the participants ahead of the curve in preparing for implementation of Metro's Regional Framework Plan.

NORTH CLACKAMAS URBAN SERVICES AGREEMENTS PROJECT

Phase II

Budget Allocation and Distribution Matrix

Commitment level pending grant receipt determination.
County @ \$33,000 and Local Gov't @ \$67,000

Clackamas County Participating Entities	Population	Service Population						Cost Distribution			
		Fire	Law Enforcement	Parks & Recreation	Sewer & SWM	Streets & Roads	Water	Total Service Population *	Multiplier	Cost Share (w/o grant) @ \$134,000	Cost Share (w/grant) @ \$67,000
Cities											
Gladstone	11,325	11,325	11,325	11,325	11,325	11,325	11,325	67,950	1.00	\$9,629.10	\$4,814.55
Happy Valley	2,300		2,300	2,300		2,300		6,900	1.00	\$977.79	\$488.89
Lake Oswego	32,940	32,940	32,940	32,940	32,940	32,940	32,940	197,640	1.00	\$28,007.30	\$14,003.65
Milwaukie	18,692	18,692	18,692	18,692	18,692	18,692	18,692	112,152	1.00	\$15,892.91	\$7,946.46
Oregon City	17,500	17,500	17,500	17,500	17,500	17,500	17,500	105,000	1.00	\$14,879.41	\$7,439.71
West Linn	18,860	18,860	18,860	18,860	18,860	18,860	18,860	113,160	1.00	\$16,035.75	\$8,017.88
Total Incorporated Population:	101,617									\$85,422.27	\$42,711.13
Fire Districts											
Clackamas Fire District No. 1	80,000	80,000	0	0	0	0	0	80,000	1.00	\$11,336.69	\$5,668.35
Oak Lodge Fire District No. 51	28,000	28,000	0	0	0	0	0	28,000	1.00	\$3,967.84	\$1,983.92
Total Fire District Population:	108,000									\$15,304.54	\$7,652.27
Parks & Recreation Districts											
North Clackamas	85,000	0	0	85,000	0	0	0	85,000	1.00	\$12,045.24	\$6,022.62
Total Park & Recreation District Population:	85,000									\$12,045.24	\$6,022.62
Sanitary Sewer/Surface Water Districts											
Clackamas County Service District No. 1	37,000	0	0	0	37,000	0	0	37,000	1.00	\$5,243.22	\$2,621.61
Oak Lodge Sanitary District	28,000	0	0	0	28,000	0	0	28,000	1.00	\$3,967.84	\$1,983.92
Total Sewer/SWM District Population:	65,000									\$9,211.06	\$4,605.53
Water Districts											
Clackamas River Water District	36,000	0	0	0	0	0	36,000	36,000	1.00	\$5,101.51	\$2,550.76
Damascus Water District	6,800	0	0	0	0	0	6,800	6,800	1.00	\$963.62	\$481.81
Mt. Scott Water District	14,000	0	0	0	0	0	14,000	14,000	1.00	\$1,983.92	\$991.96
Oak Lodge Water District	28,000	0	0	0	0	0	28,000	28,000	1.00	\$3,967.84	\$1,983.92
Total Water District Population:	84,800									\$12,016.90	\$6,008.45

Total Served Population by Service:	207,317	101,617	186,617	164,317	101,617	184,117	945,602	0.141709	\$134,000.00	\$67,000.00
							(w/grant)	0.070854		

Assumptions:

1. Urban Service Agreements Project, Phase II Budget of \$200,000
2. Clackamas County's cost share equals \$66,000 or 33%.
3. Cities and Districts pay \$134,000 or 67%.
4. Grant money availability will be pursued. Cost may decrease significantly if grant money can be obtained. However, jurisdictions should not depend on grant receipts. Any grant monies garnered would probably not become available until January, 1996.
5. Project spans two years beginning July 1, 1995 and ending June 30, 1997. Eighty percent (80%) of the cost would likely be incurred in the first year.

NORTH CLACKAMAS URBAN SERVICES AGREEMENT PROJECT
MODEL RESOLUTION

A RESOLUTION OF THE _____ (name of governing body) OF THE
_____(Jurisdiction name) TO FULLY PARTICIPATE IN THE SECOND
PHASE OF THE NORTH CLACKAMAS URBAN SERVICES AGREEMENT PROJECT.

WHEREAS, Senate Bill 122 (codified as ORS Chapter 395) requires, as a part of the periodic review process, the _____ (name of jurisdiction) and other urban service providers to sign urban service agreements for sanitary sewer/surface water management, parks/open spaces/recreation, water, law enforcement, fire protection and streets/roads/mass transit; and

WHEREAS, several jurisdictions, including the _____ (name of jurisdiction) have participated in Phase I of the North Clackamas County Urban Service Agreement Project; and

WHEREAS, the Phase I concluded that citizens served by _____ (name of jurisdiction) may realize future benefits in the form of more effective and efficient provision of urban services through continued participation in the process; and

WHEREAS, developing a long-term vision for governance and service provision and implementing steps are mutual goals for all local governments in the North Clackamas area; and

WHEREAS, the Phase I participants have mutually developed a plan for Phase II of the project.

NOW THEREFORE, BE IT RESOLVED BY THE _____ (name of governing body) OF THE _____ (jurisdiction name) shall fully participate in Phase II of the North Clackamas Urban Service Agreement Project by engaging in the following activities:

- appoint key staff and elected official representatives to participate in project advisory committee meetings;
- holding regular discussions of the governing body regarding the issues that will be addressed throughout the project;
- providing input from the full governing body at key points throughout the project;
- communicating the project issues to the community this body serves and receiving its feedback; and
- contributing funding based on a cost-share formula with other jurisdictions in the County for staff services for Phase II.

Introduced and adopted by the _____ (name of governing body) on _____ (date).

(signature blocks) _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO FULLY PARTICIPATE IN THE SECOND PHASE OF THE NORTH CLACKAMAS URBAN SERVICES AGREEMENT PROJECT.

WHEREAS, Senate Bill 122 (codified as ORS Chapter 395) requires, as a part of the periodic review process, the City of Milwaukie and other urban service providers to sign urban service agreements for sanitary sewer/surface water management, parks/open spaces/recreation, water, law enforcement, fire protection and streets/roads/mass transit; and

WHEREAS, several jurisdictions, including the City of Milwaukie have participated in Phase I of the North Clackamas County Urban Service Agreement Project; and

WHEREAS, the Phase I concluded that citizens served by the City of Milwaukie may realize future benefits in the form of more effective and efficient provision of urban services through continued participation in the process; and

WHEREAS, developing a long-term vision for governance and service provision and implementing steps are mutual goals for all local governments in the North Clackamas area; and

WHEREAS, the Phase I participants have mutually developed a plan for Phase II of the project.

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

The City shall fully participate in Phase II of the North Clackamas Urban Service Agreement Project by engaging in the following activities:

- appoint key staff and elected official representatives to participate in project advisory committee meetings;
- holding regular discussions of the governing body regarding the issues that will be addressed throughout the project;
- providing input from the full governing body at key points throughout the project;

- communicating the project issues to the community this body serves and receiving its feedback; and
- contributing funding based on a mutually agreed upon cost-share formula with other participating jurisdictions in the County for staff services for Phase II.

Introduced and adopted by the City Council on _____, 1995.

CITY OF MILWAUKIE, OREGON

By _____
Craig J. Lomnicki, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:

O'Donnell, Ramis, Crew, Corrigan & Bachrach



*Working together
for livable
Oregon
communities*

League of Oregon Cities
Local Government
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Salem, OR 97308
(503) 588-6550 or
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Grande

VICE-PRESIDENT
Alice Schlenker, Mayor
Lake Oswego

TREASURER
Larry Griffith, Mayor
Baker City

PAST PRESIDENT
Charles Vars, former Mayor
Corvallis

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Oakridge

Charlie Hales, Commissioner
Portland

Mike Kelly, City Manager
Springfield

Craig Lomnicki, Mayor
Milwaukie

Bob McPheeters, Mayor
Tillamook

Larry Patterson, City Manager
Bend

Marilyn Schafer, Mayor
Gold Beach

Gwen VanDenBosch, Mayor
Dallas

EXECUTIVE
DIRECTOR

Richard C. Townsend



Printed on Recycled Paper



September 22, 1995

TO: City Managers, Administrators and Recorders

FROM: League of Oregon Cities

Enclosed are the **voting delegate** and **equipment exchange** forms for the League's annual conference. These forms need to be completed and returned to the League office by Friday, October 20. The equipment exchange provides you the opportunity to advertise for sale any surplus equipment, autos, etc. you may have, as well as to make known your interest in purchasing a specific item. Responses received will be displayed on a bulletin board near the League's registration desk during the conference.

The voting delegate form, when returned to the League, tells us who will be voting for your city during the Annual Business Meeting on Sunday, November 12. Please note that delegates **may not vote without a voting card**, and voting cards will be **issued only to the person listed on the voting delegate form**. Voting by proxy will not be permitted. The voting cards will be available the morning of the 12th, just prior to the business meeting.

Thanks!

/sw
enclosures

loc\conferen\delegfrm.mem

LEAGUE OF OREGON CITIES
1995 ANNUAL CONFERENCE and BUSINESS MEETING
November 10-12 — Eugene Hilton

**Designation of Voting Delegate
at Annual Business Meeting**

The annual business meeting will be held Sunday, November 12, at 7:00 a.m. Each city is entitled to cast one vote at the business meeting; however, all city officials are encouraged to attend.

Use this form to indicate those persons who will represent your city as a voting delegate and alternate delegate. The voting delegate or alternate should pick up a voting card at the Conference Registration Desk on Sunday morning prior to entering the business meeting. **NOTE: Delegates may not vote without a voting card, and voting cards will be issued only to a person indicated on this form. Voting by proxy will not be permitted.**

FOR THE CITY OF _____

VOTING DELEGATE

Name _____

Title _____

ALTERNATE

Name _____

Title _____

Submitted by _____
(Signature)

Name _____
(Print)

Title _____

Telephone Number _____

Return by October 20 to:

League of Oregon Cities
P.O. Box 928
Salem, OR 97308

**MILWAUKIE CITY COUNCIL
WORK SESSION
SEPTEMBER 20, 1995**

**MILWAUKIE PUBLIC SAFETY BUILDING
COMMUNITY ROOM**

Mayor Lomnicki opened the work session at approximately 2:45 p.m.

Present were Councilors Farley, Schreiber, Kappa, and Trotter; Charlene Richards, Acting City Manager; Greg Drechsler, Acting Public Works Director; Linda Mullen, Neighborhood Services Coordinator; Ken Bailey, Parks and Recreation Commissioner; Thom Kaffun, North Clackamas Parks and Recreation District; Janet Witter, Center/Community Advisory Board Member; Joan Young, Milwaukie Center Director; and Julie Wisner, Nancy Anderson, and Dick Baker, Traffic Safety Commissioners.

Board and Commission Review

Mayor Lomnicki said this was the first step of a process that would take at least through February 1996 to complete. The purpose of the project was to clarify the roles of the advisory boards in light of the Visioning Process, the 1995 - 1997 City Council Goals, and the Neighborhood Service Delivery model. It is intended that, between now and November 21, the first tier review will be completed. The Parks and Recreation Commission, the Center/Community Advisory Board, and the Traffic Safety Commission will be considered in the first tier. He reminded those attending the work session that the City Council was considering the current status and not looking for immediate solutions. He added that the City Council was not targeting personalities and not looking at personal issues.

Councilmember Kappa asked if the schedule could be completed before the nine-month commission extension appointments were over. **Mayor Lomnicki** said he did not feel City Council would be able to visualize the complete relationship between the boards until the process was completed. We may want to look at how all of the boards interconnect to facilitate more effective functioning. If necessary, a second extension could be granted.

Councilmember Kappa asked if all of the positions would be up for appointment at the same time. Mayor Lomnicki said the City Council may want to wait until the entire process is complete before making reappointments. Some of the terms may be extended.

Councilmember Kappa asked how the fast-tracking of the 2040 Plan would impact the City vision and goals. There may be some issues that the boards need to address. He thought that some commissions, such as the Planning Commission, might need to be reviewed earlier than the first of the new year.

Councilmember Schreiber said it was her understanding that business would continue as usual during the review process. City Council is looking at the organization process, not developing a work plan for each board.

Mayor Lomnicki said if Council has a particular concern -- for example, the 2040 Plan -- the Planning Commission can still be directed to work on it.

Councilmember Kappa said he wanted to make sure that there was no confusion among the boards.

Mayor Lomnicki said each board has its work plan from which it should not be deviating at this time.

Councilmember Schreiber discussed implementation of the 2040 Plan.

Mayor Lomnicki discussed the board and commission review process and the applicable legal ramifications. He reaffirmed that the City Council was focusing on the process, not on personalities.

Charlene Richards, Assistant to the City Manager, discussed the Parks and Recreation Commission (PARC) and compared the Charter and the Commission's bylaws. The PARC is advisory to both the City Council and the Planning Commission on existing and future park sites. The Commission works with the Parks District on reviewing and updating the Parks Master Plan within the City of Milwaukie. The group is also responsible for surveying the leisure time needs and advocating for City residents. The final duty was to act in an advisory capacity to other committees and commissions in reviewing program budgets as they relate to projects within the Milwaukie neighborhoods.

Richards reviewed Milwaukie Municipal Code Section 2.12.020 -- Membership. City Council appoints the seven-member commission to two-year terms. All members must be Milwaukie residents. This is consistent with the bylaws and the Parks District memorandum. The Neighborhood Parks Advisory Board (NPAB) is the Milwaukie City Council. She discussed the terms of office, appointment of officers, rule adoption, quorum, and meeting dates. **Richards** outlined the issue of the PARC being an advisory body to the NPAB, or City Council, while occasionally being advisory to the District.

Councilmember Farley asked how frequently the PARC advised the Planning Commission. **Richards** said the PARC advises on the Parks Master Plan.

Councilmember Kappa said there was also an issue in that the City of Milwaukie has more well-established parks than the rest of the District. The City of Milwaukie has other needs; for instance, parks maintenance. **Richards** pointed out that the maintenance needs are addressed in the Intergovernmental Agreement (IGA).

Councilmember Kappa commented that there did not seem to be a maintenance program.

Councilmember Trotter said he felt he was prepared to discuss some of the specific issues.

Councilmember Schreiber said she wanted to look at the PARC to determine how well it functions and if it works well with other groups.

Richards said she thought it was important to look at the interrelationship of the PARC, the City Council, and the Parks District.

Councilmember Kappa said he felt we should have a clearer idea of what is going to be done at these meetings. He requested that the format of future meetings be clarified.

Richards continued with the key issues identified by the PARC in relationship to the City Vision and the neighborhood service delivery element. This related to the need for safe, attractive public spaces, land acquisition, and enhanced riverfront.

Councilmember Trotter said he had already read the background information supplied by staff for the review project. He said he felt his time was being wasted.

Councilmember Schreiber asked if members were conscientious about their meeting attendance. **Richards** said there have been no meetings because the PARC was trying to adopt a meeting schedule to coincide with the District Board's.

Ken Bailey, PARC member, said he believed the Commission should meet to become familiar with the problems in the parks and develop an action plan. The group accomplished nothing by meeting four times a year. He felt, in the procedural sense, an informational meeting between the PARC and the City Council should be scheduled to discuss the perceived maintenance and recreational needs of the City. He said, as an advisory group, the PARC was spinning its wheels.

Councilmember Farley asked Bailey how often he felt the PARC should meet. **Bailey** responded that the PARC needs to meet more frequently than every three months. He added that information needed to be sent out to members so they could be prepared for the meeting.

Councilmember Trotter said the Parks District was trying to establish a policy of how to interact with the neighborhoods. The District Board intends to meet at least four times a year, and the NPAB needs to be responsible for scheduling its own meeting to address its needs. The District Board needs to interact more with the NPAB and become a more direct link.

Councilmember Schreiber added that there has been a certain amount of awkwardness.

Mayor Lomnicki asked the other Councilors if they were prepared to offer suggestions. There is no policy on how the PARC fits into the neighborhood services delivery model.

Councilmember Schreiber said there was another issue of communicating with representatives to be present at this session.

Richards said the PARC members indicated they wanted to become more involved and to address the issues of its relationship with the NPAB and the Parks District.

Councilmember Schreiber said she felt issues needed to be addressed in order to get anywhere.

Councilmember Trotter said it was his impression that this was a City Council work session to talk about what happens with the advisory boards. Commissioners would be invited into the discussion after the Council has developed some ideas.

Councilmember Kappa said he understood that the City Council would, in addition, consider the neighborhood services delivery model.

Councilmember Trotter said, looking at the agenda, the items listed have nothing to do with how the Commissions are organized, how they function, and if they should be changed. He added that the Neighborhood District Associations were the primary vehicle for service delivery.

Richards pointed out that the advisory boards focus on a specific area. The Neighborhood District Associations related to all issues specific to their neighborhood.

Councilmember Farley said, until all of the Neighborhood District Associations are recognized, some of the citizens are being left out of the process.

Councilmember Kappa said he understood the connection of the advisory boards and the Neighborhood District Associations, but a delivery system needed to be established.

Councilmember Trotter said the advisory boards need to work with the Neighborhood District Associations on their specialized area. The City Council needs to establish an outreach policy with each board.

Mayor Lomnicki said staff is trying to bring all of this information forward on the PARC in order for all parties involved to be on the same information plateau.

Councilmember Schreiber said she expected this type of discussion to take place at this meeting. She hoped that City Council would not reach the conclusion to argue with staff. She commented that she also had questions about the neighborhood services delivery model. She urged that City Council reach an agreement and set out its own agenda.

Councilmember Kappa commented that City Council needs to be on a fast track with the project and send a clear message to the advisory boards. He said he was prepared to make recommendations on the Tier One commissions.

Councilmember Trotter said at the work session he thought it was agreed that the City Council come to a consensus and then go to the public for comment. If his recollection were correct, City Council was to work with staff to develop this consensus.

Mayor Lomnicki said he felt that the City Council did not make its perception of the process clear enough to staff.

Councilmembers Trotter, Kappa, and Farley agreed that they did not believe Commission representatives would present comments.

Councilmember Schreiber said she agreed with Councilmember Trotter about working through the process, but she added that she found it difficult to believe that they would not want Board and Commission representatives present.

Councilmember Trotter said the proposed hourly format to review a commission was totally artificial.

Mayor Lomnicki said, if the format were changed, he wanted City Council to be consistent in how it looked at all of the issues. He recommended that a process be followed to address the issues that included powers and duties, terms of office, and appointments.

Councilmember Trotter asked if this were a staff-driven function. It was agreed that earlier staff reference to the Charter should have been to the Code. He said he felt this should be treated as a regular work session and that staff prepare Resolution or Ordinance drafts based on Council's recommended changes. He added that there might also be issues on which the Council would need additional information.

Councilmember Kappa said he perceived this review project as a period during which recommendations would be made followed by advisory board review. No one will be left out of the process.

Mayor Lomnicki suggested opening up the meeting to discussion of issues and recommended changes. Other recommendations could be added later. For this session he suggested that Council consider the Ordinance.

Councilmember Trotter discussed the formation of the Parks District and the relationship of the District Parks Advisory Board (DPAB), the City Council acting as the NPAB, and the advisory function of the PARC. He asked if the City Council should continue to act as the NPAB, or would that be a more appropriate function for the PARC.

Councilmember Schreiber said, historically, the City entered into a legal agreement when the District was a new entity. At that time, the City Council felt it had an entirely different role. The process became more complicated with the signing of the IGA. The City Council currently deals with use of land, funding, and relationships with other entities. The PARC functions to meet the needs of the citizens. If the City Council were to say that it no longer wishes to deal with these issues and delegates the IGA responsibilities to the PARC, then the City Council will have to determine how to deal with potential legal ramifications.

Councilmember Kappa said he felt, as a member of the Parks District, that the City Council sets policy and gives direction until such time as there will be board elections. **Kaffun** added that the County Commissioners currently make one appointment per neighborhood.

Councilmember Kappa urged that the City Council maintain its neighborhood advisory position until such time as the Parks District revised the process.

Mayor Lomnicki said he felt that the City Council needed to distance itself and make it clear that another group would assume the responsibilities.

Councilmember Trotter said he heard the concept being reinforced that the City Council wanted to continue being the NPAB while delegating some of its responsibility to the PARC. City Council needs to decide which of its responsibilities will be delegated.

Councilmember Farley said he felt it was important to decide the line of demarcation and how much the City Council would be willing to give or take.

Councilmember Trotter said currently the City Council acts as the NPAB. This association has responsibilities to the District Board. City Council is discussing how it wants to take care of its responsibilities. How much do we delegate? For example, should the PARC recommend to the City Council how to spend money?

Councilmember Schreiber said she felt it became more difficult when the District chose to use the PARC as a member of the decision-making group without giving it any power.

Councilmember Trotter said he felt that was changing. City Council should decide at what level the PARC makes its recommendations.

Councilmember Kappa asked if it was appropriate for the PARC to look at funding methods. He discussed land use issues relative to the PARC.

Councilmember Trotter said the Parks Master Plan is an ancillary document to the Comprehensive Plan. The PARC reviews the document based on neighborhood needs. The Planning Commission reviews it from the standpoint of fitting into the greater plan. He saw no conflict in the process.

Councilmember Kappa said the PARC needs to be aware of the Zoning Ordinance and the Comprehensive Plan in order to consider siting and related land use issues.

Councilmember Schreiber said one of the issues is allocation. The PARC advised on the allocation, and the City Council made the decision.

Mayor Lomnicki said the City Council needs to determine how much time it is going to spend on the details of parks planning. It needs to be determined whether it is the City Council or the PARC that has the responsibility of making recommendations to the Parks District that will be forwarded to the DPAB.

Councilmember Trotter said he believed a key issue was to acquire expertise on such matters as park planning and sizing without budgeting any money. The PARC is an excellent example of how this expertise may be acquired. The other NPABs do not have this type of resource. We need to decide if the Ordinance reflects the responsibilities of the Parks and Recreation Commission to the City Council.

Councilmember Schreiber said City Council needed to identify how the PARC members could provide the best possible advice without overwhelming them with duties.

Councilmember Kappa asked if the PARC should be given responsibility for financing. He added that it might be unnecessary.

Mayor Lomnicki said the question would be to whom the Parks and Recreation Commission makes the recommendation.

Councilmember Trotter noted the City of Milwaukie is represented on the DPAB. He said current policy discussions are tending to follow the Milwaukie model. He suggested reviewing current duties and determining on what issues the City Council wants the PARC to advise it. According to the IGA, the City Council is the NPAB.

Mayor Lomnicki discussed the frequency of the meetings.

Councilmember Trotter said, according to the District's draft policy, the NPAB meets a minimum of quarterly. The representative to the District Board will be the direct link between the two. With the District Representative acting as liaison, he saw no problem using members who are experts in the field and authorize them with advisory duties.

Mayor Lomnicki said the quarterly meetings would need to be staffed by District employees in order to be aware of activities in the neighborhood.

Councilmember Trotter pointed out that, as the City of Milwaukie District representative on DPAB, that was one of his responsibilities.

