

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
MARCH 17, 1998**

Municipal Court Judge Ron Gray administered the Oaths of Office to Carolyn Tomei, Mayor; Mary King, Council Position #2; and Jeff Marshall, Council Position #4.

Mayor Tomei recognized Don Graf, Tracy Cook, and Alan Fletcher for their community service as Interim Mayor and Councilors during the critical time period between January and March 1998. The City Council hosted a brief reception.

The one thousand seven hundred and eighty-seventh meeting of the Milwaukie City Council was called to order by Mayor Tomei at 7:47 p.m. in the Milwaukie City Hall Council Chambers. The following Councilors were present:

Mary King  
Rob Kappa

Jeff Marshall

Also present:

Dan Bartlett,  
City Manager  
Charlene Richards,  
Assistant City Manager  
Tim Ramis,  
City Attorney  
Jim Brink,  
Public Works Director

Randy Bruegman,  
Fire Chief  
Michelle Gregory,  
Neighborhood Services Coordinator  
Deborah Middleton,  
Program Specialist

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORT, AND AWARDS**

**Milwaukie Downtown Development Association Report**

**Dodie Linder**, Milwaukie Downtown Development Association (MDDA) Manager, and **Jim Bernard**, MDDA Board member, reported on the group's 1998 Goals. The MDDA was established in 1991 to provide a unified voice for the business district. The adopted Goals included: increasing membership participation in projects and issues by implementing an outreach program; finalizing niche guidelines for business recruitment; recruiting businesses; continuing to enhance the physical environment and image of the downtown area; promoting and marketing; and increasing revenues.

**Councilmember Kappa** asked for additional information on Goal #2 regarding niche guidelines and asked if businesses would be recruited with a regional perspective in mind. He asked if there were any resources or grants available.

**Linder** said several ideas have surfaced, but decisions must focus on vitality by being mindful of both local and regional markets. Community development funding is available, and she discussed Livable Oregon's role in helping downtown areas such as Milwaukie's revitalize.

**Councilor Marshall** said there is a perception that the downtown is counting on light rail for revitalization. He asked if that was accurate.

**Linder** said there are both light rail opponents and proponents, and the MDDA is reviewing its position statement.

#### **CONSENT AGENDA**

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

1. City Council minutes of March 3, 1998; and
2. City Acceptance of Island Station Stormline Project.

Motion passed unanimously.

#### **AUDIENCE PARTICIPATION**

None.

#### **PUBLIC HEARING**

##### **Consider Formation of North Clackamas Library District**

**Mayor Tomei** called the public hearing on the formation of a North Clackamas Library District to order at 7:58 p.m.

The purpose of the hearing was to hear public comment on the proposed District. **Mayor Tomei** reviewed the conduct of the hearing.

Staff Report: **Richards** presented the staff report on the proposed Library District. The Library Futures Committee, composed of representatives from Clackamas County and the cities of Gladstone, Happy Valley, and Milwaukie, looked at various alternatives for providing stable, quality library services in the area.

The Ledding Library Board held a series of open meetings to discuss timing of the proposal, needs, costs, and organizational structure of the proposed District. Based on information gathered at these sessions, the Library Board prepared a recommendation.

The request before City Council was to allow staff to continue meeting with the Library Futures Committee, but not go forward with the Library District proposal on the November 1998 General Election ballot. The assessment was that there was not enough input from the community, and people were concerned with how the City would actually benefit from being part of a district.

Correspondence: None.

**Councilor Marshall** asked how much staff time is required to participate on the Library Futures Committee. **Richards** responded about two hours per month.

**Councilor Kappa** asked why the City Council was following the public hearing process. **Richards** said a public hearing can be held when it seems important that there be an opportunity for public comment.

**Councilor Kappa** asked what process would be followed to provide information to Ledding Library patrons living outside the City limits. **Richards** said the public involvement process is still being discussed, and the participants understand it is important to reach residents of the unincorporated area. The Library Futures Committee will work to address that issue.

**Councilor King** said the Library District proposal could not be on the ballot until November 2000. **Richards** said that was correct; however, other alternatives may be identified if the study is extended.

**Councilor Kappa** asked if the Library Board considered Milwaukie forming its own district. **Richards** said the Boundary Commission has not tended to favor small service districts, and it normally looks to an expanded area.

**Mayor Tomei** referred to staff report page V.3 where it was suggested that Milwaukie take over operation of the Clackamas Corner and Oak Grove libraries from the County. **Richards** said that was a very early comment in the process and is no longer an alternative.

Audience Testimony: **Ted Cafourek**, 11988 SE 37th Ave., Ledding Library Board Chair. The Board recommended staff no longer work toward a District formation at this time but continue to participate in the Library Futures Committee. The Board supported identifying a stable funding source at a reasonable cost that would allow the Ledding Library to retain its autonomy and maintain or improve the current service standards.

**Councilor Kappa** asked Cafourek why the Board used the word "autonomy" in its recommendation. **Cafourek** said one of the overriding concerns was losing local control of the Library.

**Jerry Zimel**, 1651 SE Lava Drive. He expressed his appreciation to the citizens and Library Board members who participated in the process. Many positive things came out of the discussions, and patrons believe the City's Library functions very well. He was sad and troubled by the incomplete and patronizing information that resulted in problems and conflicts. There needed to be timely information distribution. He urged people to stay involved, engaged, informed, and organized to make the community a better place to live. He felt the process worked because people decided to get involved.

**Councilor Kappa** asked Zimel what he meant by "timely information distribution." **Zimel** said trust is built on openness, honesty, and availability of information. Milwaukie has had a lot of problems, but, by people coming together, the community can address its problems and heal. People do not trust the media because they feel it is too controlled. Democracy is slow and ugly at best, but humans function best in that sort of environment. People need to know about meetings and understand they are free to attend.

**Mayor Tomei** suggested Zimel get involved by applying for the Library Board. **Zimel** said, as an apartment dweller, he did not receive the City newsletter or citizen survey. He suggested an Internet site as another alternative to get people involved.

**Councilor Marshall** said there is a perception that people living in apartments are not property owners and do not care about their City. **Zimel** agreed that home ownership invests a person more, but it is important to reach out to all residents and provide involvement opportunities. He suggested direct mailing the City's newsletter instead of putting it with the utility bills.

**Bill Davis**, 16551 SE 82<sup>nd</sup> Ave., Clackamas County. County residents are also concerned with the Library District process. There has been a strong communication gap, and most issues are unknown to a majority of people in the community. Concerns are broad, and this issue is an example. Those who are familiar with the proposal are opposed to an additional layer of government and taxes. The Ledding Library works well, and he suggested the idea be dropped because it does not serve the people. It will be more costly to all parties involved. He recommended an altruistic donation of information and communication on how to make things better.

**Dale Potts**, 12177 SE Grove Loop. Until recently, the District proposal had not come to his attention. The process to get the proposal on the November ballot seemed rushed, and there was not enough time for citizen input. There needs to be more time before a decision is made. He felt citizens would be paying more taxes and only be able to look forward to having the Library open a few more hours per week and adding several more employees. Important issues have been brought to the Council's attention.

**Ed Zumwalt**, 10888 SE 29<sup>th</sup> Ave., Milwaukie. He suggested the Library Board designate a citizen task force to investigate an independent district. Milwaukie could retain its autonomy and not get into the County quagmire by looking for ways to get funding from users living outside the City. He also suggested a long-term foundation.

**Mayor Tomei** said these were all good suggestions, and she said Council would discuss the proposals with staff and report back to the public.

**Cafourek** added the Library Board was very concerned about how to inform and get feedback from the community. Library Board members recently attended Neighborhood Association and Milwaukie Downtown Development Association meetings to expand the outreach effort.

**Mayor Tomei** commended those making comments and encouraged them to remain active with the Library.

Staff Comments: None.

Questions from the Council: None.

**Mayor Tomei** closed the public testimony portion of the hearing on formation of a North Clackamas Library District at 8:35 p.m.

Deliberation and Vote: **Councilor Kappa** said he attended several of the Library Board meetings for the purpose of gathering information. He supported the Board's proposal but also felt the library network was important to the region. He had concerns with future budget constraints.

**Councilor King** appreciated the process and information sharing that took place during the recent meetings. They were conducted very professionally, and the public process was carried out. Attendance increased with each meeting, and she looked forward to more public input.

Mayor Tomei agreed with King's comments and encouraged continued involvement to work toward a positive outcome. She supported the continued study of resources and options, and she was pleased the District concept was not going forward at this time.

It was moved by Councilor Kappa and seconded by Councilor Marshall to follow the Library Board's recommendation:

*"Our recommendation is to direct staff to no longer continue to work toward formation of a library service district at this time. We request that staff continue their work with the Library Futures Committee to look at the possibility of a future library district or other alternative ways to improve service and efficiency of operations.*

*What we want to support is vigilance in researching and appropriating stable funding for Libraries at a reasonable cost to Milwaukie service area, that allows the most autonomy possible while maintaining or improving our current standards of excellence.*

*At this time, we do not believe the proposed Library District meets this intent. We understand that the other jurisdictions are free to proceed without the City of Milwaukie."*

Motion passed unanimously.

## OTHER BUSINESS

### Designate Council President

Mayor Tomei discussed the role of the Council President.

It was moved by Councilor King and seconded by Mayor Tomei to designate Jeff Marshall as the Council President. Motion passed unanimously.

### Designate Problem Solving Partnership Grant Representative

Middleton presented the staff report in which the City Council was requested to appoint a representative to the Problem Solving Partnership Grant Focus Group. The \$147,000 grant was awarded to bring together public and private community representative to solve public disorder and loitering problems in the downtown business district.

**Councilor Kappa** agreed to act as the City Council representative with Councilor King as alternate.

### Neighborhood Grant Program Criteria and Application Review

**Gregory** presented the staff report in which the City Council was requested to adopt a resolution approving Neighborhood Grant Program Criteria and appoint an ad hoc Neighborhood Grant Applications Review Committee.

**Councilor Kappa** was concerned there was limited access to the funds and encouraged partnering between the Neighborhood District Associations (NDA) and other community organizations. He suggested additional selection criteria to address partnering.

**Councilor Marshall** asked if the grants were for the NDAs. **Gregory** said the grant program was structured to provide funding to neighborhood projects and activities. She reviewed the criteria and noted all four types of projects could include a partnership within a neighborhood boundary. She suggested a Review Committee forum be available to those community organizations feeling rebuffed by the NDAs.

**Councilor Kappa** felt the NDAs needed to actively involve other segments of the community and get away from any lobbying positions.

**Mayor Tomei** suggested evaluating the process after the 1997 - 1998 funds were expended.

**Councilor Marshall** understood Kappa's concerns and added he felt the NDAs needed the encouragement offered by the grant program. After this year, the Council may wish to expand the grants to other organizations.

**Councilor Kappa** added the grant process would be raised at the upcoming Budget Committee meetings, and it needs to be clearly outlined and methodical.

**It was moved by Councilor King and seconded by Councilor Kappa to adopt the resolution approving the Neighborhood Grant Program Criteria and appointing an ad hoc Neighborhood Grant Applications Review Committee composed of Don Graf, Tracy Cook, and Alan Fletcher as Chair. Motion passed unanimously.**

**RESOLUTION NO. 8-1998:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING A NEIGHBORHOOD GRANT PROGRAM, INCLUDING CRITERIA FOR APPROVAL, REVIEW COMMITTEE COMPOSITION AND REPORTING REQUIREMENTS.**

**Consider Request for Insurance Rate Review**

**Bruegman** presented the staff report in which the City Council was asked to consider a resolution requesting an insurance rate review. Staff believed the rate review was warranted based on the current resource pooling and availability for responses. The review process may take up to two years.

**Councilor King** asked if there was a cost for the review, and **Bruegman** responded the cost would be in staff time.

**Councilor Marshall** asked what would be needed to go from a class 3 to a class 1 rating. **Bruegman** said he felt the City was very close; however, the decision rests with the evaluator. The partnership can bring about three times the amount of equipment and number of personnel.

**It was moved by Mayor Tomei and seconded by Councilor Kappa to adopt the resolution requesting an insurance rate review. Motion passed unanimously.**

**RESOLUTION NO. 9-1998:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, REQUESTING AN INSURANCE RATE REVIEW.**

**Purchase Order Increase with Murray Smith & Associates for Engineering Services**

**Brink** presented the staff report in which the City Council was requested to increase purchase order #980123B with Murray Smith & Associates (MSA) from \$40,000 to \$57,000 to expedite the water system improvement projects on Johnson Creek Boulevard. He discussed the improvements and indicated he wanted to expedite the project in order to coordinate with the City of Portland.

**Councilor King** asked the relationship between this request and the next agenda item, Local Agency Agreement for Phase II Improvements on Johnson Creek Blvd. **Brink** said the City wants to be sure it has met its responsibilities before street reconstruction takes place.

**It was moved by Councilor Kappa and seconded by Councilor Marshall to increase purchase order #980123B with Murray Smith & Associates from \$40,000 to \$57,000. Motion passed unanimously.**

**Local Agency Agreement for Phase II Improvements on Johnson Creek Blvd. – Ordinance**

**Brink** presented the staff report in which the City Council was requested to adopt an ordinance authorizing City officials to enter into and execute an agreement between the City of Milwaukie, City of Portland, and Oregon Department of Transportation for Johnson Creek Boulevard Phase II Improvements.

These improvements are an outgrowth of the 1989 SE Corridor Study. Specific safety improvements included road realignment, sidewalks, curbs, and storm drainage. Phase I was completed in 1996, and Phase II includes right-of-way acquisition and storm sewer work on Johnson Creek Blvd. from 36<sup>th</sup> Avenue to 45<sup>th</sup> Avenue. The storm sewer improvements include 2500 feet of storm line with associated manholes and catchbasins and a water quality pond near the 45<sup>th</sup> Avenue bridge. The drainage creek will allow the water to meander toward the creek and permit sediment to settle. He added that Phase III was, as yet, unfunded. Brad Kesterson from the City of Portland was present to answer additional questions.

**Councilor Kappa** noted the project, in its fourth or fifth year, addressed runoff issues, Johnson Creek water quality, and road deterioration.

**Linda Hatlelid**, 8617 SE 36<sup>th</sup>. She expressed her concerns with livability. Traffic is on the increase, and vehicles are traveling faster than 25 mph. Radar would be helpful, but there is no place to park the trailer. All on-street parking disappeared with Phase I. Money was supposed to have been available for speed humps, but none were installed. Phase I had a negative impact on residents, and neither Phases I or II were approved by the Neighborhood District Association as implied. She was in favor of sewers and resurfacing, but the rest got a "no" vote.

**Bartlett** said the Johnson Creek Blvd. improvements were an ongoing, multi-jurisdictional project with many public hearings and individual meetings with property owners. The agreement before the City Council was for subsurface work.

**Hatlelid** said the Phase I speed control was not working, and she was concerned about the effectiveness of Phase III. She added that there was previously no mention of a Phase III. **Brink** said there were no funds available for Phase III resurfacing. The street will only be patched in Phase II.

**Councilor King** understood Council was considering adding storm sewers to what already exists in this action. **Brink** said there will be trenching in the street, storm pipe, manholes, and catchbasins.

**Hatlelid** said Phases I and II mentioned sidewalks on the north side of the street. The property was taken, but no sidewalks were poured. The traffic is now closer and faster than it was.

**Councilor Kappa** discussed the process for installing infrastructure.

**Bartlett** said the project was originally to have been two-phased; however, the money was not available, so it had to be broken down further for the funding agencies. He noted the letter from Clackamas County Commissioner Lindquist regarding the Enterprise Zone and the County's commitment to the Johnson Creek Blvd. improvements.

**It was moved by Councilor King and seconded by Councilor Kappa to read the ordinance approving an agreement with the Oregon Department of Transportation and the City of Portland to provide for Phase II construction of the SE Johnson Creek Blvd. 32<sup>nd</sup> to 45<sup>th</sup> Avenues project for the first time by title only. Motion passed unanimously. The ordinance was read for the first time by title only.**

**It was moved by Councilor Kappa and seconded by Councilor Marshall to read the ordinance approving an agreement with the Oregon Department of Transportation and the City of Portland to provide for Phase II construction of the SE Johnson Creek Blvd. 32<sup>nd</sup> to 45<sup>th</sup> Avenues project for the second time by title only. Motion passed unanimously. The ordinance was read for the second time by title only.**

**It was moved by Councilor Kappa and seconded by Councilor Marshall to adopt the ordinance approving an agreement with the Oregon Department of Transportation and the City of Portland to provide for Phase II construction of the SE Johnson Creek Blvd. 32<sup>nd</sup> to 45<sup>th</sup> Avenues project for the first time by title only. Motion passed unanimously.**

**ORDINANCE 1828:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, APPROVINIG AN AGREEMENT WITH THE ROEGON DEPARTMENT OF TRANSPORTATION AND THE CITY OF PORTLAND TO PROVIDE FOR PHASE II CONSTRUCTION OF THE SE JOHNSON CREEK BLVD., 32<sup>ND</sup> TO 45<sup>TH</sup> AVENUES PROJECT.**

**Councilor Marshall** urged Hatlelid's continued involvement with her NDA, and the City Council would be open to hearing future comments.

**Bid Award for Grogan Street Improvement Project**

**Brink** presented the staff report in which the City Council was requested to award the Grogan Street Improvement Project to Parker Northwest Paving in the amount of \$31,751.50. The project was bid last August, and, at that time, the lowest bidder was 10% over the engineer's estimate. The project was re-advertised in February with twelve bids submitted ranging from \$31,751.50 to \$64,110.90. The City's pavement quality index indicated Grogan required more than an overlay.

**Councilor Marshall** asked if the City of Milwaukie had worked with Parker Northwest Paving Company. **Brink** said the City had done so with good results.

**Councilor Kappa** announced a potential conflict of interest due to his personal business and stepped down from voting on the bid award.

**It was moved by Councilor King and seconded by Councilor Marshall to award the Grogan Street Improvement Project to Parker Northwest Paving in the amount of \$31,751.50. Motion passed 3 - 0 - 1 with the following vote: Mayor Tomei, Councilor King, and Councilor Marshall aye; no nays; Councilor Kappa abstained.**

**Board and Commission Appointments**

**Bartlett** presented the staff report in which staff recommended the City Council extend those board and commission terms expiring the end of March 1998 for one month.

**Councilor Marshall** asked if there were a backlog of applications. **Bartlett** said there were several applicants that needed to be interviewed.

**Councilor King** suggested a two-month extension, and **Councilor Kappa** suggested three months. He felt it was also important to review board and commission bylaws.

**Mayor Tomei** agreed with the two-month time frame and was not in favor of reviewing the bylaws at this time.

**Councilor Kappa** felt goals and objectives needed to be redefined, and he felt reviewing the bylaws was important. He also felt the City Council needed to meet with each board and commission and suggested weekly meetings to accomplish this.

**Councilor Marshall** concurred with Kappa's comments but felt two months was prudent. He recommended beginning the interviews immediately.

**It was Council consensus to extend those board and commission terms expiring the last day of March 1998 for two months and begin interviews to fill vacancies at the April 7, 1998, work session.**

#### Suspend Council Rules

**It was moved by Councilor Kappa and seconded by Mayor Tomei to suspend City Council rules and continue the meeting beyond 10:00 p.m. Motion passed unanimously.**

#### Advisory Committees

**Councilor King** discussed the issue of improving communications and getting citizens involved. She suggested a Communications Committee be formed.

**Councilor Kappa** discussed the feasibility of Neighborhood District Association Chairs being advisory to the City Council.

#### Interim Council Appointment

**Bartlett** reviewed the provisions for filling the City Council vacancy created when Tomei was elected Mayor of Milwaukee.

The group discussed re-contacting those who had originally applied for the vacant positions after the recall election.

**Councilor Marshall** recommended appointing the candidate with the next greatest number of votes in the March 1998 Special Election as interim Councilor. Both Councilors King and Kappa felt this action would be appropriate.

**Ramis** said the Charter gives the Council the power to make the appointment and does not add restrictions.

**ZimeI** commented he felt the action would lead to community healing and supported the recommendation.

**It was moved by Councilor Kappa and seconded by Councilor King to appoint Larry Lancaster to Interim Council Position #1. Motion passed unanimously.**

**Ramis** administered the oath of office to Larry Lancaster.

### **INFORMATION**

**Bartlett** reviewed the South/North Corridor Study material and timelines. Staff sought direction on what date, prior to May 8, 1998, the Council wanted to consider the proposed Land Use Final Order (LUFO) Intergovernmental Agreement (IGA). The IGA sets out the process and identifies the parties making project Phase 1 recommendations. If the City of Milwaukie does not sign the IGA, it will lose its seat at the table. Staff also wanted direction on the local public input process.

**Councilor King** suggested beginning the process at the April 7 Council meeting and continuing it to the meeting on April 21. This would give people sufficient time to be aware of the opportunity for public input.

**Mayor Tomei** added that public input could be continued each time if necessary.

**Councilor Kappa** felt there should be three meetings for public input including May 8.

**Councilor Marshall** asked if it was typical to get public input on an intergovernmental agreement.

**It was moved by Mayor Tomei and seconded by Councilor King to begin public input on the proposed intergovernmental agreement at the April 7, 1998, Council meeting and to continue discussion if necessary.**

**Councilor Marshall** wanted people to be aware the public input was on an intergovernmental agreement and not alignment or station siting.

**Bartlett** noted the language on staff report pages 22 and 23 and project criteria was adopted by the state legislature.

**Motion passed 4 - 1 with the following vote: Mayor Tomei, Councilor Lancaster, Councilor King, and Councilor Marshall aye; Councilor Kappa nay; no abstentions.**

**Councilor Kappa** explained he voted against the motion because he did not believe one meeting would be sufficient for such an important topic.

**Bartlett** discussed the public input process, and the group agreed to discuss it at the April 7 Council meeting.

**Mayor Tomei** called a recess at 10:40 p.m. in order for Council to meet in executive session to consult with legal counsel pursuant to ORS 192.660.

*Pat DuVal*

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Pat DuVal, Recorder

#### **EXECUTIVE SESSION**

Council entered executive session to consult with legal counsel at 10:40 p.m.

Present were the Mayor Tomei; Councilors Lancaster, King, Kappa, and Marshall; City Manager Bartlett; and City Attorney Ramis.

Ramis explained the issue on which his office needed direction. The issue involved one member of the City Council. Councilors discussed who should be involved in the executive session, and it was agreed all members should remain. If action were taken, then the affected Councilor would have to excuse himself.

Ramis explained the LUBA issue and the options that he could take with Council's direction. He explained the potential for precedent.

Bartlett expressed concern over the potential future impacts of any decision on the City budget.

The City Council returned to open session at 11:15 p.m.

Mayor Tomei asked Ramis to review the legal issue over the LUBA petition for attorney's fees filed by the Lewelling Neighborhood District Association. Ramis asked the Council how they wanted him to respond.

Councilor Marshall excused himself because of a conflict of interest.

Councilor Kappa asked if the group was ready for a motion.

Date 3-17-98

I wish to address City Council on Agenda Item # 14 - For Mayor

Name LINDA HATLELID

Organization \_\_\_\_\_

Address 8617 SE 36

Phone \_\_\_\_\_

Speaking in Support

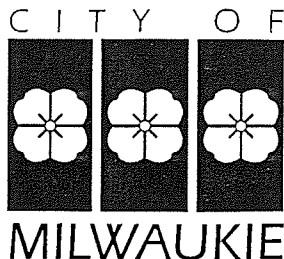
Speaking in Opposition

Raising Questions



Providing Information

Comments a few

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Memo

**To:** Honorable Mayor and City Council  
**Through:** Dan Bartlett, City Manager   
**From:** Charlene Richards, Assistant City Manager   
**CC:** Milwaukie Library Board  
**Date:** March 16, 1998  
**Re:** Proposed Library Service District

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## Request/Recommendation

Direct staff to continue to work with the Library Futures Committee to include community input in assessing needs, developing alternative solutions, and making recommendations to the Library Board and the City Council.

## Background

The Milwaukie Library Board met on Thursday, March 12, 1998, for a work session followed by a special meeting. During the Board's work session, they discussed the information provided to date on the possible formation of a library district. During the special meeting, the Board took public comment, all of which included reasons for not going forward with formation of a library district. There were ten people in attendance. The Board discussed the comments made that evening, deliberated and then ended the special meeting by approving a draft recommendation for the Council. Board members will be present at the Council meeting to deliver their recommendation.

Staff met with the Library Futures Committee on Friday, March 13, 1998. At this meeting, there was group consensus that the group no longer proceed towards going out for a November 1998 vote for formation of a library district and operating fund. The group agreed to review the current process and develop a revised process for understanding future needs and identifying creative solutions. If Council agrees to continued participation in the process, staff would like to provide quarterly updates.

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**MEMORANDUM**

To: Mayor and City Council  
From: Pat DuVal, City Recorder *Pat*  
Subject: Additional Material for the March 17, 1998 Council Packet  
Date: March 12, 1998

Attached are two additional documents supporting March 17 agenda items:

1. Item II – *Milwaukie Downtown Development Association Report*. Dodie Linder submitted this material after the MDDA Board meeting on Wednesday as supporting information for her oral report.
2. Item VI.F – *Local Agency Agreement for Phase II Improvements on Johnson Creek Blvd.* After his review, the City Attorney determined the City Council was required to adopt an ordinance authorizing its officials to enter into and execute the agreement. Please see staff report page VI.F.12, Condition #8. Staff prepared the attached ordinance for Council consideration.

If you have any questions regarding this material, please feel free to call me at 786-7502.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
REQUESTING AN INSURANCE RATE REVIEW.**

**WHEREAS**, the City of Milwaukie has determined that the Insurance Services Office (ISO) is responsible for rating the fire suppression characteristics of fire agencies; and

**WHEREAS**, ISO ratings reflect both the capabilities of individual fire agencies as well as water supply and dispatch; and

**WHEREAS**, insurance costs for property are often based on the ISO ratings, with better ratings leading to lower insurance costs; and

**WHEREAS**, the City of Milwaukie was last reviewed by ISO in December 1994; and

**WHEREAS**, the recent contract between Clackamas County Fire District No. 1 and the City of Milwaukie is expected to substantially improve the City's fire suppression capability; and

**WHEREAS**, requesting another review from the Insurance Services Office is likely to result in a better ISO rating and therefore lower insurance costs,

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Milwaukie, Oregon, authorizes the fire chief to request an ISO review of the City of Milwaukie; and

**BE IT FURTHER RESOLVED**, that upon receiving the results of the review, the fire chief will report those results to the Board of Directors of Clackamas County Fire District No. 1 and to the City Council of the City of Milwaukie.

Adopted March 17, 1998.

By \_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
O'Donnell, Ramis, Crew, Corrigan & Bachrach, LLP

\*\* OFFICIAL CANVASS WITH OVER AND UNDER VOTES \*\*

CLACKAMAS COUNTY  
SPECIAL ELECTION  
MARCH 10, 1998

\*\*\*\*\*  
\* I, JOHN KAUFFMAN, COUNTY CLERK, CERTIFY THAT THE VOTES \* BY : *John Kauffman* \* DATE OF ABSTRACT : \*  
\* RECORDED ON THIS ABSTRACT CORRECTLY SUMMARIZE THE \* \* \* MAR 11 1998 \*  
\* RESULT OF VOTES CAST AT THE ELECTION INDICATED. \*  
\*\*\*\*\*

CITY OF MILWAUKIE (JT) COUNCIL POSITION 4 TERM: MARCH 17,1998 TO DECEMBER 31,1998  
A -- JEFF MARSHALL  
B -- NOLAN V CHARD

Precinct	A	B	over	under	total
0051	260	133	1	31	425
0053	203	109	0	28	340
0054	213	88	0	19	320
0056	200	93	0	19	312
0057	290	137	0	19	446
0058	200	105	0	27	332
0060	352	97	1	21	471
0062	262	108	0	19	389
0063	285	127	0	27	439
0064	243	95	0	25	363
TOTAL	2,508	1,092	2	235	3,837
CITY OF MILWAUKIE	2,508	1,092	2	235	3,837

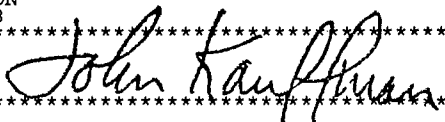
COUNCIL POSITION 4

MISCELLANEOUS WRITE-INS 5

\*\* OFFICIAL CANVASS WITH OVER AND UNDER VOTES \*\*

CLACKAMAS COUNTY  
SPECIAL ELECTION  
MARCH 10, 1998

\*\*\*\*\*  
\* I, JOHN KAUFFMAN, COUNTY CLERK, CERTIFY THAT THE VOTES \* BY : \* DATE OF ABSTRACT : \*  
\* RECORDED ON THIS ABSTRACT CORRECTLY SUMMARIZE THE \* \* \* MAR 11 1998 \*  
\* RESULT OF VOTES CAST AT THE ELECTION INDICATED. \* \*  
\*\*\*\*\*



CITY OF MILWAUKIE (JT) MAYOR TERM: MARCH 17,1998 TO DECEMBER 31,1998  
A -- ROB KAPPA  
B -- RICK FARLEY  
C -- CAROLYN TOMEI

CITY OF MILWAUKIE (JT) COUNCIL POSITION 2 TERM: MARCH 17,1998 TO DECEMBER 31,1998  
D -- MARY K KING  
E -- SUSAN A STONE  
F -- LARRY LANCASTER

Precinct	A	B	C	over	under	total	D	E	F	over	under	total
0051	78	95	246	0	6	425	185	30	183	1	26	425
0053	87	72	171	2	8	340	197	21	105	1	16	340
0054	103	74	139	1	3	320	162	22	123	1	12	320
0056	82	58	169	0	3	312	200	19	85	0	8	312
0057	108	104	232	0	2	446	240	29	157	1	19	446
0058	103	61	160	0	8	332	133	20	157	2	20	332
0060	94	113	255	1	8	471	290	25	141	3	12	471
0062	97	84	204	1	3	389	195	29	155	0	10	389
0063	109	94	232	1	3	439	197	39	183	0	20	439
0064	92	64	198	1	8	363	182	28	134	1	18	363
TOTAL	953	819	2,006	7	52	3,837	1,981	262	1,423	10	161	3,837
CITY OF MILWAUKIE	953	819	2,006	7	52	3,837	1,981	262	1,423	10	161	3,837

MAYOR

COUNCIL POSITION 2

MISCELLANEOUS WRITE-INS 12

MISCELLANEOUS WRITE-INS 4



## **MEMORANDUM**

To: Mayor and City Council

Through: Dan Bartlett, City Manager

From: Pat DuVal, City Recorder *Pat*

Subject: Procedural Questions Regarding Council Vacancies

Date: March 13, 1998

At the March 10, 1998 Special Election, Carolyn Tomei was elected Mayor resulting in Position #1 being deemed vacant. This raises a number of procedural questions.

1. When will the election to fill the vacancy be held?

Charter Section 19 – *Filling of Vacancies* states in part:

“A vacancy on the council shall be filled or the remainder of the unexpired term, if any, at the next election following not less than 60 upon the occurrence of the vacancy...”

The next available election to fill Position #1 would be the September 5, 1998 Special Election. The filing deadline for the May 1998 Primary was March 10.

Charter Section 17 provides that nominating petitions for an elective City office must be filed “not earlier than 100 nor later than 70 days before the election.” Candidates will have to file all nominating papers with the City Recorder between June 5 and July 7, 1998. Candidates’ names must be certified with Clackamas County Elections by July 16, 1998, in order to appear on the ballot.

The person elected to Council Position #1 would be sworn in at the September 15, 1998, regular Council session, and the term of office will expire December 31, 2000.

2. How will the vacancy be filled prior to the September election?

Charter Section 19 – *Filing a Council Vacancy* provides that:

“... the council by a majority of vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office ...”

Council must make its interim appointment within 30 days. The appointee will serve until September 15.

3. What are the filing dates for the November General Election?

The terms for Mayor and Council Positions #2 and #4 will expire December 31, 1998. To file for the November 3, 1998 General Election, candidates will have to file all nominating papers with the City Recorder between July 24 and August 25, 1998. Candidates' names must be certified with County Elections by September 3, 1998.

The terms of office for these three positions will begin January 5, 1999, and expire December 31, 2002.

**CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
MARCH 17, 1998**

**MILWAUKIE CITY HALL**  
10722 SE Main Street

**1787<sup>th</sup> MEETING**

**WORK SESSION**

4:45 - Council Information Sharing  
5:00 - Council's Legal Roles and Responsibilities (Jim Coleman)

**OATH OF OFFICE FOR MAYOR AND COUNCILORS**

**REGULAR SESSION - 7:00 p.m.**

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

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

**Milwaukie Downtown Development Association Report (Dodie Linder)**

**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 March 3, 1998**
- B. City Acceptance of Island Station Stormline Project**

**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.)*

**Consider Formation of North Clackamas Library District (Charlene Richards)**

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

- A. Designate Council President**
- B. Designate Problem Solving Partnership Grant Representative (Deborah Middleton)**
- C. Neighborhood Grant Program Criteria and Application Review — Resolution (Michelle Gregory)**
- D. Consider Resolution Requesting an Insurance Rate Review (Randy Bruegman)**
- E. Purchase Order Increase with Murray Smith & Associates for Engineering Services (Jim Brink)**
- F. Local Agency Agreement for Phase II Improvements on Johnson Creek Blvd. (Jim Brink)**
- G. Bid Award for Grogan Street Improvement Project (Jim Brink)**
- H. Board and Commission Appointments**

**VII. INFORMATION**

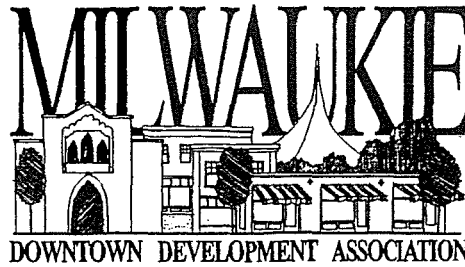
- A. Planning Commission Minutes of February 24, 1998 (draft)**
- B. Land Use Action Information**
- C. Four Cities/Clackamas County Boundary Change Project Steering Committee Notes of January 29, 1998**
- D. Letters Supporting Clackamas County Fire District #1 Application to Extend 800 MHz SmartZone System to Beaver Creek Area**

**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.*



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

March 12, 1998

Welcome Mayor and Council!

This is an exciting time for the citizens of Milwaukie and the Milwaukie Downtown Development Association (MDDA). Over the past few years, much has been planned for the downtown area and many discussions have taken place. Some projects have gone forward and some are in the development phase.

Over the past year, stronger communication ties have been established between the MDDA and the citizens of our city. The outcome of this effort has been a greater understanding of the dynamics facing the downtown district and how the neighborhoods, along with business folks, play a part in those dynamics. This greater understanding has created collaboration towards economic vitality for the downtown.

The Milwaukie Downtown Development Association has a Board of Directors comprised of business owners, property owners, the high school principal, a city council representative, the city manager and members-at-large. The general membership of the Association includes all business owners and property owners within the Economic Improvement District, local and regional politicians, and other interested citizens.

Recently, the Board of Directors of the MDDA set the goals for 1998. The opinions of business folks in the downtown district and input from the community helped to guide the establishment of these goals. Since the inception of the Association in 1991, many achievements have been realized, yet there is much work to be done. As we move into the action phase for this year, our goals include:

- Increasing membership participation in Downtown projects and issues by implementing business outreach.
- Finalizing niche guidelines for business recruitment.
- Recruiting businesses that meet the needs of the Downtown district and community interest.
- Continued enhancement of the physical environment and image of the Downtown area.
- Promoting and marketing Downtown Milwaukie.
- Increasing the revenue of the Association through the acquisition of development funding opportunities.

The future of the downtown district lies in the productive decisions we make today. Those decisions for the MDDA must focus on the economic vitality of the downtown business district, while being mindful of our role in the local and regional community.

As you begin your service to this community, please feel free to contact the Association on matters of the Downtown area.

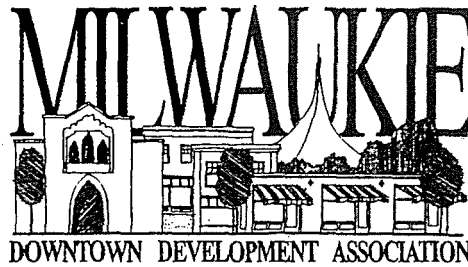
Sincerely,

Dodie Linder

Milwaukie Downtown Development Association

Manager: Karen O'Dowd

Board: President, Dodie Linder, Grant Finders Service Vice President, David Mealey, Milwaukie Family Chiropractic Treasurer, Pamela Reynolds, Statements Plus  
Don Bartlett City Manager (ex-officio): Roxanne Bross, Milwaukie Travel; Paul Graham, Graham's Book & Stationery; Kim Haines, Dark Horse Comics;



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

## **GOOD THINGS ARE HAPPENING DOWNTOWN.....**

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

Since 1991, downtown Milwaukie has grown from employing 697 to 1,000 jobs. Numerous buildings have been renovated including Dark Horse Comics, the Wetzler Office Building, Cascade News and Tobacco, and more recently, the Association financed improvements to Danny's Pub, Candyland, Graham's Book and Stationery, Quiktime Signs (a business we helped to recruit), Main Street Cleaners, Special Olympics, Warf Dentistry, First Edition Hair Design, Bernard's Garage and Horton Electric. We've also funded paint projects for Dark Horse Comics buildings. We also provided funding for a new sidewalk at Cascade News and Tobacco. Design assistance was provided to Milwaukie Lumber for their new facelift. Overall, investment in downtown Milwaukie has exceeded \$1 million in the last three years! We have coordinated restoration of downtown benches, clean-up at Town Grocery and Deli and in the parking area adjacent to the Post Office. We work with the schools to remove graffiti and plant new flowers along Main Street several times a year. In 1994, the Association and private business sponsors purchased 10 new trash receptacles for the downtown area. Volunteers plant flowers every year, and this year we saw tulips sprout in early spring. We've purchased banners and brackets downtown and hanging flower pots.... another new look to downtown!!! We recently worked with the City and a local scout troop to clean up blackberry bushes and debris at the waterfront next to the "Eastman Property". Over the past two years, we have raised over \$30,000 for special events and projects. Local businesses and property owners contribute \$36,000 annually to support the Association.

The City recently completed its "Vision Project" which will be used as a road map for an enhanced Milwaukie, revitalized waterfront, open spaces, and an expanded central civic area. Already the City has purchased several riverfront properties, demolished dilapidated property and opened a view to the river. We plan to capitalize upon our role as a transportation and economic hub in the region. And, not as an aside.... the Downtown Association won a statewide award from Livable Oregon for "Outstanding Organizational Achievement" for its work promoting light rail at the local, regional and state levels and more recently our nomination of Milwaukie Rotary for "Outstanding Volunteer Organization" received statewide recognition..... This year our top priority is "Niche Development" ..we're working to find our niche in this broad regional marketplace.

