

MILWAUKIE  
CITY COUNCIL MEETING  
February 1, 1983  
7 p.m.

COUNCIL CHAMBERS

1425th Meeting

6:30 - Interviews

Prior to the regular meeting the City Council conducted interviews for positions on the Budget Committee and the Senior Citizen Advisory Commission. The following persons were interviewed:

Wanda Rulifson, 12177 SE River Rd. - Budget Committee  
Georgia Brakeman, 5172 SE Logus Rd. - Budget Comm. - SCAC

The one thousand four hundred and twenty fifth meeting of the Milwaukie City Council was held on February 1, 1983 with the following councilors present:

Ron Kinsella	Don Graf
Mike Richmond	Roger Hall
Mayor Joy Burgess	

The invocation was given by Ron Kinsella and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

John Maguire and Doug McClure, co-chairmen of the Task Force to Aid the Unemployed and Needy in Clackamas County addressed the Council and provided a preliminary report listing the most urgent needs as housing, food, emergency medical/dental care, and transportation. The report outlined the problems, cited present resources, and possible solutions. The final two sections of the report will be ready for the March 1 meeting and at that time recommendations will be made as to the life-duration of the task force. It was decided by the committee, said Maguire, to limit activities of the task force to outlining problems since implementation decisions should be approved by the Council. Maguire read a letter from the committee requesting that the following citizens be appointed to the task force: Jeanie Kuzmin, Joan Staley, Barbara Redman, Father Richard Huneger. These persons have been attending the meetings regularly, whereas originally appointed members Father Saalfeld, Morgana Wilson, and Glenda Braget have not been able to attend any meetings. Maguire said that Wilson has moved out of the state and that Father Saalfeld has said that he will not be able to participate. It was MOVED by Graf, SECONDED by Hall, that Redman, Huneger, Staley and Kuzmin be appointed to the Task Force to Aid the Unemployed and Needy in Clackamas County. MOTION CARRIED unanimously. Graf suggested that a letter be sent to Glenda Braget asking if she is still interested in serving on the committee. Graf asked if any specific solutions had been found to the problems outlined. McClure said the task force would need Council approval and a change in job description before any program implementation. The Mayor suggested a work session to discuss possible solutions. McClure announced that the next meetings of the task force would take place at Milwaukie Center on February 10, 17, and 24 from 5:30 p.m. to 7:30 p.m. Staff was directed to write letters of appointment to the newly appointed members as well as a letter to Glenda Braget asking if she was still interested in participating.

LEGISLATION

Payment of bills

It was MOVED by Hall, SECONDED by Richmond that the bills listed for payment on February 1, 1983 be approved for payment. There was discussion on why the Police Department washed cars at Rub-A-Dub rather than the Public Works Shop. The City Manager said the shop was not set up to wash cars. The Mayor asked that staff look into this.

Gas Franchise Ordinance

City Attorney has submitted memo dated January 28, 1983 recommending approval of the Northwest Natural Gas Franchise. The old ordinance, which expired in April, 1982 has been amended to provide for closer coordination between city and grantee regarding use of street right-of-way, to make clear that Grantee is subject to all city licenses, permits, etc., to shorten the franchise term to 10 years, and to reserve the right to adopt additional regulations.

There was discussion on the 3% franchise fee. Eades said that the city could charge whatever it chooses, however anything above 3% will be shown on the bill as a separate city tax. He said that 3% was very common and in fact the only city which charged more than this was the City of Portland. It was MOVED by Graf, SECONDED by Richmond, to read Ordinance 1535 the first time by title only.

(AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE.)

MOTION CARRIED unanimously. City Attorney pointed out a change in Section 23. The last line was corrected to read "from April 9, 1982 until....." rather than "from April 9, 1982 upon...."

It was MOVED by Graf, SECONDED by Richmond to read the ordinance as amended the second time by title only. MOTION CARRIED unanimously.

It was MOVED by Hall, SECONDED by Kinsella to adopt Ordinance 1535. MOTION CARRIED unanimously.

Appointments to City Advisory Bodies

The following nominations were made for the Budget Committee:

Richmond nominated Kathleen Hulme

Graf nominated Georgia Brakeman

Hall nominated Shirley Brown

VOTING for Hulme: Kinsella, Richmond, Burgess.

VOTING for Brakman: Kinsella, Richmond, Burgess, Hall

Hall objected to the method used in making appointments. Mayor Burgess suggested that he bring this matter up before the next appointments were made. Kathleen Hulme and Georgia Brakeman were appointed to the Budget Committee.

It was MOVED by Kinsella, SECONDED by Richmond, that Wanda Rulifson be appointed to the Senior Citizens Advisory Commission. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of Minutes - January 18, 20, 22, 1983

Liquor license renewals: Albertson's Inc., Safeway Stores, Pietro's Corp., Southland Corp. DBA 7-11, Li'l Corner Store.

It was MOVED by Graf, SECONDED by Hall, to approve the consent agenda. MOTION CARRIED unanimously.

OTHER BUSINESS

Cable TV negotiations

City Manager and City Attorney have submitted memo dated January 28 recommending agreement in principle with Tribune Cable. Listed in the memo were areas of deficiency in local production facilities, capability for future improvements, construction period, rate increases, and requirements to purchase system in the event of termination. City Attorney said that although some of these deficiencies could be removed in negotiations with another company, there was no guarantee that the city could do even as well with another company. City Attorney has prepared a summary of an ordinance listing provisions to be contained in the ordinance.

There was extensive discussion on interactive services, rate increases, construction period, purchase of the system in the event of termination and community programming.

Bill Cullen, President of Tribune, addressed possible deficiencies. He spoke of ways in which Tribune had improved their offer in the areas of institutional network, amount of security deposit, and spacing amplifiers. He discussed community programming, interconnection with other companies, the hold harmless clause, and provision of access services.

There were questions from the Council concerning construction schedule, community programming, mobile units, interconnection, option to purchase, technical advances and number of satellites. A recess was declared at 8:45 p.m.

The meeting reconvened at 8:55 p.m.

Ken Downes, Cable Consultant, addressed the Council stressing the need for specifics in the official document. He said that of the original requirements of the city in the RFP, there were 55 deficiencies, 25 of which were critical. He said the city would have a 90% chance of doing better with another source and provided Council with a list of deficiencies as he saw them.