Mayor Lomnicki said the group which meets quarterly will be either the City Council or the PARC. If it is the PARC that meets quarterly, when will information be relayed from the District to the City Council and vice versa?

Councilmember Schreiber suggested that the City Council meet quarterly with the PARC, with the City of Milwaukie DPAB representative acting on any recommendations. She said she had no problem with that type of process.

Councilmember Trotter explained that the District Board has monthly meetings at which time it has an agenda that covers various issues, most of which are policy interpretation. Occasionally there are issues related to a particular neighborhood, and at that time there needs to be input from the NPAB. This group, as a City Council, does not have to make every decision related to parks and recreation. He repeated that the District Board wants to make sure that the NPAB is meeting quarterly.

Mayor Lomnicki said, if the PARC has a monthly meeting, City Council needs to make sure there are issues to be addressed. If the PARC meets on a monthly basis, then it can bring issues and recommendations to the NPAB on a quarterly basis. Councilmember Trotter, as the City's representative on DPAB, will forward any issues or recommendations. The problems faced by DPAB require NPAB input.

Councilmember Schreiber said, in addition, the NPAB representative will transmit any questions from the DPAB back to the City Council and the PARC.

Councilmember Trotter said the function of the neighborhood groups is a major concern to the District Board. The City of Milwaukie's structure is unique. The PARC should monitor and see if current programs are functioning effectively and meeting the needs of the neighborhood. He recommended that the PARC attend Neighborhood District Association meetings to gather input. He added that the DPAB makes few decisions that are far reaching unless it is a Master Plan or a new park. The PARC recommended a property acquisition priority in the City's budget cycle. The City Council takes the financial responsibility. The PARC has no relationship to the DPAB beyond the City Council or NPAB liaison. He recommended that the PARC act as technical advisor.

Councilmember Kappa said it might be perceived that City Council is setting up certain advisory boards to report to one Councilmember rather than the entire City Council.

Councilmember Trotter said he was recommending that the PARC, rather than the City Council, become expert in park planning and similar, related matters. If the issue before the DPAB is technical, then he felt it was appropriate to give input via the PARC. If it were a policy issue, he would seek City Council direction. City Council has the opportunity via the PARC to gain technical expertise from members who have the training and knowledge.

Councilmember Schreiber said technical expertise is not one of the criteria upon which PARC members are selected.

Councilmember Trotter said PARC members could become our technical advisors.

Councilmember Kappa said he had no problem granting the PARC more power. He said his concern was getting information from them on technical issues.

Councilmember Trotter said PARC minutes would be available, and he would be prepared to answer any questions. Each Councilor would be responsible for sharing information.

Councilmember Kappa said it seemed that the City Council was moving toward each of its members being responsible for making a direct link to the advisory boards.

Councilmember Trotter said he believed this group was unique because of the IGA and its relationship to both the City and District Board. He did not believe this was setting a precedent due to the fact that other boards are not in this type of situation.

Councilmember Schreiber asked if she needed to attend the Citizen's Utility Advisory Commission because of her participation in SB 122.

Councilmember Trotter responded that, if agreements are signed in the future, a similar action might be necessitated. He suggested dealing with this type of question as the process continues, and the need for a liaison can be discussed at that time.

Mayor Lomnicki asked for suggestions of amending the PARC powers and duties.

Councilmember Kappa suggested a Planning Commission representative on the PARC to help members understand the land use process when siting parks. He recommended appointing someone as liaison to the Planning Commission.

Councilmember Trotter said the PARC as a whole should make recommendations to the Planning Commission.

Mayor Lomnicki said he understood that, if there were a big development, it should be incumbent to evaluate the issue and bring it forward as a recommendation to the Planning Commission for a land use decision.

Councilmember Kappa said he did not see a consistent flow of information between the Planning Commission and the PARC. He suggested a representative process to increase the flow of information to make both Commissions aware of the issues.

Councilmember Trotter said there was already a process in which the Planning Commission, under certain circumstances such as a land dedication, requests a PARC review and recommendation.

Mayor Lomnicki commented that he did see a PARC recommendation in the regular session regarding the minor land partition appeal.

Councilmember Trotter said there was verbal input before the Planning Commission.

Councilmember Kappa asked if the PARC is informed of Parks District planning activities.

Mayor Lomnicki said the PARC may advocate its position before both the Planning Commission and the City Council.

Councilmember Trotter indicated that, during his term on the Planning Commission, issues were sent to the PARC for comment.

Councilmember Schreiber questioned if the PARC had knowledge that they did this.

Councilmember Trotter said the Code may need to be clarified that there is two-way information sharing.

Mayor Lomnicki said staff should be directed to include the PARC for comment. He suggested a check list of those advisory boards from whom input should be sought.

Councilmember Kappa recommended having the PARC directly involved in the riverfront development.

Mayor Lomnicki responded that, although that is a good suggestion, it might be too specific for the Code.

Councilmember Kappa suggested in Section 2.12.010 (B) to add language regarding PARC working toward the City Vision and City Council Goals and Objectives. This would not be too specific.

Councilmember Trotter recommended adding language to Section 2.12.010 (E) that the Commission should develop an annual work plan that would help implement City Council Goals.

Mayor Lomnicki said he understood that City Council was working toward each Commission developing an annual work plan. He suggested this be done in a generic Ordinance regarding Commissions.

Councilmember Trotter said this should be a specific PARC duty. He added that he was not sure that the PARC was the logical group to identify park location, and perhaps it should be either the City Council or the Planning Commission.

Councilmember Schreiber said she thought this would be an excellent group to survey recreational needs in the City and collect data. It would seem that Section (B) is tied to a database.

Mayor Lomnicki said Section (B) was done infrequently.

Councilmember Trotter said Sections (A) and (B) seemed to overlap.

Mayor Lomnicki suggested eliminating Section (B).

Councilmember Schreiber suggested rewording Section (B) to encourage more recreational needs surveys and amend the language in Section (E) to identify needs based on specific groups or areas, such as senior issues and school issues.

Councilmember Trotter suggested adding to Section (E): *"through the neighborhood associations."*

Councilmember Farley agreed that one would not ask for input on park needs from a different neighborhood.

Mayor Lomnicki said, unless there is a serious problem in the wording, he did not believe the section should be amended. He recommended looking at it in general.

Councilmember Trotter said he would like to add reference to coordinating or interfacing with the NDAs for both information gathering and dissemination. He recommended this would be an opportunity for the citizens to get to know the PARC members and what they do. He added that he did not see anything about monitoring and evaluating the programs and facilities that we already have.

Mayor Lomnicki said there has to be some evaluation of existing program and facilities. **Councilmember Trotter** said this may be an action plan item.

Membership & Appointment

Councilmember Kappa said he thought the members should be appointed to four-year terms in order to learn their craft. He questioned the need for all members to be City residents.

Councilmember Trotter said residency within the NPAB boundary was a requirement of the IGA.

Councilmember Kappa said his question was that, if there were a difficulty in appointing members, could City Council appoint someone outside of the City limits.

Councilmember Trotter agreed that members should be appointed for four-year terms. He discussed membership based on Neighborhood District Association representation.

Mayor Lomnicki said he felt that all board and commission members should be appointed at large and not represent a special interest of a particular neighborhood. If City Council makes appointments based on geographic representation, members will focus on their own needs and be responsible to their own districts.

Councilmember Schreiber said the IGA indicates that the NPAB, which is the City Council, can do whatever it wants. The City Council is not giving the PARC any commission power. Members do not really have to be City residents. She recommended changing the Parks and Recreation Commission to "Parks and Recreation Committee."

Councilmember Trotter said he had no problem changing the name to "committee." He felt, though, that appointing outside the City limits would make the system even more confusing.

Councilmember Schreiber pointed out that the Milwaukie Vision Project Chair was not a Milwaukie resident.

Councilmember Trotter reiterated that he felt this was an unnecessary confusion factor.

It was tentative consensus that members must be City of Milwaukie residents and would serve four-year terms.

Councilmember Trotter said he believed there would be a distinct advantage in having all board and commission terms expire at one time. It would give the City a better opportunity to advertise for applicants. City Council could also meet with all of the new members once a year to review goals and objectives. Now there is only contact during the interview stage.

Councilmember Kappa was concerned that a commission could have all new members.

Councilmember Trotter explained that the terms could be staggered, but all commissions would have a single expiration date.

Councilmember Schreiber said she was concerned that, if this approach were taken, City Council would be spending a lot of time interviewing, or the Mayor could take responsibility for appointments.

Mayor Lomnicki said City Council might only have to interview twelve to fourteen applicants. For example, if terms expired on February 1 each year, interviews could take place during the month of January.

Councilmember Trotter pointed out that, if this change were made, only three commission expiration dates would change. He added that more outreach would be required.

Councilmember Kappa said he would be willing to try this approach, but he did not want to amend the Code.

Mayor Lomnicki suggested that staff prepare a list of those dates on which it would be best to have terms expire.

Councilmember Kappa recommended that the PARC meet twice per month due to the timeframe of the 2040 Plan.

Richards said the bylaws, which are adopted by the commission itself, outline meeting frequency.

Councilmember Trotter said meeting frequency could be left as discretionary or at the direction of City Council.

Mayor Lomnicki said he was concerned that a commission might decide to meet very infrequently.

Councilmember Trotter said he believed that the City Council should review the bylaws from an oversight standpoint. Council should at least review and perhaps approve the bylaws.

Councilmember Schreiber said she was concerned that this type of activity might cause the City Council to have a legal responsibility for the commissions' actions.

Councilmember Trotter said the bylaws are the methodology by which the City Council makes sure the commission is doing what it is being asked.

Richards said the bylaws outline the process. Each commission, according to the Code, establishes its own bylaws.

Mayor Lomnicki asked how much flexibility is allowed in meeting the intent of the City Council.

Councilmember Trotter suggested a dialogue between the commission and the City Council to discuss the bylaws.

Councilmember Kappa discussed the process in which the Neighborhood District Association bylaws are approved. He agreed that there needed to be a review process without being too overbearing.

Councilmember Trotter suggested that commissions prepare and submit bylaws to the City Council for review and approval.

Mayor Lomnicki asked if the others felt there were a value in setting the number of meetings each commission should hold annually.

Councilmember Trotter pointed out the difference in the number of meetings between the Budget Committee and the Planning Commission.

Mayor Lomnicki said, if City Council sees an issue such as the 2040 Plan, it can direct a commission to meet more frequently. That type of language would provide more flexibility to the City Council in the event an issue or project with a definite timeline needed to be addressed by the City.

Councilmember Trotter suggested that the bylaws be reviewed and updated on an annual basis.

Councilmember Kappa recommended that the City Council meet at least annually with commissions to discuss projects and establish benchmarks.

Mayor Lomnicki said he thought an annual meeting would be a good idea.

It was the consensus to delete references to the need for quarterly reports and add language regarding an annual meeting with the City Council.

Councilmember Trotter said he would like an annual meeting with all boards and commissions as a group and then one meeting per year with each individual board. He suggested that, when talking about revising term lengths, the section on incumbent members should also be considered.

Councilmember Trotter said staff now has direction to prepare a draft Ordinance for review at the next work session.

Mayor Lomnicki asked the members if, as each board and commission is reviewed, only the enabling Ordinance should be amended, or is the City Council looking at other facets?

Councilmember Schreiber said there needs to be an Ordinance that identifies the PARC relationship to the IGA.

Richards said staff could prepare an Ordinance to the effect that the City Council is acting as NPAB to the Parks District.

Councilmember Trotter suggested that one section of the Ordinance should indicate that the PARC is advisory to the NPAB.

Councilmember Schreiber said City Council needed to establish the difference between a commission, which conducts a certain business with some legislative responsibilities, and a committee, which acts in an advisory function.

It was City Council direction to name the PARC as a committee.

Mayor Lomnicki said we need to define a board, committee, or commission.

Councilmember Trotter suggested contacting the League of Oregon Cities to determine if there were something in the ORS.

Councilmember Kappa asked how City Council will be able to measure the activities of the boards and commissions.

Councilmember Trotter suggested an evaluation at the annual meeting unless an exception issue arose. Benchmarks in the work plan might be a possibility.

Mayor Lomnicki asked if reference should be made in the Ordinance to a work plan.

Councilmember Schreiber recommended including a work plan as Section 2.12.010 (G).

Councilmember Trotter suggested wording it as "annually develop work plan and goals for City Council approval." The board and the City Council should come to a consensus when establishing a benchmark.

Mayor Lomnicki suggested that two hours be allotted for each board and commission at the next meeting. He directed that staff contact commissioners stating that the City Council will hold discussions but not take public input. Commissioners may listen to the discussion, but their comments will be scheduled for a later session.

City Council directed that the Center/Community Advisory Board would be discussed during the next two-hour block.

Mayor Lomnicki adjourned the work session at 6:05 p.m.

Pat DuVal, City Recorder

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
SEPTEMBER 19, 1995**

The one thousand seven hundred and twenty-seventh meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 p.m. in the Council Chambers at Milwaukie City Hall. The following Councilors were present:

Craig Lomnicki,
Mayor
Rick Farley

Jean Schreiber
Rob Kappa
Don Trotter

Also present:

Charlene Richards,
Acting City Manager
Pam Beery,
City Attorney
Maggie Collins,
Community Development
Director

Jim Crumley,
Senior Planner
Pat DuVal,
Recorder/Secretary

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

None.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

Appeal of Planning Commission Approval of VR-94-14

Mayor Lomnicki called the Public Hearing on the variance appeal to order at 7:06 p.m.

Mayor Lomnicki said the purpose of the hearing was to consider the appeal of a Planning Commission approval of VR-94-14. The action allowed access for ingress and egress purposes to a future minor land partition via private easement roads. He reviewed the order of business in conducting the hearing.

Mayor Lomnicki said the applicant had the burden of proving that the variance is consistent with the City of Milwaukie's Zoning Ordinance. The criteria to be addressed are in Section 702 of the Zoning Ordinance.

All testimony and evidence must be directed toward the criteria just described or other criteria in the plan or land use regulation which one believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Any interested party may appeal the decision of the Council to the State Land Use Board of Appeals according to the rules adopted by the Board.

Conflicts of Interest: No members of the Council announced any actual or potential conflicts of interest.

Site Visits and Ex Parte Contacts: **Councilmember Kappa** said he visited the site but had no contact with any individuals. **Councilmember Trotter** announced that he also visited the site but did not notice anything different from the information presented in the staff report.

Challenges to Impartiality: No member of the audience challenged any Councilor's impartiality.

Staff Report: **Jim Crumley**, Senior Planner, presented the staff report. Staff recommended that the City Council deny the appeal and uphold the Planning Commission decision to approve VR-94-14. The original application was for a five-lot subdivision with an access variance for Lot 5 via Cambridge Lane. Lots 1 - 4 were to take access from a new public street with a cul-de-sac off 17th Avenue. After a series of Planning Commission Public Hearings, the subdivision application was withdrawn. The applicant chose to drop the five-lot subdivision in favor of a two-parcel minor land partition. He discussed the City practice that does not permit driveway access to minor arterials. One parcel is proposed to take access from Cambridge Lane with a variance, and the second lot would take access from Waverly Drive.

Crumley discussed the criteria for granting a variance. He addressed the criteria of unusual conditions over which the applicant has no control. Exhibit 1 of the staff report clearly shows that these parcels do not have a standard configuration. Part of the property was very steep, and a significant amount of grading would be necessary for the driveways to come out on 17th Avenue. The only alternatives would be that both parcels could take access on 17th Avenue, or both could take access on Cambridge Lane or Waverly Drive. After a lot of discussion at the Planning Commission, it was determined that it would be in the best interest to limit the number of vehicles taking access on Cambridge Lane. The most feasible action would be for one parcel to take access on Cambridge Lane and the other on Waverly Drive. No significant impacts to adjacent property owners were identified other than removal of several trees.

Crumley said the criteria of Zoning Ordinance Section 702 were met. Staff recommends that the City Council deny the appeal and uphold the Planning Commission's decision to approve the variance application, VR-94-14.

Councilmember Kappa referred to packet page 5, *Planning Commission's Findings*. He asked if staff were aware at this time of any maintenance agreements. **Crumley** said the property owners have maintenance responsibilities for Cambridge Lane.

Councilmember Kappa asked if the only responsibility was to maintain an entrance for emergency vehicles. **Crumley** said he did not know the terms of the maintenance agreement.

Councilmember Farley said one of the access alternatives was 17th Avenue. He asked if there would be a problem with oncoming traffic. **Crumley** said access would simply be a driveway approach, not a controlled intersection.

Councilmember Schreiber asked if Cambridge Lane had a tax lot number and who paid the property taxes on it. **Crumley** said he did not recall a tax lot number for Cambridge Lane.

Mayor Lomnicki asked for clarification of whether the City Council needed to determine a certain configuration or that access to either Cambridge Lane or Waverly Drive simply had to take place. **Crumley** said staff would like Council to approve a configuration.

Correspondence: **Crumley** said there was a letter which referred to the subdivision, but did not see anything relevant to the application being considered at this meeting.

Ramis said a letter from John H. Holloway, Jr., 1503 SE Oxford Lane, was referred to in the staff report on packet page 12. This correspondence spoke to the earlier subdivision application and is part of the record of the previous Public Hearing on the five-lot subdivision. Holloway has not taken any action on the variance application.

Applicant's Presentation: **Steve Blazo**, 3710 SE Rural, Portland. He pointed out that access for at least one lot is from Cambridge Lane. Prior to putting the property on the market, Dimon made the land available to other residents in the area. The initial proposal was for a five-lot subdivision; however, the more he considered the property, the less he liked the concept of a subdivision. The property in question is not as steep as McBrod and it would be difficult to meet the 15% grade access requirement, and substantial retaining walls would need to be constructed. He added that the access is only 40-feet wide. When it came to mind that there was one parcel that the country club used for its sign, he began favoring the idea of an access with a traffic signal. It appeared that he would be able to purchase an easement from Mr. Smith to access Waverly Drive. He felt from a neighborhood standpoint that this concept was superior to others, and most of the trees could be saved. He did not think the access to

Cambridge Lane was that significant because it is the last few hundred feet and the sight distances are excellent. Many parcels have been subdivided in that area, and one public street intersects Cambridge Lane. Twenty-five parcels have been created in relatively recent years. He discussed the Waverly Heights Development Policy. He added that the density of the development should be supported by one driveway.

Councilmember Trotter asked Blazo to more specifically address criteria A, B, and C of the staff report. **Blazo** discussed the public safety issues regarding access to 17th Avenue and the environmental insult that would be sustained by a substantial road cut in that area.

Councilmember Trotter asked Blazo if he agreed with the staff's responses to the various criteria. **Blazo** said he basically agreed with the staff report. He added that he was not aware of accidents or pedestrian injuries and that this was the widest portion of Cambridge Lane.

Councilmember Kappa asked the width of Cambridge Lane. **Blazo** said the right-of-way is supposed to be maintained at 30 feet. Waverly Drive basically meets City street standards. He added that the maintenance agreements are done on an ad hoc basis, and Dimon was not aware of any specific agreements.

Councilmember Schreiber asked if Cambridge Lane has been abandoned by its owners. **Blazo** said he would own that section of Cambridge Lane in front of his property to the center line.

Councilmember Farley asked if Cambridge Lane was accessible by emergency vehicles and at what angle does the property come onto Cambridge Lane. **Blazo** said the angle was approximately 90 degrees. The Fire Department noted that this was the most accessible portion of Cambridge Lane.

Testimony in Support: None.

Opponent's Presentation: **Mike Robinson**, 900 SW Fifth, Portland, spoke on behalf of the appellant, Charles Lewis, 1600 SE Waverly Drive. He was the owner of tax lot #500. He expressed his concern that the stem of the flaglot would route traffic on Cambridge Lane past five single-family residences. He referred to packet page 10 which indicated the one-time proposed cul-de-sac that would have served a number of lots. Access to Lot #2 would be relatively easy through this alternative.

Robinson discussed criteria A regarding unusual physical characteristics. He said it was clear that the physical conditions of the Blazo property were really no different than other lots in the area. The steep terrain is exactly the same type of topography as other properties. The proposed access, in his opinion, was not the best. The property can allow access to a public street, and it abuts 17th Street. He discussed the Comprehensive Plan policy that does not allow access to an arterial street.

Robinson said the applicant was asking for two access variances. The Lot #1 easement to Waverly Drive is not actually in place at this point. Blazo is seeking approval on two parcels that do not yet exist. No one knows what the eventual lot pattern will look like because there has been no land division.

Robinson discussed criteria B regarding feasible alternatives. He believed there was a feasible alternative by taking access to 17th Avenue. It is also possible that both parcels access Waverly Drive. This action would avoid putting traffic on Cambridge Lane before the five single-family residences. It does not require two variances.

Robinson discussed criteria C regarding mitigation. Until there is an easement agreement, the adverse impacts will not be known. It cannot be determined, for example, if the Fire Department is satisfied, the width of the easement, or who can use it. He cited Subdivision Ordinance Section 17.28.050(B) regarding access to a public street. He commented that a variance cannot be granted to lots that do not exist.

Robinson referred to code 17.24.020 of the Subdivision Ordinance regarding creation of streets and ways. The Planning Commission may approve an easement of ways provided that it is the only responsible method by which a portion of a lot large enough to warrant partitioning into two parcels may be provided with vehicular access and adequate utilities. He said the applicant's solution was clearly not the only reasonable method. It is also clear the policy of the City of Milwaukie to have access to publicly dedicated streets and the need for variance has not been proven.

Robinson discussed Subdivision Ordinance Section 17.32.040(A) regarding the creation of flaglots through partitioning. He pointed out the map on packet page 10 indicated access to 17th Street, a dedicated public street.

Robinson urged that the City Council deny the variance request. However, if the appeal were denied, he requested two conditions. The first would be access to the parcel only via Waverly Drive. He added that it was certainly feasible to go straight up to that street. He discussed information on packet page 52, the Development Policy for Waverly Heights. This reflects that traffic should be directed toward public streets, not narrow, private roadways. The second condition he proposed was that each access variance granted should be for one single family dwelling. This would be an assurance that access would be limited in the future.

Councilmember Farley expressed concern that removing trees on 17th Street might cause erosion. **Robinson** said there are other ways to deal with erosion.

Mayor Lomnicki said the house below the stem was part of the property. **Robinson** said that property which composed the stem was sold, and he was not sure if this had been done by a land partition.

Councilmember Kappa asked if the developer could resubmit his original five-lot subdivision configuration if the easement was not appropriate. **Robinson** said this was generally correct, and that was the reason he suggested conditions of approval.

Councilmember Trotter asked Robinson to restate the proposed conditions. **Robinson** said the first condition was the access to Waverly would be for the entire parcel and serve two single-family dwellings. The second condition was that access be limited to serving one single-family dwelling so that a future property owner would not try to maximize the number of 10,000 square foot lots.

Councilmember Trotter said, if we were to grant a variance with these conditions, one of the arguments was the additional traffic from one lot would be going by five existing homes. He asked if there were a parallel discussion about additional traffic on Waverly Drive. **Robinson** said Waverly would not have the adverse traffic impact. The traffic in that proposal would end up very close to 17th Avenue.

Mayor Lomnicki asked if traffic impact was the major concern. **Robinson** agreed that it was a major concern and indicated that the applicant had not met the burden of proof.

