

**MILWAUKIE CITY COUNCIL  
REGULAR SESSION  
AUGUST 31, 1999**

The one thousand eight hundred and twenty-first meeting of the Milwaukie City Council was called to order by Mayor Tomei at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Rob Kappa	Larry Lancaster
Mary King	Jeff Marshall

Also present:

Dan Bartlett, City Manager	Martha Bennett, Assistant City Manager
Jim Coleman, City Attorney	Mike Swanson, Interim Public Works Director
Charlene Richards, Assistant City Manager	Rob Shelton, Associate Engineer

**PROCLAMATIONS, COMMENDATIONS, AND SPECIAL REPORTS**

**Mayor Tomei** read a proclamation naming the week of September 5 – 11, 1999, as "*Women in Construction Week*" in the City of Milwaukie.

**CONSENT AGENDA**

**Councilor Lancaster** requested that item D --*Authorization to Sign Milwaukie Downtown Development Association (MDDA) Agreement* be discussed under other business.

**It was moved by Councilor King and seconded by Councilor Lancaster to approve the balance of the Consent Agenda that consisted of:**

1. City Council Minutes of August 2 & 3, 1999;
2. Authorization to Sign an Intergovernmental Agreement with Clackamas County for 42<sup>nd</sup> Avenue and Harvey Street Sidewalk Project (RD-00-05);
3. Authorization to Sign an Intergovernmental Agreement with Oak Lodge Sanitary; and
4. Resolution No. 33-1999: A Resolution of the City Council of the City of Milwaukie, Oregon, Amending the Intergovernmental Agreement between the City of Milwaukie and the City of Happy Valley for the Provision of Engineering and Building Official Services Effective January 1, 1997.

**Motion passed unanimously.**

## AUDIENCE PARTICIPATION

**George Van Bergen**, 12366 SE Guilford Drive, Milwaukie, addressed his concerns regarding domestic water quality. He had replaced the galvanized waterline to his house recently, and, while filling his pool, he placed a towel over the end to filter the water. When he removed the towel, it had a dirty, brown substance on it, and a film rose to the top of his pool. He had contacted the water department and further requested that the Public Works Department verify that the brown substance was not harmful to his health. He noted the sample was collected about two weeks ago.

**Bartlett** said staff would review the water test reports.

**Van Bergen** asked if there would be notification sent to property owners relating to the changes in the Milwaukie High School permits. **Bartlett** believed that the School District had gotten a Community Service Overlay earlier but would need to notice for permits on additional land.

**David Aschenbrenner**, 11505 SE Home Avenue, Milwaukie, commented it was nice to be back in the City Hall Council Chambers.

**Rich Watnabe** and **Ruth Watnabe**, 4314 SE Franklin, Milwaukie, were concerned about the sidewalk design on 42<sup>nd</sup> Avenue that jogged around a tree. They were concerned with safety and any potential liability regarding street tree maintenance. The citizens were concerned that the roots would be cut during sidewalk construction and potential storm damage.

**Bartlett** said M. Bennett would meet with the Watnabe's to discuss what could be done to address their concerns.

## PUBLIC HEARING

### Revisions to the Neighborhood Traffic Management Program (NTMP) as Proposed by the Traffic Safety and Transportation Board (TSTB)

**Mayor Tomei** called the public hearing on the proposed revisions to the Neighborhood Traffic Management Program to order at 6:25 p.m.

The purpose of the hearing was to consider comments on the changes to the Program proposed by the Traffic Safety and Transportation Board (TSTB). She reviewed the conduct of the hearing.

Staff Report: **Swanson** provided clarifying comments on the requirement that privately funded traffic calming projects go through the NTMP process. Private funding does not automatically allow the device.

**Shelton** said staff has worked with the TSTB for the past year on the review and revision project and is in 90% agreement with the Board's recommendations. He pointed out two potentially controversial issues that staff did not support: establishing the base speed of 5 mph over the posted speed for comparison with the 85% (85/5) of a given street; and no longer assigning points to streets that do not have sidewalks on at least one side of the street. Currently, the NTMP uses a 10 mph base speed and assigns five points to streets without sidewalks on one side. He referred to staff report pages V.29 and V.30 which compared current NTMP rankings with those resulting from the TSTB proposals. Each is a Council policy decision that would affect the priority of the upcoming improvement projects.

**Susan Stone**, 9212 SE 32<sup>nd</sup> Avenue, Traffic Safety and Transportation Board (TSTB) Chair. The changes proposed by the TSTB emphasized the desire to make Milwaukie streets and neighborhoods more livable. Each recommendation is based on standard engineering practices implemented by other jurisdictions in the region. On the 85/5 issue, Stone noted that other communities in the area view all streets as residential and do not make a distinction between streets designated as collectors, neighborhood, or local. The livability on collectors is far more threatened because of traffic volumes, and Stone noted that the City of Portland had a collector street reclamation program. All streets will be put to the same test, and those streets with the greatest problems will be prioritized accordingly.

**Stone** explained the Board did not feel the presence of a sidewalk necessarily made a street more livable. The Cities of Portland and Gresham do not consider the existence of sidewalks. Although 32<sup>nd</sup> Avenue has sidewalks, its livability is threatened. The initial program focused more on school trip safety than neighborhood livability, and the TSTB wants to shift that focus. She reviewed material from a May 1997 meeting with representatives from Gresham, Portland, and Milwaukie in which the participants noted that: they do not distinguish between local and collector streets; volume exacerbates speeding; and pay attention to the neighborhoods. **Stone** referred to staff report page V.9 and funding issues. Affected property owners will be asked if they would support funding and at what level. Projects will not be denied if there is not private funding.

**Stone** closed by saying that Councilmembers' campaign statements indicated they would listen to all opinions and make good decisions based on local citizen involvement and input. She believed the proposed revisions met citizen needs and addressed concerns about volume on residential streets. The Board urged the Council to adopt the policy and help fulfill the vision of a livable community in the City of Milwaukie.

**Councilor Kappa** appreciated staff and Board for their efforts on the document. He noted that Lake Road would rank higher if the 85/5 base speed was implemented.

**Stone** said the proposed revision allows all streets to be viewed equally and treated equitably.

**Shelton** pointed out that Lake Road is designated an arterial. Because of that, the City Council would have to direct staff and referred to staff report page V.6.b - *"apply as required after consideration of emergency or transit needs and after consideration by the City Council."*

**Councilor King** was concerned that, if the 85/5 standard was applied and resulted in additional traffic calming devices on streets such as 32<sup>nd</sup> Avenue, more traffic would be diverted to other neighborhood streets.

**Stone** explained that the situation is monitored after project completion. Twenty-two foot speed humps like those currently on 32<sup>nd</sup> Avenue do not divert a lot of traffic.

**Shelton** added that, according to a City of Portland study, traffic on parallel, uncalmed streets increases about 4%. In this instance, the grid is fairly complete.

**Councilor Lancaster** asked if the primary intent of calming was to slow traffic or reduce volume.

**Stone** said the primary intent is to enhance neighborhood livability. She noted the traffic calming project Portland had completed at 17<sup>th</sup> Avenue north of Tacoma Street and Milwaukie Avenue.

**Councilor Marshall** noted that Stone had alluded to the fact that all streets would be treated equally if the 85/10 standard was changed to 85/5, and he asked how streets were not being judged equally under the current NTMP.

**Stone** said on collector streets, there are no points given until the traffic exceeds 10 mph over the posted speed limit. This method neither addresses livability issues or targets those streets with the most severe problems.

**Councilor Lancaster** noted that volume on 32<sup>nd</sup> Avenue would probably not change.

**Stone** said it is the noise from speeding cars that threatens livability. 32<sup>nd</sup> is a collector and, with the possible exception of large trucks, it is not the intent to purposely divert traffic with the possible exception of big trucks. The location of the speed bumps affects that potential source of noise.

**Councilor Lancaster** asked what the position was of the emergency care providers.

**Stone** said when she was a member of the 1995 Ardenwald Pedestrian Task Force, AMR sent a letter indicating it had no problem with speed humps. The Portland Fire Department has an issue because so many of the City's streets are calmed.

**Mayor Tomei** recalled a letter from Providence Milwaukie that it did not want speed humps installed south of Harvey Street.

**Shelton** spent some time with a citizen advisory group in Portland working on the issue of volume, traffic calming, and emergency routes. Each speed hump encountered by an emergency vehicle adds response time, so there needs to be a balance in each case.

**Councilor King** supported the revision that removed points for sidewalks.

**Stone** explained the current NTMP focuses more on school trip safety than livability. Portland and Gresham do not give points for sidewalks, and the Board recommended Milwaukie do likewise. Sidewalks, she added, do not make a street more livable.

**Councilor Marshall** asked if traffic calming reduced volume.

**Stone** responded that a project could be designed to do so. Traffic from a collector should only be diverted to an arterial. Collectors connect streets, and people will still use them. In some cases it is more appropriate to slow vehicles rather than divert them.

**Councilor Marshall** felt there was some discrimination in that the original document was written to give neighborhood streets points for speeds over 5 mph and collectors points for speeds over 10 mph.

**Julie Wisner**, TSTB member. The original policy did not address the livability factor. Twenty-two foot speed bumps are designed for collectors so that significant amounts of traffic are not diverted to other streets. When traffic calming was added to 34<sup>th</sup> Avenue, data indicated that diversion to 35<sup>th</sup> Avenue was significantly below the allowable rate. Fourteen foot speed humps are designed for local and neighborhood streets to both slow and divert vehicles. She pointed out the additional traffic generated in her neighborhood by the MarketPlace and urged to City Council to take action to provide safe and respectful speeds on high volume streets.

**Councilor Marshall** commented that discussion was only about speed humps and bumps rather than taking into account other types of traffic control devices.

**Wisner** said the NTMP was written specifically for speed humps which are the least expensive devices that can be applied to a street. A traffic engineer would need to write a program for other types of devices such as traffic circles and curb extensions.

**Councilor Lancaster** suggested the neighborhoods might be better served if a budget was proposed with other types of devices in mind. He asked if traffic calming extended the amount of time traffic is on a street.

**Wisner** said that would be reasonable if vehicles are going slower, but noise from speeding vehicles would be reduced.

**Councilor Kappa** did not perceive that the NTMP was written only for speed humps.

**Wisner** said, at the time the NTMP was written, speed humps were the issue with the understanding that the Program would be developed further to include circles and curb extensions.

**Shelton** referred to staff report page V.12 -- Phase 4 (Capital Improvements) and explained that the NTMP by no means specifies speed humps as the only type of traffic calming device.

**Wisner** was encouraged by firefighters' comments at the recent neighborhood BBQ that they like speed humps and had no problem with them.

**Patty Wisner** has been involved with the program and has reviewed all the data. She felt this was a quality program. She lives on a street that was once quiet but is now a direct route to a shopping center. Before there were speed humps on 34<sup>th</sup> Avenue, speeds were in excess of 60 mph, and it was dangerous to back out of her driveway. Traffic accident opportunities and citations issued are reduced for which the neighbors are thankful.

**David Aschenbrenner**, TSTB Vice Chair, pointed out it is very difficult to divert traffic in the City of Milwaukie because of the limitations of the grid system.

**Mayor Tomei** closed the public hearing at 7:35 p.m.

**Councilor King** said her only objection was taking points from streets that had no sidewalks.

**Councilor Kappa** felt the 85/5 standard needed to be incorporated to protect livability.

**Mayor Tomei** disagreed because, as she understood it, only collector streets had the 85/10 standard, and neighborhood and local streets would remain at 85/10. She believed it was important for the neighborhood streets to get the additional points. She also believed that streets with sidewalks were much safer for pedestrians and recommended retaining the 5 points for streets without sidewalks on at least one side.

**Councilor King** noted that collector streets are residential, high speed, high volume streets. She saw little difference in the rating system.

**Mayor Tomei** commented that the City Council was making a policy decision to protect collectors before the neighborhood street.

**Councilor Lancaster** felt that preserving non-collector streets should have first priority. There are probably neighborhood street residents that do not want sidewalks, so some residential areas may self-select themselves out. He urged looking to fundamental engineering guidelines and approach requests on a case-by-case basis. He suggested an 85/7 standard on collectors. It is important to be able to move through the City while striking a balance with the neighborhoods.

**Councilor Kappa** was concerned the 85/7 standard would create enforcement issues.

**Bartlett** explained this was not an enforcement rule and that data could be collected based on any benchmark.

**Councilor Marshall** referred to the sidewalk issue and said he was not convinced that streets with no sidewalks were as safe as those with sidewalks. He recommended not removing the five points. He supported Councilor Lancaster's 85/7 proposal and appreciated the argument that all streets need to be judged the same. While 85/5 is a good goal, it does probably not provide a realistic snapshot.

**Councilor King** did not see the purpose of compromising on 85/7 and recommended 85/5 across the board.

**Shelton** pointed out there could be some significant changes in qualifying scores. He used the example of Monroe Street between 37<sup>th</sup> and 42<sup>nd</sup> Avenue and how it would move from rank #11 to #4.

**Councilor Kappa** said he wanted the NTMP as revised evaluated annually.

It was moved by Councilor Lancaster and seconded by Mayor Tomei to establish the base speed on seven miles per hour over the posted speed for comparison with the 85% speed of a given street applicable to all street designations. Motion passed 4 - 1 with the following vote: Mayor Tomei, Councilor Kappa, Councilor Lancaster, and Councilor Marshall aye and Councilor King no.

It was moved by Councilor Marshall and seconded by Councilor King to retain the five points assigned to streets that do not have continuous sidewalks on at least one side. Motion passed unanimously.

Councilor Kappa referred to staff report page V.2 regarding points assigned for neighborhood walking routes and suggested this be coordinated with the Park and Recreation Board's interest in regional connectivity.

Councilor Marshall referred to staff report page V.4 and the TSTB's review of all traffic control device requests. He asked how many such requests there were each month and the amount of meeting time devoted to them on the monthly agenda. He was concerned that the Board have adequate time to consider regional traffic issues.

Shelton responded that there were about five per month. The intent of this revision was to allow the TSTB a review the status of requests and make any appropriate advisory comments. He estimated it would take about fifteen minutes per meeting.

Bartlett added that the Board could look to the larger framework and regional issues as long as the traffic control device request was not delayed.

It was moved by Councilor King and seconded by Councilor Marshall to approve the Neighborhood Traffic Management Program as amended. Motion passed unanimously.

## OTHER BUSINESS

### Milwaukie Downtown Development Association Contract (MDDA) Contract

Bartlett said the City Council authorized Mayor Tomei and him to negotiate with the MDDA President and Executive Director in April. The affected parties jointly-agreed to the language in the proposed document, and it has been reviewed by the City Attorney. The City will continue to contribute \$18,000 annually provided the MDDA raises at least \$36,000 on its own.

**Councilor Lancaster** had some comments and concerns about the City's relationship with the MDDA. The proposed agreement and performance expectations far exceed previous agreements; however, there are no defined business plans or standards. He felt the City needed to know more about what it was going to get for its contribution. Although \$18,000 is a minor amount, he suggested there might be a better way for the City to spend its money and contribute to downtown development. He was not in favor of a five-year agreement since there might be a better way found to do business.

**Jim Bernard**, MDDA President, felt the MDDA was moving toward accomplishing its goals, and that could be seen by looking at new activities. Businesses such as Reliable Credit are spending a lot of money in the downtown area, and others are waiting to see what is going to happen with the riverfront plan. Businesses are beginning to move back to downtowns from the malls, and the MDDA is on hand to work with City Council, staff, and the business owners to make things happen. The MDDA was established in 1991, and most of the businesses still support the district.

**Mayor Tomei** agreed with Bernard's comments and added that Jack Elder, the recently hired director, has been a tremendous asset. The \$18,000 is necessary to keep the MDDA viable and maintain momentum.

**Councilor King** was concerned that a short term agreement would not allow the MDDA to develop its long range plan or to attract strong leadership.

**Councilor Kappa** also supported the MDDA's work and suggested a three-year contract.

**Bernard** added that the proposed contract provides for an annual review with quarterly reports.

**Bartlett** explained that the contract was designed to parallel the Economic Improvement District assessment and the business license surcharge.

**Councilor Marshall** said the outcome of these deliberations would in no way reflect a lack of support. From his perspective, a one year contract did not provide enough time to accomplish horizon visioning and program development. He suggested a three-year contract with evaluations sessions to identify any paradigm shifts. He even looked to the day there would be a Development Commission similar to the City of Portland.

**Bernard** added that there were businesses outside of the downtown boundary that have expressed interest in being part of the MDDA.

**Jack Elder**, MDDA Director, 605 SE Spokane Street, Portland. In talking to people in the community, he has noted a certain level of cautious optimism regarding the riverfront, middle school, and Safeway site. He saw an opportunity to reconnect to the river that few other communities enjoy.

**Bernard** had no problem with a three-year contract, and **Elder** felt it would fit with what will be happening in the City of Milwaukie.

**Councilor Lancaster** explained his comments had to do with finding a better way for the City and MDDA to work together and should not be interpreted as an attack on the organization. He saw government's role as one of removing obstacles. The City has already made a huge investment in redeveloping the downtown, and he wanted to push the limits and challenge all parties involved to do more.

**Mayor Tomei** added that both Dark Horse and Reliable Credit have already done a lot in the downtown due to MDDA encouragement and support.

**Councilor King** did not want to give the perception that the City was not fully supporting the program as it begins to flourish.

It was moved by **Councilor Marshall** and seconded by **Councilor Kappa** to authorize the Mayor to sign a three year agreement as negotiated by the Mayor and City Manager with the MDDA President and Executive Director. Motion passed 4 - 1 with the following vote: Mayor Tomei, Councilor Kappa, Councilor King, and Councilor Marshall aye; Councilor Lancaster no.

#### INFORMATION

**Bartlett** met with Dale Jutila of Clackamas River Water (CRW), and they believed it was important for the City Council and CRW Board to discuss the next steps in the Sunrise Water Authority appeal. City Council concurred and directed staff to schedule a meeting.

**Mayor Tomei** received a letter from Metro Executive Mike Burton saying that staff would recommend denying Milwaukie's request to be designated a "Special" Town Center.

**ADJOURNMENT**

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

**Mayor Tomei adjourned the meeting at 8:45 p.m.**

Pat DuVal  
Pat DuVal, Recorder



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

August 25, 1999

To: Mayor and City Council  
From: Dan Bartlett, City Manager *Dan*  
Re: Just In Case, You don't Have Enough to Read

Action Requested

Informational Items.

Background

Part of intergovernmental relations is keeping track of our other governmental partners' projects. I am enclosing one-page summaries of three of our partners:

Metro Policy Advisory Committee: Update for July This is a new document being sent out as part of MPAC's efforts to keep their partners informed.

Clackamas County McLoughlin Corridor Study: This project has completed four of six phases. The final report from the consultants will now start through the formal land-use process. Staff will continue to monitor this process. None of the recommendations made in the final report have a significant impact on Milwaukie. We are interested in the South Corridor Planning Project and implementing the transit improvements that will result from this project. (Community Development has the full Final Report)

North Clackamas School District Action Plans: Much as Council adopts Goals, the school board adopts their annual action plans. The plan that has the most direct impact on the city organization is implementing the bond levy projects. We are reviewing plans and issuing building permits for the district. As the construction is completed on the Rowe Middle School project, we will need to be ready to complete our negotiations for Milwaukie Middle School. I will schedule a joint school board, council meeting with Ron Naso for this Fall.

cc: File -- cm2246/hd

MILWAUKIE CITY HALL  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
PHONE: (503) 786-7555 • FAX: (503) 652-4433

## METRO POLICY ADVISORY COMMITTEE UPDATE FOR JULY 1999

### July 14 Meeting Summary

One of the main topics discussed was the MPAC bylaw amendments. After discussion, the committee voted to add the Port of Portland to MPAC as a voting member and retain Tri-Met's current voting status. They also specified that the representatives from both Tri-Met and the Port should be members of the governing board of those bodies. The amendments also included a specification that the citizen representatives on MPAC would be selected one from each county.

The committee also reviewed the draft Regional Transportation Plan (RTP). Metro Transportation Director Andy Cotugno explained that they need to finalize this draft, as well as the area-specific informational tabloids and other public outreach pieces so that the RTP can be taken out for public review in the fall, prior to final Council adoption. MPAC unanimously passed a motion recommending that the Metro Council authorize the release of the 1999 RTP update for jurisdictional and public comment.

The final item discussed was the use of the savings from the renegotiation of Metro's solid waste contract. Metro Executive Officer Mike Burton reviewed the background on the solid waste savings, as well as the options available. He explained that the only Metro activity with a general fund base is the Oregon Zoo and that the bulk of Metro's money is derived from enterprise activities. He said Metro is allowed to charge niche taxes up to 15 million dollars, which is done in the form of an excise fee on those enterprise activities, and explained that the Council could convert some of the savings to a niche tax. Although many committee members expressed a desire to see some of the contract savings go towards planning, others felt that money should go directly back to the ratepayers. Some members said the firewall between funds should not be removed and questioned any decision that would effectively impose a tax without seeking voter approval. This argument was countered with the explanation that Metro's excise taxes are effectively the equivalent of a city's franchise fees. A decision on this issue was deferred to the next agenda.

### July 28 Meeting Summary

The first discussion item was Metro's ESA Resolution, introduced by Councilor Susan McLain. Councilor McLain explained that she had met with Mayor Rob Drake and Commissioner Michael Jordan to hear the concerns of Washington and Clackamas counties regarding this resolution. They agreed that some revisions would be made to the current resolution and a revised copy would be circulated prior to the next MPAC meeting. This item is currently scheduled for decision at the August 25 MPAC meeting.

The bulk of the remainder of the meeting was devoted to further discussion of the use of Metro's solid waste contract savings. Many members expressed discomfort with providing advice on a budget decision, without knowing more about Metro's budget or budget process. In addition, many concerns and issues were raised from prior discussions. The final recommendation passed out of MPAC was that "if the Metro Council makes a policy decision to retain some of these savings as general fund revenue, MPAC strongly urges that the Council consider the needs of local governments in planning to meet the Framework Plan requirements and 2040." This motion passed with 6 for, 4 against and 3 abstaining.

## August 11 Agenda

### OLD BUSINESS

#### **ESA Resolution, Revised** (*informational*)

The ESA Resolution has been revised to address concerns expressed by local jurisdictions and will be before the committee as an informational item. This item is tentatively scheduled for decision at the following regular meeting.

#### **Urban Growth Report (UGR) Update** (*informational/discussion*)

The Metro Technical Advisory Committee (MTAC) has reviewed the Urban Growth Report draft tables and identified several policy issues that MPAC may wish to address. They are as follows:

- Time Horizon
- Future Streets
- Future Sites for Schools, Parks and Places of Worship
- Employment Land
- Impact of Voter Annexation Approval
- Adequacy of Transportation Facilities

### NEW BUSINESS

#### **Industrial Lands Study** (*informational*)

An industrial lands study for the Portland-Vancouver metropolitan area has been prepared by OTAK consultants on behalf of participating agencies, including Metro, the Port of Portland, CREEK, PDC and PGE. The intent of this study is to ensure sufficient capacity to accommodate future jobs. Although aggregate Metro estimates suggest the availability of sufficient industrial lands, there are concerns about the distribution of employment land geographically, by parcel size and type.

For additional information or materials, contact Lisa Lister at Metro (797-1940; [listerl@metro.dst.or.us](mailto:listerl@metro.dst.or.us))

heard of Alder Creek, adding that she is drawn to the Webster Middle School name which she feels fits better.

Middle School Report Card—Director of Instructional Services Vicki Chambers distributed copies of the proposed new report card for middle schools and reported on middle school reporting for parents, which includes the CIM conferences in addition to the report card. She indicated that the plans are to use this as a trial next year with feedback at midyear before adjustments are made. The Board agreed by consensus to use the new report card for a trial year before finalizing.

School Environment/Student Safety—Superintendent Ron Naso reported that high school principals have been meeting to discuss student safety and consistency between high school, middle school, and elementary levels. He asked the Board if it agreed it was worthwhile to pursue tightening control over dress codes, backpack usage, etc. in the high schools. The Board indicated it is a prudent decision and suggested that discussions be held with student leaders on these topics.

Policies—AEA—District Goals; BCF—Advisory Committees to the Board; IGBF—Bilingual or Linguistically Different Students and Parents; and JOA—Education Records: Directory Information—Superintendent Ron Naso reviewed all changes proposed for policies AEA—District Goals; BCF—Advisory Committees to the Board; IGBF—Bilingual or Linguistically Different Students and Parents; JOA—Education Records: Directory Information and responded to questions from Board members. It was suggested that the character education goal be moved to follow the Understanding, Knowledge, Application of Skills goal in Policy AEA: District Goals.

Advisory Committee Minutes—The Board discussed the minutes from the following advisory committee meetings:

- Clackamas High Committee — Annual Report
- Happy Valley Elementary Committee — May 18, 1999
- Oak Grove Elementary Committee — May 19, 1999
- Wichita Elementary Committee — June 7, 1999, & Annual Report

R99/00-5 School Naming: Technology Center & Rowe Middle School—Diane West moved, Carol Storment seconded the motion, to name the technology center Ben Schellenberg Technology Center and that Rowe Middle School retain its name as recommended by the School Naming Committee. Motion passed unanimously.

R99/00-6 Action Plans 1999-2000—Diane West moved, Carol Storment seconded the motion, to adopt the following Action Plans for 1999-2000 as recommended by the Superintendent:

**0. Performance on State Assessments**

**Ron Naso**

All action plans for the 1999-2000 school year begin with meeting the performance objectives on the state assessments as approved by the Board of Directors. Those objectives are noted as percentages of students meeting or exceeding benchmark standards:

	Primary	Intermediate	Middle School	High School
Reading	87%	80%	75%	65%
Mathematics	81%	80%	70%	50%

Writing **	60%	60%	70%	75%
Math Problem Solving **		50%	50%	60%

\*\* Includes meets conditionally

1. **Assistive School Programs** **Lynne Larson**  
The implementation of instructional assistance programs (IAP's) for students who need additional assistance in meeting benchmark requirements, including classroom interventions, extended year, and extended day programs.
2. **Performance Tasks** **Vicki Chambers**  
The refinement and implementation of classroom performance tasks in writing, mathematics problem solving, and speaking as defined by the state assessment program.
3. **Foreign Language** **Vicki Chambers**  
Development of a blueprint for meeting the foreign language requirement defined in the Education Reform Act. The blueprint will include recommendations for language acquisition programs at the elementary, middle and high school levels.
4. **English as Second Language** **Nancy Latini**  
Continued implementation and refinement of the instructional program for students needing ESL services including identification, instruction, assessment, and parent communication.
5. **Graduation Requirements** **Ken Noah & Karen Phillips**  
Completion of the design of high school programs consistent with the recommendations of the District Graduation Requirements Task Force (1997) and the District Graduation Design Team (1998).
6. **Counseling Services, K-12** **Elaine Drakulich**  
Implementation of recommendations from the Counseling Task Force Report (1998) with emphasis upon the development of an articulated counseling program, grades K-12, and the implementation of guidance program objectives consistent with Graduation Requirement redesign in Action Plan 5.
7. **Personnel Induction, Mentorship, and Assessment** **Larry Anderson**  
Review and implementation of policies and procedures related to the hiring, development, and retention of personnel, including the establishment of mentoring programs and the implementation of revised evaluation formats for all personnel.
8. **Implementation of Bond Levy Projects** **Bill Dierdorff, Dave Church,  
& Blair Loudat**  
Planning and implementation of the range of building projects, property transactions, and wiring improvements defined in the November, 1998, bond issue.