The financial figures of Tribune were inconsistent, Downes said, the revenues were overstated and the costs were understated.

He read his letter of recommendation which was that Council table present negotiations and obtain a staff report on available alternatives. Upon receipt of the staff report the Council could determine whether to grant the franchise or pursue other alternatives.

Kinsella expressed his concern over the lengthy process of negotiations. There was discussion on whether to have an executive session.

Bill Hupp questioned the legality of an executive session. City Attorney said an executive session was permitted under ORS 40.225 Consultation with Attorney.

Phil Corson from North Clackamas School District expressed concern regarding interconnection with other schools in the district and said that he would like to see a Cable Advisory Commission appointed. It was MOVED by Hall, SECONDED by Graf to extend the meeting to the amount of time necessary to conclude discussions. MOTION CARRIED unanimously.

The meeting recessed at 9:40 p.m. to go into executive session under ORS 40.225, Consultation with City Attorney.

The executive session adjourned at 10:20 p.m.  
The meeting reconvened at 10:25 p.m.

It was MOVED by Hall, SECONDED by Richmond, to table negotiations for four weeks during which time staff is instructed to explore alternatives with other companies. Kinsella asked to go on record as opposing this motion. He said further delays were undesirable. Bill Cullen addressed the Council stating that Tribune would leave their offer on the table, that Tribune had negotiated in good faith, and that he took offense to the city negotiating with another company. City Attorney asked for his suggestions. Cullen said that a letter should be sent to Tribune listing specific items which, if agreed to by Tribune, would result in the granting of the franchise. Downes agreed that the city should not negotiate with other companies, but explore other alternatives. Hall WITHDREW his MOTION. It was MOVED by Hall, SECONDED by Graf, to postpone the decision on granting a franchise for four weeks with the understanding that the staff will be able to explore alternatives of providing cable TV to the city. MOTION CARRIED with the following vote: AYES: Burgess, Richmond, Graf, Hall. NO: Kinsella.

It was concurrence of Council that a letter be sent to Tribune listing specific items that if agreed to by Tribune would cause the city to grant the franchise to Tribune. Kinsella asked how many areas of improvements were going to be considered. City Attorney suggested that he list as many improvements as could be reasonably required. Council agreed that this was acceptable.

#### INFORMATION

Mayor asked that the Council take note of the article "Morality in Media" She asked for Council concurrence that Ben Schellenberg's letter re the police department be sent to the Police Dept. Council agreed to this. It was decided to advertise for positions on the Planning Commission and set up interviews for February 15.

There was discussion on the Key Communicator meeting at the Center on February 3. The Mayor said she would make a 15-20 minute presentation on city goals and then turn the meeting over to the City Manager for department presentations.

The meeting was adjourned at 11:05 to go into executive session under ORS 192.660 (1) (d) to discuss labor negotiations. The executive session was adjourned at 11:45 p.m.

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Mayor Joy Burgess

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Laurie Perkin, Secretary

# CITY OF MILWAUKIE



OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

## CITY COUNCIL AGENDA February 1, 1983 7 p.m.

### COUNCIL CHAMBERS

### REGULAR MEETING (1425th)

#### INTERVIEWS - 6:30

#### I CALL TO ORDER

- a) Call to order
- b) Invocation
- c) Pledge of allegiance

#### II AUDIENCE PARTICIPATION

Preliminary report from Task Force to help unemployed and needy in Clackamas County

#### III LEGISLATION

- a) Payment of bills
- b) Northwest Natural Gas franchise  
ORDINANCE 1-3-83
- c) Appt. to City Advisory Bodies  
Budget Committee  
Senior Citizen Advisory Commission

#### IV CONSENT AGENDA

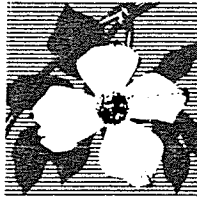
- a) Approval of minutes - Jan. 18, Jan. 20, Jan. 22, 1983
- b) Liquor license renewals
  1. Albertson's Inc.
  2. Safeway Stores
  3. Pietro's Corp.
  4. Southland Corp. DBA 7-11
  5. Li'l Corner Store

#### V OTHER BUSINESS

Consideration of Cable Television Franchise

#### VI INFORMATION

- a) Letter to Ben Luscher re Post Office
- c) Minutes - Task Force on Solid Waste Disposal- 1-13-83
- d) Minutes - Task Force on Poverty - 1-13-83, 1-20-83
- e) Newspaper article - Morality in Media
- f) Memo re vacancy on Planning Commission  
Letter from Don Trotter re reappt. to Planning Commission
- g) Letters from/to State House of Representatives
- h) Letters from/to Ben Schellenberg, N.C. School Dist.



## MEMORANDUM

January 28, 1983

TO: MAYOR AND CITY COUNCIL

FROM: HUGH BROWN, *Hugh Brown*  
CITY MANAGER

SUBJECT: CITY COUNCIL MEETING - February 1, 1983

Prior to Tuesday's meeting, further interviews are scheduled for the Budget Committee and the Senior Citizens Advisory Commission. They are scheduled to begin at 6:30 in the Council Chambers.

Included in the packet is the recommendation to award a cable TV franchise agreement to Tribune Company. If you believe that the tentative agreement adequately serves the city, then an ordinance will be prepared for presentation to the City Council on February 15. The meeting on Tuesday is thus an important time to express either concerns about the company and its proposal or support for the same.

Also enclosed is my recommendation regarding the upcoming collective bargaining process with the firefighters union. I recommend use of the Local Government Personnel Institute primarily because of their knowledge of Oregon local government and experience with other cities. If use of LGPI and Mr. Lindgren meets with City Council approval, I will arrange for him to meet with the Council at the February 15th meeting to discuss negotiations issues.

I've provided a draft expansion of the goal statements from the Saturday work session. These will be worked on further prior to their public distribution on February 3. During the drafting process, your suggestions are welcome. After the discussion about them on the 3rd, a final statement will be prepared for City Council adoption on February 15. They will subsequently be used in the budget deliberations and throughout the year as we develop and implement city programs.

During salary discussions last fall, City Council postponed action on the salary of the Municipal Judge until after the first of the year. If you would like to now consider this

item, and perhaps have another discussion with Judge Morgan, please let me know Tuesday evening.

The executive session after the City Council meeting will be to discuss general background and guidelines for the collective bargaining negotiations. Greg Eades and Jo Durand will also be present to discuss general city concerns as outlined in the memo on this year's negotiations.