Charles Lewis, appellant, 1600 SE Waverly Drive. He said that Blazo indicated that he did not know about accident history in the neighborhood. **Lewis** said many children pass his house daily, and traffic is a problem. He added that his brother was struck by a vehicle in 1968. He discussed his memories of the neighborhood and how increased traffic on Cambridge Lane would disrupt the peacefulness enjoyed by the residents. He said he had not been contacted when Dimon planned to sell his property, and Dimon had not responded to his prior interest in purchasing some of the property. He said he was concerned that the Planning Commission decision on the variance did limit the property to two lots. **Lewis** indicated that the panhandle went along the side of his property. He added that, along with maintaining the trees, two lots with two single-family dwellings would be consistent with the neighborhood.

Councilmember Schreiber asked Lewis his tax lot number. **Lewis** said he owned lot #500. He added that he believed residents owned Cambridge Lane in front of their lots to the center line, and the country club owned Waverly Drive.

Councilmember Kappa asked Lewis if he were referring to criteria C. **Lewis** said he was describing mitigating effects.

Sharon Malone, 9712 SE Cambridge Lane. She said she owned Lot #600 and supported the statement that residents owned Cambridge Lane to the center. She indicated her concern that traffic was very visible to her home. She said, in addition to the vehicles owned by the family, there would be guests, construction, and maintenance vehicles. She added that if Dimon had approached her, she would have purchased the property. She said she would be very distressed if the trees were removed.

Councilmember Trotter asked Malone if she had comments directly related to the criteria for granting the variance. **Malone** said she did not personally feel there was any need to use Cambridge Lane and that access to Waverly Drive and 17th Avenue was possible.

Staff Comments: **Crumley** commented on Robinson's testimony. He indicated that variances are routinely granted when parcels do not yet exist. The parcels would not legally exist until the final plat was recorded. Staff was well aware there are considerations for Fire Department access. He referred to the conditions on packet page 9 requiring deeded access to Waverly Drive prior to the approval of a minor land partition. The second condition in the staff report was that access for both parcels shall be approved by the Fire Department. As far as granting conditions of approval, these were implicit in the understanding of the Planning Commission. Regarding access by both parcels to Waverly Drive, there was testimony before the Planning Commission that those who would grant the easement would not grant it to two residences. He added that, in staff's opinion, building a public street up an incline was not feasible.

Questions of Clarification: **Councilmember Kappa** referred to an earlier comment and asked what options the applicant would have if the variance were not granted for access on Waverly. **Crumley** said the applicant has both frontage on 17th Avenue and legal access to Cambridge Lane now, but he could not subdivide his property.

Councilmember Kappa asked Ramis if a private road could be closed to emergency vehicles. **Ramis** said he did not agree that a private road entitles the property owner to close a road to emergency vehicles. He did not believe there was an access problem. There could be limitations on a private street, but these are not part of the Council's decision process. Covenants would not apply in this decision.

Councilmember Trotter asked for comment on Robinson's testimony regarding Section 17.24.020 of the Subdivision Ordinance, creation of streets and ways. **Crumley** said he did not believe this would pertain to a minor land partition. The size of the property would determine if a dedication or improvements to serve other parcels would be recommended.

Councilmember Trotter asked, if the recommendation were accepted by the City Council that the two variance be approved, that section of the Subdivision Ordinance would not apply. **Crumley** indicated this partition would be considered as flaglots. This requirement would take place at the time of minor land partitioning. The stem, right now, would meet the requirement for a single-family dwelling.

Mayor Lomnicki asked why a variance, rather than a minor land partition, was being requested. The outcome might be agreeable to Blazo and address Robinson's concerns. **Crumley** said currently a single property has legal access to 17th Street and Cambridge Lane. When there is a minor land partition, the west portion that does not have access to a public street would need a variance to have access onto Cambridge Lane. A single family home would have two possible accesses. A division of land cannot be approved that does not have access to a public street.

Crumley referred to the map on packet page 57 which indicated the lot line adjustment approved several years ago. He pointed out the line that was approved without a variance because there was still legal access to 17th Street, not access by private easement.

Councilmember Schreiber said, at the time the lot line was changed, the flagpole was not there. She asked if it had been landlocked. **Crumley** said the east portion still had access to 17th Street.

Councilmember Kappa said the applicant has legal access to 17th Street for one single-family residence. If the applicant is not successful in acquiring the easement but still has the variance, he could continue the plan for the five-lot subdivision. **Crumley** said the applicant could do this by building a public street to 17th Street.

Mayor Lomnicki said there was still a potential for building a five-lot subdivision, or the applicant could meet the concerns of the neighborhood and maintaining consistency of the neighborhood.

Applicant's Rebuttal: **Blazo** said the Waverly Drive access is subject to approval of the property owner, who indicated a single-family home would be acceptable. He pointed out the map on packet page 45 which indicated 35 lots facing Cambridge Lane alone. This would be one single-family residence in addition to the existing 35.

Councilmember Trotter asked Blazo if he had any objections to the conditions of approval proposed by Robinson. **Blazo** said he had no objections. He mentioned that Lewis prepared a document that would allow him, the applicant, to approve or disapprove future use of the land and asked Blazo to sign it. Blazo indicated to the appellant that all other property owners with subdividable land would need to sign the document.

Ramis commented that what is represented during a quasi-judicial hearing must be consistent with what is developed. He recommended a condition that would clarify positions in the future.

Councilmember Schreiber asked if the original proposal was for more lots. **Blazo** said originally there were five lots, and one was for him personally. He added that he did not wish to create a neighborhood eyesore. He commented that it had taken a lot of time, but he felt Smith was agreeable to granting him access to Waverly Drive.

Councilmember Schreiber asked what, since the original intent was five lots and is now two lots, would be the future discussion. **Ramis** said variance is premised on the idea that there would be two lots. If made explicit, everyone would know what was in effect until some future City Council decided to make an amendment.

Councilmember Farley asked what the road conditions were like on Cambridge Lane. **Blazo** said the right-of-way is 30 feet, but the road itself is only about 12 - 15 feet wide. It is a county street that serves about 35 homes.

Mayor Lomnicki closed the public testimony portion of the hearing at 8:26 p.m.

Discussion: **Councilmember Kappa** said he was concerned with the panhandle. If it could be mitigated so that both properties could have access through the easement, he would prefer that.

Councilmember Kappa moved that the City Council uphold the Planning Commission decision but add that access to Waverly is for both properties. He added that he did not agree with the second condition. Motion failed for lack of a second.

Councilmember Trotter said he thought the record and the testimony reflected concerns about access to 17th Street; the environment that the neighborhood enjoys; and the negative impact of eliminating trees. He pointed out that McBrod has access by more than four homes and is not in conflict with the Comprehensive Plan. He believed the criteria was addressed. Planning Commission and City Council testimony indicate that an easement granted for more than one home is not a feasible alternative. He thought for clarity that each access should serve a single-family dwelling.

It was moved by Councilmember Trotter to uphold the Planning Commission decision based on the criteria on pages 3, 4, 5, and 9 of the staff report with a third condition of approval being that each access variance would serve one single-family dwelling. Mayor Lomnicki seconded the motion.

Mayor Lomnicki commented that it was in interest of both parties to maintain a low density area that might allow for some infill. He believed this partitioning would have a minimal impact.

Councilmember Schreiber said she sees many smaller lots adjacent to Cambridge Lane and there is a need for infill in the City of Milwaukie. She indicated her regret that the concept for a full road for higher density had been discarded.

Councilmember Farley said the neighbors would have the opportunity to purchase the property if the application were denied.

Councilmember Trotter said the concerns he heard most frequently were quality of the neighborhood and saving the trees. Blazo's comments indicated that the change from a five-lot to a two-lot configuration would save the trees. He expressed the hope that Blazo would continue to work with other property owners.

Councilmember Kappa asked if the panhandle would keep the continuity of the neighborhood. He did not see on the map any other configurations of this type.

The motion to uphold the Planning Commission decision based on the criteria on pages 3, 4, 5, and 9 of the staff report with a third condition of approval being that each access variance would serve one single-family dwelling passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Farley nay; no abstentions.

OTHER BUSINESS

City Manager Evaluation

Mayor Lomnicki presented the report. He explained that the City Council evaluates the City Manager on a regular basis. Because of busy schedules, the City Manager met with each Councilmember individually. This was followed by an executive session on September 5, 1995. At that meeting, the City Council discussed the evaluation and found that the City Manager serviced the City and its citizens well. The City employees had a general increase of 3% as of July 1, 1995, and City Council directed that the City Manager be given the same increase. He discussed the 10% compensation differential between the City Manager and the highest paid department head. The second compensation factor was remaining within 5% of the comparable cities. The 3% increase would maintain the 10% differential but did not keep up with comparables. He discussed a re-evaluation of the Pringle Study and how all employees compared to similar positions in other cities.

Councilmember Farley said he was not at the executive session, and he was not in favor of the increase. He said he had proposed things, but Bartlett had not acted upon them.

Councilmember Kappa said he was in favor of giving the City Manager a 3% increase. He noted that the City Manager had put Milwaukie in a good financial position. He added that there were some items on the evaluation that others thought were minor, but he, however, believed were major. He hoped to see these major items improved in the future under the process identified.

Councilmember Trotter said he thought that basically the City Manager had done an excellent job in regional planning and City finances. Whether minor or major, there are certain areas that needed improvement. He added that City Council received assurance that these areas would be addressed. He supported the 3% increase.

Councilmember Schreiber said she has had a lot of experience and has a lot of respect for the current City Manager. The outcomes have been positive and the minor complaints or difficulties can be addressed. She indicated her respect and support for the City Manager.

It was moved by Councilmember Trotter and seconded by Councilmember Schreiber to grant the City Manager a 3% salary increase retroactive to July 1, 1995. Motion passed 4 - 1 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Kappa, and Councilmember Trotter aye; Councilmember Farley nay; no abstentions.

Senior Services

Councilmember Farley discussed a letter from Janet Witter at the Milwaukie Center regarding block grants for senior services. He recommended that a letter be prepared.

Councilmember Trotter said he would like to see a draft of the letter before it was signed by the Mayor.

It was consensus of City Council to direct staff to prepare a letter for review at the next meeting.

Johnson Creek Corridor Committee

Councilmember Kappa discussed the business element of the watershed management plan. He said he felt strongly that business needs to be part of the process. He said he would like to hear from the other Councilors on how to address this issue.

Councilmember Trotter asked what actions had been taken to this point. He suggested scheduling a work session with a recommendation from staff.

Collins agreed that she would define the problem, find out what has been done in the past, and determine possible future actions.

It was City Council consensus to schedule a work session with information based on Collins' comments.

Senior Services

Councilmember Schreiber commented that if staff finds the letter requested by Councilmember Farley to be of significant importance, that the Mayor should be allowed to sign it.

Councilmember Farley said he understood that the letter should be mailed by the end of the week.

City Council agreed that, rather than holding the letter until the next meeting, each could be contacted by phone regarding the contents prior to the Mayor's signing the correspondence.

Expanded City Center Concept

Councilmember Schreiber discussed asking the Community Development staff to bring City Council a report on the Expanded City Center Concept at the end of October or the first of November. She understood that staff was working on this, and it would be appropriate for City Council to review it. Metro has indicated that planning activities will be taking place more quickly.

Councilmember Trotter said he thought the Expanded City Center Concept would be a public process.

Councilmember Schreiber agreed, but she added that the initial piece would be the action plan. Metro Executive Director Mike Burton developed a list of 40 methods of community action.

Mayor Lomnicki discussed the concept plan in relationship to the light rail funding package and the 20-year land supply. The formula by which these will be determined will be in place soon.

Councilmember Schreiber said she was reporting to MPAC in two weeks. The other issue is to get about our own business as rapidly as possible.

Mayor Lomnicki said he would like to see staff develop a checklist of what has already been completed and a timeline for completion of other elements. Some of the items could take a minimum of 120 days barring any appeals. He wanted to know what items would take additional time for public involvement.

Councilmember Schreiber said she was more concerned about what the City does for itself.

Councilmember Kappa recommended taking things slowly while trying to satisfy the region and the County. City Council needs to look at the impact on Milwaukie and make sure that decisions are not made without sufficient public input.

Councilmember Schreiber said City Council has asked Community Development staff to look at the Central City Concept and prepare an update. The "List of 40" are those items that are going on regionwide and is a method of information sharing. She commented that the citizens of Milwaukie are probably better informed than many others in the region.

City Council directed staff to schedule a work session on the "List of 40" to determine what actions can be taken to move along with the region. The region is seeking policy action when possible, but the need for public involvement cannot be overlooked. This item was tentatively scheduled for October 17, 1995.

Councilmember Trotter asked how the Expanded City Center Plan fit into the "List of 40." **Councilmember Schreiber** said she felt this was an internal item.

Mayor Lomnicki agreed that the Central City action plan should be developed by the end of October.

Collins said the Riverfront Development would be a subset of the City Center Plan. The second part of the Downtown Master Plan would be mixed-use zoning. These were the types of issues she proposed to bring forward to City Council in October. She added that there appeared to be some urgency.

Councilmember Trotter said the City Council needs to adopt the action plan for the City Council Goals. City Council needs to look at the priorities and get the action plan on the next available agenda for discussion and adoption.

Councilmember Kappa said there needs to be a public process for the action plan. He added that the action plan should be adopted before looking at the "List of 40."

Mayor Lomnicki said City Council needs to look at the items on the "List of 40" and determine what can be accomplished within what timeframes. These are not in the same realm as the action plan.

Councilmember Schreiber said the "List of 40" was a compilation of information from Mike Burton at Metro. He thought they were good ideas and shared them with other people in the region. There may be other good ideas to add to the list.

City Council directed staff to schedule work sessions to start at 4:00 p.m.

CONSENT AGENDA

It was moved by Councilmember Kappa and seconded by Councilmember Trotter to adopt the Consent Agenda which consisted of the City Council minutes of September 5, 1995. Motion passed unanimously.

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 9:27 p.m.

Pat DuVal, Recorder/Secretary

MILWAUKIE PLANNING COMMISSION
MINUTES
TUESDAY, SEPTEMBER 12, 1995

COMMISSIONERS PRESENT

Carolyn Tomei, Chair
Bill Johnson
Gordon Jones
Debi Linn
Scott McClure
Michael Smith
Scott McClure
Calvin Walter

CITY COUNCIL MEMBERS

Craig Lomnicki, Mayor
Rob Kappa
Rick Farley
Don Trotter
Jean Schreiber

OTHER CITY STAFF

Dan Bartlett, City Manager

STAFF PRESENT

Maggie Collins,
Community Dev. Dir.
Jim Crumley,
Senior Planner
Nancy Waddell,
Public Invol. Coord.
Stacy Lawson,
Assistant Planner
Shirley Richardson,
Hearings Recorder

OTHERS

Stephanie Slyman,
Clackamas County Planning
George VanBergen
Jeff Marshall,
Lewelling Land Use Comm.

SPECIAL WORKSESSION -- Clackamas Town Center Area Plan

A dinner buffet was served at 5:00 p.m. for the joint worksession between City Council and the Planning Commission. The Council members and Commission members introduced themselves. **Maggie Collins** explained that the purpose of the joint worksession was the review of a presentation on the Clackamas Town Center Area Plan results to date. There has been a task force drafting a working mission and vision statement for the area. She handed out a draft of the Plan so far. She then introduced Stephanie Slyman as the project manager and the person giving the presentation tonight.

Stephanie Slyman then reviewed a slide presentation on the Clackamas Town Center Area Plan with the audience. This plan is a comprehensive look at land use, transportation, community facilities, and urban design of this 2,300 acre study area. This area is bounded by the Multnomah/Clackamas County line north of Johnson Creek Boulevard to Lawnfield Road on the south, and the intersection of Price-Fuller Road and Harmony Road on the west to 117th Avenue on the east. A map was posted showing proposed development for the Town Center area. This area covers about 4 square miles. This Plan was developed to have a first line of defense to address several important trends and mandates. Metro's Region 2040 Plan, the Transportation Planning Rule, the South-North light rail line, traffic

CITY OF MILWAUKIE PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 12, 1995
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congestion along Sunnyside Road, changes in retailing practices, and Clackamas County's recent high rates of growth will influence changes in the area's business climate and livability. The Plan proposes a strategic alliance between community, business, and government.

A map of the 2040 Plan was shown. There are three parts to the Clackamas Town Center Area Plan: the Vision Statement, Principles, and Action Plans. This draft document includes the first public review draft of the vision and principles.

In developing the Vision Statement and Principles, key assumptions and principles were used: designation as a regional center; the car continues as the dominant mode of travel; working with changes in market forces and consumer choices; and change through infill and redevelopment.

Over the next 20-50 years, the draft Vision Statement proposes that the Clackamas Town Center area will be the dominant commercial and business center of the east Portland metropolitan area; a cultural, civic and transportation center for the east Portland metropolitan area; and an area of diverse residential neighborhoods, commercial districts and public attractions and spaces that serve both local community and the region.

The greater Clackamas Town Center Area has the largest concentration of suburban retail space in Oregon and east-side office space in the region. Over time, the area is envisioned to function much like a thriving downtown with a strong base of business and retail uses, together with public attractions, restaurants, nightlife and civic spaces. The area will be easily accessible by car, bus, light rail, bike or foot. Though regionally known as a center, Clackamas Town Center will continue to be a mix of smaller and diverse areas: neighborhoods, high density housing, quality medical and office facilities, etc. There are six residential areas in the Town Center Study Area.

Land Use Principles include transition towards more intensity, to create districts and neighborhoods, more efficient parking, and provide a range of housing choices. Transportation Principles will address maintenance of regional access, improve circulation and connections within the greater Clackamas Town center Area, and provide for all modes of transportation. Community Facilities and Services Principles will increase community attractions, create civic places, add parks and enhance open spaces, and provide for a safe and pleasant environment. Urban Design Principles will visually identify urban and design elements, have attractive streetscapes which are consistent with the area, undertake key projects with high visual impact, and capitalize on Light Rail. The Process Principles will provide infrastructure in a timely manner, ensure funding, provide short-term actions to transition to the long-term vision, and recognize market opportunities and constraints.

It was asked how bicycles fit into this Plan. **Ms. Slyman** explained bicycle use is very important to the Vision Statement. The Task Force is still working on identifying facilities.

Jean Schreiber asked how many people were on the Advisory Committee? **Ms. Slyman** stated that the number varies, there are 20 regular members on the Advisory Board. Some representatives of the group are Clackamas Promenade, U-Haul, Circuit City, Gustav's, Sisters of Providence, and Kaiser Permanente.

Rob Kappa asked if the Plan concept relied on apartments versus condos. **Ms. Slyman** stated that there are six residential areas in the Town Center area with a mix of ownership choices. **Bill Johnson** asked if this presentation had been made to the Clackamas County Commissioners? Also, if an entire neighborhood was demolished to develop this area, how are the taxes generated? **Ms. Slyman** stated that this plan has been reviewed by Clackamas County. An Urban Renewal Plan covers much of the Study Area.

Craig Lomnicki asked if this area was being developed as a City? This area is within the Milwaukie Urban Growth Boundary. He asked the relationship of this area as a regional center to the regional center in the riverfront area of Milwaukie. By the year 2040, Milwaukie's boundary will be out to this area, and he would like to make sure that there is planing so that the two areas will not be in conflict with one another, but rather complement each other. **Ms. Slyman** stated that the relationship between the Town Center and the Milwaukie Regional Center has not been looked at specifically. **Rob Kappa** stated that there are concerns about the Town Center Area. It is hoped that Milwaukie will extend out to the Urban Growth Boundary line. **Jean Schreiber** stated that the Urban Growth Boundary is a boundary line to which Milwaukie will grow. The people of Milwaukie should know where future expansion has been plotted. The Task Force has set a goal that the Town Center is to be complementary and create places where people can live and be comfortable.

Carolyn Tomei stated that she is uncomfortable that this area will become somewhere that you drive to and then leave, not using community oriented urban form. The idea is to have a community where you live, not a shopping center. **Ms. Slyman** stated that she recognizes that there will be an increase in traffic. Cities have to provide for increased population. Light Rail will provide opportunities for pedestrians and bicycle-riders for this area.

Gordon Jones stated that since this is a County project. Are there any regulations on parking ratio? **Ms. Slyman** stated that there are parking standards; they are expressed as minimums, not maximums.

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Rob Kappa asked Mike Smith how he liked being on the Task Force? **Mike Smith** stated that the process has been pretty fair. The Task Force is doing a good job of addressing many issues.

Craig Lomnicki stated that it will take good planning to recognize both these areas as regional centers. Uniqueness will be very important to draw community from both Milwaukie and the Town Center. **Maggie Collins** stated that there has been confusion about the role of the Clackamas Town Center, a piece of private property. The Town Center is weighted toward commercial; outlying areas should be more rounded in their future uses. This Study Area is the starting point; other adjacent areas will be reviewed.

1.0 CALL TO ORDER

Chair Tomei called the meeting to order at 6:33 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES -- August 8, 1995 and August 22, 1995

Scott McClure moved to approve the minutes of August 8, 1995, as presented. **Michael Smith** seconded. MOTION CARRIED 5-0 with two abstentions. Bill Johnson and Debi Linn were not at that meeting.

Debi Linn moved to approve the minutes of August 22, 1995, as corrected. **Debi Linn** seconded. MOTION CARRIED 3-0 with four abstentions. Bill Johnson, Gordon Jones, Michael Smith and Calvin Walter were not at that meeting.

4.0 PUBLIC COMMENT -- None.

5.0 PUBLIC HEARINGS

- 5.1 Applicant: Ironwood Investments
Property Owner: Cheyenne Properties
Location: 4330 SE International Way (T1S, R2E, 31C, T1708 and 709)
Proposal: Conditional Use Permit for fitness club in BI Zone
(CU-95-01/TPR-95-03)

Chair Tomei opened the hearing for a Conditional Use Permit and Transportation Planning Rule review for a Fitness Club in the Business-Industrial Zone. She asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. She asked if any of the Commissioners visited the site. Three hands were raised. No one who visited the site found anything different from what is 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.

STAFF REPORT

Jim Crumley reviewed the Staff Report with the Commission. This Application is for approval of an athletic club in the BI Zone. The proposed project consists of a 32,500 square foot athletic/fitness facility on a 3.23 acre site. Criteria for the Application can be found in Sections 601.2 and 324.5.A in the Zoning Ordinance. Staff proposed the finding that the proposal meets the necessary approval criteria for conditional use and transportation rule development.

Staff recommends approval of CU-95-01 and TPR-95-03 subject to 8 conditions as listed in the Staff Report.

APPLICANT PRESENTATION

Speaking: Jack E. Garrison, President, Nautilus Plus of Oregon, Inc.

Mr. Garrison explained that he owns nine clubs here in Oregon. Some of these facilities are dual-functioning facilities; women's club and co-ed club side-by-side. Child care is provided. The proposed facility will have child care, physical therapy, senior fitness, youth camps and sports conditioning camps for volley ball, basketball, football, baseball, soccer, etc. The facilities are kept very clean and neat. There is security on the site so the facilities maintain a safe environment for families. The entrance must be in one location so that the coming and going of members can be monitored.