Motion passed unanimously.

## *What's Next?*

*If you would like to be notified about future hearings related to the McLoughlin Corridor Study, contact Dick Van Ingen, 650-3315.*

# McLOUGHLIN CORRIDOR

July, 1999

## **McLoughlin Corridor Study complete**

# **Study's final plan will move forward for county and state reviews**

On-street parking, lighting, intersection design, implementation strategies and many other issues are addressed by recommendations put together by a project team examining the McLoughlin Corridor.

The recommendations are the result of in-depth analysis of traffic and land uses within the McLoughlin Corridor as well as much public discussion at three open houses and four Work Group meetings.

"It's been an inclusive process," said Clackamas County Planner Dick Van Ingen. "While not everyone has agreed on all issues, we have a plan that

allows us to move forward with changes that will benefit people who live, work and travel along McLoughlin."

The McLoughlin Corridor Work Group, which included 32 citizens, business owners, agency and neighborhood representatives, reviewed recommendations in detail, he said.

However, upcoming hearings related to this study and other transportation projects will also include opportunities for comment.

The final report will now go to the Clackamas County Board of Commissioners and the Oregon Department of Transportation (ODOT).

## ***The McLoughlin Corridor Study***

*The McLoughlin Corridor Land Use and Transportation Study examined the four-mile stretch of McLoughlin Boulevard between Milwaukie and Gladstone.*

*This project looked at existing land use and transportation services to see if they are adequate to handle the projected changes of the next 20 years.*

*With this planning, needed improvements can occur efficiently and cost-effectively.*

*The final study, including recommendations and implementation plans, will be presented in late summer to the Board of County Commissioners.*

## **Recommendation Highlights**

- Retain existing zoning and transportation policies.
- No change to access management policies and existing parking standards.
- Provide further study on medians only at Oak Grove, Concord and Jennings.
- Eliminate on-street parking on McLoughlin.
- Provide Street lighting on McLoughlin.
- Complete sidewalks with landscaped buffer and bike lanes.
- Provide advanced warning signage (e.g., "Roethe Road Next Signal").
- Retain and redesign pedestrian islands at: Risley Ave., Vineyard Rd., Boardman Ave. and Hull Ave., possibly an alternative design.
- Seek Tri-Met service improvements.
- *The study does not recommend new traffic signals on McLoughlin.*

# McLoughlin Corridor Schedule

(Completed tasks in bold)

**Phase 1 - Examining Existing Conditions**  
July - October, 1998

**Phase 2 - Defining Alternatives**  
October - February, 1999

**Phase 3 - Developing Preferred Alternative**  
February - May, 1999

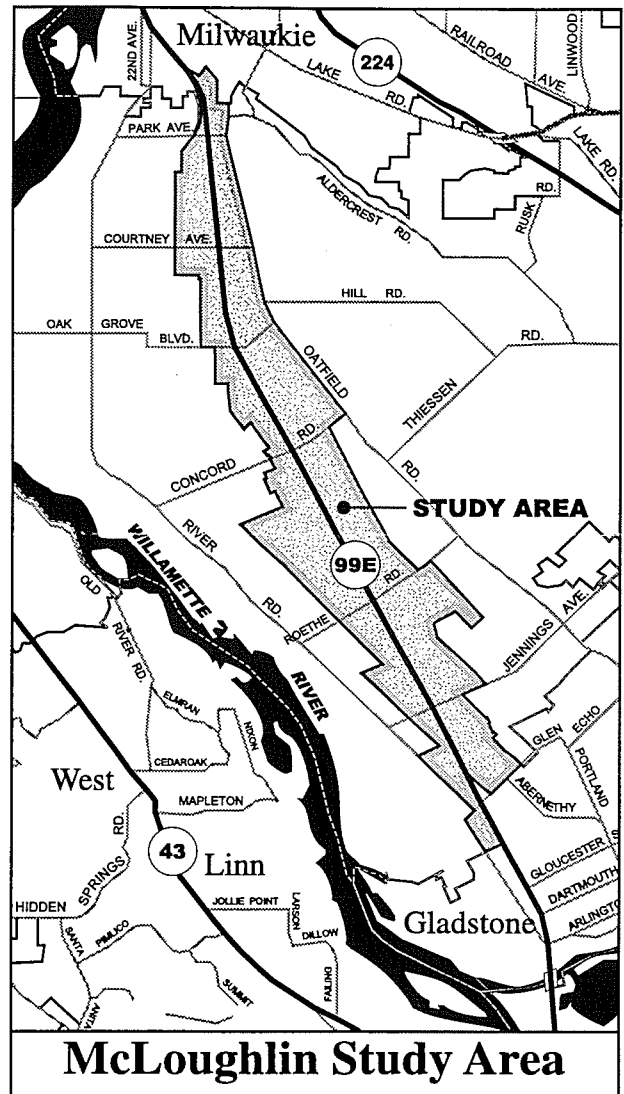
**Phase 4 - Developing Implementation Strategy**  
May - June, 1999

Present to Clackamas County Board  
of Commissioners - Summer, 1999

Present recommended amendments with others  
for review by Planning Commission and Board  
of County Commissioners - Spring, 2000

**For more information:** If you would like more information about  
the McLoughlin Corridor Project, contact Dick Van Ingen,  
Clackamas County, at **650-3315**

Clackamas County  
902 Abernethy Road  
Oregon City, OR 97045-1100



Important Public Notice

Postal Customer



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

August 24, 1999

To: Mayor and City Council  
From: Dan Bartlett, City Manager *Dan*  
Re: Letter to Oak Lodge Community Council

Action Requested

I would like Council to authorize the Mayor to sign the attached draft letter to the Oak Lodge Community Council.

Background

At your August 3, 1999, work session Councilor Kappa indicated that he had met with this group. He asked Council to consider a meeting with them. Council indicated that they would like to wait on this.

I was directed to draft a letter to the Community Council. If Council approves this letter for the Mayor's signature, I would have staff address it and send it to Community Council Officers and Directors.

cc: File -- cm2244/hd



Draft August 31, 1999

[Name]  
[Address]  
Milwaukie, Oregon 97267

Dear [Name]:

Recently, Councilor Rob Kappa attended a meeting of the Oak Lodge Community Council. He has advised Council that he was invited to talk about Milwaukie's position concerning House Bill 2463.

Apparently, he offered to set-up a meeting between your group and the Milwaukie City Council.

Council considered Councilor Kappa's offer at our August 3, 1999, work session. The majority of Council felt that this matter could be delayed until next calendar year. At this time, our work sessions are booked through January 2000. As our City Manager stated in his letter to the Governor, the Senate Bill 122 (ORS195) urban services planning process is the venue by which discussion of potential incorporations should be discussed. This point was recognized in the Governor's veto message.

The City Comprehensive Plan, Chapter 6 - City Growth and Governmental Relationships, calls for Milwaukie *"[t]o encourage and participate in efforts to define a unified system of governance for the northwest urban area of Clackamas County."* As a City we will continue to abide by the planning laws of our State and work toward urban service agreements with the special districts identified in

MILWAUKIE CITY HALL  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
PHONE: (503) 786-7555 • FAX: (503) 652-4433

our Comprehensive Plan. In your area, this includes Clackamas Fire District #1, Oak Lodge Water District, and Oak Lodge Sanitary District.

As the SB 122 process moves toward discussing governance and boundaries, we would be happy to meet with you and the governing bodies of the special districts in your area. If this is not soon enough, please contact me at 659-9116. I will then take your concerns directly to Council.

Sincerely,

Carolyn Tomei  
Mayor

Cc: County Commissioners  
Oak Lodge Special District Boards  
City Council  
City Manager



July 13, 1999

The Honorable John A. Kitzhaber, M.D.  
State of Oregon  
State Capitol Building  
Salem, Oregon 97310

Dear Governor Kitzhaber

On behalf of the City of Milwaukie, I am writing to ask you to veto House Bill 2463, which would delete the ability of an existing city within three miles of a new city to prevent incorporation of the new City. This bill would also make it easier for urbanized unincorporated areas to form new cities.

Milwaukie is concerned about the effect that this bill would have on our ability to plan to serve our current citizens and citizens inside our urban growth management area. This bill could lead to the formation of up to three new cities in Clackamas County, two of which are immediately adjacent to our boundaries. We are opposed to these two new cities for four reasons.

First, the formation of two new cities would add another layer of governments in an County that already possesses a confusing and complex system of county governments and districts, cities, and single-purpose special districts. In an ideal world, this area probably would have developed with full-service city governments, but that is not the history of this area. The complex layers of government make it difficult for us to plan, both as a community and as a region, for all of our service needs. Adding new city governments without reducing or eliminating the number of special districts in our area will just add new players to the mix without giving us new tools to resolve issues we all face.

Second, we are concerned about the effect a new "City of Oak Grove" or "City of Sunnyside" would have on existing agreements between the cities in Clackamas County. Milwaukie is part of an agreement with the City of Gladstone and the City of Happy Valley, called the "Three Cities Agreement," that resolves the future boundaries of our three cities. It has helped us resolve disputes over services and clarified the areas that our communities need to plan for. New cities in the territory governed by our agreement will reopen long-standing political battles that the Three Cities Agreement resolved.

MILWAUKIE CITY HALL  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
PHONE: (503) 786-7555 • FAX: (503) 652-4433

Governor John A. Kitzhaber

July 8, 1999

Page 2

Third, the local governments of north Clackamas County have recently revived our Senate Bill 122 process. This has been a very delicate process in our area, and we have been hopeful that, after years of acrimony among the cities, county, and special districts, that we will now be able to plan for urban services for this area. Adding fledgling city governments, which may be formed largely to avoid being annexed by one of the existing cities, will greatly affect the progress we have made to date.

Finally, Ballot Measure 56 also has altered the future viability of any city that is largely developed, whether that City exists today or is formed through incorporation in the future. Milwaukie's property tax revenue in fiscal year 2000 is projected to grow at approximately 1 percent over our fiscal year 1999 collections. At the same time, our costs for labor alone grew at over three percent. Because our community is largely developed already, we do not see large increases in assessed value from new development. At the current pace, the capacity of our general fund to keep up with the rising costs of our existing services is steadily shrinking, meaning that we will soon be thinking about reductions in basic urban services. This is important in the context of HB 2463 for two reasons. First, one of the ways that Milwaukie and other cities like Milwaukie can "keep up" is through annexations. If new cities are formed in our urban growth management area, our ability to provide urban services will be reduced. Second, at least one of the cities that might be formed in Clackamas County – the possible "City of Oak Grove" – would be in an extremely similar situation. It does not make sense to us to form a new City that would not have the capacity to provide urban services to its residents.

For all of these reasons, the City of Milwaukie urges you to veto House Bill 2463. Thank you for considering our request.

Sincerely



Dan Bartlett  
City Manager

c. Mayor Tomei and Milwaukie City Council  
Phil Fell, League of Oregon Cities

**JOHN A. KITZHABER, M.D.**  
GOVERNOR



July 22, 1999

The Honorable Lynn Snodgrass  
Speaker of the House  
H-269 State Capitol  
Salem OR 97310

Dear Speaker Snodgrass:

I am returning herewith House Bill 2463 to you unsigned and disapproved.

Under current law, an area seeking to incorporate must get agreement from incorporated cities located within three miles. The rationale for this is that a municipality within three miles of an area proposing incorporation often has assumed some responsibility to plan for and provide urban services to the unincorporated area. In addition, a newly created city often has impact on adjacent communities.

House Bill 2463 would eliminate that requirement and place the county in the position of determining whether to approve the incorporation. Neighboring cities would retain the right to participate in the hearing, but would not have "veto" power over the proposed incorporation.

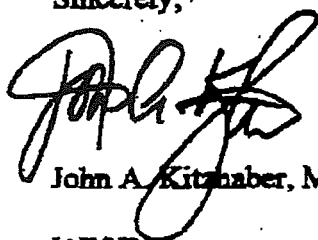
The processes developed over time to enable communities to incorporate and to provide urban services are complex. They are designed to balance efficient functional consolidation with the preservation of local identity as an area transitions into a developed metropolitan area. These laws should not be changed without good cause.

The sponsor has done a great deal of work on this issue and presented good reasons to change the laws relative to incorporations outside the urban growth boundary. However, I remain concerned about how the law would be applied to areas within urban growth boundaries. Often these areas are already covered by negotiated intergovernmental agreements designed to provide sewer, water, police and fire protection to affected residents. Senate Bill 122, passed two sessions ago, established a process for obtaining these types of urban service agreements. This bill may serve to undermine those agreements.

The Honorable Lynn Snodgrass  
July 23, 1999  
Page 2

I am reluctantly vetoing the bill on these grounds. I am committed, however, to working with the sponsor of the bill to address the specific issues he has identified. Perhaps the Community Solutions Team can also be of some assistance. I also plan to work with the sponsor in the interim to develop a bill for next session.

Sincerely,



John A. Kitzhaber, M.D.

JAK/NR/em

**CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
AUGUST 31, 1999**

**MILWAUKIE CITY HALL**  
10722 SE Main Street

**1821<sup>ST</sup> MEETING**

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

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

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

**1999 Women in Construction Week (Mayor Tomei)**

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

- A. City Council Minutes of August 2 & 3, 1999**
- B. Authorization to Sign an Intergovernmental Agreement with Clackamas County for 42<sup>nd</sup> Avenue and Harvey Street Sidewalk Project (RD-00-05)**
- C. Authorization to Sign an Intergovernmental Agreement with Oak Lodge Sanitary**
- D. Authorization to Sign Milwaukie Downtown Development Association (MDDA) Agreement**
- E. Amend the Intergovernmental Agreement between Milwaukie and Happy Valley for Engineering and Building Official Services -- Resolution (M. Bennett)**

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

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

**Revisions to the Neighborhood Traffic Management Program as Proposed by the Traffic Safety and Transportation Board (Stone & Swanson)**

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

## **VII. INFORMATION**

### **Board and Commission Minutes**

- 1. Center/Community Advisory Board, June 11, 1999**
- 2. Citizens Utility Advisory Board, June 16, 1999**
- 3. Library Board, July 26, 1999**
- 4. Park and Recreation Board, June 28, 1999**
- 5. Planning Commission, July 27, 1999**
- 6. Traffic Safety and Transportation Board, July 6 & 27, 1999**

## **VIII. ADJOURNMENT**

### **EXECUTIVE SESSION**

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

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

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

**PROCLAMATION**

**WHEREAS**, Chapter No. 54 of the National Association of Women in Construction (NAWIC) has distinguished itself as the voice of women in construction in the Milwaukie and Portland area; and

**WHEREAS**, the work done by the Portland Area Chapter of the National Association of Women in Construction has benefited Milwaukie and Portland area through community development and educational programs; and

**WHEREAS**, the Portland Area Chapter of the National Association of Women in Construction has unceasingly promoted the employment and advancement of women in the construction industry; and

**WHEREAS**, the construction community, represented by Portland Area Chapter of National Association of Women in Construction has been a driving force in fostering community development through renovation and beautification projects; promotion of skilled trades careers; and a positive vision of the future; and

**WHEREAS**, The Portland Area Chapter has sought to achieve successful results for the Portland area and surrounding areas in a cooperative spirit with other organizations;

**NOW, THEREFORE**, be it proclaimed that I, Carolyn Tomei, Mayor of the City of Milwaukie, Oregon, do hereby recognize the Portland Area Chapter of Women in Construction and its many dedicated volunteers for its steadfast work on behalf and support of women in construction, and do proudly proclaim the week of September 5 - 11, 1999 as "Women in Construction Week," and encourage our citizens to congratulate the organization on it's accomplishments.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_ 199\_\_.

ATTEST:

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

\_\_\_\_\_  
Carolyn Tomei, Mayor  
City of Milwaukie

**MILWAUKIE CITY COUNCIL  
WORK SESSION  
AUGUST 2, 1999**

The work session came to order at 6:00 p.m. at the Milwaukie Center, 5440 SE Kellogg Creek Drive.

Council present: Mayor Tomei and Councilors King, Lancaster, Kappa and Marshall.

Center/Community Advisory Board members Molly Hanthorn, Chair; Jim McCready and Kim Buchholz, C/CAB Budget Committee; Carol Storment, Building Review Committee; Eleanor Johnson, NCPRD Representative; Joan Staley, Program Services; and Doug Marx, Meals on Wheels and Transportation.

Park and Recreation Board members Sharon Van Horn, Mart Hughes, and Edie Kerbaugh.

Staff present: City Manager Bartlett; Assistant City Managers Bennett and Richards; Neighborhood Services Director Gregory; Information Specialist Wheeler; Milwaukie Center Director Young; and Thom Kaffun, North Clackamas Parks and Recreation District.

**Center/Community Advisory Board (C/CAB)**

**Hanthorn** introduced the members present and discussed the important roles of the Board's subcommittees.

**Young** showed a video highlighting the community programs offered through the Milwaukie Center. She then reviewed the Center's six ongoing goals that the C/CAB adopted in 1996 through its self-assessment process:

1. Meet holistic needs and interests of older adults. Respond to the needs and interests of the whole person in later life recognizing the interrelation of social, intellectual, cultural, economic, emotional, and physical factors.
2. Empowerment. Offer seniors and others in the community ways to serve as well as be served.
3. Community building. Build a sense of community within the Center and community at large.
4. Outreach and marketing. Tell the story of the Center.
5. Resource development. Expand the base of community partnerships and support for the Center.
6. Planning and implementation. Prepare for future needs and interests by optimizing present opportunities.

### III. A. 2

The 1999 - 2000 budget goals are:

1. Recruit for a full time program services coordinator for Recreation/Education office;
2. Celebrate the Center's 20<sup>th</sup> Anniversary in May;
3. Replace the front entry and sidewalk during the Labor Day closure;
4. Improve lighting in the south parking lot; and
5. Prepare grant applications to obtain a freezer in order to expand nutrition services.

**Mayor Tomei** was very proud of the Milwaukie Center and excited about its programs and accomplishments. She congratulated the Center Board and staff.

**Councilor Lancaster** asked if the Center had gone out for bid for its projects.

**Young** responded that the bid requests had gone out, and several grant applications have been written.

**Hanthorn** thanked the City for providing grants for transportation and containers for Meals on Wheels deliveries. She indicated the Board was also interested in working with the City of Milwaukie on affordable housing, transportation, and inter-generational programs. Hanthorn also suggested the Center and City work together on sharing newsletter information and coordinating major events that might compete for volunteer time and public attention. The Board also hoped that the City would continue to be aware of the Centers interest in providing satellite services that are more accessible by public transportation.

**Councilor Kappa** was interested in developing the concepts of sharing information and resources.

**Johnson** discussed recent newsletter funding problems since the Center can no longer use the Friend's non-profit mailing status.

#### **Park and Recreation Board (PARB)**

**Richards** discussed the Park, Open Spaces, and Trails (POST) Program designed to expedite purchase of property critical to the City's long range plans. Board members are scheduled to attend upcoming neighborhood activities to help identify potential land purchases in under-served areas. People who have specific parcels in mind will be asked to complete a survey sheet, so Council can consider them more specifically. Once the target areas are adopted, staff can proceed to talk with property owners. One of the Board members also sits on the Acquisition Committee that recommends certain properties. The Board will begin developing its work program in September and identifying funding priorities for the District's FY 2000 - 2001 budget.

**Van Horn** said the Board was interested in helping the City Council achieve its goal relating to environmental sustainability through an urban forestry program, trails, the downtown/riverfront plan, streetscape, and Milwaukie Jr. High site plan and use. The Board is also interested in involving youth by encouraging at least one member from a Milwaukie school.

The Board continues to support the acquisition of additional land for neighborhood parks with the first priority being Hector Campbell, second Lewelling, and third Ardenwald west of 32<sup>nd</sup> Avenue. The board also wants to acquire additional land for community or regional parks for active sports. **Van Horn** described the current efforts underway regarding the proposed skateboard park. Further District funding priorities included additional land for wetlands and open spaces and trails to connect existing and future parks. The Board was interested in getting Council input on connecting neighborhoods with the downtown and riverfront areas.

**Councilor Kappa** liked the idea of connecting neighborhoods to the downtown/riverfront and hoped to see an attempt at master planning a trail system. He also supported the idea of bringing the youth element to the Board through some type of active engagement. He asked if there were expectations for the Jr. High Site.

**Richards** said the Board identified the Jr. High Site development as an area in which members wished to be involved, but there had not been a lot of specific discussion about the site's development. The Board wanted to put its interest on record and was asking the Council if there was a certain role it might fill.

**Van Horn** added that the PARB had discussed the site being a community center and park for the downtown area during the course of conversation.

**Richards** suggested that PARB members could be assigned as liaisons to special committees. She added that the Board only meets once a month, so, if possible it would be best to assign tasks to individuals rather than the full board.

**Hughes** commented that, from his point of view, Milwaukie offered a lot of opportunities to make community trial connections.

**Mayor Tomei** supported youth involvement, and **Councilor Marshall** said he would like youth represented on all of the appointed boards and commissions.

**Richards** suggested the Board could work on identifying trails next year in a similar process that is being carried out for neighborhood parks. The Planning Department also has multi-modal plans that need to be considered.

### III. A. 4

**Councilor Marshall** referred to the last goal -- *continue efforts toward development of the downtown and riverfront through a planning process, acquisition of key properties, and construction of key public projects to support a long-term public private partnership.* He felt the PARB should be involved after Crandall completed his study. The Council will need to look at acquiring land for wetlands and trails as the next logical step after acquiring park land and added that he felt the District was responsible for community park land. Acquiring neighborhood park property is an ongoing process. He felt the PARB needed to be involved with developing the urban forestry ordinance.

**Richards** responded that the urban forestry program will be built into the PARB work plan after initial action is taken by the Planning Commission. The Board could also assist with the conservation easement element.

**Hughes** felt the Board could advise the Council on community sustainability and livability in addition to issues of parks and specific properties.

**Councilor Kappa** saw trails and connectivity, in addition to the urban forestry program, as part of the subdivision ordinance to create community.

**Councilor King** wanted the word "habitat" used more and discussed the Johnson Creek Watershed Committee and the Resource Management Plan. She said she would provide information to the PARB on this related issue.

**Richards** felt that open spaces, habitat, and trails could be the focus for the following year. She said the Board could put together a work plan based on that direction.

#### 36<sup>th</sup> Avenue Traffic Calming Issues

**Bennett** said there were two primary issues involved with Dorothy Snowhill's 36<sup>th</sup> Avenue concerns: ownership of Dwyer Drive and the appropriate type of traffic calming. Snowhill requested speed humps; however, the Neighborhood Traffic Management Plan (NTMP) did not find that street warranted that method of calming. Providence Milwaukie provided a letter indicating it would fund the speed hump project up to \$5,000 if certain conditions were met. These conditions were: the proposed plans are approved by all emergency services providers; Council waives the NTMP; and 100% of the 36<sup>th</sup> Avenue residents are in favor of the speed humps.

Staff did not recommend adding the street to its system because of its poor condition, and Bennett discussed prescriptive rights. The City has never accepted Dwyer as a public road, and, according to the City Attorney, there are no grounds for estoppel.

**Bennett** said the traffic calming was probably the more significant issue since the NTMP criteria would have to be waived to install speed humps. If the City Council decides speed humps are desirable on 36<sup>th</sup> Avenue, then the motion should contain findings supporting that decision and clarifying why this street is unique. The street is unique in that it is the only local street in Milwaukie that has a hospital on it. Council would probably also want 100% private funding for this project. Staff is concerned that there is an existing policy and program that prioritizes traffic calming, and, if those are simply waived without clarifying the uniqueness of the situation, there will be no basis for dealing with anyone else that does not want to follow the NTMP in the future. Other options are to wait until the hospital moves its secondary entrance to King Road or select a different type of device such as a traffic circle.

**Bennett** pointed out that the Council staff report contained the petition Snowhill circulated among her neighbors. She also provided information on traffic counts between King Road and Dwyer Drive which was about 590 trips per day in May. From Dwyer Drive to Harvey Street, the traffic count was approximately 268 trips per day.

**Councilor Marshall** said, for clarification, that the City of Milwaukie has a traffic management program that prioritizes how funds are allocated to various project.

**Bennett** said that was correct, but the City does not have a policy on how private funds are spent.

**Councilor Marshall** understood this decision could set a precedent. In this case, it is a private entity, but similarly a neighborhood could raise the funds to install a speed hump of its own.

**Bennett** suggested that provisions for this type of action be included as part of the NTMP rather than being dealt with on a case-by-case. She recommended the Council clarify in its motion why this kind of action was different from a publicly-funded project.

**Councilor Kappa** said traffic calming could be accomplished by a local improvement district (LID).

**Councilor King** said it seemed that 36<sup>th</sup> Avenue residents were 100% for traffic calming, but they do not want to pay for it.

**Councilor Lancaster** felt the City Council should be considering criteria based on traffic engineering principles for any project, but that has not been mentioned.

**Bennett** said staff is recommending against traffic calming on that street because of low volume and speed. Current speeds are not that high, and staff is concerned that speed humps would not result in any significant reduction.

### III. A. 6

**Councilor Lancaster** added the other piece of the issue was the position of other emergency services providers.

**Snowhill** said she contacted all of the ambulance companies, and none of them objected to speed humps. Clackamas Fire District #1 wants a detailed drawing from the City, but the representative indicated the District would most likely approve of the speed humps. Chief Collier wanted a chance to review the design also.

**Eric Snow**, Providence Milwaukie Hospital, said the hospital would want to be assured that all ambulance companies had been contacted including those from outlying areas.

**Bennett** suggested that there be a condition that letters had to be solicited from all emergency services providers. She felt sure both police and fire would want to review the actual design.

**Councilor Kappa** was concerned about any liability issues that might be attributed to the speed humps.

**Bennett** did not believe there would be a problem.

**Councilor King** understood from a Portland Fire Department employee that traffic calming has not proven to be a great problem for emergency vehicles. She believed that 36<sup>th</sup> Avenue was completely different from any other street in the City because of the hospital traffic.

**Councilor Marshall** asked if anyone had considered temporary rubber speed humps.

**Bennett** said these are normally more steeply angled and flatter on top. Another staff concern was installing good speed humps on a street that would be improved in the future.

**Bartlett** commented that some cities which allow private placement of speed humps require a perpetual agreement. If the street is improved, the speed humps would have to be replaced by the private parties.

**Mayor Tomei** said the first issue was whether or not to waive the NTMP criteria.

**Councilor Marshall** repeated his point that the NTMP prioritizes the expenditure of public funds for traffic calming.

**Bennett** pointed out that traffic calming does not work if it is on every street. From that point of view, traffic calming does need to be prioritized. The issue may be complicated by the NTMP trying to accomplish two goals.

**Councilor Marshall** suggested that the City Council direct staff to work with the Traffic Safety and Transportation Board (TSTB) to incorporate criteria for privately-funded speed humps into the process. He saw two issues: whether or not to waive the NTMP and how to set up a mechanism to provide for privately-funded traffic calming.