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

Manager: Karen O'Dowd

Board: President, Dodie Linder, Grant Finders Service Vice President, David Mealey, Milwaukie Family Chiropractic Treasurer, Pamela Reynolds, Statements Plus

SAMPLE  
PUBLIC HEARING NOTICE  
TO  
PROPERTY OWNERS

II. 41

Dear Property Owner:

The City of Milwaukie will hold a Public Hearing, June 7th, 7:00 p.m., at the Milwaukie Center, 5440 SE Kellogg Creek Drive, Milwaukie, for the purpose of considering continuance of the existing Economic Improvement District Ordinance in the Downtown Area previously formed by the Council as a Part of Ordinance 1694, on February 5, 1991.

It is the intent of the ordinance to generate \$18,000 based upon property assessments determined on the assessed value available in the association boundary. The proposed formula (identical to the existing formula) for apportioning the cost shall be:

$$\frac{\$18,000}{\text{Assessed Value - Exempted Property } 1,000} = \text{RATE}$$

Fees are not levied on residential property.

Property owners are encouraged to attend the public hearing scheduled for June 7th providing testimony at that time. Property owners may also file written objections to the ordinance submitting same to the City of Milwaukie no later than the start of the Public Hearing on June 7th, 1994.

The ordinance will, if renewed, continue to be used to support the Milwaukie Downtown Development Association's activities including:

**DESIGN** - Improving the economic vitality of downtown, through short term projects like facade projects for property owners in the downtown, acting as liaison to the property owners on master planning of the downtown, and keeping property owners informed on issues such as light rail planning.

**BUSINESS SERVICES AND RECRUITMENT** - Working on issues of benefit to the businesses and property owners on issues such as parking, a business directory, and tenant recruitment. Working with the City of Milwaukie reduce crime, graffiti and property vandalism. Working with the schools and service clubs to provide periodic property clean-up programs.

**PROMOTIONS** - Creating an environment that maintains downtown Milwaukie's home town family character, creates a sense of pride and image and encouraging shopping and business recognition through media and special events.

**ORGANIZATION** - Creating a collective body of influence that can garner support, and work as a team to direct change of influence decision-makers on issues of interest to the downtown business community.

Funds raised by the ordinance represent approximately one-quarter of the MDDA budget. The remainder of the MDDA's budget is provided as follows:

Contract from City of Milwaukie (renewed for five years in December 1993)	\$18,000
Business License Fee (renewed for five years in November 1993)	\$18,000
Fundraising (estimated based on last year's actual)	\$14,000

Comments in support or objecting to the ordinance should be sent or delivered to the City Recorder, City Hall, 10722 SE Main Street, Milwaukie, Oregon 97222. Mailed comments must be received before 5:00 p.m., June 7th. Comments may be delivered to the Public Hearing.

SAMPLE  
PUBLIC HEARING NOTICE  
TO  
DOWNTOWN NEIGHBORS

## II. A.

### Dear Downtown Neighbor:

During the last three years you have probably noticed a number of subtle and not so subtle changes occurring in downtown Milwaukee. The face of Milwaukee has been improving due to significant new investment most notably occurring on the buildings owned by Dark Horse Comics, but also as a part of dozens of smaller renovations:

- Libbey's Restaurant
- The Wetzler Office Building
- Chopsticks Express
- Cascade News & Tobacco
- Lawrence Froland's O.D. Professional Office
- Look's Wright Hair Design (recently purchased by Chopsticks to expand)
- Graham's Book & Stationery
- Danny's Pub
- Town Grocery & Deli

The streets have recently been restriped, sidewalks are swept courtesy of the North Clackamas Parks and Recreation District, benches have been restored, volunteers have cleared the hillside next to Cascade News and Tobacco and the parking areas near the post office, and weeds have been removed next to the railroad tracks. New landscaping "bow-ties" adorn Main Street and Scott park is undergoing major habitat restoration thanks to the City of Milwaukee. Of the eighteen projects listed above, eleven were the result of MDDA's funding or active coordination. Much of the volunteerism has occurred as a result of MDDA's sending the attached "Service Projects" wish list to 36 scout troops throughout the region. Property values have increased 12% and employment has increased from 697 jobs in 1990 to 727 this year. For the first time, downtown has a business directory giving thousands of customers an at-a-glance view of the diversity of goods and services available in downtown Milwaukee.

Downtown Milwaukee is truly at a crossroad of opportunity. Over the next year the City Council will be making significant decisions on the issue of light rail, the scale and location of a proposed transit station, major improvements to McLoughlin Boulevard between 17th avenue and River Road, and will revisit waterfront development. Your interests need to be heard as a part of that process.

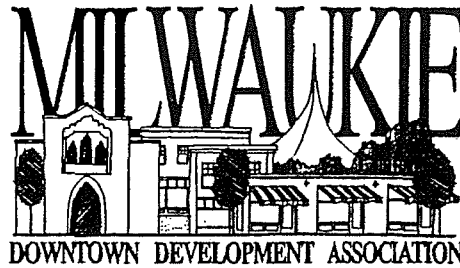
Downtown Milwaukee needs professional management because it is in competition with professionally managed shopping and office centers. A small tenant in those centers typically pays a management fee ranging from \$5,000 to \$15,000 per year over rent. Do you have time to recruit new businesses, work on parking problems, organize promotions, track light rail, work on master planning for the waterfront, produce a business directory, or follow local and state legislation affecting downtown? MDDA represents \$66 million dollars in assessed valuation. Managing this economic unit is complex and demanding and requires a full-time manager and organization focussed solely on downtown. Think about it, does any other organization fill this void of needs?

We think we are headed on the right track. And, we need your support. Attend the November 23rd Public Hearing at 7:00 p.m. at the Milwaukee Center, 5440 SE Kellogg Creek Drive and voice your support. Or, if you can't attend, send a letter of support to the Milwaukee City Council, 10722 SE Main Street, Milwaukee, 97222.

We hope to see you there! If you have any questions, please call any one of our association supporters:

Pamela Reynolds Statements Plus 653-6399	Gary McClain Mundorf, McClain & Kovak 659-5545	Jan Esler-Rowe Cascade News & Tobacco 786-3607	Chong Hul Enyart Town Grocery 652-0803
Lawrence Froland Optometrist 654-3212	Steve Morse Milwaukee Lumber 654-5417	Roxanne Bross Milwaukee Travel 659-2912	David Mealy Milwaukee Chiropractic 659-2542
Paul Graham Graham's Book & Stationery 654-7706 Milwaukee 636-5676 Lake Oswego	Lou Cushman Bank of America 654-3147	Ray Peck Coffee Resort 654-9570	Beverly Payment Scissor Hands & Co. 654-7112
Champ Husted Kellogg Bowl 654-7719	Peter Sample West One Bank 653-0443	Don Zavada Milwaukee Printing 659-7707	Rick Warf, DMD 654-2101

SAMPLE  
BUSINESS RECRUITMENT  
“WELCOME” LETTER



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

Welcome!

On behalf of our Downtown Association, I'd like to convey our greetings. Our Association was created to provide a cohesive voice on behalf of our downtown business community. Our downtown office is located next to Milwaukie Lumber and staff works full-time on a variety of projects all focused on economic vitality. A sampling of the scope and variety of these are included in this packet under "Good Things Are Happening Downtown".

We've put together this packet of information to explain why locating in downtown Milwaukie is a smart decision. Named as a Regional City Center as a part of Metro's 2017 plan, downtown Milwaukie is an excellent place to invest and do business. Destined to provide premier transportation facilities and to house an additional 2,571 households and 6,444 employees, Milwaukie stands positioned for growth and prosperity. With access to 44,416 customers within two miles, market opportunities are here for the taking. We're home to three schools, City Hall, an internationally recognized comic book publisher and dozens of "mom and pop" businesses that have chosen Milwaukie.

During the past three years, downtown has experienced nearly \$1 million in private property improvements, a sign that downtown is on the upswing. With over 1,000 employees working downtown each day, we've a "built a customer base". Milwaukie offers the attributes of a small-town USA, friendly business people and employees that care for one another, combined with easy access to the full range of amenities abundant within the greater urban region.

Again, welcome to Milwaukie!

Dodie Linder  
Milwaukie Downtown Development Association

**CITY OF MILWAUKIE  
CITY COUNCIL WORK SESSION  
MARCH 3, 1998**

**Mayor Graf** called the work session to order at 5:15 p.m. in the second floor conference room at Milwaukie City Hall.

Councilors present: Tomei, Cook, and Kappa.

Staff present: City Manager Bartlett; Assistant City Manager Richards; City Attorney Coleman; and Neighborhood Services Coordinator Gregory.

**Information Sharing**

**Councilmember Cook**, referring to a question Councilmember Kappa had asked during interim Council interviews, shared her opinions of what she thought might be wrong with the Council process. She recommended televising the work sessions so residents would be able to hear the dialogue and information being shared. She also felt the regular sessions intimidated people and should have a more relaxed, user-friendly atmosphere so the public would perceive the Council as more approachable. In addition to cable, she recommended implementing an e-mail system so people could more easily express their thought and concerns.

**Mayor Graf** felt if the work sessions were televised, they would no longer be informal. **Councilmember Tomei** agreed the work session process would likely change.

**Councilmember Kappa** added the work sessions served the purpose of information gathering in an informal public forum.

**Councilmember Cook** suggested changing the room set up of the regular session and removing the physical barriers.

**Mayor Graf** said there was a lot of value to the informality of the work session. He was concerned broadcasting these sessions would change the atmosphere. **Councilmember Tomei** thought it might be a risk that should be taken.

**Councilmember Kappa** recommended televising selected staff reports.

**Mayor Graf** suggested the Neighborhood District Associations (NDA) prepare and distribute a twice-monthly information sheet on Council activities. The City Council is responsible for the entire community and should not respond only to the people who make the most noise.

**Councilmember Cook** felt information needed to reach the computer-age society.

**Councilmember Kappa** was concerned that giving information-sharing responsibilities to the NDAs would create another layer between the residents and the City Council.

**Mayor Graf** said the last Neighborhood Councils went out of business when they became too aggressive. The City Council has to retain responsibilities for its actions, and the NDAs are there to advise.

**Councilmember Cook** and **Councilmember Tomei** noted residents tend to rally around negative issues, and, if there are none, NDA participation is low.

### Rose Garden Policy and Fees

**Joan Young**, Milwaukie Center Director, presented the staff report. She discussed the recent Sara Hite Memorial Rose Garden improvements. Since the City of Milwaukie owns North Clackamas Park, the Council must approve any policies and fee schedules.

After eight years, the first phases of the Garden are complete, and it is ready for community use. The Friends will continue to build out the Rose Garden by adding a gazebo, arbors, and an entry feature. Later this spring, trees will be planted to define the perimeter of the facility. The District will oversee use of the Garden and maintain the facility with the exception of the rose beds which will be cared for by the Friends.

The City Attorney reviewed the draft policy and recommended no changes. **Young** reviewed the changes County Counsel made to the draft policy. These amendments included a discrimination clause; sound regulation; parking facilities; special restrictions; liability; and cancellation policy.

**Councilmember Kappa** was concerned about canceling an event that had been long in planning such as a wedding reception. **Young** said that type of event would probably be canceled only if there was an infrastructure failure.

The group discussed amplified music, and **Bartlett** reviewed the appeal process.

**Young** described the changes to the application itself. The rules will go forward to the District Parks Advisory Board and ultimately to the Board of County Commissioners for approval. The opening ceremony is scheduled for June in conjunction with Milwaukie Festival Daze. Royal Rosarians will walk in the parade and participate in the Rose Garden dedication ceremony. She noted the week prior, a golden wedding anniversary and vow renewal ceremony is scheduled for about fifty couples.

## **Neighborhood Grant Program Policy**

**Gregory** said there was \$35,000 in the current budget allocated for neighborhood grants. In order to deliver these grants, the City must have a formal mechanism with identified criteria. She researched information from other cities and compiled a list of basic criteria for Council consideration.

**Councilmember Kappa** felt there were other worthy programs, such as Neighborhood Watch, that might be excluded from the Neighborhood District Association (NDA) grant process. He identified the Milwaukie Museum and Milwaukie Community Club as groups seeking small project funds.

**Bartlett** pointed out the City Council has a certain amount of control over the NDAs but none over social and non-profit groups. Neighborhood Watch programs are supported by the Police Department.

**Councilmember Kappa** felt the community-at-large might feel it was being left out of the process and did not want to exclude those who did not attend NDA meetings.

**Gregory** noted the NDAs would be able to partner with other groups.

**Councilmember Tomei** agreed there were many groups that could be included in the neighborhood cultural, social and recreational project category.

**Mayor Graf** felt there could be a problem getting information to other organizations.

**Councilmember Kappa** was concerned some NDAs were not able to generate a lot of participation.

**Bartlett** suggested an ad hoc awards group to review and recommend which grant applications to fund. The group agreed there should be a quarterly program status report to the Council and public.

**Gregory** said the NDAs helped draft the criteria, and some are prepared to submit their applications. She recommended an equal allocation for each NDA.

**Councilmember Tomei** noted the funds were in the 1997 - 1998 Adopted Budget and would have to be spent by June 30 or go back into the general fund.

**Councilmember Kappa** said the proposed criteria answers some social program funding questions raised during the Budget Committee meeting.

## City Communications Plan

**Bartlett's** initial recommendation was to defer the matter until after the March 17, 1998, meeting. He discussed the problems cities face in connecting with their citizens and some methods used to solve communication problems.

**Councilmember Kappa** said people seem to want local control, but voters turn money issues over to the state legislature. He suggested City Council photos in each City facility as one small step toward connectivity.

**Councilmember Cook** asked if people wanted more control or if they simply wanted to know what was going on.

**Councilmember Tomei** felt some people wanted to know, but many did not care. Those who get the most information are the most unhappy.

**Councilmember Kappa** commented on a *Clackamas Review* editorial which stated that people have busy lives, and they want their elected officials to represent them.

**Mayor Graf** did not feel people had a concept of what went into making Council-level decisions. Few people attend meetings resulting in limited understanding regional issues. He discussed the Ardenwald Newsletter that had kept people informed of what went on in both the neighborhood and surrounding area. There is less interaction now.

**Bartlett** suggested developing a communications plan with opportunities for general discussions not necessarily leading to a decision.

**Councilmember Tomei** hoped the interim Mayor and Councilors would stay involved as the processes were developed.

## Cable Franchise Fee

The group discussed TCI's separate listing of the franchise fee on recent bills. **Richards** commented generally on franchise negotiations and future increases.

The work session ended at 6:45 p.m.

---

Pat DuVal, City Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
MARCH 3, 1998**

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

Carolyn Tomei	Rob Kappa
Tracy Cook	

Also present:

Dan Bartlett, City Manager	Michelle Gregory, Neighborhood Services Coordinator
Charlene Richards, Assistant City Manager	Paul Roeger, Civil Engineer
Jim Coleman, City Attorney	Rob Shelton, Associate Engineer
Jim Brink, Public Works Director	

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORT, AND AWARDS**

**Neighborhood Traffic Management Status Report**

**Shelton** provided an update on the Traffic Management and School Trip Safety Programs implemented in response to citizen complaints about speeding on City streets. A petition was received requesting SE Adams between Railroad and 42<sup>nd</sup> Avenues be placed on the 1998 NTMP. Neighborhood Speed Watch efforts continue, and a draft School Trip Safety Program proposal is being reviewed. Plans are being prepared to help parents and children identify the safest walking routes to schools. Staff is evaluating the effectiveness of making the 28<sup>th</sup> and Willard intersection right-turn-only.

**CONSENT AGENDA**

**It was moved by Councilmember Tomei and seconded by Councilmember Cook to adopt the Consent Agenda which consisted of the City Council minutes of February 17, 1998. Motion passed unanimously among the members present.**

**AUDIENCE PARTICIPATION**

None.

## **PUBLIC HEARING**

### **Drefshill Sanitary Sewer Local Improvement District**

**Mayor Graf** called the public hearing on the formation of a local improvement district (LID) for sanitary sewer improvements on Drefshill Street to order at 7:10 p.m.

The purpose of the hearing was to consider formation of a local improvement district. On January 6, 1998, the City Council adopted Resolution 6-1998 declaring its intent to form a local improvement district for sanitary sewer improvements on Drefshill Street. Notice of the public hearing on the proposed LID was mailed on February 17, 1998, to owners of property benefited by the proposed improvement.

Staff Report: **Roeger** presented the staff report in which the City Council was asked to consider adopting an ordinance creating the Drefshill Street Sanitary Sewer Local improvement District (LID).

Staff had two meetings with the affected property owners with very light attendance. One written remonstrance was submitted to the City Recorder. Staff recommended the City participate in 25% of the property owner's share and offer an incentive for early connection. Property owners would be responsible for the cost of decommissioning any existing private sewer systems. The developer would pay the entire cost related to the private development. If the City Council establishes the LID, the project will go to bid on March 6, 1998.

Correspondence: Lynn Cox, 5638 SE Drefshill, wrote in opposition to forming the LID. Arlie and Cathy Bartmess, 5625 SE Drefshill, wrote in support.

**Councilmember Kappa** asked the cost of decommissioning a private system, and **Roeger** replied pumping and filling a septic tank would cost about \$450.

**Councilmember Tomei** asked what happened if a resident does not want to participate. **Roeger** said, if the LID went forward, all property owners would be involved.

Audience Testimony: **Ed Martin**, E&S Construction, was the developer of lots 5635 and 5639 SE Drefshill and spoke in support of the LID. He felt the project was an opportunity for the residents since it would only be a matter of time before the private systems failed, resulting in additional problems. The LID would be a long-term cost savings for the City of Milwaukie and accomplish the goal of connecting all residences to the public sewer system.

**Mayor Graf** asked if the project included curbs. **Roeger** said the LID was strictly a sanitary sewer, not a storm sewer, project.

Staff Comments: No additional comments.

Questions from the Council: No additional questions.

**Mayor Graf** closed the public testimony portion of the hearing on formation of the Drefshill Street Local Improvement District at 7:35 p.m.

**Bartlett** said one remonstrance, 8%, was insufficient to prevent formation of the district. **Roeger** announced the City did not receive sufficient remonstrances to suspend formation of the proposed district.

Deliberation and Vote: **It was moved by Councilmember Kappa and seconded by Councilmember Tomei to read the ordinance establishing the Drefshill Street Local Improvement District for Sanitary Sewer Improvements for the first time by title only. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.**

**It was moved by Councilmember Tomei and seconded by Councilmember Kappa to read the ordinance establishing the Drefshill Street Local Improvement District for Sanitary Sewer Improvements for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.**

**It was moved by Councilmember Kappa and seconded by Councilmember Tomei to adopt the ordinance establishing the Drefshill Street Local Improvement District for Sanitary Sewer Improvements. Motion passed unanimously among the members present.**

**ORDINANCE NO. 1828:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON,  
ESTABLISHING THE DREFSHILL STREET LOCAL  
IMPROVEMENT DISTRICT FOR SANITARY SEWER  
IMPROVEMENTS.**

## **OTHER BUSINESS**

### **Rose Garden Policy and Fees**

**Joan Young**, Milwaukie Center Director, presented the staff report in which the City Council was requested to approve the proposed Sara Hite Memorial Rose Garden Use Permit Policy and refer it to the North Clackamas Parks and Recreation Advisory Board and Clackamas County Board of Commissioners. The County Counsel recommended several amendments to the rules which she had reviewed with the City Council during the work session. The Milwaukie City Attorney had not brought any changes forward.

After eight years, the first phase of the Rose Garden project was nearly complete. The infrastructure is in place including the plaza, walkways, and planting beds. The Friends, who will maintain the roses, plan to build a gazebo, arbors, and defining entryway. The Parks District will operate the Rose Garden and maintain the surrounding area.

**Young** said parking is a potential problem, but one staff person will be coordinating use of all the rental facilities in order to resolve issues prior to events. The neighboring churches agreed to provide overflow parking options. She discussed special restrictions having to do with the use of rice, bird seed, balloons, and other materials that might harm wildlife or the Garden itself. The facility will be open to the public and available for rental by contacting the Milwaukie Center. A grand opening celebration is planned for June 27, and amenities such as bricks and benches are still for sale.

**It was moved by Councilmember Tomei and seconded by Councilmember Cook to approve the Rose Garden use permit policy and fees and refer it to the North Clackamas Parks and Recreation Advisory Board and Clackamas County Board of Commissioners. Motion passed unanimously among the members present.**

### **Interim Intergovernmental Agreement between the City of Milwaukie and Clackamas County Regarding the Enterprise Zone**

**Allen** presented the staff report in which the City Council was requested to adopt a resolution approving an intergovernmental agreement (IGA) and authorizing an amendment to the Zone boundary.

The resolution proposed amending the Zone boundary to include adjacent industrial land in the City of Portland. The interim IGA addressed Zone management and special conditions that would have to be met in order to

participate in the five-year tax abatement program. The signing parties would also agree to negotiate an agreement between the Oregon Economic Development Department, Clackamas County Office of Children and Families, and the City of Milwaukie to address child care needs.

**Bartlett** noted a scrivener's error on page one. The temporary conditions should run until March 31, 1999.

**George Van Bergen**, 12366 SE Guilford Dr., asked for a response to several concerns including: length of time the Zone would exist and renewal conditions; tax abatement recipients; impact on other Milwaukie residents; and effect on school funding.

**Allen** said the tax deferral applies to those property owners who add value to the Zone by making capital improvements. School financing is driven by the state, and the local impact would be offset. The Zone was created for a period of ten years, and only the co-sponsors could apply for renewal.

**Bartlett** added that one of the Measure 50 components designates that schools receive a flat dollar amount per pupil. The State adds to local collections to offset any differences.

**Allen** made further comments on the duration of the Zone which would expire in 2007. There are only a given number of Enterprise Zone designations available in the State at a given time. This Zone would have to compete with other applicants in order to renew.

**Councilmember Tomei** said the Zone could extend beyond 2007, but the tax deferrals were for a specific length of time. **Allen** said a corporation, such as PCC Structural, could make new capital investments for a tax abatement.

**Carl Jacob**, 10500 SE 44<sup>th</sup> Avenue. It was his personal feeling that the State and County pandered to temporary employment agencies. People were not getting needed benefits. He recommended the Enterprise Zone be a discussion topic at the upcoming Town Hall meeting on March 7.

**Allen** said businesses must meet job creation criteria and create FTE positions. For the five-year abatement, wages would have to be 150% of the County average based on the median.

**Councilmember Tomei** added that the 150% of the County median wage condition would have to be met within eighteen months.

**Jacob** felt "FTE" was semantics, and there were too many politicians and gimmicks.

**Allen** pointed out that businesses were required to file annual reports to prove they were meeting tax abatement criteria.

**Councilmember Tomei** said the City Council had discussed the proposed Enterprise Zone for several months and felt assured there would be good jobs and family wages.

**Sarah Jacob**, 10500 SE 44<sup>th</sup>, felt the decision should be postponed until the public had an opportunity to discuss it at the Town Hall meeting.

**It was moved by Councilmember Kappa and seconded by Councilmember Tomei to adopt a resolution approving an intergovernmental agreement and authorizing an amendment to the Zone boundary.**

**Councilmember Tomei** added the City Council had considered the proposal since November and expressed concern more confusion might be created by postponing the decision until after the March 7 forum. She felt the Council had been elected to make this type of decision.

**Councilmember Kappa** understood the concerns, but he felt daycare, wages, and water quality issues had been satisfactorily addressed.

**Councilmember Cook** attested to the amount of work and concern going into making this the best possible situation for Milwaukie.

**Bartlett** noted the memo from Councilmember Fletcher supporting the Enterprise Zone.

**Motion passed unanimously among the members present.**

**RESOLUTION NO. 7-1998:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR ENTERPRISE ZONE MANAGEMENT BETWEEN THE CITY OF MILWAUKIE AND CLACKAMAS COUNTY AND AUTHORIZING AN AMENDMENT TO THE ZONE BOUNDARY.**

**Neighborhood Grant Program Policy**

**Gregory** presented the staff report in which the City Council was requested to develop a set of criteria against which the grant applications could be evaluated.

Although \$35,000 was approved in the 1997 - 1998 Budget, there were no criteria or procedures for awarding those funds.

The purpose of the Program was to encourage neighborhood activities by developing leadership, supporting activities benefiting the public, expanding citizen involvement, fostering neighborhood pride, and promoting community livability. The grants would be available to recognized Neighborhood District Associations (NDA) or other groups partnering with the NDAs to directly benefit the public. Each NDA would be eligible for \$5,000 in the budget year.

**Gregory** discussed the required matching contribution. At least 25% of the neighborhood match must be in the form of NDA resident volunteer hours at the rate of \$10 per hour. Other match options were cash or the cash value of donated supplies, equipment, space, or professional services. Grant funds could be used for organizational development, physical improvements, neighborhood preservation, and cultural, social, and recreational initiatives. All projects would have to comply with City, County, and State Codes.

**Councilmember Kappa** felt the partnership aspect might help address some social issues. He discussed the feasibility of the Friends of the Milwaukie Jr. High Pool developing a partnership with an NDA.

**Gregory** said, at this time, it was important to designate an awards committee, since the grant funds would go back to the general fund at the end of the fiscal year. Staff has proposed \$35,000 be allocated to the program in the 1998 - 1999 Budget, but these funds would not be available until July 1998.

The group discussed Grant Awards Committee membership options that included the City Council, NDA chairs, and a Council-appointed ad hoc committee.

**Councilmember Tomei** suggested appointing Don Graf, Tracy Cook, and Alan Fletcher as ad hoc committee members. The group agreed and recommended Alan Fletcher be appointed Chair.

There was consensus to direct staff to prepare a resolution for the March 17, 1998, Council meeting adopting the Milwaukie Neighborhood Grant Program criteria as presented and to designate the ad hoc committee.

**INFORMATION** – None.

**Councilmember Tomei** thanked Graf, Cook, and Fletcher for serving so well and so gracefully. She particularly appreciated Graf's agreeing to serve as Mayor.

**Councilmember Kappa** agreed it had been a pleasure serving with them and thanked them for providing guidance and stability during a critical time.

**Councilmember Cook** enjoyed her tenure as interim Councilor. It was an enlightening experience, and she felt the process, that included a lot of work and effort behind the scenes, needed to be shared with the community.

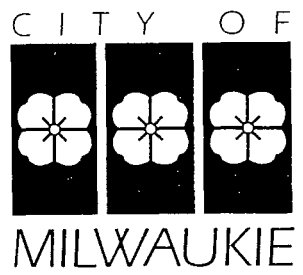
**Mayor Graf** said it had been enjoyable, and he appreciated the faith people placed in him as the interim Mayor.

## **ADJOURNMENT**

**Mayor Graf** adjourned the meeting at 8:25 p.m.

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Pat DuVal, Recorder



TO: Mayor and City Council  
THRU: Dan Bartlett, City Manager *Dan*  
FROM: Jim Brink, Public Works Director *JEB*  
RE: Island Station Stormline Project  
City Acceptance  
DATE: March 6, 1998

**BACKGROUND**

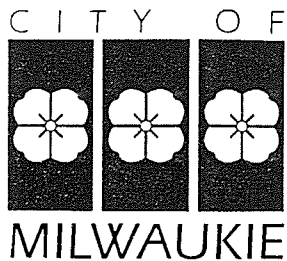
The Public Works Department advertised for bids for the Island Station Stormline Project July 1997. Low bidder was Canby Excavating at \$121,062, and work began September 16th, 1997.

The project involved the installation of 2,416' of 12" and 170' of 18" stormline on 19th, 20th, 21st Eagle, Bluebird, and Sparrow streets. Change orders added \$46,867.85 to the original bid price, due to changes in quantities and conditions found in the ground during construction.

The project was accepted as complete and retainage was paid February 17th, 1998.

**ACTION REQUESTED**

City Council accept the Island Station Stormline Project as capital improvements.



V. 1

# Memo

**To:** Honorable Mayor and City Council  
**Through:** Dan Bartlett, City Manager *Dan*  
**From:** Charlene Richards, Assistant City Manager *CR*  
**CC:** Library Board  
**Date:** March 9, 1998  
**Re:** Update on Proposed Formation of a North Clackamas Library Service District

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## Request/Recommendation

Authorize staff and the Library Board to continue to research the feasibility of forming a North Clackamas Library Service District. This will allow time for the Library Board to receive additional input from the neighborhoods and staff to respond to questions and concerns. It would also allow the City to continue participation in the process of negotiating the structure of a proposed district and ensuing intergovernmental agreements (IGAs).

## Background

**What and Why?** In June 1996, the City Council directed City staff and its library board to work on library consolidation. City of Milwaukie staff began meeting in August 1996, with a group called the Library Futures Committee<sup>1</sup>. See attached Updated Notes on Library District Formation Process: Who, Why and What and Current Developments. Also, refer to the memorandum to the City Council dated February 9, 1998, Re: Proposed Formation of a North Clackamas Library Service District included in your February 17, 1998 Council packet. At the February 17, 1998 Council meeting, staff updated the Council on the Committee's progress and received authorization from the Council to continue to participate in discussions with the Committee.

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<sup>1</sup> The Library Futures Committee consists of representatives from Clackamas County, Gladstone, Happy Valley, and Milwaukie. Each jurisdiction has at least the following representatives at the meetings: City Manager/County Administrator, Library Board member, Library Director, Union representative and library employee.

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**Discussion?** Each jurisdiction has been meeting with their respective library boards and governing bodies. They have brought them up-to-date on the issue and received feedback regarding their issues, concerns, questions and recommendation as to where to go from here. The Milwaukie Library Board held a worksession on February 19, 1998, to receive an update on the progress of the Library Futures Committee. The Board discussed the proposed library service district at their regular meeting held February 23, 1998, and finalized their questions and concerns. See attached Milwaukie Library Board Work Session Notes 2-19-98. On March 4, 1998, the Board met with library board members from Gladstone and Clackamas County. A new list of questions and concerns was developed from comments by library board members and citizens in attendance at the Joint Library Board meeting on March 4, 1998. There were over 40 people in attendance including eleven library board members, four from Milwaukie, four from Clackamas, and three from Gladstone. See attached Joint Library Boards Worksession (Gladstone, Milwaukie, Happy Valley & Clackamas County) March 4, 1998. See attached memorandum dated February 25, 1998, Summary of the North Clackamas Library District Economic Feasibility Statement.

**What next and by when?** Elections to consider formation of a service district can only occur during a general election. The next general election is November 1998. If the district formation is not considered in 1998, the issue could not be placed on the ballot until November 2000. The Board of County Commissioners must take action on April 2, 1998, to place the issue on the November 1998 ballot. See attached Timeline For Library District Proposal. Each potential participant in the Library Service District has until August 7, 1998, to withdraw from the proposed district. If the City should choose not to participate, the proposed Library Service District may not meet the criteria necessary for Boundary Review Commission approval.

Staff has not completed the research needed to respond to all the questions and concerns presented by the Library Board and Milwaukie citizens. What is included is the draft of a response at this time. See attached Joint Library Boards Worksession (Gladstone, Milwaukie, Happy Valley & Clackamas County) March 4, 1998. Staff will provide additional information as it is made available. Each jurisdiction will be asked during March if they wish to continue work towards formation of a library service district. If the jurisdictions are interested, at what point in the timeline would the City Council like the Library Board to present their recommendation? Also, how often would you like staff to provide you with updates as to progress on this issue? See attached Updated Notes on Library District Formation Process Legal Requirements and Governing Bodies.

**What are our options and ensuing consequences?**

- Direct staff to no longer continue to work toward formation of a library service district. The other three jurisdictions may decide to proceed without the City of Milwaukie. Milwaukie may be able to request joining the district after formation.
- Direct staff to no longer continue to work toward formation of a library service district at this time. The other entities may decide not to proceed with formation of a library service district. The next time that formation of a service district could go to a vote of the people would be in the year 2000. Staff could be directed to continue research into the formation of a district for the year 2000.
- Direct staff to no longer continue to work toward formation of a library service district. Request staff to continue their work with the Library Futures committee to look at alternative ways to improve service and efficiency of operations.
- Direct staff to continue to work toward formation of a library service district. During this time, the Library Board would continue to receive input from the community and answers to their questions. The Library Board would make a recommendation to the City Council. Information can be provided to each of the neighborhood associations and issues, concerns and recommendations be gathered from each association. City Council would have the opportunity to choose to withdraw from inclusion in the proposed district any time prior to August 7, 1998.

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## Updated Notes on Library District Formation Process

**Formation of Library Futures Committee:****Who and Why?**

- The City of Gladstone's library was too small to serve their patrons, both City residents and unincorporated Clackamas County residents. They were looking at building a new larger facility. They had approached the County as to how unincorporated Clackamas County residents who were patrons of the City of Gladstone library could participate in funding purchase of land and construction of a new facility.
- The City of Milwaukie and Clackamas County entered discussions whereby the City of Milwaukie would take over operation of the Clackamas County operated facilities at Clackamas Corner and Oak Grove.
- Happy Valley and Clackamas County were discussing ways to provide library services to Happy Valley and the Sunnyside area of unincorporated Clackamas County.

**What?**

Since these issues all concerned library service in cities and unincorporated areas in North Clackamas, the three cities and the County decided to meet cooperatively. This group named itself the Library Futures Committee. All participants received direction from their governing body to participate in joint discussion. See memorandum to the City Council and Library Board dated February 9, 1998, for further background on this Committee and their work.

**Current Developments:****Proposal for North Clackamas County Library Service District Formation**

After the Committee reconvened in November 1997, a review of the past year's information suggested that formation of such a district would address many of the concerns of the participants. It could:

- Allow continuation of a community based library system.
- Finance operational and capital expenses by taxing all users of the facilities.
- Provide possible efficiencies in administration such as cataloguing and purchasing.
- Allow for coordinating resources and improving services such as children's programming and reference.

**Legal requirements**

Following initial consensus by the group to pursue creation of a library service district, staff investigated the legal requirements to form a such a district. The result was a short timeline. Key points in the timeline are as follows:

April 2 <sup>nd</sup>	Board of County Commissioners adopts Resolution initiating formation of the District
May & June	Governing bodies consider IGA and adopt resolution supporting District
June 25 <sup>th</sup>	Boundary Commission Hearing on District formation
August 7 <sup>th</sup>	Final commitment of all parties to proceed with formation
September 3 <sup>rd</sup>	Final Hearing and Board Order forming District. Final day to file for election.

**Library Boards**

The Milwaukie Library Board has met several times to become more acquainted with the issues. They are researching the proposal so that they may make an informed recommendation to the City Council as to whether or not participation in the District is beneficial to the citizens of Milwaukie. To that end, they have met and are scheduled to meet on the following dates to consider participation in the District:

February 19	Special worksession
February 23	Regular meeting (public comment taken)
March 4	Joint worksession (public comment taken)
March 12	Special worksession
March 23	Regular meeting

Attached are the questions and concerns raised by the Milwaukie Library Board at their February 19, 1998 special worksession and those raised at the March 4, 1998 joint worksession. Staff is in the process of researching the answers to the questions and considering the concerns and how they may or may not be addressed through the intergovernmental agreement with the County. Considering the information provided, the Library Board will recommend to the City Council whether or not they believe the City should continue to participate in formation of the District at this time. The Library Board would like to know when the City Council would like a recommendation from the Board.

Prior to the urgency of moving forward with the discussion of the whether or not to form a District, the Library Board was working to increase their connection with the community. They want to attend neighborhood association meetings to get the word out about library services and gather information about the issues and concerns of the residents.

**Citizen Comments**

Have the problems associated with provision of quality library service been clearly identified and validated with the community?

- Residents state they already receive quality service from the Ledding Library staff.
- Do the residents care about similar hours and cataloguing of materials at all the facilities throughout the North Clackamas County area?
- Will there really be efficiencies and will they reduce cost and make a difference to the users?
- Are the residents of unincorporated North Clackamas County, in the Sunnyside area and throughout the proposed district, willing to pay an additional amount for library services?

Have all the alternative solutions been explored?

- There is concern over bigger not being better, that the County has not shown consistent financial support for libraries.

Why this alternative?

- Has anyone asked Milwaukie citizens if they want to participate in such a District?

What is in it for Milwaukie?

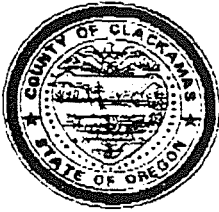
- Why does Milwaukie need to pay for all North County library needs, especially new facilities for Gladstone and Sunnyside/Happy Valley?
- What will Milwaukie residents receive in value for an additional \$.55/1,000 assessed value.
- Can Milwaukie choose to not be included and a tax levied should the measure pass?

For further details, see the attached list of concerns and questions voiced at the March 4, 1998 joint worksession.

### **Governing Bodies**

The representatives from each of the four entities involved in the Library Futures Committee are meeting with their governing body in the month of March. Each will be asking if they should continue to proceed with the process to consider formation of a library service district. Stating that the process should continue at this time does not obligate the entity to be a participant in the library district. There are still several key dates before which the local jurisdiction could reconsider continuing in the process and remove itself from the district. They are as follows:

- At this point, while the Committee is investigating the pros and cons of formation and the structure of a district should it be formed (March 17)
- After the Library Board researches the issues and makes a recommendation to the City Council (May)
- Prior to approval of an intergovernmental agreement with the County and adoption of a Resolution supporting formation of the District (June)
- Prior to Boundary Commission review of the proposed district (late June)
- Prior to County Commission notification of a Public Hearing and Board Order to form the District (early August)



# CLACKAMAS COUNTY

47

Administration

STEPHEN A. RHODES  
COUNTY ADMINISTRATOR

## MEMO

TO: North Clackamas Library Futures Committee

FROM: Stephen A. Rhodes, County Administrator *SAR*

DATE: February 9, 1993

RE: Timeline

Attached is a completed timeline for formation of the Library District. I talked with Ken Martin at the Boundary Commission and he recommended that we plan on the hearing before the Boundary Commission in June so that we have one more Boundary Commission meeting available just in case it takes more than one meeting to approval the proposal.

As you see from the timeline, the County Board must hold a final hearing in September on the measure and must set the date for the hearing in August.

I know this is a tight timeline but I think we can make it. I have left August 7<sup>th</sup> as the date for final commitment from all parties. This will allow a final look before the process begins for calling the election.

Let me know if you have any comments regarding the timeline.