CITY OF MILWAUKIE

BUDGET COMMITTEE

PURPOSE:

To approve the municipal budget as presented by the budget officer or as revised by the Budget Committee and present it to the City Council.

MEMBERSHIP:

The Committee consists of the City Council and five members appointed by the City Council. All members must be registered voters residing within the City.

TERM OF OFFICE:

Appointed members are appointed for terms of three years. Appointed members may not serve for more than two consecutive terms.

MEETINGS:

Meetings are held as necessary with the times, places and dates announced by public notice.

SENIOR CITIZEN ADVISORY COMMISSION

FUNCTION

To hear and consider the needs and concerns of senior citizens and of City government and when indicated, make recommendations to City Council.

NUMBER OF COMMISSION MEMBERS

9

LENGTH OF TERM

2 years

SCHEDULE OF MEETINGS

Once a month on 2nd Friday. Other meetings as required.

QUALIFICATIONS

Mandated:

At least 7 shall be residents of the city. Five members must be over 60 years old. No more than 3 members shall be employees of organizations or agencies which provide senior citizens service programs.

Desirable:

An understanding of the needs of Milwaukie area seniors and the general community.

Willingness to attend and participate in regular meetings and special committee assignments.

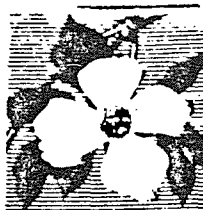
Experience in working with groups.

TYPICAL TASKS

1. Become familiar with SCAC goals and by-laws
2. Obtain input from senior citizens regarding concerns and solutions.
3. Request information from City staff to assist in role as advisory to the City Council.
4. Promote communication between city government and senior citizens.
5. Serve on a committee representing an area of concern to the group.

# CITY OF MILWAUKIE

CITY HALL • 10722 S.E. MAIN STREET  
MILWAUKIE, OREGON 97222  
TELEPHONE (503) 659-5171



Application For  
Appointment To  
City Advisory Bodies

NAME: Georgia M. Bobkeman

ADDRESS: 5142 S.E. Lagoon Rd, Milwaukie, Or 97222

TELEPHONE: (HOME) 653-1252 (WORK) \_\_\_\_\_

MILWAUKIE RESIDENT SINCE: July 1973

PREVIOUS CITY APPOINTMENTS, OFFICES: Three years on Milwaukie City Budget Committee

EMPLOYMENT OR PROFESSIONAL ACTIVITIES: Retired

OTHER COMMUNITY AFFILIATIONS OR ACTIVITIES: County A P A Eight years as volunteer for Loans & Fishes

WILL YOU BE ABLE TO ATTEND REGULAR MEETINGS AT NIGHT? Yes  
DURING THE DAY? Yes

WHAT ARE YOUR SPECIAL INTERESTS, GOALS FOR MILWAUKIE? City growth, waterfront development and light rail

OTHER BACKGROUND OR INPUT YOU FEEL WOULD BE BENEFICIAL TO THIS COMMITTEE OR COMMITTEES: After serving three years on the budget committee I feel qualified to serve another three years.

Please Check Committee or Committees on Which You Would Like to Serve: This form valid for only one year from date of application.

- |                                |                                     |                               |                          |
|--------------------------------|-------------------------------------|-------------------------------|--------------------------|
| Budget Committee               | <input checked="" type="checkbox"/> | Parks & Recreation Commission | <input type="checkbox"/> |
| Building Code Board of Appeals | <input type="checkbox"/>            | Planning Commission           | <input type="checkbox"/> |
| Civil Service Commission       | <input type="checkbox"/>            | Senior Citizen Advisory Comm. | <input type="checkbox"/> |
| Fire Code Board of Appeals     | <input type="checkbox"/>            | Traffic Safety Commission     | <input type="checkbox"/> |
| Library Board                  | <input type="checkbox"/>            |                               |                          |

This information will be kept on file with the City for use in consideration of appointments to city advisory bodies. Please feel free to attach any additional background information you think would be of value to the City Council.

Thank you.

Georgia M. Bobkeman  
Signature

Nov. 29, 1982  
Date

# CITY OF MILWAUKIE

CITY HALL • 10722 S.E. MAIN STREET  
MILWAUKIE, OREGON 97222  
TELEPHONE (503) 659-5171

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## Application For Appointment To City Advisory Bodies

NAME: Wanda M. Ruslison

ADDRESS: 12177 SE River Rd

TELEPHONE: (HOME) 659-3295 (WORK) \_\_\_\_\_

MILWAUKIE RESIDENT SINCE: 1961

PREVIOUS CITY APPOINTMENTS, OFFICES: Civil Service Comm

EMPLOYMENT OR PROFESSIONAL ACTIVITIES: Field Inspector, Bureau of Labor - acct for CLCC

OTHER COMMUNITY AFFILIATIONS OR ACTIVITIES: none

WILL YOU BE ABLE TO ATTEND REGULAR MEETINGS AT NIGHT? prefer days  
DURING THE DAY? yes

WHAT ARE YOUR SPECIAL INTERESTS, GOALS FOR MILWAUKIE? Improvement of present relations regarding budget plans for future development of City's surrounding areas

OTHER BACKGROUND OR INPUT YOU FEEL WOULD BE BENEFICIAL TO THIS COMMITTEE OR COMMITTEES: \_\_\_\_\_

Please Check Committee or Committees on Which You Would Like to Serve:  
This form valid for only one year from date of application.

Budget Committee	<input checked="" type="checkbox"/>	Parks & Recreation Commission	_____
Building Code Board of Appeals	_____	Planning Commission	_____
Civil Service Commission	_____	Senior Citizen Advisory Comm.	<input checked="" type="checkbox"/>
Fire Code Board of Appeals	_____	Traffic Safety Commission	_____
Library Board	<input checked="" type="checkbox"/>		

This information will be kept on file with the City for use in consideration of appointments to city advisory bodies. Please feel free to attach any additional background information you think would be of value to the City Council.

Thank you.