The reason they have so many parking spaces is to accommodate members at peak times. There are overlaps in classes which require parking for large numbers of people. He then introduced Michael Wells and David Ellis to the Commission.

Debi Linn asked Mr. Garrison what the price range of the club will be? **Mr. Garrison** reported that monthly dues are \$29 and \$20 for students/seniors. A corporate membership is

also possible, having the corporation buying the employee's dues. About 35-45 percent of the membership is composed of corporate members, depending on the location.

Chair Tomei asked about the frequency of corporate members walking to the facility. **Mr. Garrison** stated that it is an asset having the facility close to the employee; they take advantage of the location and the fact that they do not have to move their car to get to the club.

Chair Tomei asked about Tri-Met's suggestion for building orientation. **Mr. Wells** stated that the building orientation was designed to accommodate the security of the members. Women and children do not want to walk very far to their car in a dark parking lot. This design is the best feasible location on the site. He also cited requirements from the Uniform Building Code regulations that he had to follow to configure the building.

Scott McClure stated that he agreed with the design and orientation of the building. He is in favor of the application.

Chair Tomei asked at what times the club parking lot would be completely full? **Mr. Garrison** stated that the peak hours are 9:00 a.m. to 11 a.m., 4:00 p.m. to 8:00 p.m. About 80% of the membership use the facility at these times.

Michael Smith stated that he had been a member of a Nautilus facility, but quit going because there was not adequate parking. He feels the parking is adequate and is voting in favor of this application. He is impressed with the extra landscaping proposed.

Debi Linn stated that she feels the Applicant has done a good job in the design of this facility. She too is impressed with the landscaping. She will vote in favor.

Chair Tomei stated that she is concerned about the large amount of parking for this facility. She will, though, vote in favor of this application.

Michael Smith moved to approve the Conditional Use, CU-95-01, to allow for construction of a fitness club with the findings and conditions as stated in the Staff Report. **Gordon Jones** seconded. MOTION CARRIED 7-0.

Debi Linn moved to approve the Transportation Planning Rule review, TPR-95-01, for the construction of a fitness club with the findings and conditions as outlined in the Staff Report. **Scott McClure** seconded. MOTION CARRIED 7-0.

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6.0 WORKSESSIONS

- 6.1 Presentation on Clackamas Town Center Area Plan (see special worksession at beginning of minutes)

7.0 DISCUSSION ITEMS

- 7.1 Time Extension for Royland Permits (CU-94-03/TPR-94-04)

Chair Tomei reopened the hearing on a time extension to begin construction of a multi-family dwelling for a period of 30 to 46 days.

Jim Crumley stated that there had been no changes for this extension since the Staff Report of August 22, 1995.

Gordon Jones moved to approve the time extension for Royland, CU-94-04, with the findings and conditions as outlined in the Staff Report of August 22, 1995. **Debi Linn** seconded. MOTION CARRIED 7-0.

- 8.0 OLD BUSINESS -- None.

- 9.0 OTHER BUSINESS -- None.

- 10.0 Next Meeting - September 26 1995

- 10.1 Comprehensive Plan Amendment package public hearing

- 10.2 Light Rail worksession

- 10.3 Community Development Department Report

Bill Johnson moved to adjourn the meeting of September 12, 1995. **Gordon Jones** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 7:54 p.m.

Carolyn Tomei, Chair

Shirley Richardson, Hearings Reporter

LINWOOD NEIGHBORHOOD ASSOCIATION meeting minutes for meeting held September 21, 1995, 7:00PM at St. Paul's Methodist Church.....

It was decided that because we currently have no formal Newsletter, editorial staff or reporters, we are issuing these minutes as a Newsletter to make sure everyone is informed for our next meeting.

The meeting was brought to order by Milwaukie's Fire Chief, Dan Olson, who was pinch-hitting for Linda Mullen. Attendance was far lower than last time due to conflicting events.

The following were unanimously voted in by those attending:

1. THE LINWOOD NEIGHBORHOOD ASSOCIATION will be our official name.
2. The Bylaws as written for the City Model were accepted.
3. The Association Officers serving this first term are
Chairperson: Tracy Cook, 5651 SE Harlene, 659-2946
Vice Chairperson: Cindy Lewis, 5333 SE Lloyd, 653-1170
Sec/Treas: Dolly Macken-Hambright, 12258 SE Grove Ln., 659-7582
4. The Land-Use Committee members serving this first term are
Dick Schwarz, 5678 SE Harlene, 654-7593
Tracy Cook, 5651 SE Harlene, 659-2946
Cindy Lewis, 5333 SE Lloyd, 653-1170
Curtis Rempel, 5911 SE Sundial, 654-8967
Randy Betts, contact info. to follow
5. We will seek the formality of City recognition at the October 3, 1995, City Council Meeting (7:00 PM at City Hall).

Discussion was held regarding an official Association Newsletter. Since Milwaukie will have its own monthly, free publication soon, The Milwaukie Journal (contact Reid Iford, editor, 620-2828) which will focus on Milwaukie issues and events, we will also want our activities reported there. Many suggestions about our own Newsletter were forthcoming; having a place where our youth can advertise their special skills (lawn mowing, baby sitting, etc.); getting local business support to help defray printing costs; all good ideas! ANYONE who is interested in being a part of this Committee should volunteer at the next General Meeting, or contact a Board member, and bring your best creative ideas with you!!!! YOU ARE NEEDED !!!!!

- ▶ Attached to these minutes are the Survey Results from our last meeting. As you can see, crime was a fairly hot button for many folks. We are asking Linda Mullen (786-7545) of the City to have a member of the Milwaukie Police Department attend our next meeting and give us information regarding the Neighborhood Watch Program.

Also, training for the Citizen's Patrol will be held October 18, 1995, 7:00PM at City Hall. For more information contact Linda Mullen. This is the group that will have AT&T cellular phones and identifying vests, as briefly discussed at last meeting. Apparently the Ardenwald Association has implemented this already (see related attachment re: Ardenwald)



Many in attendance also requested speakers that could provide instruction on first aid, CPR, fire prevention and etc. Mr. Olson indicated that the City would be as helpful as possible with these sorts of programs. Should you have thoughts or requests for informational speakers, let one of your Board members know.

The following dates, times, and locations have been set for the various Association meetings:

(Please be sure to mark your 1995, AND shiny new 1996, Calendars -- all meetings are open to anyone interested!!!)

GENERAL ASSOCIATION MEETINGS:

The FOURTH (4th) Thursday of each month
(unless a National Holiday like Thanksgiving falls on that day,
in which case that month's meeting will be skipped)
7:00 P. M.
St. Paul's Methodist Church
11631 SE Linwood

ASSOCIATION BOARD MEETING (first one, anyway):

September 27, 1995
7:00 P. M.
Tracy Cook's House
5651 SE Harlene
(later meetings will be announced)

LAND-USE COMMITTEE MEETING (first one):

October 2, 1995
7:00 P. M.
Cindy Lewis' House
5333 SE Lloyd
(later meetings will be announced)

? SPECIAL REQUEST -----

It was announced that the Linwood PTA could use some more people and some more help, so if you can, get in touch with the school and join in!!!!!!

See you at the next meeting.....





MEMO

TO: DISTRICT ADVISORY BOARD

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

DATE: SEPTEMBER 8, 1995

SUBJECT: SEPTEMBER 14, 1995 BOARD MEETING

Enclosed is the agenda and backup information for the September 14, 1995 Board Meeting.

Parks Encroachment Policy: The Board asked that staff prepare a recommended statement of policy regarding encroachments into District parks by adjacent property owners. A memo is enclosed which addresses this request.

Southern Lites Park Encroachments: Discussion of this issue was addressed by the Southern Lites Homeowners Association at its meeting Thursday, Sept. 7th. A telephone conversation was held with the SLHA President this date regarding this issue. As requested by the Board, a staff recommendation has been prepared and is addressed in a separate memorandum that is enclosed with the agenda. All property owners and the SLHA President have been sent letters regarding the Sept. 14th meeting as well as a copy of the staff memo on this issue.

Alma Myra Park Encroachment: A staff memo is enclosed which addresses the encroachment issue at Alma Myra Park. The property owner has been notified and sent a copy of the staff memo on this issue.

Urban Services Agreement (SB 122): The District has been a part of the local government organizations in the North Clackamas area that have been working to meet the requirements of SB 122 which requires that all local urban service providers have signed agreements relative to the delivery of urban services. For Clackamas County, the effective date is 1998. The first phase of this effort is now complete and the second phase is set to begin. A grant was received that allowed for matching in-kind services to pay for the first phase. The second phase will have a cost to the District.

(over)

Sept. 14, 1995 DAB Meeting
Sept. 8, 1995
Page Two

A representative of McKeever/Morris, Inc., who conducted the first phase effort, will be present and provide an overview of the results of Phase I. Staff recommends continuation of our involvement in this process. Information is enclosed relative to the second phase and a copy of a resolution to be adopted by the Board.

Neighborhood Parks Advisory Boards: A revised Profile of the NPAB's is enclosed which takes into account the suggestions made by the DAB at its August meeting.

Letter From the City of Happy Valley: A copy of a letter from the Mayor of the City of Happy Valley to BCC Chair Judie Hammerstad is enclosed. Reference is made to the District assuming responsibility for the operations of the City's parks. Staff has had conversation with the Mayor and the City Administrator in recent months. We are now seeking some clarification as to the exact intent of the statements in the letter. Hopefully, we can provide additional information at the Board meeting.

Weekly Updates: I have begun sending weekly updates to the DAB Chair in an effort to keep the Chair better informed. A copy of these reports is enclosed in the agenda packet which replaces the District Update that has previously appeared in your packets. If you have any questions about any of the items in the reports, please let me know.

If you have questions or desire additional information, please give me a call or bring them to my attention at the meeting.

RK

f/roger/dab/895bdmtg

NORTH CLACKAMAS PARKS & RECREATION DISTRICT
ADVISORY BOARD MINUTES

Meeting #51, August 10, 1995

BOARD MEMBERS PRESENT:

Gary Barth, Oak Lodge representative
Jim Ellis, Southgate/Town Center representative
Champ Husted, at-large member
Daisa Lawson, Oatfield representative
Tom Peterson, Sunnyside representative
Lynn Sharp, at-large member
Don Trotter, Milwaukie representative
Mitch Wall, Chairman and Milwaukie Center representative

BOARD MEMBERS ABSENT:

Bill Brod, at-large member

STAFF PRESENT:

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

STAFF ABSENT:

None

GUESTS:

Stacy Fowler, Office of County Counsel
Sarah Eraker
Gloria MacDonald
Dennis & Carolyn Macomber
Jack Hughes

Minutes

The meeting was called to order by Chairman Mitch Wall at 7:10 P.M. in the Salal Room of the Milwaukie Center.

1. Neighborhood Updates:

None.

4
1

2. **Approval of Minutes of July 13, 1995 Meeting:**

Jim Ellis moved to approve the minutes of the July 13, 1995 meeting. Champ Husted seconded the motion. Minutes approved.

3. **Southern Lites Park Encroachment:**

Roger Brown provided a history of the Southern Lites Neighborhood and its Homeowners Association, adding that survey work conducted at the proposed neighborhood park site revealed several encroachments by neighbors. Brown then asked Diane Campbell to provide more background information on this issue. Campbell explained that the District had been corresponding with Southern Lites residents. She displayed a map of the proposed park, pointed out the encroachments of six property owners and gave the estimated square footage of each one. The three options of resolving the issue were explained and District staff asked the Board for direction on how to proceed.

The Chair asked Southern Lites residents who were present at the meeting to present their side to the Board.

Gloria MacDonald read a copy of a letter she had written asking the District to donate the encroached property to the property owners.

The issue was discussed in detail, with Stacy Fowler from County Counsel offering input from a legal standpoint.

The consensus of the Board was for District staff to develop a policy that addresses the issue of encroachment. The Director stated that staff will present this issue again at the September meeting.

4. **Encroachment on Alma Myra Property:**

Diane Campbell presented a map of the Alma Myra Park and pointed out the area which is encroached upon by the property owned by Jack Hughes. Mr. Hughes presented his side of the encroachment issue. The Director reiterated that staff is working diligently to come up with an answer to the encroachment issues that will be positive for all involved.

5. Neighborhood Parks Advisory Boards:

Brown noted that following the July, 1995 meeting, staff went back and reviewed how the Neighborhood Parks Advisory Boards function. He went over the original NPAB policy presented at the January, 1992 meeting and asked the Board to review this policy again to insure that all points still apply. Some initial items in the document were clarified.

Discussion was held regarding the history of the NPABs and the current problems being addressed. Brown stated that staff will continue working on this issue.

6. Guidelines for District Funds on School District Sites:

Don Robertson discussed changes that had been recommended by Board members as well as changes proposed by School District staff.

Jim Ellis moved to adopt the proposed policy. Champ Husted seconded the motion. Approved.

7. Speakers from the Floor:

Sarah Eraker was present on behalf of the neighbors of the proposed park site donated by the Southern Lites Homeowners Association. She inquired about the possibility of the Park District picking up the cost of rebuilding the fences that would be moved as a result of the encroachment issue on the proposed park site. Brown indicated this idea would be reviewed as well as others relative to the solution of the encroachment problem.

8. Board Members' Comments:

Don Trotter commented that he felt the District should implement a policy for design standards to be used in constructing parks, particularly as it relates to property bounded by housing.

Champ Husted inquired about the possibility of adding a comparative chart of Aquatic Park revenue for 1994 and 1995 to the Board packets.

Lynn Sharp asked for an update on the Southern Pacific property. John Hartsock responded that work is currently underway for clean-up at the site.

Gary Barth inquired about the money raised at the fund-raising event last year and suggested that it may be the right time to transfer those funds from the Park District to the Foundation fund. Brown stated that these funds are in a special trust fund and are readily available for the Foundation.

Daisa Lawson commented on the budget cuts being aimed toward medical benefits for senior citizens. She urged Board members to lend their support in favor of the senior citizens.

9. Executive Session:

Executive Session was called according to ORS 192.660 at 9:52 P.M. to discuss possible land acquisition. Executive Session ended at 10:00 P.M.

10. Director's Comments:

The Director suggested that this would be a good time to visit with the Board of County Commissioners for a small tour of parks under construction, including Sunnyside Village.

Brown noted that the Board had previously instructed District staff on the issue of donations for Aquatic Park gift certificates from outside the District boundaries. He asked if the Board wishes staff to continue with the same policy. The general consensus was that staff could loosen the reins regarding out-of-District donations due to the increased market exposure that could be gained.

11. Adjournment:

The meeting adjourned at 10:10 P.M.

(7)

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report
August 1995

SERVICES

The first "cut" to the community based services developed in the State of Oregon and Clackamas County became effective August 31, 1995. 50 clients of the Milwaukie Center's services staff will be effected by the cut in the Food and Shelter Allowance for Live-In Providers. This is a service for which the 1995 Legislature did not appropriate funding. The staff is concerned that as the pieces of the community based services are cut at the local, state and federal level, clients will be left with going into nursing homes as their only alternative.

A PLACE AT THE CENTER

Susan Opitz has been hired as the new coordinator for this program. This program continues to provide thousands of hours of respite to persons with dementia and their caregivers. This partnership with Providence Milwaukie Hospital is a vital resource for our community.

NUTRITION/TRANSPORTATION PROGRAM

165-175 people enjoyed the Annual Ice Cream Social this year, a record number!

The bus we obtained from Wilsonville is not performing as well as we had hoped and requires major repairs. Fortunately we obtained a "loaner" from Volunteer Transportation, Inc. (VTI). VTI is a non-profit organization funded by TRI-MET, and other funding sources, that receives vehicles from the Oregon Department of Transportation (ODOT). In addition VTI is responsible for the distribution of vehicles and overseeing the many transportation providers in the TRI-MET area.

AWARDS

Fran Gustafsson, a long time Milwaukie Center Volunteer, was named "Our Fair Lady" at the 1995 Clackamas County Fair. Each of the Senior Centers in the county sent a contestant and Fran was the "best". Those of us who know her were not surprised.

FRIENDS OF THE MILWAUKIE CENTER

The Friends staff person, Ellenore Berg, died this month. This is a great loss to the Friends because Ellenore was always willing to do whatever was needed to further the goals of the Friends. Everything she did, she did cheerfully and efficiently and we will all miss her.

The Friends Thursday Night Bingo Games in August raised \$2053.85 with a total of 330 people playing over the five nights.

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

System Development Charges:

Clackamas County has collected \$23,511.44 in SDCs for the month of August. The City of Milwaukie collected \$0.00 for that same period. The total Parks SDC program has collected \$234,133.94

Park Construction Projects:

The construction projects are continuing to progress. Staff is anticipating that all of the projects will be completed by mid to late October. The majority of the sites have completed the earthwork and are in the process of completing the asphalt and concrete work. The next steps will be to begin irrigation, planting and installation of play equipment.

Working with Developers:

We have been working with developers on three projects for potential park property. We are currently working on another 1 acre Neo-Traditional park site off of 152nd Street. One of the other sites is located within the Altamont P.U.D. The District has been working on a School/Park site within the Altamont PUD. The County Hearings Officer designated a 10 acre site of which 4.8 acres will be donated to NCPRD. The other is Andregg Farms where a 1.5 acre park site will be set aside for park development. This site is located east of highway 224 and north of Carver.

Park Maintenance:

We have renewed an IGA with the Community Service Department through June 30, 1996. We will use their services for small projects on weekends to pull weeds, painting, and spread bark mulch, etc.

Vandalism Report:

During the month of August the slide and pull rings were stolen from the Aquatic Park play structure on Harmony St. An alert staff member spotted the slide in the front yard next to a play structure at a house a block from Risley Park. With the help of Clackamas Sheriff Department we retrieved the slide. We are waiting for a sheriffs report on what happened to the man that took the slide. The slide was valued at \$1100.00. Other acts of vandalism occurred at the District Park where a post was removed and graffiti on one of the tables. Total cost was \$50.00.

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

Programming Department

Annie:

Four performances of "Annie" were held on August 24, 25 and 26. A cast of 52 performers presented the Broadway musical spectacular to an audience of nearly 1,400. The total cost of the program was roughly \$5,000, with revenue of approximately the same amount.

Parkelodeon:

Parkelodeon was held on August 18 in conjunction with West Linn and Oregon City Parks & Recreation Departments. Over 80 kids were in attendance for activities such as the chocolate pudding slide and egg splat. Also, representatives from the Fire Department were there to assist in the water balloon tossing event.

Program Guides:

15,000 copies of the new fall Program Guides were ready for distribution on September 1.

Sports Camps:

Soccer and basketball sports camps had over 200 participants this year. The summer recreation program had another successful year.

AQUATIC PARK

Alison Bennet and Louise Stangle attended a day seminar at The Oregonian on "How to Get Your Article Published". This seminar was very beneficial and will assist in more media coverage.

The Month of August was booming with swimming lessons, lifeguard training, CPR/First Aid classes, adaptive swim lessons, \$1.00 swims, group swims, Teen Night, and staff CPR classes.

Speedo has the new line of swim wear and accessories. The hot items in the retail area include tank suits and swim goggles. We also have a stuffed animal, none other than Sammy the Seal Pup - with a ring buoy! Other new fall items include youth and adult T-shirts with the Aquatic Park logo and Sammy the Seal.

On August 25 we hosted the North Clackamas Chamber of Commerce Greeters breakfast. There was an excellent turnout for the coffee and rolls as well as the networking.

A meeting with FOX 49 is scheduled to negotiate the upcoming years sponsorship. For the months of July and August, we have had over 400 Kids Club two-for-one coupons redeemed. This coupon is included in the quarterly newsletter. Other coupons that have proven to have a high return for the 1995-96 year include the Entertainment Card (600), Pepsi 50%-off family rates (180), and the North Clackamas Aquatic Park 50%-off (210).

The final details are being completed for the NCSD #12 High School and 4th grade lessons, Catholic Youth Organization swim meets and area home school swim lessons.

A brief summary of patrons follows for the month of August:

TOTALS FOR JULY:

Open swims: In-District	8,644	Lap swimmers: In-District	458
Out-of-District	16,773	Out-of-District	96
Birthday party participants	1,341	Tube rental per cap.	\$.29
Group participants	3,251	Locker rental per cap.	\$.27
		Concessions per cap.	\$1.25 (\$31,738)

N.C.A.P. CASH FLASH					
AUGUST, 1995					
		ADMISSIONS	CONCESSIONS	TOTAL	AUGUST '94
TUE	1	\$5,948.25	\$1,139.00	\$7,087.25	\$ 8,504.00
WED	2	\$5,439.90	\$1,364.47	\$6,804.37	\$ 9,038.00
THU	3	\$4,372.00	\$877.05	\$5,249.05	\$ 10,191.00
FRI	4	\$8,451.00	\$1,542.68	\$9,993.68	\$ 8,189.00
SAT	5	\$5,198.75	\$1,057.84	\$6,256.59	\$ 9,071.00
SUN	6	\$3,958.50	\$924.30	\$4,882.80	\$ 8,279.00
MON	7	\$5,300.25	\$1,025.66	\$6,325.91	\$ 6,093.00
TUE	8	\$5,312.75	\$979.00	\$6,291.75	\$ 7,655.00
WED	9	\$6,066.51	\$1,108.42	\$7,174.93	\$ 5,151.00
THU	10	\$4,899.10	\$1,671.42	\$6,570.52	\$ 6,013.00
FRI	11	\$5,358.20	\$959.70	\$6,317.90	\$ 4,691.00
SAT	12	\$5,986.10	\$974.96	\$6,961.06	\$ 5,930.00
SUN	13	\$2,851.50	\$595.88	\$3,447.38	\$ 8,417.00
MON	14	\$4,992.40	\$1,006.40	\$5,998.80	\$ 5,624.00
TUE	15	\$5,310.05	\$975.55	\$6,285.60	\$ 7,237.00
WED	16	\$6,741.45	\$1,214.45	\$7,955.90	\$ 8,475.00
THU	17	\$4,833.50	\$1,093.79	\$5,927.29	\$ 9,863.00
FRI	18	\$5,762.25	\$1,061.82	\$6,824.07	\$ 7,793.00
SAT	19	\$5,901.70	\$1,206.86	\$7,108.56	\$ 8,615.00
SUN	20	\$3,903.00	\$847.47	\$4,750.47	\$ 6,115.00
MON	21	\$4,840.60	\$1,288.20	\$6,128.80	\$ 5,317.00
TUE	22	\$5,792.25	\$1,008.25	\$6,800.50	\$ 6,506.00
WED	23	\$4,964.55	\$958.55	\$5,923.10	\$ 6,788.26
THU	24	\$4,467.95	\$974.85	\$5,442.80	\$ 7,844.12
FRI	25	\$6,007.37	\$1,030.77	\$7,038.14	\$ 7,061.21
SAT	26	\$5,422.50	\$919.05	\$6,341.55	\$ 8,285.00
SUN	27	\$3,260.75	\$671.56	\$3,932.31	\$ 11,531.35
MON	28	\$7,397.00	\$964.73	\$8,361.73	\$ 5,366.69
TUE	29	\$3,995.75	\$720.91	\$4,716.66	\$ 6,460.97
WED	30	\$4,576.00	\$836.25	\$5,412.25	\$ 6,294.64
THU	31	\$4,198.80	\$739.04	\$4,937.84	\$ 6,032.82
	TOTAL:	\$161,510.68	\$31,738.88	\$193,249.56	\$ 228,432.06

NEIGHBORHOOD PARKS ADVISORY BOARDS PROFILE

Mission:

Advise and make recommendations to the District Advisory Board and staff regarding the North Clackamas Parks and Recreation District's park development, land acquisition, recreation programming, and facilities.