**Bartlett** was concerned that sending the issue to the TSTB would delay bringing the revised NTMP to Council at its August 31 meeting. He suggested the City Council adopt the NTMP and then prepare a recommendation on the private funding issue.

**Councilor Kappa** believed Snowhill made a good case, but he also felt that private parties should be responsible for future improvements. He wanted to see traffic calming coordinated with the LID program.

**Bennett** said the NTMP would have to be revised to reflect the added flexibility of traffic calming through the LID process.

**Councilor King** agreed the TSTB should work on the addendum to its NTMP revision. Providence Milwaukie has made a good offer, and Snowhill made a good case that this street is exceptional because of the hospital access. She recommended careful wording to allow this exception without the TSTB making the decision on this situation.

**Councilor Lancaster** was concerned about making an exception, and he was not comfortable with King's recommendation without looking at potential impacts. If there is a compelling need to deal with this type of exception, then City Council should work on the process and not move forward too quickly. If the true intent of this request was to slow traffic, will the speed humps achieve the desired effect? He was not convinced the project needed to be done since traffic was already going 28 mph.

**Bennett** added that, if the numbers are correct, then there is a substantial concern the desired end would not be achieved.

**Snowhill** said last year the City estimated that each speed hump would cost \$3,000, and last year the Hospital offered to pay \$6,000 plus signage costs.

### III. A. 8

**Snow** said there were no formal records from that meeting, so the Hospital felt that \$5,000 was a reasonable sum to put toward this community-based project. One of the contingency pieces was resident agreement because Providence wants to be a good neighbor to all. He suggested that Hospital employee residences be taken out of the poll.

**Councilor Marshall** asked Snowhill her goal for this project, and **Snowhill** responded she wanted both volume and speed reduced.

**Councilor Marshall** referred to his earlier suggestion to direct staff to develop a mechanism, ancillary to the NTMP, to allow an individual or groups of individuals to provide traffic calming on their streets. He did not consider this an exemption.

**Bennett** asked if the intent was to create a policy that would allow traffic calming for anyone who wants it.

**Councilor Marshall** said that issue would be for further discussion after staff had prepared a preliminary draft process or mechanism. He agreed in this situation that the City should not provide the funding, and those involved needed to meet the Hospital's condition prior to a check being written.

**Bartlett** suggested that the Hospital work with the contractor directly, and the City issue the right-of-way permit based on a design built to specifications.

**Councilor King** asked for clarification of the Board's direction. Will the Council direct the TSTB to determine whether or not this type of program will take place in the City. If the Board approves, then it will set the standards.

**Bennett** said the NTMP is a Council-adopted policy, and the privately-funded traffic calming element does not fit into the current policy. The Board can do some work on it, but the final decision rests with the City Council.

**Councilor Marshall** said this conversation needed to be finished when the Board brings the NTMP forward for adoption.

**The group agreed it did not want to make the 36<sup>th</sup> Avenue decision before it made any decisions on privately-funded traffic calming.**

**Councilor Lancaster** added this would be a good opportunity for the parties to obtain complete emergency provider input.

**Bartlett** understood from the conversation that on privately-funded speed humps, the City Council first wants a policy and process in place. He suggested that the builder or developer work directly with the contractor on a design that meets the City's standards.

### Communications Plan

**Gregory** reviewed the *Draft External Communications Plan*. The purpose of the Plan was to outline ways to improve coordination, prioritize efforts, try some new strategies and improve some old ones. She discussed the communication audit process that she and other staff conducted internally.

The proactive communication goals were:

1. Employ state-of-the-art communications that respond to changes in the information exchange environment and open up access to the full diversity of Milwaukie citizens.
2. Build strong relationships between staff and citizens to create more public trust.
3. Provide excellent public information projects and events that anticipate the public's questions and concern, are easy to understand, have interactive elements, and provide accurate, timely information about City functions, projects and policies.
4. Maintain consistency and quality in City publications.
5. Well-coordinated, responsive public information and public involvement efforts.
6. More good news about the City of Milwaukie.

The reactive goal was:

7. Honest, accurate, timely, neutral and informative staff responses that reinforce the professionalism and preserve the integrity of the City of Milwaukie as a government organization.

**Councilor Lancaster** felt a handbook would be a good tool, so people can talk to the right person the first time. He thought the City calendar that was done a couple of years ago was good information to put in people's hands. He had the sense that citizens were still not reading the newsletter despite its new format.

**Councilor Kappa** thought, from his citizen contacts, that more people were reading the City newsletter. He asked if this Plan was sufficiently flexible to support revised Vision and Mission statements, and **Gregory** responded she believed it would accommodate any such changes.

**Councilor Lancaster** recommended evaluating efforts and reallocate resources to another area if necessary.

### III. A. 10

The group discussed the effectiveness of the interactive bulletin board, and some felt it was not worth the effort. Other suggestions for improved communication included additional programming on Channel 12, increasing e-mail, developing a modest City web page, posting yard signs for City events, training staff for improved presentations, and moving some Johnson Creek Blvd. staff to City Hall as part of downtown redevelopment.

**Bartlett** explained this Communication Plan was an internally-adopted document, and staff would act on Council direction and, if necessary, develop budget decision packages.

The group discussed the viability of *The Clackamas Review* for public notices, how to get more articles in *The Oregonian*, and the feasibility of a letter to the editor in response to the 32<sup>nd</sup> Avenue article.

#### **32<sup>nd</sup> Avenue Raised Crosswalks**

**Bartlett** reviewed the history of the 32<sup>nd</sup> Avenue improvement plans that included a December 1994 DKS & Associates traffic study prepared by Randy McCourt that identified those three crosswalk areas. Related to the School Trip Safety Program (STSP), a map was drawn in May 1995 showing these proposed improvements. He felt that, although this has been a long-term project, the neighborhood had gotten a lot of information. Some of the communication problems area result of neighborhood leadership changes, and, at other times, City employee changes. He reviewed the number of times the City Council has been apprised of 32<sup>nd</sup> Avenue traffic issues including School Trip Safety Program (STSP) updates.

**Councilor Kappa** understood that certain Ardenwald Neighborhood District Association (NDA) members had been promised that a staff member would make a presentation prior the any City Council decisions.

**Bennett** said the issue was brought before the City Council based on a Traffic Safety and Transportation Board (TSTB) motion to slow the project.

**Bartlett** said one problem was that the decision-making process was never clarified. Such improvements are not made by a neighborhood vote. Other affected parties, such as Providence Milwaukie, need to be consulted also.

**Richards** added that the Ardenwald NDA had questions, but due to staff changes that loop was not closed.

**Bennett** clarified the TSTB motion that stated three raised crosswalks were not sufficient and that the City Council should look for additional funding.

**Bartlett** said staff would revisit 32<sup>nd</sup> Avenue after the Roswell Street project is complete. The impact of the three raised crosswalks needs to be measured before additional steps are taken. The STSP was a broad based group, and he felt the various sides were fairly represented in the recommendation process. The group identified those three locations for school crosswalks and the raised crosswalks are accepted methods for slowing traffic in school zones.

**Mayor Tomei** wanted it to be clear that the Council made its decision based on its desire to protect the children walking to Ardenwald School, and she resented the inaccuracies in *The Oregonian* article.

**Bartlett** suggested a letter to the editor that outlined the fundamentals and the decision-making process signed by all Council members.

The group discussed hiring a traffic engineer to review the impacts of the raised crosswalks and validate the previous study. **Bartlett** pointed out that traffic is a network, and certain changes in one location usually result in changes to another. The group discussed the feasibility of hiring or contracting a traffic engineer to outline regional dynamics.

**Councilor Marshall** felt the process needed to include both improved communications with and sign-off by the neighborhood leadership.

**Bartlett** discussed the neighborhood outreach during the annual budget process that asked residents what projects they would like to see funded. This year there were only five responses from all of the neighborhoods.

### Legacy Program

**Mayor Tomei** asked that the Council authorize her participation in the Portland State Legacy Program at a cost of about \$2,400.

The group supported the Mayor's request to submit an application.

### Annexation and Community Planning Organizations (CPO)

**Councilor Kappa** believed it was important that the City Council communicate with the neighboring CPOs to discuss Milwaukie's annexation plans. The group felt that, although this was important, other issues, such as the Vision, needed to be addressed first.

### Meeting Dates

The group agreed to hold its second meetings of August on 30 & 31 and directed staff to prepare a resolution for adoption at the August 3 regular session.

III. A. 12

Trees

**Councilor King** reported she had received two phone calls about the sale of the Van Bergen property on Washington Street and the possibility that two original Luelling cherry trees would be cut by the School District.

**It was moved by Councilor Marshall and seconded by Councilor King to adjourn the work session. Motion passed unanimously.**

The meeting adjourned at 9:40 p.m.

---

Pat DuVal, Recorder

**MILWAUKIE CITY COUNCIL  
REGULAR SESSION  
NATIONAL NIGHT OUT  
AUGUST 3, 1999**

The one thousand eight hundred and twentieth meeting of the Milwaukie City Council was called to order by Mayor Tomei at 6:15 p.m. at the Island Station Neighborhood District Association National Night Out Event in Kellogg Creek Park, 19<sup>th</sup> Avenue and Eagle Street. The following Councilors were present:

Rob Kappa  
Mary King

Larry Lancaster  
Jeff Marshall

Also present:

Dan Bartlett,  
City Manager  
Martha Bennett,  
Assistant City Manager  
Alice Rouyer,  
Planning Director

Michelle Gregory,  
Neighborhood Services Coordinator  
Grady Wheeler,  
Information Specialist  
Brent Collier,  
Police Chief

**PROCLAMATIONS, COMMENDATIONS AND SPECIAL REPORTS**

**National Night Out**

**Mayor Tomei** read a proclamation naming Tuesday, August 3, 1999, as *National Night Out* in the City of Milwaukie.

**CONSENT AGENDA**

**It was moved by Councilor King and seconded by Councilor Kappa to adopt the Consent Agenda that consisted of:**

1. City Council Minutes of July 19 and 20, 1999; and
2. Resolution No. 32-1999: A Resolution of the City Council of the City of Milwaukie, Oregon, Determining the Second Work Session and Second Regular Session of August Will Be Held on August 30 and 31, 1999, Respectively.

**Motion passed unanimously.**

### III. A. 14

#### AUDIENCE PARTICIPATION

**Walt Huber**, 2100 SE Sparrow, asked if the City could take some action regarding what he believed were unnecessary train whistles. **Bartlett** said staff would contact Willamette and Pacific to make the company of resident complaints.

**Sandy McCune**, 11353 SE 33<sup>rd</sup> Avenue, spoke on behalf of the Milwaukie Park and Recreation Board. She was attending the National Nigh Out neighborhood event to gather information from residents about areas suitable for future park development

#### OTHER BUSINESS

##### Vision and Mission Statements

**Councilor Marshall** requested that City Council engage in a process that would expedite the adoption of revised Vision and Mission statements. All of the Neighborhood District Associations Visions, Board and Commission goals and work plans, and Council Goals and Strategic Plans have been completed, so he felt the Council had enough information to move forward as quickly as possible. He was concerned that decisions are being made without an adopted vision.

**Councilor Kappa** agreed that Council needed to move forward on the Vision and Mission Statements because there were regional issues that needed to be addressed. He understood that a work session was scheduled with the Planning Commission later in the month.

**Bartlett** said staff would provide a preliminary outline by the work session on August 30. He suggested that the communication work session with Mike Swanson might evolve into a vision and mission statement discussion.

#### ADJOURN

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

The meeting adjourned at 6:25 p.m.

---

Pat DuVal, Recorder



August 16, 1999

To: Mayor and City Council

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

From: Martha Bennett, Assistant City Manager - Community Development *MB*  
 Robert Shelton, Associate Engineer *RS 8/16/99*

Action Requested: Authorize the City Manager to sign the Project Intergovernmental Agreement with Clackamas County Community Development for the Construction of Sidewalks on Two Sections of SE 42<sup>nd</sup> Avenue and SE Harvey Street (RD-00-05).

Discussion:

- 1) The Milwaukie Sidewalk Improvements Project (RD-00-05) is a jointly funded project between the Community Development Block Grant (CDBG) administered by Clackamas County and the City of Milwaukie. The project includes curb, sidewalk and stormwater improvements on two sections of SE 42<sup>nd</sup> Avenue, and one section of SE Harvey Street. The north section will extend from SE Olson Street on the north end and wrap around SE Harvey Street to match into new sidewalks at Watertower Park. The south section will extend from SE Washington Street on the north to SE Railroad Avenue on the south. The project will construct approximately **4600 linear feet** of curb, **17,000 square feet** of sidewalk and **925 LF** of stormline. SE 42<sup>nd</sup> Ave was chosen because it is within the grant limits and improvements were requested by both the Ardenwald (north section) and Hector Campbell (south section) Task Forces as part of the School Trip Safety Program.
- 2) In November 1998, staff submitted a CDBG grant application to Clackamas County Community Development. This grant, in the amount of **\$250,000**, was approved by Clackamas County in January 1999. The total cost estimate for the project is **\$294,085**. The estimate includes construction, design and surveying. This means that the Federal share of the project cost (80%) is estimated at **\$235,268**, and the City share of the project cost is estimated at **\$58,817**. The current estimates indicate a small surplus of grant funds.
- 3) Design work for the project is complete. The construction plans for the project have been presented to the Traffic Safety and Transportation Board at their August 10<sup>th</sup> meeting. These plans will also be presented to affected property owners at a meeting on August 26<sup>th</sup>. Staff proposes to bid the project in early September, and construction could begin as soon as late September 1999. The estimated project duration is 120 days.
- 4) The purpose of the Intergovernmental Agreement is to formally assign City and County obligations as they relate to the Community Development Block Grant Program in general, and the Milwaukie Sidewalk Improvements in particular. This IGA has been reviewed and was approved as to form by the City Attorney's office on May 24, 1999. Clackamas County requests that the City Manager sign this IGA to initiate the project. A copy of the IGA is included as Attachment A.

III. B. 2

- 5) Staff has based the project cost estimate on recent sidewalk projects. A copy of the itemized Engineer's estimate is included as Attachment B. Price variations in the bid results will occur that may increase or decrease the final project cost. For this reason, staff proposes adding an additional 10% to the project estimate for the City share which will require the allocation of \$64,700 in the CIP. The contingency for this project is funded by the storm fund.

**Fiscal Impact:** The fiscal impact is shown below for project funding.

<u>\$ 20,000</u>	from the Street Fund
<u>\$ 17,925</u>	from the Bike Fund
<u>\$ 26,775</u>	from the Storm Fund

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
CLACKAMAS COUNTY, OREGON  
AND  
MILWAUKIE, OREGON

**I. PURPOSE**

This Agreement is entered into between Clackamas County (COUNTY) and Milwaukie (CITY) for the cooperation of units of local government under the authority of ORS 190.010. This Agreement provides the basis for a cooperative working relationship for the purpose of constructing sidewalks and appurtenant facilities in low and moderate income areas of the CITY.

Locations of improvements that may be included within the scope of this Agreement are:

- 42<sup>nd</sup> Ave. between Washington St. and Railroad Ave.
- 42<sup>nd</sup> Ave. between Olsen St. and Harvey St.

**II. SCOPE OF COOPERATION**

The parties to this Agreement hereby agree to assume the following responsibilities for the implementation of improvements included herein:

**A. CITY Responsibilities:**

1. The CITY agrees to contribute the greater of:
  - (a) Twenty percent (20%) of the total cost of Project design and construction, or
  - (b) All costs for design and construction which exceed available CDBG funds budgeted for the Project.
2. The CITY shall initiate and apply for all easements, permits, and rights of way necessary for completion of the Project.
3. The CITY shall provide all other necessary information and services under its control.
4. Engineering services for design, staking, oversight and inspection of construction will be provided by the CITY. The CITY intends to provide engineering and related services in-house but may, at its option, contract for some of the services needed to implement the Project. The cost of engineering or related services will not be reimbursed by the COUNTY.
5. The CITY shall assist the COUNTY in performing any appropriate community information activities.
6. In the event a contractor is entitled to payments for work completed on the Project after \$250,000 in CDBG funds have been expended, the COUNTY shall request a transfer of funds from the CITY for the amount necessary to make such payments. The CITY shall transfer funds which exceed available CDBG funds and are owed to a

III. B. ✓

contractor to the COUNTY within ten (10) consecutive calendar days of a written request.

- 7. Upon receipt of written notification from the COUNTY the CITY shall provide payment within thirty (30) consecutive calendar days to the COUNTY the funds necessary to meet the matching contribution requirement in A.1 above. For provision of all necessary engineering and related services the CITY shall be credited in an amount equal to 10% of the final construction cost to be applied to the 20% match requirement of A.1(a).
- 8. The CITY shall, upon completion of construction, accept the project, and assume all rights and responsibilities as owner of the project.

**B. COUNTY Responsibilities:**

- 1. The COUNTY shall apply Project funds in the amount of 80% of the total cost of design and construction of the improvements up to a maximum COUNTY contribution of \$250,000.
- 2. The COUNTY will assist the CITY in preparing bid documents which are in compliance with CDBG regulations and are suitable for publicly bidding the Project.
- 3. The COUNTY shall conduct environmental assessment of the Project as required by applicable CDBG regulations.
- 4. The COUNTY shall appropriately bid the Project and contract for the construction of the improvements.

**C. Joint Responsibilities**

- 1. Upon execution of this Agreement the parties will, at the earliest mutually convenient time, jointly determine the scope of the improvements to be made and a schedule for implementation of the Project which coincides with applicable requirements of Project funding sources.
- 2. In the event not all planned improvements can be made with available funds the parties will jointly determine the priority of the improvements.

**III. PROJECT BUDGET**

Funds budgeted for the Project include CDBG funds contributed by the COUNTY and CITY funds in the following amounts:

Clackamas County (FY 1998 CDBG)	\$250,000
City of Milwaukie	<u>\$62,500</u>
Total Project Budget	\$312,500

**IV. PROJECT SCHEDULE**

It is acknowledged that time is of the essence due to the need for planned improvements and applicable federal requirements that CDBG funded activities be carried out in a timely manner (reference 24 CFR 570.902). The parties hereby agree to make all reasonable efforts to utilize

available CDBG funds to complete improvements to be implemented under the terms of this Agreement during the 1999 COUNTY program year.

**V. LIAISON RESPONSIBILITY**

Rob Shelton will act as liaison from the CITY for this Project. Chuck Robbins will act as liaison from the COUNTY.

**VI. SPECIAL REQUIREMENTS**

- A. The COUNTY and CITY agree to comply with all applicable local, state, and federal ordinances, statutes, laws and regulations.
- B. Subject to the limits of the Oregon Tort Claims Act, each of the parties agrees to hold harmless and indemnify the others, and their elected and appointed officials, agents, and employees, from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising on account of personal injuries, death or damage to property caused by or resulting from their own acts or omissions or those of their officials, agents and employees provided however, that once the CITY accepts the Project following the design and construction phases, it will assume all responsibility for claims made thereafter against the COUNTY or its officers, agents or employees pertaining to the design and construction of the Project, and will indemnify and defend them therefor.
- C. Record and Fiscal Control System. All payroll and financial records pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible. Such records and documents shall be retained for a period of three (3) years after receipt of final payment under this Agreement; provided that any records and documents that are the subject of audit findings shall be retained for a longer time until such audit findings are resolved.
- D. Access to Records. The COUNTY, the State of Oregon and the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and records of the CITY which are directly pertinent to the Agreement for the purpose of making audit, examination, excerpts, and transcripts.
- E. This Agreement is expressly subject to the debt limitation of the Oregon Constitution, and is contingent upon funds being appropriated therefor. Any provisions herein which would conflict with law are deemed inoperative to that extent. Obligations of the COUNTY are also expressly subject to the COUNTY receiving funds from HUD for this Project and in no event shall the COUNTY's financial contribution exceed the amount finally granted, released and approved by HUD for this Project.
- F. Conflict of Interest. No officer, employee, or agent of the CITY or COUNTY who exercises any functions or responsibilities in connection with the planning and carrying out of the Block Grant Program, or any other person who exercises any functions or responsibilities in connection with the program, shall have any personal financial interest, direct or indirect, in the use of the funds provided pursuant to this Agreement, and the

III. B.     

Parties shall take appropriate steps to assure compliance. The Parties will insure that no contractor, subcontractor, contractor's employee or subcontractor's employee has or acquires any interest, direct or indirect, which would conflict in any manner or degree with the performance of his services.

- G. Insurance. The CITY will bear the risk of loss from fire, extended coverage, and will purchase and maintain property insurance on all affected CITY property. The CITY will bear the risk of loss from accidents coverable by owner's liability insurance and may, at its option, maintain such insurance.
- H. Nondiscrimination. The CITY and the COUNTY agree to comply with all Federal, State, and local laws prohibiting discrimination of the basis of age, sex, marital status, race, creed, color, national origin, familial status, or the presence of any mental or physical handicap. These requirements are specified in ORS chapter 659; Section 109 of the Housing and COUNTY Act of 1974; Civil Rights Act of 1964, Title VII; Fair Housing Amendments Act of 1988; Executive Order 11063; Executive Order 11246; and Section 3 of the Housing and Urban Development Act of 1968; all as amended; and the regulations promulgated thereunder.
- I. Handicapped Accessibility. The CITY agrees that all improvements made under this Agreement shall comply with standards set for facility accessibility by handicapped persons required by the Architectural Barriers Act of 1968, as amended. Design standards for compliance are contained in 24CFR 8.31-32 and the document entitled Uniform Federal Accessibility Standards published by HUD in April, 1988 as a joint effort with other Federal agencies.
- J. Nonsubstituting for Local Funding. The CDBG funding made available under this Agreement shall not be utilized by the CITY to reduce substantially the amount of local financial support for COUNTY activities below the level of such support prior to the availability of funds under this Agreement.
- K. Evaluation. The CITY agrees to participate with the COUNTY in any evaluation project or performance report, as designed by the COUNTY or the appropriate Federal department, and to make available all information required by any such evaluation process.
- L. Audits and Inspections. The CITY will ensure that the COUNTY, the Secretary of HUD, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to all books, accounts, records, reports, files, and other papers or property pertaining to the funds provided under this agreement for the purpose of making surveys, audits, examinations, excerpts, and transcripts.
- M. Acquisition. If completion of the Project requires acquisition of any real property the parties agree to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended.

**VII. AMENDMENT**

This Agreement may be amended at any time with the concurrence of both parties. Amendments become a part of this Agreement only after the written amendment has been signed by both parties.

**VIII. TERM OF AGREEMENT**

- A. This Agreement becomes effective when it is signed by both parties.
- B. The term of this Agreement is a period beginning when it becomes effective and ending five (5) years after closeout of the COUNTY's participation in the entitlement CDBG program.
- C. This Agreement may be suspended or terminated prior to the expiration of its term by:
  - 1. Written notice provided by the COUNTY in accordance with 24 CFR 85.43 resulting from material failure by the CITY to comply with any term of this Agreement, or;
  - 2. Mutual agreement by the COUNTY and CITY in accordance with 24 CFR 85.44.
- D. Upon completion of improvements or upon termination of this Agreement, any unexpended balances of CDBG funds shall remain with the COUNTY.

CITY OF MILWAUKIE, OREGON

CLACKAMAS COUNTY

Chair: Bill Kennemer  
Commissioner: Larry Sowa  
Commissioner: Michael Jordan

By: \_\_\_\_\_

Signing on Behalf of the Board.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Irene Fischer-Davidson, Director  
Department of Human Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**BID SCHEDULE FOR**  
**MILWAUKIE SIDEWALK IMPROVEMENTS**  
**S.E. 42<sup>ND</sup> AVENUE (NORTH SECT.) AND S.E. HARVEY STREET**

Item No.	Description	Estimated Quantity	Unit	Unit Price (in figures)	Item Total (in figures)
1.	Mobilization	1	LS	\$ 20,000.00	\$ 20,000.00
2.	Traffic Control	1	LS	\$ 5,000.00	\$ 5,000.00
3.	Erosion Control	1	LS	\$ 1,000.00	\$ 1,000.00
4.	Sawcut Asphalt Pavement	3100	LF	\$ 1.00	\$ 3,100.00
5.	Sawcut Port. Cem. Concrete	350	LF	\$ 2.00	\$ 700.00
6.	Sawcut Exist. Curb	2	EA	\$ 5.00	\$ 10.00
7.	12" HDPE Storm Pipe	92	LF	\$ 50.00	\$ 4,600.00
8.	48" Flat Top Manhole	1	EA	\$ 1,500.00	\$ 1,500.00
9.	CG-2 Catch Basin	4	EA	\$ 800.00	\$ 3,200.00
10.	Standard Curb	2770	LF	\$ 8.00	\$ 22,160.00
11.	Retaining Wall	105	SF	\$ 20.00	\$ 2,100.00
12.	Concrete Sidewalk	9530	SF	\$ 3.00	\$ 28,590.00
13.	3" Thick AC Pavement	11200	SF	\$ 1.60	\$ 17,920.00
14.	Concrete Driveway	4715	SF	\$ 4.00	\$ 18,860.00
15.	Asphalt Driveway	290	SF	\$ 2.00	\$ 580.00
16.	48" Sedimentation Manhole	1	EA	\$ 2,500.00	\$ 2,500.00
17.	48" Drywell	1	EA	\$ 6,500.00	\$ 6,500.00
18.	Landscape Restoration	1	LS	\$ 1,600.00	\$ 1,600.00
19.	P.C.C. Steps	15	EA	\$ 100.00	\$ 1,500.00
20.	Mailbox Relocation	20	EA	\$ 100.00	\$ 2,000.00
<b>TOTAL BID</b>				<b>\$ 143,420.00</b>	


**BID SCHEDULE FOR**  
**MILWAUKIE SIDEWALK IMPROVEMENTS**  
**S.E. 42<sup>ND</sup> AVENUE (SOUTH SECTION)**

Item No.	Description	Estimated Quantity	Unit	Unit Price (in figures)	Item Total (in figures)
1.	Mobilization	1	LS	\$ 20,000.00	\$ 20,000.00
2.	Traffic Control	1	LS	\$ 5,000.00	\$ 5,000.00
3.	Erosion Control	1	LS	\$ 1,000.00	\$ 1,000.00
4.	Sawcut Asphalt Pavement	2125	LF	\$ 1.00	\$ 2125.00
5.	Sawcut Port. Cem. Concrete	20	LF	\$ 2.00	\$ 40.00
6.	Sawcut Exist. Curb	5	EA	\$ 5.00	\$ 25.00
7.	12" HDPE Storm Pipe	310	LF	\$ 50.00	\$ 15,500.00
8.	18" HDPE Storm Pipe	520	LF	\$ 50.00	\$ 26,000.00
9.	48" Flat Top Manhole	1	EA	\$ 1,500.00	\$ 1,500.00
10.	CG-2 Catch Basin	7	EA	\$ 800.00	\$ 5,600.00
11.	Standard Curb	1790	LF	\$ 8.00	\$ 14,320.00
12.	Retaining Wall	105	SF	\$ 20.00	\$ 2,100.00
13.	Concrete Sidewalk	7400	SF	\$ 3.00	\$ 22,200.00
14.	3" Thick AC Pavement	11500	SF	\$ 1.60	\$ 18,400.00
15.	Concrete Driveway	860	SF	\$ 4.00	\$ 3,440.00
16.	Asphalt Driveway	250	SF	\$ 2.00	\$ 500.00
17.	48" Sedimentation Manhole	1	EA	\$ 2,500.00	\$ 2,500.00
18.	Landscape Restoration	1	LS	\$ 1,600.00	\$ 1,600.00
19.	Mailbox Relocation	2	EA	\$ 100.00	\$ 200.00
20.	Grout Abandoned Pipe	1	EA	\$ 300.00	\$ 300.00
21.	Pipe Outlet	1	EA	\$ 1,000.00	\$ 1,000.00
<b>TOTAL BID</b>				<b>\$ 143,350.00</b>	



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

August 23, 1999

To: Mayor and City Council  
From: Dan Bartlett, City Manager   
Re: Agreement with Oak Lodge Sanitary District

Action Requested

Authorize the Mayor to sign the attached agreement with Oak Lodge Sanitary District for Internet connectivity and firewall and security services.