Wanda M. Ruslison  
Signature

Dec 20 1982  
Date

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PRELIMINARY REPORT  
OF THE  
MILWAUKIE CITY TASK FORCE ON PROBLEMS OF THE  
UNEMPLOYED AND THE NEEDY

The Task Force on Problems confronting the unemployed and the needy in Milwaukie and environs, appointed by the Milwaukie City Council on December 28, 1982, has met thus far on four occasions: January 6, 13, 20, and 27, 1983. Its purpose, as outlined to us by Mayor Burgess on January 6, is:

- 1) to outline the most critical needs facing affected Milwaukie and North Clackamas residents; and
- 2) to suggest steps that can and should be taken by the City of Milwaukie, other involved political entities and communities, and the private sector, to relieve these needs.

Concomitant questions concern the existence and scope of this Task Force itself: should its duration be long or short-term? Should it concern itself merely with defining the problems and suggesting a plan of possible solutions and should the implementation of whatever action the City Council deems feasible be left to another group?

In accordance with Mayor Burgess' request, we present this preliminary report to keep the City Council informed of our direction, progress, and the time-table for a final Task Force report.

Though the problems confronting the unemployed and needy in the Milwaukie area are multi-faceted, the most urgent ones can be categorized as 1) Housing, 2) Food, 3) Emergency Medical and Dental Care, and 4) Transportation. The Task Force in considering them in this order.

#### HOUSING

Outline of the Problem:

There are no facilities whatsoever in Clackamas County for emergency housing needs of any kind or for any segment of the population. Transients, evictees, battered women and children, run-aways, pregnant teen-agers unable to live at home, mortgage-defaulters--virtually all persons needing emergency housing must be referred to Portland resources. These are limited and often unable to provide assistance. Consequently, single individuals and families (at least five cases per week in the Milwaukie area) are forced to live out of their cars; juveniles frequently just "float about" in the community, cadging a few nights here and a few nights there with friends or predators, often exposed to unwholesome physical, moral, and psychological conditions.

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Present Resources:

A - A.C.T.S. (Associated Churches for Temporary Shelter - Milwaukie Churches) refers potential clients to Clackamas County Community Action Agency Monday through Friday work hours, offers some assistance through the Milwaukie Police Department nights and weekends. A.C.T.S. has very limited funds, is unavailable to persons below 18, generally provides one-night motel accommodations, but also sometimes splits the cost of multiple-night (up to one week) with the Community Action Agency.

B - Clackamas County Community Action Agency - Emergency Housing. On July 1, 1982, the budget for emergency housing and emergency prescription assistance was \$1,000.00. As with A.C.T.S., the housing assistance is not available to those younger than 18. Maximum assistance is for one week only with the provision that there be a solution foreseen within that time; for example, a pay check, an Adult and Family Services Grant, money from home, etc. It may not be used simply to buy another week off the street if the circumstances will remain the same.

C - Recent Developments: Several churches in the Oregon City area will be given a presentation about the concepts and structure of A.C.T.S. in February. Hopefully, they will begin formation of a similar entity there. Also, at its January 24th meeting the Clackamas County Community Action Board authorized expenditure of \$8,000.00 for a rental assistance program from funds only recently available. In a similar program last year, \$8,000.00 was spent in less than three months assisting fewer than 60 families. From July through December of 1982, Clackamas County Community Action Agency received more than 300 such requests when no funds were available to offer such assistance.

Possible Solutions - Short-Term:

A - An immediate step could be to publicize the existence of the A.C.T.S. and Clackamas County Community Action Agency Programs described above and solicit both private and corporate donations to increase these resources.

E - Quasi-Dormitory: A search could be made to find presently unused or under-used buildings such as armories, schools at all levels both private and public, storefronts, nursing homes and the like. This solution would cover the immediate need for temporary shelter in the winter months, but would present insurance problems and call for a core of volunteers to screen clients and oversee operations. On the positive side, it would be a focal point for food donations and probably could be run by volunteers, donated foods, military or Red Cross cots and blankets. Some tax benefits would accrue to private or corporate donors. It would provide both shelter and food.

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C - Private Homes Donating "Rooming" Facilities.

Unquestionably many generous citizens are willing to open their own homes to those in need of shelter. Screening of both potential donors and clients is of critical importance. Perhaps a core of volunteers with social, psychological or law-enforcement services backgrounds could be found to do this.

D - Family Reconciliation Services: Minors often leave their own homes because of real or imagined abuse. A corps of retired professionally skilled persons might be able to bring about the necessary reconciliation where no physical, moral or psychological dangers are present in the family home.

E - Rental Properties

A clearing-house could be established for rental-property owners willing to exchange full or partial rent payments for maintenance or other labor. Such a clearing-house could also identify such owners (of motels in particular) willing to accept lower payment for church or agency-referred clients on a short-term basis rather than have the premises unoccupied. The differential between normal cost and agreed-upon fees could be considered a donation to a tax-exempt charitable organization.

F - Permanent "Emergency" Shelter:

In the long run, some permanent solution to these problems are needed. Possible options include:

- 1) buying or building a shelter, e.g. a motel, a six-plex or the like. Efforts should be made to procure Community Development Block Grant funding for this facility. Cash, materials, and labor donations should also be sought from the private sector and appropriate unions. Owen Sabin Skills Center students might also be enlisted.
- 2) use of public land (e.g. Clackamas County Community College property) on which trailers bought or donated by private resources or solicited from government surplus could be placed. Again, donations of materials and skilled labor necessary for such a project could be solicited from the private sector with necessary permit fees, etc. waived by the public sector.

The subject of a moratorium on mortgage and property-tax foreclosures was discussed, but not pursued because of the legal implications and the intricacies of the questions.

Long-Term Low-Housing Needs:

There is about a one-year waiting list for entrance into the various HUD low-income housing programs in Clackamas County. At any given time, the Housing Authority is able to assist only a relatively small percentage of eligible

II (4)

clients. Political influence should be used at every level of government to increase the availability of HUD programs and resources to all Clackamas County low-income residents. Also, undertakings such as Housing Options for Clackamas County should be suggested and encouraged wherever feasible. The Task Force is also gathering information on non-profit Housing Co-ops from a few different parts of the Country. Finally, we would suggest that political influence be exerted to make extended foster homes for children more available to area residents.