V. 7TIMELINE FOR LIBRARY DISTRICT PROPOSAL

- February 20<sup>th</sup>** Next meeting of group to review budget.  
9:00 am in Gladstone
- February 27<sup>th</sup>** Economic Feasibility Statement Finished
- March 2<sup>nd</sup>** Happy Valley Council considers proposal
- March 4<sup>th</sup>** Joint meeting of Library Boards to consider proposal  
6:30 pm at the Milwaukie Public Safety Building
- March 10<sup>th</sup>** Gladstone City Council considers proposal
- March 17<sup>th</sup>** Milwaukie City Council considers proposal
- March 24<sup>th</sup>** Study Session with Board of County Commissioners  
9:30 am at the BCC Conference Room
- April 2<sup>nd</sup>** Board of County Commissioners adopts Resolution initiating  
formation of the District
- April 6<sup>th</sup>** Work begins on Intergovernmental Agreement (IGA) working  
out details of governance and operation of the District
- May/June** Governing bodies consider IGA and adopt resolution  
supporting District
- June 25<sup>th</sup>** Boundary Commission Hearing on District formation
- August 7<sup>th</sup>** Final commitment of all parties to proceed with formation
- August 13<sup>th</sup>** County Board Orders formation and sets date for final  
hearing
- September 3<sup>rd</sup>** Final Hearing and Board Order forming District. Final day to  
file for election.
- November 3<sup>rd</sup>** General Election

# Milwaukie Library Board Work Session Notes

2-19-98

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## What do you want to gain from this worksession?

- Can we back out of the formation of the Library District?
- Who is making the decision to participate in the formation of a Library District?
- Who is making the decision about the boundaries of the proposed District?
- When did it go from Clackamas County wanting to get out of libraries to Clackamas County taking over libraries? Why does County want to get out of the library business?
- What is in it for us, City of Milwaukie?
- What will service levels look like? How does this specifically affect Ledding Library staff?
- Will the different services and specialties at each library, such as research and children's services at the Ledding Library, be maintained?
- What is meant by Bigger to Smaller? "Paradigm shift" from bigger to smaller implies more smaller service areas, but the examples imply bigger/better facility plans.
- What will be the connection, if any, to the City of Milwaukie?
- Will you be getting more information out to the community?
- What will happen to the Ledding Library?
- We need more information.
- Why are we adding another layer of bureaucracy?
- What will happen with the employees? Will they be moved to other facilities? Will they be doing what they currently are?

*Draft*

What Issues/Concerns Are Not Addressed?

- What does the Ledding Library facility need? (The building is currently approximately one half the size that ALA standards recommend for service populations equal to that of the Ledding Library.)
- Milwaukie does not appear to gain much looking at Budgets A, B, and C.
- If the plan is to close Clackamas Corner library for a Happy Valley library farther east, who will serve the Mt. Scott and Lot Whitcomb school areas? They will be without library service.
- Need to ensure that the library system maintains or even gains on technology.
- Need to take technology into account when planning for the physical size of buildings and the needs for each location.
- How will the consolidated services be governed?
- How will we maintain the specialty service level provided by the current Senior Librarians at the Ledding Library.
- As the Library Futures Committee reaches consensus on the information upon which decisions will be made and as the Committee reaches decisions, how will this information be passed on to the Library Board?

Ways to Provide Information to the Community

- Provide area meetings, not just at the neighborhood association level, but also in unincorporated areas.
- Put articles in the Milwaukie PILOT.
- Have flyers at each of the libraries and the senior centers.

Charlene will draft the Library Board's questions and concerns and return them to the Library Board at their Monday, February 23, 1998, meeting for the Board to review and clarify.

Additional questions raised after the Work Session.

- What is the urgency to get the formation of the district on the 1998 ballot?
- What do we lose by waiting until the year 2000?
- How will this impact recent Ledding Library renovations?
- Will there be a move?
- How would implementation of a Service District impact Ledding's levy funds?
- Are there any Ledding family strings to the Ledding Library facility? If so, how will that impact Ledding discussions?

## Milwaukie Library Board Worksession Agenda 2/18/98

What do you want to get out of the meeting?

### Background Information

- Interest Based Problem Solving
- Principles of Problem Solving
- Positions - Interests
- Mission Statement
- Stakeholders
- Barriers
- Key Areas

What concerns/questions remain unanswered?

How can we get the information out to the community?

## Interest Based Problem Solving

Know and Understand the Problem

- Understand the Common Interests.
- Clarify the known, unknown, and to be known facts.
- Develop a joint problem statement.

Discover Creative Solutions

- Nonbinding creative ideas generated.
- Identify potential solutions.

Reach Mutual Gains Agreement

- Reach Agreement
- Evaluate agreement and problem solving process.

## Principles of Problem Solving

- Separate the people from the problem.
- Focus on the interests, not positions.
- Invent options for mutual gains.
- Insist on using objective criteria.

Looking into the Future

**Strategic**

Least conflict

Dealing with the Present

Integrative



Responding to the Past

Distributive

Most conflict

## Positions

- Less management.
- Consolidate county and city libraries  
County divest of urban services.
- Integrate different labor contracts into one to protect staff.
- Equitable funding for libraries through capital districts in specific districts within the County.
- Consolidate library services into one administration and work out issues of merging the organizations.

## Interests

- More resources to serve community.
- Explore more efficient and cost effective delivery of library services – County-wide.
- Involve reps of bargaining units to insure wishes heard/needs met.
- Reassure citizens funding is equitable and all patrons receive quality library services
- Identify alternative means of providing library services and reach consensus on supporting the changing roles of staff.

## Mission Statement

*"Our mission is to develop a Plan for providing the best possible Library services in the North Clackamas County area in the most equitable and cost efficient way."*

*The process by which decisions are made by this group will be fair, consensus driven, and open.*

*The plan will minimize stress and disruption to constituents and staff.*

*We report to the governing bodies who represent taxpayers and Library patrons."*

## **Stakeholders**

- **Patrons – their concerns**
  
- **Citizens & taxpayers**
  - ⇒ economic equity (capital & operations)
  
- **City Councils/County Commission**
  - ⇒ future/ultimate service boundaries
  - ⇒ alternative means of service delivery
  - ⇒ efficient use of taxpayer \$
  
- **Library Boards**
  - ⇒ how this all meshes together
  - ⇒ community
  
- **Bargaining units**
  - ⇒ different contracts
  
- **Employees**
  - ⇒ good customer service
  - ⇒ organizational structure

# Barriers

V. 16

- Concern – why need to consolidate
- Taxes – cost to fund new libraries or to fund any closures
- Employees concerns – different structures and policies, different labor agreements
- Legal Issues – capital funding districts
- Beliefs – personal agendas and turf driving process

# Key Areas

- **Service Levels**

⇒ **Current**  
(Budget A)

**Level A**  
(Budget B)

**Level B**  
(Budget C)

- **Location**

⇒ **criteria for siting**

Community Connection  
Access by Transportation Modes  
Access by Technology Modes  
Resource Sharing  
Single Capital Plan  
Community based service/boards  
Coordinated funding & governance  
consistency, equity, efficiency

- **Funding & Governance**

⇒ **Library District**  
⇒ **Tax Base ? -- service level**  
⇒ **Administration ?**  
⇒ **Organization ?**

**Formation of Library Futures Committee:****Who and Why?**

- The City of Gladstone's library was too small to serve their patrons, both City residents and unincorporated Clackamas County residents. They were looking at building a new larger facility. They had approached the County as to how unincorporated Clackamas County residents who were patrons of the City of Gladstone library could participate in funding purchase of land and construction of a new facility.
- The City of Milwaukie and Clackamas County entered discussions whereby the City of Milwaukie would take over operation of the Clackamas County operated facilities at Clackamas Corner and Oak Grove.
- Happy Valley and Clackamas County were discussing ways to provide library services to Happy Valley and the Sunnyside area of unincorporated Clackamas County.

**What?**

Since these issues all concerned library service in cities and unincorporated areas in North Clackamas, the three cities and the County decided to meet cooperatively. This group named itself the Library Futures Committee. All participants received direction from their governing body to participate in joint discussion. See memorandum to the City Council and Library Board dated February 9, 1998, for further background on this Committee and their work.

**Current Developments:****Proposal for North Clackamas County Library Service District Formation**

After the Committee reconvened in November 1997, a review of the past year's information suggested that formation of such a district would address many of the concerns of the participants. It could:

- Allow continuation of a community based library system.
- Finance operational and capital expenses by taxing all users of the facilities.
- Provide possible efficiencies in administration such as cataloguing and purchasing.
- Allow for coordinating resources and improving services such as children's programming and reference.

**Legal requirements**

Following initial consensus by the group to pursue creation of a library service district, staff investigated the legal requirements to form a such a district. The result was a short timeline. Key points in the timeline are as follows:

April 2 <sup>nd</sup>	Board of County Commissioners adopts Resolution initiating formation of the District
May & June	Governing bodies consider IGA and adopt resolution supporting District
June 25 <sup>th</sup>	Boundary Commission Hearing on District formation
August 7 <sup>th</sup>	Final commitment of all parties to proceed with formation
September 3 <sup>rd</sup>	Final Hearing and Board Order forming District. Final day to file for election.

7. **Originally, the County wanted to divest the library of urban services, now the County wants to take over County libraries – not necessarily County controlled. What happened?** The previous discussions of the City of Milwaukie taking over administration of Oak Grove and Clackamas Corner libraries. Since that time, County Commissioners have changed. Also, the Library Futures Committee looked at alternatives to meet the interest of the group. This position was restated by the group, early on in discussions, as the following interest: “Explore more efficient and cost effective delivery of Library services – County wide.” **Are there examples of other Library Districts?** Silver Falls is a special district. Corvallis Linn/Benton County Library is a district (don’t know if a service district or special district). Staff is researching this issue.
  
8. **What is the impact on employees?** The committee is looking at community libraries and keeping employees at their current library. Transfer of public employees is governed by state law (ORS 236), employment relations board, impact bargaining and intergovernmental agreements.
  
9. **Why is there a difference between the number of staff listed in the comparison chart and the number of staff listed in the budget?** The comparison chart only shows the increase in professional staff, the budget shows all budgeted library staff. *Requested information on current staffing levels for each library and the breakdown of the current expenses for that staffing level.*
  
10. **Who is developing the Intergovernmental Agreements?** Representatives from the chief executive of each jurisdiction, elected officials represented on the committee, and library staff.
  
11. **Who will make up the Library Advisory Board?** This has not been decided. Discussion is to have representatives from each of the jurisdictions/libraries. The Park District Advisory Board with neighborhood representation was given as an example. We are looking at community based library boards. The details will be worked out through intergovernmental agreements.

12. **Fear – Every library has excellent libraries and all are locally run. *Would like information on how our local libraries compare to Multnomah County, a heartless and soulless institution which is run from the top down?* You talk about community libraries. How would you maintain the community libraries and their need for autonomy? Also, expressed concern that Clackamas County libraries have had financial problems. Gladstone and Milwaukie libraries are financially solvent. How will you maintain the freedom of each library?** IGAs are a vehicle for incorporating these concerns.
13. **If everyone agrees to go out to vote and one area votes against the district, what happens? Can that area not be included in the district?** We will look into whether or not the measure could be written to allow a city to not be included if the voter in the city did not meet requirements for passage of the measure. Specifically, not taxed for the district. Also, the Park District is an example of how an IGA can be written to allow a city to withdraw from the district at any point in time after formation. At this point, the tax rate will be collected from all residents and the funds collected from the withdrawing jurisdiction would pass through the district to the local jurisdiction that withdrew from the district.
14. **There will be a new Milwaukie City Council and their first meeting will be March 17, 1998. How will they assimilate all this information to be able to make a decision?** All candidates for mayor and council and current council members received a memorandum documenting the process and the current situation. All the information gathered from tonight's meeting will be sent to the candidates and current council members.
15. **The timelines are unrealistic. The decision is too soon. Why not wait two years? What happens if this process stopped?** Existing libraries would remain – Gladstone at 5,000 square feet; Milwaukie would operate their current library; and Clackamas County would operate their two libraries as long as they could using reserves to make up the difference between the \$1.5 million revenues they have and the \$1.7 million expenditure level they have to operate the libraries. Why the move so quickly? Gladstone and the Happy Valley/Sunnyside area had a need to acquire land within their service area. Available land is quickly disappearing and the cost is ever increasing. Anticipating the need for ;more space, we need to budget for increased staffing, materials and other operational expenses.

16. **We need more time to have an impact on this decision and we want more neighborhood impact on the decision.**
17. *Can we add a figure that shows how much Milwaukie currently pays and how much would be reduced of the City's contribution to library.*
18. **Concern \$.55 as part of District yet \$.50 if Milwaukie is alone?**
19. **Why weren't Lake Oswego and West Linn, Oregon City included?** They were not involved in the concerns that initially brought the group together, building a new Gladstone Library and having Milwaukie run the Clackamas Corner and Oak Grove Libraries. When the group reconvened and discussed formation of a district, given the time line, there wasn't enough time to see if others were interested. Lake Oswego wants to maintain their autonomy. Oregon City is interested in a district, either joining this one later or forming their own district.
20. **Why didn't you go back to the community during the hiatus?** For each jurisdiction that time was spent assessing their financial situation and how they could or could not continue to provide library services. It wasn't until after the hiatus that the committee completed its initial assessment of the problem and possible solutions were discussed.
21. **Is there really competition between libraries, duplication of effort, and duplication of cost? Currently the City of Milwaukie is producing its own funds:**
- |            |   |
|------------|---|
| \$.35      | Existing County library levy  |
| ??         | Existing City General Fund allocation (needs to be estimated in cents/\$1,000)  |
| <u>.55</u> | Proposed Library District levy  |
| \$90.      | Anticipated new funding for libraries that doesn't include cost of construction |
22. **Where is the cost savings?** Centralized functions: cataloguing, acquisition of materials.

23. **Why not partner for these services instead of form a District?**
24. **Is there information on overlap of service areas, patrons from one library also using another library?** Yes, a survey was completed and mapped. We will try to relocate that information.
25. **What if the voters say yes to formation and no to operations? What would happen?**  
Libraries would stay as they are.
26. **How many times can you go out for special district and what is the impact on Measure 47?**
27. **At what point do we pay fewer taxes? Population growth, need for library space**
28. **How about a system development charge (SDC) for libraries? Can we do this?**
29. **Why can't current facilities and jurisdictions handle the needs of unincorporated areas?** Milwaukie and Gladstone can't add more materials in their existing facilities.
30. **Will current library staff from Milwaukie be dispersed to the other libraries in the district?** There isn't any proof staff will go somewhere else and if they go somewhere else there isn't any reason to believe that the staff who replace them won't be just as good and liked by patrons.
31. **Provide answers to these questions before you go forward.**

32. **If Milwaukie drops out will the formation of the district go forward?**

33. **Gladstone and Milwaukie show 1/3 more hours and more materials, what would be the \$./1,000 population if the amount of hours and materials were not changed? If County service diminishes or is not improved with population growth, the existing City and County libraries will absorb the usage and the facilities will become more crowded.**

34. **How do Multnomah and Washington Counties and the rest of Clackamas County libraries compare as to square footage, hours, materials, etc.?**

35. **Concern that decisions have already been made and there is a short deadline – we can wait and deal with population growth as it has an impact on services. We need to think ahead. It takes a long time to deal with issues such as purchasing land and constructing new facilities. This might be a way to address the issues.**

36. **How much do cities pay from their own tax base and receive from the county levy for library services? Proposed is a 30% increase in hours, 100% increase in space. How much is each jurisdiction going to pay for this improved service? The following figures were to cover only operational expenses. (They were examples only. The person wanted staff to provide accurate figures.)**

Jurisdiction	Current	Proposed
Milwaukie	\$.35 + current GF + \$.55	\$1.70 (est.)
County	\$.35 + \$.55	\$.90

37. **Why not have County pay towards the levy and exclude the incorporated areas? County residents pay less for library services?**

38. **The committee is asking for questions and input and recommendations from the Library Boards? When answering the questions that have been put forward tonight and for the Milwaukie Library Board at their worksession, answer each question separately, even if it means reiterating information provided to answer other questions.**
39. **Given that you have spoken of the Park District as an example for the Library District, it would be nice to know how the City residents feels about participation in the Park District. Also, has there been a survey of those residents who live outside cities to find out if they would be willing to pay for a service district? Salem is looking at options for providing library services. One option is a district for unincorporated areas and a contract with the City to provide the services. Right now, it is our understanding, the Boundary Review Commission would not find this an acceptable option. We will look into this.**
40. **Are there any studies about how to provide library services in the County? The latest study completed by the County was in 1995. It proposes library districts and other solutions.**
41. **Concern that SDC charge is passed on to people who won't use the service. What about a user fee for libraries?**
42. **Concern about people who vote out formation of the district but they are not allowed to be out of the service district. Can there be a way to allow voter choice -- opt in or out?**
43. **What is in it for us? What do we lose by waiting for the year 2000?**
44. **Have you looked at grants (i.e. Carnegie) for building new libraries?**

TO: NORTH CLACKAMAS LIBRARY FUTURES COMMITTEE  
FROM: DORIS GROLBERT  
DATE: FEBRUARY 25, 1998  
SUBJECT: SUMMARY OF THE NORTH CLACKAMAS LIBRARY DISTRICT  
ECONOMIC FEASIBILITY STATEMENT

#### GOALS AND SERVICES PROVIDED BY THE DISTRICT (ORS 198.749 (1))

The goals of the proposed District are: 1. To provide the best possible library service in the North Clackamas County, and 2. To provide an adequate and stable funding base to meet the growing need for increased library service now and in the future. The Library District will collect, organize and disseminate library materials and provide related library service necessary to meet the educational, informational, recreational and cultural needs of area citizens.

#### ANALYSIS OF EXISTING SERVICE (ORS 198.749 (2))

Library service in North Clackamas County is currently provided by Clackamas County and the Cities of Gladstone and Milwaukie. Service is offered at the Gladstone Public Library, the Milwaukie Ledding Library, as well as the Oak Lodge and Clackamas Comer branches of the County Library. Services are also available from the County Library through the Damascus Remote Access Computer and Books-by-Mail to the homebound.

All locations serve both city and non-city residents without charge. Clackamas County provides funding from the County General Fund to each library in the County to make it possible for non-city residents to receive service from city libraries and city residents to receive service from County libraries without charge. Intergovernmental agreements have been established with Multnomah County and Washington County to provide library service across county lines without charge to patrons.

The County Network is a County Department that provides and maintains the centralized computer system, databases, and courier service for the Library Information Network of Clackamas County (LINCC). LINCC is a consortium of all public libraries in Clackamas County. The County Network would continue to provide service to the libraries in the District just as it does now. The District would consolidate Milwaukie, Gladstone, and Clackamas County, to become one member of the consortium instead of three. It is predicted that the impact on other libraries outside the District would be minimal.

Network is also responsible for distributing the County General Fund monies allocated to the individual libraries in the consortium. Distributions are currently made to each library, based on their percentage of total countywide circulation. Milwaukie, Gladstone, and Clackamas County currently contribute funds to their libraries above those distributed by Network. The District tax base would replace those contributions from the Cities and County. Milwaukie, Gladstone and Clackamas County could then use those funds for other programs.

The Milwaukie Ledding, Gladstone and County libraries would become District libraries. Intergovernmental agreements would specify the roles and responsibilities of each governmental entity with regards to capital improvements, ongoing maintenance, operations, transfer of staff, ownership of capital assets, governance, and policy-making for current facilities.

ANALYSIS OF PROPOSED SERVICES (ORS 198.749 (2))

Based upon information from Portland State University, the population in the proposed areas exceeds 103,000. The guidelines provided by the Oregon Library Association indicate that minimum library floor space to serve this population to be about 61,800 sq. ft. for the District. Combined square footage of existing facilities is approximately 33,856.

Portland State Population and Research

1997	Milwaukie	20,055
1997	Gladstone	11,680
1995	Happy Valley, Johnson City, Unincorporated	71,146
TOTAL POPULATION		102,881

The North Clackamas area is one of the most rapidly growing areas in the County. It contains extensive residential, retail, and commercial property. Developed areas in the County continue to in-fill. Construction in the Sunnyside area of single and multifamily residential housing is occurring at a rapid rate. The east section of the district is outside the urban growth boundary but contains the urban reserve, which will be developed in the future. Library service is not only an urban service. Those citizens that live in the rural areas of the County require library service also. Clackamas County operated the Damascus Library in this area until 1992 when it was forced to close due to facility problems. There is a need to return library service to this area.

The Metropolitan Service District's 2017 Forecast and Growth Allocation, estimates this area will have 53,044 households by the year 2000, and 68,946 households by the year 2010. Assuming 2.3 people per household, the Library District will have a population of 122,001 in 2000 and 158,575 in 2010. Using the American Library Association's minimum standard of .6 sq. ft. per person, the District will need 95,145 sq. ft. by the year 2010.

Gladstone is currently in a 5094 sq. ft. building which is too small to meet the material and service needs of their area. It is also not accessible to people with disabilities. Clackamas Comer is leasing an expensive retail space. The facility is too small, and not located in the community it is trying to serve. The Oak Lodge Library (leased space) and Milwaukie Ledding Library (older facility) are not in need of an immediate change. These facilities will need to be evaluated and their future facilities requirements will need to be considered for new or expanded facilities. By centralizing technical services and some administration, extra space will be realized at Milwaukie and Oak Lodge even without new facilities.

The budget is designed to support operational expenses for new and larger facilities.

	Current	Proposed
Milwaukie	12,250 sq. ft.	25,000 sq. ft.
Gladstone	5,094 sq. ft.	16,000 sq. ft.
Oak Lodge	8,722 sq. ft.	10,000 sq. ft.
Clackamas Corner	7,790 sq. ft.	
Sunnyside/Happy Valley		30,000 sq. ft.
Sunnyside/82nd Ave.		3,500 sq. ft.
<b>TOTAL</b>	<b>33,856 sq. ft.</b>	<b>84,500 sq. ft.</b>

Current library users in this area are from cities, urban unincorporated, and rural unincorporated Clackamas County. They often use more than one library. The inconsistency in hours open, loan periods, material classifications, level of service and basic procedures is confusing. The district will allow the current library service providers to join together and provide the same high level service at each location without losing their community focus.

Below are the increased hours of operation per week the district can provide.

	Current	Proposed
Milwaukie	51 hours	65 hours
Gladstone	53 hours	65 hours
Oak Lodge	52 hours	65 hours
Clackamas Corner	52 hours	65 hours

The Libraries maintain an active collection of print and nonprint items. These collections include: videos, compact discs, books on tape, CD ROMs, magazines, and of course, books for all ages. Below are the current and proposed levels for material acquisitions.

	Current	Proposed
Milwaukie	\$139,940	\$175,000
Gladstone	\$ 46,800	\$100,000
Oak Lodge	\$170,000	\$175,000
Clackamas Corner	\$170,000	\$175,000

The libraries provide professional staff to classify materials, deliver reference and referral assistance, furnish children's programming and supply new technology. Below are the current and proposed professional staffing levels.

	Current	Proposed
Milwaukie	5 FTE	6.0 FTE
Gladstone	2 FTE	3.0 FTE
Oak Lodge	3 FTE	4.25 FTE
Clackamas Corner	3 FTE	4.25 FTE

An additional two professional staff would be needed to provide expertise in the areas of technology and material classification.

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The District will allow for cooperative planning, centralization of administration and technical services, and coordination of programs to ensure a high level of service in the most cost efficient way.

PROPOSED BUDGET (ORS 198.749 (3))

The estimated assessed value for the North Clackamas Library District for fiscal year 1999-2000 is \$6,470,169,640. A tax rate of \$.55 per thousand would generate \$3,558,593. With growth and new construction the District would expect to generate 4,112,399 by fiscal year 2001-2002.

The Budget is for the current facilities with increased hours, materials, and professional staff. The reserve for capital and future operations, contains are the funds needed to staff and maintain the new facilities listed above. Until those facilities are built, this money will be used for capital: land acquisition, architect services, relocation costs, etc.

The revenue from the County General Fund distributed by Network is based on the assumption that the percentage of circulation for all consortium libraries would remain the same over the next three years..

North Clackamas  
Library District  
Proposed Budget  
First and Third Year

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		1999-2000	2001-2002
		YEAR ONE	YEAR THREE
<b>EXPENDITURES</b>			
<b>*****SALARIES AND FRINGES*****</b>		\$2,756,470	3,039,009
Gladstone	5,094 Sq ft. \$491,458		9.5 FTE
Milwaukie	12,250 Sq ft. \$908,675		19.5 FTE
County	8,722 Sq ft. \$612,420		12.5 FTE
Clack Corner	7,790 Sq ft. \$626,016		13.0 FTE
District	\$117,901		2.0 FTE
Workers Comp .1% of salaries, not fringes		2,001	2,206
Unemployment estimate		3,000	3,308
<b>TOTAL PERSONAL SERVICES</b>		2,761,471	3,044,522
<b>*****MATERIALS AND SERVICES*****</b>			
<b>GENERAL OFFICE SUPPLIES</b>			
TOTAL		16,000	17,640
<b>POSTAGE</b>			
TOTAL		24,000	26,460
<b>BOOK PROCESSING</b>			
TOTAL		36,000	39,690
<b>FUEL AND VEHICLE</b>			
TOTAL		3,000	3,308
<b>SMALL TOOLS PURCHASE</b>			
TOTAL		4,000	4,410
<b>SMALL HARDWARE PURCHASE</b>			
TOTAL		16,000	17,640
<b>SMALL SOFTWARE PURCHASE</b>			
TOTAL		15,000	16,538
<b>LEGAL FEES</b>			
TOTAL		5,000	5,513
<b>CONTRACTED SERVICES</b>			
TOTAL		5,000	5,513

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North Clackamas  
Library District  
Proposed Budget  
First and Third Year

	1999-2000	2001-2002
	YEAR ONE	YEAR THREE
<b>EXPENDITURES</b>		
TELEPHONE - MILWAUKIE	12,000	13,230
TELEPHONE - GLADSTONE	6,000	6,615
TELEPHONE - OAK LODGE AND CLACKAMAS CORNER	18,000	19,845
TOTAL	36,000	39,690
TRAVEL AND MILEAGE		
TOTAL	9,000	9,923
PRINTING		
TOTAL	22,200	24,476
CASUALTY INSURANCE (.50% of Total Salaries)		
TOTAL	10,008	11,034
PUBLIC UTILITY SERVICE		
Electric, gas, water, sewer, garbage		
Milwaukie	24,500	27,011
Gladstone	10,188	11,232
Oak Lodge	17,444	19,232
Clackamas Corner	15,580	17,177
TOTAL	67,712	74,652
BUILDING REPAIRS AND MAINTENANCE		
Major repairs (minor reps under allocated costs)		
Janitorial for all	50,784	55,989
Milwaukie	36,750	40,517
Gladstone	15,282	16,848
Oak Lodge - leased	2,500	2,756
Clackamas Corner - leased	2,500	2,756
TOTAL	107,816	118,867
OFFICE EQUIPMENT REPAIRS AND MAINTENANCE		
TOTAL	7,000	7,718
COMPUTER EQUIPMENT REPAIRS AND MAINTENANCE		
TOTAL	3,300	3,638

North Clackamas  
Library District  
Proposed Budget  
First and Third Year

	1999-2000	2001-2002
	YEAR ONE	YEAR THREE
<b>EXPENDITURES</b>		
<b>RENTALS</b>		
OFFICE RENTAL - OAK LODGE	58,874	64,909
OFFICE RENTAL - DAMASCUS	2,000	2,205
OFFICE RENTAL - CLACKAMAS CORNER	138,125	152,283
<b>TOTAL</b>	<b>198,999</b>	<b>219,396</b>
<b>DUES AND MEMBERSHIPS</b>		
<b>TOTAL</b>	<b>500</b>	<b>551</b>
<b>TRAINING / STAFF DEVELOPMENT</b>		
<b>TOTAL</b>	<b>8,000</b>	<b>8,820</b>
<b>PUBLICATIONS AND SUBSCRIPTIONS</b>		
<b>TOTAL</b>	<b>78,000</b>	<b>85,995</b>
<b>INTERFUND TRANSFERS (Cost Allocations)</b>		
ACCOUNTING SERVICES	35,582	39,229
DATA PROCESSING	35	39
BUILDING MAINTENANCE	22,419	24,717
RECORDS MANAGEMENT	1180	1,301
PURCHASING SERVICES	4,393	4,843
COMMUNICATIONS MANAGEMENT (Courier)	2248	2,478
PERSONNEL ADMINISTRATION	22,291	24,576
COUNTY ADMINISTRATION	2,890	3,186
<b>TOTAL</b>	<b>91,038</b>	<b>100,369</b>
<b>TOTAL MATERIALS AND SERVICES</b>	<b>763,573</b>	<b>841,839</b>
<b>*****CAPITAL PURCHASES*****</b>		
<b>OFFICE EQUIPMENT PURCHASE</b>		
<b>TOTAL</b>	<b>50,000</b>	<b>55,125</b>
<b>BOOK PURCHASES</b>		
<b>TOTAL</b>	<b>625,000</b>	<b>689,063</b>
<b>RESERVE - CAPITAL &amp; FUTURE OPERATIONAL EXPENSES</b>		
<b>TOTAL</b>	<b>1,136,634</b>	<b>3,586,606</b>
<b>TOTAL CAPITAL EXPENSES</b>	<b>1,811,634</b>	<b>4,330,794</b>
<b>TOTAL EXPENSES</b>	<b>5,336,678</b>	<b>8,217,155</b>

North Clackamas  
 Library District  
 Proposed Budget  
 First and Third Year

	1999-2000	2001-2002
	YEAR ONE	YEAR THREE
<b>EXPENSES</b>		
TOTAL PERSONAL SERVICES	2,761,471	3,044,522
TOTAL MATERIALS AND SERVICES	974,124	1,073,972
TOTAL CAPITAL EXPENSES	1,811,634	4,330,794
<b>TOTAL EXPENSES</b>	<b>5,336,678</b>	<b>8,217,155</b>
<b>REVENUES</b>		
DISTRICT TAX BASE	3,558,593	4,112,399
COUNTY GENERAL FUND	1,683,085	1,829,803
RESERVE BALANCE	0	2,159,953
INTEREST	45,000	65,000
FINES, LOST BOOK REPLACEMENT, ETC.	50,000	50,000
<b>TOTAL REVENUE</b>	<b>5,336,678</b>	<b>8,217,155</b>



**\*\*\* MEMORANDUM \*\*\***

February 17, 1998

**To:** City Council  
**Through:** Brent Collier, Police Chief and Dan Bartlett, City Manager *Dan*  
**From:** Deborah Middleton, Program Specialist  
**Re:** Problem Solving Partnership Grant

I am asking the Council to appoint a representative to the Problem Solving Partnership Grant Focus Group. This focus group will participate in an in-depth inquiry into the causes of public disorder in Milwaukie's downtown business district. The group will respond to the problems identified with a specific tailor made program.

The time commitment includes at least one two-hour meeting per month.

The next regular meeting of this group will be March 19<sup>th</sup> at 7:00 a.m. at the Community Room in City Hall. This Focus Group will also participate together in a problem solving process training using the Community Policing model; "SARA" scheduled for April 17<sup>th</sup> from 8:30a.m. until 4:30 p.m. and April 18<sup>th</sup> from 9:00 a.m. until 4:00 p.m.

Since the above training needs to take place at the beginning of the grant period, a Council representative should be selected as soon as possible after the new Mayor and Council members are seated. Please contact Deborah Middleton, PSP Program Specialist, at 786-7402 if you have additional questions.



**Date:** Friday, March 6<sup>th</sup> 1998

**To:** Mayor and City Council

**Through:** Charlene Richards ~~Asst.~~ Asst. City Manager, Dan Bartlett, City Manager *DAB*

**From:** Michelle Gregory, Neighborhood Services Coordinator

**Re:** Neighborhood Grant Program: Criteria and Application Review

**Action Requested/Recommended**

Adopt a resolution approving the Neighborhood Grant Program Criteria as attached, and appointing an Ad Hoc Neighborhood Grant Applications Review Committee composed of Don Graf, Tracy Cook and Alan Fletcher, with Alan Fletcher appointed as Chair of the Committee. This Committee would be established for the purpose of disbursing funds that have been allocated for fiscal year 1997/98. The committee would serve until June 31<sup>st</sup> 1998 and future appointments to the committee or changes in the composition of the grant applications review body for future fiscal years, would be at the discretion of Council and effected by amendment to this resolution.

**Background**

Currently there is \$35,000 in the 1997/98 Budget which is allocated for neighborhood grants. To date we have had no formal mechanism for delivering those funds to the neighborhoods. In order to disperse grants to neighborhoods fairly and consistently, cities typically develop a set of criteria against which grant applications can be evaluated. A review body is responsible for reviewing and approving, conditionally approving or rejecting applications. Attached please find criteria for implementing a Neighborhood Grant Program in Milwaukie and specifications for setting up an ad hoc review body through the end of fiscal year 1997/98.

\$35,000 in funds has also been requested for fiscal year 1998/99. Funds would continue to be requested annually based upon the success of the program. An evaluation of the grants program would be conducted at the close of fiscal year 1999. Council would receive quarterly reporting of the grant program activity.

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To develop these criteria, grant programs from other cities\* were reviewed and elements that were the most appropriate for Milwaukie have been suggested. Some of the programs reviewed had more stringent budgeting and reporting requirements. They also had more limitations on what could be done with funds. They all had a matching component as part of the criteria.

Most of the more stringent criteria served the purpose of restricting funds for physical or social improvements and steering them away from being used for organizational development or operating expenses. Since Milwaukie's neighborhood organizations are fairly new at this point and each is still trying to establish more visibility and participation in their respective neighborhood, this program is structured so as not to limit their access to financial resources that could be used toward organizational development. Perhaps in a couple of years this kind of limitation would be more appropriate.

Some programs also allowed other community organizations (not official neighborhood associations) to apply for funding as long as it was used in the neighborhoods. These criteria limit access by other organizations only in that they must partner with a neighborhood district associations to avail themselves of funds. The intent of this condition is to provide an incentive for neighborhood district associations and community organizations with common objectives to collaborate.

\*grant programs reviewed were from: Vancouver, Washington; Charlotte, North Carolina; Orlando, Florida; Ft. Lauderdale, Florida; Seattle, Washington.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, Adopting a Neighborhood Grant Program, including criteria for approval, review committee composition and reporting requirements.**

**WHEREAS**, the Milwaukie City Council recognizes the importance of neighborhood-based activities that improve neighborhoods by developing neighborhood leadership, supporting activities and improvements of public benefit to the neighborhood, expanding citizen involvement in neighborhoods, fostering neighborhood pride; and

**WHEREAS**, the Milwaukie City Council supports the continued development of its neighborhood associations and their efforts to enhance, improve or preserve the quality of life for the residents of Milwaukie; and

**WHEREAS**, the Milwaukie City Council supports collaborative partnerships between its officially recognized neighborhoods and other community organizations in the spirit of improving the City of Milwaukie, through the granting of project-specific matching funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Milwaukie, Oregon, to adopt the attached Neighborhood Grant Program Criteria, Review Committee Specifications and Reporting Requirements for implementation in the 1997/98 fiscal year.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on March 17<sup>th</sup>, 1998.

By \_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM

\_\_\_\_\_  
O'Donnell, Ramis, Crew, Corrigan & Bachrach, LLP

## Milwaukie Neighborhood Grant Program

**Purpose:** To support neighborhood-based activities that improve neighborhoods by developing neighborhood leadership, supporting activities of public benefit to the neighborhood, expanding citizen involvement in neighborhoods, encouraging collaboration among community organizations and neighborhoods, fostering neighborhood pride and generally promoting livability in the community.

**Eligibility:** Grants may be disbursed to those Neighborhood District Associations that are officially recognized by the City Council and that are enabled by and operating in accordance with Neighborhood Association By-laws. Other community organizations are encouraged to partner with neighborhood associations for projects of mutual interest. Funds must be used for projects that provide a direct public benefit within the Neighborhood District Association's boundaries.

**Fund Availability:** Funds must be made equally available to each of Milwaukie's officially recognized neighborhoods. Currently there were 7 officially recognized neighborhoods in Milwaukie: Historic Milwaukie, Island Station, Lake Road, Linwood, Hector Campbell, Lewelling and Ardenwald. As funds are currently allocated, there is a total of \$35,000 and each neighborhood association has access to \$5,000 per fiscal year. In the event that other neighborhood associations become officially recognized, funds would continue to be equitably allocated. Neighborhood Improvement Funds do not carry over from year to year. The allocation is reviewed as part of the annual budget adoption process and may or may not be re-allocated.

**Project Criteria:** Neighborhood Associations wishing to apply for a Neighborhood Improvement Grant must meet the following project-specific criteria for matching and applicability:

### Matching Contribution

The Neighborhood District Association must match the grant with a contribution of equal or greater value. Matching contributions can be in the form of:

- Volunteer Labor - At least 25% of a neighborhood match must be in the form of volunteer hours from participating neighborhood residents (valued at \$10 per hour).
- Cash
- Cash Value of donated supplies, equipment, space or professional services.

Matching contributions must be outlined in the initial grant application for approval. A detailed report of the matching contribution must be provided for fund disbursement. Partnerships with local community groups, educational institutions, businesses, other government agencies or faith-based organizations are encouraged and resources donated by these entities will count toward the neighborhood's matching contribution.

**Applicability** (funds can be used for projects that fall into the following categories):

**Neighborhood Organizing/Organizational Development:** Activities, services and materials that generate new neighborhood membership, grow the organization or educate neighborhood leadership toward the organization's development and continued operation.

**Neighborhood Physical Improvements:** materials and services to be used toward playgrounds, minor park improvements, community gardens or other facilities, neighborhood markers, identity signs, banners, trash cans, benches, etc.

**Neighborhood Preservation:** materials and services that sustain or enhance the health, public safety and welfare of the neighborhood such as crime watch, traffic management, or home weatherization programs; or contribute positively to the neighborhood's aesthetic quality such as design guideline development, community property maintenance programs or beautification programs.

**Neighborhood Cultural, Social and Recreational Initiatives:** materials and services that promote diversity, family literacy programs, neighborhood computer labs, after school enrichment programs, youth athletic leagues, career preparation, services for the needy, disabled or elderly and cultural activities such as music, dance, or art programs.

**ALL PROJECTS MUST COMPLY WITH APPLICABLE CITY, COUNTY AND STATE CODES.**

## **Milwaukie Neighborhood Grant Review**

**Review of grant applications:** applications will be reviewed quarterly by a committee appointed by the City Council. Applications will be reviewed in the order they are received. Applications that are received in a fiscal year after the funds for the fiscal year have been depleted will have to be resubmitted for review in the following fiscal year.

Applications will be approved, approved conditionally or denied on the basis of their meeting the grant criteria, the application requirements, and fund availability. Application instructions and requirements will be provided with the grant applications by the Office of Neighborhoods

## **Milwaukie Neighborhood Grant Reporting**

**Reporting of Grant Activity:** quarterly reports of grant program activity and grant project status will be provided to the Grant Review Committee, the Council and the general public by the Office of Neighborhoods.