Functions:

Surveys recreation needs and recommends the role the District should play in meeting these needs.

1. Provides direction for the needs of existing and future parks within their individual neighborhoods and for the District at large.
2. Reviews and updates master plans for all new and existing District parks.
3. Recommends sites for land acquisition.
4. Recommends new or revised policy to the District Advisory Board regarding park development, land acquisition, recreation programming, and facilities.
5. Acts as liaison between their individual neighborhoods and the District Advisory Board and staff.
6. *Nominates representative of their NPAB to the District Advisory Board.*
7. *Secures volunteers to assist with District/Neighborhood projects.*
8. *Recommends projects, programs, etc., for inclusion in the District Budget.*

Membership:

Members are appointed by the Board of County Commissioners. Their terms are for four years and may be extended at the end of their term for an additional four years. The advisory boards consist of 7 regular members and 2 alternates. Members of each board must live in their respective neighborhoods. Alternates replace regular members as vacancies occur.

Requirements of Members:

1. All members must be residents of the North Clackamas Parks and Recreation District *and live within the neighborhood boundary of the Board they represent.*
2. *Attend Neighborhood Parks Advisory Board meetings as scheduled (at least one per year will be held).*
3. *Notify NPAB representative to the District Advisory Board of concerns, issues, suggestions, etc., relative to the operation of the District.*

(over)

District Requirements:

1. *Provide appropriate staff support to assist the NPAB in its work.*
2. *Notify the NPAB of issues, concerns, program opportunities, District needs, etc., as appropriate throughout the year.*
3. *Assist the NPAB in its activities and work program as requested.*
4. *Assure the activities and work program of the NPAB are within the guidelines and policies adopted by the District Advisory Board.*

NPAB Organization:

Each NPAB will determine its own organization structure. This refers to the selection of its Chair or Vice-Chair or whether it chooses not to have an identified office holder; the role of assigned staff support; scheduled meeting dates and times; preparation of agenda; etc. The NPAB will follow the policies and guidelines adopted by the District Advisory Board and will take all matters to the DAB for review and/or approval as necessary. The NPAB representative to the DAB is responsible for assuring that the flow of information to and from the DAB is given and received in a timely manner.

HON. RANDY NICOLAY

Mayor

JAMES ROBNETT
BARBARA SMITH
VERNE SCHOLZ
JAMES OLSEN

City Administrator

WILLIAM H. BRANDON

City Recorder

CAROL K. PETERS

City of Happy Valley



TELEPHONE (503) 760-3325
12915 S.E. KING ROAD
PORTLAND, OR 97236-6298
FAX (503) 760-9397

August 1, 1995

794-8005

Board of Commissioners
Clackamas County
906 Main Street
Oregon City OR 97045-1819

Dear Commissioners:

Thank you for the opportunity to respond to the McKeever/Morris Study and Time Line for how planning for services will be completed for unincorporated Clackamas County.

As I expressed in a July 19 meeting with Judy, and discussed briefly with Darlene, Happy Valley is ready to step up and take responsibility for its surrounding "areas of interest" per ORS 222.210. This area of interest, as pointed out in the study, would cover lands east of I-205, north of the Clackamas River, south of the Portland/Gresham City limits, and west of the newly proposed Urban Growth Boundary once it is relocated into the urban reserve.

As I discussed with Judy, we feel this geographic area would contribute the necessary 35,000-55,000 population needed to support a "full-size" city that can provide all the services and amenities required to maintain a truly liveable community. Starting up any other new incorporated city in this "Happier, Pleasantly, Sunnier, Clackamas-Damascus Valley" along with building the necessary infrastructure would be an economic hardship for this unique geographic area. In referring to services and amenities, it is not the intention that the city become an over-sized, top-heavy entity with a lot of its own equipment and administrative overhead. Instead, it would be anticipated that a city would develop that is a coordinating entity that contracts out services that make sense, keeping the city running at least possible cost in order to keep taxation as low as possible for its citizens, property owners and businesses.

Since becoming Mayor six months ago, I have been doing everything I can to ramp up to the challenges of leading the City of Happy Valley, not as a walled-up entity refusing to grow, but as a neighbor working with its people to insure that liveability is maintained as development and growth occur. To help communicate this, we started in May working with the CPO's and neighborhood groups in our area. We have been listening to their concerns and desires for liveability, and sharing what the City of Happy Valley already has envisioned in its LDO. Happy Valley's vision is still being fine-tuned, but has readily supported "clustered communities" similar to Murray Hill in Beaverton and the proposed East Sunnyside Village.

In further review of the McKeever/Morris Study, we could also envision/agree to the regional service concepts such as Clackamas County Fire District #1 For police protection, I would still envision a similar existing enhanced service district with the County, since it still has the jail responsibility under SB1145, but Happy Valley could continue to contract private patrols of public areas. Happy Valley would continue to plan and develop parks, providing System Development Charges can still be levied for capital improvements, but operations could be handled by North Clackamas Parks District through its tax base. Combination of a water entity through an I-90 agreement, Mt. Scott and Damascus Water Districts, for example, would hopefully grow into a larger water authority.

RB

Board of Commissions
August 2, 1995
Page 2

Planning for sewer is the toughest part of the plan since the current Kellogg site may only handle another 7 years of growth even with its recent upgrades. Perhaps some other lower elevation location would need to be sited, and hopefully that will be better explained in the Kolt Study. Construction of such a plant, regardless of size, will take the tax support of the whole proposed region.

To assist in the expediency that will be required to implement all these service issues in an incorporated area, I strongly propose that our UGMA be rewritten to provide for the following:

- (1) a change in the defined "area of interest";
- (2) shortening of the allowed annexation time to the City in order to gain services;
- (3) conversion of planning review to a volunteer board consisting of citizens in the area, not just a single hearings staff-person.

Further, restrictions must be quickly applied to the siting of septic/sand systems on top of the large aquifers in the Pleasant Valley area. We cannot afford to allow contamination of these large natural reservoirs, or there will not be enough water available to support this larger city during the lean months.

Due to the limited time frame to respond to the Study, my Council as a whole has not had a chance to review it, but will be discussing it at the Monday, August 7 meeting.

Once again, thank you for the opportunity to comment on support of the SB122 work/study. I look forward to future meetings regarding this process.

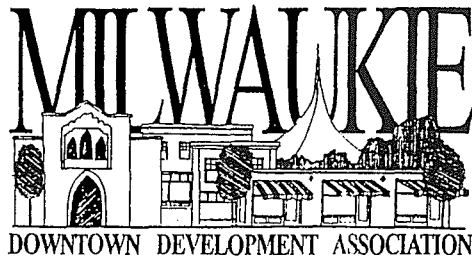
Sincerely,



Randy Nicolay
Mayor

RN/ckp

cc: City Council



10952 Southeast 21st Avenue, Suite 5 • Milwaukie, Oregon 97222 • (503) 653-0378

September 19, 1995

Dear Downtown Association Member:

As we approach the end of this year, it is again time for our Executive Board to recommend new Board members to represent the Association.

While many of you have been active in the Association (or certainly supportive), we hope to broaden our representation by encouraging you (or your employees) to apply for membership on our Board. The term of the appointment is for three years and requires, at a minimum, attendance at the monthly board meetings the second Wednesday of each month at 7:30 a.m. (The meetings typically end by 8:45 a.m.) While we only have a few openings available..... we also have a few committee chair openings available as well.

We want your involvement and value your opinions. Please take the time to read the attached flyer on our recent accomplishments and goals and consider applying for our Board positions no later than October 6th.

If you have any questions, please don't hesitate to call us.

Sincerely,

Karen O'Dowd

Manager

Milwaukie Downtown Development Association

Manager: Karen O'Dowd

Board: *President* Arlie Brown, Perry Pharmacy • *Vice President* Doug Naef, Doug Naef Insurance Agency • *Treasurer* Pamela Reynolds, Statements Plus

Dan Bartlett, City Manager; Roxanne Bross, Milwaukie Travel; Mark Ellington, Dark Horse Comics; Lawrence A. Froland, Optometrist; Paul Graham, Graham's Book & Stationery
Champ Husted, Kellogg Bowl; Craig Lomnicki, Mayor of Milwaukie; Gary McClain; McClain, Mundorf & Kovac; Darlene Weil, ESP; Melissa Whitcomb; Key Bank; Don Zavada, Milwaukie Printing

Association Board Sets Goals for 1995/96

During its annual retreat, the Association Board established the following goals:

- ***Undertake projects that will work toward "solving" Milwaukie's identity crisis.***
Working with the Design Committee, the board will listen to suggestions such as signage, banners, gateway trees, lights and other design elements that could enhance downtown's visibility, particularly from McLoughlin Blvd.
- ***Work to reduce building vacancies filling with appropriate "niche" businesses.***
- ***Work with the City of Milwaukie to influence waterfront decisions which will benefit the downtown and quality of life for area residents.***
- ***Increase membership and involvement in the downtown association.***

GOOD THINGS ARE HAPPENING DOWNTOWN.....

The Milwaukie Downtown Development Association was formed in 1991 to "Coordinate a unified effort between businesses, property owners and the City, and to enhance economic vitality and the image of Downtown Milwaukie"

Since 1991, downtown Milwaukie has grown from employing 697 to 745 jobs. Numerous buildings have been renovated including Dark Horse Comics, the Wetzler Office Building, Cascade News and Tobacco, and more recently, the Association financed improvements to Danny's Pub, Candyland, Graham's Book and Stationery, Quiktime Signs (a new business we helped to recruit), Main Street Cleaners and Horton Electric. We also provided funding for a new sidewalk at Cascade News and Tobacco. Design assistance was provided to Milwaukie Lumber for their new facelift. Overall, investment in downtown Milwaukie has exceeded \$1 million in the last three years! The Association applied for a grant that was used to redo Perry's Pharmacy window - a fresh new look for one of Milwaukie's cornerstone businesses! We have coordinated restoration of downtown benches, clean-up at Town Grocery and Deli and in the parking area adjacent to the Post Office. We work with the schools to remove graffiti and plant new flowers along Main Street several times a year. In 1994, the Association and private business sponsors purchased 10 new trash receptacles for the downtown area. We recently worked with the City and a local scout troop to clean up blackberry bushes and debris at the waterfront next to the "Eastman Property". Over the past two years, we have raised over \$20,000 for special events and projects. Local businesses and property owners contribute \$36,000 annually to support the Association.

The City recently completed its "Vision Project" which will be used as a road map for an enhanced Milwaukie, revitalized waterfront, open spaces, and an expanded central civic area. We plan to capitalize upon our role as a transportation and economic hub in the region.

The Association produces a directory of the 190+ (yes 190!!!) businesses located in downtown Milwaukie. Call us for copies at 653-0378.

Main Street Board of Directors Job Description

Purpose of Position

Collectively, the board of directors assumes legal and philosophical responsibility for all Main Street activities. The board of directors is solely responsible for establishing program policy, approving the annual program budget and determining the goals of the program.

Job Requirements

Each board member should have or provide one or more of the following:

- A demonstrated interest in the program's purpose and its goals
- Specific experience in and/or knowledge of administration, finance, program development, advertising, public relations, downtown business activity, communications, design or economic development
- Representation of a public or private organization in the community or a segment of the community
- 4-10 hours per month of available time

Major Responsibilities

The board members are jointly responsible for:

Policy administration

- Establishing and/or continuing the legal existence of the program
- Ensuring that the program fulfills legal requirements in the conduct of its business and affairs
- Adopting and administering bylaws
- Adopting policies that determine the program's pur-

poses, governing principles, functions and activities and courses of action

- Assuming responsibility for internal policies governing the program
- With the project manager, developing an annual work plan of goals, objectives and activities for the program

Finance

- Approving and monitoring the finances of the program
- Helping raise sufficient funds to ensure that the program can meet its objectives
- Authorizing and approving an annual audit
- Assuming responsibility for all expenditures necessary for the operation of the program (other than those responsibilities delegated by the board to the project manager)

Public relations

- Understanding and interpreting the program's work to the community
- Relating the services of the program to the work of other organizations and agencies
- Giving sponsorship and prestige to the program and inspiring confidence in its activities
- Serving as advocates of economic development through historic preservation in the downtown area

Evaluation

- Regularly reviewing and evaluating the program's operations and maintaining standards of performance
- Monitoring the program's activities
- Counseling and providing good judgment on plans adopted by committees and the project manager

Personnel

- Selecting, hiring and evaluating the project manager
- Approving personnel administration policies
- Participating in the recruitment, selection and development of individuals to serve on the board of directors as advised by the nominating committee

Individual Standards

- A responsible Main Street program board member:
- Supports board decisions, even when he or she may disagree with the majority decision
- Understands the mission of the Main Street program and promotes its goals and activities to his or her own constituent groups and to the community as a whole
- Attends board meetings
- Attends as many as possible of the training programs and workshops held each year by the state program and National Main Street Center
- Contributes knowledge, financial resources or labor to the Main Street program
- Respects the need for the project manager to report to only one "boss"
- Offers opinions honestly, without reservation and in a constructive way
- Does not commit more time to the Main Street program than he or she can realistically afford
- Delegates responsibilities to committees when appropriate
- Promotes unity within the organization and seeks to resolve internal conflicts
- Encourages orderly, systematic and incremental implementation of the Main Street program's work plan,

discouraging the board from being distracted by secondary issues or projects not included in the program's annual agenda

- Encourages staff and other board members to express their opinions openly in board meetings
- Is loyal to the program and honors his or her commitment to it

Main Street Advisory Board Member Job Description

Purpose of Position

Members of the advisory board provide guidance, advice and liaison with other organizations and agencies, as well as promoting the Main Street program to the community.

Job Requirements

The advisory board member should demonstrate:

- An interest in the program's purpose and its goals
- A position of leadership within the community
- Representation of a public or private organization in the community or a segment of the community
- 10-15 hours per year of available time

Major Responsibilities

The advisory board members are jointly responsible for:

Policy planning and development

- Assisting the board of directors and the project manager in the development of an annual work plan for the program

- Providing liaison between the Main Street program and other organizations and agencies
- Advising the board of directors on the implementation, administration and growth of the program

Finance

- With the board of directors, ensuring that the program has sufficient funds to meet its objectives
- Advising the board of directors on sources and methods of funding the program

Public relations

- Giving sponsorship and prestige to the program and inspiring confidence in its activities
- Acting as ambassadors in promoting the goals and activities of the program to other organizations and agencies
- Serving as advocates of economic development through historic preservation in the downtown area

Main Street Committee Responsibilities

General responsibilities of a Main Street program's standing committees—typically, the promotion, design, economic restructuring and membership development committees—include the following:

Promotion Committee

- Directs retail promotions, traffic-building activity and image improvements for the downtown, or establishes liaisons and develops joint promotional strategies with existing organizations active in one or more of these areas

Assumes primary responsibility for defining the marketable image of the downtown and ensuring continuity of that image in all downtown promotional programs

- Monitors community and consumer perceptions of the downtown and seeks to reverse negative attitudes and build on positive ones
- Allocates funds for promotional activity in accordance with the Main Street program's annual work plan and budget

Works toward building new sources of funding for a portion of the program's total annual budget

- Builds a strong network of volunteers to help implement promotional programs and establishes good working relationships with community organizations, charities, school clubs and other groups that might participate in promotional activities

Works with the economic restructuring committee to monitor changes in the downtown's market and adjusts the promotional plan accordingly, always building on downtown assets, to increase the commercial district's market share

- Works with the design committee to ensure a consistent, high-quality image in signs, advertisements and other graphic material associated with the Main Street program

Establishes a sound working relationship with local and regional media

- Monitors the effectiveness of promotional programs on an ongoing basis

Design Committee

Directs design improvement activity relating to building maintenance and rehabilitation, historic preservation, new construction, public information and privately owned signs, graphic material, public improvements, visual merchandising, traffic and parking

Works with the promotional committee to ensure a consistent, high-quality image in signs, advertisements and other graphic material associated with the Main Street program

Establishes a sound relationship with local design and construction professionals, sharing technical information on historic preservation, rehabilitation and maintenance of traditional commercial buildings

- Promotes awareness of downtown design and historic preservation issues throughout the community
- Monitors design changes throughout the downtown

Works with the economic restructuring committee to plan, implement and administer appropriate incentives to encourage design improvement and property development activity

- Allocates funds for design improvement activities in accordance with the Main Street program's annual work plan and budget

Monitors local ordinances and other applicable regulations affecting downtown design issues and works toward developing a supportive regulatory environment for downtown revitalization activity

- Establishes a sound working relationship with the state historic preservation office and other state and regional agencies that provide

Nomination to Miwaukie Downtown Development Association

Board of Directors

(Term: January 1996 - 1999)

Preliminary information:

Type or print nominee's name _____
Residence _____ Phone _____
Business _____ Phone _____
Nature of business _____

Membership in community and other organizations:

Organization	Dates	Activities
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Brief biography:

Specific qualifications for Main Street board of directors:

JOHNSON CREEK WATERSHED COMMITTEE

MEETING MINUTES

August 16, 1995

Brief summary of discussion:

1. Ron Bekey, who is working on public education programs with Leach Botanical Gardens, is requesting volunteers to assist with the programs.
2. City of Milwaukie Planning Commission to hear the Johnson Creek Resources Management Plan at their September 26, 7:00 pm meeting. Clackamas County will have a Board Work Session toward the end of September.
3. Walt Mintkeski announced a clean-up scheduled for Saturday, August 19, at 74th and Luther. Splash Day is coming up on September 16th. Nominations are requested for tributaries that need to be cleaned. Volunteers are available, but people are needed to organize the specific site clean ups.
4. Linda Bauer has copies of a Balance Cut and Fill ordinance for the City of Beaverton.
5. The JCWC approved the action plan with some minor modifications. Eric will make corrections and finalize.
6. East Multnomah Soil and Conservation Service has agreed to become the fiscal agent for the JCWC. They will track incoming funds and expenditures. An agreement is currently being prepared.
7. A job description was passed out for potential staffing of the committee. It was decided to table this issue until the finalization of the agreement with East Multnomah County Soil and Conservation Service.

8. The City of Portland has an aggressive land acquisition program in place. Eric will request a representative from the City to discuss the program at the next meeting.
9. Current working agreements will continue for the immediate future.
10. The committee made a decision on an interim office space arrangement. Howard Dietrich offered the ground floor of the Goodwill Store on McLoughlin (below the current meeting location), as temporary office space. The committee decided to accept this offer until it is determined what staff would be available for the JCWC and to allow the staff to determine what their needs would be.



UPDATE: SOUTHERN PACIFIC TRANSPORTATION COMPANY EAST MILWAUKIE SITE

SITE HISTORY

Southern Pacific Transportation Company's (SPTCo) East Milwaukie site is located in Milwaukie near the intersection of SE 82nd Avenue and Highway 224. The site is approximately 85 acres, roughly bounded by Harmony Road on the north; Southeast 82nd on the east; and by the main line of the Southern Pacific Railroad on the south. The site is currently unoccupied. Approximately half of the site is forested; two open areas occupy the other half. Phillips Creek and Mt. Scott Creek enter the site near its southeast corner.

The site was acquired by SPTCo between 1968 and 1976 through the acquisition of several smaller properties. From approximately 1975 to 1980, a lessee operated a septic tank pumping business on the site and allegedly discharged sewage into ditches or pits south of Mt. Scott Creek. In 1980, the lease was transferred and the new tenant is reported to have stabled horses at the site until late 1990; however, disposal of sewage sludge probably continued after 1980.

In 1992, the entire property was sold to the current owner, the North Clackamas Parks and Recreation District (NCPRD). NCPRD plans to construct a dual-purpose flood control/recreational facility to occupy most of the property.

WHAT'S BEEN DONE?

Environmental assessments of the property, performed prior to the real estate transaction, confirmed that septic waste and hazardous substances had been disposed on-site. In August 1992, a consent agreement was signed by SPTCo with DEQ requiring that a Remedial Investigation (RI) and Feasibility Study (FS) be performed. The draft RI report was submitted to DEQ in May 1995. Remedial investigation activities have confirmed the presence of volatile organic compounds (VOCs) in site soils and groundwater.

VOCs (e.g., trichloroethene, tetrachloroethene) which were detected may be related to the disposal of dry cleaning solvents or industrial degreasing solvent waste onsite. Soil contamination was identified in three limited sections in the center of the site. The extent of soil contamination was established using aerial photographs, trenching, soil borings, soil-vapor surveys, and analytical testing. (Note: Groundwater generally flows from east-southeast to west-northwest.)

INTERIM REMEDIAL MEASURE

SPTCo proposed to conduct an interim remedial measure (IRM) to reduce or eliminate the possibility of human exposure to VOCs in soil, and to reduce or eliminate the migration of VOCs from soils in the center of the site to shallow groundwater beneath the property.

Contaminated soils will be excavated from the three areas and placed in a soil containment facility. A series of vent pipes will be placed in the soil to increase volatilization of the chemicals of concern. It is estimated that up to 4,600 cubic yards of material will be removed and treated. The excavations will be backfilled with uncontaminated fill material.

The containment facility is being constructed in an area designated as a parking lot for the proposed regional park. Construction of the parking lot over the containment facility will isolate the treated soil from possible human contact and will reduce any precipitation that may filter through the treated soil.

The contained soil will be sampled periodically to evaluate the performance of the treatment process. Water that drains from the soil will be collected in a sump, tested, and discharged to Mt. Scott Creek under a National Pollutant Discharge Elimination System (NPDES) Special Permit to Mt. Scott Creek.



SPTCo began the interim remedial action in late July and expects to complete the project in approximately nine weeks. Soil will be managed within the containment facility for at least six months. Soil samples will be collected at the end of this period. If VOCs remain in the soil, a vacuum will be applied to the venting system to promote contaminant volatilization. Remediation will continue until VOCs are reduced to an acceptable level.

WHAT'S NEXT?

SPTCo is currently finalizing the RI Report and preparing the draft FS report for the site. The FS report will develop and evaluate different options and cleanup levels for the site based on information developed during the RI. The draft FS is due to DEQ in August 1995.

The information presented in the RI and FS will be used by DEQ to determine the cleanup level and select the remedial action for the site. The selected remedy will:

- protect present and future public health, safety, welfare, and the environment.
- be cost effective, implementable and effective to the maximum extent practicable.



Department of Environmental Quality
Waste Management and Cleanup Division
Site Response Section
811 SW Sixth Avenue
Portland OR 97204-1390

Before approving the remedial action, the Department will notify the public and provide an opportunity to comment. The public notice will include a brief description of the preferred remedial action and will be published in a local newspaper and the Secretary of State's Bulletin.

WHAT SHOULD I DO?

DEQ encourages public involvement in its cleanup process. You are encouraged to contact DEQ with any questions, concerns or suggestions you have regarding the Southern Pacific cleanup project.