Background

The City has been working with a number of special districts during the SB 122 process. We have been looking to provide services of mutual benefit for the various citizens we serve. One area of cooperation is information technology.

Milwaukie has a significant investment in technology and information services staff. We can partner with districts to share this resource and avoid duplication. Laura Atanes has been working with Kent Squires to provide an Internet connection between our agencies and also provide security services through our third-party provider at reduced cost to Oak Lodge.

Once this electronic connection is in place, we will be able to share other resources that are mutually beneficial between our governments. This could include mapping and databases.

Fiscal Impact

The District will pay \$5,420 for the first year of this service.

cc: File -- cm2242/hd



# OAK LODGE SANITARY DISTRICT

*Protecting our valuable water resources*

July 14, 1999

Mr. Dan Bartlett  
City Manager  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

Dear Dan:

We are pleased to once again be partnering with the City of Milwaukie to the mutual benefit of those we serve. Building on our successes in the past, we have found another arena, Internet connectivity, in which the sharing of services is cost-effective. As our physical and fiscal resources continue to be strained by the demand for services, it is these types of alliances that promote the government we all desire: efficient, effective, and economical. Oak Lodge Sanitary District appreciates the willingness of the City to continue to work together in those areas where we share common interests.

Enclosed are two originals of an Intergovernmental Agreement between Oak Lodge Sanitary District and the City of Milwaukie relating to the provision of Internet connectivity and firewall and security services. Oak Lodge Sanitary District has executed these agreements and is providing them for execution by the City of Milwaukie. Please process for signatures and return one original to this office for our records.

We look forward to working with the City of Milwaukie in implementation of this new partnership. If you have any questions or would like to discuss this matter further, please call me.

Sincerely,

R. Kent Squires,  
General Manager

C:\kim\kentcorresp\comiga.799.doc



**INTERGOVERNMENTAL AGREEMENT**

This agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1999 by and between Oak Lodge Sanitary District (hereinafter "District"), a municipal corporation of the State of Oregon, and the City of Milwaukie (hereinafter "City"), a municipal corporation of the State of Oregon.

**RECITALS:**

1. Oak Lodge Sanitary District is a sanitary district, organized and existing under the laws of the State of Oregon. The City of Milwaukie is an Oregon municipal corporation, organized and existing under its municipal charter, ordinances and the laws of the State of Oregon.
2. Oregon Revised Statutes, Chapter 190, authorizes units of local government to enter into intergovernmental agreements for the performance of their duties or for the exercise of powers conferred upon them.
3. The City of Milwaukie leases, operates, maintains, and administers a security firewall and security software which provides for secure Internet access free of tampering and unauthorized intrusion.
4. Oak Lodge Sanitary District has a need for Local Area Network (LAN) and Wide Area Network (WAN) access to the internet through a secure firewall and security system that is effectively administered to prevent unauthorized access and tampering.
5. The City of Milwaukie offers to provide LAN and WAN Internet access and security services to Oak Lodge Sanitary District through connection to District's administrative office located at 14611 SE River Road, Milwaukie, Oregon.
6. Oak Lodge Sanitary District and the City of Milwaukie agree that the public interest may best be served by consolidating internet access and security services through a central provider to better promote efficiency and effectiveness in local government administration.
7. Oak Lodge Sanitary District and the City of Milwaukie agree that the City's existing hardware and software systems and ability to maintain and administer those systems best serves the stated purpose relative to secure internet access.

NOW, THEREFORE, the premises being in general as stated in the foregoing recital, it is agreed by and between the parties hereto as follows:

1. **FIREWALL AND SECURITY SERVICES.** City agrees to provide, operate, maintain, and administer a secure firewall and security software through which District will have direct Internet access for its LAN and WAN. City will endeavor to maintain a security system that is reliable and free from intrusion and tampering. City will administer security system in a manner which is consistent with District's security needs and will make administrative changes as directed or authorized by District to maintain security system and data integrity.

### III. C. 4

2. **ACCESS.** City shall provide unlimited and continuous Internet access through its firewall and security system. City shall be obligated to maintain a fully functional and secure Internet path at all times subject to uncontrollable interruptions from City's Internet Service Provider and/or uncontrollable interruptions from the local telecommunications company.

3. **SECURITY STRUCTURE.** City will work with District to clearly define a security structure which provides for all necessary and authorized access. City will implement the agreed upon security structure and maintain that security structure in a manner which prevents any and all other unauthorized access.

4. **DOMAIN NAMES.** City will secure for District one or more domain names as directed by District. District shall pay for domain name registration and maintenance.

5. **E-MAIL.** City shall provide e-mail addresses and services for District employees as directed by District. E-mail shall be routed directly to the recipient through the security system and firewall without interference or interception. Recipient shall have access to his/her e-mail at any time and from any location. All e-mail shall pass directly through the system and shall not be replicated or stored on a City server, workstation, or any other equipment capable of such storage. E-mail shall be handled in a manner that protects confidentiality and privacy at all times.

6. **REPORTING.** City will provide monthly reports to the District on usage of the system. Reports will be provided through electronic means and e-mailed to the District's designee.

7. **COSTS AND INVOICING.** City shall invoice District at an agreed upon frequency (monthly, quarterly, or yearly) for the provision of Internet access and security services as generally described above. The cost of the services as contemplated herein shall be defined in Exhibit A which is attached hereto and a part hereof. Each year this amount shall be reviewed and the parties will mutually agree on a monthly, quarterly, or annual fee. Until such time as mutual agreement on a renegotiated fee is reached, the existing fee shall remain in effect.

8. **NOTICE.** Any notice under this agreement, except in emergency, shall be in writing and shall be effective when actually delivered or when deposited in the mail, registered or certified, addressed to the parties at such addresses as either party may designate by written notice to each other. Emergency notice may be by telephone or in person and shall be confirmed in writing and delivered in the same manner as herein above within five (5) days.

9. **RENEWAL.** This agreement and the terms thereof shall be subject to review, renewal, or renegotiation by both parties at the expiration of one (1) year from the date of signing hereof, or at any other time deemed appropriate by both parties. Subsequent renewals of this agreement shall be accomplished by a letter, in writing, to that effect, stating the terms of the renewal and any changes in said agreement, and signed by the chief executive officer of both parties to the agreement.

10. **TERMINATION.** This agreement is conditioned upon the faithful performance by both parties of all the terms and provisions hereof which on its part are to be kept and performed. Either party may terminate this agreement on account of breach of its terms by the other party, upon thirty (30) days written notice. Either party may terminate this agreement for convenience upon one hundred-eighty (180) days written notice.

11. **INDEMNIFICATION AND LIABILITY INSURANCE.** Each party agrees to indemnify and hold the other harmless from any liability arising out of any accident, injury, or damages to any property, equipment, or persons whatsoever arising out of any act or omission of the other occurring in connection with carrying out the agreements contained herein.

Each party agrees to obtain and maintain, during the term of this agreement, such insurance as is necessary to cover the liabilities herein agreed to be indemnified for the risks and limits set forth in Chapter 30, Oregon Revised Statutes, as they may be amended from time to time during the term of this agreement or any renewal thereof.

12. **AMENDMENTS.** The terms of this agreement may be amended by mutual agreement of the parties hereto. Any amendments shall be in writing and shall refer specifically to this agreement, and shall be valid only when executed by the chief executive officer of both parties to this agreement and attached hereto.

13. **PREVAILING PARTY.** In any action brought by either party to enforce the terms of this agreement, the prevailing party shall be entitled to recover all costs including reasonable attorney's fees as may be determined by the court having jurisdiction, including any appeal therefrom.

14. **SEVERABILITY.** The invalidity of any section, clause, sentence, or provision of this agreement shall not affect the validity of any other part of this agreement which can be given effect without such invalid part or parts.

**OAK LODGE SANITARY DISTRICT**  
By: [Signature]  
President

**CITY OF MILWAUKIE**  
By: \_\_\_\_\_  
Mayor

By: [Signature]  
Secretary

By: \_\_\_\_\_  
Recorder

III. C. 6

**Intergovernmental Agreement -  
Oak Lodge Sanitary District and  
The City of Milwaukie**

**EXHIBIT A**

**Internet Access and Security Services - Costs**

The cost for Internet access and security services from July 1, 1999 through June 30, 2000, shall be \$4,850 which will be prorated and effective upon the first day which the agency receives uninterrupted internet service. If the agency's internet bandwidth requirements exceeds 128K during this contract, the agency will be charged accordingly. These services include the following:

<b>Description of Service</b>	<b>Monthly Charges</b>	<b>Yearly Charges</b>	<b>One-Time Setup</b>
*128K PVC from OLSD to Milwaukie	\$300.00	\$3,600.00	
*128K Frame from COM to USW	\$15.00	\$180.00	
*128K Frame from USW to Verio	\$15.00	\$180.00	
Security Equipment Rental	\$15.00	\$180.00	
Security Software Maintenance	\$5.00	\$60.00	
Security Managed Service	\$50.00	\$600.00	
Milwaukie Router - Upgrade Portion			\$500.00
Domain Name Registration - 1st Yr			\$70.00
Domain Name Regist. - Addl Yrs		\$50.00	
<b>Totals</b>	<b>\$400.00</b>	<b>\$4,850.00</b>	<b>\$570.00</b>



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

August 23, 1999

To: Mayor and City Council  
From: Dan Bartlett, City Manager *Dan*  
Re: MDDA Agreement

Action Requested

Authorize the Mayor to sign the attached agreement as negotiated by the Mayor and City Manager with the MDDA President and Executive Director.

Background

Council authorized the Mayor and City Manager to meet with MDDA representatives to develop common language for an agreement. The attached document titled MDDA Contract Review presents the two versions of the contract.

The Mayor and I met with MDDA and jointly agreed to the final agreement included with this memo. Our City Attorney reviewed the final language and necessary legal boilerplate has been added to the negotiated language. The final version has been shared with MDDA.

On July 12, 1999, I received a verbal assurance from James Bernard, MDDA President, that he did not have any concerns about the final version of the agreement.

Council needs to authorize the Mayor to sign for the City. MDDA will authorize their President to sign for them.

Fiscal Impact

This agreement continues the City's contribution of \$18,000 per year to MDDA provided that they raise at least \$36,000 per year. This amount is budgeted for Fiscal Year 1999-2000. The contract includes a non-appropriation clause, so if future Council does not budget funds the City is not liable for the \$18,000.

cc: File -- cm2241/hd

**City of Milwaukie  
Agreement with the  
Milwaukie Downtown Development**

THIS AGREEMENT is made and entered into this \_\_\_\_ day of August 1999, between the City of Milwaukie (City) and the Milwaukie Downtown Development (MDDA). In consideration of the mutual covenants in this agreement, the parties hereby agree as follows:

The MDDA agrees to establish and maintain in the City, during the term of this agreement, an organization to stimulate the economic development of the City's downtown area through undertaking activities which involve organization, promotion and improvement, to assist the City in carrying out the purposes of the City's Economic Improvement District created by Ordinance 1704, as amended, and to use its best efforts to accomplish these goals. Also, if appointed, the MDDA agrees to act as the advisory committee to the Council for the timing of expenditure of funds assessed and collected from the Economic Improvement District formed in the downtown area.

1. Services

The services to be provided by MDDA are:

A. Organization

- Encourage cooperation between the City, Businesses, and Property Owners and build leadership in the business community.
- Assist new and existing businesses in working with the City of Milwaukie to comply with all applicable planning, building, and municipal codes by providing referral information and facilitate contacts with permitting agencies.
- Retain and recruit businesses in the downtown in accordance with the MDDA niche goals and the laws and regulations of the community.

Support existing dispute resolution programs provided by Clackamas County.

- Maintain an inventory of buildings, both vacant and occupied, in the Economic Improvement District (EID).

Assist the City with implementation of the Downtown Master Plan and economic restructuring efforts.

B. Promotion

- Create and maintain a positive image for the downtown by promoting the downtown as an exciting place to live, shop, and invest.
- Sponsor at least two community events that will promote Milwaukie to both the community and to visitors as a livable, vibrant community.

### III. D. 3

- Coordinate tourism and business recruitment efforts with the City, the North Clackamas Chamber of Commerce, and the Clackamas County economic development staff.
- Provide equal promotion opportunity to all licensed businesses.
- Provide a current Business Directory annually.

#### C. Design

- Improve the appearance of the EID area through:
  - Litter control.
  - Coordination of paint schemes.
  - Participation in Downtown/Riverfront Master Plan.
  - Assist with Design Review implementation.
  - Promote development in accordance with the existing codes in the EID.
  - Coordinate Downtown banner program in compliance with sign codes, sign permits, and pole owners permits.
  - Develop additional Tree Planting Plans in an effort to complete:  
Phase II - East/West tree planting; and  
Phase III - 21<sup>st</sup>. Street Tree Planting within the EID.

#### D. Administration

- Employ a Downtown Manager to coordinate activities and to administer funds received for downtown development.
- Ensure that all permit applications are submitted with sufficient lead-time to meet City ordinances.
- Advise the City of ownership changes in businesses or property within the EID in a timely manner.
- Obtain written City agreement for additional financial contributors and partnerships, approved by the Council, City Manager, or Assistant City Managers, as appropriate.

#### 2. Financial

The City shall pay to the MDDA during the term of this agreement the sum of Eighteen Thousand Dollars (\$18,000) each fiscal year until 2003/2004 payable on the first Thursday of each January. The payment by the City pursuant to this section is in addition to the payment of funds by the City to MDDA pursuant to the business license surcharge imposed by Ordinance

1702, as amended, and the assessment imposed by Ordinance 1704, as amended.

The MDDA shall file with the City Recorder by April 1 of each year during the term of this agreement and within (30) days of expiration of this agreement, an annual report. The annual report shall be in a form to be determined by MDDA, but at a minimum shall include a current budget including an annual financial statement, scope of work, and list of accomplishments of the MDDA.

The MDDA shall provide the Milwaukie City Council with a program status report a minimum of four times each year.

The MDDA shall apply for appropriate grants from Federal, State, County, Local, and individuals for the betterment of the Community, City, and MDDA.

**3. Termination**

This agreement may be terminated in whole or in part under the following conditions:

By Mutual written agreement of the City and the MDDA. Termination under this agreement may be immediate.

By the City for failure to establish a stable source of funding, from any source, of approximately \$36,000 per year for the duration of this agreement. Termination under this provision shall be immediate; however, the City must notify the MDDA in writing and include a statement as to why the agreement has been terminated.

By the City for failure of MDDA to provide the services outlined in this agreement. Termination under this provision shall be immediate; however, the City must notify the MDDA in writing and include a statement as to why the agreement is being terminated.

By the City for non-appropriation of funds.

By the MDDA membership after a vote of dissolution. All funds then held by MDDA to be donated to the Downtown Neighborhood Association grant fund, to the extent that such donation is allowed by law.

**4. Applicable Law**

This agreement is subject to any applicable provisions of ORS chapter 279.

**5. Attorney Fees**

If suit or action is instituted in connection with any controversy arising out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees, or in the event of appeal as allowed by the appellate court.

III. D. 5

In Witness Whereof, the City has caused this agreement to be executed by its duly undersigned officers.

Date: \_\_\_\_\_, 1999

CITY OF MILWAUKIE

By: \_\_\_\_\_

Carolyn Tomei, Mayor

In Witness Whereof, the Milwaukie Downtown Development Association has caused this agreement to be executed by its duly authorized undersigned officer.

Date: \_\_\_\_\_, 1999

MILWAUKIE DOWNTOWN DEVELOPMENT  
ASSOCIATION

By: \_\_\_\_\_

James Bernard, President

jmclacm\65021\mdda.ag2(7/1/99)

## MDDA Contract Review

<b>DRAFT CITY LANGUAGE</b>	<b>Draft MDDA Language</b>
<b>CITY OF MILWAUKIE</b>	<b>City of Milwaukee</b>
<b>AGREEMENT WITH THE</b>	<b>Agreement with the</b>
<b>MILWAUKIE DOWNTOWN DEVELOPMENT ASSOCIATION</b>	<b>Milwaukee Downtown Development</b>
Language added from May 3, 1999, Council Work Session in the following type style: <i>added language</i>	
THIS AGREEMENT is made and entered into this ____ day of June 1999, between the City of Milwaukee (City) and the Milwaukee Downtown Development Association (MDDA). In consideration of the mutual covenants contained in this agreement, the parties hereby agree as follows:	THIS AGREEMENT is made and entered into this ____ day of June 1999, between the City of Milwaukee (city) and the Milwaukee Downtown Development (MDDA). In Consideration of the mutual covenants in this agreement, the parties hereby agree as follows:
1. The MDDA agrees to establish and maintain in the City, during the term of this agreement, an organization to stimulate the economic development of the City's downtown area through organization, promotion and improvement, and to use its best efforts to accomplish these goals. Also, if appointed, the MDDA agrees to act as the advisory committee to the Council for the timing of expenditure of funds assessed and collected from an economic improvement district formed in the downtown area.	The MDDA agrees:
2. Among the services to be provided by the MDDA to the City during the term of this contract are the following:	

H.D. 

<u>ORGANIZATION:</u>	1. <i>Organization</i>
	<ul style="list-style-type: none"> <li>To maintain, stimulate, and develop an EID organization in the City, during the term of our contract, through cooperation and growth. To measure the efforts of the organization and to provide that information to the City Council in a timely manner.</li> </ul>
Encouraging cooperation between the City, businesses and property owners, and building leadership in the business community.	<ul style="list-style-type: none"> <li>Encourage cooperation between the City, Businesses, and Property owners, and build leadership in the business community.</li> </ul>
Assist new and existing businesses in working with the City of Milwaukie to comply with all applicable planning, building, and municipal codes.	<ul style="list-style-type: none"> <li>Assist new and existing businesses in working with the city of Milwaukie to comply with all applicable planning, building, and municipal codes by providing referral information.</li> </ul>
Retain existing businesses and work to recruit new retail businesses to downtown. (It may be appropriate to set a target for MDDA such as "recruit at least two new businesses)	<ul style="list-style-type: none"> <li>Retain and recruit businesses in the downtown in accordance with the MDDA niche goals and the laws and regulations of the community.</li> </ul>
<i>Support existing dispute resolution programs provided by Clackamas County.</i>	

Maintain an inventory of buildings, both vacant and occupied, in the downtown.	<ul style="list-style-type: none"> <li>Maintain an inventory of buildings, both vacant and occupied, in the EID.</li> </ul>
<u>ECONOMIC RESTRUCTURING</u>	
Develop a graphic representation of the Arts and Entertainment niche.	
Recruit two Arts and Entertainment niche compatible businesses per year.	
Assist City with implementation of Downtown Master Plan.	
<u>PROMOTION</u>	2. <i>Promotion</i>
Creating a positive image for downtown by promoting the downtown as an exciting place to live, shop and invest.	<ul style="list-style-type: none"> <li>Create and maintain a positive image for the downtown by promoting the downtown as an exciting place to live, shop, and invest.</li> </ul>
Sponsor at least two major community events that bring residents and visitors to Milwaukie to downtown.	<ul style="list-style-type: none"> <li>Sponsor at least two community events that will promote Milwaukie to both the community and to visitors as a livable, vibrant community.</li> </ul>
Coordinate tourism and business recruitment efforts with the City, the North Clackamas Chamber of Commerce, and	<ul style="list-style-type: none"> <li>Coordinate tourism and business recruitment efforts with the City, the North Clackamas Chamber of Commerce, and the Clackamas</li> </ul>

III. D. 8

Clackamas County economic development staff.	County economic development staff
<ul style="list-style-type: none"> <li>• Provide equal promotion to all licensed businesses.</li> </ul>	Provide Equal promotion to all licensed business. Provide a current
Provide a current Business Directory annually.	Business Directory Annually.
<b>DESIGN</b>	<b>3. Design</b>
<ul style="list-style-type: none"> <li>• Improving the appearance of the downtown area through:             <ul style="list-style-type: none"> <li>- Litter control;</li> <li>- Coordination of paint schemes;</li> <li>- Participation in Downtown/Riverfront Master Plan; and</li> <li>- Assistance with Design Review implementation.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Improve the appearance of the EID area through:             <ul style="list-style-type: none"> <li>-litter control;</li> <li>-Coordination of paint schemes;</li> <li>-Participation in the Downtown/Riverfront Master Plan through committee involvement</li> </ul> </li> </ul>
Promote development of second-story housing and other housing choices in the downtown.	<ul style="list-style-type: none"> <li>• Promote development in accordance with the existing codes in the EID.</li> </ul>

improvement assessment processing.	
Obtain written City agreement for additional financial contributes and partnerships, approved by the Council, City Manager, or Assistant City Managers, as appropriate.	<ul style="list-style-type: none"> <li>Obtain written City agreement for additional financial contributions and partnership, approved by the Council, City Manager, or Assistant City Manager upon renewal date.</li> </ul>
	<b>5. Financial</b>
3. The City shall pay to the MDDA during the term of this agreement the sum of Eighteen Thousand Dollars (\$18,000) each fiscal year until 2003/2004 payable on the first Thursday of each January.	
4. The MDDA shall provide to the City by February 15 of each year during the term of this agreement and within thirty (30) days of the expiration of this agreement, a financial report in a form to be determined by the MDDA, but reflecting at a minimum a summary of the revenues, expenses, programs, accomplishments and membership of the MDDA for the prior year. A representative from the MDDA will appear before the Milwaukie City Council with a program report at a minimum of four times each year	<ul style="list-style-type: none"> <li>Provide the City by February 15 of each year during the terms of this agreement and within (30) days of expiration of this agreement, a financial report in a form to be determined by MDDA, but reflecting a minimum a summary of revenues, expenses, programs, accomplishments and membership of the MDDA for the prior year. To represent MDDA by appearing before the Milwaukie City Council with a program report a minimum of four times each year.</li> </ul>
	<ul style="list-style-type: none"> <li>To apply for appropriate grants from Federal, State, County, Local, and individuals for the betterment of the Community, City, and</li> </ul>

Coordinate Downtown banner program in compliance with sign code, sign permit, and pole owners permit.	<ul style="list-style-type: none"> <li>Coordinate Downtown banner program in compliance with sign codes, sign permits, and pole owners permits.</li> </ul>
Complete Phase I Tree Plan.	Complete Phase I of the tree plan through fund raising and volunteerism.
Develop additional Tree Plans to complete a placement of street trees on all north/south and east/west streets with in the economic improvement district.	<ul style="list-style-type: none"> <li>Develop additional Tree Planting Plans in an effort to complete: -</li> </ul>
	Phase II; East/West tree planting within the EID
	-Phase III; 21st tree planting within the EID
<b>ADMINISTRATION</b>	<b>4. Administration</b>
Hiring a downtown manager to coordinate activities and to administer funds received for downtown development.	
	<ul style="list-style-type: none"> <li>To Coordinate activities and to administer funds received for downtown development.</li> </ul>
Ensure that all permit applications are submitted with sufficient lead-time to meet City Ordinances.	
Advise the City of ownership changes in downtown businesses or property within 10 days to assist the City process timely business license and economic	<ul style="list-style-type: none"> <li>Advise the city of ownership changes in businesses or property within the EID in a timely manner.</li> </ul>

	MDDA.
5. This agreement may be terminated in whole or in part under the following conditions:	This agreement may be terminated in whole or in part under the following conditions.
(a) By mutual written agreement of the City and the MDDA. Termination under this provision may be immediate.	1. By Mutual written agreement of the City and the MDDA. Termination under this agreement may be immediate.
(b) By the City for failure by the MDDA to establish and maintain stable sources of funding in the amount of approximately \$36,000 per year for fiscal years 1999/2000, 2000/2001, 2001/2002, 2002/2003 and 2003/2004. Termination under this provision shall be immediate, however, the City must notify the MDDA in writing and include a statement as to why the agreement is being terminated.	2. By the city for failure to establish a stable source of funding of approximately \$36,000 per year for the duration of this agreement. Termination under this provision shall be immediate, however, the City must notify the MDDA in writing and include a statement as to why the agreement has been terminated.
(c) By the City for failure of MDDA to provide the services outlined in this agreement. Termination under this provision shall be immediate, however, the City must notify the MDDA in writing and include a statement as to why the agreement is being terminated.	3. By the city failure to provide the services outlined in this agreement. Termination under this provision shall be immediate, however, the City must notify the MDDA in writing and include a statement as to why the agreement is being terminated.
(d) By the City for non-appropriation of funds.	4. By the City for non-appropriation of funds.
	5. By the MDDA membership after vote of dissolution. All funds to be donated to the Downtown Neighborhood Association grant fund.

IN WITNESS WHEREOF, the City has caused this agreement to be executed by it duly authorized undersigned officer.	In Witness Whereof the City has caused this agreement to be executed by its duly undersigned officers.
DATED	Date: _____, 1999
CITY OF MILWAUKIE	CITY of MILWAUKIE
	By:
	Carolyn Tomei, Mayor
	In Witness Whereof, the Milwaukie Downtown Development Association has caused this agreement to be executed by its duly authorized undersigned officer.
	Date: _____, 1999
	MILWAUKIE DOWNTOWN DEVELOPMENT
	ASSOCIATION
	By
	President



TO: Milwaukie City Council

VIA: Dan Bartlett, City Manager

FROM: Martha Bennett, Assistant City Manager *MB*

SUBJECT: Amendment to the Intergovernmental Agreement between Milwaukie and Happy Valley for Engineering and Building Official Services

DATE: August 18, 1999 for August 31, 1999 City Council Meeting

#### Action Requested

Council adoption of the first amendment to the Intergovernmental Agreement (IGA) between the City of Milwaukie and the City of Happy Valley to modify how the City of Milwaukie pays for building inspection services from Happy Valley.

#### Background

Milwaukie and Happy Valley first entered into an agreement to share building inspection and engineering services in July 1995. Under this agreement, Milwaukie has reimbursed Happy Valley at an hourly rate for all building inspection services. Paying for services by the hour has created stability for both parties in this agreement.

Staff is recommending that we amend the IGA to change from an hourly basis to a percentage basis. Instead of paying Happy Valley an hourly rate, we recommend the City pay them 85 percent of the amount of revenue we collect for each of the specialty codes that they inspect for us.

We are recommending this change for two reasons. First, we recently received a memo from the Building Codes Division that we cannot use funds collected for one specialty code to support another specialty code if we have adopted a fee increase after October 1997. Therefore, it is important that what we spend on each specialty code is directly related to what we collect. Second, the hourly rate has insulated the building division from fluctuations in the construction market, and the general fund has been subsidizing the activities of the building division when construction activity (and revenue collection) is slow.