## EMERGENCY FOOD

### Outline of the Problem:

According to the Field Foundation Reports, hunger and malnutrition, a very real problem in this county in 1967, had largely been done away with by 1977 due to the Food Stamp Program, WIC, School meals, and other child nutrition programs. The severe curtailment of all these programs in the last few years due to Federal budget constraints has brought back these problems. Access to Food Stamps has been considerably restricted by law and regulation and still the number of Food Stamp recipients in this county has increased by one-third in the last two years (from under 10,000 persons to about 14,000). And the Food Stamp Program provides an average of only 45 cents per meal per person. Many area residents do not qualify or cannot live on Food Stamps alone and need emergency food supplies. As an example, the demand for such assistance is more than double this year than last at the Kendall Community Center (July-December '81 - 941 three-day-supply food boxes --- July-December '82 - 2047 food boxes). There is widespread malnutrition with disastrous results. Kendall is the only food box collection and distribution point in the area, which is not convenient for many Milwaukie-Oak Grove residents.

### Present Resources:

In calendar year 1982, the Interagency Food Bank distributed more than 2.5 million pounds of salvaged and donated food through its 100 plus agencies in the Tri-County area and Clark County, Washington. Oregon Food Share, a statewide network, provided about 1 million pounds of food statewide through its regional coordinating agencies.

Locally, the only community agency distributing emergency food in the Kendall Community Center at 80th and Cornwall. Various church groups such as St. Vincent de Paul societies, Dorcas Societies (Seventh Day Adventist) and others provide some services and sometimes accept referrals from public agencies. FISH provides assistance to those able to reach its Portland site but apparently does not often provide assistance to others unable or unwilling to go to Portland. Every emergency food outlet in the area has some necessarily

restrictive guidelines--for example, that a client family or individual may receive such emergency food only three times in a calendar year. Every knowledgeable source agrees that more emergency food supplies are needed because the needy population is growing and the normal buffer against malnutrition, the Food Stamp Program, is insufficient under current policies.

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Possible Solutions:

A - Public Education

- 1) The need for emergency food stuffs and where to donate: the Interagency Food Bank and Oregon Food Share for very large quantities, the Kendall Community Center and various church organizations for smaller quantities, coupled with solicitation for donations from individuals, stores, warehouses, food brokers, etc. (Care should be taken not to disrupt existing relationships such as that of Safeway and Fred Meyer with the Food Bank and Food Share.)
- 2) The availability of existing food-supplement resources such as Food-Buying Clubs, the Clackamas County Gleaners (325,000 pounds in 1982), Community Gardens (Clackamas Community College and Gladstone), and the development of more community gardens in low-income areas. Use of Extension Master Gardeners.
- 3) Encouragement of group nutrition, cooking, canning classes at churches, community centers - Extension Master Cannners.
- 4) Further development of "sharing tables" at area churches.

B - Development of a volunteer corps to deliver emergency food from existing resources to the home-bound or those without transportation to such a site.  
1) Development of satellite collection and distribution sites.

C - Development of a Food-Coop and/or an Open-Air Market, possible to sell donated food at a lower cost.

D - Advocacy with the Federal Government.

- 1) to raise Food Stamp Benefits to a level sufficient to avoid malnutrition;
- 2) to provide more surplus commodity foods for distribution as well as some financial assistance for its distribution (e.g. It is currently possible to receive a 36,000 pound semi-truck load of butter in Oregon City, but there are no funds to distribute it to Sandy, Molalla, Canby, etc. nor to rent refrigerated storage space even overnight. Nor can we receive less than a full semi load of 36,000 pounds. With county and

volunteer resources, however, plans are being made  
for six county-wide cheese distributions in 1983.)

II (6)

E - Development of a "Soup Kitchen" in the area with donated food and volunteer help.

COMPLETED REPORT AND TIME-SCHEDULE

The final two sections of our report, on Emergency Medical and Dental Needs and Transportation Needs, will be completed in time for presentation at the March 1st Milwaukie City Council. At that time, we will also make recommendations about the life-duration of this Task Force. Until we receive further instructions, we will limit our activities to the outlining of problems and possible solutions since implementation decisions and activities lie outside of our scope.

Respectfully submitted by Task Force Members and interested participants, on February 1, 1983.

III a ①

CITY OF MILWAUKIE  
BILLS PAYABLE FEBRUARY 1, 1983

1.	A & A Welder's Supply	47.20	7-	47.20
2.	ASE Supply, Inc.	32.06	7-	32.06
3.	Adam, Arlie J. , MS,CCC-A	11.00	1-61	11.00
4.	Andrew Heating Company	61.50	4-	20.50
			20-	20.50
			30-	20.50
5.	Armour of America	78.00	1-52	78.00
6.	Asphalt Institute	40.00	4-	40.00
7.	Baker & Taylor	58.29	1-34	58.29
8.	Boise Cascade	290.37	1-23	212.52
			1-32	18.31
			1-53	59.54
9.	Brown, Hugh	343.15	1-21	343.15
10.	Business Equipment Bureau	81.00	1-32	81.00
11.	CRS City Rubber Stamp	13.60	1-10	13.60
12.	Chevron National Travel Card	18.20	1-63	18.20
13.	Colonial Office Products	33.95	1-36	33.95
14.	Columbia Battery	161.60	7-	161.60
15.	Columbia-Willamette Chapter JPMA	10.00	1-21	10.00
16.	Contacts Influential	338.00	1-34	338.00
17.	Contemporary Images	64.85	1-52	64.85
18.	Cunningham Associates, Inc.	665.25	30-	665.25
19.(a)	Clackamas County Animal Control	202.00	1-52	202.00
19.(b)	" " Library	162.00	1-34	130.00
			12-	32.00
20.	" " Printing	16.78	1-52	16.78
21.	" " Environmental Service	31.50	1-53	31.50
22.	" " Sheriff's Dept.	14.40	1-52	14.40
23.	" " Sports Officials Assn.	579.50	1-36	579.50
24.	" " Recorder	4.00	1-92	4.00
25.	" " Surveyor	25.00	1-92	25.00
26.	DAC Publications	11.00	1-34	11.00
27.	Dee's Key Punch Service	32.30	1-35	32.30
28.	Dee Thomason Ford Co.	242.50	7-	242.50
29.	Defensive Tactics Institute	195.00	1-52	195.00
30.	Drive Line Service	580.40	30-	580.40
31.	Durand, Jo	11.94	1-21	11.94
32.	Dwyer Community Hospital	65.76	1-62	65.76
33.	Dyna Industries	121.00	1-62	121.00
34.	EBSCO Subscription Services	29.21	1-34	29.21
35.	Executive Department	300.00	1-53	300.00
36.	Flexible Pipe Tool Co.	39.60	20-	39.60
37.	Friction Supply, Inc.	24.81	7-	24.81
38.	Fred Meyer	65.20	1-52	65.20
39.	Gerlock Towing	51.75	1-62	51.75
40.	Gibbens Co., Inc.	209.92	1-25	209.92
41.	Graphic Arts Supply, Co.	64.34	1-24	64.34
42.	Harris-Roberts, Inc.	136.00	1-62	136.00
19.(c)	Custom Parts & Trailer Supply	9.00	7-	9.00