\*\*\* MEMORANDUM \*\*\*

March 6, 1998

To: Mayor and City Council  
From: Dan Bartlett, City Manager   
Re: Insurance Services Organization (ISO) Rate Review

Action Requested

I would like Council to adopt a Resolution requesting an insurance rate review.

Background

On December 16, 1998, the City Council adopted Resolution 41-1997, authorizing an intergovernmental agreement with Clackamas Fire District #1. That agreement has been signed and implemented.

One of the expected benefits of contracting for fire service was the potential of having our ISO fire rate reduced for business occupancies. This was described on pages 9 & 10 of the Emergency Services Consulting Group Report (attached).

A rate review needs to be requested by the governing bodies of the area served by the fire agency. In this case both the City Council and Clackamas Fire District #1 Board would need to request this review. If the attached Resolution was adopted, it would start the process for a rate review request.

cc: File  
cm2092/hd

CITY OF MILWAUKIE

RESOLUTION NO 41 -1997

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH CLACKAMAS COUNTY FIRE DISTRICT #1 FOR THE PROVISION OF FIRE AND EMERGENCY MEDICAL SERVICES.**

WHEREAS, ORS Chapter 190 authorizes cities and districts to enter into intergovernmental agreements for the performance of any function that one party to the agreement has the authority to perform; and

WHEREAS, the voters of Oregon approved Ballot Measures 47 and 50, calling for more cost-effective government services and reducing property taxes; and

WHEREAS, the City has conducted multiple studies and discussions with surrounding districts since the 1983-1984 FIRESTOP discussion with Oak Lodge Fire District, and

WHEREAS, many of these studies have demonstrated that consolidating resources would lead to greater cost-efficiency, and

WHEREAS, the City has contracted with Emergency Services Consulting Group for the 1997 Fire Department Evaluation; and,

WHEREAS, the Report shows that the City could achieve significant cost reductions for fire and emergency medical service while maintaining current service levels and stations by consolidating resources with Clackamas County Fire District #1;

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

1. The City of Milwaukie City Council does support consolidation of fire and emergency medical service delivery and two members of the Council have participated in negotiating an intergovernmental agreement with Clackamas County Fire District #1 for the provision of fire and emergency medical services;
2. The terms of the agreement meet the needs of the City to deliver cost-effective fire service and emergency medical services while retaining City facilities and equipment thus maintaining our community identity;
3. The City Council authorizes the City Manager to sign the intergovernmental agreement negotiated with members of the Fire Oversight Committee, attached hereto as Exhibit "A".

Introduced and adopted by the City Council on this 16th day of December 1997.

CITY OF MILWAUKIE

By Craig J. Lomnicki  
Craig J. Lomnicki, Mayor

ATTEST:

Pat DuVal  
Pat DuVal, City Recorder

APPROVED AS TO FORM:

J. O'Donnell  
O'Donnell, Ramis, Crew, & Corrigan

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Milwaukie Fire Department

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personnel. The Chief continues to work very closely with the City's Human Resource Department regarding these types of matters.

A contract exists with the career firefighters IAFF Local 1159. Currently, the Milwaukie firefighters have petitioned to the Employees Relation's Board to remove themselves from this bargaining unit. A labor agreement with all employee groups, whether they are represented by a union or not, serve to protect both the interests of the employee and the City. The Chief, or his designee, should be actively involved in any labor issues or discussions.

The City of Milwaukie maintains job descriptions for all positions within the fire department. District and City supervisors and managers should be made aware of the specifics listed within each job description. This is very important as personnel with the same title may have a different job description depending on their employer.

**RECOMMENDATIONS:**

- Ensure that the agreement for administrative services between the City and District spells out the relationship between the Chief and City Manager.
- Department assignments should be reviewed and modified as needed.
- Review and update job descriptions and develop one set to ensure consistency between departments.
- The City and the Chief must continue to emphasize to the department's employees that the City Manager is the appointing power and the Chief is responsible for discipline within the department.

*History and Formation of the Fire Department*

The City was founded in 1847 and incorporated in 1903. The history of the fire department is documented by a firefighter who is assigned the responsibility of documenting the departments history. It is important that those who serve the department today and those who follow, have a sense of the organization's history.

**RECOMMENDATIONS:**

- Continue to document and maintain a written history of the formation, challenges, and accomplishments of the department. A pictorial record should be kept as part of the history.

The fire department was last rated by the ISO Rating Bureau in 1994. At that time, the department's fire defenses and physical conditions, as determined by the Grading Schedule for Municipal Fire Protection was determined to be a class 3/9. In the survey, the department received a total credit of 72.21 percent out of a possible 100 percent. It would be necessary to increase the grading to 80.00 percent to move to a class 2 rating. This would normally be accomplished by significant credit being given for additional personnel or significant upgrades in the municipal water system.



While no fire department should ever make improvements or base decisions solely on the ISO Grading Schedule, the survey can serve as a measure of the relative capabilities of the agency. A review of the fire department's grading indicates that significant credit would be applied if a formal contract or legal annexation took place with the District. Considerable credit would be given for "on-duty" staffing. The City would get credit for all on-duty staffing and volunteer personnel responding within the system. The City would also receive credit for any mobile water supply provided by the District. They would also receive credit for all apparatus within the system, including the two in-service and one reserve ladder truck operated by the District's, and specialized vehicles such as water tenders. In addition it could reduce deficiencies in the areas of training and divergence (deficiencies allocated for the difference in the overall rating of the fire department when compared to the water supply). These enhancements could possibly move the City to a class 2 rating. While a shift from a class 3 rating may not have a significant impact on insurance premiums paid by residential properties it would on commercial and industrial properties. Normally, residential properties are all grouped together from a class 2 - 6. Commercial and industrial properties, however, are individually rated with the I.S.O. rating being utilized as a basic factor in calculating rates. We have not attempted to calculate the savings involved, however our experience tells us that the overall premium for fire insurance should be reduced by approximately 4 percent for commercial occupancies.

**RECOMMENDATIONS:**

- The City should conduct a detailed follow-up and assessment of the ISO Survey and Rating Bureau grading to determine the improvements realized by the department and the impact of future regionalization efforts. Ultimately an improvement plan should be developed and implemented. The goal would be to acquire a class 2 rating and enhance the departments ability to prevent loss and save lives.

**Management Component:**Introduction

Fire and emergency medical services administrators are faced with a complex task made even more daunting by the realities of modern society. Today's emergency managers must consider and evaluate many elements which may dictate the amount and method of delivering emergency services. The level of risk within a community, the capabilities of the existing emergency system, the community's political climate, an organization's internal culture, local economic constraints and external resources will all influence the establishment of goals and objectives aimed at improving fire and emergency medical services. In the end, the process leads to an action plan which, when carried out, results in an enhanced quality of life for the constituents of the community.



# Clackamas County Fire District



Date: March 10, 1998

To: Dan Bartlett, City Manager  
City of Milwaukie

From: Randy Bruegman, Fire Chief *RB*  
Clackamas County Fire District No. 1

Subject: Request For ISO Review

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In 1997, Emergency Services Consulting Group conducted an analysis for fire service delivery options for the City of Milwaukie. That report indicated that an improvement in the insurance service rating classification for fire protection would be realized with the regionalization of services. Currently the city is rated at a Class 3. Although it is extremely difficult to precisely calculate the exact dollar savings on insurance premiums within the city, a range of probable savings to premium holders can be forecasted. There does exist a wide variance between insurance industry standards in the use and application of ISO classes and their impact on specific underwriters' insurance premiums. Attempting to provide a single, tangible cost savings is not possible. Variances between insurance company standards and ISO class ratings are further complicated by the limits of policy coverage. Basically, a fire premium covers the structure's value, however it may or may not include coverage for contents under business interruption. Further the construction type, its use, and built-in fire protection features influence the premium cost. Therefore, the method of risk assumptions by insurance carriers can provide a wide disparity of costs for a specific premium for a specific property.

## Background Overview:

1. Insurance Service Offices (ISO) is a professional organization, sponsored by insurance company subscribers. Its main emphasis is on risk analysis of specific properties, public fire protection within the municipal grading schedule, and assessment of areas covered within flood plain insurance parameters.
2. ISO's public fire protection municipal rating schedule establishes a system of classes, 1 through 10. The schedule is progressive with a total of 100 points, respectively with 10-point separation per class grade from Class 10 through Class 1. A Class 10 is generally considered to have no fire protection and water supply while a Class 1 is considered to provide the best system of municipal fire protection from an insurance risk-of-loss standpoint.

## VI. D. 6

3. ISO field agents routinely conduct a municipal class regrade assessment every ten years, per fire protection service area. Special field assessments for regrade can occur within the ten-year schedule if a municipality's fire defense system changes. Those regrades may result in an ISO classification change.

4. ISO field agents assess a municipality's fire defense system over a three to five day period. Exact evaluations of the fire department, fire suppression, water system, and emergency communications network are conducted by the field agents. The weighted percentage applies to the 100 point ISO grade among the three areas of assessment are: fire department - 50 percent; water supply system - 40 percent; and emergency communications network - 10 percent.

5. ISO municipal fire protection rating classes reflect a community's fire defense capability in coping with probable losses due to fire. The ISO assessment and subsequent class rating does not consider or reflect upon fire code enforcement, life safety, life risk from fire, emergency medical services, or hazardous materials mitigation capabilities.

6. Approximately 70 percent of the insurance industry subscribes to the ISO municipal rating system. Usually, these insurance companies are represented by insurance brokerage houses who, by shopping the market, deal directly with the customer. The larger corporate insurance companies may or may not, on a limited basis, reference ISO fire classifications. It is common for larger companies to group-rate properties, especially single family dwellings, and establish their premium rates on loss experience by occupancy type as well as competitive market prevailing rates. Additionally, the larger insurance companies have exclusive customer agents rather than brokerage house agents who may purchase premium coverage from a host of competing insurance companies.

### **EXAMPLE OF A COMMERCIAL FIRE RATING SCHEDULE RATE ANALYSIS**

The following example uses the Commercial Fire Rating Schedule for the rate analysis. Only the major factors are shown in the rate structure since the emphasis is to depict the effect a Public Protection Class has on a selected property. The rate structure is based on frame construction. Building rate factors would change for other structural classifications.\*

1. Occupancy – restaurant
2. Construction – frame 1 & 2 story
3. Special Hazard – cooking equipment
4. Unprotected – i.e., no automatic sprinkler system
5. Insured for 90% of the assessed value
6. Assessed value - \$274,000.00

<u>Public Protection Class</u>	<u>Annual Premium</u>
10 (Unprotected)	\$6,902.06
9 (Improvement to Semi-Protected)	\$5,866.34
8 (Protected Class)	\$5,340.60
7 (Protected Class)	\$5,277.78
6 (Protected Class)	\$5,014.20

5 (Protected Class)	\$4,763.49
4 (Protected Class)	\$4,526.62
3 (Protected Class)	\$4,164.36
2 (Protected Class)	\$4,039.86

It should be noted that the decrease in insurance premiums is not directly incremental to each city improvement. The highest reductions occur between Class 10 and Class 9 and between Class 4 and Class 3.

- This example is generic in form and content. Premium values may change from state to state.

Based on this example, a general percentage rate change can be developed for Public Protection Class impact on a specific property. Only the major factors are shown in the rate structure. This is based on wood frame construction. Rate factors would change for other classes of construction.<sup>7</sup>

<u>Change</u>	<u>Percent Decrease</u>
Class 10 to Class 9	15%
Class 9 to Class 8	9%
Class 8 to Class 7	5%
Class 7 to Class 6	5%
Class 6 to Class 5	5%
Class 5 to Class 4	5%
Class 4 to Class 3	8%
Class 3 to Class 2	3%

The incremental percents of change reveal that the highest reductions occur between Class 10 (unprotected), Class 9 (semi-protected), and Class 8 (protected); plus the change from Class 4 (protected) to Class 3 (protected). These marked differences reflect significant changes in fire suppression capability as determined through historical record analysis. It is emphasized that the above rate change factors are general in nature and do not reflect any specific rate deviations. Furthermore, these rate relationships only apply to specific rated property.

<sup>7</sup> The percent of rate change should be used as a general guide only. Adjustment factors are used by each state.

Source: Fire Suppression Rating Schedule Handbook, July 1, 1993 by Harry E. Hickey, Ph.D. Copyright © 1993 Professional Loss Control Education Foundation

The provided information overviews estimated cost of insurance per \$1,000 coverage (Figure 1), property value allocation for the city (Figure 2), estimated insurance savings with a reduction in the ISO rating from a three to a two (Figure 3), and from three to one (Figure 4).

## Figure 1

## COST OF INSURANCE PER \$1000 COVERAGE

ISO CLASS	COMPREHENSIVE SINGLE FAMILY HOMEOWNER	FIRE ONLY SINGLE FAMILY HOMEOWNER	5 PLUS UNIT APT. BLDG.	RETAIL & COMMERCIAL	INDUSTRIAL	BUSINESS INTERRUPT
1	1.62	1.00	6.40	3.46	3.10	3.85
2	1.80	1.00	6.40	3.54	3.46	3.85
3	1.80	3.00	6.40	3.63	3.65	4.09
4	1.80	3.00	6.40	4.00	3.75	4.09
5	2.00	8.00	6.80	4.17	4.10	4.79
6	2.00	8.00	6.80	4.29	4.26	4.79
7	2.00	18.00	6.80	5.00	4.51	4.79
8	2.00	18.00	6.80	5.46	4.65	4.79
9	2.00	37.00	8.70	5.48	4.97	6.70
10	2.00	48.00	8.70	8.67	5.17	6.70

# Figure 2

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## City of Milwaukie

### Property Value Allocation by Type

1995-96	Milwaukie Dollar Value	% of Total	1994-95
Residential	674,856,130	62.18%	60.00%
Commercial/Industrial	350,003,010	32.25%	34.25%
Utility	16,000,000	1.47%	1.50%
Personal Property	44,500,000	4.10%	4.25%
Total	1,085,359,140		

Property value allocations courtesy of Clackamas County Assessors Office.

### Figure 3

Milwaukee Cost Savings

ISO Class	Estimated Insurance Costs/\$1000 Coverage*		
	Residential	Commercial	Industrial
1	\$ 1.62	\$ 3.46	\$ 3.10
2	\$ 1.80	\$ 3.54	\$ 3.46
3	\$ 1.80	\$ 3.63	\$ 3.65
4	\$ 1.80	\$ 4.00	\$ 3.75

**ISO Class 3 to Class 2 Cost Savings**

**Commercial and Industrial Savings**

<b>Total Commercial and Industrial Property:</b>	<b>350,003,010</b>
<b>Less land Value ( 20 percent ):</b>	<b>70,000,602</b>
<b>Total Structural Value:</b>	<b>280,002,408</b>

Percent		Savings		
Comm'l	Indr'l	Comm'l	Indr'l	Total
30%	70%	\$ 7,560.07	\$ 37,240.32	\$ 44,800.39
35%	65%	\$ 8,820.08	\$ 34,580.30	\$ 43,400.37
40%	60%	\$ 10,080.09	\$ 31,920.27	\$ 42,000.36
45%	55%	\$ 11,340.10	\$ 29,260.25	\$ 40,600.35
50%	50%	\$ 12,600.11	\$ 26,600.23	\$ 39,200.34
55%	45%	\$ 13,860.12	\$ 23,940.21	\$ 37,800.33
60%	40%	\$ 15,120.13	\$ 21,280.18	\$ 36,400.31
65%	35%	\$ 16,380.14	\$ 18,620.16	\$ 35,000.30
70%	30%	\$ 17,640.15	\$ 15,960.14	\$ 33,600.29

Residential insurance savings are not expected when improving ISO rating from Class 3 to Class 2

\*Estimates based on the Insurance Services Office Fiscal Impact Report, 1997, Northbrook, Illinois

# Figure 4

Milwaukie Cost Savings

VI. D. 11

ISO Class	Estimated Insurance Costs/\$1000 Coverage*		
	Residential	Commercial	Industrial
1	\$ 1.62	\$ 3.46	\$ 3.10
2	\$ 1.80	\$ 3.54	\$ 3.46
3	\$ 1.80	\$ 3.63	\$ 3.65
4	\$ 1.80	\$ 4.00	\$ 3.75

## ISO Class 3 to Class 1 Cost Savings

### Commercial and Industrial Savings

Total Commercial and Industrial Property:	350,003,010
Less land Value ( 20 percent ):	70,000,602
Total Structural Value:	280,002,408

Percent		Savings		Total
Comm'l	Indr'l	Comm'l	Indr'l	
30%	70%	\$ 14,280	\$ 107,801	\$ 122,081
35%	65%	\$ 16,660	\$ 100,101	\$ 116,761
40%	60%	\$ 19,040	\$ 92,401	\$ 111,441
45%	55%	\$ 21,420	\$ 84,701	\$ 106,121
50%	50%	\$ 23,800	\$ 77,001	\$ 100,801
55%	45%	\$ 26,180	\$ 69,301	\$ 95,481
60%	40%	\$ 28,560	\$ 61,601	\$ 90,161
65%	35%	\$ 30,940	\$ 53,900	\$ 84,841
70%	30%	\$ 33,320	\$ 46,200	\$ 79,521

### Residential Savings

Total Residential Property	674,856,130
Less land Value ( 20 percent ):	134,971,226
Total Structural Value:	539,884,904

Rates:	ISO 1	ISO 3
Commercial	\$ 1.62	\$ 1.80

Savings / \$1000 AV                      \$      97,179

\*Estimates based on the Insurance Services Office Fiscal Impact Report, 1997, Northbrook, Illinois



MEMORANDUM  
March 2, 1998

**TO:** Mayor and City Council

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

**FROM:** Jim Brink, Public Works Director *JTB 3-5-98*

**SUBJECT:** Increase Purchase Order for Engineering Services with Murray Smith & Associates (MSA).

**Action Requested:** That the City Council authorize the City Manager to increase Purchase Order #980123B for engineering services with Murray Smith & Associates from \$40,000 to \$57,000 in order to expedite the design of water system improvement projects on Johnson Creek Blvd. The request to amend Purchase Order #980123B is attached.

**Background:**

At the beginning of FY97-98, City Council approved Purchase Order #980123B for engineering services with Murray Smith & Associates in the amount of \$40,000. The engineering services included both the water and sanitary sewer systems. Specific projects included assistance during the design phase of the telemetry improvement project, design of the Clackamas River Water intertie improvement project, and a study of the sanitary sewer system north of Johnson Creek and east of 55th Ave. The telemetry improvement and Johnson Creek sewer study projects are complete. The design services portion of the CRW intertie improvement project is 80% complete. Projected annual expenses in PO #980123B for the three previously mentioned projects total \$35,126.

**Discussion:**

1. Public Works proposes to initiate design on two FY98-99 water system improvement projects located on Johnson Creek Blvd (JCB). The projects include an improvement of the City of Portland intertie and a waterline improvement project from 42nd Ave to 45th Ave. The primary reasons for initiating the design now are 1) to take advantage of the design work that the City of Portland has done or will do on the Johnson Creek Blvd storm and street improvement project, and 2) make sure the water improvement project is done prior to the JCB street improvements.

VI. E. 2

2. During Phase 1 of the Johnson Creek Blvd improvement project, the City of Portland and the City of Milwaukie coordinated on improving the intertie. This project was put on hold because the Springwater Corridor was not yet completed and it was unclear how much land within the corridor would be available for water facilities; however, now that the Springwater Corridor facilities are complete in the vicinity of 45th Ave, it is appropriate to restart the design of the waterline improvement projects.

3. It is essential that all underground utility projects be complete prior to the street improvement portion of the Johnson Creek Blvd improvement project. Storm improvements are scheduled to be completed this summer as part of Phase 2 of the Johnson Creek Blvd improvement project. The plan is to follow the storm improvements with the water improvements so that all underground work would be completed no later than June 30, 1999.

4. Staff is recommending that the design of the Johnson Creek Blvd water improvements be given to Murray Smith & Associates because MSA did the initial work with the City of Portland on the intertie improvement project and because MSA is the engineering firm most familiar with the City's water system. MSA is in a position to complete the design in a timely manner so that waterline construction can follow on the heels of the storm system construction on or about October 1998.

5. The total estimated cost of design services for the total project is \$33,799; however, only a portion (estimated to be \$17,000) can be accomplished in FY97-98 (prior to June 30, 1998).

**Fiscal Impact:** \$17,000 from Water Fund, budget line 31-6010.





**MEMORANDUM**  
March 3, 1998

**TO:** Mayor and City Council  
**THRU:** Dan R. Bartlett, City Manager *DB*  
**FROM:** Jim Brink, Public Works Director *J 913*

**SUBJECT:** City of Milwaukie, City of Portland and Oregon Department of Transportation Local Agency Agreement for Phase II Improvements on Johnson Creek Blvd.

**Action Requested:** That the City Council approve the attached Local Agency Agreement with the City of Portland and the Oregon Department of Transportation for Phase II Improvements on Johnson Creek Blvd from 36th Ave to 45th Ave.

**Background:**

1. On February 7, 1995 City Council approved Resolution No. 6-1995 that endorsed safety improvements on Johnson Creek Blvd from 36th Ave to 45th Ave (Attachment 1). The improvements included sidewalk, curb, improved roadway alignment, and storm drainage without increasing travel lanes.
2. The Johnson Creek Blvd Improvement Project from 32nd Ave to 45th Ave is a multi-phase street safety improvement project that is being completed as funds become available.
3. Phase I work was completed for \$1.176 million in November 1996 and included right-of-way acquisition, sewer, and street construction from 32nd Ave to 36th Ave, all within the City of Portland.

**Discussion:**

1. ODOT has now made available an additional \$800,000 in Federal Surface Transportation (STP) Funds through the City of Milwaukie for Phase II work which includes right-of-way acquisition and storm sewer work from 36th Ave to Johnson Creek near 45th Ave (see map at Attachment 2). Approximately 80% of the work is within the City of Milwaukie and the remaining 20% in the City of Portland. The estimated cost for Milwaukie is \$60,000 (20% of the 10% match of \$80,000) while the estimated cost for Portland is \$20,000.

VI. F. 2

2. The time remaining to complete project design and advertise the project is short. All design work must be complete no later than September 30, 1998 (the end of the federal fiscal year). Portland needs one month to complete the final design and specs and ODOT/FHWA requires 4 months to review the design and confirm changes.

3. The storm work involves approximately 2500 feet of storm line and associated manholes and catchbasins and a water quality pond west of the JCB/45th Ave bridge.

4. A new Local Agency Agreement is required because the City of Milwaukie is a financial participant in Phase II. This was not the case in Phase I.

5. The construction of the JCB storm line provides benefit to the City of Milwaukie not only for providing drainage along JCB, but also for providing the ability for the City to install connecting storm drainage lines along 40th Ave, 41st Ave, 42nd Ave, 43rd Ave and Roswell St. The lateral connections are called out in the City's 1997 Storm Water Master Plan under the heading "BES Basin" (Attachment 3).

6. The City will have jurisdiction and maintenance responsibility for the JCB storm line within the City Limits just as it has for the JCB sanitary sewer line.

7. The City of Portland has the lead in project design and coordination with ODOT. The City of Milwaukie will participate in notification of and coordination with the affected property owners and Neighborhood Associations. The project limits include both the Ardenwald and Lewelling Neighborhoods.

8. A future Phase III for roadway reconstruction from 36th Ave to 45th Ave requiring an additional \$1.2 million will complete the JCB safety improvements as originally endorsed by City Council on 2-7-95. Funds are not yet available.

9. Recap of Project Phases and Costs

Phase I	36th Ave to 36th Ave	Street, storm, curb, s/w,ROW	\$1,176,000
Phase II	36th Ave to 45th Ave	Storm, ROW	\$ 800,000
Phase III	36th Ave to 45th Ave	Street, curb,s/w	\$1,200,000

10. Future improvements on JCB - The Milwaukie/North Clackamas Enterprise Zone Agreement between the City of Milwaukie and Clackamas County includes County support in placing the Johnson Creek Blvd Multimodal Project in the 1998 Regional Transportation Plan.

**Fiscal Impact:** \$60,000 from Storm Fund, budget line 33-7533 Capital Projects Storm-General. This project is budgeted as a FY97-98 storm capital improvement project.

street\project\jcb1.doc

RESOLUTION NO 6-1995

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

WHEREAS, the Milwaukie City Council adopted Resolution No. 30-1989 supporting the findings and recommendations of Metro's Southeast Corridor Study; and

WHEREAS, the Southeast Corridor Study Improvement Plan listed safety improvements to Johnson Creek Boulevard from 32nd to 45th Avenue as one of a series of projects to be undertaken within the Southeast Corridor Study area; and

WHEREAS, the Metro Council adopted Resolution No. 89-1135 endorsing the Southeast Corridor Study Improvement Plan; and

WHEREAS, an improvement project for Johnson Creek Boulevard -- 32nd to 45th Avenue is included in Metro's October 1991 Transportation Improvement Plan (Metro ID No. 902); and

WHEREAS, the City of Portland, as lead agency, has developed a proposed improvement plan for Johnson Creek Boulevard from 32nd to 4th Avenue that is coordinated with the needs of the City of Milwaukie, and fulfills the intent of providing traffic and pedestrian safety mitigation improvements in the form of sidewalk, curb, improved roadway alignment, bike paths, storm drainage and illumination where needed, without increasing travel lanes; and

WHEREAS, the Cities of Milwaukie and Portland have conducted a public involvement process on the proposed design for adjacent property owners and the neighborhood in general;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Milwaukie endorses the proposed improvement design and coordinated phasing schedule as shown in EXHIBIT A. It is further resolved that the City will continue in a cooperative relationship with the City of Portland to implement the improvements set out in EXHIBIT A.

Introduced and adopted by the City Council on February 7, 1995.

Craig J. Lomnicki  
Craig Lomnicki, Mayor

ATTEST:

Pat Duval  
Pat DuVal, City Recorder

APPROVED AS TO FORM:

Linette K. Crew  
O'Donnell Ramis Crew Corrigan Bachrach  
City Attorney

VI. F.

5



# CLACKAMAS COUNTY

Board of Commissioners

September 17, 1997

Craig Lomnicki, Mayor  
City of Milwaukie  
10722 SE Main  
Milwaukie, OR 97222

ED LINDQUIST  
CHAIRJUDIE HAMMERSTAD  
COMMISSIONERBILL KENNEMER  
COMMISSIONER

Dear Craig:

The County Commissioners are happy to hear that Milwaukie is interested in working with the County to set up an Enterprise Zone. Through partnership, we can meet the needs of Milwaukie and Clackamas County current and future industries.

In an effort to work together to deal with common issues that will arise from our application for an Enterprise Zone, the County will:

Expand the proposed zone boundaries to include Milwaukie Industrial areas along McLoughlin and International Way.

Work with you to implement all the City's TSP Action Plans all the way to I-205 including working to fully fund the Johnson Creek Blvd. Project from 36<sup>th</sup> to I-205 in the next Regional Transportation Plan.

Work with you to determine what measures, if any beyond applicable state and federal law, would help deal with industrial wastewater impacts on the Johnson Creek watershed.

After initial zone establishment, review with the City the most appropriate ways to provide for ongoing Zone Management. In addition to direct County provision of this service, we would be happy to consider the North Clackamas County Chamber of Commerce or any other qualified entity as a potential Zone Manager.

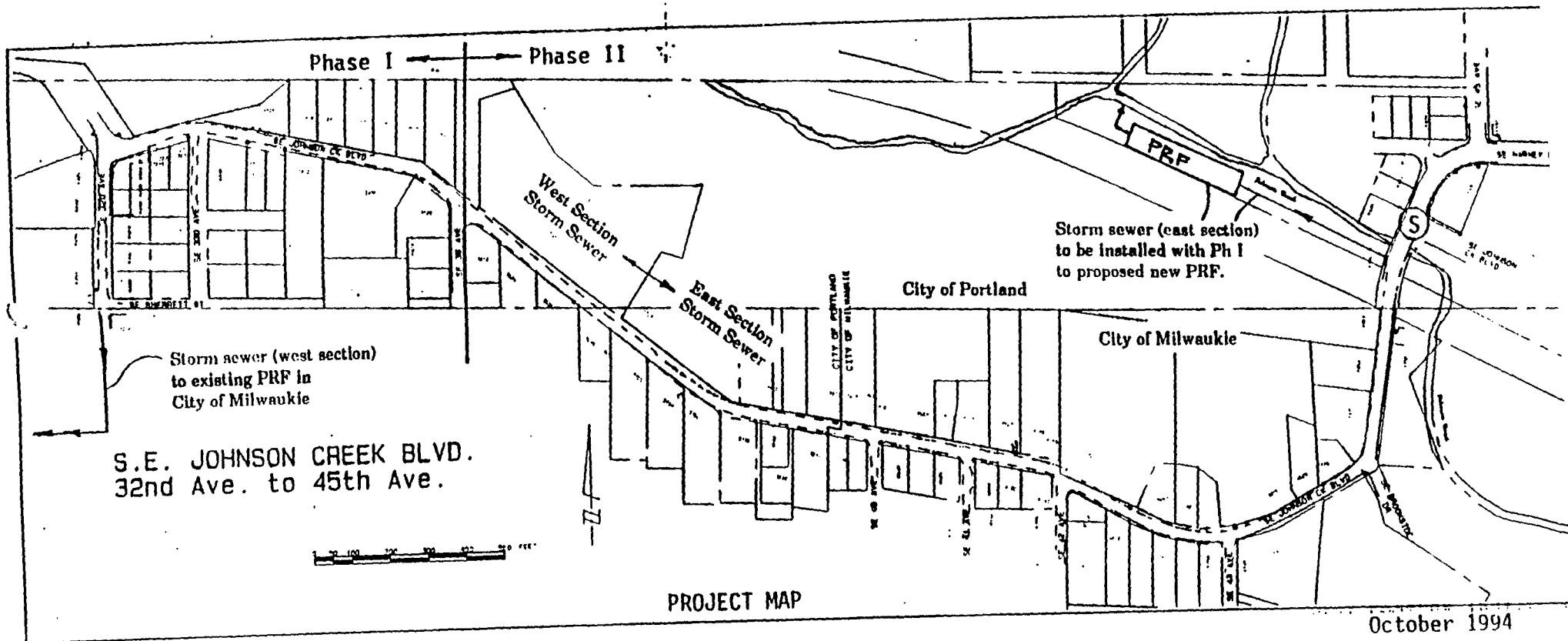
Work with the City and its franchise holders to ensure state-of-the-art utility service in the industrial areas.

We see this as a great chance to enter into a partnership with the City and industries for future job growth in the industrial areas of North Clackamas County.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ed Lindquist".

Ed Lindquist, Chair  
Clackamas County Commissioner



V.I.F. *[Signature]*

VI. F. 17

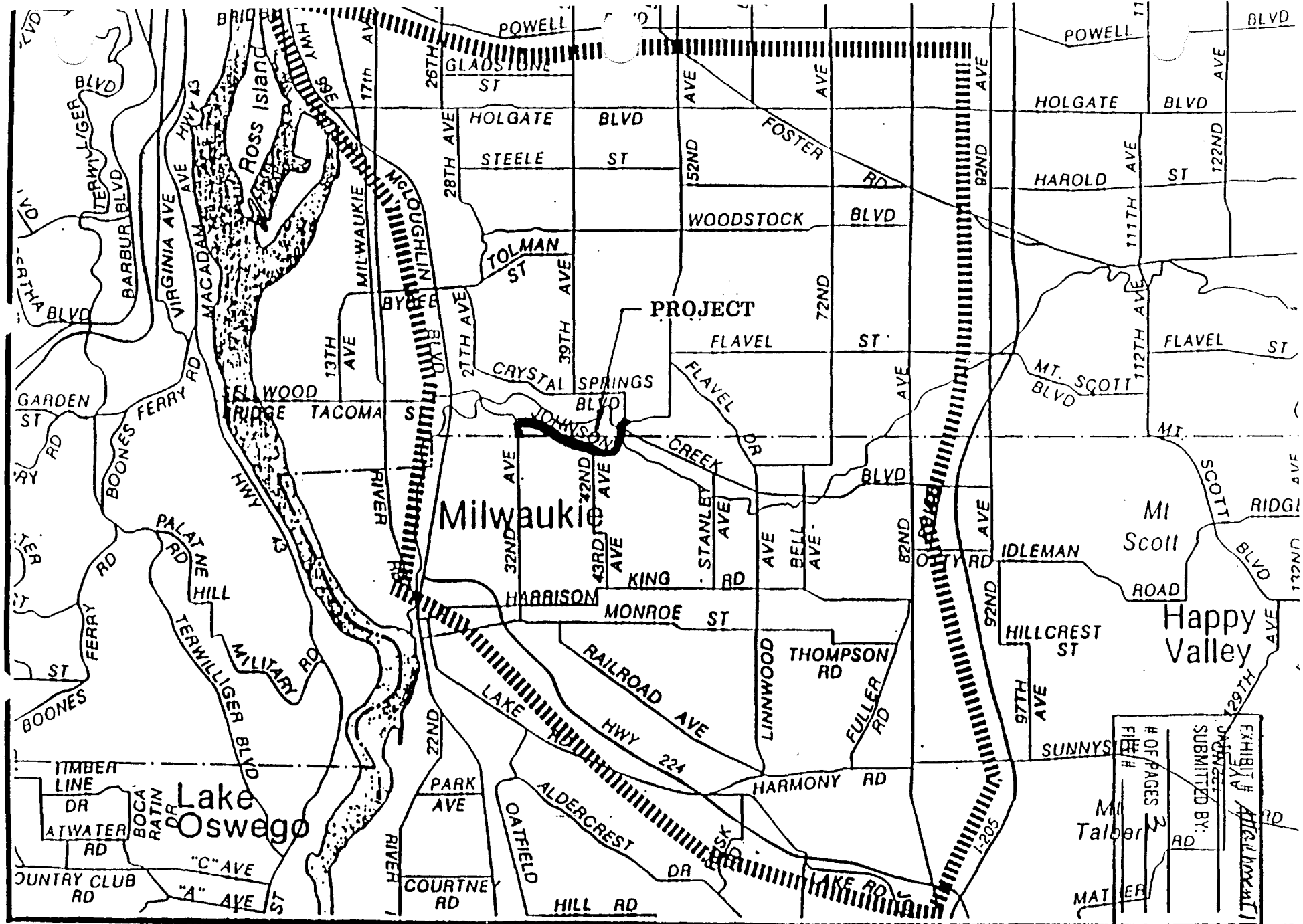
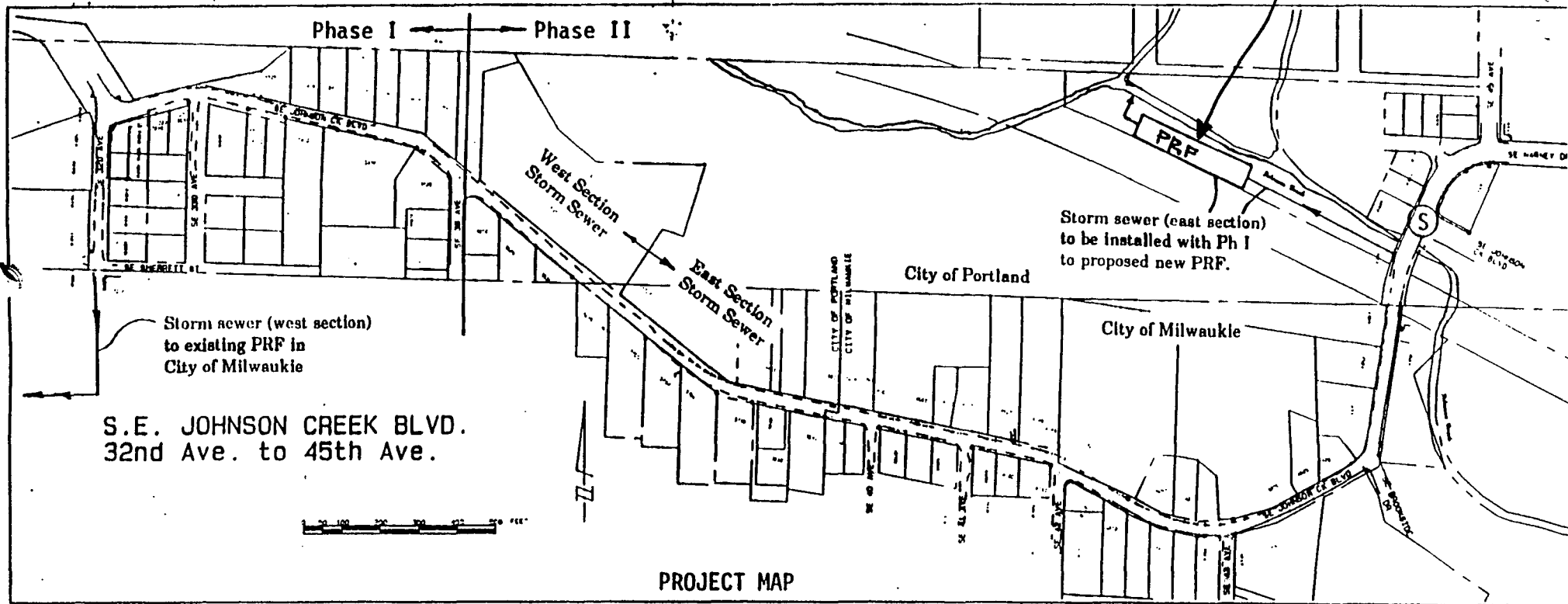


EXHIBIT #	1
DATE	1/20/50
SUBMITTED BY:	M. Talbot
# OF PAGES	2
FILE #	
MATTER	

METRO Southeast Corridor Study Area

Figure

Water Quality Pond



PROJECT MAP

October 1994

Potential Lateral Storm

V.I.F. 8



Misc. Contracts & Agreements  
No. 15,626

LOCAL AGENCY AGREEMENT  
SURFACE TRANSPORTATION PROGRAM  
SE Johnson Creek Blvd. – SE 32<sup>nd</sup> Ave. to SE 45<sup>th</sup> Ave.

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; CITY OF PORTLAND, a municipal corporation of the State of Oregon, acting by and through its City Officials, hereinafter referred to as "Agency"; and CITY OF MILWAUKIE, a municipal corporation of the State of Oregon, acting by and through its City Officials, hereinafter referred to as "City".