#### Budget Impact

We estimate that, given a similar level of construction activity, the City of Milwaukie will pay about the same for Building Inspection services as in fiscal year 1999. In years when activity is high, the payments will be higher.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MILWAUKIE AND THE CITY OF HAPPY VALLEY FOR THE PROVISION OF ENGINEERING AND BUILDING OFFICIAL SERVICES EFFECTIVE JANUARY 1, 1997.**

WHEREAS, Happy Valley and Milwaukie entered into an intergovernmental agreement for engineering and building official services dated January 1, 1997, and

WHEREAS, Section 15 of that agreement allows for amendment after approval by the governing body of each party, and

WHEREAS, the Oregon State Building Codes Division has mandated that each jurisdiction provide an accounting system to track revenues received from construction related permits, and

WHEREAS, the Parties have determined it is advisable to revise this Agreement to reflect the direction given by the State of Oregon.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

Exhibit A of the January 1, 1997 intergovernmental agreement is amended and replaced by Exhibit A to this amendment to the agreement. All other terms of the January 1, 1997 agreement remain in full force and effect.

Introduced and adopted by the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

CITY OF MILWAUKIE

\_\_\_\_\_  
Carolyn Tomei, Mayor

Attest:

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

CITY OF HAPPY VALLEY

\_\_\_\_\_  
Eugene Grant, Mayor

Attest:

\_\_\_\_\_  
Wanda Kuppler, City Recorder

**EXHIBIT A**

AMENDMENT OF THE  
INTERGOVERNMENTAL AGREEMENT BETWEEN  
MILWAUKIE AND HAPPY VALLEY FOR ENGINEERING  
AND BUILDING OFFICIAL SERVICES EFFECTIVE JANUARY 1, 1997

1. Rates for Services Provided by Milwaukie

A. Personnel Charge (per hour)

City Engineer	\$75.00
Civil Engineer	\$65.00
GIS Coordinator	\$50.00
Civil Engineer Inspector	\$47.00
Civil Engineering Assistant II	\$44.00
Civil Engineering Assistant I	\$41.00
Office Assistant	\$35.00
Utility Operations Supervisor	\$60.00
Utility Worker II	\$50.00
Utility Worker I	\$40.00

B. Project Expenses

Mileage	As established by fee resolution
Printing and Reproduction	As established by fee resolution
Long Distance Phone Calls	At cost
Postage	At cost

2. Rates for Services Provided by Happy Valley

For Building Official/Inspector services provided by Happy Valley, Milwaukie shall pay Happy Valley 85% of revenues received by the City of Milwaukie related to permit fees for:

- A. Structural Permits
- B. Mechanical Permits
- C. Plan Check Fees
- D. Plumbing Inspection Fees

Milwaukie shall pay Happy Valley 85% of the actual revenue received in these four categories no later than 45 days after the end of the month in which the revenue was received.



**MEMORANDUM**  
August 17, 1999

**TO:** Mayor and City Council

**THROUGH:** Dan R. Bartlett, City Manager *DB*  
Martha Bennett, Assistant City Manager Community Development *MB*

**FROM:** Mike Swanson, Interim Staff *MS 8/18/99*  
Robert Shelton, Associate Engineer *RS 8/17/99*

**SUBJECT:** Revisions to the Neighborhood Traffic Management Program as proposed by the Traffic Safety and Transportation Board.

**Action Requested:** Consideration of Proposed Changes to the Neighborhood Traffic Management Program (NTMP) as recommended by the Traffic Safety and Transportation Board (TSTB).

**Background:**

On July 6, 1999, the TSTB ratified its final revisions to the NTMP. Enclosed you will find this document, along with a document showing legislative changes to the original NTMP (Resolution No. 20-1997 adopted on June 3, 1997.) This item is enclosed as Attachment A.

Also enclosed is Chapter 2:24 of the Milwaukie Municipal Code, which outlines the membership and functions of the TSTB. This item is enclosed as Attachment B.

**Discussion:**

This section will highlight the major changes to the NTMP together with a staff discussion of the impact of each change:

1. More emphasis is given to livability in a broad introductory statement. *Staff response: The livability statements and goals listed in the introductory paragraph are borrowed from the Traffic Management Program used in Portland. Portland has a long history of mitigating the impacts of traffic in neighborhoods. Staff is in agreement with the basic tenets as laid out in the introductory paragraph.*

2. Elimination of goals that are already stated in the Transportation System Plan (TSP). *Staff response: Listing the TSP goals is redundant since they already appear in a document that has been adopted by City Council. Staff is in agreement with this change.*
3. Addition of arterial streets (regionally significant routes) to the NTMP on a case by case basis, if approved by Council. *Staff response: Since the original intent of the NTMP was to treat the lower classification streets, such as Neighborhood Routes, arterials were not to be included. However, giving Council the ultimate decision over arterial streets on a case by case basis is clearly within its authority as described in section 10.08.010 of the Municipal Code. Staff is in agreement with this change.*
4. Establishes a base speed of five miles per hour over the posted speed for comparison with the 85% speed of a given street. Currently the base speed used for comparison on collector streets is ten miles per hour over the speed limit. *Staff response: This change has more effect on the point scoring of individual streets than any of the other changes. In the previous version of the NTMP, collector streets without sidewalks were given priority over collector streets with sidewalks. The rationale for this was the more hazardous conditions that exist for pedestrians on high traffic streets when they are required to walk in or along the edge of the street. No single element of the proposed changes has had more controversy and involved more discussion than this one. Of concern to staff was the ultimate result that nearly every residential collector street in the city would meet or exceed the threshold of 30 points. These streets would then qualify for the NTMP, and the ultimate result would be the placement of calming devices on nearly every residential collector. In order to get an idea of how the ranking of streets would be impacted, please refer to Attachments C and D. These are spreadsheets showing the ranking of NTMP streets with the current criteria, and the ranking of the same streets with the proposed criteria, respectively. You will note that the same streets qualify, with one notable exception - SE Monroe Street from 37<sup>th</sup> to 42<sup>nd</sup>. In addition, of the streets that qualify, the ranking order has been rearranged. The ultimate impact of this change will be to give higher priority to higher volume collector streets, and less priority to moderate-volume Neighborhood Route and Local streets. Staff requests that Council consider the question of the intent of the NTMP before approving this change. If the intent is to treat higher-volume residential Collectors before the Neighborhood Routes and Locals, then Council should approve this change. If this is not deemed to be the intent of the NTMP, then Council should retain the original language.*
5. Traffic volume objectives are eliminated. *Staff response: Traffic volume objectives were eliminated from the TSP. This change will bring the NTMP into agreement with the TSP. Staff is in agreement with this change.*
6. Five points are assigned to a street that is a Neighborhood Walking Route. *Staff response: As yet there are no approved Neighborhood Walking Routes. In fact there is no process in place to establish these walking routes. However, this change will give the individual NDAs the ability to establish walking routes within their boundaries on streets that they feel are significant. Staff is in agreement with this change, provided a method for approving these routes is established.*
7. Points will no longer be assigned to streets that have not been paved within the last 10 years. *Staff response: The assumption was made in the original NTMP that a street that had not been paved in 10 years was more hazardous to vehicles, pedestrians and bicyclists. Also, the expense of placing certain devices in a recently paved street and tearing up sections of street that had such a recent public investment was considered undesirable. The benefits of treating a street at the same time it was scheduled for a pavement overlay was considered cost-effective. However, it has been*

*demonstrated that some streets are in much worse shape than others, even though neither has been paved within 10 years. It has also been demonstrated that devices can be installed on streets without impacting their structural integrity, and that devices can be placed during paving projects on non-project streets. Therefore staff is in agreement with this change.*

8. Points will no longer be assigned to streets that do not have sidewalks on at least one side. *Staff response: Five points are assigned to streets without continuous sidewalks on at least one side in the existing NTMP. The rationale is that conditions are more hazardous for pedestrians who are forced to walk in or along the edge of a street than they are for pedestrians who are walking on sidewalks. While there are examples of fatalities caused by vehicles striking pedestrians in both scenarios, the motorist who strikes a pedestrian on a sidewalk is guilty of losing control of the vehicle, while the motorist who strikes a pedestrian walking in the travel lane can do so without losing control and is merely not perceiving the hazard in time to react. For example, all things being equal, most pedestrians would feel safer walking on SE 32<sup>nd</sup> Ave than on SE 42<sup>nd</sup> Ave. Staff feels that streets without continuous sidewalks on at least one side should continue to be assigned 5 points. Staff does not agree with this change.*
9. 5 points are assigned to streets that are designated bicycle routes. *Staff response: The assumption made by staff is that designated bicycle routes are either streets marked with bicycle lanes, or streets designated as bicycle routes in the TSP that are not marked with lanes and are therefore considered "shared lanes." This change will give priority to these streets and may improve safety for bicyclists using these designated routes. Staff is in agreement with this change.*
10. Petition requiring 50% of affected residents on the proposed street section to agree that there is a need for traffic calming will be required for inclusion in the NTMP. *Staff response: The "up-front" requirement for the petition in order to be placed on the NTMP has already been adopted by staff as part of the administration of the program. It only makes sense to get agreement for a traffic calming solution before any effort is made to address a perceived problem. Staff is in agreement with this change.*
11. Affected residents will be asked if they would support funding of an NTMP project and at what level of support. *Staff response: This proposed change permits the option of private funding of a Traffic Control Device. This change is in no way intended to place a street on the NTMP that would otherwise not qualify. In a discussion with the TSTB at its August meeting, it was agreed that the intent of the recommended NTMP was to require that all phases and requirements of the Plan be followed regardless of whether funds for a Traffic Control Device were private or public. Providing the option for private funding in no way detracts from the NTMP unless a street that is scheduled gets delayed because of a lack of staff time needed to handle the additional projects. Staff is in agreement with this change. Staff further recommends the addition of the following language at Phase 4, (g) of the recommended Plan: "In the event that a privately funded Traffic Control Device is removed for any reason, the City shall not be liable to the private funding source for costs incurred in purchasing and installing the Device."*
12. The "user support" paragraph, which allows for the opposition of traffic calming on a street by citizens who travel on the street on a regular basis, is deleted. *Staff response: The "user support" paragraph was intended to allow for further discussion on the part of the travelling public that may not live on a project street, but uses the street regularly and feels that traffic calming would be an unacceptable inconvenience to their use of the public street. But since the NTMP is mainly meant to address the concerns of residents who must live with the traffic and its impacts on their livability, the*

V. 4

*"user support" paragraph seems out of place in the document. It would be better to leave the debate between the "users" and "residents" to the public forum made available during the regular session of Council when the proposed placement of speed humps is discussed. Staff is in agreement with this change.*

13. The Problem Action Plan requires TSTB review of all Traffic Control Device requests. *Staff response: Staff is not opposed to having TSTB review of outstanding Traffic Control Device requests as long as their resolution is not delayed. In fact, requests for Traffic Control Devices are now referred to the TSTB for its review as of its August meeting. Regular review of TCD requests that are in various stages of resolution by the TSTB at its regular meetings could be helpful. Staff understands that the TSTB is an advisory body and cannot dictate the final outcome of any TCD request. Staff is in agreement with this change provided the nature of the review remains advisory only.*
14. The required petition process for inclusion in the NTMP is described in more detail, including the "packet" that is sent out to citizens requesting traffic calming on their street. *Staff response: The clarification provided merely reflects the administration of the NTMP in actual practice. This change will document the process. Staff is in agreement with this change.*
15. The public meeting process requirements between staff and the affected NDA are described in more detail. *Staff response: The clarification will document the necessary steps for the public meeting process. This will increase the burden on staff as far as time commitment, but will be well worth it in assuring that the neighborhoods have ownership of the final product. Staff is in agreement with this change.*
16. The Typical Time Line is eliminated. *Staff response: Now that a number of NTMP projects have been completed, staff can reevaluate the time line that was used in actual practice. An estimate of the time it will take to follow the process can be provided by staff at the time a petition is filed. While there is a desire among the TSTB members to shrink the time line as much as possible, care must be taken to reflect on the reality of what can be accomplished with existing staff resources. Staff is in agreement with this change.*

**CITY OF MILWAUKIE****NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM (NTMP)****Introductory Statement:**

The Neighborhood Traffic Management Program (NTMP) for residential streets represents the commitment of the City of Milwaukie to the safety and livability of our residential neighborhoods. The NTMP is a collaborative effort between the City of Milwaukie and its citizens to reduce the negative impact of traffic on neighborhoods. The NTMP provides a process for identifying and addressing problems related to speeding, excessive volume and safety on our residential streets. The City of Milwaukie places a high value on neighborhood livability. Livability can be thought of as encompassing the following characteristics:

- The ability of residents to feel safe and secure in their neighborhoods.
- The opportunity to interact socially with neighbors without distractions or threats.
- The ability to experience a sense of home and privacy.
- A sense of community and neighborhood identity.
- A balanced relationship between multiple uses and needs of a neighborhood.

Traffic management plays a vital role in promoting these characteristics. Through the NTMP, residents can evaluate the various requirements, benefits and trade-offs of projects within their own neighborhoods and can become actively involved in the decision-making process.

**NTMP Goals:**

- a. Protect neighborhood livability by mitigating the impact of vehicular traffic on residential neighborhoods.
- b. Promote safe and pleasant conditions for motorists, bicyclists, pedestrians and residents on residential streets.
- c. Support the policies contained in the Transportation Systems Plan.
- d. Encourage citizen involvement in all phases of neighborhood traffic management activities regarding implementation of the NTMP.
- e. Ensure that residential streets are not compromised with excessive through traffic.

V. 6

**NTMP Policy:**

- a. The Neighborhood Traffic Management Program involves only residential streets. Residential streets are either a "Local" street, a "Neighborhood Route" street, or a "Collector" street as identified in the Transportation System Plan (TSP). Residential Arterials may be considered in the NTMP if approved by the City Council. More than 50% of the abutting properties must be zoned Residential before the street or street section can be classified as residential.
- b. The general guidance for applying NTMP devices that involve capital improvements is as follows:
  - "Local" streets - apply as required with no special considerations.
  - "Neighborhood Route" streets - apply as required with no special considerations.
  - "Collector" streets - apply as required after consideration of emergency or transit needs.
  - "Arterial" streets - apply as required after consideration of emergency or transit needs and after consideration by the City Council.
- c. Residential streets are valuable public spaces and, as such, should be shared equitably by all users and may be altered to allow pedestrians, bicycles, children and residents to share the space with cars safely and without conflict.
- d. The city should minimize through traffic on all residential streets classified as "Local", "Neighborhood Route" and "Collector" streets.
- e. The City shall provide funding for annual NTMP projects in an amount determined by the City Council. Funding for NTMP projects shall normally come from the Street Fund.
- f. Make efficient use of City resources by prioritizing NTMP requests. Ranking criteria of NTMP projects shall be based on the volume, traffic speed, presence of schools, traffic accident history, vertical or horizontal alignment restrictions, and designated pedestrian or bicycle routes. A minimum of 30 points is required for a project to be eligible for the NTMP.
- g. NTMP devices shall not be used on emergency routes if emergency vehicles cannot achieve required response times as established by the Fire Department. The Police and Fire Departments shall be consulted on all proposed NTMP projects.

- h. Citizen requests concerning signage, parking, visibility obstructions, striping, and driveway access do not lend themselves to the full NTMP process and can be resolved using existing Public Works (PW) procedures.
- i. The city shall use traffic management devices to achieve NTMP objectives if education and enforcement are not successful.
- j. The NTMP process shall provide for 1) citizen involvement in problem identification, plan development and evaluation, 2) communication of test results and specific findings to local residents prior to the installation of permanent devices, 3) Traffic Safety and Transportation Board (TSTB) review through quarterly reports and periodic updates as required, and 4) City Council approval.
- k. PW will notify all project applicants and neighborhood associations of the status of their NTMP requests at a minimum of once a year in order to keep them informed of the project status.
- l. An applicant for an NTMP project shall be an eligible resident or an eligible property owner. An eligible resident shall live within the limits of a proposed NTMP project. An eligible property owner shall own property within the limits of a proposed NTMP project. The limits of an NTMP project shall be set by the City Engineer after coordination with the TSTB and the affected neighborhood association. Property ownership is pertinent when a project is funded through a Local Improvement District.
- m. If a proposed NTMP project is not funded within three years, it will be reevaluated to see if it is still an eligible NTMP project. In the interim, the project will remain on the NTMP list in the priority established by its initial point calculation.
- n. Prior to construction, proposed NTMP projects may be tested to the extent possible.

**NTMP Objectives:**

- a. Achieve the following vehicle speeds: "Collector", "Neighborhood Route" and "Local" streets: the 85 percentile speed is within 5 MPH of the posted speed.
- b. Reduce cut-through traffic on residential "Local", "Neighborhood Route" and "Collector" streets to no more than 10% of the Average Daily Traffic.
- c. Limit truck volume on residential streets to Local Delivery Only. A truck is as defined in Section 10.04 of the Milwaukie Municipal Code.

V. 8

- d. Limit the traffic diversion impact on non-project "Local" streets to 260 vehicles per day and "Neighborhood" streets to 650 vehicles per day. Non-project streets are those in the vicinity of an NTMP project.
- e. Meet or exceed the traffic safety requirements articulated in the current edition of Residential Street Design and Traffic Control published by the Institute of Transportation Engineers or the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration. In the event of a conflict in criteria between the previously mentioned documents or other related documents, the City Engineer shall select the standard or criteria that provides the greatest margin of safety.
- f. The annual NTMP budget shall strive for three and one-half (3 1/2) percent of gas tax revenues which is approximately \$30,000 in the 1996-1997 budget. Street rehabilitation projects may also include the cost of traffic management devices.
- g. Notwithstanding previous objectives, a total point count of over 30 will automatically include a project for further consideration.

**Ranking of NTMP Projects**

NTMP Projects need to be ranked in order to determine their priority. The methodology for determining points for each proposed NTMP project is as follows:

- a. Traffic Volumes: Average Daily Traffic (ADT) divided by 250 to a maximum of 20 points. For intersections use the volume of the higher classification street. If streets are of equal classification, then use the higher volume.
- b. Speed: 10 points for each MPH that the 85% speed is over the base speed. The base speed is 5 MPH over the lawful speed for residential streets. For intersections use the 85% speed of the higher classification street. If classifications are equal, then use the higher 85% speed.
- c. Schools: 10 points for a street with a school crossing within a designated school zone or with a public or private school within 1000 feet of the project street.
- d. Accident History: The average of the number of reported and correctable accidents per year over the past three years multiplied by 15 up to a maximum of 30.

A "reported" accident is one that is reported to the City of Milwaukie Police Department. A "correctable" accident is one wherein a physical change to the street or conditions adjacent to the street, or the addition of or change to a traffic control device may improve traffic safety.

- e. Pedestrian Usage: 5 points if parks, multi-family housing, elderly housing, or facility whose primary function is to serve the handicapped is located within 300 feet of the project street.
- f. Pedestrian and Bicycle Usage: 5 points if the street is an approved Neighborhood Walking Route as determined by the NDA or the City.  
5 points if the street is a designated bike route.
- g. Existing Street Conditions: 5 points if there are vertical or horizontal alignment restrictions.

### **NTMP Funding**

Funding for approved NTMP projects shall come from the Street Fund up to the amount approved by City Council in the current year budget. Because NTMP funding is limited, affected property owners will be asked if they are willing to help fund the project and at what level. Citizens may decide to accelerate the priority of a particular project by petitioning to pay all or part of the costs of an NTMP project.

- a. Eligible property owners may share the cost of an NTMP project with the City on a 50%/50% basis. A cost share between the City and eligible property owners would require the formation of a Local Improvement District (LID) and processing the LID in accordance with the Milwaukie Municipal Code. Contributions from other than eligible property owners (renters for example) are encouraged; however, they must be received prior to the passage of an assessment ordinance for the subject project.
- b. Property owners and residents may pay 100% of the costs of an NTMP project. The City must receive the full amount of the contractor's bid price before the project can begin.
- c. Property owner funding approval:
  - (1) If an LID, then owners of more than one-third of the property to be assessed must respond favorably as established by Municipal Code.
  - (2) If paid 100% by property owners or residents, more than 50% of eligible property owners and residents must respond favorably.

### **NTMP Process**

The NTMP is a four phase process that is used to respond to a citizen's concern involving volume, speed, or safety on a residential street. The resolution of the concern may require one or more phases. Phase 1 identifies the traffic problem and determines an action plan for resolving the problem; Phase 2 focuses on neighborhood speed watch; Phase 3 focuses on law enforcement; and Phase 4 focuses on capital improvements. Phases 2 and

3 may occur separately and more than once; however, they must be accomplished before a proposed NTMP project shall qualify for capital improvement funding.

**Phase 1 - Problem Identification and Action Plan Preparation**

**Problem Identification**

- a. When a citizen reports a traffic complaint, the citizen will be asked to complete a Citizen Request or Traffic Control Device Request Form. All requests are forwarded to the City Engineer for evaluation and reviewed by the T.S.T.B.
- b. When the complaint involves speeding traffic, Public Works will contact the Milwaukie Police Department regarding the use of the SMART trailer and/or surveillance.
- c. If the citizen is requesting that traffic calming measures be considered, the citizen will be given the NTMP packet containing a letter explaining that there is a petition process that requires greater than 50% of project street resident support before Public Works will proceed with evaluating the street for a possible NTMP project. All potential traffic calming projects are petition generated.
- d. Once petition signatures have been gathered and submitted to Public Works, the process for evaluating the street to verify the problem and determine the most appropriate solution will begin.
- e. When the evaluation process has been completed, Public Works will notify the citizen of the results.
  - (1) If the street qualifies for a traffic calming project, it will be added to the "Ranking Results for Street List."
  - (2) If the street does not qualify for a traffic calming project, Public Works will notify the citizen as to why the street did not qualify.
  - (3) If the citizen is not in agreement with the results, they may challenge the decisions of Public Works and the Traffic Safety and Transportation Board through an appeal process with the City Council.
- f. Each project street will be ranked using the NTMP criteria. A number will be assigned based on the highest total points achieved using the ranking criteria guidelines. This number reflects the priority of the project to be done. The highest ranking receives the highest priority.
- g. Data collected during the evaluation process will be used for three years.
- h. If the City Engineer determines that a complaint is an immediate and serious safety problem, then the problem may be addressed separately from the NTMP.

## **Problem Action Plan**

### **Phase 1 (Engineering Study and Public Meeting)**

When a petition to study a street for a potential NTMP project has been completed, Public Works will coordinate a meeting with the appropriate NDA. The purpose of the meeting will be to:

- 1) Identify the problem and potential solutions
- 2) Share staff engineering report on traffic and street conditions on project street
- 3) Review the Phase 4 approach to reaching NTMP objectives
- 4) Obtain input from NDA members regarding specific problems, issues and concerns related to potential NTMP projects.
- 5) Recruit NDA members to work with Public Works staff toward achieving NTMP objectives. Staff and NDA liaison/member will develop an action plan (by Phase) and designate various responsibilities for implementation and evaluation.

### **Phase 2 (Resident Participation)**

- a. Public Works staff will provide training and equipment to NDA liaison/members for the use of the RADAR gun (Neighborhood Speed Watch) allowing for documentation (of speeding problems) and education (potential offenders will be sent letters from the Milwaukie Police Department regarding speeding through neighborhoods).
- b. SMART Trailer use.
- c. Neighborhood Slow Down Banner Program.

### **Phase 3 (Enhanced Law Enforcement and Signage)**

- a. Phase 3 focuses on enhanced law enforcement and signage.
- b. If the problem is chronic and not resolvable through resident involvement, the City Engineer will ask the Police Department for an enhanced enforcement effort within the limits of the problem area. This enhanced enforcement effort lasts for the amount of time necessary to show that speeding will not be tolerated. Normally, enforcement activity begins at a high level and tapers off as public awareness increases. More than one enforcement period may be necessary.
- c. Signage solutions involve street signs or street striping and are normally undertaken in concert with law enforcement if existing signage is determined to be inadequate. Solutions may involve modification of existing signage or the

installation of new signage. PW staff will coordinate the implementation of signage.

- d. The Milwaukie Police Department and Public Works will provide a report to the NDA and the TSTB of results of enhanced law enforcement and signage solutions.
- e. When the Police Department indicates that continued enhanced enforcement is no longer justifiable, PW staff, in coordination with the Police Department, will evaluate the need to proceed to Phase 4. If, in the judgment of the City Engineer and the Chief of Police the problem will reoccur, the City Engineer may recommend proceeding to Phase 4. This recommendation will be forwarded to the TSTB and the NDA. Factors influencing the decision include past problems that are similar in nature, the findings of the Police Department concerning the long term effectiveness of enhanced enforcement, risk of not making an improvement, and the recommendation of the applicable Neighborhood Association and the TSTB.

**Phase 4 (Capital Improvements)**

- a. If education and enhanced law enforcement do not achieve the desired objective, then PW staff proceeds to a capital improvement project (CIP) solution. CIP solutions are reserved for speeding, volume and intersection safety problems that cannot be resolved through education and enforcement. This type of solution requires the greatest amount of public resources and the most time to implement. It may also involve funding participation by the benefiting neighborhood via a Local Improvement District or some other funding mechanism.
- b. A matrix of applicable NTMP capital improvement projects is at Appendix B (Typical NTMP Devices). PW staff will recommend a project(s) based on its likelihood of achieving the NTMP objective and cost.
- c. In some circumstances, a CIP solution will be preceded by a test using temporary devices for a period of 3 - 6 months. A permanent solution will not be undertaken if the test does not obtain the desired results. The neighborhood will be notified of the test. If the City Engineer finds that an unforeseen hazard exists, the test may be revised or removed. If testing of NTMP devices is not possible, then the City Engineer can recommend permanent construction based on positive citizen support. Following the test, PW will evaluate how well the NTMP device performed in terms of previously defined problems and objectives. The evaluation includes the project street and streets potentially affected by diverting traffic, and is based on, but not limited to, before-and-after speeds, volumes, and impacts on emergency vehicles. If the evaluation criteria is not met to the satisfaction of the City Engineer, the project may be modified and additional

testing conducted. The final test results are reviewed with the neighborhood, City staff, and the TSTB.