Approved Recommended

\_\_\_\_\_  
Clyde H. Brown  
City Manager

CITY OF MILWAUKIE  
BILLS PAYABLE FEBRUARY 1, 1983

III  
a (2)

43.	Harris Uniforms	95.00	1-61	95.00
44.	Hobb's & Hopkins, LTD.	25.00	1-36	25.00
45.	Hopp's Upholstery	19.50	1-62	19.50
46.	Hyneman, Glorianne, RN	296.90	1-32	296.90
47.	IBM	86.75	12-	86.75
48.	ICMA	279.00	1-21	279.00
49.	Int'l. Assn. Fire Chiefs	60.00	1-62	60.00
50.	JAFCO	134.66	1-52	134.66
51.	Joe's Warehouse	41.40	1-21	41.40
52.	Keefer, Bob, Junction City Parks	10.00	1-36	10.00
53.	Kovac, Jr. Leonard	220.50	1-22	220.50
54.	McDougall, Blase	54.00	1-62	54.00
55.	McFarlane Bark	24.75	1-36	24.75
56.	Magnasync/Moviola Corp.	328.67	1-53	328.67
57.	Mayer, Dennis O. M.D.	90.00	1-62	90.00
58.	Metro-West Oil, Inc.	4,155.00	GL	4,155.00
59.	Milwaukie Glass	30.00	1-52	30.00
60.	Motorola	530.50	1-53	386.25
			1-62	144.25
61.	Multnomah County Library Assn.	6.00	1-34	6.00
62.	North Clackamas School Dist.	60.00	1-53	60.00
63.	Northwest Natural Gas	836.55	1-32	206.45
			1-34	630.10
64.	Nudelmans	77.00	1-52	77.00
65.	OWPC	8.00	1-21	4.00
			1-10	4.00
66.	Oak Lodge Sanitary District	175.00	20-	175.00
67.	Olinger Gladstone Dodge	65.08	1-52	65.08
68.	Olson Brothers	32.45	1-52	32.45
69.	Oregon Business	15.00	1-23	15.00
70.	Oregonian	25.12	1-35	25.12
71.	Oregon State University	130.00	1-31	65.00
			1-35	65.00
72.	PGE	5,736.34	1-25	10.45
			1-37	462.67
			1-61	42.24
			4-	206.57
			6-	17.70
			20-	187.31
			30-	4,809.40
73.	Pacific Northwest Bell	2,485.32	1-21	215.65
			1-22	72.82
			1-23	218.46
			1-24	72.82
			1-31	36.41
			1-32	238.68
			1-33	72.82
			1-35	72.82
			1-36	83.98

CITY OF MILWAUKIE  
BILLS PAYABLE FEBRUARY 1, 1983

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73.	Pacific Northwest Bell ( continued)		1-37	216.64
			1-52	35.51
			1-53	675.70
			1-61	28.95
			1-62	193.84
			1-91	72.82
			1-92	109.23
			1-93	36.41
			30-	31.76
74.	Pacific Safety Supply, Inc.	132.00	4-	44.00
			20-	44.00
			30-	44.00
75.	Pacific Western Bank	196.24	1-24	196.24
76.	Petty Cash	255.40	1-10	.79
			1-21	8.00
			1-23	2.99
			1-31	2.59
			1-32	48.93
			1-34	32.05
			1-51	9.50
			1-52	35.08
			1-53	1.39
			1-62	34.42
			1-92	8.09
			7-	71.57
77.	Pioneer Business Forms	445.38	20-	148.46
			30-	296.92
78.	Pitney Bowes	155.00	1-23	155.00
79.	Pixler Auto Parts	15.00	7-	15.00
80.	City of Portland, Fleet Mgmt.	305.48	1-52	305.48
81.	Portland Police Department	200.00	1-52	200.00
82.	Portland Road & Driveway	60.00	4-	60.00
83.	Portland State University	25.00	1-35	25.00
84.	Red Lion Motor Inn	28.35	1-21	28.35
85.	Robben Oil	1,783.99	1-37	514.37
			1-61	288.60
			1-62	981.02
86.	Rock Creek Sand & Gravel	304.00	4-	304.00
87.	Rub-A-Dub Car Washes	23.55	1-52	23.55
88.	Shell Oil	12.13	1-21	12.13
89.	Smith Brothers	41.00	1-53	41.00
90.	Southgate Animal Clinic	30.00	1-52	30.00
91.	Stennet, Jack	40.00	1-62	40.00
92.	Stevens Automotive	422.92	7-	422.92
93.	Subpoena Fees	15.00	1-33	15.00
94.	Tidwell, Mark	20.75	1-62	20.75
95.	Traffic Safety Supply Co.	110.66	4-	110.66
96.	Union Oil Company	671.25	7-	671.25
97.	United States Pipe & Foundry	258.33	30-	258.33
94.(a)	Laird, Bill	20.75	1-62	20.75

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CITY OF MILWAUKIE  
BILLS PAYABLE FEBRUARY 1, 1983

98. University of Arizona	20.00	1-34	20.00
99. WGRA	12.00	1-21	12.00
100. Weiler Chevrolet	133.84	1-52	133.84
101. Western Pacific Construction	210.16	4-	210.16
	\$27,654.60		\$27,654.60