**RECITALS**

1. A portion of Johnson Creek Blvd. is a part of the Agency's city street system under the jurisdiction and control of the Agency (City of Portland) and a portion of Johnson Creek Blvd. is a part of the City's city street system under the jurisdiction and control of the City (City of Milwaukie). See Exhibit A.
2. By the authority granted in ORS 190.110, 366.770 and 366.775, State may enter into cooperative agreements with counties, cities, or units of local government for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

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

1. Under such authority, State and Agency plan and propose to start Phase 2 of the 32<sup>nd</sup> Ave. – 45<sup>th</sup> Ave. (Johnson Creek Blvd.) project. Phase 1 was covered under Agreement No. 11,113, which was executed January 20, 1993. Phase 2 shall include improvements to the storm sewer system and the acquisition of the necessary right-of-way for all phases of the project, hereinafter referred to as "project". The location of the project is approximately as shown on the sketch map attached hereto, marked Exhibit A, and by this reference made a part hereof.
2. The project shall be conducted as a part of the Surface Transportation Program (STP) under Title 23, United States Code, and the Oregon Action Plan. The STP 33C funds are limited to \$800,000. Agency shall be responsible for the match for STP funds and for all costs in excess of the federal funding.

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M C & A No. 15,626  
CITY OF PORTLAND & CITY OF MILWAUKIE

Agency and City may enter into separate agreement to clarify funding responsibilities and project issues.

3. The terms of this agreement shall begin upon execution of the agreement by all parties.

The parties agree that this agreement shall become null and void if the funds for this project are not obligated for construction within two calendar years after execution of this agreement by State.

4. Agency and City shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this agreement, including, without limitation, the provisions of ORS 279.312, 279.314, 279.316, 279.320, and 279.555, which hereby are incorporated by reference. Without limiting the generality of the foregoing, both parties expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Acts of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.
5. This agreement may be terminated at any time by mutual written consent of all parties.

State may terminate this agreement effective upon delivery of written notice to Agency and City, or at such later date as may be established by State, under any of the following conditions, but not limited to these conditions:

- a. If Agency or City fails to provide services called for by this agreement within the time specified herein or any extension thereof.
- b. If Agency or City fails to perform any of the other provisions of this agreement, or so fails to pursue the work as to endanger performance of this agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within 10 days or such longer period as State may authorize.
- c. If Agency fails to provide payment of its share of the project costs.

M C & A No. 15,626  
CITY OF PORTLAND & CITY OF MILWAUKIE

- d. If State fails to receive funding, or appropriations, limitations or other expenditures authority at levels sufficient to pay for the work provided in the agreement.
- e. If Federal or State laws, regulations or guidelines are modified or interpreted in such a way that either the work under this agreement is prohibited or if State is prohibited from paying for such work from the planned funding source.

Any termination of this agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.

- 6. The Special and Standard Provisions attached hereto, marked Attachments 1 and 2, respectively, are by this reference made a part hereof. The Standard Provisions apply to all federal-aid projects and may be modified only by the Special Provisions. The parties hereto mutually agree to the terms and conditions set forth in Attachments 1 and 2. In the event of a conflict, this agreement shall control over the attachments, and Attachment 1 shall control over Attachment 2.
- 7. Agency shall adopt an ordinance authorizing its city officials to enter into and execute this agreement.
- 8. City shall adopt an ordinance authorizing its city officials to enter into and execute this agreement.
- 9. This agreement and attached exhibits constitutes the entire agreement between the parties on Phase 2 of the subject project. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this phase of the project. No waiver, consent, modification or change of terms of this agreement shall bind the parties unless in writing and signed by all parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this agreement shall not constitute a waiver by State of that or any other provision.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

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M C & A No. 15,626  
CITY OF PORTLAND & CITY OF MILWAUKIE

This Project was approved by the Oregon Transportation Commission on October 15, 1997 as a part of the 1998-2001 Statewide Transportation Improvement Program.

On December 17, 1997 the Oregon Transportation Commission approved Subdelegation Order No. 2, which grants authority to the Region Manager to approve and execute agreements for projects included in the Statewide Transportation Improvement Program.

CITY OF PORTLAND, by and through its Elected Officials  
By Vera Katz  
Mayor  
By Sabrina Clark  
Auditor  
Date 2/13/98

STATE OF OREGON, by and through its Department of Transportation  
By \_\_\_\_\_  
Region 1 Manager  
Date \_\_\_\_\_

APPROVE AS TO LEGAL SUFFICIENCY  
**APPROVED AS TO FORM**  
By Jeffrey A. Rogers  
City Counsel  
Date CITY ATTORNEY

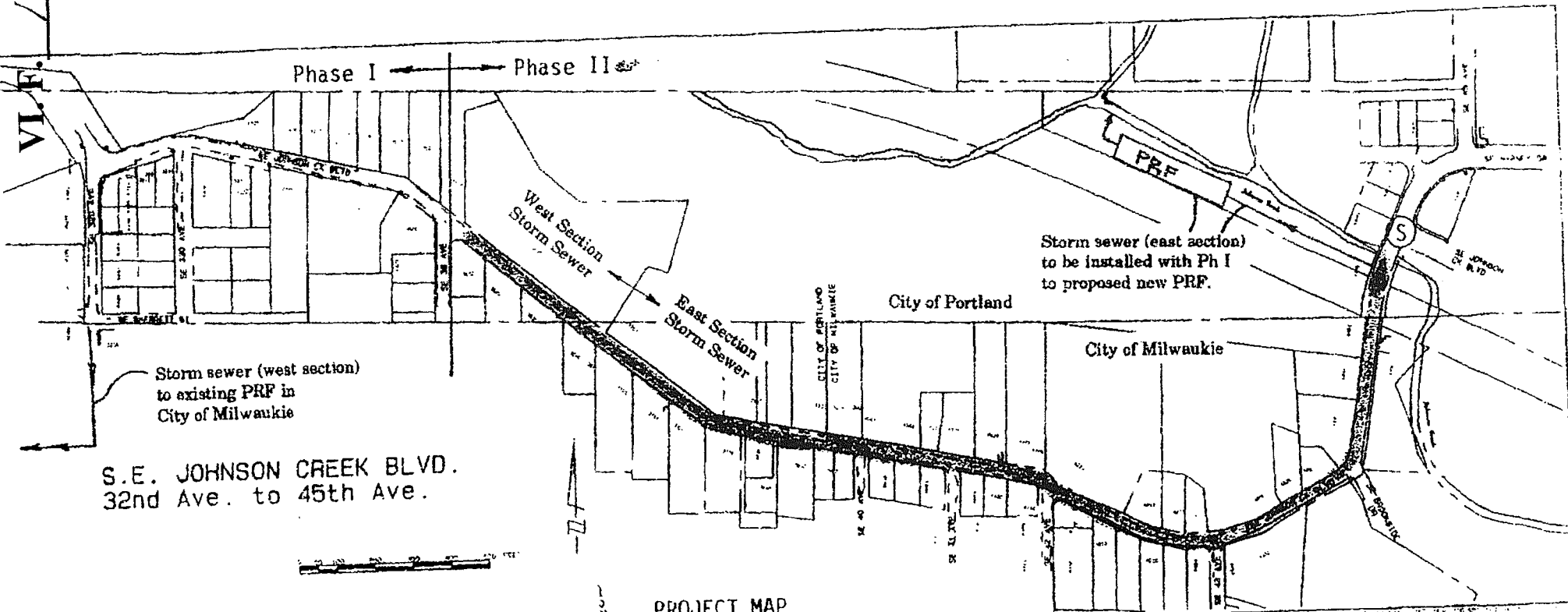
CITY OF MILWAUKIE, by and through its Elected Officials  
By \_\_\_\_\_  
Mayor  
By \_\_\_\_\_  
Recorder  
Date \_\_\_\_\_

CITY OF PORTLAND  
Billing Address:  
1120 SW Fifth Avenue  
Portland, OR 97204

APPROVE AS TO LEGAL SUFFICIENCY  
By \_\_\_\_\_  
City Counsel  
APPROVE AS TO LEGAL SUFFICIENCY  
By \_\_\_\_\_  
Assist. Attorney General  
Date \_\_\_\_\_

VI.F. 14

Phase I ← Phase II



PROJECT MAP

October 1994

EAST STORM SEWER  
SYSTEM IS THE MAIN CONSTRUCTION  
ELEMENT.

Exhibit 'A'

ATTACHMENT NO. 1  
SPECIAL PROVISIONS

1. Agency or its consultant shall, as a federal-aid participating preliminary engineering function, conduct the necessary field surveys, environmental studies, traffic investigations, acquire all right-of-way, foundation explorations, and hydraulic studies, identify and obtain all required permits, and perform all preliminary engineering and design work required to produce final plans, specifications and cost estimates.
2. Agency or its consultant shall, upon State's award of a construction contract, furnish all construction engineering, field testing of materials, technical inspection and project manager services for administration of the contract. The State shall obtain "Record Samples" at specified intervals for testing in the State Materials Laboratory in Salem.
3. All project activities performed by State, as defined in the Standard Provisions (Attachment No. 2), paragraph No. 8, shall be charged to the project at actual costs.
4. Agency insures that all project right-of-way monumentation will be conducted in conformance with ORS 209.150.
5. State, Agency, and City agree that all right-of-way activities shall be in accord with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended. Agency/City should contact Region right-of-way office for additional information or clarification.
6. Agency shall conform with requirements of the Oregon Action Plan and, if necessary, shall appoint and direct the activities of a Citizen's Advisory Committee and Technical Advisory Committee.
7. State, Agency and City agree that minimum design standards shall be recommended AASHTO Standards, unless otherwise requested by Agency and/or City and approved by State.
8. Agency shall, upon completion of the project, maintain that portion of the project within Agency jurisdiction at its own expense.
9. City shall, upon completion of the project, maintain that portion of the project within City jurisdiction at its own expense.

**ORDINANCE No. 171989**

\* Agreement with the Oregon Department of Transportation and the City of Milwaukie to provide for Phase II construction of the SE Johnson Creek Blvd, 32nd to 45th Avenues Project. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and ODOT executed Agreement No. 50016 on January 20, 1993 to provide funding (\$1.176 million) for design and Phase I construction of the SE Johnson Creek Blvd, 32nd to 45th Project with approximately 40% of the Project in the City of Milwaukie.
2. The City of Portland's Transportation Engineering & Development section, working with City of Milwaukie and the affected nearby residents, developed a proposed design and phasing plan which will be completed as funds become available. The design and phasing plan was adopted by Council Resolution No. 35373 on March 15, 1995 with a similar Resolution adopted by the City of Milwaukie.
3. Design of the Project and Phase I work was completed in the fall of 1996. This included sewer and street construction on SE Johnson Creek Blvd from 32nd Avenue to 36th Avenue and one block south on 32nd Avenue from Johnson Creek Blvd in Portland.
4. ODOT has made available \$800,000 in Federal Surface Transportation (STP) Funds to the City of Milwaukie for Phase II work for right-of-way acquisition and storm sewer work on SE Johnson Creek Blvd, 36th Avenue to 45th Avenue, of which approximately 80% is located in Milwaukie and the remaining 20% in Portland.
5. The City of Portland, under separate agreement with Milwaukie, shall perform the above Phase II work and pay its share (approximately \$20,000) of the local 10% match requirement.
6. ODOT has prepared an Agreement for City approval and execution.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to enter into an agreement similar in form to the agreement attached to the original of this ordinance, and by this reference made a part hereof.

Section 2. The Council declares that an emergency exists because delay in executing this agreement delay construction and the related safety benefits to be derived from completion of the project; therefore, this Ordinance shall be in force and effect from and after its passage by City Council.

Passed by the Council, **FEB 11 1998**

Commissioner Charlie Hales  
Brett Kesterson:tab  
January 26, 1998  
\\Projects\0013\Agmt-Ord

**BARBARA CLARK**  
AUDITOR OF THE CITY OF PORTLAND

BY   
DEPUTY

## ATTACHMENT NO. 2

STANDARD PROVISIONSJOINT OBLIGATIONSPROJECT ADMINISTRATION

1. State is acting to fulfill its responsibility to the Federal Highway Administration (FHWA) by the administration of this project, and Agency hereby agrees that State shall have full authority to carry out this administration. If requested by Agency, State will further act for the Agency in other matters pertaining to the project. State and Agency shall actively cooperate in fulfilling the requirements of the Oregon Action Plan. State and Agency shall each assign a liaison person to coordinate activities and assure that the interests of both parties are considered during all phases for all projects.

Any project that uses federal funds, in project development, is subject to PS&E review and approval by FHWA prior to advertisement for bid proposals, regardless of the source of funding for construction.

P.E. & CONSTRUCTION ENGINEERING

2. Preliminary and construction engineering may be performed by State, Agency, or others. If Agency, or others, perform the engineering, State will monitor the work for conformance with FHWA rules and regulations. In the event that Agency elects to engage the services of a consultant to perform any of the work covered by this agreement, Agency and Consultant shall enter into an agreement describing the work to be performed and the method of payment. State shall concur in the agreement prior to the beginning of any work. No reimbursement shall be made using federal-aid funds for any costs incurred by such Consultant prior to receiving authorization from State to proceed.

On all construction projects where State is the signatory party to the contract, and where Agency is doing the construction engineering and project management, Agency agrees to accept all responsibility for and defend lawsuits involving tort claims, contract claims, or any other lawsuit arising out of the contractor's work or Agency's supervision of the project.

AUTHORITY FOR SURVEY

6. State shall prepare an Authority for Survey which will itemize the estimate of cost for preliminary engineering services to be provided by State, Agency or others, and shall furnish Agency with a copy of such cost estimate.

FINANCE

7. State shall, in the first instance, pay all reimbursable costs of the project, submit all claims for federal-aid participation to the FHWA in the normal manner and compile accurate cost accounting records. Agency may request a statement of costs to date, at anytime, by submitting a written request. When the actual total cost of the project has been computed, State shall furnish Agency with an itemized statement of such final costs.

PROJECT ACTIVITIES

8. State shall, if the work is performed by Agency or others, review and process or approve all environmental statements, preliminary and final plans, specifications and cost estimates. State shall, if they prepare these documents, offer Agency the opportunity to review and approve the documents prior to advertising for bids. State shall prepare contract and bidding documents, advertise for bid proposals, award all contracts and, upon award of a construction contract, perform all necessary laboratory testing of materials, process and pay all contractor progress estimates, check final quantities and costs, and oversee and provide intermittent inspection services during the construction phase of the project. The actual cost of laboratory testing services provided by State will be charged to the project construction engineering expenditure account and will be included in the total cost of the project.

FREE BRIDGE DESIGN

9. State shall, as provided in ORS 366.155(h), prepare plans and specifications for the structure portion only of bridges and culverts at no expense to the counties.

RIGHT-OF-WAY

10. State is responsible for acquisition of the necessary right-of-way and easements for construction and maintenance of the project. Agency may request to perform the acquisition functions, subject to execution of a written agreement. State

processing within six months from date that costs were incurred. Partial billing (progress payment) shall be submitted to State within three months from date that costs incurred.

13. The costs records and accounts pertaining to the work covered by this agreement are to be kept available for inspection by representatives of State and the FHWA for a period of three (3) years following the date of final payment. Copies of such records and accounts shall be made available upon request. For real property and equipment, the retention period starts from the date of disposition (49 CFR 18.42).

This agreement is subject to the provisions of the Single Audit Act of 1984 (49 CFR, Part 90) as stated in Circular A-128 of the United States Office of Management and Budget.

#### PROJECT CANCELLATION

14. Agency agrees that should they cause the project to be canceled or terminated for any reason prior to its completion, Agency shall reimburse State for any costs that have been incurred by State on behalf of the project.

#### DELAYED STARTING DATE

\* 15. In the event that right-of-way acquisition for, or actual construction of the facility for which this preliminary engineering is undertaken is not started by the close of the TENTH FISCAL YEAR following the fiscal year in which this agreement is executed, State may request reimbursement of the sum or sums of Federal-Aid funds disbursed to Agency under the terms of this agreement.

#### UTILITIES

\* 16. Agency shall relocate or cause to be relocated, all utility conduits, lines, poles, mains, pipes, and such other facilities where such relocation is necessary in order to conform said utilities and facilities with the plans and ultimate requirements of the project. Only those utility relocations which are eligible for federal-aid participation under the FAPG, 23 CFR 645A, shall be included in the total project costs and participation; all other utility relocations shall be at the sole expense of Agency, or others. State will arrange for utility adjustments in areas lying within jurisdiction of State and, if State is performing the preliminary engineering. Agency may request State to arrange for utility adjustments lying within Agency jurisdiction, acting on behalf of Agency.

WORKERS' COMPENSATION COVERAGE

21. The contractor, its subcontractors, if any, and all employers working under this (Agreement/Contract) are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers.

LOBBYING RESTRICTIONS

22. Agency certifies by signing this agreement that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code.

REQUIRED STATEMENT FOR USDOT FINANCIAL  
ASSISTANCE AGREEMENT:

3. If as a condition of assistance the Agency has submitted and the U.S. Department of Transportation has approved a Minority Business Enterprise Affirmative Action Program which the Agency agrees to carry out, this affirmative action program is incorporated into this financial assistance agreement by reference. That program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the Agency of its failure to carry out the approved program, the U.S. Department of Transportation shall impose such sanctions as noted in Title 49, Code of Federal Regulations, Part 23, Subpart E, which sanctions may include termination of the agreement or other measures that may affect the ability of the Agency to obtain future U.S. Department of Transportation financial assistance.

The Agency further agrees to comply with all applicable Civil Rights Laws, Rules and Regulations, including Section 504 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Act.

4. The parties hereto agree and understand that they will comply with all applicable statutes and regulations, including but not limited to Title 49 CFR, Parts 23 and 90, Audits of State and Local Governments; Title 41, USC, Anti-Kickback Act; Title 23, USC, Federal-Aid Highway Act; 42 USC, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1987; provisions of Federal-Aid Policy Guide (FAPG), Title 23 Code of Federal Regulations (23 CFR) 1.11, 710, and 140; and the Oregon Action Plan.

STATE OBLIGATIONS

PROGRAM REQUEST

5. State shall submit a program to the FHWA with a request for approval of federal-aid participation in all engineering, right-of-way acquisition, eligible utility relocations and construction work for the project. NO WORK SHALL PROCEED ON ANY ACTIVITY IN WHICH FEDERAL-AID PARTICIPATION IS DESIRED UNTIL SUCH APPROVAL HAS BEEN OBTAINED. The program shall include services to be provided by State, Agency or others. State shall notify Agency in writing when authorization to proceed has been received from the FHWA. Major responsibility for the various phases of the project will be as outlined in the Special Provisions. All work and records of such work shall be in conformance with FHWA rules and regulations, and the Oregon Action Plan.

## VI. F. 13

shall review all right-of-way activities engaged in by Agency to assure compliance with applicable laws and regulations.

If any real property purchased with federal-aid participation is no longer needed for the originally authorized purpose, the disposition of such property shall be subject to applicable rules and regulations which are in effect at the time of disposition. Reimbursement to State of the required proportionate share of the fair market value may be required.

### AGENCY OBLIGATIONS

#### FINANCE

11. Agency shall, prior to the commencement of the preliminary engineering and right-of-way acquisition phases, deposit with State its estimated share of each phase.

Agency's share of construction will be deposited in two parts. The initial deposit will represent 65 percent of the Agency's share, based on the engineer's estimate, and will be requested three weeks prior to opening bids on the project. Upon award of the contract, the balance of the applicant's share will be requested.

Collection of advance deposits amounting to less than \$2,500 for the P.E. and R/W phase of the project will be postponed until collectively the amount exceeds \$2,500 or until the collection of the advance deposit for construction is required.

Pursuant to ORS 366.425, the advance deposit may be in the form of 1) money deposited in the State Treasury (an option of which may be a deposit in the Local Government Investment Pool accompanied by an Irrevocable Limited Power of Attorney), or 2) an Irrevocable Letter of Credit issued by a local bank in the name of State.

12. Agency shall present properly certified bills for 100 percent of actual costs incurred by Agency on behalf of the project directly to State's Liaison Person for review and approval. Such bills shall be in a form acceptable to State and documented in such a manner as to be easily verified. Billings shall be presented for periods of not less than one month duration, based on actual expenses to date. All billings received from Agency must be approved by State's Liaison Person prior to presentation to Highway Division Accounting for payment. Agency's actual costs eligible for federal-aid participation shall be those allowable under the provisions of FAPG, 23 CFR 1.11, 710, and 140. Final billings shall be submitted to State for

Agency shall, five weeks prior to the opening of construction bid proposals, furnish State with an estimate of cost for eligible reimbursable utility relocations, based on the plans for the project. Agency shall notify State's Liaison Person prior to proceeding with any utility relocation work in order that the work may be properly coordinated into the project and receive the proper authorization.

### CONSTRUCTION

17. Design Standards for all projects shall meet the requirements of the Intermodal Surface Transportation Efficiency Act of 1991. In addition, all projects on the Oregon State Highway System shall be in compliance to Standards specified in the current ODOT Highway Design Manual and related references. Construction plans shall be in conformance with standard practices of State for plans prepared by its own staff. All specifications for the project shall be in substantial compliance with the most current Oregon Standard Specifications for Highway Construction.

### GRADE CHANGE LIABILITY

18. Agency, if a County, acknowledges the effect and scope of ORS 105.755 and agrees that all acts necessary to complete construction of the project which may alter or change the grade of existing county roads are being accomplished at the direct request of the County.

Agency, if a City, hereby accepts responsibility for all claims for damages from grade changes. Approval of plans by State shall not subject State to liability under ORS 105.760 for change of grade.

### CONTRACTOR CLAIMS

19. Agency shall provide legal defense against all claims brought by the contractor, or others, resulting from Agency's failure to comply with the terms of this agreement.

### MAINTENANCE RESPONSIBILITIES

\* 20. Agency shall, upon completion of construction, thereafter maintain and operate the project at its own cost and expense, and in a manner satisfactory to State and the FHWA.

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Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- \* Paragraphs 15, 16, and 20 are not applicable to any local agency on state highway projects.

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

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON APPROVING AN AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION AND THE CITY OF PORTLAND TO PROVIDE FOR PHASE II CONSTRUCTION OF THE SE JOHNSON CREEK BLVD, 32ND TO 45TH AVENUES PROJECT.

WHEREAS, on February 7, 1995 the City Council approved Resolution No. 6-1995 that endorsed safety improvements on Johnson Creek Blvd from 36th Ave to 45th Ave; and

WHEREAS, the City of Milwaukie and the City of Portland, working with the affected nearby residents, have developed a proposed design and phasing plan for the Johnson Creek Blvd improvements which will be completed as funds become available; and

WHEREAS, the City of Milwaukie cooperated with the City of Portland in the design and construction of Phase I improvements from 32nd Ave to 36th Ave which were completed in the fall of 1996; and

WHEREAS, ODOT has made available \$800,000 in Federal Surface Transportation (STP) Funds to the City of Milwaukie for Phase II work for right of way acquisition and storm sewer work on SE Johnson Creek Blvd, 36th Avenue to 45th Avenue, of which approximately 80% is located in Milwaukie and the remaining 20% in Portland; and

WHEREAS, the City of Milwaukie, under separate agreement with the City of Portland, shall perform the above Phase II work and pay its share (approximately \$60,000) of the local 10% match requirement; and

WHEREAS, ODOT has prepared an Agreement for City approval and execution.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1: The Mayor and City Recorder are hereby authorized to enter into an agreement similar in form to the agreement entitled Local Agency Agreement for Surface Transportation Program on SE Johnson Creek Blvd - SE 32nd Ave to SE 45th Ave and attached to the original of this ordinance, and by this reference made a part hereof.

Section 2: The City Council declares that an emergency exists because delay in executing this will delay construction and the related safety benefits to be derived from completion of the project; therefore, this Ordinance shall be in force and effect from and after its passage by City Council.

Read the first time at the regular meeting of the City Council, City of Milwaukie, Oregon, on the 17th day of March, 1998.

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Read the second time and passed by the City Council, City of Milwaukie, Oregon, at the regular meeting on the 17th day of March, 1998.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM  
O'DONNELL, RAMIS, CREW & CORRIGAN

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



Buildings • Planning • Transportation

**Charlie Hales**  
Commissioner, City of Portland

Phone: 503/823-4682

FAX: 503/823-4040

e-mail: [chales@ci.portland.or.us](mailto:chales@ci.portland.or.us)

Web site: <http://www.ci.portland.or.us/hales>

March 16, 1998

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

Re: SE Johnson Creek Boulevard Project - Phase II


Dear Mr. Bartlett:

I am writing to you regarding the second phase of the SE Johnson Creek Boulevard Project. As you know, given the location of Johnson Creek Boulevard, this project provides an excellent opportunity for the cities of Milwaukie and Portland, along with the Oregon Department of Transportation to come together in a partnership to implement needed transportation and storm water improvements for this area.

I understand that the finance agreement for this project is currently scheduled for tomorrow's meeting of the Milwaukie City Council. Realizing that there may be questions about the project, I have asked our Project Manager, Brett Kesterson, to attend this meeting. He should be able to address concerns that you or your Council have regarding the finance agreement as well as the design and administration of the project.

I hope that you will find this helpful in securing approval of the proposed finance agreement. If I can be of further assistance in our joint efforts to move forward with this project, please let me know.

Sincerely,

  
Charlie Hales  
Commissioner of Public Safety

cc: Brett Kesterson



TO: Mayor and City Council

THRU: Dan Bartlett, City Manager *DB*

FROM: Jim Brink, Public Works Director *JEB*

RE: Grogan Street Improvement Project  
Bid Award

DATE: March 6, 1998

**ACTION REQUESTED**

Council approve award of Grogan Street Improvement Project to Parker Northwest Paving Company for the bid amount of \$31,751.50.

**BACKGROUND**

The Grogan Street Improvement Project was first advertised for bid on August 15th, 1997 and bids were opened on September 5th, 1997. Only four firms submitted bids, and all were more than 10% over the engineer's estimate. The City chose to reject all bids and readvertise the project in early spring, 1998.

The project was readvertised for bid on February 5th, 1998 and bids were opened on March 5th, 1998. Twelve bids were received, ranging from \$31,751.50 to \$64,110.90. Parker Northwest Paving is known to the City as a responsible bidder, and the Public Works Department requests approval to award the bid to Parker Northwest Paving.

**ACTION REQUESTED**

City Council approve award of the Grogan Street Improvement Project to Parker Northwest Paving for the bid amount of \$31,751.50.

VI. G. 2

**GROGAN STREET IMPROVEMENT**

March 5th, 1998

RD-98-03

Project Engineer: Mike Clark

Item No.	Description	Quantity	Unit	Parker NW Paving		Engineers Estimate		Greg Schroeder Enterprises		D & D Concrete & Utilities	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1	L.S.	\$850.00	\$850.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00
2	Traffic Control	1	L.S.	\$500.00	\$500.00	\$200.00	\$200.00	\$775.00	\$775.00	\$1,000.00	\$1,000.00
3	Erosion Control	1	L.S.	\$750.00	\$750.00	\$300.00	\$300.00	\$325.00	\$325.00	\$500.00	\$500.00
4	Clearing & Grubbing	1	L.S.	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,430.00	\$1,430.00	\$500.00	\$500.00
5	Landscape Restoration	1	L.S.	\$2,000.00	\$2,000.00	\$900.00	\$900.00	\$1,901.13	\$1,901.13	\$1,000.00	\$1,000.00
6	Class 100 Riprap	2	C.Y.	\$150.00	\$300.00	\$20.00	\$40.00	\$57.50	\$115.00	\$50.00	\$100.00
7	12" Pipe & Fittings	125	L.F.	\$26.50	\$3,312.50	\$20.00	\$2,500.00	\$22.96	\$2,870.00	\$54.00	\$6,750.00
8	Install CG-2 Catchbasins	2	E.A.	\$950.00	\$1,900.00	\$1,200.00	\$2,400.00	\$892.00	\$1,784.00	\$900.00	\$1,800.00
9	Excavation	210	C.Y.	\$18.00	\$3,780.00	\$35.00	\$7,350.00	\$18.96	\$3,981.60	\$20.00	\$4,200.00
10	Saw cut asphalt concrete	428	L.F.	\$1.00	\$428.00	\$3.00	\$1,284.00	\$0.95	\$406.60	\$1.00	\$428.00
11	6" Crushed Rock Base	221	T.N.	\$19.00	\$4,199.00	\$20.00	\$4,420.00	\$15.37	\$3,396.77	\$13.00	\$2,873.00
12	2" 3/4"-0 Rock Base	74	T.N.	\$19.00	\$1,406.00	\$20.00	\$1,480.00	\$25.03	\$1,852.22	\$20.00	\$1,480.00
13	Asphalt Concrete, Class C	74	T.N.	\$55.00	\$4,070.00	\$50.00	\$3,700.00	\$69.79	\$5,164.46	\$80.00	\$5,920.00
14	Reconstruct Driveway Approach	1	E.A.	\$750.00	\$750.00	\$1,000.00	\$1,000.00	\$1,316.80	\$1,316.80	\$400.00	\$400.00
15	Curb Type A	56	L.F.	\$13.50	\$756.00	\$15.00	\$840.00	\$22.82	\$1,277.92	\$14.00	\$784.00
16	Reconstruct Curb Type C	173	L.F.	\$11.00	\$1,903.00	\$12.00	\$2,076.00	\$12.83	\$2,219.59	\$19.00	\$3,287.00
17	4' Concrete Sidewalk	57	L.F.	\$15.00	\$855.00	\$12.00	\$684.00	\$29.27	\$1,668.39	\$13.00	\$741.00
<b>Total Cost w/o Alternates</b>					\$28,759.50		\$31,174.00		\$31,484.48		\$33,763.00
ALT-1	4' Concrete Sidewalk	149	L.F.	\$16.00	\$2,384.00	\$12.00	\$1,788.00	\$23.84	\$3,552.16	\$12.00	\$1,788.00
ALT-2	4' Asphalt Sidewalk	38	L.F.	\$16.00	\$608.00	\$10.00	\$380.00	\$13.02	\$494.76	\$12.00	\$456.00
<b>Total Cost with Alternates</b>					\$31,751.50		\$33,342.00		\$35,531.40		\$36,007.00

VI. G. 3

Item No.	Description	Quantity	Unit	Canby Excavating		Hubco Excavating		All Concrete Specialties		Wystan Brown Excavating	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1	L.S.	\$1,960.00	\$1,960.00	\$3,000.00	\$3,000.00	\$2,857.00	\$2,857.00	\$2,000.00	\$2,000.00
2	Traffic Control	1	L.S.	\$760.00	\$760.00	\$2,400.00	\$2,400.00	\$3,450.00	\$3,450.00	\$2,000.00	\$2,000.00
3	Erosion Control	1	L.S.	\$190.00	\$190.00	\$400.00	\$400.00	\$400.00	\$400.00	\$300.00	\$300.00
4	Clearing & Grubbing	1	L.S.	\$5,786.11	\$5,786.11	\$675.00	\$675.00	\$600.00	\$600.00	\$1,200.00	\$1,200.00
5	Landscape Restoration	1	L.S.	\$1,731.67	\$1,731.67	\$1,500.00	\$1,500.00	\$1,400.00	\$1,400.00	\$1,000.00	\$1,000.00
6	Class 100 Riprap	2	C.Y.	\$87.50	\$175.00	\$140.00	\$280.00	\$150.00	\$300.00	\$85.00	\$170.00
7	12" Pipe & Fittings	125	L.F.	\$29.25	\$3,656.25	\$31.00	\$3,875.00	\$38.00	\$4,750.00	\$55.00	\$6,875.00
8	Install CG-2 Catchbasins	2	E.A.	\$87.50	\$175.00	\$1,000.00	\$2,000.00	\$900.00	\$1,800.00	\$1,500.00	\$3,000.00
9	Excavation	210	C.Y.	\$12.67	\$2,660.70	\$30.00	\$6,300.00	\$24.00	\$5,040.00	\$10.00	\$2,100.00
10	Saw cut asphalt concrete	428	L.F.	\$1.73	\$740.44	\$0.60	\$256.80	\$1.25	\$535.00	\$3.00	\$1,284.00
11	6" Crushed Rock Base	221	T.N.	\$20.24	\$4,473.04	\$13.00	\$2,873.00	\$14.00	\$3,094.00	\$16.00	\$3,536.00
12	2" 3/4"-0 Rock Base	74	T.N.	\$43.07	\$3,187.18	\$22.00	\$1,628.00	\$33.00	\$2,442.00	\$16.00	\$1,184.00
13	Asphalt Concrete, Class C	74	T.N.	\$66.02	\$4,885.48	\$64.00	\$4,736.00	\$67.00	\$4,958.00	\$89.00	\$6,586.00
14	Reconstruct Driveway Approach	1	E.A.	\$620.45	\$620.45	\$1,500.00	\$1,500.00	\$990.00	\$990.00	\$1,460.00	\$1,460.00
15	Curb Type A	56	L.F.	\$20.00	\$1,120.00	\$11.00	\$616.00	\$16.00	\$896.00	\$30.00	\$1,680.00
16	Reconstruct Curb Type C	173	L.F.	\$8.50	\$1,470.50	\$13.00	\$2,249.00	\$14.00	\$2,422.00	\$20.00	\$3,460.00
17	4' Concrete Sidewalk	57	L.F.	\$24.84	\$1,415.88	\$24.00	\$1,368.00	\$18.00	\$1,026.00	\$32.00	\$1,824.00
<b>Total Cost w/o Alternates</b>					\$35,007.70		\$35,656.80		\$36,960.00		\$39,659.00
ALT-1	4' Concrete Sidewalk	149	L.F.	\$24.64	\$3,671.36	\$22.00	\$3,278.00	\$18.00	\$2,682.00	\$30.00	\$4,470.00
ALT-2	4' Asphalt Sidewalk	38	L.F.	\$22.95	\$872.10	\$11.00	\$418.00	\$5.50	\$209.00	\$20.00	\$760.00
<b>Total Cost with Alternates</b>					\$39,551.16		\$39,352.80		\$39,851.00		\$44,889.00

VI. G. 4

Item No.	Description	Quantity	Unit	Marshall Assoc. Contractors		Portland Excavating Inc.		Nutter Underground Util. Co.		Vancouver Paving		Columbia-Cascade Const.	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1	L.S.	\$2,000.00	\$2,000.00	\$3,100.00	\$3,100.00	\$4,500.00	\$4,500.00	\$4,250.00	\$4,250.00	\$1,700.00	\$1,700.00
2	Traffic Control	1	L.S.	\$1,400.00	\$1,400.00	\$1,000.00	\$1,000.00	\$4,500.00	\$4,500.00	\$650.00	\$650.00	\$1,150.00	\$1,150.00
3	Erosion Control	1	L.S.	\$500.00	\$500.00	\$500.00	\$500.00	\$625.00	\$625.00	\$500.00	\$500.00	\$960.00	\$960.00
4	Clearing & Grubbing	1	L.S.	\$600.00	\$600.00	\$2,500.00	\$2,500.00	\$3,100.00	\$3,100.00	\$1,200.00	\$1,200.00	\$2,100.00	\$2,100.00
5	Landscape Restoration	1	L.S.	\$4,600.00	\$4,600.00	\$2,500.00	\$2,500.00	\$3,200.00	\$3,200.00	\$200.00	\$200.00	\$3,500.00	\$3,500.00
6	Class 100 Riprap	2	C.Y.	\$250.00	\$500.00	\$100.00	\$200.00	\$250.00	\$500.00	\$25.00	\$50.00	\$125.00	\$250.00
7	12" Pipe & Fittings	125	L.F.	\$49.00	\$6,125.00	\$50.00	\$6,250.00	\$47.00	\$5,875.00	\$29.00	\$3,625.00	\$40.00	\$5,000.00
8	Install CG-2 Catchbasins	2	E.A.	\$750.00	\$1,500.00	\$1,100.00	\$2,200.00	\$1,290.00	\$2,580.00	\$825.00	\$1,650.00	\$1,200.00	\$2,400.00
9	Excavation	210	C.Y.	\$21.00	\$4,410.00	\$31.00	\$6,510.00	\$41.00	\$8,610.00	\$16.00	\$3,360.00	\$30.00	\$6,300.00
10	Saw cut asphalt concrete	428	L.F.	\$1.00	\$428.00	\$1.00	\$428.00	\$0.60	\$256.80	\$0.76	\$325.28	\$1.00	\$428.00
11	6" Crushed Rock Base	221	T.N.	\$26.00	\$5,746.00	\$28.00	\$6,188.00	\$16.70	\$3,690.70	\$24.00	\$5,304.00	\$19.00	\$4,199.00
12	2" 3/4"-0 Rock Base	74	T.N.	\$38.00	\$2,812.00	\$28.00	\$2,072.00	\$25.25	\$1,868.50	\$24.00	\$1,776.00	\$20.00	\$1,480.00
13	Asphalt Concrete, Class C	74	T.N.	\$70.00	\$5,180.00	\$68.00	\$5,032.00	\$150.00	\$11,100.00	\$121.00	\$8,954.00	\$76.00	\$5,624.00
14	Reconstruct Driveway Approach	1	E.A.	\$1,300.00	\$1,300.00	\$2,100.00	\$2,100.00	\$1,750.00	\$1,750.00	\$880.00	\$880.00	\$1,250.00	\$1,250.00
15	Curb Type A	56	L.F.	\$21.00	\$1,176.00	\$20.00	\$1,120.00	\$19.00	\$1,064.00	\$35.00	\$1,960.00	\$22.00	\$1,232.00
16	Reconstruct Curb Type C	173	L.F.	\$20.00	\$3,460.00	\$11.00	\$1,903.00	\$23.50	\$4,065.50	\$25.00	\$4,325.00	\$18.00	\$3,114.00
17	4' Concrete Sidewalk	57	L.F.	\$21.00	\$1,197.00	\$20.00	\$1,140.00	\$35.20	\$2,006.40	\$20.00	\$1,140.00	\$16.50	\$940.50
<b>Total Cost w/o Alternates</b>					\$42,934.00		\$44,743.00		\$59,291.90		\$40,149.28		\$41,627.50
ALT-1	4' Concrete Sidewalk	149	L.F.	\$21.00	\$3,129.00	\$20.00	\$2,980.00	\$24.50	\$3,650.50	\$20.00	\$2,980.00	N/A	N/A
ALT-2	4' Asphalt Sidewalk	38	L.F.	\$20.00	\$760.00	\$13.50	\$513.00	\$30.75	\$1,168.50	\$10.50	\$399.00	N/A	N/A
<b>Total Cost with Alternates</b>					\$46,823.00		\$48,236.00		\$64,110.90		\$43,528.28		N/A



**MEMORANDUM**

To: Mayor and City Council

Through: Dan Bartlett, City Manager *Dan*

From: Pat DuVal, City Recorder *pat*

Subject: Board and Commission Appointments

Date: March 10, 1998

**Action Requested**

Extend those appointed advisory board and commission terms that expire on March 31, 1998, for one month.

**Background**

During its 1996 Board and Commission Review Project, the City Council adopted Ordinance 1810 which established Board and Commission appointment guidelines. One provision made all members' terms expire the last day of March, unless otherwise mandated. There will be nine vacancies created at the end of this month. Some current members have expressed interest in re-appointment, and there are new applicants waiting to be interviewed by the City Council.