- d. Local Support: More than 50% of eligible residents/property owners living on a project street must support an NTMP project before it can be forwarded to Council for CIP approval. Confirmation of sufficient support may require a separate vote.
- e. A CIP solution requires review and approval by the City Council.
- f. Final design and construction is administered by PW and is generally completed within 12 months of City Council approval.
- g. PW will monitor NTMP devices and conduct a follow-up evaluation within one (1) year of the installation to assess the effectiveness of the project. The evaluation will normally include traffic speed, volume, diversion and accidents as well as a survey of local residents on the project street as well as adjacent to the project street to get their input regarding the effectiveness of the project. Additional assessments may be made if directed by the City Engineer.
- h. NTMP Removal: At least 75% of eligible residents/property owners must support a request to remove an existing NTMP project before PW will forward such a request to City Council for final resolution. Removal of a NTMP project will be at the expense of eligible residents unless otherwise specified by Council.
- i. PW Streets is responsible for maintenance of NTMP devices.

ntmpfinal.doc 8-10-99

**CITY OF MILWAUKIE**

**NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM (NTMP)**

**~~Transportation System Plan Goals (restated from draft TSP):~~**

Streets

~~1. Provide an accessible transportation (streets) system that links different modes to destinations within the city and to regional destinations using the regional transportation network.~~

~~2. Provide a safe, well-maintained, cost effective and convenient transportation (streets) system.~~

Pedestrian

~~1. Provide a continuous city-wide network of safe and convenient walkways that is integrated with other transportation modes.~~

~~2. Maintain existing and future pedestrian facilities to encourage use.~~

~~3. Increase the use of walking for all travel purposes.~~

~~4. Reduce the number of pedestrian related accidents by increasing the safety and security of pedestrians.~~

**Introductory Statement:**

The Neighborhood Traffic Management Program (NTMP) for residential streets represents the commitment of the City of Milwaukie to the safety and livability of our residential neighborhoods. The NTMP is a collaborative effort between the City of Milwaukie and its citizens to reduce the negative impact of traffic on neighborhoods. The NTMP provides a process for identifying and addressing problems related to speeding, excessive volume and safety on our residential streets. The City of Milwaukie places a high value on neighborhood livability. Livability can be thought of as encompassing the following characteristics:

- The ability of residents to feel safe and secure in their neighborhoods.
- The opportunity to interact socially with neighbors without distractions or threats.
- The ability to experience a sense of home and privacy.
- A sense of community and neighborhood identity.
- A balanced relationship between multiple uses and needs of a neighborhood.

Traffic management plays a vital role in promoting these characteristics. Through the NTMP, residents can evaluate the various requirements, benefits and trade-offs of

projects within their own neighborhoods and can become actively involved in the decision-making process.

**NTMP Goals:**

- a. Protect neighborhood livability by mitigating the impact of vehicular traffic on residential neighborhoods.
- b. Promote safe and pleasant conditions for motorists, bicyclists, pedestrians and residents on residential streets.
- c. Support the policies contained in the Transportation Systems Plan.
- d. Encourage citizen involvement in all phases of neighborhood traffic management activities regarding implementation of the NTMP.
- e. Ensure that residential streets are not compromised with excessive through traffic.

**NTMP Policy:**

- a. ~~Thea.~~ The Neighborhood Traffic Management Program involves only residential streets. Residential streets are either a "Local" street, a "Neighborhood Route" street, or a "Collector" street as identified in the Transportation System Plan (TSP). Residential Arterials may be considered in the NTMP if approved by the City (TSP); however, a "Collector" street or street section must have more Council. More than 50% of the abutting properties must be zoned Residential before the street or street section can be classified as residential. "Arterial" streets are not included in the NTMP. Excessive speed on arterial streets shall be handled through law enforcement. The Banner, Speed Watch, and SMART Trailer programs can also be used.
- b. ~~Theb.~~ The general guidance for applying NTMP devices that involve capital improvements is as follows:
  - "Local" streets - apply as required with no special considerations.
  - "Neighborhood Route" streets - apply as required with no special considerations.
  - "Collector" streets - apply as required after consideration of emergency or transit needs.
  - "Arterial" streets - apply as required after consideration of emergency or transit needs and after consideration by the City Council.

V. 16

- ~~c. Residential.~~ Residential streets are valuable public spaces and, as such, should be shared equitably by all users and may be altered to allow pedestrians, bicycles, children and residents to share the space with cars safely and without conflict.
- ~~d. d~~ The city should minimize through traffic on all residential streets classified as "Local" streets and "Local", "Neighborhood Route" and "Collector" streets.
- ~~e. Thee.~~ The City shall provide funding for annual NTMP projects in an amount determined by the City Council. Funding for NTMP projects shall normally come from the Street Fund.
- ~~f. Makef.~~ Make efficient use of City resources by prioritizing NTMP requests. Ranking criteria of NTMP projects shall be based on the volume, traffic speed, presence of schools, traffic speed, traffic volume, accident history, condition of existing street, and likelihood of pedestrians, vertical or horizontal alignment restrictions, and designated pedestrian or bicycle routes. A minimum of 30 points is required for a project to be eligible for the NTMP.
- ~~g. NTMPg~~ NTMP devices shall not be used on emergency routes if emergency vehicles cannot achieve required response times as established by the Fire Department. The Police and Fire Departments shall be consulted on all proposed NTMP projects.
- ~~h. Citizenh.~~ Citizen requests concerning signage, parking, visibility obstructions, striping, and driveway access do not lend themselves to the full NTMP process and can be resolved using existing Public Works (PW) procedures.
- ~~i. Thei.~~ The city shall use traffic management devices to achieve NTMP objectives if education and enforcement are not successful. The City Engineer shall direct the installation of traffic control devices in compliance with the Milwaukie Municipal Code.
- ~~j. Thej.~~ The NTMP process shall provide for 1) citizen involvement in problem identification, plan development and evaluation, 2) communication of test results and specific findings to local residents prior to the installation of permanent devices, 3) Traffic Safety and Transportation Board (TSTB) review through quarterly review, reports and periodic updates as required, and 4) City Council approval.
- ~~k. PWk.~~ PW will notify all project applicants and neighborhood associations of the status of their NTMP requests at a minimum of once a year in order to keep them informed of the project status.

~~m. Anl.~~ An applicant for an NTMP project shall be an eligible resident or an eligible property owner. An eligible resident shall live within the limits of a proposed NTMP project. An eligible property owner shall own property within the limits of a proposed NTMP project. The limits of an NTMP project shall be set by the City Engineer after coordination with the TSTB and the affected neighborhood association. Property ownership is pertinent when a project is funded through a Local Improvement District.

~~n. Ifn.~~ If a proposed NTMP project is not funded within three years, it will be reevaluated to see if it is still an eligible NTMP project. In the interim, the project will remain on the NTMP list in the priority established by its initial point calculation.

~~o. Priorn.~~ Prior to construction, proposed NTMP projects ~~shall~~may be tested to the extent possible.

**NTMP Goal:**

~~a.~~ Protect neighborhood livability by mitigating the impact of vehicular traffic on residential neighborhoods.

~~b.~~ Encourage citizen involvement in all phases of neighborhood traffic management activities.

~~c.~~ Support the policies contained in the Transportation Systems Plan "to ensure that neighborhood and local streets serve local traffic in a safe manner".

**NTMP Objectives:**

~~a. Achievea.~~ Achieve the following vehiclespeeds:

~~(1) "Collector" streets: the 85 percentile speed is within 10 MPH of the posted speed. If the "Collector" street is not improved with curb and sidewalk, then the 85 percentile speed is within 5 MPH of the posted speed.~~

~~(2) speeds: "Collector", "Neighborhood Route" and "Local" streets: the 85 percentile speed is within 5 MPH of the posted speed.~~

~~b. Reduceb.~~ Reduce cut-through traffic on "Local" or "Neighborhood Route" residential "Local", "Neighborhood Route" and "Collector" streets to no more than 10% of the Average Daily Traffic.

~~c. Limitc.~~ Limit truck volume on residential streets to Local Delivery Only. A truck is as defined in Section 10.04 of the Milwaukie Municipal Code.

~~\_\_\_\_\_~~ d. Maintain traffic volume on "Collector" residential streets at no more than the upper limit established in the TSP (currently 10,000 vehicles per day).

~~\_\_\_\_\_~~ e. Maintain traffic volume on "Neighborhood" and "Local" streets at no more than the upper limit established in the TSP (currently 5000 vehicles per day and 2000 vehicles per day respectively).

~~\_\_\_\_\_~~ f. ~~Limit the volumed.~~ Limit the traffic diversion impact on non-project "Local" streets to 260 vehicles per day and "Neighborhood" streets to 650 vehicles per day subject to the maximum volumes in "e" above. Non-project streets are those in the vicinity of an NTMP project.

~~\_\_\_\_\_~~ g. ~~Meete.~~ Meet or exceed the traffic safety requirements articulated in the current edition of Residential Street Design and Traffic Control published by the Institute of Transportation Engineers or the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration. In the event of a conflict in criteria between the previously mentioned documents or other related documents, the City Engineer shall select the standard or criteria that provides the greatest margin of safety.

~~\_\_\_\_\_~~ h. ~~Thef.~~ The annual NTMP budget shall strive for three and one-half (3 1/2) percent of gas tax revenues which is approximately \$30,000 in the 1996-1997 budget. Street rehabilitation projects may also include the cost of traffic management devices.

~~\_\_\_\_\_~~ i. ~~Notwithstandingg.~~ Notwithstanding previous objectives, a total point count of over 30 will automatically include a project for further consideration.

### Ranking of NTMP Projects

NTMP Projects need to be ranked in order to determine their order of importance within the City and to allocate available funding priority. The methodology for determining points for each proposed NTMP project is as follows:

~~\_\_\_\_\_~~ a. Schools:

~~\_\_\_\_\_~~ 10 points for public or private school within 500 feet of the project street.

~~\_\_\_\_\_~~ 5 points for public or private school within 500-1000 feet of the project street.

~~\_\_\_\_\_~~ b. Speed: 10 points for each MPH that the 85% speed is over the base speed. The base speed is 10 MPH over the posted speed for collector streets and 5 MPH over the lawful speed for "Local" or "Neighborhood Route" streets. For intersections use the 85%

~~speed of the higher classification street. If classifications are equal, then use the higher 85% speed.~~

~~\_\_\_\_\_ e. Traffic. Traffic Volumes: Average Daily Traffic (ADT) divided by 250 to a maximum of 20 points. For intersections use the volume of the higher classification street. If streets are of equal classification, then use the higher volume.~~

b. Speed: 10 points for each MPH that the 85% speed is over the base speed. The base speed is 5 MPH over the lawful speed for residential streets. For intersections use the 85% speed of the higher classification street. If classifications are equal, then use the higher 85% speed.

c. Schools: 10 points for a street with a school crossing within a designated school zone or with a public or private school within 1000 feet of the project street.

~~\_\_\_\_\_ d. Accident. Accident History: The average of the number of reported and correctable accidents per year over the past three years multiplied by 15 up to a maximum of 30.~~

A "reported" accident is one that is reported to the City of Milwaukie Police Department. A "correctable" accident is one wherein a physical change to the street or conditions adjacent to the street, or the addition of or change to a traffic control device may improve traffic safety.

~~\_\_\_\_\_ e. Existing Street Conditions: 5 points if 1) there are vertical or horizontal alignment restrictions, or 2) the street has not been paved within the last ten (10) years, or 3) the street does not have continuous sidewalks on at least one side.~~

~~\_\_\_\_\_ f. Pedestrian. Pedestrian Usage: 5 points if parks, multi-family housing, elderly housing, or facility whose primary function is to serve the handicapped is located within 300 feet of the project street.~~

f. Pedestrian and Bicycle Usage: 5 points if the street is an approved Neighborhood Walking Route as determined by the NDA or the City.  
5 points if the street is a designated bike route.

g. Existing Street Conditions: 5 points if there are vertical or horizontal alignment restrictions.

### **NTMP Funding**

**NTMP Funding:** Funding for approved NTMP projects shall come from the Street Fund up to the amount approved by City Council in the current year budget. Because NTMP funding is limited, ~~citizens~~ affected property owners will be asked if they are willing to

help fund the project and at what level. Citizens may decide to accelerate the priority of a particular project by petitioning to pay all or part of the costs of an NTMP project.

— a. ~~Eligible~~a. Eligible property owners may share the cost of an NTMP project with the City on a 50%/50% basis. A cost share between the City and eligible property owners would require the formation of a Local Improvement District (LID) and processing the LID in accordance with the Milwaukie Municipal Code. Contributions from other than eligible property owners (renters for example) are encouraged; however, they must be received prior to the passage of an assessment ordinance for the subject project.

— b. ~~Property~~b. Property owners and residents may pay 100% of the costs of an NTMP project. The City must receive the full amount of the contractor's bid price before the project can begin.

— e. c. Property owner funding approval:

—————(1) If an LID, then owners of more than one-third of the property to be assessed must respond favorably as established by Municipal Code.

—————(2) If paid 100% by property owners or residents, ~~then~~more than 50% of eligible property owners and residents must respond favorably.

### **NTMP Process**

The NTMP is a four phase process that is used to respond to a citizen's concern involving ~~speed, volume, speed, or safety~~ speed, volume, speed, or safety on a residential street. The resolution of the concern may require one or more phases. Phase 1 identifies the traffic problem and determines an action plan for resolving the problem; Phase 2 focuses on neighborhood speed watch; Phase 3 focuses on law enforcement; and Phase 4 focuses on capital improvements. Phases 2 and 3 may occur separately and more than once; however, they must be accomplished before a proposed NTMP project shall qualify for capital improvement funding.

## Phase 1 - Problem Identification and Action Plan Preparation

### Problem Identification

~~\_\_\_\_\_ a. When a citizen calls or visits Public Works with a perceived traffic problem, Public Works (PW) staff takes the information down on a Citizen Request Form or a Traffic Control Device Request Form. All requests are forwarded to the City Engineer for evaluation and further investigation. PW staff visits the site to verify basic information about the perceived traffic problem and, if necessary, provides additional, clarifying details. Staff attempts to observe the problem first hand and, if possible, talks to residents about the complaint.~~

~~\_\_\_\_\_ b. If PW staff verifies the problem and determines the problem to be minor in nature, then PW staff takes appropriate action and notifies the citizen of the action taken or to be taken. A minor problem is one that involves repair or replacement of existing signage or striping, a parking issue, or a problem, that, in the judgment of the City Engineer, does not require going through the full NTMP process.~~

~~\_\_\_\_\_ c. If PW staff verifies the problem and determines that the problem meets the minimum NTMP requirements, then PW staff notifies the citizen that the problem has been added to the City's NTMP list for further evaluation and sends the citizen an information package on the City's NTMP. The package includes a brochure that describes the NTMP, a short summary of NTMP options, and a list of names and phone numbers of applicable staff members for further information. PW staff also assigns a project number and proceeds to Step 2.~~

~~\_\_\_\_\_ d. If PW staff determines that the perceived traffic problem does not meet NTMP minimum requirements, then PW staff notifies the applicant of why the problem does not currently qualify for NTMP consideration and explains the applicant's further options. Further options include asking the TSTB to review the applicant's request and to support adding the applicant's project to the NTMP list. If the TSTB determines that it is appropriate to add the applicant's project to the NTMP list, then PW proceeds per para c above.~~

~~\_\_\_\_\_ e. PW staff ranks each proposed project according to NTMP criteria after sufficient data is collected. Normally each project is rated once and retains its point total for three (3) years.. After three (3) years the proposed project is either dropped from the NTMP list or rerated if requested by the applicant. All new projects are rated at the beginning of the calendar year so that the City's NTMP list is set no later than July 1. The proposed project with the highest ranking receives the highest priority. If the proposed project does not meet the minimum point criteria, then the applicant is notified per paragraph d above.~~

~~\_\_\_\_\_ f. If the City Engineer determines that a complaint is an immediate and serious safety problem, then the problem may be addressed separately from the NTMP.~~

Property Owner Support

~~a. PW staff mails a survey form to eligible property owners and residents and requests their input. An alternative to a mailed survey form is a door to door survey conducted by the applicant. The purpose of the survey is to confirm sufficient local support for an NTMP solution before staff resources are used to develop proposed solutions. The survey describes the problem, asks for agreement or disagreement, and asks to what degree the respondent would support various NTMP options. "Sufficient local support" means that more than 50% of the eligible residents and property owners agree with the problem as stated on the survey form.~~

~~b. Prior to the distribution of a survey form, the limits of a proposed project shall be set. Project limits are established on a case by case basis and are needed to determine eligible residents and property owners. The limits of an NTMP project shall be set by the City Engineer after coordination with the TSTB and the affected neighborhood association.~~

~~c. The process proceeds to Step 3 if the results of the survey validate eligible resident and property owner concern or if, in the judgment of the City Engineer, the concern involves a validated safety issue. The complaint is concluded if the results of the survey do not validate resident and property owner concern. If the project does not have "sufficient local support", then PW notifies the applicant that the proposed project has been dropped from the NTMP list.~~

Problem Action Plan

~~a. PW staff, in conjunction with the city Neighborhood Coordinator, coordinates a meeting with the affected Neighborhood Association. The purpose of the meeting is to provide an overview of the NTMP and explain the four (4) phase approach to reaching NTMP objectives; describe the problem and the applicable NTMP objective; give everyone the results of the survey; provide information collected by staff on traffic and street conditions; provide a proposed Action Plan; obtain feedback from the neighborhood about related problems, issues and concerns; and recruit leaders and members that would be willing to work with PW staff toward the NTMP objective.~~

~~b. PW staff coordinates follow up meetings with the affected Neighborhood Association and/or working Group as necessary to agree on an Action Plan and to implement the plan. The Action Plan lists the proposed solutions by Phase and addresses the various responsibilities for implementing and evaluating the recommended solutions.~~  
a. When a citizen reports a traffic complaint, the citizen will be asked to complete a Citizen Request or Traffic Control Device Request Form. All requests are forwarded to the City Engineer for evaluation and reviewed by the T.S.T.B.

- b. When the complaint involves speeding traffic, Public Works will contact the Milwaukie Police Department regarding the use of the SMART trailer and/or surveillance.
- c. If the citizen is requesting that traffic calming measures be considered, the citizen will be given the NTMP packet containing a letter explaining that there is a petition process that requires greater than 50% of project street resident support before Public Works will proceed with evaluating the street for a possible NTMP project. All potential traffic calming projects are petition generated.
- d. Once petition signatures have been gathered and submitted to Public Works, the process for evaluating the street to verify the problem and determine the most appropriate solution will begin.
- e. When the evaluation process has been completed, Public Works will notify the citizen of the results.
- \_\_\_\_\_ (1) If the street qualifies for a traffic calming project, it will be added to the "Ranking Results for Street List."
- \_\_\_\_\_ (2) If the street does not qualify for a traffic calming project, Public Works will notify the citizen as to why the street did not qualify.
- \_\_\_\_\_ (3) If the citizen is not in agreement with the results, they may challenge the decisions of Public Works and the Traffic Safety and Transportation Board through an appeal process with the City Council.
- f. Each project street will be ranked using the NTMP criteria. A number will be assigned based on the highest total points achieved using the ranking criteria guidelines. This number reflects the priority of the project to be done. The highest ranking receives the highest priority.
- g. Data collected during the evaluation process will be used for three years.
- h. If the City Engineer determines that a complaint is an immediate and serious safety problem, then the problem may be addressed separately from the NTMP.

### **Problem Action Plan**

#### **Phase 1 (Engineering Study and Public Meeting)**

When a petition to study a street for a potential NTMP project has been completed, Public Works will coordinate a meeting with the appropriate NDA. The purpose of the meeting will be to:

- \_\_\_\_\_ 1) Identify the problem and potential solutions
- \_\_\_\_\_ 2) Share staff engineering report on traffic and street conditions on project street

- 3) Review the Phase 4 approach to reaching NTMP objectives
- 4) Obtain input from NDA members regarding specific problems, issues and concerns related to potential NTMP projects.
- 5) Recruit NDA members to work with Public Works staff toward achieving NTMP objectives. Staff and NDA liaison/member will develop an action plan (by Phase) and designate various responsibilities for implementation and evaluation.

**Phase 2 (Resident Participation)**

~~\_\_\_\_\_ a. This phase of the NTMP requires neighborhood leadership and participation in attempting to resolve the traffic problem. The focus is on the Speed Watch Program, the SMART Trailer, and the Banner Program. The details of each of these programs are provided in Appendix A (Neighborhood Traffic Management Brochure). The PW or Policea. Public Works staff will provide training and equipment to neighborhood volunteers to enable them to collect traffic data and complete the necessary forms. NDA liaison/members for the use of the RADAR gun (Neighborhood Speed Watch) allowing for documentation (of speeding problems) and education (potential offenders will be sent letters from the Milwaukie Police Department regarding speeding through \_\_\_\_\_ b. This phase may occur at any time in the life of a proposed project and may occur more than once. neighborhoods).~~

b. SMART Trailer use.

c. Neighborhood Slow Down Banner Program.

**Phase 3 (Enhanced Law Enforcement and Signage)**

~~\_\_\_\_\_ a. Phasea. Phase 3 focuses on enhanced law enforcement and signage.~~

~~\_\_\_\_\_ b. Ifb. If the problem is chronic and not resolvable through resident involvement, the City Engineer will ask the Police Department for an enhanced enforcement effort within the limits of the problem area. This enhanced enforcement effort lasts for the amount of time necessary to show that speeding will not be tolerated. Normally, enforcement activity begins at a high level and tapers off as public awareness increases. More than one enforcement period may be necessary.~~

~~\_\_\_\_\_ c. Signagec. Signage solutions involve street signs or street striping and are normally undertaken in concert with law enforcement if existing signage is determined to be inadequate. Solutions may involve modification of existing signage or the installation of new signage. PW staff will coordinate the implementation of signage.~~

d. The Milwaukie Police Department and Public Works will provide a report to the NDA and the TSTB of results of enhanced law enforcement and signage solutions.

~~d. When.~~ When the Police Department indicates that continued enhanced enforcement is no longer justifiable, PW staff, in coordination with the Police Department, will evaluate the need to proceed to Phase 4. If, in the judgment of the City Engineer and the Chief of Police the problem will reoccur, the City Engineer may recommend proceeding to Phase 4. This recommendation will be forwarded to the TSTB and the NDA. Factors influencing the decision include past problems that are similar in nature, the ~~opinion~~findings of the Police Department concerning the long term effectiveness of enhanced enforcement, risk of not making an improvement, and the recommendation of the applicable Neighborhood Association and the TSTB.

#### **Phase 4 (Capital Improvements)**

~~a.~~ a. If education and enhanced law enforcement do not achieve the desired objective, then PW staff proceeds to a capital improvement project (CIP) solution. CIP solutions are reserved for speeding, volume and intersection safety problems that cannot be resolved through education and enforcement. This type of solution requires the greatest amount of public resources and the most time to implement. It may also involve funding participation by the benefiting neighborhood via a Local Improvement District or some other funding mechanism.

~~b.~~ b. A matrix of applicable NTMP capital improvement projects is at Appendix B (Typical NTMP Devices). PW staff will recommend a project(s) based on its likelihood of achieving the NTMP objective and cost.

~~c. Whenever possible,~~c. In some circumstances, a CIP solution will be proceeded by a test using temporary devices for a period of 3 - 6 months. A permanent solution will not be undertaken if the test does not obtain the desired results. The ~~local~~ neighborhood will be notified of the test. If the City Engineer finds that an unforeseen hazard exists, the test may be revised or removed. If testing of NTMP devices is not possible, then the City Engineer can recommend permanent construction based on positive citizen support. Following the test, PW will evaluate how well the NTMP device performed in terms of previously defined problems and objectives. The evaluation includes the project street and streets affected by the project, ~~and is based on~~potentially affected by diverting traffic, and is based on. but not limited to, before-and-after speeds ~~and speeds,~~ volumes, and impacts on emergency vehicles, ~~and other evaluation criteria established in Phase 1.~~ If the evaluation criteria is not met to the satisfaction of the City Engineer, the project may be modified and additional testing conducted. The final test results are reviewed with the neighborhood, City staff, and the TSTB. ~~The City Engineer shall not forward a CIP project to Council for approval~~

~~if the test results show that an NTMP device is unsafe or if the project violates city policies (NTMP, TSP and Land Use/Development).~~

~~d. Local Support: At least 50% of eligible residents.~~ Local Support: More than 50% of eligible residents/property owners living on a project street must support an NTMP project before it can be forwarded to Council for CIP approval. Confirmation of sufficient support may require a separate vote.

~~e. User Support: If there is substantial opposition to the use of an NTMP device by other than eligible residents (for example, those who travel the project street on a regular basis) that cannot be resolved, then the City Engineer shall refer the project to the City Council for final decision.~~

~~f.e.~~ A CIP solution requires review and approval by the City Council.

~~g. Final~~ Final design and construction is administered by PW and is generally completed within 12 months of City Council approval.

~~h. PW~~ PW will monitor NTMP devices and conduct a follow-up evaluation within one (1) year of the installation to assess the effectiveness of the project. The evaluation will normally include traffic speed, volume, diversion and accidents as well as a survey of local residents on the project street as well as adjacent to the project street to get their input regarding the effectiveness of the project. Additional assessments may be made if directed by the City Engineer.

~~i. NTMP~~ NTMP Removal: At least 75% of eligible residents/property owners must support a request to remove an existing NTMP project before PW will forward such a request to City Council for final resolution. Removal of a NTMP project will be at the expense of eligible residents unless otherwise specified by Council.

~~j. PW~~ PW Streets is responsible for maintenance of NTMP devices ~~less landscaping which will be contracted.~~

**TYPICAL TIME LINE**

PHASE	STEP	DESCRIPTION	TIME (weeks)
1	1	<b>Problem Identification</b>	2
	2	<b>Problem Confirmation</b>	8
	3	<b>Problem Action Plan</b>	
		Definition of problem, objectives, and proposed solution(s)	12
		Initial Meeting with Neighborhood	4
		Follow Up Meeting(s) with Neighborhood	Varies
2		<b>Resident Participation</b>	8

3	<b>Enhanced Law Enforcement/Signage</b>	Varies
4	<b>Capital Improvements</b>	
	Preliminary Design	4
	Citizen Funding (if required)	Varies
	Council Approval	2
	Final Design	4
	Prepare Bid Documents	4
	Bid Project(s)	2
	Award Project(s)	2
	Construct Project(s)	12
	Monitoring/Follow up	12

ntmp1.doc

6-6-97ntmpfinal.doc 8-10-99

2.24.010

Chapter 2.24

TRAFFIC SAFETY AND  
TRANSPORTATION BOARD

Sections:

- 2.24.010 Established—Purpose.
- 2.24.020 Membership—  
Qualifications.

2.24.010 Established—Purpose.

The traffic safety and transportation board is established for the purpose of advising and making recommendations to the city council regarding transportation planning and safety needs in the city and its urban growth boundary. The board shall be responsible for, but not limited to, the following activities:

A. Developing and/or reviewing project proposals to further transportation safety and the Milwaukie transportation system plan;

B. Assisting, in general, in the overall reduction of traffic accidents, injuries and deaths;

C. Fostering public knowledge and support of the traffic law enforcement programs;

D. Identifying traffic problems and researching and investigating solutions;

E. Cooperating with the public and private school systems in the promotion of traffic safety to those schools and their neighborhoods within the city;

F. Promoting the education of the public on traffic safety;

G. Promoting and supporting the elements of the Milwaukie transportation system plan; and

H. Such other activities as the council may assign. (Ord. 1797 § 3 (part), 1996)

2.24.020 Membership—  
Qualifications.

A. The board shall consist of seven voting members with two ex officio members recommended by the North Clackamas School District, one of whom must be a student of the Milwaukie High School. Not more than three voting members may be nonresidents.