For technical information on the cleanup, call Rod Struck, DEQ Site Response Section, 229-6744, or dial 1-800-452-4011 (toll-free within Oregon).

Please share this information with your neighbors. If you or others would like to receive further information on this site or to be added to the mailing list, contact Jo Brooks, DEQ Public Affairs, 229-6044.

August 1995

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Public Workshops Set—You're Invited!

We need to hear from you!

You are invited to attend upcoming public workshops in your community. Please come to find out more about the Regional Water Supply Plan and tell us your views.

Open House starts at 6:00 p.m. The Workshop will be held from 7:00-9:00 p.m.

September 26—Washington County

Tualatin Valley Water District
1850 SW 170th Avenue
Beaverton

September 27—Multnomah County

Oregon Convention Center, Rooms 107/108
777 NE Martin Luther King, Jr. Blvd.
Portland

September 28—Clackamas County

OIT/North Clackamas Chamber of Commerce
7726 SE Harmony Road
Milwaukie

Questions? Need more information?
Call the Regional Water Supply Plan Office:
823-7528



The Region's Water Providers participating in the Regional Water Supply Plan are:

Clackamas County

Clackamas Water Dist.
Clairmont Water Dist.
Damascus Water Dist.
Mt. Scott Water Dist.
Oak Lodge Water Dist.
Canby Utility Board
City of Gladstone
City of Lake Oswego
City of Milwaukie
City of Sandy
City of Wilsonville
South Fork Water Board

Multnomah County

City of Fairview
City of Gresham
City of Troutdale
City of Wood Village
City of Portland
Rockwood Water PUD

Washington County

City of Beaverton
City of Forest Grove
City of Hillsboro
City of Sherwood
City of Tigard
City of Tualatin
Raleigh Hills Water Dist.
Tualatin Valley Water Dist.
West Slope Water Dist.

Metro

REGIONAL WATER NEWS

Water for tomorrow, and the day after: Preview of regional plan

How will we meet our future water needs? After more than four years, the Portland metropolitan region's 27 major water providers and Metro have completed a preliminary Regional Water Supply Plan that outlines information and choices on how to meet future needs. Citizens and groups across the region have participated in the planning. We have learned a lot about what people care about, along with the range of possible options.

Now we and your elected officials need to hear your views on the choices and recommendations presented in the preliminary plan. Later this year, we will take the suggestions offered and prepare a final version for adoption by local decision makers.

Here are some highlights from the preliminary plan:

- **The region is fortunate to have abundant water.**

With our current sources of water supply, and several planned enhancements already committed, major new sources of water should not be needed for more than 20 years — but steps must be taken now to complete these enhancements and protect the viability of future options. Occasional local shortages can be averted with new transmission lines and interconnections.

- **With conservation, today's water supplies will last even longer.**

Citizens support conservation as the first step in meeting future needs. If we begin more aggressive conservation today, the region may not need new water sources for an additional decade—well into the 2020's.

- **Water quality can be assured in the future.**

Citizens want high quality water, now and in the future. Each source of water considered in the preliminary plan when treated would meet or surpass current and known future drinking water and health standards.

- **A diverse set of goals and objectives must be addressed.**

The reliability of the region's water systems — providing water when and where it is needed — is a key goal. Other goals and public values are important, too: promoting stewardship through efficient water use, keeping costs low, protecting the environment, and diversifying sources to avoid shortages caused by catastrophic events such as earthquakes, fires or spills.

- **Balancing these goals has led to a preliminary recommendation.**

Analysis shows there are several ways to meet future water needs, but that each choice meets our objectives to a different extent. Recognizing there is no "right" answer and there are trade-offs associated with any choice, the region's water providers recommend a balanced plan that involves multiple resources, and a phased, long-term strategy for meeting future demand for water. The recommended approach provides a flexible guideline which can be used by the region's decision makers to handle new issues and changing circumstances over the next 50 years.

- **Effective regional coordination needs to continue.**

The unprecedented partnership among the region's water providers and Metro must continue if we are to implement the best, most efficient water plan for the region.

We hope you will take a few moments to read more about the RWSP and to give us your feedback. To find out more, attend a workshop in your community on September 26, 27, or 28. **We appreciate your contributions.**

Tim Erwert

City of Hillsboro

Chair, RWSP Steering Committee

Mike Rosenberger

City of Portland

Chair, RWSP Participants Committee

What's Inside:

- 1 Water for Tomorrow and the Day After
- 2 How Much Water Do We Need?
- 3 What We've Heard From Citizens
- 4 How Do Alternative Strategies Measure Up?
- 4 Next Steps
- 5 RWSP Recommended Strategy
- 6 Map of Sources
- 7 Sources: Today and Tomorrow
- 8 Public Workshops

Regional Water Supply Plan Project
1120 SW Fifth, Suite 600
Portland, Oregon 97204-1926

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How Much Water Do We Need?

Our population is expected to grow, and the region will eventually need more water. Current regional peak-day demand for water is up to about 370 million gallons per day (which we would experience if the most severe historical weather conditions — September, 1942 — occurred today). That's still well within current water capacity—about 413 mgd, with all current sources and transmission lines. With the additional, committed near-term water system expansion the region will have 493 mgd available by about 2004.

But the region will face higher demand in the future. The table right shows how much we will need by 2050, to meet high, medium or low population growth forecasts.

Peak Day Water Demand Forecast (MGD)*

Region	1992	2050: High	2050: Medium	2050: Low
Region	365	780	667	535
Multnomah County	183	305	269	227
Clackamas County	87	221	185	144
Washington County	96	255	213	164

*Assumes water savings from current conservation programs and existing standards for efficient plumbing fixtures and appliances.

Where Will We Get The Water?

Conservation

Citizens strongly support conservation as the foundation for any strategy to meet the region's future water needs—to stretch current water supplies, to postpone costly development of new supplies, and to preserve our rivers and streams:

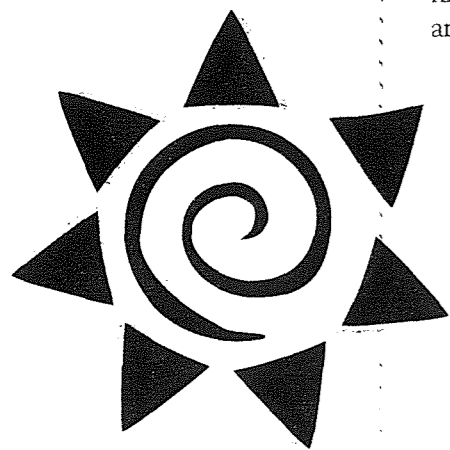
- Conservation already reduces indoor water demand through water-efficient plumbing fixtures and appliances and other efforts.

- Outdoor conservation offers savings at the time when water is needed most—summer. Further conservation measures can begin immediately.
- All alternative strategies to meet the region's future water needs include a strong conservation component.
- By year 2050, the recommended new outdoor conservation programs would save about 94 mgd. When combined with indoor water savings produced by water efficiency regulations and market forces, the total savings would be 174 mgd—becoming the region's second largest water "source."

New Water Sources

We are lucky to have many new sources of high quality water from which to choose. A number of possible regional water sources and transmission systems have been investigated.

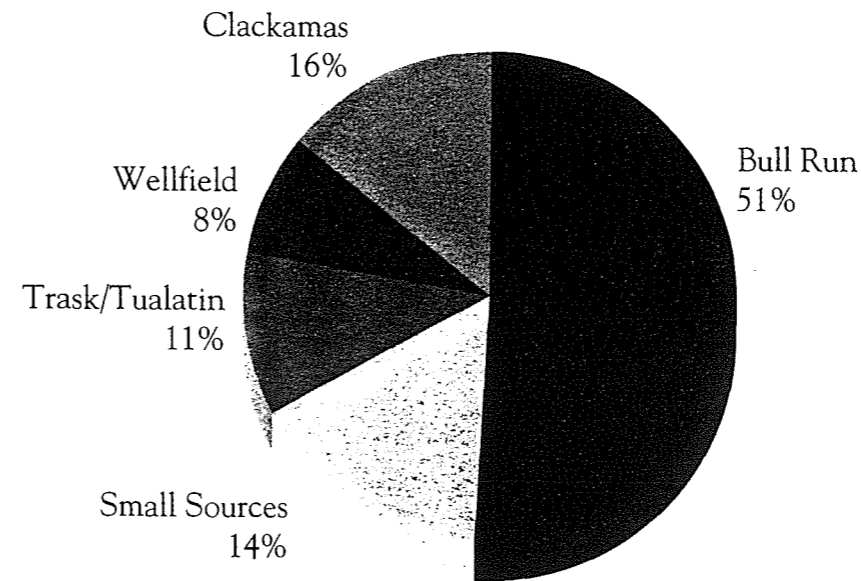
- A third dam and reservoir on the Bull Run River
- Additional water from the Clackamas River
- New diversions from the Columbia River
- New diversions from the Willamette River
- Aquifer Storage and Recovery (ASR)
- New transmission lines to provide water where it is needed to meet growing demand



Sources: Today and Tomorrow

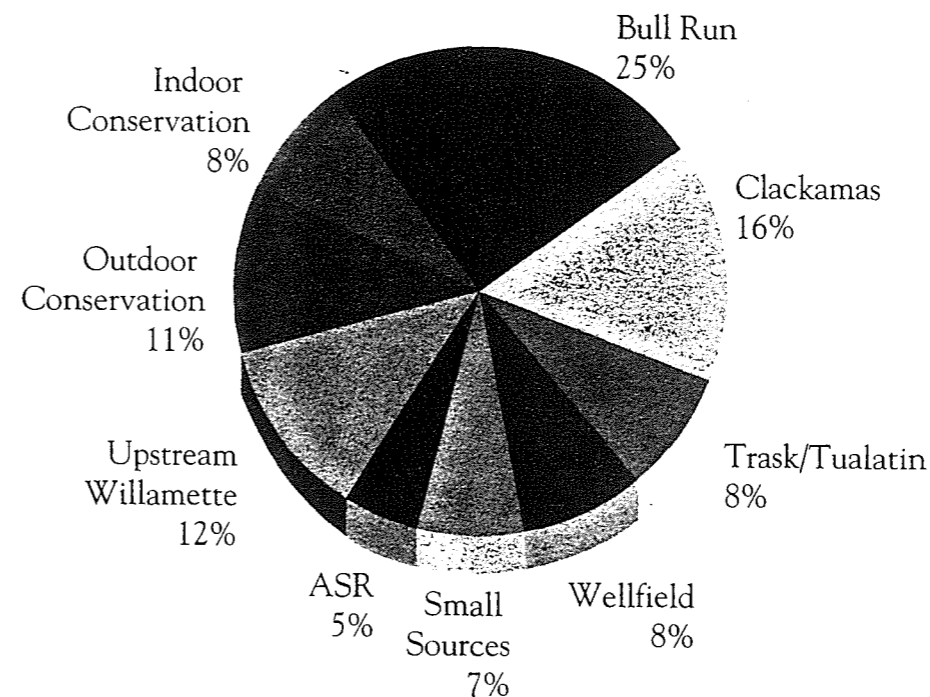
The charts show where the region's water comes from today and where it could come from under typical weather conditions in the year 2050 with the recommended strategy (which includes conservation and new sources of water).

Where Do We Get Our Water Today?



Percentages reflect water system capacities. Chart does not depict current conservation practices and programs.

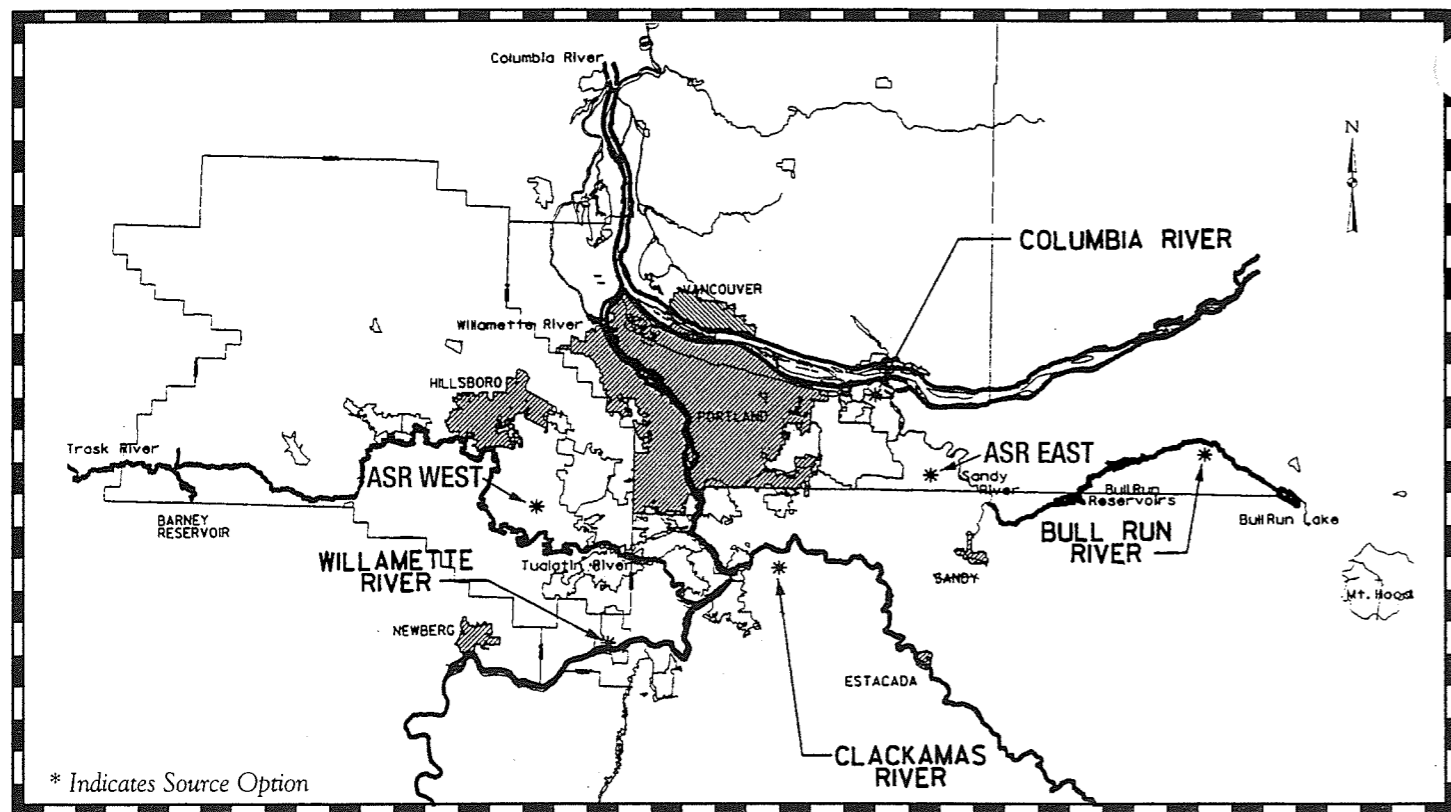
Recommended Strategy: The Region's Water Resources In 2050



Percentages reflect peak day capacities. Actual use of these sources will vary in a given year because some are used primarily during the Summer months. "Indoor conservation" includes existing conservation programs and water savings from current efficiency standards for plumbing fixtures and appliances.



Regional Water Supply Sources



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Regional Water Supply Plan
1120 SW 5th, Room 600
Portland, OR 97204-1926

What We've Heard From Citizens

Public information and involvement has been a cornerstone of this planning effort—and we've heard a lot. We hope to hear a great deal more.

Some of the methods used to reach out to citizens and interested groups:

- Workshops, public forums and roundtable discussions held in Clackamas, Multnomah and Washington Counties
- Public opinion surveys
- Interviews with community leaders and others
- Survey to assess how customers value water supply reliability
- Focus group discussions with citizens from across the region
- Over 100 presentations to interested organizations, neighborhoods, agencies and citizens
- Newsletters, customer bill inserts, and other informational materials
- Media coverage and advertisements
- Slide show and 15-minute video on the Regional Water Supply Plan

We have used what we've learned in many critical ways — crafting goals to guide the planning effort, and designing and evaluating alternative water strategies. Our aim is to identify options that satisfy a number of important public values.

Here's what citizens have told us:

Look first to conservation, use today's water efficiently

"Conservation has the highest return with lowest capital expense."

Scott B.

"With aggressive conservation, education and pricing efforts we can cut our per capita water use."

David B.

Respect the environment

"I want to preserve the quality of our rivers, streams and habitat. To the extent the need for drinking water conflicts, I'm willing to use alternative sources."

Mary F.

"We can adjust our standards to live with less water, but the same standards may not always be good enough for fish."

Marcia A.

Strive for high water quality — at the source and the tap

"The quality of the water we get is the most important thing. Our health depends on it."

Sam A.

"I'd pay triple what I pay now to get high quality water."

Frank R.

Be mindful of costs — but don't cut corners

"Make sure there's a real reason to raise our rates — and explain it to us."

Focus Group Participant

"We worry too much about costs. Water quality is

expensive, but we have to maintain high health standards - and we all have to pay for it."

Elizabeth H.

Build public confidence

"Just make sure those who work for the agencies drink the water, too, and I'm sure it will be of adequate quality."

Roy W.

"Never have I seen an area working so diligently and intelligently on its water programs, or so hard to solicit opinions of the public."

Chuck H.



How Do Alternative Strategies Measure Up?

We used what we learned about public values to select policy goals for the Regional Water Supply Plan. With these goals in mind, we then created alternative water resource strategies to meet future needs. Strategies were designed to satisfy different combinations of public values. Comparison of these alternatives underscores the fact that all of us in the region must discuss tradeoffs between often conflicting values. There are no "perfect" answers.

Fashioned from different combinations of conservation measures and water supply sources, long-term strategies were evaluated on the basis of how well they meet the full range of public values. The example below shows how five alternative strategies perform in satisfying key policy values.

Categories of Policy Values

- Efficient water use
- Water supply reliability
- Water quality
- Minimize impacts of catastrophic events
- Costs
- Environmental impacts
- Flexibility
- Ease of implementation

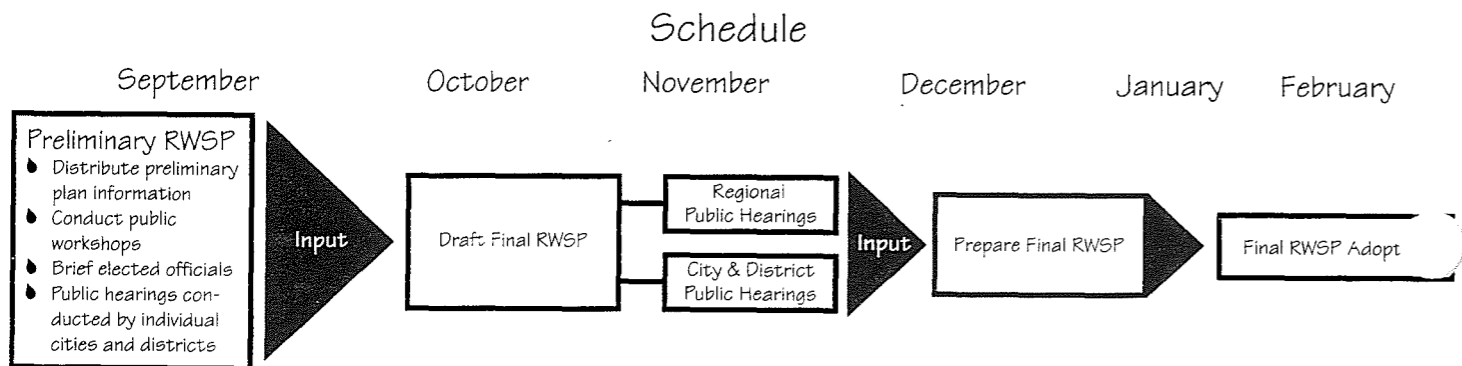
Many Strategies We've Evaluated Using RWSP Goals

Strategy Number	Resource Additions	Natural Environment	Water Use Efficiency	Raw Water Quality	Costs	Catastrophic events
1.1	Maximum Cons, Willamette	X	X			
1.2	Outdoor Cons, Bull Run Dam 3		X	X		
1.3	Outdoor Cons, Clackamas, Columbia		X	X	X	
1.4	Outdoor Cons, ASR, Willamette, Columbia		X		X	
1.5	Outdoor Cons, ASR, Clackamas, Wilamette	X	X		X	X

Next Steps

The preliminary Regional Water Supply Plan is just that—preliminary. Over the coming months citizens, businesses, other interested groups and elected officials around the region will be asked to comment on the plan before any decisions are made.

The region's water providers will prepare a final plan by late 1995, taking into consideration citizens' views and additional information. The plan will be submitted to local elected officials for adoption during early 1996.

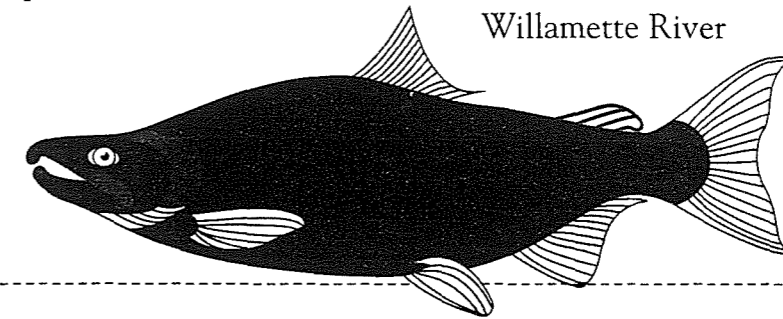


Regional Water Supply Plan Recommended Strategy

After evaluating the various alternatives, the region's water providers are recommending a long-term strategy that balances diverse resources and meets more policy objectives than the others. The recommended strategy minimizes environmental impacts, ensures high quality water, enhances the system's flexibility, keeps costs down, promotes water efficiency, and provides reliable quantities of water to meet anticipated future needs. If fully implemented, the recom-

mended phased-in approach would add to existing resources by the year 2050:

- Aggressive region-wide conservation
- New water transmission lines to provide efficient, reliable primary and backup service
- Aquifer storage and recovery systems in the east and west sides of the region
- Additional water from the Clackamas River
- Development of new supplies upstream on the Willamette River



Please cut here and return

REGIONAL WATER SUPPLY PLAN WE APPRECIATE YOUR COMMENTS AND SUGGESTIONS!

Name (optional) _____ Phone: _____

Address: _____

I support the preliminary plan effort. Please keep me informed.