In order to give the newly-elected Council an opportunity to consider these very important appointments and to conduct needed interviews, staff recommends an extension of terms. This action would allow those affected boards and commissions to continue meeting and to carry out their advisory roles. Based on Council direction, staff is prepared to schedule applicant interviews.



**ADVISORY BOARDS & COMMISSIONS ROSTER  
CITY OF MILWAUKIE – MARCH 1998**

**BUDGET COMMITTEE**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Susanna Pai, Secretary 12251 SE 42nd Ct. Milwaukie, OR 97222	243-4706 (pager) 654-8693 (home)	8-13-96 1-3-95	3/99
2	Natalina Carbone 4441 SE Brae Milwaukie, OR 97222	786-9725 (home)	LB 8-13-96 BC 3/18/97	3/00
3	Dave Delestationous, Chair 5278 SE Brookside Drive Milwaukie, OR 97222	256-0969 (work) 786-2134 (home)	8-13-96	3/98
4	Arlene Marie Ebner 2845 SE Monroe Milwaukie, OR 97222	794-0811 (home/work)	10-21-97	3/00
5				3/98
Staff Liaison	Dan Bartlett	786-7501		

**CENTER/COMMUNITY ADVISORY BOARD**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Alice M. Neely 5925 SE Kent Milwaukie, OR 97222	654-7178 (home) 653-8100 (work)	8-13-96 11-5-91 5-1-90	3/98
2	Molly Jo Hanthorn, Chair 12014 SE 19th Milwaukie, OR 97222	654-3587 (home)	8-13-96 12-5-95	3/99
3	Doris Burton 4302 SE Rio Vista Milwaukie, OR 97222	654-5194 (home)	3/18/97 11/15/94 11-5-91 3-21-89	3/00
4	Alan E. Brunk 4304 SE Rio Vista Milwaukie, OR 97222	659-0126 (home)	8-13-96 11-2-93 9-18-90 2-2-88	3/98
5	Dolly Macken-Hambright, Secretary 12258 SE Grove Loop Milwaukie, OR 97222	659-7582 (home) 659-8908 (work)	10-15-96	3/99
6	Audrey Parsons 4335 SE Monroe Milwaukie, OR 97222	659-0671 (home) 635-9137 (work)	2-4-97	3/00
7				3/98
8	Janet W. Witter 4515 SE Adams Milwaukie, OR 97222	654-0342 (home)	8-13-96 11-5-91 3-21-89	3/99
9				3/00
Staff Liaisons	Charlene Richards Joan Young	786-7506 653-8100		

VI. H. 4

**CITIZENS UTILITY ADVISORY BOARD**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Lou Casale 2916 SE Monroe Milwaukie, OR 97222	659-0995 (home) 659-3933 (work)	10-21-97	3/99
2				3/98
3	Bob Hatz 5656 SE Harlene Street Milwaukie, OR 97222	654-8608 (home)	8-13-96	3/00
4				3/99
5				3/97
6	Alan Fletcher, Chair 11509 SE 48th Milwaukie, OR 97222	659-9928 (home) 722-9222 (work)	8-13-96 7-19-94 7-10-90	3/98
7	Betty Chandler 12600 SE Freeman Way, #38 Milwaukie, OR 97222	653-2159 (home)	10-15-96	3/00
Staff Liaison	Jim Brink	786-7601		

V.I.H. 5

**HISTORIC RESOURCES COMMISSION**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Irene Bowers, Chair 2020 SE Silversprings Road Milwaukie, OR 97222	654-9419 (home) 242-1477 (work)	8-13-96 2-6-96	3/00
2	Jean Johnson 3635 SE Johnson Creek Blvd. Milwaukie, OR 97222	654-6684 (home)	8-13-96 11-2-93	3/99
3	Margaret Parsons 3235 SE Harrison Street Milwaukie, OR 97222	653-0057 (home) 238-4870 (work)	8-13-96 11-2-93	3/00
4	Patty Wisner 3325 SE Wister Street Milwaukie, OR 97222	654-7468 (home)	8-13-96	3/98
5	Planning Commission Representative Bryan Cosgrove, Vice-chair 10712 SE Stanley Milwaukie, OR 97222	659-4542 (home) 657-0891 x 166 (work)	11/96	
Staff Liaison	Janet Wright	786-7653		

**LIBRARY BOARD**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Mary Churnside 4792 SE Allen Road Milwaukie, OR 97267	654-0515 (home)	8-13-96 3-3-92	3/99
2	Kim Wilber 11010 SE 54th Place Milwaukie, OR 97222	659-8034 (home)	8-13-96 9-15-92	3/00
3				3/98
4	Pam Meredith 3729 Se Spaulding Avenue Milwaukie, OR 97267	653-6425 (home) 653-4669 (work)	8-13-96 11-5-91	3/99
5				3/01
6	Mary Zell 5273 SE Jackson Milwaukie, OR 97222	786-8218 (home) 266-2751 (work)	8-13-96	3/98
7	Ted Cafourek, Chair 11988 SE 37th Avenue Milwaukie, OR 97222	786-8023 (home) 226-4801 (work)	8-13-96	3/00
Staff Liaison	Cynthia Sturgis	786-7584		

**PARK & RECREATION BOARD**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Dave Murray 4055 SE Washington Street Milwaukie, OR 97267	659-5105 (home) 691-4965 (work) 654-5970 (pager - call 1 <sup>st</sup> )	8-13-96	3/98
2	Chris Monson 5843 SE Monroe Milwaukie, OR 97222	786-9711 (home) 331-8947 (work)	10-21-97	3/99
3				3/00
4				3/01
5	Jeff Marshall, Chair 9901 SE 53rd Avenue Milwaukie, OR 97222	654-1815 (home) 730-9230 (work) 527-70 (pager - call 1 <sup>st</sup> )	8-13-96	3/98
6	Tracy Cook 5651 SE Harlene Milwaukie, OR 97222	654-1815 (home) 280-2877 (work)	8-13-96	3/99
7	Sandra McCune 11353 SE 33 <sup>rd</sup> Milwaukie, OR 97222	654-3614 (home) 653-3750 (work)	10-21-97	3/00
Staff Liaison	Charlene Richards	786-7506		

V.L.H.  
 8

PLANNING COMMISSION

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1	Michael Smith, Chair 1660 SE Waverley Milwaukie, OR 97222	794-0824 (home) 224-4032 (work)	8-13-96 1-3-95	3/99
2				3/98
3	Bryan Cosgrove 10712 SE Stanley Avenue Milwaukie, OR 97222	659-4542 (home) 657-0891 x166 (work)	8-13-96	3/98
4	Tim Havel 10623 SE 52nd Avenue Milwaukie, OR 97222	654-5181 (home) 691-2030 (work)	8-13-96 3/18/97	3/01
5	Charles Stoudt 2171A SE Moores Milwaukie, OR 97222	654-5181 (home/work) 970-7852 (pager)	TSTB 8/13/96 Planning Commission 3/18/97	3/01
6	Pat Lent, Vice-chair 11355 SE 27th Milwaukie, OR 97222	654-6826 (home)	8-13-96 11-15-94 3-5-91 2-17-87	3/00
7	Terry LaRocque 4605 SE Adams Street Milwaukie, OR 97222	654-5271 (home) 968-1605 (work)	8-13-96 1-3-95	3/00
Staff Liaison	Susan Heiser	786-7654		

**TRAFFIC SAFETY & TRANSPORTATION BOARD**

<i>Position #</i>	<i>Name and Address</i>	<i>Telephone Numbers</i>	<i>Appointment date</i>	<i>Expiration date</i>
1				3/98
2				3/99
3				3/00
4	Jim Schierholz 10586 SE Home Milwaukie, OR 97222	654-4875 (home)	11/4/97	3/00
5	Julie Wisner 3325 SE Wister Milwaukie, OR 97222	654-7468 (home) 654-3212 (work)	8-13-96 11-2-93	3/98
6				3/99
7				3/00
8	Ex Officio North Clackamas District Representative Transportation Department 4444 SE Lake Road Milwaukie, OR 97222	653-3652 (work)	9/97	
9	Ex Officio Milwaukie High School Representative		9/97	
Staff Liaisons	Jim Brink	786-7601		

VI. H. 12

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, FEBRUARY 24, 1998

**DRAFT**

COMMISSIONERS PRESENT

Terry LaRocque  
Charles Stoudt

STAFF PRESENT

Susan Heiser,  
Senior Planner,  
Tom Carter,  
Planning Intern  
Shirley Richardson,  
Hearings Reporter

COMMISSIONERS ABSENT

Bryan Cosgrove  
Tim Havel  
Pat Lent  
Mike Smith

1.0 CALL TO ORDER

There was not a quorum in attendance tonight, so a worksession was called to order at 6:43 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 INFORMATION ITEMS -- City Council Minutes, February 3, 1998

4.0 PLANNING COMMISSION MINUTES -- February 10, 1998

There was not a quorum; the minutes were not reviewed.

5.0 PUBLIC COMMENTS -- None.

6.0 PUBLIC HEARINGS -- None.

7.0 WORKSESSION

7.1 1998 Housing Inventory Report

**Tom Carter** reviewed the Housing Inventory Report with the Commissioners. He explained that he was asked to complete a project that entailed an inventory of

CITY OF MILWAUKIE PLANNING COMMISSION

Minutes of February 24, 1998

Page 2

all of Milwaukie's housing stock. He has been working on this physical assessment of the residential properties in Milwaukie since December, 1997. This data will be used for reviewing Comprehensive Plan Policies, planning for redevelopment and other City needs, supplying Neighborhood District Association information needs, responding to Metro Urban Growth Management Functional Plan requirements, and developing a Tree Ordinance.

A series of project objectives were developed:

1. Inventory number of housing units in the City of Milwaukie.
2. Calculate and determine existing density of housing within each zoning district.
3. Determine the general condition of the housing stock.
4. Location of various types of housing.
5. Location of flag or vacant lots, planting strips, sidewalks, and curbs and gutters.
6. Catalog data in such a way that it can be used for other zoning studies and projects in the future.
7. Catalog data in a form that can be accessed by the general public.
8. Collect sufficient data to assist the City in development of a Tree Ordinance.

Information is gathered by tax lot and used as the key datum, typing the new information to information already contained in computer records. Field data was collected by car; gathering data visible from right-of-way.

Information recorded included:

- Number of dwelling units on each lot
- Exterior condition of the dwelling
- Number of trees over 2 inches in diameter in the right-of-way
- Whether it is a mobile home, and how many mobile homes are on a lot
- Whether the lot is vacant
- Whether it is a flag lot
- The observed land use/housing type
- Location of curb and gutter, paved sidewalks, and planting strips
- Remarks on each property (explanation of category chosen)
- Other data such as lot acreage, zoning, block number, year built, and site address

**DRAFT**

CITY OF MILWAUKIE PLANNING COMMISSION  
Minutes of February 24, 1998  
Page 3

Tax assessor's record on square footage for each lot was used for calculations on acreage. The data was keyed to tax lot information numbers. The data will be on Excel spreadsheets and on GIS "coverages." In the Excel spreadsheets, the data can be called out by tax lot number or by quarter-quarter section for manipulation and analysis. The GIS data can be called out by tax lot number or by any geographical category. Paper copies of field data collection forms and map will be archived by the Community Development Department.

**Terry LaRocque** asked how a dwelling unit was defined? **Tom Carter** explained that the two main items used to determine a dwelling unit was the electric meters and addresses on mailboxes. In some cases of multi-family dwellings, there were records on how many units for rent. If a trailer was hooked up by extension cord, it was counted as a dwelling unit and noted it in the remarks.

The general condition of the housing stock was determined by observing cracks in walls, missing siding, missing shingles, cracked windows, roof repairs (moss), severity of paint, junk in yard, evidence of structural damage, etc. Degree of condition was noted; very few dwellings were rated poor. Downtown and commercial lots were not counted in this survey.

In both Excel and GIS, it is possible to sort and filter the records to analyze the data collected. GIS contains a data base for records manipulation and numerical or statistical analysis as well as a geographic element that allows mapping and location analysis.

**Charles Stoudt** asked if census data can be incorporated into a report with this collected data? **Tom Carter** stated that census data is arranged differently; however by combining block data you may be able to get additional information.

**Terry LaRocque** asked if this information could be used for determining the development density from 1990 to 1995 as 80% of the zone density being requested from METRO? **Tom Carter** stated that he does not feel Milwaukie is close to the 80% zone density. This collected data, though, will be able to help determine the density amount.

CITY OF MILWAUKIE PLANNING COMMISSION  
Minutes of February 24, 1998  
Page 4

9.0 DISCUSSION ITEMS

9.1 Policy for Processing Significant Project Changes During the Hearing Process.

**Susan Heiser** submitted a copy of the letter that was drafted as requested by the Commission thanking the Lewelyn Land Use Committee for their comments on the inconsistencies of the Zoning Code language for Section 1013. Particularly for how it relates to the Garkesha Subdivision. The City is recommending a change to the Subdivision Code.

A draft of the policy prepared to address this situation was submitted. This policy is intended to ensure timely and thorough review of significant changes to projects, made during the public hearing process, by affected departments, agencies, and Neighborhood Land Use Committees.

9.2 Site Distance Requirements at the SE Railroad Avenue Entrance to the Public Service Building.

**Susan Heiser** submitted a response from Robert Shelton, Association Engineer, Public Works Department, regarding the safety issue on the site distance at the Public Service Building exit. The actual sight distance exceeds the recommended safe stopping distance by 20 feet, and the driveway entrance meets the sight distance requirements. No accident reports have been filed for this intersection.

9.3 Applications Scheduled for the April 14, 1998, Planning Commission Meeting

**Susan Heiser** informed the Planning Commission that there have been seven applications submitted for the April 14th hearing. These can be heard all on one night or the Commission can have a public hearing on March 24th to hear at least two of these items. The Commission determined to have public hearings at the March 24th worksession. This meeting will be held at City Hall.

10.0 OLD BUSINESS

10.1 Light Rail Study Update

**Susan Heiser** reported that she is working with Ted Leobold, METRO to schedule a time when he can come out and give the Commission an update on the DEIS. This might be a joint meeting with City Council.

**DRAFT**

CITY OF MILWAUKIE PLANNING COMMISSION  
Minutes of February 24, 1998  
Page 5

11.0 OTHER BUSINESS/UPDATES

11.1 Historic Resources Commission Report. No report.

11.2 Clackamas Regional Center Area Plan Report. No report.

11.3 Community Development Department Report

Application Information. **Susan Heiser** passed out an information sheet that will be available every month from now on that shows current projects submitted to the City and proposed actions.

Mike Swanson, Interim Community Development Director. **Susan Heiser** reported that Mike Swanson will be taking over as interim Community Development Director starting on March 2nd.

12.0 Next Meeting -- March 10, 1998

**Terry LaRocque** moved to adjourn the meeting of February 24, 1998. **Charles Stoudt** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 7:28 p.m.

---

Michael Smith, Chair

---

Shirley Richardson, Hearings Reporter



COMMUNITY DEVELOPMENT  
6101 SE JOHNSON CREEK BLVD.  
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7650  
FAX: (503) 774-8236

# Application Information

*The following information is being provided to inform you of land use actions being processed by the Community Development Department. If you have questions concerning any of these applications you can contact the affected NDA, or Community Development Department staff at 786-7630.*

<p><b>AFFECTED NDA:</b> <b>APPLICANT/LOCATION:</b> <b>FILE TYPE/NUMBER:</b> <b>SUBMITTAL DATE:</b> <b>DESCRIPTION OF ACTION:</b></p>	<p><b>Hector Campbell / Linwood</b> Criterion Supply Inc. - Mallard Way TPR 97-04 May 15, 1997 Construct a 26,128 sq. ft. industrial building on 2.23 acres of a 8.88 acre site. The remaining 6.65 acres is designated as wetlands.</p>
<p><b>PROPOSED HEARING or APPROVAL DATE:</b></p>	<p>Admin. - March 4, 1998</p>
<p><b>AFFECTED NDA:</b> <b>APPLICANT/LOCATION:</b> <b>FILE TYPE/NUMBER:</b> <b>SUBMITTAL DATE:</b> <b>DESCRIPTION OF ACTION:</b></p>	<p><b>Linwood</b> Wichita Town Center - 6100 SE King Road TPR 98-01 January 22, 1998 Shopping Center improvements including a 3,347 sq. ft. building expansion, a new 264 sq. ft. building, parking lot, and landscaping.</p>
<p><b>PROPOSED HEARING/ APPROVAL DATE:</b></p>	<p>Admin. - March 4, 1998</p>
<p><b>AFFECTED NDA:</b> <b>APPLICANT/LOCATION:</b> <b>FILE TYPE/NUMBER:</b> <b>SUBMITTAL DATE:</b> <b>DESCRIPTION OF ACTION:</b></p>	<p><b>Historic Milwaukie</b> Debra Buel - 10934 SE Penzance VR 98-01 January 20, 1998 Variance from Section 503.3(A1) to convert an existing garage into living space for adult foster care and eliminate the required one car on-site covered parking.</p>
<p><b>PROPOSED HEARING/ APPROVAL DATE:</b></p>	<p>PC - March 10, 1998</p>
<p><b>AFFECTED NDA:</b> <b>APPLICANT/LOCATION:</b> <b>FILE TYPE/NUMBER:</b> <b>SUBMITTAL DATE:</b> <b>DESCRIPTION OF ACTION:</b></p>	<p><b>Historic Milwaukie</b> Olsen Brothers Service - 10700 SE McLoughlin Blvd. MC 98-01, TPR 98-02 February 3, 1998 Addition of a walk-up espresso/coffee stand to existing service station.</p>
<p><b>PROPOSED HEARING/ APPROVAL DATE:</b></p>	<p>Admin. - March 18, 1998</p>
<p><b>AFFECTED NDA:</b> <b>APPLICANT/LOCATION:</b> <b>FILE TYPE/NUMBER:</b> <b>SUBMITTAL DATE:</b> <b>DESCRIPTION OF ACTION:</b></p>	<p><b>Hector-Campbell</b> Allan Alford - 4005 SE Harrison VR 97-07 February 13, 1998 Variance from Section 302.3(D) to build a 1,212 sq. ft. accessory structure within 5 feet of the rear (north) property line, where 20 feet in the minimum required rear yard setback.</p>
<p><b>PROPOSED HEARING/ APPROVAL DATE:</b></p>	<p>PC - March 24, 1998</p>

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<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Historic Milwaukie</b>  City of Milwaukie Ledding Library - 10660 SE 21st Avenue  CSO 98-01  February 2, 1998  Location of two internally illuminated signs on the library building. Each sign would be 16 sq. ft with one sign on the west facing wall and the other on the east facing wall.</p> <p>PC - March 24, 1998</p>
<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Milwaukie Business/Industrial (Historic Milwaukie, Ardenwald, Hector Campbell, &amp; Lake Road)</b>  Tom Sears/Milwaukie Market Place - 11080 SE Oak Street  CCS 98-01, TPR 98-04  February 26, 1998  To construct a 2,718 sq. ft. dental office on an unimproved portion of the Market Place near 37th Avenue. This site was approved for development as part of NR 94-02.</p> <p>PC - April 14, 1998</p>
<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Linwood</b>  City of Milwaukie Public Works - 71st and Harmony Road  CSO 98-02  February 27, 1998  To construct a 10' wide, 163' long access road on City property located on the north side of Harmony Road. This road is needed to access a City water pump station.</p> <p>PC - April 14, 1998</p>
<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Lewelling</b>  City of Milwaukie Public Works - Johnson Creek near Brookside Dr.  NR 98-01  February 27, 1998  Natural Resources review to relocate an existing outfall into Johnson Creek to a new location approximately 600 feet down stream. Phase II of this project will involve increasing drainage to this outfall.</p> <p>PC - April 14, 1998</p>
<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Lewelling</b>  North Clackamas School District - 5325 SE Logus Road  CSO 98-03, TPR 98-05  February 27, 1998  To install two 28'x 64' modular classroom units, each containing two 900 sq. ft. classrooms.</p> <p>PC - April 14, 1998</p>
<p><b>AFFECTED NDA:</b>  <b>APPLICANT/LOCATION:</b>  <b>FILE TYPE/NUMBER:</b>  <b>SUBMITTAL DATE:</b>  <b>DESCRIPTION OF ACTION:</b></p> <p><b>PROPOSED HEARING/  APPROVAL DATE:</b></p>	<p><b>Island Station</b>  Walter &amp; Elma Huber - 2100 SE Sparrow Street  CU/WG 98-01  February 27, 1998  Willamette Greenway Conditional Use review to construct two single family homes on two legal lots.</p> <p>PC - April 14, 1998</p>

Four Cities/Clackamas County Boundary Change Project  
Project Steering Committee

MEETING NOTES OF THE JANUARY 29, 1998 MEETING

Participants Present:

Ken Baker, Oregon Legislature  
Greg Chew, McKeever/Morris, Inc.  
Marilyn Holstrom, City of Fairview  
Eric Kvarsten, City of Troutdale  
Rebecca Marshall Chao, Regional Financial Advisors  
Mike McKeever, McKeever/Morris, Inc.  
Debbie Noah, City of Gresham  
Jim Rapp, McKeever/Morris, Inc.  
David Ripma, City of Troutdale  
Leroy Smith, Northeast Multnomah County Community Association  
Patty Smith, Northeast Multnomah County Community Association  
Bruce Thompson, City of Troutdale  
Janet Van De Reit, City of Wood Village  
Mike Weatherby, City of Fairview  
Steve Rhodes, Clackamas County  
Ed Lindquist, Clackamas County  
Nina Regor, City of Gresham

1.0 Convene Meeting

Debbie Noah opened the meeting. She stated this is the first meeting in which the project consultant team for the two projects are in attendance. She stated that through Request for Proposals process, McKeever/Morris, Inc. was selected to perform the Services Impact Analysis project, and Regional Financial Advisors was selected as to perform the Financial Impact Analysis project. She introduced Mike McKeever as the project manager for the Financial Impact Analysis project.

2.0 Review Scope/Purpose of Project

Mike McKeever stated that the purpose of both projects was to make an objective analysis of the service and financial impacts and present the findings to the Steering Committee so that it could decide whether to continue examining the possibility of undertaking the boundary change.

3.0 Review/Approve Project Methodology

Mr. McKeever discussed the methodology proposed for the services impact analysis. The work plan has nine specific steps: (1) Project start-up scoping,

## VII. C. 2

including interviews with elected official representatives from each jurisdiction; (2) Services scoping, including meetings with jurisdiction administrators to identify specific services to be analyzed; (3) Develop uniform analysis methodology for all services; (4) First Steering Committee meeting to discuss process for the project; (5) Technical review with each technical subcommittee; (6) Strategic Review by the Steering Committee (meetings #2); (7) Integration of Financial and Services Analysis; (8) Project Wrap-up, Steering Committee meeting #3 to review White Paper contents; and (9) White Paper development. The Steering Committee reviewed this proposal and approved the motion to implement it for the project.

### 4.0 Background Information on Four Cities and County

Greg Chew presented his findings on basic demographic research for the four cities and county. The study area was about 100,000 people currently, which is about one-sixth of Multnomah County; Clackamas County has just over 300,000 people. However, the projections for the years 2010 and 2020 presented were not consistent with each city's figures; the consultant staff will later update them based on information provided by each city. Age, gender and race distributions of all four cities and Clackamas County are very close to one another. Regional/Statewide financing measures for all five jurisdictions showed similar voting patterns as well.

### 5.0 Corbett Presentation

Leroy and Patty Smith presented on behalf of the area generally referred to as the Corbett area, which is the unincorporated area of Multnomah County east of the project study area. The Corbett area is about 125 square miles. It has about 80 potential building sites remaining and the total area has an assessed value of about \$100 million. There are 5 communities in the area. There is a voluntary fire district and water is gravity-fed. The levels of services for the area are relatively low because of the low densities. It is similar to rural Clackamas County in that regard. The Smiths stated that they came to the meeting to provide some background information to the Steering Committee and asked that if plans to move forward continue after the project, that the Corbett area is considered to be part of the boundary change.

### 6.0 Technical Subcommittees

Jim Rapp and Greg Chew presenting their findings from the five project technical subcommittees: Public Safety, Support Services, Roads, Health/Human Services, and Miscellaneous Issues. Rebecca Marshall Chao spoke about the Finance Committee and the methodology of her project. These topics were chosen based on direction from the administrators' recommendations. The technical subcommittees are comprised of one person from each jurisdiction knowledgeable on these topics. The subcommittees identified how each major function for each service was performed currently and what impacts they could

identify if the boundary were to change. The Steering Committee reviewed the information and asked for clarification on some issues. The committee directed project staff to find more information on the potential impacts, particularly on costs, human resources, facilities and policy implications. The subcommittees will meet a second time to help provide this information. A standardized worksheet was created for all five technical subcommittees to help format these issues.

#### 7.0 Next Steps

The Steering Committee will next meet on Monday, March 9 and then again on Wednesday, March 25.



March 6, 1998

Chief Randy Brugeman  
Clackamas County Fire District #1  
1300 SE Fuller Road  
Milwaukie, OR 97222

Dear Chief Brugeman:

This letter is to express the support of the City of Milwaukie for the application of Clackamas County Fire District #1 for funding to support an extension of the City of Portland's 800 MHz SmartZone radio communications system to the Beavercreek area of Clackamas County. The NTIA Telecommunications and Information Infrastructure Assistance, Grant Program presents a terrific opportunity to extend modern communications technology to the suburban and rural areas of our county, which are under-served by the existing radio communication system.

As you know, Clackamas County is the only portion of the metropolitan area surrounding Portland which does not have an 800 MHz communications system. While users in the northeastern portion of the county can, with appropriate arrangements, access the Portland system directly, much of Clackamas County lies outside the effective useful range of the Portland system. A single additional tower, in the Beavercreek area will add hundreds of square miles to the coverage area of this system. For the first time, public safety and public service providers outside the most urban portion of Clackamas County will have effective mutual aid communications, with their regional colleagues.

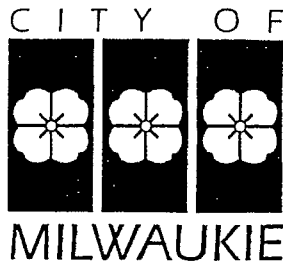
We are pleased that Clackamas County Fire District #1 has taken the lead in the assembly of this far-reaching partnership, and we will be happy to provide whatever additional assistance you might require.

Sincerely yours,

A handwritten signature in cursive script that reads "Dan R. Bartlett".

Dan R. Bartlett  
City Manager

cc: City Council  
Ella Gossett, Dispatch



March 6, 1998

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Clackamas County Fire District #1  
1300 SE Fuller Road  
Milwaukie, OR 97222

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Sincerely yours,


A handwritten signature in black ink, appearing to read "Brent Collier", is written over a horizontal line.

Brent Collier  
Police Chief

cc: City Council  
Ella Gossett, Dispatch



\*\*\* M E M O R A N D U M \*\*\*  
March 10, 1998

To: Mayor and City Council  
From: Dan Bartlett, City Manager   
Re: South/North Corridor Study (Project)

Action Requested

I would like the City Council to review the attached timeline and Steering Committee Agreement. The project partners would like to have the Agreement adopted by May 8, 1998. I would like direction from Council on how you would like to have public input and at which Council meeting the Agreement should be presented. Council meeting dates between now and May 8, 1998, are: April 7, April 21, and May 5, 1998.

Background

On March 4, 1998, the Steering Committee met to review project. They were advised that the Draft Environmental Impact Statement had been published. Copies of the DEIS were provided at the meeting.

The Steering Committee reviewed the Locally Preferred Strategy and Land Use Final Order (LUFO) Adoption Process and Schedule. A request was made to extend the schedule to allow more time for Jurisdiction/Agency Recommendations. The Steering Committee adopted an extended schedule (attached, dated March 5, 1998).

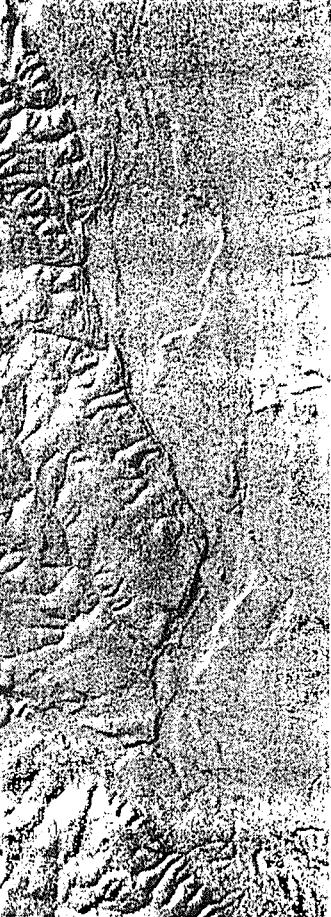
The LUFO Intergovernmental Agreement was presented and reviewed. The Steering Committee approved the form for submission to the project partners for comment. At the March 5, 1998, Project Management Group meeting, Project staff asked that the IGA be adopted by May 8, 1998.

The rest of the meeting covered status reports on Project segments and activities.

cc: File  
cm2095/hd

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

# Purpose and Need



- **Past Growth (1975 to 1995)**
  - 45% Increase in Population, 1975 to 1995
  - 48% Increase in Employment, 1975 to 1995 - 40% Higher Than National Average
  
- **Future Growth**
  - 720,000 New Residents by 2040
  - Regional Centers to Absorb Growth
  
- **Balanced, Efficient Transportation System Needed for Livability and Economy**
  
- **Highway and Transit Problems Associated with Growth**
  - 64% Increase in Travel by 2015
  - 268% Increase in Congested Road Miles
  - Slower Bus Speeds
  - Higher Operating Costs

# Alternatives to Address Problems



## First Screening:

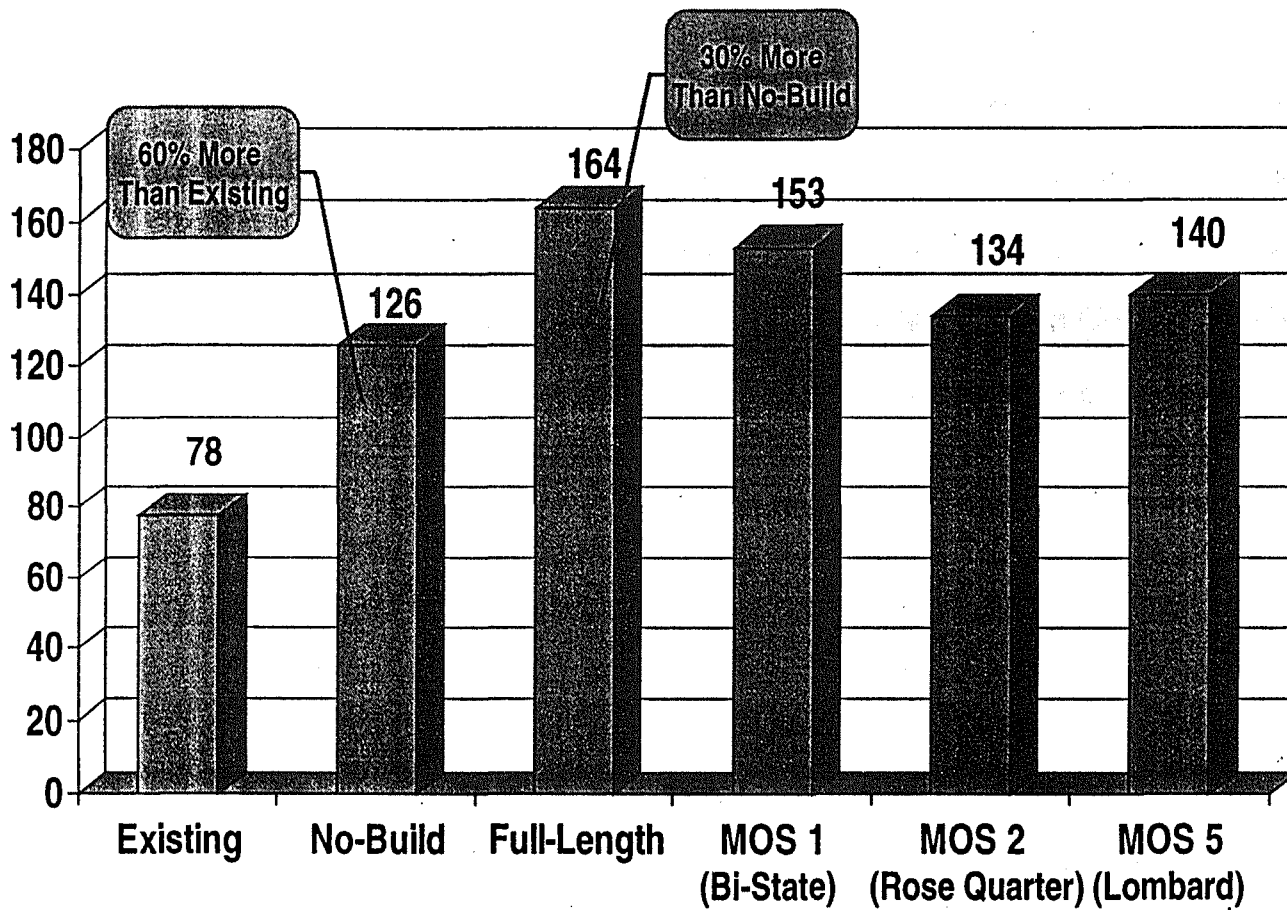
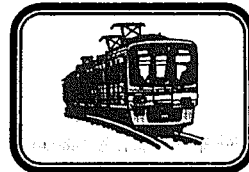
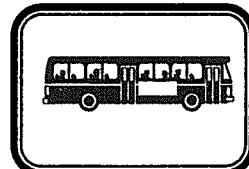
- All-Bus
- Busways
- River Transit
- Commuter Rail
- **Light Rail** - Selected for Further Study