B. It is desirable that an applicant have a familiarity with basic traffic laws. (Ord. 1797 § 3 (part), 1996)

NTMP Ranking Results for Streets with Requests for Traffic Calming Devices: Based on the scoring system outlined in Resolution No. 20 - 1997																			
NTMP Rank	Street Name	Cross-Streets	Street Class	Street No.	Curbs (Y/N)	School Distance	School Points	85% Speed (mph)	Base Speed (mph)	Speed Points	Volume (ADT)	Volume Points	Accidents per year	Accident Points	Street Condition	Condition Points	Pedestrian Usage	Usage Points	Total Points
1	Stanley Ave	Railroad to Monroe	collector	214	N	350 ft	10	33.1	30	31	1582	6.33	0	0	no sidewalk	5	park/elderly	5	57.33
2	Stanley Ave	Logus to Willow	collector	21401	N	550 ft	5	33.4	30	34	3252	13.01	0	0	no restriction	0	no	0	52.01
3	Home Ave	Park to Wilma Circle	neighborhd rt	134	N	430 ft	10	31.8	30	18	972	3.89	0.333	10.0	no sidewalk	5	no	0	46.88
4	33rd Ave	Wister to Sellwood	local	18	Y	500 ft	10	28.1	30	0	329	1.32	0.666	20.0	vert. restriction	5	no	0	36.30
5	Stanley Ave	Monroe to King	collector	214	N	500 ft	10	31.3	30	13	792	3.17	0	0	no sidewalk	5	multi-family	5	36.17
6	32nd Ave	Harrison to JCB	collector	1702	Y	>1000 ft	0	33.1	35	0	5043	20.00	0.333	10.0	no restriction	0	multi-family	5	34.99
7	35th Ave	Lake to Washington	local	20	Y	500 ft	10	30.9	30	9	989	3.96	0	0	vert. restriction	5	park	5	32.96
8	27th Ave	Lake to Washington	neighborhd rt	1001	Y	20 ft	10	30.8	30	8	904	3.62	0	0	horiz. restriction	5	multi-family	5	31.62
9	Roswell St	32nd to 42nd	neighborhd rt	204	N	30 ft	10	28.5	30	0	1153	4.61	0	0	no sidewalk	5	park	5	24.61
10	Monroe St	Home to Stanley	collector	17601	N	>1000 ft	0	30.0	30	0	2281	9.12	0.333	10.0	no sidewalk	5	no	0	24.11
11	Monroe St	37th to 42nd	collector	17601	Y	>1000ft	0	32.6	35	0	4584	18.34	0	0.0	no restriction	0	multi-family	5	23.34
12	34th Ave	Lake to Washington	collector	19	Y	760 ft	5	30.3	35	0	3218	12.87	0	0	vert. restriction	5	no	0	22.87
13	42nd Ave	Harvey to Howe	collector	2801	N	>1000 ft	0	30.4	30	4	2123	8.49	0	0	no sidewalk	5	multi-family	5	22.49
14	34th Ave	Lake to Wister	collector	19	Y	890 ft	5	30.2	35	0	3093	12.37	0	0	vert. restriction	5	no	0	22.37
15	Furnberg Rd	63rd to 67th	neighborhd rt	114	N	330 ft	10	27.4	30	0	567	2.27	0	0	no sidewalk	5	park	5	22.27
16	71st Ave	Madrona to Plum	neighborhd rt	55	Y	>1000 ft	0	29.6	30	0	565	2.26	0.333	10.0	no sidewalk	5	multi-family	5	22.25
17	Filbert St	32nd to 42nd	local	107	Y	405 ft	10	28.4	30	0	428	1.71	0	0	no sidewalk	5	multi-family	5	21.71
18	Aspen St	Linwood to Sequoia	local	65	Y	380 ft	10	25.0	30	0	393	1.57	0	0	no sidewalk	5	multi-family	5	21.57
19	Willow St	Stanley to west term.	neighborhd rt	23601	N	150 ft	10	23.0	30	0	690	2.76	0	0	no sidewalk	5	no	0	17.76
20	37th Ave	Lake to Grogan	neighborhd rt	22	Y	70 ft	10	29.8	30	0	629	2.52	0	0	no sidewalk	5	no	0	17.52
21	40th Ave	Harvey to Olsen	local	2602	N	1000 ft	5	28.5	30	0	626	2.50	0	0	no sidewalk	5	park	5	17.50
22	36th Ave	Roswell to JCB	local	2102	Y	120 ft	10	27.0	30	0	378	1.51	0	0	no restriction	0	park	5	16.51
23	36th Ave	Harvey to King	local	2101	N	>1000ft	0	28.8	30	0	629	2.52	0	0	no sidewalk	5	hospital	5	12.52
24	Windsor Dr	Willow to Windsor Ct.	neighborhd rt	238	Y	160 ft	10	24.8	30	0	531	2.12	0	0	no restriction	0	no	0	12.12
25	Cedar Crest Dr	Harmony to Linwood	neighborhd rt	84	Y	>1000 ft	0	24.1	30	0	464	1.86	0	0	no sidewalk	5	multi-family	5	11.86
26	41st Ave	Roswell to JCB	local	2702	N	700 ft	5	22.0	30	0	91	0.36	0	0	no sidewalk	5	no	0	10.36
27	Mason Ln	42nd to Mason Hill	local	168	Y	>1000 ft	0	27.6	30	0	1004	4.02	0	0	no sidewalk	5	no	0	9.02
28	Hillside Ct	"A" to "D"	local	132	Y	>1000 ft	0	23.6	30	0	603	2.41	0	0	no restriction	0	multi-family	5	7.41
29	70th Ave	Madrona to Daphne Ct	local	54	Y	>1000 ft	0	23.7	30	0	324	1.30	0	0	no sidewalk	5	no	0	6.30
30	Adams St	Railroad to 42nd	local	5801	N	>1000 ft	0	24.9	30	0	234	0.94	0	0	no sidewalk	5	no	0	5.94

33rd Ave. was removed from the list by the City Engineer because it qualified mainly due to accident history. The subsequent installation of the stop sign at 33rd & Wister is considered a solution to the accident problem (i.e. collision at uncontrolled intersection.) After recent review by Engineering Staff, there have been additional accidents at this location that are either speed related or due to failure to obey the stop sign. In either case, these accidents are considered to be preventable with traffic calming.

V. 29

V. 30

NTMP Ranking Results for Streets with Requests for Traffic Calming Devices (Calculated with proposed criteria changes): 1997																			
Based on the scoring system outlined by the TSTB during review of the NTMP																			
NTMP Rank	Street Name	Cross-Streets	Street Class	Street No.	Curbs (Y/N)	School Distance	School Points	85% Speed (mph)	Base Speed (mph)	Speed Points	Volume (ADT)	Volume Points	Accidents per year	Accident Points	Street Condition	Condition Points	Pedestrian Usage	Usage Points	Total Points
1	32nd Ave	Harrison to JCB	collector	1702	Y	>1000 ft	0	33.1	30	31	5043	20.00	0.333	10.0	no restriction	0	multi-family	5	65.99
2	Stanley Ave	Railroad to Monroe	collector	214	N	350 ft	10	33.1	30	31	1582	6.33	0	0	no restriction	0	park/elderly	5	52.33
3	Stanley Ave	Logus to Willow	collector	21401	N	550 ft	5	33.4	30	34	3252	13.01	0	0	no restriction	0	no	0	52.01
4	Monroe St	37th to 42nd	collector	17601	Y	>1000ft	0	32.6	30	26	4584	18.34	0	0.0	no restriction	0	multi-family	5	49.34
5	Home Ave	Park to Wilma Circle	neighborhd rt	134	N	430 ft	10	31.8	30	18	972	3.89	0.333	10.0	vert restriction	5	no	0	46.88
6	33rd Ave	Wister to Sellwood	local	18	Y	500 ft	10	28.1	30	0	329	1.32	0.666	20.0	vert. restriction	5	no	0	36.30
7	35th Ave	Lake to Washington	local	20	Y	500 ft	10	30.9	30	9	989	3.96	0	0	vert. restriction	5	park	5	32.96
8	27th Ave	Lake to Washington	neighborhd rt	1001	Y	20 ft	10	30.8	30	8	904	3.62	0	0	horiz. restriction	5	multi-family	5	31.62
9	Stanley Ave	Monroe to King	collector	214	N	500 ft	10	31.3	30	13	792	3.17	0	0	no restriction	0	multi-family	5	31.17
10	34th Ave	Lake to Washington	collector	19	Y	760 ft	5	30.3	30	3	3218	12.87	0	0	vert. restriction	5	no	0	25.87
11	34th Ave	Lake to Wister	collector	19	Y	890 ft	5	30.2	30	2	3093	12.37	0	0	vert. restriction	5	no	0	24.37
12	Roswell St	32nd to 42nd	neighborhd rt	204	N	30 ft	10	28.5	30	0	1153	4.61	0	0	no restriction	0	park	5	19.61
13	Monroe St	Home to Stanley	collector	17601	N	>1000 ft	0	30.0	30	0	2281	9.12	0.333	10.0	no restriction	0	no	0	19.11
14	42nd Ave	Harvey to Howe	collector	2801	N	>1000 ft	0	30.4	30	4	2123	8.49	0	0	no restriction	0	multi-family	5	17.49
15	Furnberg Rd	63rd to 67th	neighborhd rt	114	N	330 ft	10	27.4	30	0	567	2.27	0	0	no restriction	0	park	5	17.27
16	71st Ave	Madrona to Plum	neighborhd rt	55	Y	>1000 ft	0	29.6	30	0	565	2.26	0.333	10.0	no restriction	0	multi-family	5	17.25
17	Filbert St	32nd to 42nd	local	107	Y	405 ft	10	28.4	30	0	428	1.71	0	0	no restriction	0	multi-family	5	16.71
18	Aspen St	Linwood to Sequoia	local	65	Y	380 ft	10	25.0	30	0	393	1.57	0	0	no restriction	0	multi-family	5	16.57
19	36th Ave	Roswell to JCB	local	2102	Y	120 ft	10	27.0	30	0	378	1.51	0	0	no restriction	0	park	5	16.51
20	Willow St	Stanley to west term.	neighborhd rt	23601	N	150 ft	10	23.0	30	0	690	2.76	0	0	no restriction	0	no	0	12.76
21	37th Ave	Lake to Grogan	neighborhd rt	22	Y	70 ft	10	29.8	30	0	629	2.52	0	0	no restriction	0	no	0	12.52
22	40th Ave	Harvey to Olsen	local	2602	N	1000 ft	5	28.5	30	0	626	2.50	0	0	no restriction	0	park	5	12.50
23	Windsor Dr	Willow to Windsor Ct.	neighborhd rt	238	Y	160 ft	10	24.8	30	0	531	2.12	0	0	no restriction	0	no	0	12.12
24	Hillside Ct	"A" to "D"	local	132	Y	>1000 ft	0	23.6	30	0	603	2.41	0	0	no restriction	0	multi-family	5	7.41
25	Cedar Crest Dr	Harmony to Linwood	neighborhd rt	84	Y	>1000 ft	0	24.1	30	0	464	1.86	0	0	no restriction	0	multi-family	5	6.86
26	41st Ave	Roswell to JCB	local	2702	N	700 ft	5	22.0	30	0	91	0.36	0	0	no restriction	0	no	0	5.36
27	Mason Ln	42nd to Mason Hill	local	168	Y	>1000 ft	0	27.6	30	0	1004	4.02	0	0	no restriction	0	no	0	4.02
29	70th Ave	Madrona to Daphne Ct	local	54	Y	>1000 ft	0	23.7	30	0	324	1.30	0	0	no restriction	0	no	0	1.30
30	Adams St	Railroad to 42nd	local	5801	N	>1000 ft	0	24.9	30	0	234	0.94	0	0	no restriction	0	no	0	0.94
31	36th Ave	Harvey to King	local	2101	N	>1000ft	0	27.9	30	0	419	1.68	0	0.0	no restriction	0	hospital	5	6.68

33rd Ave. was removed from the list by the City Engineer because it qualified mainly due to accident history. The subsequent installation of the stop sign at 33rd & Wister is considered a solution to the accident problem (i.e. collision at uncontrolled intersection). After recent review by Engineering Staff, there have been additional accidents at this location that are either speed related or due to failure to obey the stop sign. In either case, these two accidents are considered to be preventable with traffic calming.

**CENTER/COMMUNITY ADVISORY BOARD**  
**MINUTES**  
**June 11, 1999**

Members Present: Molly Hanthorn-Chair, Mike Bolander, Kim Buchholz, Doris Burton, Eleanor Johnson, Karen Kasserman, Carl Knee, Dolly Macken-Hambright, Alice Neely, Joan Newman, Joan Staley, Janet Witter.

Excused: Douglas Marx, Jim McCready, Audrey Parsons, Carol Storment and Jim Young.

Staff: Joan Young and Hazel Hasse.

- I. **CALL TO ORDER:** by Molly Hanthorn, at approximately 10:02 am.
- II. **MINUTES:** of May, 1999, approved.
- III. **GUESTS/PRESENTATION:** (Staff Report) Hazel Hasse, Nutrition Program Coordinator, gave a brief overview of the program and explained that even though donations were up over last year, the basic onsite congregate program is not attracting younger seniors. The Bistro is doing well and tends to serve the gap of younger seniors better. Staff is open to suggestions on new items to offer. She also extended kudos to Don Wiley, chef, for his 100% pass on Clackamas County Health Department sanitation inspections and the fact that largely due to him, the Center is listed in the Clackamas County Restaurant Guide. Having the rummage sale and the bazaar separate should bring in higher revenues for both events and will afford the crafters better exposure. The Center needs a walk-in freezer, approximately \$13,000, in order to send out frozen meals to be used on weekends.
- IV. **MEMBERSHIP ITEMS:** None.
- V. **ACTION ITEMS & CORRESPONDENCE:** None.
- VI. **COMMITTEE REPORTS:**
  - North Clackamas Parks and Recreation District Board:** Eleanor reported that the combining of the Parks District with County Parks was deemed unfeasible per the consultant consolidation survey that was just completed. There are plans to include neighborhood groups in more of the park planning and the Master planning process. A new slate of officers will be on board for the next meeting.
  - Carl Knee added that the leak in the pool at the Aquatic Park has been located and a temporary rerouting of the lost water has happened. The leak should be fixed permanently by October this year. Also, Metro has approved grants for the District Park Trail System and should be granting funds starting in October.
  - Budget/Finance:** Joan updated that the budget for this coming fiscal year has been presented to the County Commissioners and should have voted approval by the next meeting.
  - Program/Services:** Molly said that the writing classes were getting very good response and that potential musical events are being looked at for this summer. The next meeting for this group is scheduled for July 21 at 1:00 pm at the Center.
  - Nutrition/Transportation Services:** None.

## VII. 1-2

**Building Review:** Doris stated that the front sidewalk & entry concrete will be replaced at the same time the Center is closed in September. To provide additional ventilation in the restrooms, the maintenance staff will trim the bottom of the doors so air can circulate. Clackamas HS has made 12 adirondack chairs for the Center patios and they will be delivered soon. They will bear the Center's name on the back to prevent them from leaving the Center. Exterior painting has begun. A suggestion was entertained regarding changing the door where the drivers for meals on wheels exit to make it easier for them to carry things in and out. Doris will take this up with the committee.

**History Committee:** Janet Witter announced that the first meeting of this committee will be June 25 at 2:00 pm at the Center. This new committee will be chaired by Janet and the members are as follows: Enid Briggs, Alan Brunk, Doris Burton, Don Graf, Dorothy Graf, Alice Neely, Laird Prouty, Yvonne Recker, Fran Whitehill and Adele Wilder.

### VII. OTHER REPORTS:

**AAA Review:** Alice reported that the State Legislature is slating several cuts in social services and all concerned should contact their representatives and the Ways and Means Committee members.

**Friends of the Milwaukie Center:** Eleanor announced that the annual meeting is scheduled for next Wednesday at 9:30 am and encouraged Board members to attend as funds will be disbursed for various projects, etc.

VIII. **DIRECTOR'S REPORT:** Joan advised that the Older Americans Act is not doing well in Washington, DC, with a reported potential \$10 million cut on the funding. The Quilt Show was attended by 1000-1500 people. The US Postal Service has ceased to grant our newsletter the "non-profit" mailing status and therefore, the July and August newsletters will be combined to save expense.

IX. **INFORMATION/ANNOUNCEMENTS:** None.

X. **AGENDA FOR NEXT MEETING(S):** Meeting will be July 9, 1999, a staff member will be on hand to report on what they do and about program responsibility.

XI. **ADJOURN:** Meeting adjourned at approximately 11:29 am.

North Clackamas Parks and Recreation District  
**MILWAUKIE CENTER DIVISION**  
Monthly Report for June, 1999

***Programs and Services:***

"Out of the Trunk", the fifth annual Milwaukie Center Quilt Show held on June 4 & 5, was a great success! Over 50 quilts were exhibited with an estimated 800 people in attendance over the two day event. Saturday program presentations were excellently attended. A boutique, donations and the snack bar netted over \$1,000.

Summer term with 40+ learning and leisure options for older adults has started, including several new venues, such as "Life Reflections by Mail", the first-time home writing course.

Twenty-one couples from our community celebrated 50+ years of marriage at the Golden Wedding Celebration with a rededication of their vows, special lunch and entertainment at the Center on June 18.

Long-time Center volunteer, Bob Kendall, received one of five Clackamas County "Hearts and Hands" Volunteer of the Year Awards at the annual Volunteer Connection Recognition event. Also recognized were Center volunteers Dottie Voge, Dottie Boggs Joan Gorham, Kathie Haack and the Milwaukie Center Travel Program Group.

***Fund-raising:***

Milwaukie Rotary Club presented the Friends' Rose Garden Committee \$1,000, half of the proceeds from the Lumberjack Breakfast in November, 1998. Rotary Club provides this as support for the continued development of the Sara Hite Memorial Garden.

The Friends' netted \$800+ from the Quilt Raffle during the Quilt Show, with three lucky people winning a beautiful "Ohio Star" quilt, a hand-tied quilt or a hand-made afghan. The proceeds will go toward development of the Sara Hite Memorial Rose Garden.

At the Annual Meeting of the Friends of the Milwaukie Center, checks were presented to support Center services in the following amounts: \$7,500 to Social Services, \$4,000 to Transportation, and \$1,000 to Nutrition. In addition, the Friends have paid for the newsletter postage, several scholarship programs, special events and equipment purchases over the fiscal year.

***Staff:***

Gaynell (Jay) Krantz, who drove the Milwaukie Center's bus for over three years, will change jobs to drive for an armored car company. We welcome Mandy Hurt who will be filling Jay's position. Mandy has been a substitute driver for the Center this last year.

Both Hillsboro Senior Center and Loaves and Fishes, Inc. staff made site visits to meet with the Milwaukie Center Nutrition Program staff to learn more about the Bistro/Lite Lunch Fare and the new home delivery packs.

DRAFT 7/23/99

Citizen's Utility Advisory Board  
6:00 pm  
June 16, 1999  
Johnson Creek Facility Conference Room

I CALL TO ORDER

Vice-Chair Hatz called the meeting to order at 6:03 pm. Present were:

Betty Chandler  
Alan Fletcher

Bob Hatz, Vice-Chair  
Charles Bird

Absent:

Dennis Vanderpool  
Carl Jacob

Staff present:

Martha Bennett, Assistant City Manager  
Jan Gehlen, Finance Director  
Connie Ware, Staff Assistant

Members introduced themselves to new member Charles Bird, giving a brief history of their background and what brought them to volunteer for the Board. Bird offered his in return.

II APPROVAL OF MINUTES

Hatz MOVED and Chandler SECONDED a motion to approve the minutes of May 5, 1999. Hatz, Chandler and Fletcher voted AYE, Bird abstained.

III DISCUSSION

A. Storm Water Rate Increase Proposal

Bird asked the Board's role in the discussion of storm water rates, and if there is a time constraint on this issue. Bennett explained that rates are insufficient to carry the Storm department through FY00/01 without severe cuts in badly needed capital improvement projects; however, there has been a change in directions as to how a rate increase will be presented to the ratepayers. City Manager Dan Bartlett has been in discussion with the City's partners in the National Pollution Discharge Elimination System (NPDES) Permit, which include Clackamas County and Oak Lodge Sanitary Sewer District. Because of new issues, which include the addition of salmonids to the Endangered Species Act, each of the partners has plans to increase

## VII. 2-2

their storm water rates during this fiscal year. Representatives of the partners have agreed to address public education on the need for rate increases as a group, and make the increases at the same time, tentatively scheduled for January of 2000.

Bennett noted that delaying the rate increase will cost the Storm budget about \$100,000, and the loss of that revenue means that a recently-bid project (the North Drywell Project) will have to be postponed about one year. She noted that when constructed, the project will connect to the Brookside storm drainage project that was completed last year.

Bennett asked if the group was comfortable with an additional \$2.00/month /EDU (Equivalent Dwelling Unit). Fletcher noted that while that \$2/month was not a serious issue for the average ratepayer, that same increase would impact commercial/industrial customers much harder. Gehlen noted that commercial/industrial customers pay a rate that is based on the square footage of impervious area for their tax lot - one EDU is equivalent to 2,078 square feet of impervious area.

Chandler commented that she felt that there is no choice; some kind of rate increase is obviously needed. She asked if builders and developers pay storm fees; Bennett explained that new construction (including any substantial additions to existing buildings) pay a Storm Drainage System Development Charge (SDC) as well as the cost to connect to the existing storm system.

Bird had several questions. Referring to a May 12 memo by Brink, he noted that fees for the previous years seem flat; Bennett confirmed that Milwaukie is growing at less than 1% per year. Gehlen passed out the FY99/00 adopted budget, which was passed by Council on 6/15/99. The figures for past year's expenses and revenues were examined in relation to Brink's figures in the May 12 memo. Bird noted some differences in expenditure figures between the years; Bennett explained that the 97/98 budget included one additional position, so the budget was higher to accommodate that position, which was never filled. She also pointed out that there was a change in how the Sewer/Storm supervisor position was allocated, which had been charged solely to Storm and is now split between the two departments.

Bird asked about general administration cost, noting that line item "jumps around a lot" from year to year. He thought the proposed \$2 increase pales in regard to the fluctuation in costs. Discussion ensued about the history of the storm sewer rate. Gehlen explained that administrative functions are charged out to each department; costs are allocated for services provided to each department. Legislative functions, upper management, accounting, telephone, computer services, records management, PW administration, Engineering, and City Attorney support are all part of that charge. Fleet is a separate line item similarly allocated, and so is Facilities. Bennett explained how these charges had been differently allocated in the past, and that process had varied widely from year to year. The current allocation is more equitable and allowed the fund managers to budget more accurately. Capital Improvement Projects (CIP) affect these charges as well.

Gehlen noted that a spike occurs for FY98/99, due to Y2K costs that will not reoccur. She handed out a chart that illustrates how that one charge spiked in FY98/99 as opposed to previous years and next year's budget, and noted that reallocation of things that were previously paid by General Fund added to that spike. In FY 97/98, at least \$500,000 was subsidized by the General Fund for dedicated funds.

Fletcher commented that the CUAB has been an advocate that funds be self-supporting and dedicated funds not be used for other unrelated costs. Gehlen noted that a new cost of service study is needed, and she has the money in FY99/00 to accomplish that. Bennett pointed out that the downside is that if validated by the study, the charges could also go up. Fletcher noted that the General Administration costs are only 10% of the entire budget, not an unusual or unexpected figure.

Bird then asked about contingency; Gehlen explained that contingency is a budgeted item, but it is not spent without additional approval. Fletcher stated that Oregon Public Budget law states that if contingency is not expended, it is carried over into the next fiscal year budget. There was discussion about how contingency is spent; Gehlen pointed out that it is always accounted for by a supplemental budget, usually at the end of the fiscal year.

Hatz asked if a recommendation would be best done now or by waiting until January. Bennett replied that a recommendation now would probably help, as the NPDES partners are considering having each of their CUAB's meet and work together, and having a local decision on the rate increase already made may help the combined group in their discussions. Fletcher said that a consolidated media campaign, etc. could be a big help in "selling" the increase to the residents in the areas affected. It is always cost-effective to combine efforts and costs. Bennett noted that time is not critical, but soon the CUAB needs to go on to consider the Sewer rate increase, as that fund is also in trouble.

Hatz MOVED that the CUAB recommend a rate increase for the Storm Sewer Utility rate from \$4.00 to \$6.00/month/EDU, and support the decision for the CUAB to work with Oak Lodge Sanitary Sewer District (OLSD) and Clackamas County Service District (CCSD) on a joint educational advocacy process. Chandler SECONDED the motion.

Fletcher called for discussion; Hatz asked if Council wanted to implement the rate increase sooner, could they? Bennett replied that it is certainly within their prerogative, even without a recommendation, but Council wants the CUAB to work with the other groups. Bird stated that he is not ready to vote at this meeting, particularly since time is not an issue. He is just getting familiar with the Endangered Species Act, and wonders if the \$2/mo. proposed rate increase is based on actual anticipated needs; perhaps even more will be needed. Fletcher acknowledged that Bird is new to the proposal, but pointed out that the rest of the group has had several meetings to understand the issues.

## VII. 2-4/

Calling for the vote, Fletcher, Hatz, and Chandler voted to approve the motion. Bird abstained. The motion passed by majority. Bennett thanked the group and noted that they will be called on to work with the other groups at a later date.

### III INFORMATION SHARING

Bennett gave Bird a brief history of the staged sewer rate increase, and staff offered to forward any needed information from previous packets.

Bennett noted that Clackamas Service District has announced a \$5 million improvement project for the sewage treatment plant, which came as a surprise to the City. Bennett commented that because the City had no previous notice, the City share of this improvement will impact the budget considerably. Fletcher filled Bird in on the sewage treatment plant issues.

Fletcher reported that Dennis Vanderpool had relayed the information that he may be moving out of the area due to business relocation; if this comes to pass, the group may be down a member. Hatz asked about Casale; Bennett said that he is interested in another term, but to date has not been reappointed.

### VI ADJOURN

The next meeting date was discussed; it was determined that there will be no meeting in July, and staff will notify the members of the selected August date. Fletcher reported that he would not be available the first week in August; staff will select a different date in August to avoid that week, and the subject will be the Sewer utility rate increase recommendation.

The meeting was adjourned at 7:40 pm.



# Ledding Library Board

## July Minutes

**DRAFT**

7/26/99

6:30 PM

Ledding Library, Fiction Room

**Meeting called by:** Sue Trotter

**Attendees:** Attendees: Anna O'Guinn , Sue Trotter, Kim Wilber, and Ed Zumwalt.

Absent: Pat Healy.

Staff: Cynthia Sturgis

### Agenda topics

Approval of minutes

Discussion: Approved as written.

#### Librarian's report

Cynthia reported that Windows based public access computers will be installed at Ledding Library in early September. These will replace the present text based PAC terminals.

The Ready to Read Grant sponsored by the State Library has been approved for a 25% increase. Ledding Library will be qualified for applying for a \$6000 grant this year. Our request will include funding a second phase for our outreach program for day care providers to create theme story kits to be used with groups.

The statistical sheet included in the monthly report packet has a new format; it has been entered into an Excel spreadsheet. The information categories have not changed.

Action item.

Deadline:

VII. 3-2

Future's Committee

Discussion: The next meeting has been postponed until September. The Board asked Ed to review the spreadsheet furnished by Michelle Gregory which tallies the results of the Futures questionnaire collected at Ledding Library.

Action:

Deadline:

August  
meeting

Board planning/Council work session

Discussion The Board reviewed and discussed the drafts of several documents prepared by Sue: key issues, a cover letter, and planning committee makeup. Sue will edit the handouts and update them for the August meeting.