My suggestions to improve the plan: _____

Other comments/questions

Please send me more information:

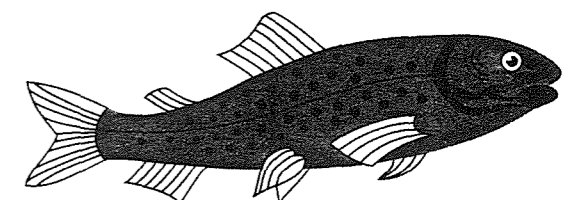
Executive Summary (38 pages)

Preliminary Plan (356 pages) [Copies also available in area libraries]

Article on the plan for my organization's newsletter

Video (copies available for check out)

Call me to arrange a briefing for my organization/neighborhood



MEETING REPORT

DATE OF MEETING: August 17, 1995

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

PERSONS ATTENDING: Members: Chair Rod Monroe, Don Morissette and Patricia McCaig (alt.), Metro Council; Roy Rogers, Washington County; Les White (alt.), C-TRAN; Dean Lookingbill (alt.), Southwest Washington RTC; Craig Lomnicki, Cities of Clackamas County; Claudiette LaVert, Cities of Multnomah County; Rob Drake, Cities of Washington County; Dan Saltzman (alt.), Multnomah County; Gerry Smith, WSDOT; Langdon Marsh, DEQ; Bruce Warner, ODOT; Earl Blumenauer, City of Portland; and Tom Walsh, Tri-Met

Guests: John Rosenberger, Jerry Parmenter and Dennis Mulvihill, Washington County; Kathy Busse, Multnomah County; Rod Sandoz and John Rist, Clackamas County; Greg Green (JPACT alt.), DEQ; Richard Ross, City of Gresham; Elsa Coleman, Steve Dotterrer and Meeky Blizzard, City of Portland; Dave Yaden, G.B. Arrington and Phil Donovan, Tri-Met; Bob Bothman, MCCI; Henry Hewitt, Oregon Transportation Commission; Dave Williams, ODOT; Clark Worth, Barney & Worth, Inc.; Lillian Hames, Pittman & Hames Associates; Jennifer Ball, Conkling, Fiskum & McCormick; Pat Collmeyer, Neil Goldschmidt's Office; Karen Haines, City of Vancouver; and Mary Legry (JPACT alt.), WSDOT

Staff: Andrew Cotugno and Lois Kaplan, Secretary

Media: Greg Nokes, The Oregonian

SUMMARY:

The meeting was called to order and a quorum declared by Chair Rod Monroe.

ANNOUNCEMENT

Andy Cotugno announced that an "Action Alert" flier was distributed at the meeting relating to a House proposal that would join categories of transportation projects together for allocation of funds as a means of mitigating some of ISTEA's impacts.

This would eliminate some distinctions between funds into one category, remove MPO involvement, and could result in major shifts of funds. It is recommended that letters in opposition be sent to your legislators.

MEETING REPORT

Councilor LaVert noted that comments attributed to Mayor Lomnicki on Page 2, sixth paragraph, and Page 3, fourth paragraph, of the July 13 JPACT meeting report should correctly be attributed to her. The minutes will note the correction.

Bruce Warner moved, seconded by Councilor LaVert, to approve the July 13, 1995 JPACT meeting report as amended. The motion PASSED unanimously.

BRIEFING ON SOUTH/NORTH LIGHT RAIL

Tom Walsh briefed the Committee on the tough and talented efforts that came forth from the business community and transportation leaders around the state to ensure passage of Senate Bill 1156-C for South/North light rail. He felt there were tough agreements made but that the success of the measure could be tied to a cohesive effort.

Tom elaborated on the components of SB 1156-C as outlined in the handout. The funding commitment for the first South/North segment is for \$375 million from the state effective July 1, 1999. Lottery funds will be assigned for Phase I for the Clackamas Town Center alignment to the arena area, with \$75 million to be sought by the region over a 10-year period as contribution to the Transportation Equity Account. The region would pay \$6 million from regional STP funds per fiscal year beginning 1995-2004 and \$5 million from 2004-2009.

Tom noted that the intent is for the route to go into Clark County. If Clark County does not become part of a phased project, the agreement also ratifies the commitment that it will go back before a vote of the people.

The region will have to report back during the 97th legislative session of the additional steps needed to offset up to \$75 million of the state's \$375 million. He cited the need to be creative in seeking offsets for up to \$150 million if the 1997 Legislature approves a transportation authority. Also included in the package is the need for Tri-Met to reimburse private utilities for 50 percent of their relocation costs.

An eight-member legislative LRT Oversight Committee will be appointed to study and maintain oversight of all aspects of South/North light rail construction.

Tom felt that the region has been afforded an amazing opportunity and that the mechanisms have been put in place for Clark County to be included in the project. A discussion followed on the likelihood of the South/North project being implemented if Clark County was not included. It was evident from discussion that Clark County's participation would ensure a successful effort.

Tom reviewed the South/North implementation milestones, which included the following:

- . Initiate PE - August 1995
- . Publish DEIS - October 1996
- . ISTEIA II - October 1996
- . Start PE/FEIS - March 1997
- . PE/FEIS Complete - February 1998
- . Full-Funding Grant Agreement - September 1999
- . Start Construction/Right-of-Way

Tom cited the need to compress the South/North implementation schedule for a federal funding decision by September 1998. An organizational and leadership structure will be proposed and provided for the September 14 JPACT meeting. Tom expressed his appreciation to everyone who participated in the effort.

Bruce Warner asked about the Legislature's expectations for the \$75 million committed by the region. Tom responded that he felt it would be achieved through public/private partnerships. He spoke of privatization, joint use of air rights, or some variation of tax incrementation as examples. Dave Yaden also noted that the Legislature is counting on the \$75 million but that they must first take action to grant the authorities.

Commissioner Blumenauer and Bruce Warner felt that a partnership with the Legislature would be a constructive step as there are a lot of issues that must be dealt with in a coordinating fashion. As examples, Bruce cited Senate Bill 626 that grants authority to proceed with two toll projects between I-5 and 99W and Congestion Pricing work.

A work plan will be developed for the schedule and how the transportation package will be submitted to the Legislature in 1997. Also to be considered is the Arterial Fund and transportation preservation needs. The Committee agreed on the need to ensure that all programs are part of a coordinated effort.

A discussion followed on concern over the provision requiring Tri-Met to reimburse private utilities for 50 percent of their relocation costs. Tom reported that the provision came about at one of the Senate Transportation Committee worksessions and remained in the bill. He noted that it wasn't possible to remove

it. He pointed out that the utilities operate in this region without benefit of a franchise.

There was also concern discussed that the legislative Light Rail Oversight Committee might overstep the resolve of the South/North Steering Group. Dave Yaden noted that the primary intent of the Oversight Committee is to oversee the expenditure of state funds after the FFGA. The legislation, proposed by Jane Loken, does create clear authority to the Steering Group prior to execution of the Full-Funding Agreement.

Chairman Monroe commented that he hoped the Oversight Committee wouldn't have veto power over the Steering Group. He felt that the bill should be viewed seriously, that it represents an opportunity to work collaboratively with the state, that we give some creative thought to the process, and noted that we have an aggressive plan to follow.

Bruce Warner noted that the shift of regional STP funds will now go directly to the cities and counties statewide.

URBAN ARTERIAL PROGRAM

The agenda packet included an outline of the framework for implementing the Regional Arterial Fund. It defined the size, revenue sources, support, and timeframe toward proceeding toward a ballot measure. Andy Cotugno explained that the framework for compiling that list is based over a 10-year period on a \$300-500 million amount for regionally significant projects.

Andy noted that the region should view the funding proposal as a step in an ongoing process. If a track record is established, it could be regarded as Step I of a 10-year program. The proposal includes a 25 percent component for bridge and freight needs, and the remaining 75 percent would be targeted for regionally significant local projects with distribution to counties and cities.

Criteria for selection of projects include safety, capacity improvements, regional linkages, critical locations needing service, Region 2040 compatibility, traffic management, jobs/economic development, and major road rehabilitation considerations.

Andy explained that the project lists would be compiled at the local level for JPACT review, noting the dollar in-dollar back distribution. The project selection process and schedule was also reviewed. A May 1996 ballot measure is being considered.

Langdon Marsh reported that, in a recent area survey of concerns for use of CMAQ funds, crime and traffic were cited as major concerns. He felt that air quality concerns might be helpful in

JPACT

August 17, 1995

Page 5

building support for the Regional Arterial Program, emphasizing the importance of packaging the proposal.

A letter from Metro Executive Officer Mike Burton was distributed, indicating Metro's support and commitment in moving forward with this regional effort. It pointed out the formation of a regional business group under the auspices of the Portland Chamber that will study the Regional Arterial Fund issue comprehensively. Their first meeting is scheduled for August 21.

At the August 14 JPACT Finance Committee meeting, concerns were raised about a road maintenance measure initiated in Clackamas County. Commissioner Lindquist noted opposition in Clackamas County to backing these improvements, questioning whether there would be an impact on voter support in March or May. He indicated they would know in September whether they plan to go forward with the road maintenance measure.

Chair Monroe suggested that the region go forward at this point in creating and developing the list of projects that would provide an opportunity for public input. He felt that a decision might later be made to scale down the list. He noted that the JPACT Finance Committee recommendation was not unanimous, but was approved.

Mayor Lomnicki commented that, if there is a lot of campaigning for the Metro Arterial Program before November, it would be detrimental to Clackamas County's effort. Chair Monroe pointed out that the timeline for public hearings on a package would take place after Clackamas County's vote.

Councilor McCaig noted that, while she is sensitive to the needs of Clackamas County, she is supportive of the need for successful passage of a Regional Arterial Fund proposal. She added that the JPACT proposal has long been in the development process. Councilor McCaig encouraged support of the Clackamas County gas tax if they agree to go to the ballot after the regional road measure. It was noted that two cities in Clackamas County, Canby and Lake Oswego, will be going out for bond measures. Mayor Lomnicki noted that there is a sensitivity about who comes first in terms of taxes.

Commissioner Blumenauer noted that we have never had a gas tax approved at the regional level. He spoke of the impact if the cities of Clackamas County measure passed or failed. He noted that he was discouraged at the JPACT Finance Committee meeting but was supportive of moving forward with a realistic strategy and study for consideration by the public. He suggested a date for everyone to go out with their local initiatives, citing the success achieved in Washington County as a good example. He cited the need for a reality check as to whether the policy-

makers are moving in a consolidated effort and to maximize efforts for success.

Mayor Drake commented that, as elected officials, the citizenry expect them to take action. He noted that the needs are still there; that the citizens elected them to manage government collectively in that area; that we need to define the issues very well; that he supported moving forward with this effort; and that quality of life, movement of freight, jobs and the road systems are important considerations in moving people. A discussion followed on the question of feasibility of the Regional Arterial Fund package.

It was noted that there has been little or no progress between the Port and Multnomah County in terms of the regional pool. Commissioner Rogers wasn't certain that we weren't together. The issue in Washington County related to allocation of funds between Multnomah County and the Port. He noted that Washington County has some concerns about the \$500 million, emphasizing their support of an ongoing program, that it needs to be tempered, and that it is critical. Commissioner Rogers pointed out that Washington County can't support the package unless the split is kept at 25 percent for bridge/freight needs and 75 percent for regionally significant projects. He didn't seem overly concerned about Clackamas County going forward with their bond measure but cited the need for the region to fund major specific road projects. The recommendation from the Core Group is for a 75/25 split.

Action Taken: Bruce Warner moved, seconded by Councilor LaVert, that there be authorization from JPACT to move forward with developing a list of projects for the Urban Arterial Program. The motion PASSED unanimously.

REGION 2040 UPDATE

Distributed at the meeting was a copy of the draft 2040 Growth Concept Map dated July 1995, a list of proposed map changes, and a revised draft of the Regional Urban Growth Goals and Objectives (RUGGOs). Mark Turpel explained that transportation-related components of the 2040 Growth Concept were adopted in December 1994 followed by a six-month review period. MPAC has reviewed the proposed amendments and the map, and the review process is coming to a conclusion.

Mark reported that the Metro Council had approved by resolution the Region 2040 Growth Concept Map in order to give local jurisdictions additional time to study its implications. A number of changes were made to the RUGGOs and to the maps as a result of recommendations made by the local jurisdictions and the advisory committees.

Some of the RUGGO changes reflect updated language clarifying functional planning for Metro, consideration of HB 2709, use of performance measures, the objective that deals with transportation on page 36 of RUGGO relating to the role and importance of freight movement, the role of jobs/housing balance and some investment guidelines.

Mark spoke of financing public investments and the need to tie it to land use objectives in centers and corridors. Other changes related to definition of pedestrian scale. A final check is being made for consistency prior to Metro Council adoption. There will be a revised version of the RUGGO adopted by ordinance by November. In the interim, public hearings will be scheduled and a final version will be distributed after it's adoption.

The map has about 45 changes. Mark noted that some changes have been made at the regional scale to better enhance the local objectives.

OTHER DISCUSSION

Les White congratulated the Oregon side of the region for its successful efforts to move forward on the South/North light rail. The C-TRAN Board voted to continue with the DEIS phase of the study. He expressed special appreciation to Dave Yaden of Tri-Met and Andy Cotugno and Richard Brandman of Metro for their efforts. He noted that a citizen process has been initiated to look at internal and intraregional issues and circulation needs and to address some of those shortcomings.

Les noted there are overriding questions such as putting together a plan that addresses issues that not only deals with people commuting but who work within Clark County.

Commissioner Blumenauer commented on issues relating to the Urban Growth Boundary, concerns evolving from HB 2709, and the urgency of adopting our regulations as soon as possible. He didn't feel we are ready to go into any more detail at this time in terms of a 20-year supply of land. Andy Cotugno suggested that this issue and land use-related concerns be more fully discussed at a future JPACT meeting.

Commissioner Blumenauer asked how the regional partners can be helpful in achieving the desired outcome. He didn't feel some of the DEQ questions have been answered and cited the need to work together on such issues.

Chair Monroe asked whether it would be appropriate to have Mike Burton present his recommendations at the next JPACT meeting.

Andy Cotugno felt it would be good timing because the issue is just being introduced. The Committee agreed that it would be timely, would further allow for follow-up meetings, if necessary, and that the presentation be scheduled.

Tom Walsh commented that it is difficult to separate out transportation and land use issues. He felt the region hasn't experienced congestion and, when it does, it will take another direction. He cited the need to make a series of wise policy decisions that will address both joint land use and transportation issues.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Mike Burton
JPACT Members



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 Grant or Loan Projects that Will Maintain, Create or Lead to Full-Time Family Wage Agricultural, Software and/or Tourism Jobs in Clackamas and Hood River counties, Oregon.

Proposals Due: November 1, 1995, 5:00 pm, Clackamas County Purchasing Department, Building H, 902 Abernethy Rd, Oregon City, Oregon 97045

Schedule:

Legal Notice in The Oregonian	September 10, 1995
Legal Notice in The Daily Journal of Commerce	September 11, 1995
Last Date to Protest Specifications	October 20, 1995
Proposal Submittals	November 1, 1995
Selection of Grant/Loan Awards	By January 19, 1996
Last Date to Protest Awards	January 26, 1996

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 Grant/Loan Application Proposals until 5:00 pm, November 1, 1995, in the office of the Purchasing Manager, 902 Abernethy Rd, Building H, Oregon City, Oregon 97045 for:

Agricultural, Software and/or Tourism Projects that Will Maintain, Create or Lead to Full-Time Family Wage Jobs in Clackamas and Hood River counties, Oregon

as per the specifications outlined in Section IV - Proposal Application. No proposals will be received or considered after November 1, 1995, 5 pm.

Workshops will be held on Tuesday, October 3, 1995, from 10:00 - 11:00 am at Down Manor, 4th Floor Activity Room, 3260 Brookside Dr, Hood River and on Friday, October 6, 1995, from 10:00 - 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. Three key industries have been targeted for economic development: Agriculture, Software and Tourism. The 1995 - 1997 is MHEA's second biennium. Total available funding for these project proposals will be approximately \$450,000. Eligible applicants are:

- Clackamas or Hood River County- based companies, organizations or projects which support MHEA's 1995 - 1997 Strategic Action Plan goals and priorities for development of the Agriculture, Software and Tourism industries.
- Projects that can be completed between January, 1996 and June, 1997.

Section V of this Call For Project Proposals includes an Executive Summary of the MHEA 1995 - 1997 Strategic Action 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 three industries.

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, 1997.
- 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.



T. HOOD ECONOMIC ALLIANCE

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Section IV

REGIONAL STRATEGIES PROGRAM Project Proposal Form DEADLINE: November 1, 1995 - 5 pm

Agriculture
Software
Tourism

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
1995 - 1997 STRATEGIC ACTION PLAN
Executive Summary
September 1, 1995

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.

By statute, MHEA can only focus its funding on up to three of the State's key industries. After much discussion with industry, local cities and communities and interested citizens, the Alliance selected Agriculture, Software and Tourism. During the first biennium over \$850,000 in lottery funds was granted and/or loaned for projects supporting those three industries. This Executive Summary focuses on the second biennium of MHEA's Six-Year Strategic Plan.

MHEA Region Strengths/Opportunities and Resource Gaps/Barriers

Regional strengths and development opportunities are linked to the region's proximity to the urban area, quality of life, strong natural resource base and size of the labor pool. Resource gaps and barriers are both perceptual and substantive in nature: Lack of critical mass in terms of specialized companies to attract or spin-off new companies, finite amount of developable land for companies requiring large tracts of land, land use policies, negative public perceptions toward some industries/new development, and lack of capital for development/expansion.

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**

Key Industry Strategies

Agriculture Industry

Two Year 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, tradeshow, 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 job enhancement skills.

Performance Measures:

Leverage 50% private match.

Create 10 new family wage jobs.

Involve 25 agriculture companies in MHEA's agriculture strategy. Through surveys, expect 75% of these companies to find their involvement productive and worthwhile.

Support establishment of at least one distribution/services cooperative network.

Involve 10 value-added businesses in at least one networked service.

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

Support 5 consumer education opportunities.

Software Industry

Two Year Goals: Increase software employment by 10 jobs.
Involve 25 software companies currently located in the region in the implementation of the strategy.

Priority 1: Support software incubator services and support centers. 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 worker training opportunities. Education targeted at developing software programming skills for entry level workers. Advanced training on new technologies and languages.

Priority 5: Support development of information/communications/research 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.

Performance Measures:

Leverage 50% private match.

Support the use of incubator services and support centers by 10 software companies

Create 10 new family wage jobs

Support software development training for 25 industry workers

Involve 25 software companies and 50 industry professionals in the implementation of the strategy. Through surveys, expect 75% will find their involvement productive and worthwhile.

Result in 25 of the region's software companies using information/communications/ network services.

Tourism Industry

Two Year Goals: Increase off-season visitor business by 10%.
Expand private sector participation by 15 new companies.

Priority 1: Expand the off-season for existing visitor businesses. 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 worker training and job enhancement education.

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.

Performance Measures:

Support 10 workers moving from part-time to family wage employment

Involve 15 new industry businesses in the implementation of the strategy

Increase visitor spending by 10%. Verify through gate receipts, visitor surveys at site locations.

Support worker training/job enhancement education for 25 workers

Involve 5 new companies in tourism workshops, conferences

Support at least one project/program involving both Clackamas and Hood River counties

Plan for Involvement of Disadvantaged and Minority Groups

By definition, the MHEA strategy is labor-intensive because workers are such an integral component of the three industries selected. MHEA vision includes a focus on employment for the current population, which includes disadvantaged and minority groups. Specific activities addressing disadvantaged and minority groups planned for the 1995 - 1997 biennium include:

- All projects will be required to address disadvantaged and minority workers. It's MHEA's intent that any jobs created or expanded as a result of the Regional Strategies funding will benefit the disadvantaged and minority populations in at least the same proportion as these groups are found in the region's overall population.

Successful applicants will be asked to work with local JTPA and State Employment regarding training and hiring opportunities. Projects will be required to document the results of the partnership activities in their quarterly reports to MHEA.

- Contracts with successful applicants will include First Source Agreements as required by law.
- MHEA will provide local representatives with the names of the successful project applicants for follow-up regarding placement of disadvantaged and minority workers. JTPA will conduct the outreach to the disadvantaged and minority populations, identify potential placement "fits", and provide/underwrite any training needed. In addition, JTPA will be involved in both ongoing and final project evaluations of efforts to include minority and disadvantaged workers.
- Local State Employment Department offices have extensive employer relations skills and can contact employers making them aware of job development opportunities through MHEA. In addition, they can also serve as a job placement service when job openings are created. The Department will also assist with the performance evaluation - tracking new and retained jobs, documenting wages paid.
- Since minorities are served by community support agencies with special assistance programs, MHEA is looking to partner with local community colleges to expand minority training/education programs. If a project isn't forthcoming during the project application process, MHEA will take the lead in modifying an existing project or developing a new project to address this priority.

Section VI - Minimum Contract Requirements:

Grants: Grants are available to private companies for activities other than fixed asset acquisition. For example, grants are available for marketing, worker training, business consultations, etc. 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.

Loans: Private companies receive loans for fixed asset acquisition. Contracts for loan awards will include the following minimum requirements:

- Proceeds can only be used for projects approved and funded by MHEA.
- Repayment in yearly installments at 4% annual interest.
- Due immediately upon default, possibly at a higher interest rate. 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.

Funding decisions will be based on a financial review and assessment of the private sector applicant. No more than 25% of MHEA's lottery guideline will fund fixed asset acquisition.

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

CLACKAMAS
HOOD RIVER
COUNTIES



T. HOOD ECONOMIC ALLIANCE

4336 SW Condor Avenue
Portland, OR 97201



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



T. HOOD ECONOMIC ALLIANCE

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

Board Meeting
August 11, 1995
ODOT Maintenance Offices
Troutdale

Attending: Bill Baker, Bill Lyons, Thom Nelson - Hood River County; Hank Jansen, Eldon McGarvin, Greg Satchell, Leslie Szanto - Clackamas County.

Other: Renate Mengelberg - Clackamas County, Don Mann - OEDD.

The meeting was called to order by Bill Baker, Chair.

AGENDA ITEM 1 - Introductions. Board members and guests introduced themselves.

AGENDA ITEM 2 - Minutes. June 20, 1995 Board minutes were approved, adding the word "term" regarding Board members "expiring."

AGENDA ITEM 3 - Agricultural Marketing Grant Applications. Have added new members to Agriculture Sub-Committee - Clark Sievert, Dave Adams, Bob Conroy. Met at Clackamas Research Station. Sent one application back for more information. Day O Ranch has asked for a \$19,000 grant, reduced by \$2,000 to reduce the cost of making a video. Ostrich Company which will market ostrich meat outside of Oregon. Have commissioned a market research study that has identified a market. Don Mann noted that he has heard the market has begun to decline. \$23.50/lb, specialty market. \$17,361. All voted approval, with Eldon abstaining. Want to clarify what happened to Orchards Of Oregon and Gourmet Foods applications where the committee sought additional information.

AGENDA ITEM 4 - Multi Region Projects. If can only participate in projects which are one of region's key industries, may limit which multi-region projects can support. A potential tourism project, a Visitor Industry Awareness (VIA) Campaign will focus on assisting the private sector developing industry businesses - annual budget is approximately \$125,000. Private sector has raised approximately half of the budget. Concern about project meeting multi-project criteria, eg, family wage job development. Will get information out to Tourism Sub-Committee to make a recommendation on MHEA role with this project. Workforce training is a priority.

Have other sub-committees look at own industry multi-region projects and recommend to the Board. Software sub-committee will look at high technology and metals project concepts. Leslie will sit on Tourism sub-committee, Greg will sit on Agriculture sub-committee and Bill will ask Eric if he will sit on Software sub-committee.