## DEIS Analysis:

- All Bus
- Light Rail and Bus
  - Length of Project
  - Alignments



# Corridor Transit Ridership Weekday - 2015 (thousands)



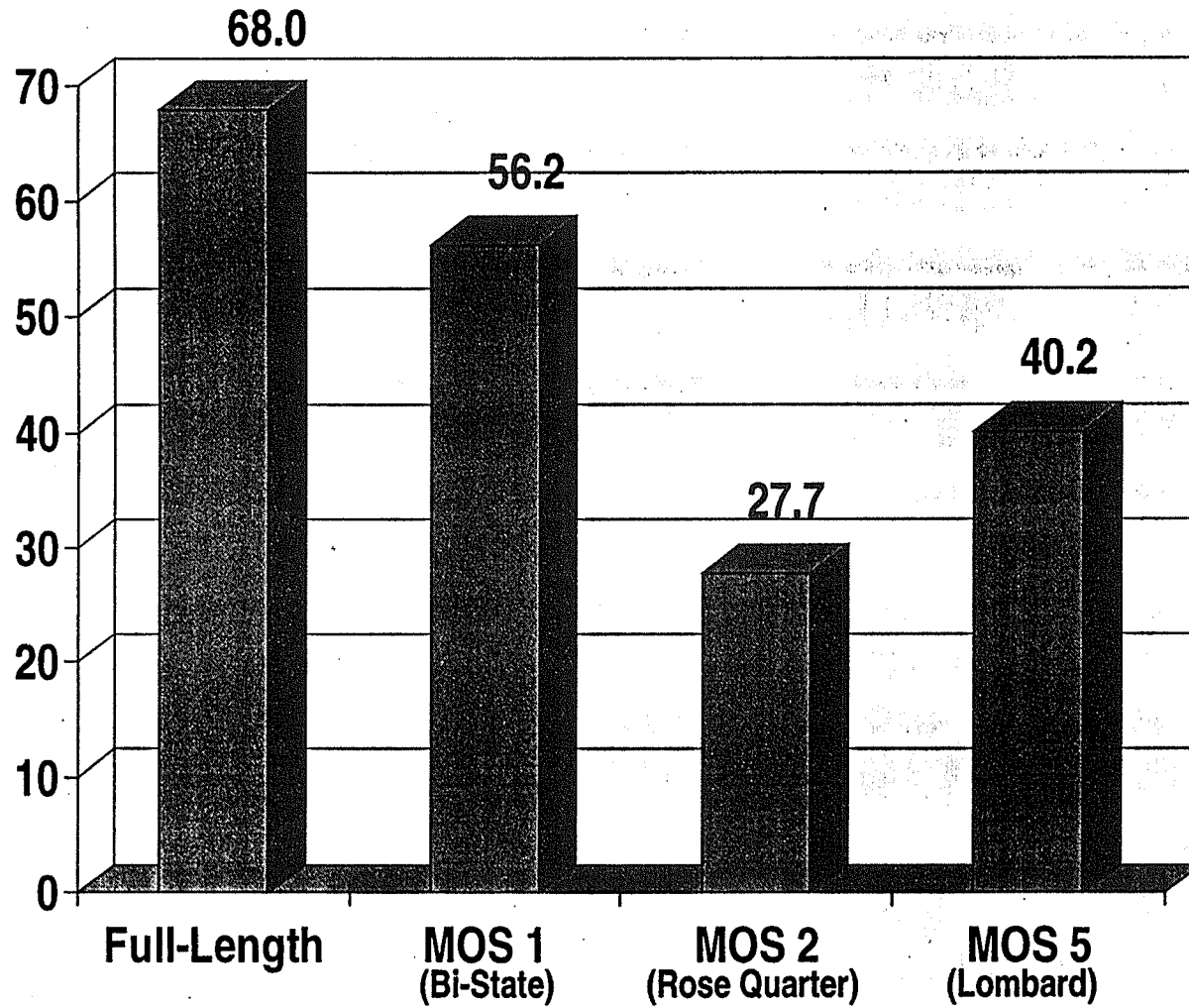
Bus and Light Rail





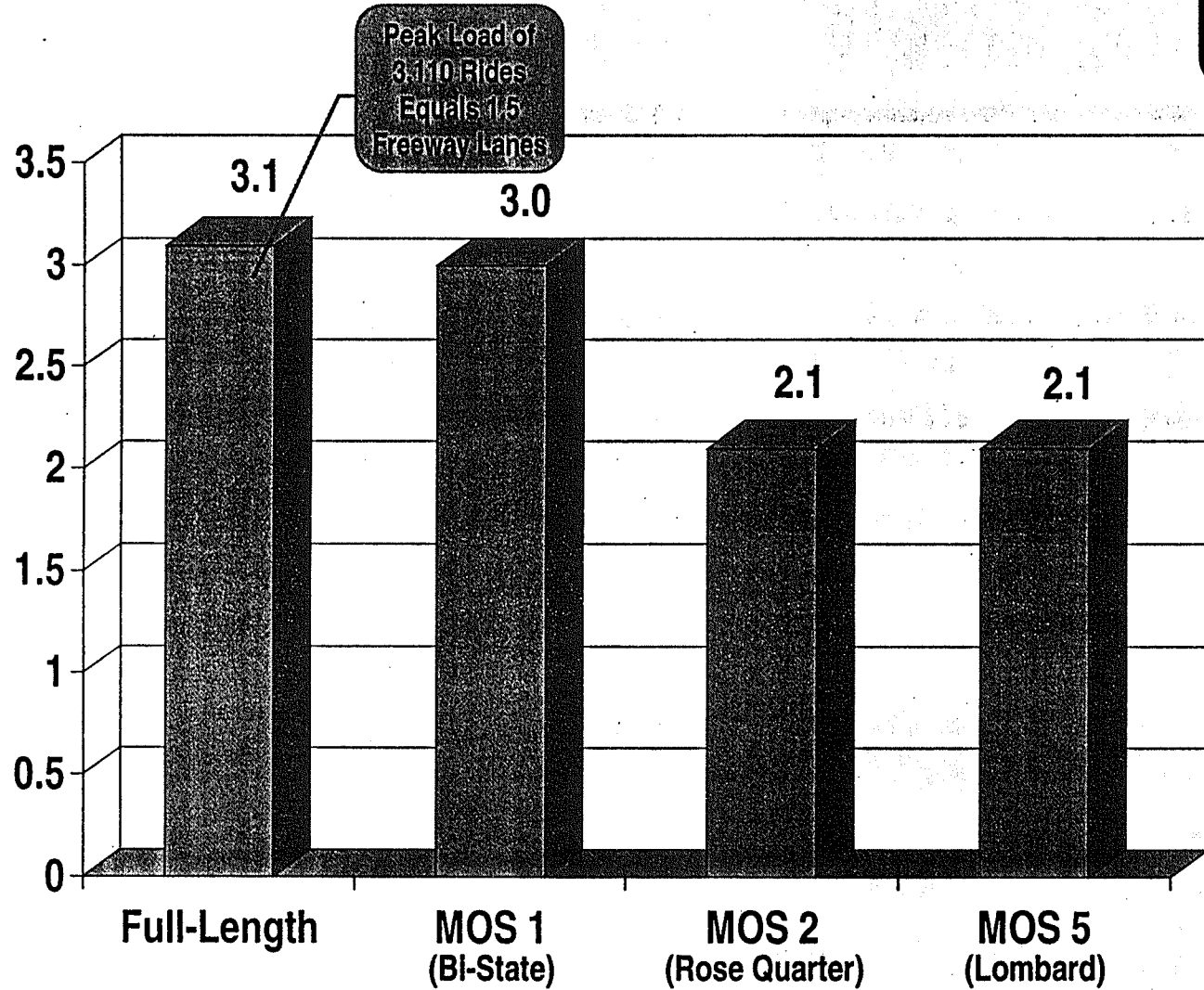
# South/North Light Rail Ridership

## Weekday - 2015 (thousands)

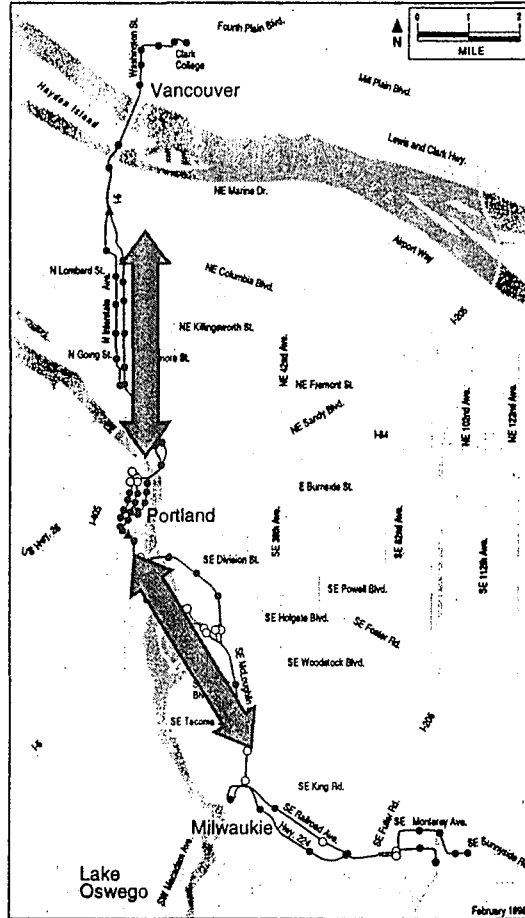
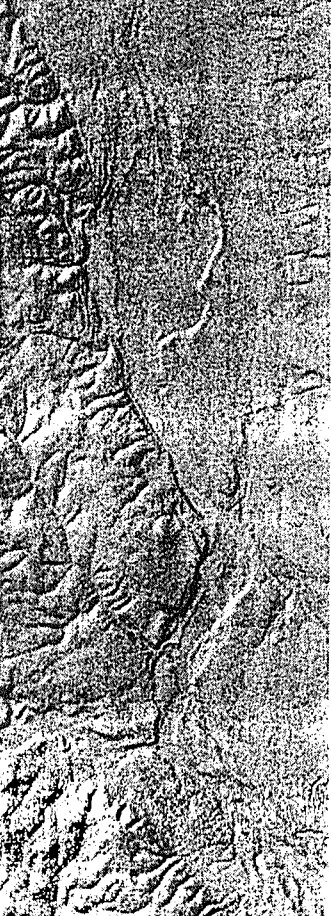


# South/North Peak Load Ridership

## Peak Hour LRT - 2015 (thousands)



# Weekday Rush Hour Radial Trips



## New Trips on Transit (1994 to 2015)

- All-Bus - 6%
- South/North LRT - 49%

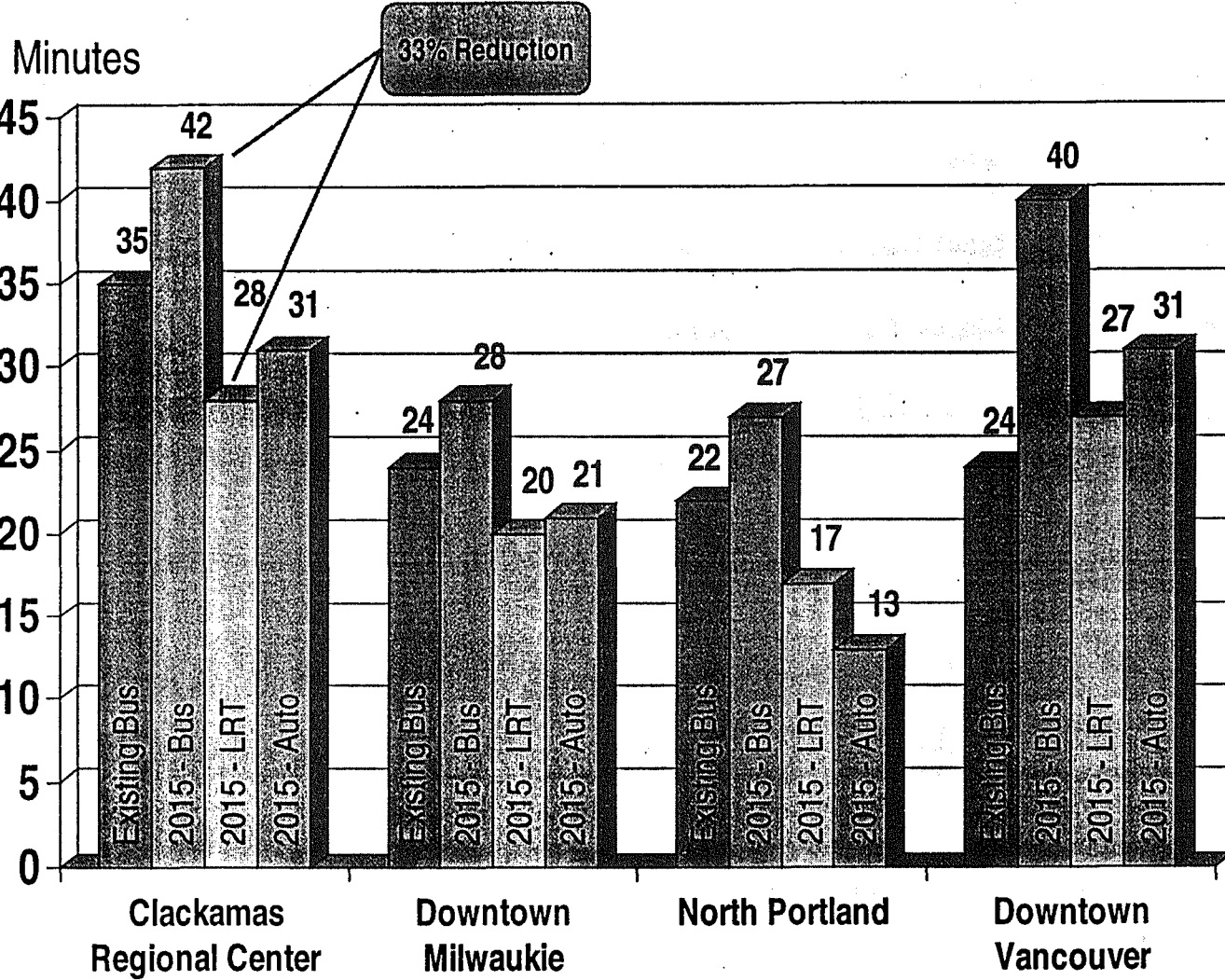
## Percent of Trips on Transit (2015)

- All-Bus - 25%
- South/North LRT - 38%

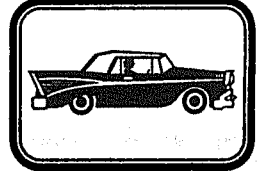
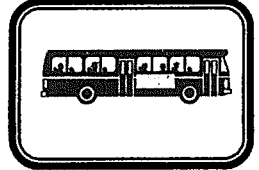
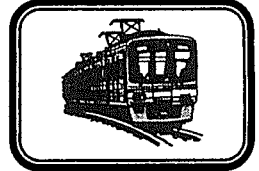


# Rush Hour Travel Times

## Weekday - 2015



In the Peak Direction

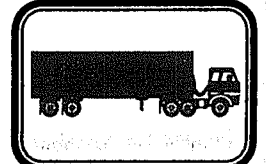
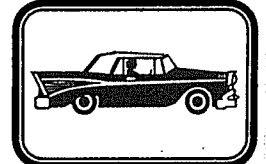
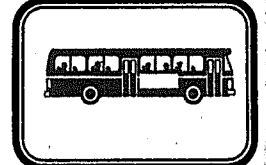


# Value of Travel Time Savings



**Annual Savings - 2015**

**Total Savings for All Trips and Modes:  
\$50 Million Per Year**



Based on a Federal Transit Administration Formula.  
Full-Length LRT compared to All-Bus System.



# Weekday Regional Traffic Relief Weekday - 2015



## A Reduction of:

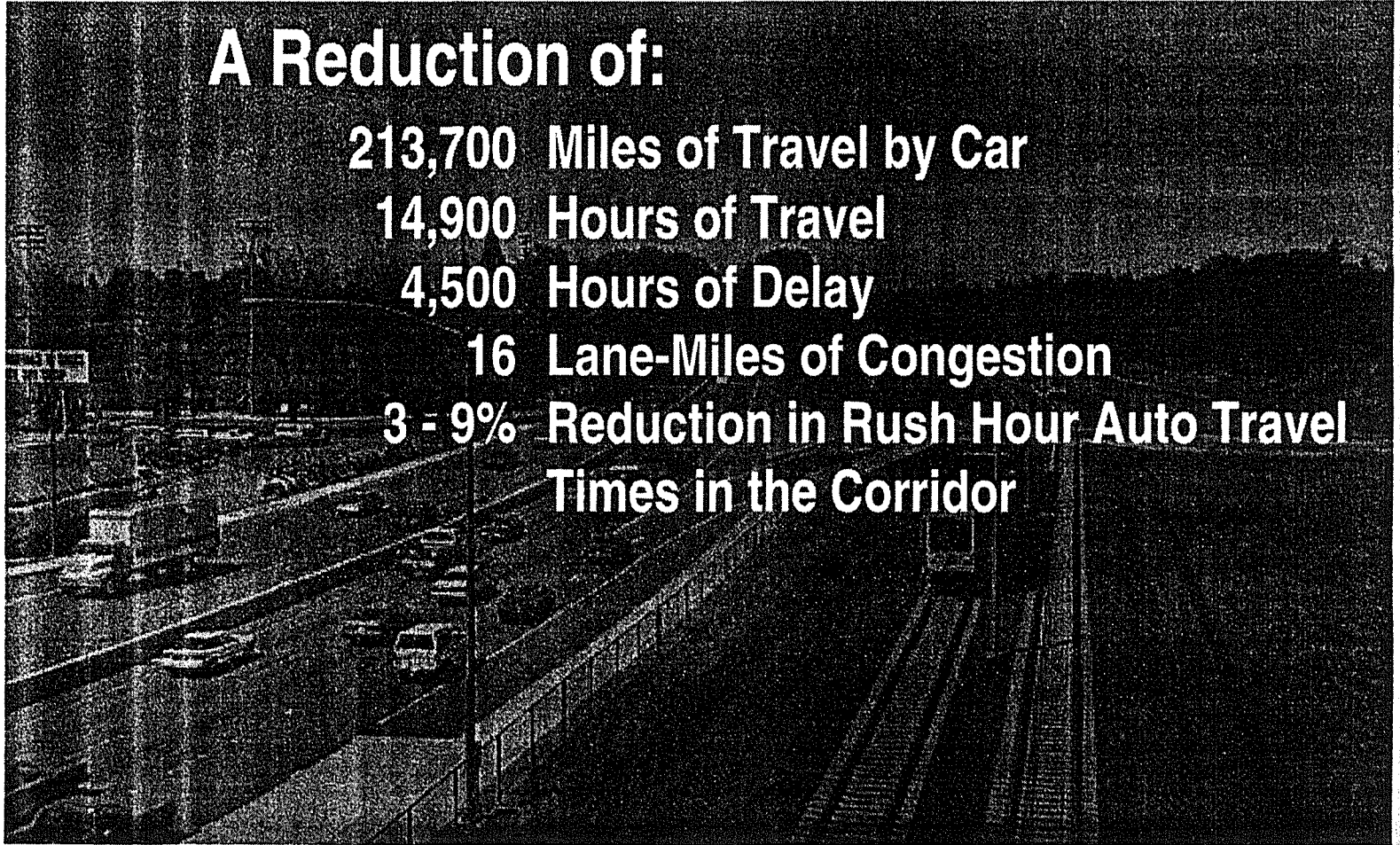
213,700 Miles of Travel by Car

14,900 Hours of Travel

4,500 Hours of Delay

16 Lane-Miles of Congestion

3 - 9% Reduction in Rush Hour Auto Travel  
Times in the Corridor



Full-Length LRT Compared to All-Bus



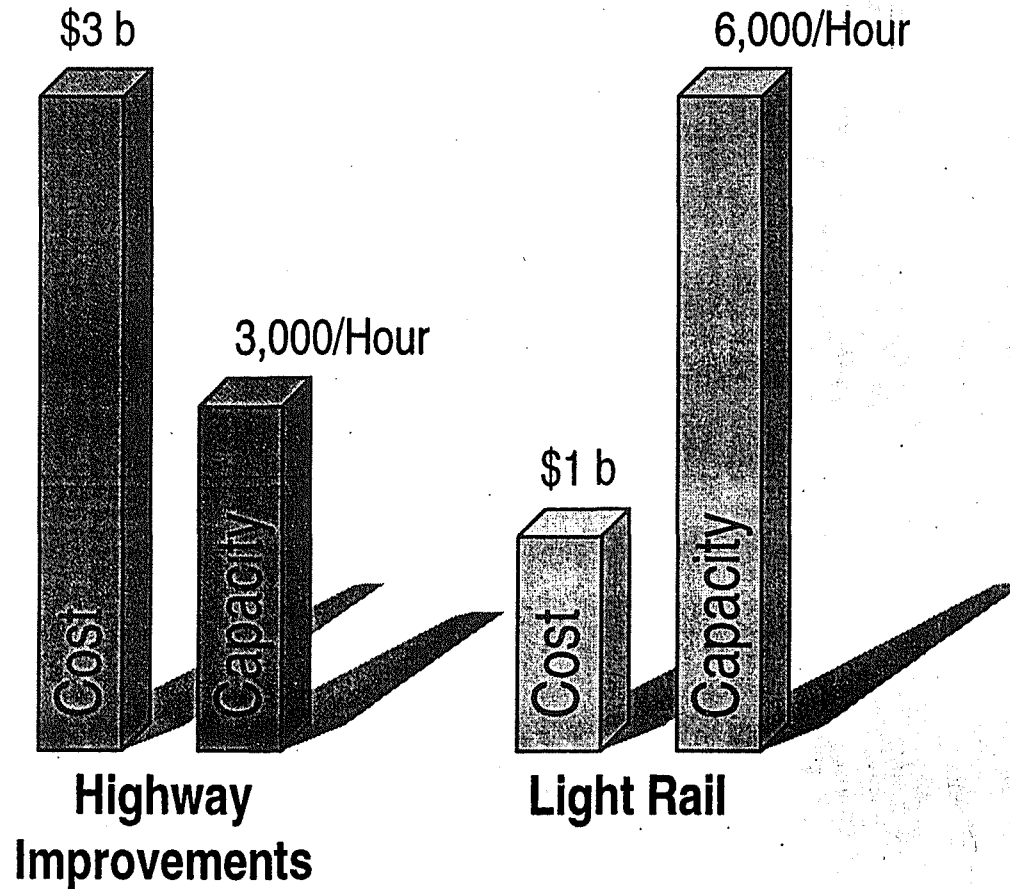
METRO

# Cost Avoidance

## Increasing Capacity in the South Corridor



Costs in Billions and Future Dollars



Highway Improvements = Add One Lane and Interchanges to SE McLoughlin and Highway 224 and Improvements to I-405



# Developable Land with New LRT Access



3/4/98

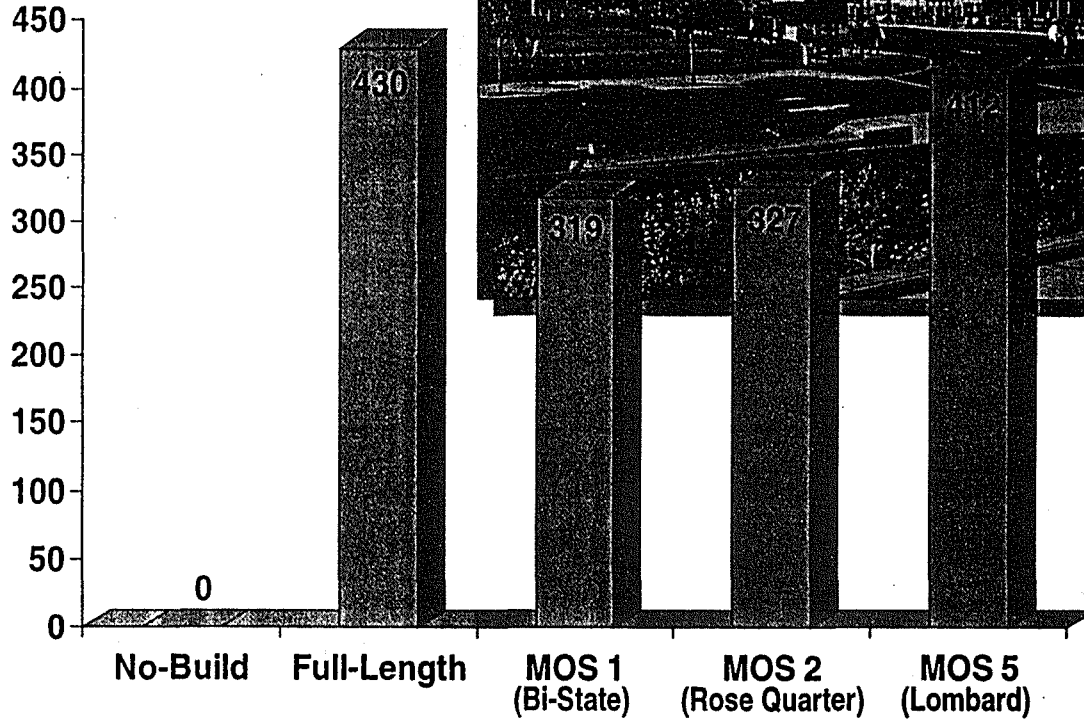
Before



After



Acres of Land Within  
1/4-Mile of New LRT Station



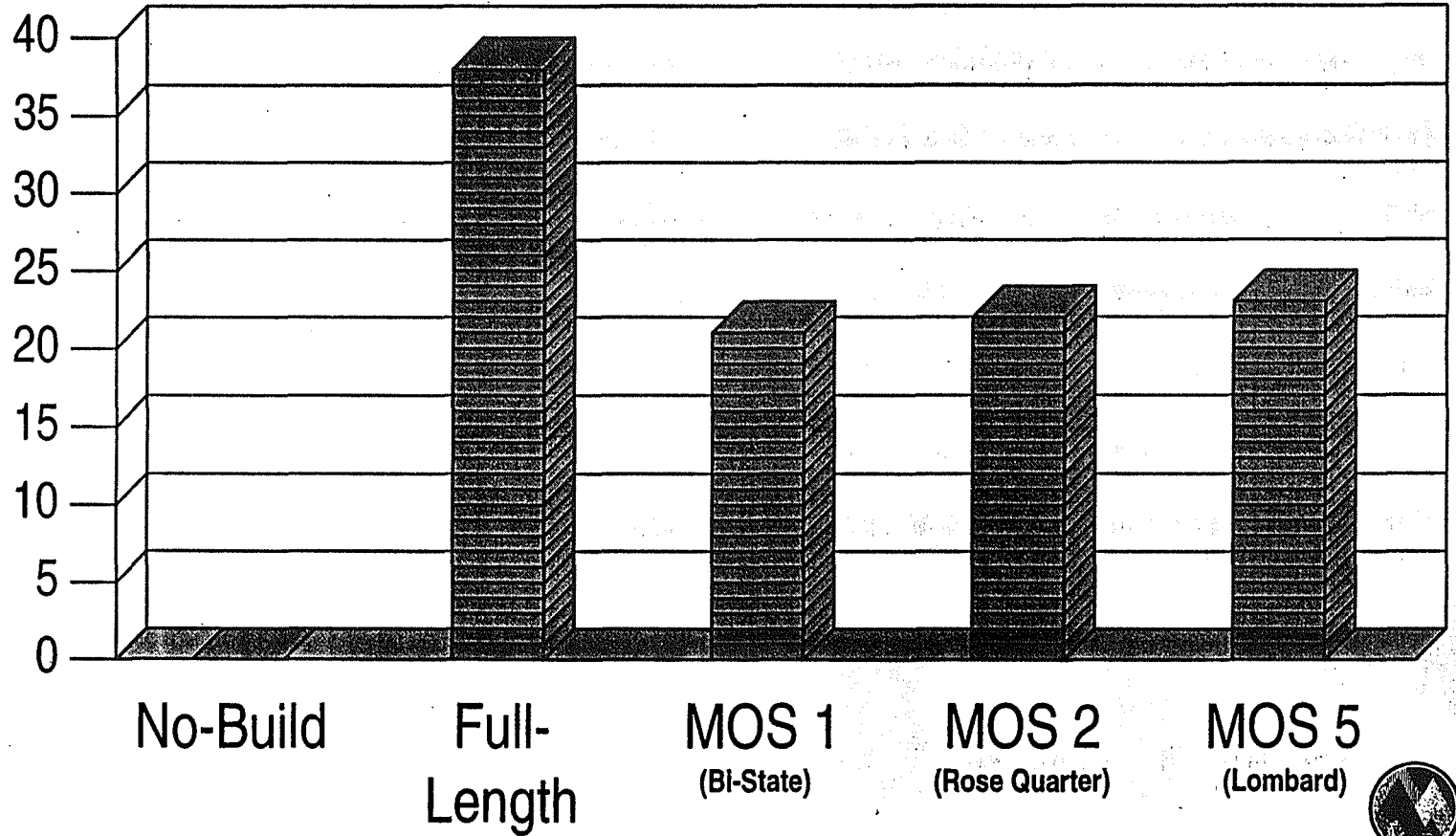
Includes Vacant and Redevelopable Land




# Reduction in Demand for Parking in Downtown Portland Weekday - 2015



### Floors of Parking Avoided



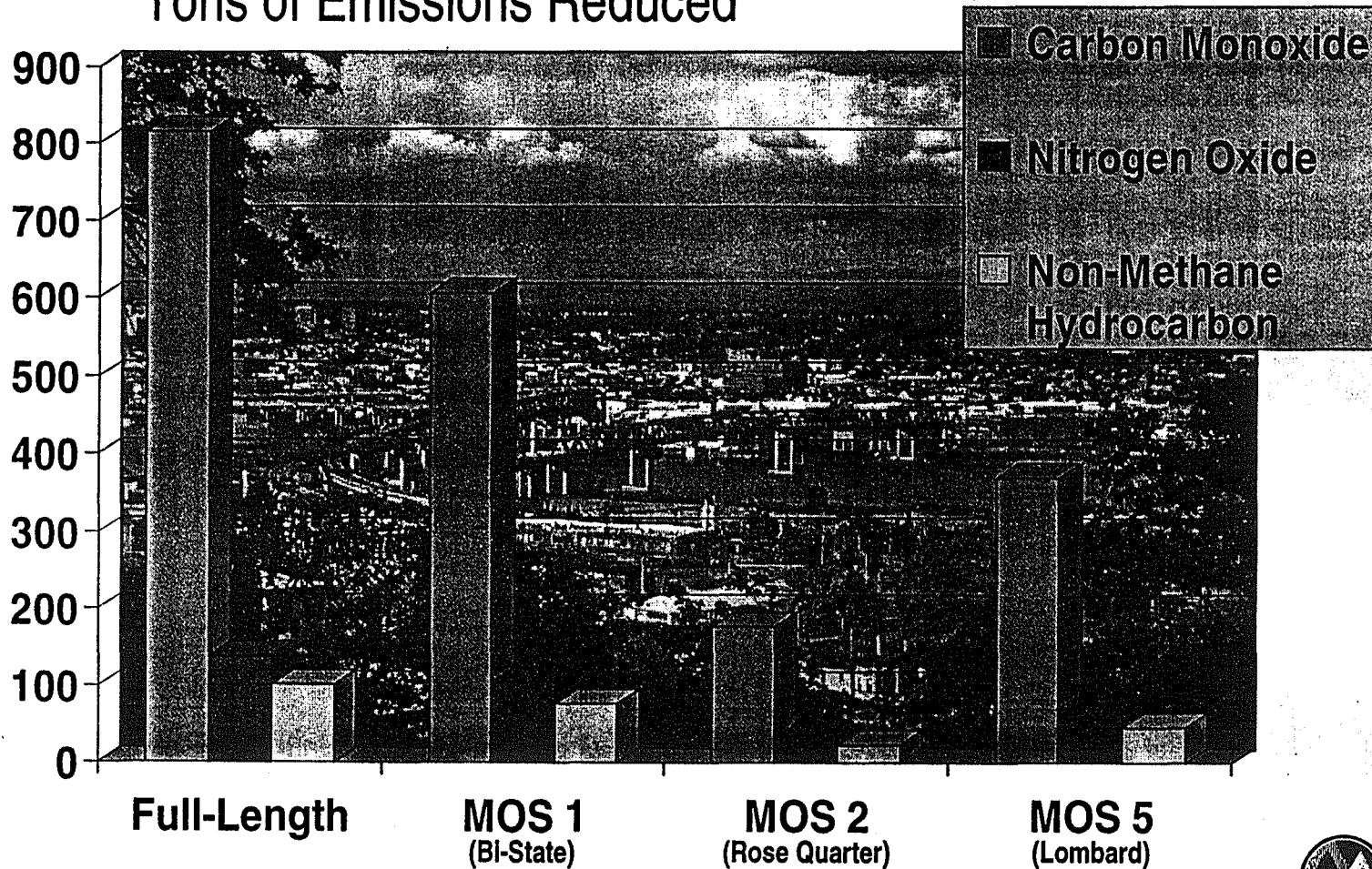
 =100 Parking Spaces: One Floor of Structured Parking



# Air Quality Emissions Reduced Annual - 2015



### Tons of Emissions Reduced

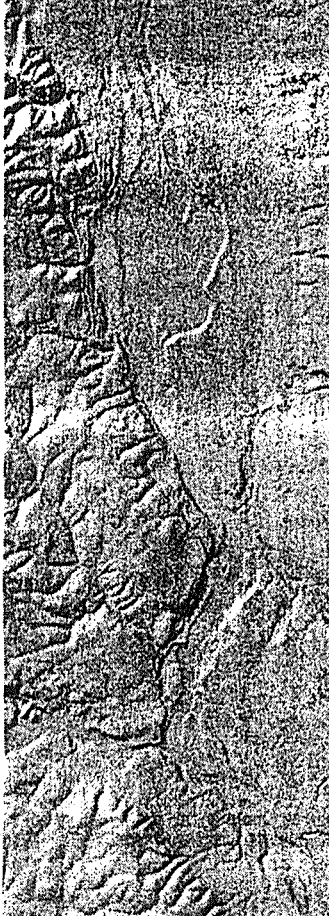
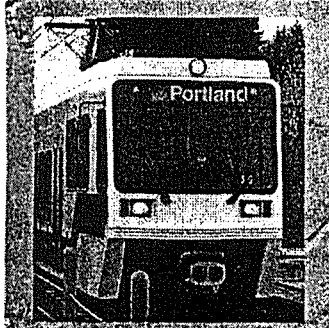


Compared to All-Bus

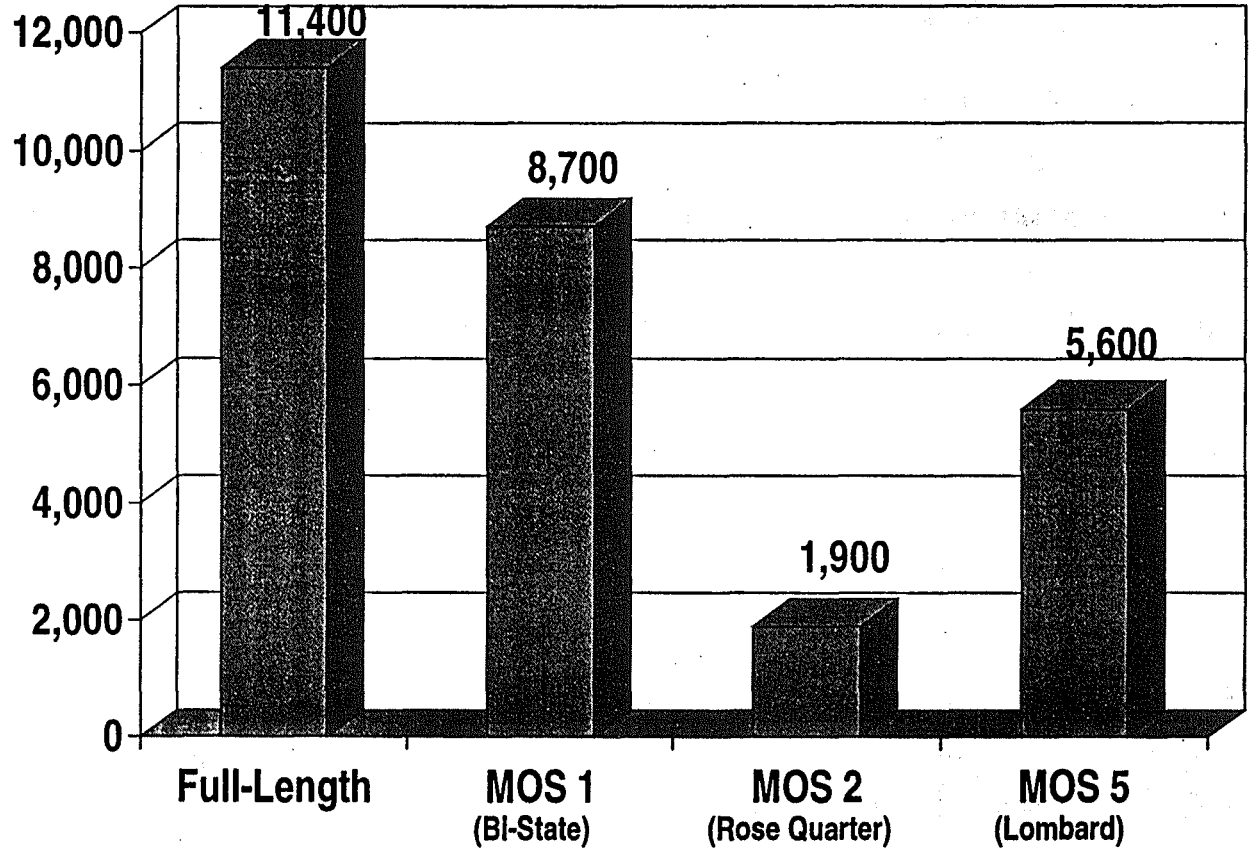




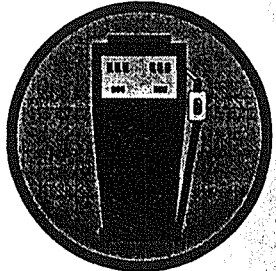
# Energy Savings Average Weekday - 2015



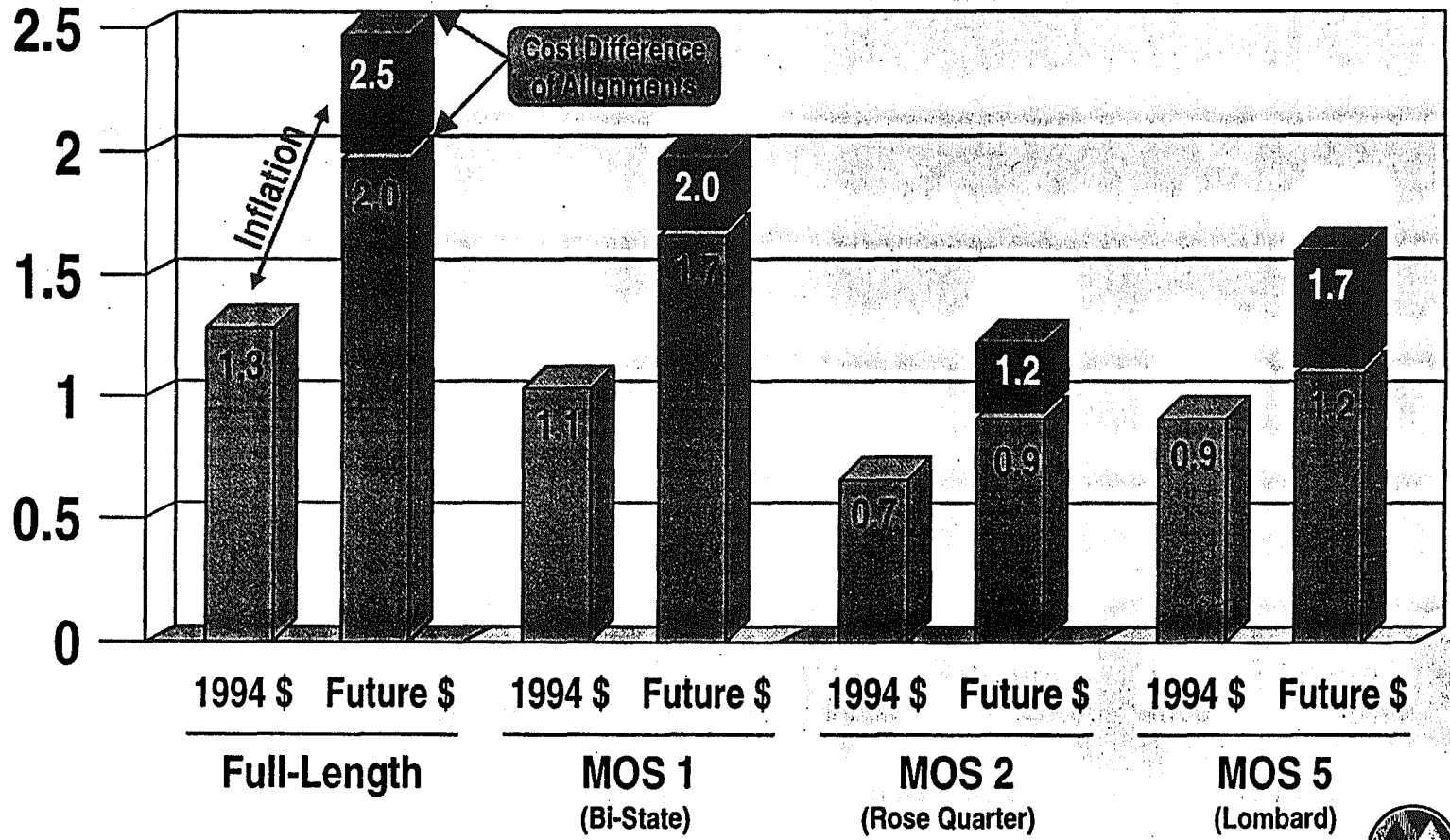
Gallons of Gas Saved per Day



Compared to All-Bus



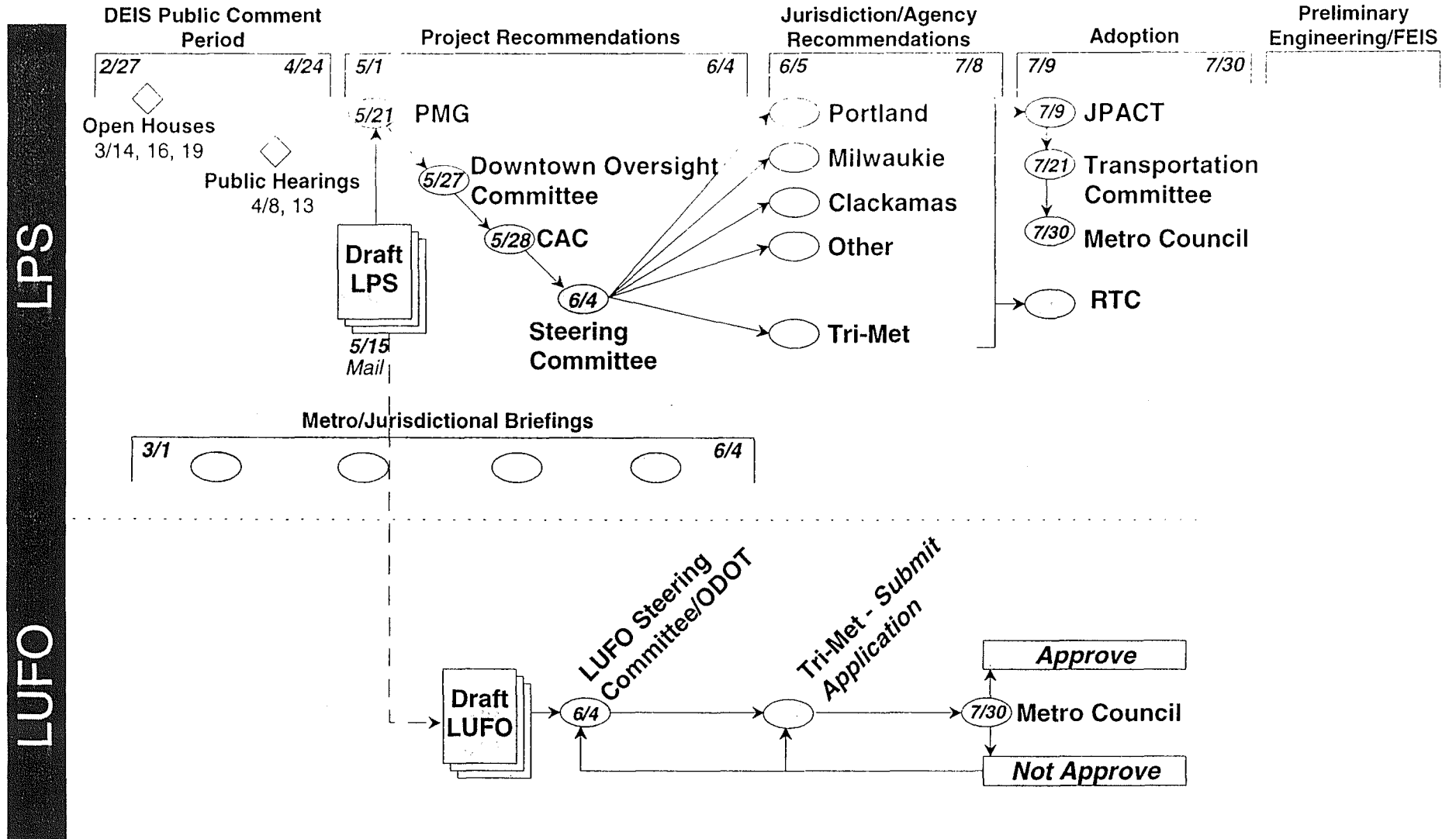
# Capital Cost (In Billions)



1994 Costs are Based on a Single Set of Alignments



## South/North Project Locally Preferred Strategy (LPS) and Land Use Final Order (LUFO) Adoption Process and Schedule



SOUTH/NORTH LIGHT RAIL TRANSIT PROJECT  
STEERING COMMITTEE AGREEMENT

THIS AGREEMENT is entered into this \_\_\_ day of \_\_\_\_\_, 1998, by Metro, Oregon Department of Transportation (ODOT), Tri-County Metropolitan Transportation District of Oregon (Tri-Met), Clackamas and Multnomah counties, political subdivisions of the State of Oregon, and the cities of Milwaukie and Portland, incorporated municipalities of the State of Oregon.