The Board had further discussions about the pros and cons of including library budgeting as a key issue to be explored during the planning process. What to budget for the actual planning process is a problem. Cynthia will contact the State Library to see if they have any record of what other libraries have budgeted. She will also contact the Friends to see how much they contributed for distributing the questionnaire for the planning project in 1991-92.

Action:

Deadline:

August  
meeting

Advocacy

Discussion: Anna has agreed to write an article for the Pilot about memorials and donations to the library.

Action:

Deadline:

Sept. or  
Oct. issue

# Minutes

## PARB

June 28, 1999  
7:04 PM to 8:57 PM  
City of Milwaukie  
City Hall, 2nd Floor Conference Room  
10722 SE Main Street

**Type of meeting:** Regular  
**Attendees:** Mart Hughes, Edie Kerbaugh, Rebecca Langdon, Don McCarty, Sandra McCune, Sharon Van Horn, Darlene Walsh

### Agenda topics

Meeting Call to Order by Chair at 7:04 PM

#### Minutes

Conclusions: Motion by Don McCarty and second by Rebecca Langdon to approve the April 26, 1999 minutes as written. Passed unanimously.

Action items:	Person responsible:	Deadline:
Submit approved 4/26/99 minutes to City Council	Charlene Richards	7/02/99

#### Election of Vice-President Chair

Conclusions: Motion by Don McCarty and second by Darlene Walsh to elect Sandra McCune as Vice-Chair. Passed unanimously.

Action items:	Person responsible:	Deadline:
Notify City Recorder of Vice-Chair Election	Charlene Richards	7/02/99

#### Open Period Audience

Discussion: no comments

#### Updates -- NCPRD & City Kaffun & Richards

Discussion: **NCPRD** – Water Tower Park – opened bids with low bid approximately \$185,000. The engineer’s estimate was \$215,000. The bid spread was \$50,000. There will be a notice to proceed within two weeks. The schedule is 30-60 days behind due time needed to acquire the additional CDBG funds. Work needs to be coordinated with Clackamas High School students for installation of the play equipment. Looks like this might begin September or October after school starts. Scott Park – Milwaukie High School Thespians cleaned up, planted and painted the rod iron fencing at Scott Park. The District is looking at refurbishing the fountain at the end of the arbor. Historic Milwaukie neighborhood association donated wood and the District replaced the arbor. District Park – The District has two grants to fund trails in the park. A wetland delineation must be completed before the trails can be built. There were questions concerning possible County funds for building a trail from the dam to the aquatic park. Thom said there are funds for installing screening along Harmony. Next Summer – Summer playground programs in the parks was voiced as a concern that needs to be addressed. Only Ardenwald and Furnberg parks are scheduled this year for summer programs. There was discussion about the need to improve marketing of the program. Concern was voiced that without marketing the program attendance would be low and would not support continued funding of the existing program. The process to determine the need and request funding for next year begins with the PARB need assessment.

**City: Budget** – The fiscal year 1999-2000 budget was adopted with over \$460,000 available for acquisition of parkland in the neighborhoods that have unmet neighborhood parks needs based on existing standards. Staff noted funding will be provided by a loan from the water fund that would be paid back over ten years with interest. **Metro Greenspaces Bond Measure Update** – For those unable to attend the work session with Council, staff shared a list of future Metro presentations and gave the metro web page, <http://www.metro-region.org>, as another vehicle for information. **POST program** – The Parks, Open Spaces and Trails Acquisition program was adopted by the City Council and effective July 1, 1999. **Furnberg Park Update** – Diane Campbell, NCPRD staff, and Charlene Richards, City of Milwaukie staff, met with the Linwood neighborhood to discuss alternatives for construction of a boardwalk. There were several alternatives including one that was no build. Diane will continue to work with the contractor to reach the best solution for implementation of the master plan, wetland restoration and construction of a boardwalk. **Neighborhood Visions Summary** – a draft summary of the seven neighborhood visions by categories was distributed to PARB. This summary along with the individual neighborhood visions can be a basis for need assessment for next fiscal year. **Home & Monroe site** – Staff is working with the District and local wetland conservancy representatives to develop a plan for maintaining the site until funding is available to master plan and construct a park. Mart Hughes and Donald Hammang developed a planting list and identified invasive plants. Don McCarty is volunteering to clear invasive plants. The City will have the debris removed. JoAnn Herrigel will be meeting with the neighbors to discuss how to be a good neighbor to a land banked area.

**Parks, Open Spaces & Trails Acquisition Program Work Plan & Refinement Map -- Charlene Richards**

**Conclusions:** As a part of the POST acquisition program, an Open Spaces Acquisition Committee is formed to recommend to the City Manager whether or not property identified prior to adoption of the refinement map, should be acquired. The committee membership was discussed. One member is from the PARB. Sharon Van Horn moved and Darlene Walsh seconded the motion to appoint Mart Hughes as the PARB representative. Motion passed unanimously. Sharon Van Horn moved and Don McCarty seconded the motion to have Edie Kerbaugh as the PARB alternate. The motion passed unanimously. Both representatives said afternoon meetings would be preferred.

**Scheduling of Citizen Meetings:** The PARB will develop an informational packet to take to each neighborhood summer party, most will be August 3<sup>rd</sup>, National Night Out. The subcommittee to help develop the packet and Citizen Workshop Process will be Sandy McCune, Rebecca Langdon and Charlene Richards. Thom Kaffun will also assist. The committee will present their draft to the PARB at the July 26<sup>th</sup> PARB meeting. The PARB representative assigned to each neighborhood will be:

- Ardenwald – Darlene Walsh
- Lake Road – Rebecca Langdon
- Linwood – Edie Kerbaugh to contact Tracy Cook for date and time
- Historic Milwaukie – Mart Hughes
- Island Station – Sandy McCune
- Lewelling – No PARB member, Charlene will speak with Art Ball, Park committee chair
- Hector Campbell – No PARB member, Charlene will speak with David Ashenbrenner

Need to confirm the dates, times and places each neighborhood association will be meeting.

Action items:	Person responsible:	Deadline:
Draft Citizen Workshop process report	subcommittee	7/26/99
Call Lewelling and Hector Campbell representatives to determine summer meeting schedule and if the person identified can present the information packet	Charlene Richards	7/26/99

Other – CIP Criteria Committee and Skateboard Park Reports – Sharon Van Horn

Conclusions: Skateboard Park – The site has been changed and will now be within Clackamette Park at the entrance. Oregon City is contributing the land and liability insurance. Oregon City, Gladstone and Milwaukie contributed to the initial design project. Future funding is needed for construction, costing from \$150,000 to \$180,000. The group is looking for donations and will be doing fund raising. Grant applications have been submitted. The park will be approximately 10,000 square feet when developed.

District CIP Criteria – Sharon Van Horn reported that the District has requested that when future CIP requests are made that narratives are included addressing the criteria.

New Business – Work session w/ Council 8/2/99

PARB

Conclusions: Hold over for discussion at July 26<sup>th</sup> PARB meeting.

Action items:

Person responsible:

Deadline:

Place on July 26, 1999 PARB agenda

Charlene Richards

7/26/99

Next meeting -- agenda topics, date, time & location

Chair

Conclusions: Work session with Council August 2<sup>nd</sup> at the Milwaukie Center and report from Citizen Workshop Process subcommittee.

Action items:

Person responsible:

Deadline:

Next meeting 7/26/99, 7:00 PM

Charlene Richards

7/16/99

8:57 PM

Adjourned

**Resource persons:** Thom Kaffun, NCPRD, & Charlene Richards, City of Milwaukie

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
WORKSESSION  
TUESDAY JULY 27, 1999

**COMMISSIONERS PRESENT**

Donald Hammang, Chair  
Judith Borden, Vice-Chair  
Barbara Cartmill  
Tracy Cook  
Mike Miller  
Doug Ouderkirk  
Howard Steward

**STAFF PRESENT**

Alice Rouyer,  
Planning Director  
John Gessner,  
Associate Planner

**COMMISSIONERS ABSENT**

None

1.0 CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 INFORMATION ITEMS -- City Council Minutes, July 6, 1999

4.0 PLANNING COMMISSION MINUTES -- July 13, 1999

**Mike Miller** moved to approve the minutes of July 13, 1999, as presented.

**Judith Borden** seconded. MOTION CARRIED 5-0.

Ayes: Hammang, Borden, Cartmill, Cook, Ouderkirk; Nays: None.

5.0 PUBLIC COMMENTS -- None.

6.0 PUBLIC HEARINGS - None

## VII. 5-2

### PLANNING COMMISSION WORKSESSION

July 27, 1999

Page 2 of 6

#### 7.0 WORKSESSIONS

#### 7.1 1999/2000 Planning Commission Work Program

**Alice Rouyer** opened the discussion between Commission members and Staff for the Planning Commission 1999/2000 Work Program.

#### A. DISCUSSION AND REFINEMENT OF THE 1999/2000 PLANNING COMMISSION GOALS

1. **Consider amendments to the Comprehensive Plan, Zoning Ordinance, and Municipal Code that would make the codes more consistent and would better protect neighborhood livability in Milwaukie.**

*Objective: Implement the Neighborhood Design Workshop Outcomes to integrate into the codes. Consider creation of a design review process.*

#### Commission Comments:

Considerations in a new design review process:

- Neighborhood design guidelines.
- Maintain character of neighborhoods.
- Maintain mature vegetation for compatibility.
- Regulations that provide balance between livability and economics.
- Trees and mature vegetation are a significant community asset.
- Create authority to modify development and/or impose conditions as needed for quality development..
- Look at scale, bulk, number of stories, mass, height, and compatibility.
- Tree preservation in development.
- Revisit flag lot regulations to strengthen them further.
- Subdivision regulations – design guidelines/standards
  - Lot shape
  - Environmental (retain vegetation)
  - Open Space
  - Maximum square footage/height requirements for homes

**2. Continue to serve as the review body for applications for development.**

Commission Comments:

- A Design Review Committee should be developed to support the Commission, once the new zoning ordinance amendments are adopted. The Committee should be a citizen volunteer group composed of individuals who have an interest or background in design. The Committee would convene to offer recommendations/reports to the Planning Commission for current planning projects. The Committee could be composed of three Planning Commission members for now, then more citizen volunteers could be folded in once the Committee begins to function and more interested citizens are identified.
- Quality of plans and application materials submitted to staff and the Planning Commission needs to improve. Currently, imprecise or inaccurate information is submitted, making it difficult for the Commission to make a decision.
- Relating to Goal #1, the Commission needs stronger regulations in order to have tools to implement design goals and impose legally defensible conditions of approval.

**3. Develop and recommend a Tree Ordinance and Urban Forestry Program**

- Ordinance and program needs to meet Tree City USA standards
- City Street Tree Planting Program as part of City Capitol Improvement Program (CIP)
- Promotions, education and incentives for home owners
- Program should promote the unique character of Milwaukie, as a tree city.
- The adopted Ordinance should retain the integrity of 1996 Ordinance draft.

**4. Implement changes to the Comprehensive Plan, Zoning Ordinance to bring Milwaukie into compliance with Metro 2040 Functional Plan:**

**-Title 1 (Requirements for Housing and Employment Accommodation)**

## VII. 5-4

PLANNING COMMISSION WORKSESSION

July 27, 1999

Page 4 of 6

- Title 3 (Natural Resources)
- Title 6 (Regional Accessibility)

### Commission Comments:

- Economic conditions may not be ripe now for Title 1 or Title 6 changes.
- Neighborhood input is important.
- Staff should consider delay action on Title 1 and Title 6 in order to allow resources to be concentrated on other work projects.

### 5. **Participate in the Downtown/Riverfront Planning effort.**

#### Commission Comments:

- Planning Commission wants to receive Riverfront Development Board minutes to be kept "in the loop" on this project, in order to be equipped when the project will require Planning Commission actions (i.e. Zoning Code, Comprehensive Plan amendments).
- Support all efforts to complete the project this time.
- Do not revisit neighborhood issues around the downtown.

### 6. **Other: Commission offered two other project ideas for future or ongoing consideration.**

#### Commission Comments:

- Outreach - Staff and Commission
  - More outreach to neighborhood groups
  - Information packets about city regulations for home owners, builders, real estate professionals.
- North Industrial Lands: The City may want to embark on a project next year to reevaluate the industrial land uses in the northern part of the city. As those properties turn over in tenancy, it may be a good time to evaluate if the market would better support different land uses than those already allowed by zoning.

The following are goals that have been deleted since the February 10, 1999 Planning Commission Goals Presentation at City Council Strategic Planning Meeting:

1. Continue to work on City's Sign Code.

Commission Comments:

- Not a high priority goal at this time.

2. Implement the "Smart Growth" findings (ZORRO)

Commission Comments:

- May be too politically charged
- Does not represent Planning Commission goals
- The "Smart Growth" findings can be a resource for staff as the Zoning Ordinance is rewritten to implement Goal #1.

**B. PRESENTATION AND DISCUSSION OF THE PLANNING DIVISION WORK PROGRAM**

1. 1<sup>st</sup> 6 Months – July to December 1999

- Urban Forestry Program Development and Adoption of Regulations
- New Annexation Ordinance
- Title 3 – Development Code/Comprehensive Plan Revisions
- Permit/Development Review automation
- Functional Plan Title 1 and Title 6 Zoning Ordinance and/Comprehensive Plan Revisions

2. 2<sup>nd</sup> 6 Months – January to June 2000

- Implement Zoning Ordinance changes to respond to Planning Commission goals, Neighborhood Visions, and Neighborhood Workshops.
- Implement goals and policies of Transportation System Plan – amend Zoning Ordinance. These would be done through TGM Grants.
- Riverfront Redevelopment Implementation.
- McLoughlin Seam Specific Plan: TGM Grant for

## VII. 5-6

### PLANNING COMMISSION WORKSESSION

July 27, 1999

Page 6 of 6

- planning/land use framework plan along McLoughlin.  
Annexation strategy for unsewered areas surrounding Milwaukie.

8.0 DISCUSSION ITEMS – None

9.0 OLD BUSINESS – None

10.0 OTHER BUSINESS/UPDATES

10.1 MATTERS FROM THE PLANNING DIRECTOR

- **Alice Rouyer** went over the upcoming meeting schedule. City Council Work Session may be rescheduled from August 16, 1999 to August 30, 1999
- **Alice Rouyer** handed out copies of the Neighborhood National Night Out Events Schedule for the month of August. She invited the Commission to attend the events.

11.0 NEXT MEETING -- August 14, 1999

11.1 MLP-98-03/NCU-98-04 – Thompson/3406 SE Olsen – Remand back to Planning Commission from City Council

11.2 CU-99-03 – Denkers/3123 SE Olsen

11.3 NR-99-03 – Styles, Bates & Klein/Riverway Lane

11.4 ZA-99-01 – City of Milwaukie – Annexation Language

The meeting adjourned at 9:30 p.m.

---

Donald Hammang, Chair

---

Alice Rouyer, Notetaker  
Jeanne Garst, Scribe

DRAFT 7/26/99

Traffic Safety Commission  
July 6, 1999  
7:00 pm  
Johnson Creek Conference Room

I CALL TO ORDER

Chair Stone called the meeting to order at 7:06 pm. Present were:

Susan Stone, Chair  
Gene Covey

David Aschenbrenner, Vice-Chair  
Ron Grasley  
Jim Schierholz

Absent:

Julie Wisner (excused)

Staff present:

Mike Swanson, Interim Staff Member  
Robert Shelton, Traffic Engineer  
Connie Ware, Staff Assistant

Citizens Present:

Phil Selinger, TriMet

II CALL TO ORDER

Chair Stone asked if there were any comments or corrections to the minutes of June 14<sup>th</sup>; when none were offered, she noted that on page 4, item V.A., Wisner had referred to "traffic calming devices" rather than the "traffic controlling devices" as mentioned in the minutes. The minutes were approved with that correction: Stone, Covey, Aschenbrenner, Grasley & Schierholz voted aye, with no abstentions or nays.

III DISCUSSION

A. Ratification of Neighborhood Traffic Management Program Policy

Swanson explained that this is the opportunity for TSTB to comment on the most recent changes before presentation to Council. Stone had several "wordsmith" changes and dictated them. Shelton asked about the "typical time line" wording; the group discussed their intent. Staff suggested moving that statement to a cover memo rather than left in the NTMP, due to losing the context being referred to from the final document. The final wording is:

## VII. 6-2

"TSTB strongly recommends an aggressive time line from start-to-finish for completion of NTMP projects."

Staff will write an introductory memo to forward to Council with the NTMP. Stone will present it at the 8/17/99 Council meeting. Aschenbrenner MOVED and Grasley SECONDED a motion to forward the NTMP to Council. A clean copy of the final NTMP product will be included in the next packet.

### B. Report from TriMet on their service plan

Phil Selinger presented TriMet's conceptual plan for the SE Bus Improvements, and gave some history. Following the defeat of the light rail legislation, TriMet held "listening posts" last fall and winter to hear resident's concerns and needs in regards to regional transportation improvements. He noted that light rail remains a viable solution for the future, but when the issue comes up again the plan will likely take a different form than what was presented in the past.

Selinger displayed a map of the improved system as determined from information gathered at the listening posts. Current plans for improving the southeast transit system include Bus Rapid Transit (BRT) from downtown Portland to Milwaukie and on to Oregon City. BRT stops may replace the frequent interim stops with local buses, perhaps using High Occupancy Vehicle (HOV) lanes in Portland. New bus lines on the drawing board include an east-west line using Railroad Avenue, another from the Powell/Foster area to Damascus, and an express line following I-205 from the Gateway/LRT terminal to Clackamas Town Center and from there to Oregon City. Selinger acknowledged that TriMet is lacking east-west services in the southeast area, and noted that they are looking at instituting a line on Johnson Creek Boulevard, and another on Thiessen Road. If the current discussions about another bridge over the Willamette bear fruit, the Johnson Creek Blvd. line may eventually use the bridge to connect as far west as Washington Square.

The light rail concept plan included a park & ride at Harmony Road/Linwood, but that layout is topographically challenged. The Southgate Theater property has also been dropped from further consideration in deference to City Council preference.

There are plans to add 22 bus shelters on McLoughlin where the current stops are unimproved, adding ADA improvements and lighting near bus shelters where street lighting is inadequate. An off-street transit center in downtown Milwaukie is under consideration for the Safeway site, if not the

Junior High site - TriMet feels that the Junior High site might accommodate light rail to Lake Oswego in the distant future.

Stone asked for more information on the Safeway site; Selinger explained that it is in use now as a park & ride in partnership with Milwaukie, which is charging for the parking, and paying to lease the site to preserve options to the site for the City. Plans include about 1/3 additional services, landscaping, lighting, phones and perhaps concessions would become a part of the BRT centers; similar to light rail stations, but smaller. Selinger noted that TriMet is offering concession spaces at the larger park & ride lots, as well as encouraging development in the area around a lot. Grasley asked about security for park & ride lots; Selinger conceded that security could be improved, but unless or until TriMet charges for park & ride it is not cost-effective to have a staff person for security on each lot. Fares only cover 25% of operating costs; the remaining budget is derived from payroll taxes.

Phase II of the plan is constructing some parts of the facility improvements, and Phase III would be to construct the HOV lanes and implement portions of the plan. Phase IV would include improvements that involve the I-205 corridor. Metro is kicking off a study this summer to define needs, which is expected to take 1 to 1-1/2 years to complete.

City of Portland has a \$4 million dollar grant to make signal improvements, using OPTICOM devices (such as emergency vehicles use) controlled by a computer using a Global Positioning System (GPS). Buses will be equipped with a OPTICOM activator that will "request" a signal to be held green for the bus' direction; they are only to be used if a bus is behind schedule, or is a special shuttle service, and the computer will make the determination as either activate the OPTICOM or not. Schierholz asked whether someone could "rig" an opticom-type device to use for their own purposes; Selinger replied not to his knowledge.

Selinger asked if the members had any other suggestions; Aschenbrenner stated that the Sunnyside area is growing rapidly, and lines need to be included out as far as Damascus, to relieve the demand on the Town Center park & ride as well as reduce traffic on that portion of Sunnyside.

Aschenbrenner noted C.D. Director Bennett's memo to Council included in the packet. He wondered how the City will appoint the three members to the various TriMet citizen advisory boards. Stone asked if any of the members have an interest in being appointed; Aschenbrenner expressed an interest in either the Portland or Regional Center board. Covey also indicated interest. Swanson noted that the July kick-off would likely be the beginning of the selection process. Swanson will bring the matter up with Bennett.

## VII. 6-4

### C. School Trip Safety Plan for Lewelling Elementary School

Swanson explained that Council wishes TSTB to develop a School Trip Safety Plan (STSP) for Lewelling Elementary School. Grasley asked for an update on the STSP; Stone gave a history, noting that most of the schools did participate when the invitation was first made; only Lewelling and St. John's declined. Shelton passed out a list of items that were requested by the various schools and their level of completion at this point in time.

Stone noted that the 32<sup>nd</sup> Avenue neighborhood requested more than is noted on Shelton's report. Shelton pointed out that this project list is for school zones, and other areas could be addressed by the NTMP. Stone expressed frustration that livability is not addressed in the STSP, citing economy of scale and neighborhood expectations. Stone pointed out that flashing yellow beacons were installed on Logus Road, which serves Lewelling Elementary, and wondered why, considering the lack of participation and low traffic volume. Is there a problem that needs to be addressed? Discussion ensued about the history of the program and how to approach the request. Covey reported that the Neighborhood District Association (NDA) is meeting this summer; Stone suggested that Covey bring up the question with the NDA, and that the school be approached when school is back in session.

Swanson suggested this item be placed in the August agenda for follow-up. Shelton mentioned that he had spoken before the NDA last year, explaining traffic issues and the STSP, and that he had pointed out that Lewelling Elementary had chosen to not participate in the STSP. He had told the NDA that they could call him at any time if they perceived any problems that he could address, but he had received no responses to date.

### D. Report on Traffic Control Device Requests

Swanson reported that City Council had made no decision on this issue to his knowledge. Aschnebrenner noted that a memo authored by Assistant City Manager Bennett in the Council packet addressed the TSTB motion and gave an initial staff response. Stone gave an outline of this issue to the group. Aschenbrenner pointed out that the TSTB just wants to see the requests, not insert themselves into the existing process to slow or stop any decision. Stone requested that staff copy the memo in question for the members, and staff distributed the copies immediately.

### E. Report & Discussion on Speed Humps/Raised Crosswalks on 32<sup>nd</sup> Avenue

Shelton reported that funds have been made available for the installation of three speed humps to be constructed in conjunction with the 99/00 Street Overlay Project. In response to Stone's objections (see C. above), he

commented that if three speed humps are not acceptable to the neighborhood, the project could be tabled, or the three humps could be installed now and more planned for in the future. The humps would be an added change order to the existing overlay project. Shelton noted that due to the arterial nature of 32<sup>nd</sup> Avenue, traffic control could be more expensive for that portion of the work than it would be on a smaller street.

Discussion ensued about traffic control, detouring options, and Stone's perception that neighborhood concerns were not addressed in this proposal. Shelton commented that he had spoken with Sherry Campbell of the Ardenwald/JCB NDA about his presentation on the proposal to the NDA on May 11<sup>th</sup>. Stone stated emphatically that she should have been contacted and involved prior to that presentation. There was further discussion about the history of neighborhood concerns about traffic issues and the funding involved in providing the speed humps. Stone stated that the City should "dip into the General Fund" to provide the necessary dollars to speed-hump the entire length of 32<sup>nd</sup> Avenue. Shelton asked if he understood correctly that Stone feels that three speed humps would exacerbate the traffic problem and the City should wait until funding exists for more humps. Stone stated that the City should speed hump all of 32<sup>nd</sup> this year.

Stone stated that the 14' humps on Home Avenue are not as abrupt as the ones on 34<sup>th</sup> Avenue, noting that she can drive 35 mph over the humps on Stanley and Home Avenue but only 25 mph over the humps on 34<sup>th</sup> Avenue. Aschenbrenner agreed that although the 14' humps slow traffic down, they are not as abrupt as the residents expected; however, they are happy they were installed.

Stone asserted that the NDA did not vote to approve the three speed hump concept for 32<sup>nd</sup> Avenue. Aschenbrenner suggested that the TSTB could send a motion to Council, and the NDA could appear before Council to support Stone's stand on more speed humps. There was a great deal of discussion about how to sway Council on this issue. Swanson read from the TSTB enabling ordinance, and urged the group to draft a response to Council that recommends a larger project. He pointed out that any communication to Council is a recommendation, and not a requirement of Council.

Covey MOVED that the TSTB forward a motion drafted by Stone that read: "We as a Board feel that the proposed project to place three speed bumps on 32<sup>nd</sup> Avenue within the school zone in August 1999 does not adequately address the issue of safety or neighborhood livability. In compliance with the Ardenwald/Johnson Creek Neighborhood Association (AJCNA) request and the Ardenwald Pedestrian Safety Task Force 1995 recommendation to speed bump the entire length of 32<sup>nd</sup> Avenue, we strongly recommend that additional funding be identified to place speed bumps on 32<sup>nd</sup> Avenue from

## VII. 6-6

Johnson Creek Blvd. to Harrison Street. We recommend this project be constructed during the same construction season as the 1999/2000 Street Overlay Project." Schierholz SECONDED the motion. Stone, Covey, Grasley and Schierholz voted AYE. There were no NAY votes, and David Aschenbrenner abstained.

### F. OTHER BUSINESS

There was some discussion about the ACTS/Oregon mini-grant work session ideas; members reported on contacts they had made and responses received. Stone noted the August 2nd grant submittal deadline.

## IV. INFORMATION SHARING

- A. Shelton noted the inclusion in the packet of a drawing indicating the extent of the 1999/2000 Street Overlay Project.
- B. Swanson presented Chair Stone with a set of zoning regulations, comprehensive plan, and the regional transportation plan for Board use.

## V. FUTURE AGENDA ITEMS

The next meeting will be a work session to further discuss the ACTS/Oregon mini-grant application, to be held on July 13<sup>th</sup>.

## V. ADJOURNMENT

Schierholz MOVED and Aschenbrenner SECONDED a motion to adjourn the meeting. Meeting was adjourned at 9:50 pm.

Following the meeting, Chair Stone passed out copies of information provided by Linda Hatlelid (on a presentation the Hatlelids made 6/15/99 to City Council) to interested individuals.

/cjw

Traffic Safety and Transportation Board  
July 27, 1999  
7:00 pm  
Johnson Creek Facility Conference Room

I CALL TO ORDER

Chair Stone called the meeting to order at 7:16 pm. Present were:

Susan Stone, Chair  
Jim Schierholz

David Aschenbrenner, Vice-Chair  
Julie Wisner

Absent:

Gene Covey  
Ron Grasley

Staff Present:

Rob Shelton, Traffic Engineer  
Connie Ware, Staff Assistant

The purpose of the meeting was adoption of the ACTS/Oregon mini-grant application.

Stone read through the grant application and confirmed various details with the group. After some discussion, the group approved Helmet Awareness Program (HAP) as the proposed program name.

Schierholz MOVED and Aschenbrenner SECONDED a motion to forward the grant application to ACTS/Oregon. Stone, Aschenbrenner, Schierholz, and Wisner voted AYE. There were no abstentions or NAY votes.

With the business of the meeting completed, the group noted that August 10<sup>th</sup> is the date of the next regular meeting.

The meeting was adjourned at 7:35 pm.