CHART OF ACCOUNTS  
FUNDS, DEPARTMENTS & DIVISIONS

Effective July 1, 1982

CITY COUNCIL	01-10	BONDED DEBT FUND	
CITY ADMINISTRATION	01-21	EQUIPMENT RESERVE FUND	05
LEGAL	01-22	STATE TAX STREET FUND	04
COMPTROLLER	01-23	IMPROVEMENT BOND SINKING	
COMPTROLLER/PURCHASING	01-24	FUND	05
COMPTROLLER/GENERAL GOVERNMENT	01-25	STREET IMPROVEMENT FUND	06
		EQUIPMENT REPAIR FUND	07
COMMUNITY SERVICES ADMINISTRATION	01-31	BIKE AND FOOTPATH FUND	09
MILWAUKIE CENTER	01-32	FIXED ASSET ACCOUNT GROUP	10
MUNICIPAL COURT	01-33	REVENUE SHARING FUND	12
LIBRARY	01-34	COMMUNITY DEVELOPMENT GRANT	
PLANNING	01-35	FUND	13
PARKS & RECREATION	01-36	SEWER FUND	20
CITY HALL	01-37	WATER FUND	30
		GENERAL LEDGER/INVENTORY	GL
POLICE ADMINISTRATION	01-51		
FIELD SERVICES	01-52		
SUPPORT SERVICES	01-53		
FIRE ADMINISTRATION	01-61		
FIRE SUPPRESSION	01-62		
FIRE PREVENTION	01-63		
PUBLIC WORKS ADMINISTRATION	01-91		
PUBLIC WORKS ENGINEERING	01-92		
PUBLIC WORKS BUILDING	01-93		

MEMORANDUM

III  
B

TO: CITY COUNCIL  
FROM: GREG EADES, CITY ATTORNEY  
SUBJECT: NATURAL GAS FRANCHISE  
DATE: JANUARY 28, 1983

The 20-year franchise granted to Northwest Natural Gas expired in April, 1982. During the past 8 months we've negotiated several amendments to the old ordinance to accomplish the following:

1. Provide for closer coordination between the city and the Grantee regarding use of street right-of-way.
2. Make it clear that the Grantee is subject to all city licenses, permits and construction specifications.
3. Shorten the franchise term to 10 years.
4. Reserve the right to adopt additional regulations as they become necessary.

Northwest Natural Gas has been very cooperative, and I'm satisfied that the new ordinance adequately protects the city's interests. I recommend your approval.

Approval Recommended



Hugh H. Brown  
City Manager

ORDINANCE NUMBER \_\_\_\_\_

III  
B (1)

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, GRANTING A NON-EXCLUSIVE GAS UTILITY GRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Definitions and explanations.

A. As used in this ordinance:

"Bridge" includes a structure erected within the City to facilitate the crossing of a river, stream, ditch, ravine or other place, but does not include a culvert.

"City" means the City of Milwaukie and the area within its boundaries, including its boundaries as extended in the future.

"Council" means the legislative body of the City.

"Grantee" means the corporation referred to in Section 2 of this ordinance.

"Gas mains" includes all gas transmission and distribution facilities located on or under any street, bridge or public place within the City.

"Person" includes an individual, corporation, association, firm, partnership and joint stock company.

"Public place" includes any City-owned park, place or grounds within the City that is open to the public but does not include a street or bridge.

"Street" includes a street, alley, avenue, road, boulevard, thoroughfare or public highway within the City, but does not include a bridge.

B. As used in this ordinance, the singular number may include the plural and the plural number may include the singular.

C. Unless otherwise specified in this ordinance, any action authorized or required to be taken by the City must be taken by the Council or by an official or agent designated by the Council.

III B (2)

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

Page 2.

Section 2. Rights granted. Subject to the conditions and reservations contained in this ordinance, the City hereby grants to Northwest Natural Gas Company, a corporation, the right, privilege and franchise to:

A. Construct, maintain and operate a gas utility system within the City.

B. Install, maintain and operate on and under the streets and bridges and public places of the City, facilities for the transmission and distribution of gas to the City and its inhabitants and to other customers and territory beyond the limits of the City; and

C. Transmit, distribute and sell gas.

Section 3. Use of bridges and public places by Grantee.

A. Before the Grantee may use or occupy any bridge or public place, the Grantee shall first obtain permission from the City so to do and shall comply with any special conditions the City desires to impose on such use or occupation.

B. The compensation paid by the Grantee for this franchise includes compensation for the use of bridges and public places located within the City as authorized.

Section 4. Duration. This franchise is granted for a period of ten (10) years from and after the effective date of this ordinance.

Section 5. Franchise not exclusive. This franchise is not exclusive, and shall not be construed as a limitation on the City in:

A. Granting rights, privileges and authority to other persons similar to or different from those granted by this ordinance.

B. Constructing, installing, maintaining or operating any City-owned public utility.

Section 6. Public Works and improvements not affected by franchise. The City reserves the right to:

A. Construct, install, maintain and operate any public improvement, work or facility.

B. Do any work that the City may find desirable on, over or under any street, bridge or public place.

C. Vacate, alter or close any street, bridge or public place.

D. Whenever the City shall excavate or perform any major construction work in any of the present and future streets, alleys and public places of the City, or shall contract, or issue permits, for such excavation or work where such excavation or work may disturb Grantee's gas mains, pipes and appurtenances, the City shall, in writing, notify Grantee sufficiently in advance of such contemplated excavation or work to enable Grantee to take such measures as may be deemed necessary to protect such gas mains, pipes and appurtenances from damage and possible inconvenience or injury to the public. Whenever the City shall excavate or perform routine maintenance work within present and future streets, alleys and public places of the City, the City shall give 24-hour notice to enable the Grantee to locate their facility and protect as needed. In any such case, the Grantee, upon request, shall furnish maps or drawings to the City or contractor, as the case may be, showing the approximate location of all its structures in the area involved in such proposed excavation or other work.

E. Whenever the City shall vacate any street or public place for the convenience or benefit of any person or governmental agency and instrumentality other than the City, Grantee's rights shall be preserved as to any of its facilities then existing in such street or public place.

Section 7. Service. The Grantee shall maintain and operate an adequate system for the distribution of gas in the City. The Grantee shall use due diligence to maintain continuous and uninterrupted 24-hour a day service which shall at all times conform at least to the standards common in the business and to the standards adopted by state authorities and to standards of the City which are not in conflict with those adopted by the state authorities. Under no circumstances shall the Grantee be liable for an interruption or failure of service caused by act of God, unavoidable accident or other circumstances beyond the control of the Grantee through no fault of its own.

Section 8. Safety standards and work specifications.

A. The facilities of the Grantee shall at all times be installed and maintained in a safe, substantial and workmanlike manner.

B. For the purpose of carrying out the provisions of this section, the City may provide such specifications relating thereto as may be necessary or convenient for public safety or the orderly development of the City. The City may amend and add to such specifications from time to time. Grantee is required to secure copies of any applicable specifications and all installations and maintenances shall be in accordance with such specifications.