WHEREAS, the existing South/North Light Rail Transit Project steering committee (hereinafter LPS steering committee) of policymakers from participating jurisdictions representing areas for Phase I and Phase II was established for the federal Locally Preferred Strategy process in the Evaluation Methods Report of May 20, 1996, to assure coordination on the federally required Draft Environmental Impact Study of a South/North Light Rail Project; and

WHEREAS, the Oregon Legislature enacted Oregon Laws 1996, Chapter 12 ("the Act") establishing mandatory state procedures for siting the South North MAX Light Rail Project by the use of a regional "land use final order" (LUFO) to be adopted by the Metro Council; and

WHEREAS, Section 4 of the Act requires the Land Conservation and Development Commission (LCDC) to establish criteria to be used by the Metro Council in making decisions in the land use final order on the light rail route, stations, lots and maintenance facilities, and the highway improvements for the project; and

WHEREAS, the LCDC held a public hearing on May 30, 1996 and adopted the region's proposed South/North Land Use Criteria, attached as Exhibit A, as the Criteria for use by the South/North Project; and

WHEREAS, Section 1(21) of the Act requires the establishment of a Steering Committee (hereinafter LUFO Steering Committee) for Phase I ("the Project") and Phase II ("the Project Extension") of the South North MAX Light Rail Project, to be comprised at least of representatives of Tri-Met, ODOT, and elected officials of the affected local governments and Metro, whose specific membership and manner of function are to be determined by intergovernmental agreement between Metro, Tri-Met, ODOT and the affected local governments for the Project or Project Extension; and

WHEREAS, Section 6(1)(a) of the Act requires the LUFO Steering Committee to make recommendations to Tri-Met as to the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations, prior to the time Tri-Met applies to Metro for approval of a LUFO for the Project; and

VII. E. 19

WHEREAS, Section 11(1) and (2) of the Act requires a Steering Committee intergovernmental agreement identified in Section 1(21) to contain provisions to determine how any measures or improvements of the Project would be deferred or deleted if deferral or deletion is required as a condition of executing a Full Fund Grant Agreement or due to insufficient funds to fully execute the approved Full Funding Grant Agreement; and

WHEREAS, Section 8(3) of the Act requires that a Steering Committee intergovernmental agreement identified in Section 1(21) contain provisions by which the LUFO Steering Committee may determine whether locally-imposed development approval conditions are unreasonable or unnecessary or would prevent implementation of a land use final order; and

WHEREAS, participating jurisdictions representing areas for both Phase I and Phase II have been cooperating to study High Capacity Transit Studies under an organizational and oversight structure originally established in Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03, and amended in Metro Resolution No. 92-1549 and IRC Resolution No. 1-92-2; and

WHEREAS, upon completion of the Draft Environmental Impact Statement, a notice is published in the Federal Register to allow a minimum 45-day comment period, which includes a public hearing; and

WHEREAS, upon review of the public comments at the Project Managers Group, Citizen Advisory Committee and Downtown Oversight Committee, a federally required Locally Preferred Strategy will be recommended to the LPS steering committee, JPACT and the Metro Council for adoption of the federally required Locally Preferred Strategy; and

WHEREAS, Phase I of the South/North MAX Light Rail Project was defined in the Phase I South/North Corridor Project Locally Preferred Alternative Report to include light rail route, stations, lots and maintenance facilities for a project from Clackamas Town Center to Vancouver; and

WHEREAS, Project Extensions are being studied from Clackamas Town Center to Oregon City; and

WHEREAS, additional environmental study of Phase I will be done in the federally required Final Environmental Impact Statement (EIS); and

WHEREAS, federal approval of the Phase I Project for funding will be in the federally required Full Funding Grant Agreement, which may add or delete Project components; now, therefore,

METRO, TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRI-MET), CLACKAMAS AND MULTNOMAH COUNTIES, CITIES OF MILWAUKIE AND PORTLAND AND OREGON DEPARTMENT OF TRANSPORTATION (ODOT), AGREE AS FOLLOWS:

I. Affected Local Governments

For Phase I (the Project), Multnomah and Clackamas are the counties and Portland and Milwaukie are the cities within which the light rail route, stations, lots and maintenance facilities and any highway improvements will be located. These affected local governments shall be represented on the LUFO Steering Committee which participates in the Land Use Final Order as required by the Act.

II. LUFO Steering Committee Membership

Consistent with the Act, Metro, Tri-Met, ODOT, Multnomah and Clackamas counties and the cities of Portland and Milwaukie shall be voting members of the LUFO Steering Committee for Phase I (the Project). The LUFO Steering Committee shall include other local governments and agencies represented on the LPS steering committee of all Phase I and Phase II participating jurisdictions as non-voting, ex officio members in the consideration of the recommendations to Tri-Met.

III. Phase I Recommendations

A. The LUFO Steering Committee shall forward recommendations to Tri-Met on the light rail route, stations, lots and maintenance facilities, and any highway improvements for the Project, including their locations, to be included in a land use final order. The recommendations shall be submitted to Tri-Met prior to the time Tri-Met applies to the Metro Council for approval of a land use final order for the Project.

B. If the Metro Council refers an application back to Tri-Met consistent with the Act, the LUFO Steering Committee may consider and recommend to Tri-Met any proposed revisions to the Phase I Project.

C. If the Metro Council refers an application back to Tri-Met consistent with the Act, Tri-Met shall request the views of the LUFO Steering Committee as to proposed revisions to its application if, in its judgment, time and circumstances reasonably permit.

IV. Manner of Function

A. Metro shall staff the LUFO Steering Committee through the time of publication of the Final Environmental Impact Statement for the Project. Thereafter, Tri-Met shall staff the LUFO Steering Committee.

B. Phase I Recommendations

1. Each voting member of the LUFO Steering Committee shall have one vote on Phase I recommendations to Tri-Met. A Phase I recommendation shall be forwarded to Tri-Met only upon an affirmative vote of a majority of voting members.

2. All members of the LPS steering committee that are not voting members of the LUFO Steering Committee may participate as non-voting, ex officio members in the consideration of the Phase I recommendation to Tri-Met by the LUFO Steering Committee.

V. Separate Phase I Intergovernmental Agreement

Upon adoption of a Phase I land use final order, the parties agree to begin development of a separate Phase I Intergovernmental Agreement to implement Sections 8(3), 11(1) and 11(2) of the Act.

VI. Amendments to Intergovernmental Agreement

The terms of this Agreement may be amended or supplemented by unanimous agreement of all voting members of the LUFO Steering Committee. Any amendments or supplements shall be in writing, shall refer specifically to this Agreement, and shall be executed by the parties.

VII. Phase II Intergovernmental Agreement

The parties shall enter into a separate Intergovernmental Agreement for Phase II (the Project Extension). The Agreement shall be in accordance with Oregon Laws 1996, Chapter 12, and shall include additional affected parties as defined by the Act. The parties agree to exercise good faith efforts to enter into such agreement prior to the completion of a Draft Environmental Impact Statement for the Phase II Project Extension.

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## EXHIBIT A

## ADOPTED SOUTH-NORTH LAND USE CRITERIA

1. Coordinate with and provide an opportunity for Clackamas and Multnomah Counties, the cities of Gladstone, Milwaukie, Oregon City and Portland, the Tri-County Metropolitan Transportation District of Oregon and the Oregon Department of Transportation to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.
2. Hold a public hearing to provide an opportunity for the public to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.
3. Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or, if reasonable and necessary, by affected local governments during the local permitting process.
  - A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.
  - B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.
4. Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.
5. Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques which could be imposed during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
6. Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during

the NEPA process or, if reasonable and necessary, by local governments during the permitting process.

7. Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.

8. Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.

9. Consider a light rail route connecting the Clackamas Town Center area with the City of Milwaukie's Downtown. Consider an extension of the light rail route connecting the City of Oregon City and the City of Gladstone with the City of Milwaukie via the Interstate 205 corridor and/or the McLoughlin Boulevard corridor.

10. Consider a light rail route connecting Portland's Central City with the City of Milwaukie's Downtown via inner southeast Portland neighborhoods and, in the City of Milwaukie, the McLoughlin Boulevard corridor, and further connecting the Central City with north and inner northeast Portland neighborhoods via the Interstate 5/Interstate Avenue corridor.

## Benefits of the South/North Light Rail Project

The South/North Light Rail Project represents but one of many improvements to the region's transportation system that are being considered by local and regional jurisdictions to address coming growth in the region. Following is a summary of the estimated benefits that would result from the South/North Project.

### Transit Benefits

- **Light Rail Ridership.** The South/North Project would carry 68,000 light rail riders on a weekday in 2015.
- **Transit Ridership.** Weekday transit ridership in the corridor (both bus and light rail) would increase by 37,800 rides in 2015 (a 30% increase).
- **Downtown Portland.** Weekday transit ridership into downtown Portland from the corridor would increase by 40% with South/North Light Rail, reducing demand for parking in downtown by over 3,700 spaces.
- **Travel Times.** Transit travel times between key activity centers in the corridor during the rush hour would be over 30% faster with light rail than with an all-bus system. For example a trip from downtown Portland and the Clackamas Town Center would take 28 minutes by light rail rather than 42 minutes by bus, and a trip from downtown Portland to downtown Vancouver would take 27 minutes on light rail compared to 40 minutes by bus.
- **Reliability.** Transit reliability would be significantly improved with South/North Light Rail. Approximately 40 percent of the corridor's transit riders would enjoy the reliability of light rail service separated from congested road and highway traffic.
- **Capacity.** South/North Light Rail would carry over 3,000 rides north from downtown Portland during the evening rush hour, the equivalent of 1.5 freeway lanes, and the line would have the capacity to carry an addition 3,000 rush hour rides, bringing the capacity of the line to three freeway lanes leaving downtown Portland in both directions.
- **Light Rail System.** The South/North Project, together with the existing MAX line and the Westside/Hillsboro and airport extensions, would establish a light rail system in the region.

### Highway and Roadway Benefits

- **Auto Travel Times.** Rush hour travel times by automobile between key activity centers in the corridor would be 3 to 9 percent faster with the South/North Project.
- **Congestion.** Miles of congested roadway in the region would be reduced by 16 miles per day in 2015. Commuters in cars would spend 4,500 fewer hours stalled each day in rush hour traffic.
- **Auto Travel.** Automobile travel in the region would be reduced by 213,000 miles per day.

- **Avoid Cost and Impacts of New Highway Capacity.** The South/North Project would reduce the need to add additional freeway and highway capacity in the corridor, and thus would avoid the high cost and impacts that would be associated with a major roadway expansion project. For example, ODOT estimated that it would cost over \$3 billion to expand SE McLoughlin Boulevard to a six-lane freeway, which would expand the person-carrying capacity of the freeway by 3,000 persons per hour, compared to the South/North Project's 6,000 person-carrying capacity.

#### Growth Management

- **Accommodate Growth.** The South/North Project would provide light rail access to over 430 acres of developable land already located within the urban area.
- **Urban Sprawl.** The South/North Project is an important tool that would be used by the region and local governments to reduce urban sprawl and maintain a tight urban growth boundary, compared to an all-bus system that could lead to increased sprawl.
- **Leverage Public Funds.** The South/North Project would attract local private developments to many of the project's station areas, leveraging public funds with private investments and helping to meet regional and local goals of attracting higher-use development in major activity centers. For example, over \$1.3 billion in new development exceeding ten million square feet has been constructed adjacent to Eastside MAX stations since it opened in 1987.

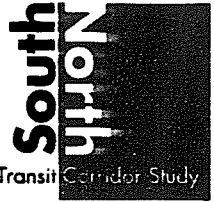
#### Air Quality and Energy

- **Air Quality.** The South/North Project would reduce air pollution by over 1,000 tons per year in 2015, and would reduce carbon dioxide emissions (a greenhouse gas) by over 37,000 tons per year.
- **Energy.** South/North Light Rail would save over 11,000 gallons of gasoline per day in 2015.

#### Economic Benefits

- **Value of Travel Time Savings.** The South/North Project would result in a 4.5 million hour annual reduction in transit, automobile and truck travel times, a savings valued at \$50 million per year (using Federal standards for the value of travel time).
- **Jobs.** Construction of the South/North Project would create approximately 15,000 person-year jobs to the region.
- **Construction Costs.** The full South/North Project would cost between \$2.0 to \$2.5 billion in future dollars to construct. The shortest project from the Clackamas Regional Center to the Rose Quarter would cost \$0.9 to \$1.2 billion, and the moderate length project from the Clackamas Regional Center to north Portland would cost \$1.2 to \$1.6 billion. (Cost ranges reflect the differences in cost of various alignment alternatives.)

Note: All benefits are for the Full-Length Alternative, in the year 2015, compared to an all-bus system.



# Tech Facts

## Amended Alignment Alternatives and Design Options

July 1997

The South/North Transit Corridor Study

Metro

In cooperation with:

City of Milwaukie

City of Portland

City of Vancouver

Clackamas County

Clark County

C-TRAN

Multnomah County

Oregon City

Oregon Department of Transportation

Southwest Washington Regional Transportation Council

Tri-Met

Washington State Department of Transportation

## Clackamas Regional Center Segment

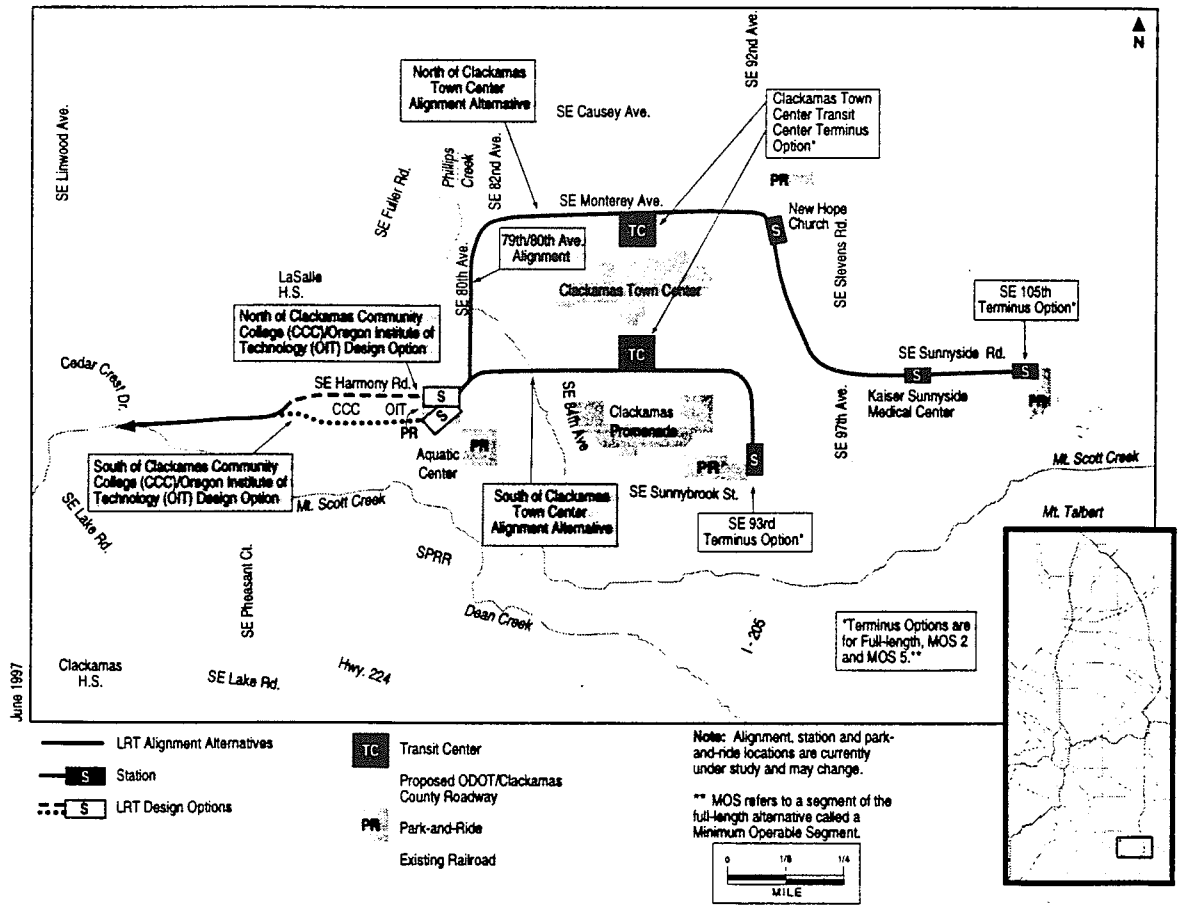
### Background

The South/North Transit Corridor Study started in summer 1993. Since that time, a public process called "narrowing" has refined the design options and alternative routes to be considered in the corridor. These narrowing actions, taken between 1993 and 1995, have outlined the range of alternatives and options currently under study. In early 1996, staff began work on analyzing the alternatives and preparing the current phase of work, the Draft Environmental Impact Statement (DEIS). The purpose of the DEIS is to identify and

document potential impacts that could result from the construction of the South/North light rail line.

In 1997, staff reviewed the study alignments and recommended cost cutting amendments to the DEIS. These amendments were adopted by the Metro Council and reflect the current study alignments.

The Clackamas Regional Center segment extends from the vicinity of 105th Avenue east of the Clackamas Town Center (CTC), to approximately SE Harmony and Cedar Crest Drive. Two alignment alternatives (each with two terminus options and two design options) will be examined in this segment. They are described in detail below.



For more information, call Metro's Transportation Hotline at: (503) 797-1900



## VII. E. 27

### **South of CTC Alignment Alternative with 93rd Avenue Terminus Option**

This alignment would begin with a terminus station and park-and-ride lot near SE 93rd Avenue and SE Sunnyside Street. From there, the alignment would run north to a bridge overcrossing of SE Sunnyside Road, and then turn west and run along the north side of SE Sunnyside Road to a new transit center south of the CTC. This alignment would continue west along SE Sunnyside Road crossing SE 82nd Avenue at street level and then turn south on SE 80th Avenue to connect to Harmony Road.

Proceeding west from SE 82nd Avenue there are two design options.

#### **South of Clackamas Community College (CCC)/Oregon Institute of Technology (OIT) Design Option**

This southern design option would cross SE Harmony Road at street level, and then enter a station and park-and-ride lot south of SE Harmony Road and west of SE 82nd Avenue. The light rail alignment would then proceed west, immediately south of the Oregon Institute of Technology (OIT) and Clackamas Community College (CCC) buildings, and proceed to a reserved transportation right-of-way, south of SE Harmony Road to the vicinity of Cedar Crest Drive.

#### **North of Clackamas Community College (CCC)/Oregon Institute of Technology (OIT) Design Option**

This northern design option would cross SE Harmony Road at street level to a station and park-and-ride lot located between Oregon Institute of Technology (OIT) and SE 82nd Avenue, south of the light rail alignment. The alignment would then proceed west to SE Fuller Road in the existing right-of-way currently used by SE Harmony Road, relocating SE Harmony Road to the north of the light rail alignment. West of Fuller Road, the alignment would continue on the south side of the existing Harmony Road to Cedar Crest Drive.

### **South of CTC Alignment Alternative with South of CTC Transit Center Terminus Option**

This alternative, including design options, would be identical to the 93rd Avenue Terminus with South of CTC Alignment Alternative **except** it would begin at a new transit center located south of the CTC Mall.

### **North of CTC Alignment Alternative with 105th Avenue Terminus Option**

This alignment would begin with a terminus station and a structured park-and-ride at SE Sunnyside Road and SE 105th Street. It would then proceed west on the south side of SE Sunnyside Road past the Edgar Kaiser Medical Facility. The alignment would turn north, crossing SE Sunnyside Road on a bridge, and then run parallel to the east side of I-205 to a station and park-and-ride lot at the New Hope Church. From the church, the alignment would turn west, crossing over I-205 on a structure, and then follow the south side of SE Monterey Avenue to a reconfigured transit center on the north side of the CTC Mall. The alignment would continue west crossing SE 82nd Avenue at street level and then turn south on SE 80th Avenue to connect to Harmony Road. At Harmony Road there are two design options which are identical to the design options for the 93rd Avenue Terminus with the South of CTC Mall Alignment Alternative.

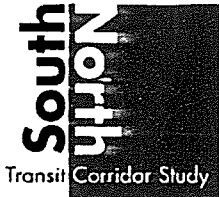
### **North of CTC Alignment Alternative with North of CTC Transit Center Terminus Option**

This alternative, including design options, would be identical to the 105th Avenue Terminus with the North of CTC Alignment Alternative **except** it would begin at a reconfigured transit center north of the CTC Mall.

### **For More Information**

If you would like more information about the South/North Transit Corridor Study, would like to make a comment, or would like to add your name to the South/North mailing list, please call Metro's Transportation Hotline at:

**(503) 797-1900**



July 1997

The South/North  
Transit Corridor  
Study

Metro

In cooperation  
with:

City of Milwaukie

City of Portland

City of Vancouver

Clackamas County

Clark County

C-TRAN

Multnomah County

Oregon City

Oregon Department  
of Transportation

Southwest  
Washington  
Regional  
Transportation  
Council

Tri-Met

Washington State  
Department of  
Transportation

For more  
information,  
call Metro's  
Transportation  
Hotline at:  
(503) 797-1900



METRO

# Tech Facts

## Amended Alignment Alternatives and Design Options

### East Milwaukie Segment

#### Background

The South/North Transit Corridor Study started in summer 1993. Since that time, a public process called "narrowing" has refined the design options and alternative routes to be considered in the corridor. These narrowing actions, taken between 1993 and 1995, have outlined the range of alternatives and options currently under study. In early 1996, staff began work on analyzing the alternatives and preparing the current phase of work, the Draft Environmental Impact Statement (DEIS). The purpose of the DEIS is to identify and document potential impacts that could result from the construction of the South/

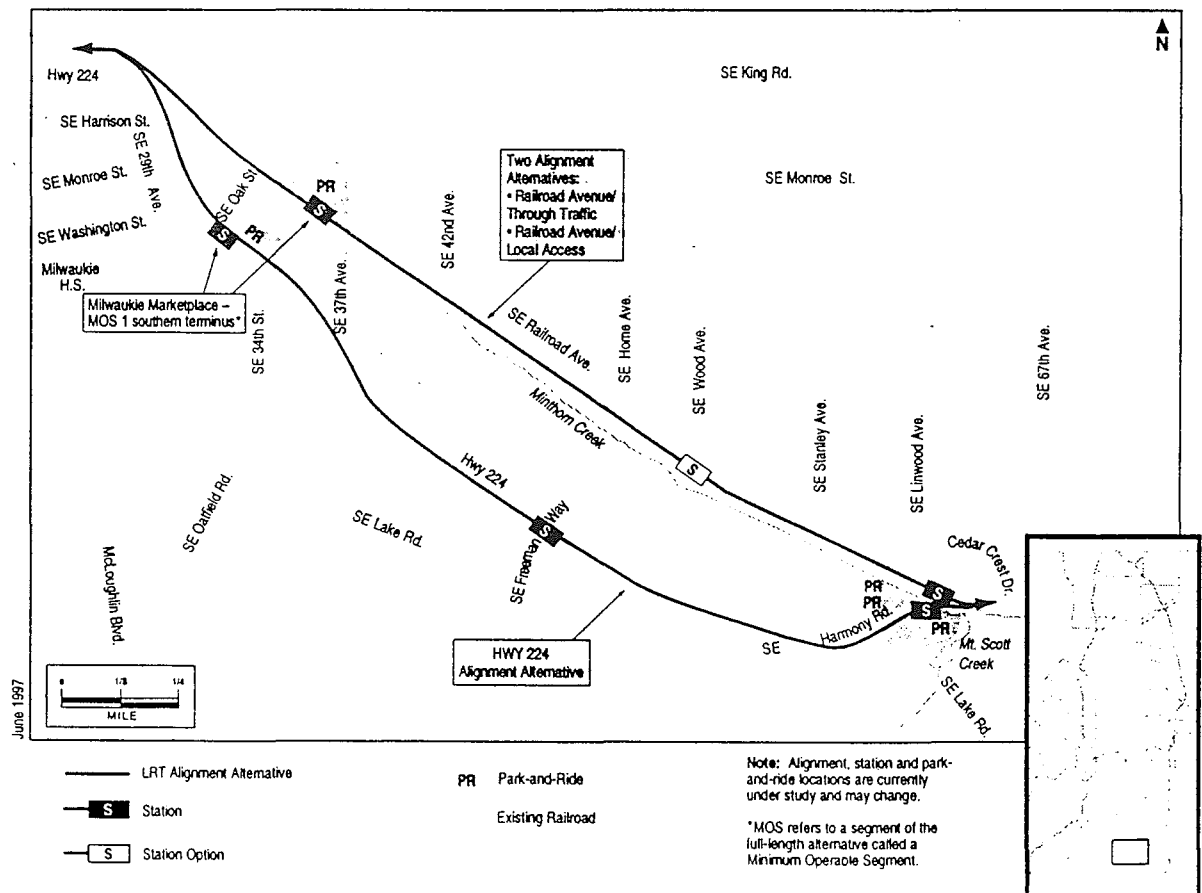
North light rail line.

In 1997, staff reviewed the study alignments and recommended cost cutting amendments to the DEIS. These amendments were adopted by the Metro Council and reflect the current study alignments.

The East Milwaukie segment extends from Cedar Crest Drive and SE Harmony Road to just east of the Tillamook Branch Line near Highway 224. Three alignment alternatives are examined in this segment and are described in detail below.

#### Highway 224 Alignment Alternative

From Cedar Crest Drive and SE Harmony Road, the Highway 224 alignment would continue along the south side of SE Har-



June 1997

## VII. E. 29

mony Road to a station and park-and-ride lot located near SE Harmony Road and SE Linwood Avenue. Light rail would cross over the existing freight rail line on a new structure southeast of the intersection of SE Harmony Road, SE Linwood Avenue and SE Railroad Avenue. The alignment would proceed west on the south side of Harmony Road and cross Harmony Road at street level at the intersection of Harmony Road, Lake Road and International Way. It would then continue on the north side of Highway 224 with stations at Freeman Way and Oak Street. A structured park-and-ride lot is also proposed at Oak Street and Highway 224. The alignment would cross Oak Street at street level and then cross under the Southern Pacific/Union Pacific Main Line and Harrison Street.

### **Railroad Avenue Through Traffic Alignment Alternative**

From Cedar Crest Drive, the light rail alignment would continue along the south side of SE Harmony Road to a station and park-and-ride lot near SE Harmony Road and SE Linwood Avenue. The alignment would proceed west, adjacent to and on the north side of the SP/UP Main Line in the area currently occupied by Railroad Avenue. SE Railroad Avenue would be reconstructed just north of, and adjacent to the light rail alignment. This alignment will be studied with and without a station near SE Wood Avenue that could serve the residential area to the north and the industrial area to the south. A Milwaukie Marketplace station and park-and-ride lot would be located just west of 37th Avenue. The alignment would cross Oak Street at street level and then cross under the SP/UP Main Line and Harrison Street.

Automobile lanes on Railroad Avenue with this alignment alternative would be narrowed from previous designs to ten feet. Bicycle lanes would be five feet wide and a new sidewalk on the north side of the street would vary in width from four to six feet.

### **Railroad Avenue Local Access Alignment Alternative**

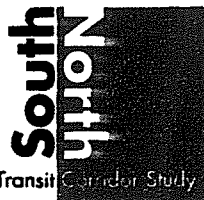
This alignment alternative would close sections of Railroad Avenue to through-traffic by rebuilding only certain sections of the road. As currently designed,

Railroad Avenue would only be rebuilt between SE Lamplighter and SE Wood Avenue and between SE 47th and SE 42nd Avenues. Light rail would follow the same route as with the Railroad Avenue Through Traffic Alignment Alternative.

### **For More Information**

If you would like more information about the South/North Transit Corridor Study, would like to make a comment, or would like to add your name to the South/North mailing list, please call Metro's Transportation Hotline at:

**(503) 797-1900**



# Tech Facts

## Amended Alignment Alternatives and Design Options

July 1997

The South/North  
Transit Corridor  
Study

Metro

In cooperation  
with:

City of Milwaukie

City of Portland

City of Vancouver

Clackamas County

Clark County

C-TRAN

Multnomah County

Oregon City

Oregon Department  
of Transportation

Southwest  
Washington  
Regional  
Transportation  
Council

Tri-Met

Washington State  
Department of  
Transportation

## Milwaukie Regional Center Segment

### Background

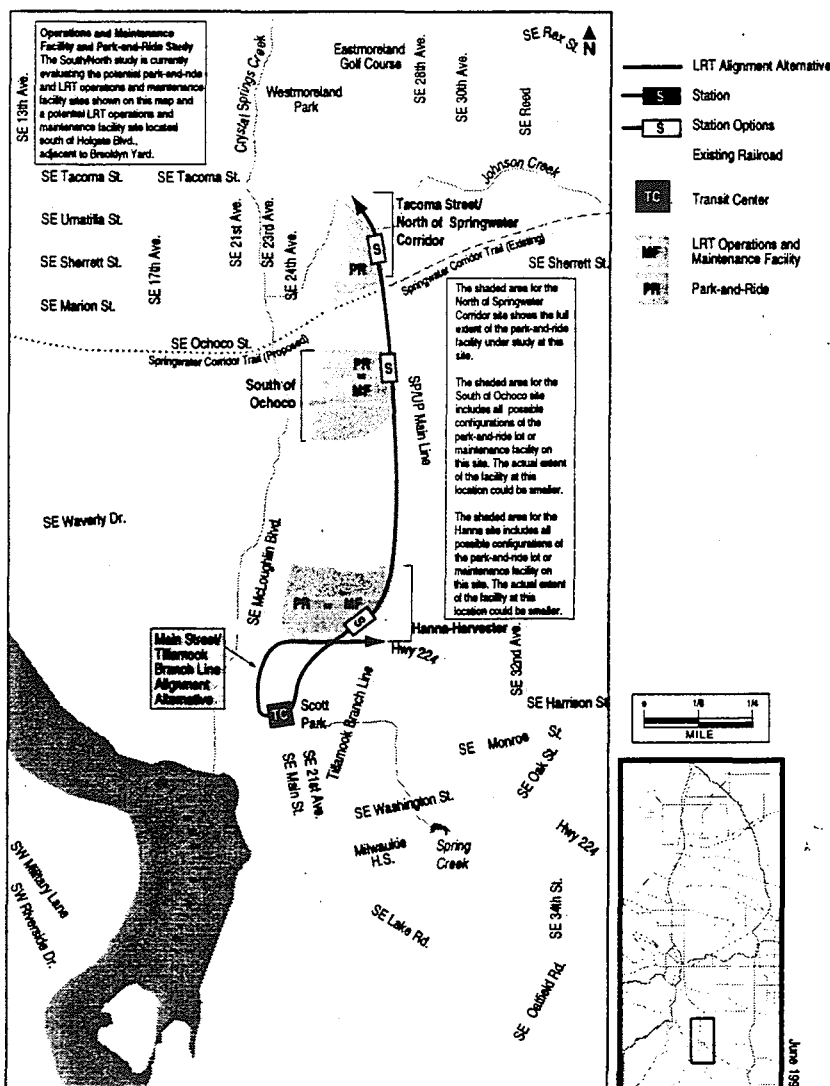
The South/North Transit Corridor Study started in summer 1993. Since that time, a public process called "narrowing" has refined the design options and alternative routes to be considered in the corridor. These narrowing actions, taken between 1993 and 1995, have outlined the range of alternatives and options currently under study. In early 1996, staff began work on analyzing the alternatives and preparing the current phase of work, the Draft Environmental Impact Statement (DEIS). The purpose of the DEIS is to identify and document potential impacts that could result from the construction of the South/North light rail line.

In 1997, staff reviewed the study alignments and recommended cost cutting amendments to the DEIS. These amendments were adopted by the Metro Council and reflect the current study alignments.

The Milwaukie Regional Center segment extends from north of Highway 224 just east of the Tillamook Branch Line to SE Tacoma Street in the city of Portland. One alignment alternative is

examined in this segment.

Three possible sites for a North Milwaukie park-and-ride and two of the three possible sites for an operations and maintenance facility are located in this segment. For a comprehensive analysis of combined impacts associated with the North Milwaukie park-and-ride and operations and maintenance facility sites, refer to the *Operations and Maintenance Facility and North Milwaukie Park-and-Ride Results Report* (available Fall 1997).



For more  
information,  
call Metro's  
Transportation  
Hotline at:  
(503) 797-1900



METRO

**Main Street/Tillamook Branch Line  
Alignment Alternative**

Starting from north of Highway 224 just east of the Tillamook Branch Line, the alignment would cross over the Tillamook Branch Line on a structure and would cross under the Highway 224 on/off ramps at Main Street. It would then extend south, parallel to and east of McLoughlin Boulevard, turning east just north of SE Scott Street to a transit center located in the vicinity of the vacant Safeway store. From the transit center, the alignment would curve north to the east of Kellogg Bowl. It would then curve northeast and cross under Highway 224 using a new underpass. North of Highway 224, the alignment would make a wide curve through the Hanna-Harvester site and then extend north, parallel to and west of the Tillamook Branch and SP/UP Main Lines. A new connection of freight spur tracks to the Tillamook Branch Line would be constructed just north of Mailwell Drive and would cross the light rail alignment at street level.

**For More Information**

If you would like more information about the South/North Transit Corridor Study, would like to schedule a speaker for an organization or association, make a comment, or have your name added to the South/North mailing list, please call Metro's Transportation Hotline at:

**(503) 797-1900**



METRO

March 6, 1998

Acting Mayor Don Graf  
City of Milwaukie  
10722 SE Main Street  
Milwaukie OR 97222

Dear Don:

The purpose of this letter is to request that you work with your staff to take the necessary steps for your jurisdiction to execute the attached intergovernmental agreement (IGA) that would establish a Land Use Final Order (LUFO) Steering Committee. The proposed IGA was unanimously endorsed by the South/North Project Steering Committee at its meeting on March 4, 1998.

In summary, the purpose of the proposed IGA is to comply with Oregon State law that outlines the process required to adopt a LUFO for the South/North Light Rail Project. The law prescribes that a Steering Committee made up of affected Oregon jurisdictions adopt and forward a recommended LUFO for the project to the Tri-Met Board of Directors, who will then forward an application for a LUFO to the Metro Council for concurrence and adoption. The law notes that the membership and manner of function of the LUFO Steering Committee is to be established through an intergovernmental agreement between the affected jurisdictions. Under this proposed IGA the LUFO Steering Committee would essentially be a sub-committee of the full Steering Committee.

As you work with staff to review and execute the proposed IGA, please consider the following:

- First, because it will be a multi-party agreement, it is important that each board or council review and approve the same IGA. Therefore, we need to have any suggested revisions to the IGA by March 13, 1998 so that we can distribute a final version of the IGA in a timely manner.
- Second, the IGA must be executed by the time the full Steering Committee adopts a Locally Preferred Strategy recommendation and when the LUFO Steering Committee adopts a recommended LUFO. Therefore, please aim to complete your process for authorization to execute the IGA by the first of May 1998.

Once the jurisdictions have approved the IGA, Metro will distribute originals of the IGA among

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Acting Mayor Don Graf

March 6, 1998

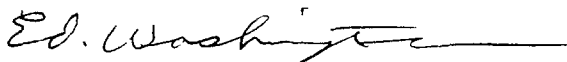
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the jurisdictions for signature. Your agency will receive one of the fully signed originals for your files.

I have attached a copy of the draft IGA that was endorsed by the Steering Committee, as well as a copy of the Oregon State law governing adoption of the South/North Project's LUFO. If you or your staff have any general questions about the proposed IGA or the LUFO adoption process, please contact Leon Skiles, South/North Project Manager at 797-1752. Technical legal questions or comments on the draft IGA should be directed to Larry Shaw, Senior Assistant Counsel at 797-1532.

Thank you for your assistance in expediting this request.

Sincerely,



Ed Washington

Metro Councilor

Chair, South/North Steering Committee

Attachments

cc: Tom VanderZanden

Leon Skiles

Larry Shaw