AGENDA ITEM 5 - SCERT REPORT. Renate gave an update on the Economic Adjustment Initiative funding for community and infra-structure construction, ecosystem investment and other proposals. Project concepts are due mid October to each county. Potentially, some of these projects may also link up with the Rural Investment Fund. Counties will be prioritizing the projects within the county. However, support from Regional Strategies will be a plus for a project.

AGENDA ITEM 6 - Regional Strategies Response to MHEA Strategic Plan. Sent a letter thanking for the feedback and saying Board will be discussing recommendations.

AGENDA ITEM 7 - 1995 - 1997 Regional Strategies Application Process. The Board decided to go out twice, once each Fall, for projects. Look at two-thirds/one-third split for allocating funding for each of the two project cycles. Have workshops in both counties. Send out notices right after Labor Day. Projects will be due November 1, with funding decisions made in January, 1996. Regarding administration of MHEA for the next biennium, Bill Lyons, Greg, Thom, Leslie and Bill Baker will review bylaws and inter-governmental agreement and have recommendation at next Board meeting.

AGENDA ITEM 8 - Rural Investment Fund Planning. MHEA will send out SCERT-type notices for project concepts and community/special interest needs. Workshops scheduled for October will discuss the Rural Investment Fund, as well as how to complete MHEA's Regional Strategies grant application. Someone will also discuss the SCERT program. Rural Investment Fund rules will be included in information sent out to the public. Board approved having Mary draft plan.

AGENDA ITEM 9 FINANCIAL REPORT. Mary presented the May, 1995 financials. She will send out letters to projects reminding them that need to be spending money according to targeted schedule. Want to get money to projects that need it.

There being no further business, the meeting was adjourned.

Recorded: Mary McArthur

Bill Baker Chair

CLACKAMAS
MULTNOMAH
WASHINGTON



PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION

800 NE OREGON STREET # 16 (SUITE 540)

PORTLAND, OREGON 97232

PHONE: 731-4093

September 14, 1995

TO: Affected Units of Government And Other Interested Parties

FROM: Ken Martin, Executive Officer

SUBJECT: *Metro Study of Boundary Commission - September 11, 1995*

MPAC Committee members present were Judie Hammerstad, Charlie Hales, Rob Mitchell, Jeannine Murrell and Linda Peters. Jane Heisler represented Alice Schlenker. Others present were Metro staff members John Houser, Jody Wilson and Dan Cooper, Tigard City Planner Ray Valone, Clackamas County R.F.P.D. Chief Conrad Kristensen, Rockwood P.U.D. Administrator Duane Robinson, Milwaukie City Councilor Rob Kappa, Kim Iboshi from McKeever-Morris and Boundary Commission Staff Director Ken Martin.

Judie Hammerstad opened the meeting and distributed a memo (copy attached) which she characterized as "putting John's [Houser] list in layman's terms." She began the discussion of the lists with No. 1 on her list - status of the Commission. Should the Commission be a state agency or under Metro she asked. She said she thought this was an issue which has clearly been a problem and needs to be resolved.

Linda Peters stated she agreed that this was one of the issues which needs to be addressed but she was not at this point ready to decide the answer.

Judie Hammerstad clarified that the task presently before the Committee was simply to separate the issues which need to be addressed from those that do not. After the issues which need to be addressed are identified that list will be sent out for comment and a hearing held to receive input. Only after that will the Committee need to make specific decisions on each issue.

Judie Hammerstad said "jurisdiction" is an issue. If the Boundary Commission were put under Metro then its jurisdictional area should be reduced to the Metro boundary. Charlie Hales said that is not necessarily true, that the Legislature could give the Commission authority over an area larger than Metro even if Metro took over the Commission.

STAFF

KENNETH S. MARTIN, Executive Officer
DENIECE WON, Executive Assistant
KELLY PAIGE, Executive Assistant
LANA RULIEN, Administrative Assistant

RAY BARTEL, Chair
TOM WHITTAKER, Vice-Chair
BOB BOUNEFF
NATHALIE DARCY

COMMISSIONERS

MARILYNN HELZERMAN
SY KORN BRODT
SUE LAMB

Affected Units of Government And
Other Interested Parties

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September 14, 1995

John Houser noted that the jurisdictional issue raises a tangential issue of method of appointment. He said there is a current problem of representation of areas outside Metro when the appointment is by Metro Councilors who may be reluctant to choose Commissioners from outside their districts.

Charlie Hales said he feels the group needs substantive testimony from the areas outside of Metro on the issue of whether the Boundary Commission should continue to function there. He posed the question of what is the difference between a Hermiston or a Mt. Angel which seem to get by without a boundary Commission and Sandy or Canby which must operate under Boundary Commission purview.

Linda Peters said she can argue both sides of this issue. She understands how some outside areas would feel more comfortable if they could make their own boundary decisions. But she said she knows there are rural areas of Washington County which are striving to get a voice in regional matters so there is a good case to made for inclusion as well.

Judie Hammerstad summarized that her No. 1 includes No.s 6 & 7 from John's list (see attached Houser memo) which are definitely to be included on the list for further input. She said she also feels John's No. 10, Funding, is appropriate for further investigation.

There was general discussion of the Commission Advisory Committee. Ken Martin explained the make-up is two city elected officials, two county elected officials, two district elected officials and three public members. He noted that the Committee must approve the Commissions budget and the mandatory assessments and must review all administrative rules passed by the Commission including its filing fee schedule. In response to a question Ken Martin stated that the Committee was appointed by the Boundary Commission. In response to a murmur which implied some impropriety in this arrangement, Martin pointed out that was the same appointment process utilized by most cities and counties in designating their budget committees and that the Advisory Committee's primary function was to act as the Commission's budget committee. Judie Hammerstad asked who the current County representatives are. Ken Martin said they are Darlene Hooley and Alan Percell

Charlie Hales said he liked No. 4 [John Houser's list] because it raises the issue of there being several types of proposals such as annexations, formations and utility extensions. He said he felt this issue should be on the list to review.

John Houser noted that that subject was actually covered better under his No. 15.

Jeannine Murrell said she has already faxed John's list to her 11 jurisdictions and told them that their silence on this matter will be considered assent.

Judie Hammerstad said she has spoken recently to the Special District's Association and they tell her that they should not have to spend the time and money on review of

non-contested mergers, consolidations and formations. She said she understands that an argument can be made that Boundary Commission review lends validity to a proposal but couldn't that review be done at the local level and still attain that same level of validity? Ken Martin noted that the expense of an economic feasibility analysis, notice, hearing, order, etc. would still be there but the notion of impartial review would be gone. He further stated that the major purpose of the process which it is being suggested could be eliminated or significantly reduced is to inform the public and to demonstrate that what is being proposed is feasible. The feasibility statement is not for the Boundary Commission as much as it is for the patrons who will ultimately be paying the bill, he said.

Jane Heisler stated that No.s 3 & 4 [Judie Hammerstad's list] are the major concerns of Lake Oswego. The City believes that the Commission needs to be held to more "clear and objective" standards the way cities and counties are in land use matters. The City believes the current statutory criteria are too vague and give too much discretion to the Commission. She cited the example of the Commission's denial of an island annexation based solely on expressions of opposition from residents in the island.

John Houser noted there were two minor issues which he had not listed that the group might want to consider. The first is that a "notice of intent" is required to be filed on double majority annexations. This means that a city or district must file with the Boundary Commission a notice stating its intent to explore annexation of an area. However, John noted, the Boundary Commission is not required to inform anyone that the notice has been filed so it serves no purpose. The second minor issue is that contiguity is required for "double-majority" annexations but not for annexations initiated by any other method. Jeannine Murrell asked for a definition of "double-majority." Ken Martin responded that it is a petition signed by the owners of more than half the land area and by more than half the registered voters in the area to be annexed. He noted that such a petition must also be accompanied by a resolution from the governing body of the city or district to which the annexation is proposed.

Judie Hammerstad asked if No. 9 [John Houser's list] was an important issue for anyone. No one said it was.

Charlie Hales said he was a little reluctant to bring this up but if the Boundary Commission was under Metro wouldn't it be subject to Metro's excise tax and if so how much is it? Dan Cooper answered that the tax is 7.5% and that only the filing fees would be subject to the tax, not the assessments.

There was general discussion of limitation of the functions of the Commission. It was noted that if the Commission's geographical jurisdiction were reduced or the kinds of proposals considered were restricted or the criteria narrowed, there could be a corresponding reduction in costs of operation. Rob Mitchell said he sees no one at the special district level advocating the continued need for Boundary Commission review.

There was discussion of Senate Bill 122 and how this might impact the need for the Boundary Commission.

Judie Hammerstad asked if anyone had any concerns about No. 12?

Linda Peters said she was still hung up on the SB 122 question. She said she understood that the Committee had generally decided to divide the discussion into two parts and that that issue was included in the second part which is generally labeled "future" issues. However, she said for her area they were working on the SB 122 process now so it wasn't a future issue but a "now" issue. Charlie Hales agreed that SB 122 should be considered along with the currently evolving list, that you really could not separate the various nuts and bolts issues from the ongoing processes which involve SB 122, the 2040 Plan, etc.

Judie Hammerstad says of No. 13 that she thinks the Commission's criteria are not as clear and objective as they should be. So is this an issue the Committee feels should be on the list. Charlie Hales said he would like to see how the criteria relate to the 2040 Plan.

Charlie Hales said what about the Commission's role as a mediator? Is that really something they should be doing or does that role fall more logically to others? The Commission spends a lot of time on routine proposals. Would it really be better to leave those to the local level? At the local level there are elected officials whose job it is to deal with controversial issues? Why should an appointed body which does not represent the people be inserted into the process?

Ken Martin responded that the Committee needs to understand that the bulk of the Commission's work involves rather mundane proposals in the sense that they do not usually involve interjurisdictional disputes. He noted that while Judie Hammerstad was suggesting that only proposals with interjurisdictional friction should be heard by the Commission and this could save workload and money, that in fact such proposals represent a very small amount of the Commission's workload. Martin said that the bulk the proposals considered by the Commission involved an applicant, a unit of government and surrounding property owners. He stated that the fallacy of Charlie Hales speculation was the assumption that everyone was represented at the local government level. In the typical boundary change proposal the city represents the interests of its citizens and the applicant has his interests at the fore but without the Boundary Commission process there is no place for expression of the interests of the surrounding citizens who do not live in the city. This is a primary, if not the primary role of the Boundary Commission, he said.

There was further discussion relating to the Boundary Commission's review procedures and ultimately the Committee agreed that No. 12 should be on the list for further consideration.

Affected Units of Government And
Other Interested Parties
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September 14, 1995

No. 14, the expedited procedure, was discussed and all agreed that it was good and should be left alone.

The Committee discussed No. 3 on Houser's list. Ken Martin noted that this requirement was a surviving remanent of proposals put to the Legislature by the Goldschmidt Task Force appointed by former Governor Roberts.

Judie Hammerstad explained that she put No. 5 on her list because she was aware of the Portland-Beaverton dispute over long range planning boundaries and thought it might be an issue relating to the Boundary Commission. Linda Peters said that the Appeals Court has ruled that that dispute is a Metro problem not a Boundary Commission issue. But Charlie Hales said that because it relates to the Senate Bill 122 process it is a current issue and does not belong on the Committee's future list. If the Boundary Commission doesn't have the authority to solve this , should it? Or alternatively if the Commission doesn't have the authority and Metro does, then maybe Metro should be the body given authority to solve interjurisdictional disputes and we don't need a Boundary Commission. Judie Hammerstad suggested this may be a more appropriate topic for the second group of issues to be discussed by the Committee.

Charlie Hales said he did not see how the future issues could be separated from the nuts and bolts issues. He said he felt that the group has in essence already added all the futures issues to the nuts and bolts list which they have now identified as important. He suggested that they do not need a separate meeting and discussion of futures issues.

The Committee decided to combine the two lists. John Houser is to put together a summary list of all the issues identified today and this will be the list that gets sent out to the local governments with an invitation to comment. The Committee decided to hold another meeting as scheduled on September 25th (4:00 pm, Metro Council Annex) to finalize details. The meeting which will allow for testimony from units of government and other interested parties is to be held on **October 2, 1995 at 4:00 pm in the Metro Council Chamber**. The purpose of this hearing is to take testimony on which of the items on the list should be implemented and specifically how this should be done.

The Committee also tentatively agreed to continue with their previously scheduled meeting on October 9th at which they would begin to finalize their recommendations.

KSM/lmr

Attachment

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CLACKAMAS COUNTY

Board of Commissioners

JUDIE HAMMERSTAD
CHAIR

DARLENE HOOLEY
COMMISSIONER

ED LINDQUIST
COMMISSIONER

MICHAEL F. SWANSON
CHIEF EXECUTIVE OFFICER

September 11, 1995

To: Members of the MPAC subcommittee regarding the Boundary Commission

From: Judie Hammerstad, Chair

Re: Identification of immediate issues regarding the operation of the Boundary Commission as discussed at our previous meeting.

Boundary Commission issues:

1. The need to address consistency for the authority and jurisdiction of the Boundary Commission. It is currently a state agency, appointed by the Metro Council with the number of commissioners being consistent with the number of Metro Councilors. The authority currently extends throughout the 3 counties - beyond the Metro borders.. Issue: From where should the Boundary commission's authority come?

State agency? Metro commission?

Should the Boundary Commission be autonomous from or advisory to: the state? Metro?

How and by whom is the budget be determined?

2. If the Boundary Commission is a sub-entity of Metro, the boundaries for jurisdiction should only include the Metro boundaries. If it is a State agency, it could have larger boundaries. Which is desirable? What action does this take?

3. Should the Boundary Commission have jurisdiction on decisions where there is no inter-jurisdictional dispute. If the answer is "no," what process should be used?

Example: merger of water districts within one county - no jurisdictional dispute
formation of county service districts (parks, library, law enforcement)
no jurisdictional dispute.

Questions: How much is spent by a local jurisdiction in bringing a non-disputed request to the Boundary Commission?

How many of these decisions have been brought in the past 5 years?

4. What should the Boundary Commission's role be in island annexations requested by cities? What should the criteria be for such annexations? Is there a cost-effective, efficient alternative to the current method? What is the current cost?

5. If the issue is disputed by the jurisdictions affected, under what circumstances should the Boundary Commission act? Are there instances where the authority should be placed elsewhere? Are there any lessons to be learned from the Portland/Washington County dispute re Southwest unincorporated area?

6. How will the cooperative agreements required by SB 122 affect annexations? There was some disagreement when testimony was taken on this subject.

Invited comment from local jurisdictions on current situation. Sept. 25?

Next: The role of the Boundary Commission under 2040:

To what extent can the Boundary Commission function as a vehicle for implementation of the 2040 plan and requirements of local governments? This will include annexation processes, possible incorporation of new areas or status quo with service district agreements with existing entities for service delivery into newly developed areas.

Of interest to areas currently outside the UGB: What is the most desirable governance structure? What are the impediments? What is the Boundary Commission's role? Will legislation be required?

Boundary.wps

**METRO**

To: MPAC Boundary Commission Workgroup Members

From: John Houser, Senior Council Analyst

Date: September 5, 1995

Re: Future Work Plan

At the August 28 meeting, the future work plan for the group was discussed by Commissioner Hammerstad and Commissioner Hales, the only members present. It was determined that the work group should begin to narrow the number of issues it will consider during two meetings in September. These meetings have been scheduled for September 11 and 25 at 4:00 P.M. in the Council Annex at Metro.

Staff was directed to prepare a list of potential issues related the current operations of the boundary commission for consideration at the September 11 meeting. A draft of the issues list for consideration at this meeting is attached. It is intended that this list will be reviewed at the meeting and additional issues may be added and some may be deleted. A list of the remaining issues then will be forwarded to the region's local governments for comment. These governments also will have an opportunity to raise additional issues for further consideration by the work group. An additional list of issues that may affect the future operations of the commission will be prepared for consideration at the September 25 meeting. Issues such as those related to 2040 implementation, the SB 122 process, or changes in annexation law would be included on this list. This list also would be circulated for local government review and comment.

If you have any comments or questions regarding this process, please let me know.

BOUNDARY COMMISSION
POTENTIAL CURRENT OPERATIONAL ISSUES

- 1) Policies and Purposes. Statements related to commission policies and purposes are scattered throughout the existing statute.
- 2) Definitions
- 3) ORS 199.427. Directs the commission to facilitate the merger or consolidation of water providers within single river basins.
- 4) Addition or deletion of the types of jurisdictions currently under Commission purview.
- 5) Status of the Commission as a state agency.
- 6) Makeup of the Commission. Issues include the size of the commission, geographic representation, appointment authority, representation of special interests, etc.
- 7) Operational Relationship Between the Commission and Metro.
- 8) Membership and Role of the Commission's advisory committee.
- 9) Compensation of Commission Members. Commissioners currently receive no compensation other than travel and other incidental expenses.
- 10) Funding. Local government assessments and fees currently authorized by state statute.
- 11) Jurisdiction. The Commission's authority currently includes all of the tri-county area. Some more rural jurisdictions have periodically requested that they be removed from the commission's jurisdiction.
- 12) Commission Review Procedure. The Commission's general process for considering issues that come before it includes preparation of a written report, a public hearing, issuance of a final order and potential appeal to the state Court of Appeals.
- 13) Decisionmaking Criteria. The basic criteria upon which the Commission bases its decisions are scattered throughout its governing statutes and administrative criteria. The Commission also has defined these criteria in various written reports.
- 14) Expedited Procedure for Consideration of Issues.

15) Types of Issues that Come Before the Boundary Commission:

a) Major Changes: Formations, Mergers, Consolidations

Time Limits

Procedural Changes For Particular Types of Changes

b) Minor Changes: Annexations

Time Limits

Procedural Changes

Notice of Intent for Double Majority Annexations

Contiguity re Double Majority Annexations

Island Annexations

c) Water/Sewer Line Extensions, Private Systems

Dennis N. Tooley
Manager Public Policy



September 20, 1995

Mr. Dan Bartlett
City Manager
City of Milwaukie
10722 SE Main
Milwaukie, Oregon 97222

Dear Mr. Bartlett:

A handwritten signature in cursive script that reads "Dan".

It's time for a little good news!

As you are acutely aware, the Portland Metro area experienced a number of 9-1-1 problems over the past several months. As a result, a team of U S WEST Technical Specialists was convened to research the causes and implement measures which would significantly reduce the possibility of such problems in the future. After many in-depth meetings, the team proposed an innovative diverse routing solution which would make the Portland Metro area a model for other jurisdictions to emulate. This solution would provide redundant E-9-1-1 services through "state of the art" digital switches and dramatically reduce instances where a single component failure could disrupt emergency communications.

The Good News — As of yesterday, September 19, the final piece of this complex cutover was put into place.

I am extremely proud of the team's perseverance and hard work and am also cognizant that only time and consistent good service will help to re-establish confidence in our 9-1-1 services. You have my personal assurance that we at U S WEST will do everything possible to ensure that happens.

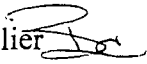
If you have any questions or suggestions, please advise.

Sincerely,

A large, handwritten signature in cursive script that reads "Dennis Tooley".



Memorandum

To: All Personnel
From: Chief Collier 
Date: September 19, 1995
Subject: **Minor in Possession Diversion Program**

I am pleased to inform you that a long awaited program to deal with Clackamas County MIP's is now in place. Clackamas County Juvenile Department Director Doug Poppen has developed a new MIP referral program. This program was developed in consultation with the respective Clackamas County Chiefs and the Sheriff.

This program will **have sanctions**. This program is already in place. For the first time in Clackamas County history, ODL's are being suspended for MIP related offenses. Monthly reports will be sent to Clackamas County Schools to reinforce this new change in philosophy. I don't think it will be long, before this information "Hits the streets".

I met with Juvenile Director Poppen yesterday and you should be pleased to hear that the construction for the new juvenile intake center is on schedule. Director Poppen feels that a January 1, 1996 open house date is a realistic one.

Please refer to the attached MIP Diversion Program information for additional details.

CC: Dan Bartlett



CLACKAMAS COUNTY

Juvenile Department

DOUGLAS W. POPPEN
DIRECTOR

MINOR IN POSSESSION DIVERSION PROGRAM

Program Overview:

Clackamas County Juvenile Department has developed a new program for Minor In Possession of Alcohol referrals. The philosophy of the project is to ensure youth are being held accountable for their actions, their treatment needs are assessed, and their risk to the community is addressed..

Our approach is intended to provide a balanced, consistent and common sense method of dealing with the youth and his/her referral. This will be accomplished through the use of required standards of treatment and consequences for all referral levels. These standards will be equally applied to all cases that indicate sufficient grounds to proceed in court.

Process of Handling Referrals:

The MIP Diversion Specialist receives referrals either directly from police agencies or from Juvenile Department counselors. Each report is read and reviewed by the MIP Diversion Specialist. This is followed by the scheduling of a face-to-face interview with the youth and his/her family. The initial interview will be used to determine the level of the youth's risk both to self and/or community in relationship to his/her drug behavior.

Sanctions For First Time Offenders:

A MIP diversion process is established through the use of a Formal Accountability Agreement (FAA). The youth and family will enter into a FAA which will include at a minimum:

- Attendance in an alcohol and drug evaluation/education diversion program with a pre and post test; i.e., Mainstream, Clackamas County Mental Health.

- All youth over 13 years of age will attend the DUII Victims Panel operated by the Sheriff's Department.
- An abstinence contract is entered into which requires the youth to remain clean and sober.
- A contact condition requiring the youth to maintain weekly contact with the MIP Diversion Specialist for a maximum of eight (8) weeks.

This agreement may also include at the MIP Diversion Specialist's discretion:

- Complete drug and alcohol assessment.
- Weekly groups at Juvenile Department aimed at informing/educating youthful offenders.
- Parental attendance in an informational session regarding their rights, responsibilities and possible liabilities in regards to their youth's use of chemicals.
- Community service assignments.

Sanctions for Repeat Offenders:

Those youth with subsequent MIP referrals will be scheduled for a face-to-face interview. This interview will be used to determine if the youth is prepared to admit or deny the charges.

If an admission is made, the youth's rights are explained and a hearing with a court appointed referee is scheduled. At the time of the hearing, the MIP Diversion Specialist will make a recommendation which may include:

- Suspension of driving privileges for up to one year
- Fines
- Community Service
- Probation
- Weekly groups at the Juvenile Department aimed at informing/educating youthful offenders

If the youth chooses to deny, a contested hearing will be scheduled before the Circuit Court Judge handling juvenile matters.

Referee Duties:

During the hearings, the referee will be:

- Explaining the Juvenile Department's philosophy regarding MIPs.
- Explaining the Oregon Revised Statute, which covers the handling of MIP referrals.
- Notifying the youth of their rights to both hire an attorney and appeal the referee's decision.
- The referee will review each youth's file, consider the recommendation being made by the MIP Diversion Specialist, determine what is appropriate, and sign the order.

Appeal Process:

Upon the referee signing his order, the youth may, within 10 days, request in writing that the order be reviewed by the Circuit Court Judge. The judge must then review the order within 45 days of the request.

A youth may also request the referee reinstate his/her driving privileges. This can be done 90 days after the suspension occurred. The requests will be reviewed and a decision determined by the referee, MIP Diversion Specialist, and the Juvenile Department's Alcohol & Drug Counselor.

08-31-95

jh