Section 9. Control of construction. The Grantee shall file with the City maps showing the location of any construction, extension or relocation of its gas mains in the streets of the City and shall obtain from the City written approval of the location and plans prior to commencement of the work. The City may require the Grantee to obtain a permit before commencing the construction, extension, repair or relocation of any of its gas mains.

Section 10. Street excavations and restorations.

A. Subject to the provisions of this ordinance, the Grantee may make necessary excavations for the purpose of constructing, installing, maintaining and operating its facilities. Except in emergencies, prior to making an excavation in any street, bridge or public place, the Grantee shall obtain from the City approval of the proposed excavation and of its location.

B. Except as provided in subsection (C) of this section, when any excavation is made by the Grantee, the Grantee shall promptly restore the affected portion of the street, bridge or public place to the same condition in which it was prior to the excavation. The restoration shall be in compliance with specifications, requirements and regulations of the City in effect at the time of such restoration. The Grantee guarantees to maintain all restoration work as herein described. If the Grantee fails to restore promptly the affected portion of a street, bridge or public place to the same condition in which it was prior to the excavation, the City may make the restoration, and the cost thereof shall be paid by the Grantee.

C. At its option, the City may restore or resurface the affected portion of any street, bridge or public place excavated by the Grantee, and the cost thereof shall be paid by Grantee.

Section 11. Location and relocation of facilities.

A. All facilities of the Grantee shall be placed so that they do not interfere unreasonably with the use by the City and the public of the streets, bridges and public places and in accordance with any specifications adopted by the City governing the location of facilities. Whenever possible, Grantee will coordinate location of its facilities with other utilities and any other grantees franchise by the City to use the public right-of-way.

B. The City may require, in the public interest, the removal or relocation of facilities maintained by the Grantee in the streets of the City, and the Grantee shall remove and relocate such facilities within a reasonable time after receiving notice so to do from the City. The cost of such removal or relocation of its facilities shall be paid by the Grantee, but when the City determines that such removal or relocation is required for the convenience or benefit of any person or governmental agency and instrumentality other than the City, Grantee shall be entitled

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III  
B (5) Page 5.

to reimbursement for the reasonable cost thereof from such person, agency or instrumentality.

Section 12. Compensation.

A. As compensation for the franchise granted by this ordinance, the Grantee shall pay to the City an amount equal to three percent (3%) of the gross revenues collected by the Grantee from its customers for gas consumed within the City. Gross revenue shall be computed by deducting from the total billings of the Grantee the total net writeoff of uncollectable accounts, revenues derived from the sale of gas supplied for industrial purposes under an interruptable tariff schedule, and sales of gas at wholesale by the Grantee to any public utility or public agency where the public utility or public agency purchasing such gas is not the ultimate consumer.

B. The compensation required by this section shall be paid semi-annually on a calendar year basis, within sixty (60) days after the close of the 6 month period.

C. The Grantee shall furnish to the City with each payment of compensation required by this section a written statement, under oath, executed by an officer of Grantee showing the amount of gross revenue of the Grantee within the City for the period covered by the payment computed on the basis set out in subsection (A) of this section. This compensation for the period covered by the statement shall be computed on the basis of the gross revenue so reported. If the Grantee fails to pay the entire amount of compensation due the City through error or otherwise, the difference due the City shall be paid by the Grantee within fifteen (15) days from discovery of the error or determination of the correct amount. Any overpayment to the City through error or otherwise, shall be offset against the next payment due from the Grantee.

D. Acceptance by the City of any payment due under this section shall not be deemed to be a waiver by the City of any breach of this franchise occurring prior thereto, nor shall the acceptance by the City of any payments preclude the City from later establishing that a larger amount was actually due, or from collecting any balance due to the City.

E. Upon 30 days prior written notice by either party to the other, the amount of such annual compensation shall be subject to renegotiation and redetermination at or before the expiration of the first five-year period, of the term of the franchise hereby granted, for the ensuing five-year period of said franchise term.

Section 13. Books of account and reports. The Grantee shall keep accurate books of account at an office in Oregon for the purpose of determining the amounts due to the City under section 12 of this ordinance. The City may inspect the books of account at any time during business hours and may audit the books from time to time. The Council may require periodic reports from the Grantee relating to its operations and revenues within the City.

Section 14. Collection facilities. The Grantee may maintain facilities in the City where its customers may pay their bills for gas service during normal business hours.

Section 15. Supplying maps upon request. The Grantee shall maintain on file, at an office in Oregon, maps and operational data pertaining to its operations in the City. The City may inspect the maps and data at any time during business hours. Upon request of the City, the Grantee shall furnish to the City, without charge and on a current basis, maps showing the location of the gas mains of the Grantee in the City.

Section 16. Indemnification. The Grantee shall indemnify and save harmless the City and its officers, agents and employees from any and all loss, cost and expense arising from damage to property and/or injury to, or death of, persons due to any wrongful or negligent act or omission of the Grantee, its agents or employees in exercising the rights, privileges and franchise hereby granted.

Section 17. Assignment of franchise. This franchise shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the Grantee.

Section 18. Termination of franchise for cause. Upon the willful failure of the Grantee, after sixty (60) days' notice and demand in writing, to perform promptly and completely each and every term, condition or obligation imposed upon it under or pursuant to the ordinance, the City may terminate this franchise, subject to Grantee's right to a court review of the reasonableness of such action.

Section 19. Licenses, permits and inspection fees. Nothing in this ordinance shall be construed to limit the right of the City to require applicable licenses and permits and to require Grantee to pay reasonable costs incurred by the City in connection with the issuing of any permit or license, making of an inspection, or performing any other service for or in connection with the Grantee or its facilities, whether pursuant to this ordinance or any other ordinance or resolution now in effect or hereafter adopted by the City. Grantee is required to secure all necessary permits and licenses prior to beginning any work.

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Page 7.

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Section 20. Remedies not exclusive: When requirement waived. All remedies and penalties under this ordinance, including termination of the franchise, are cumulative, and the recovery or enforcement of one is not a bar to the recovery or enforcement of any other such remedy or penalty. The remedies and penalties contained in this ordinance, including termination of the franchise, are not exclusive and the City reserves the right to enforce the penal provisions of any ordinance or resolution and to avail itself of any and all remedies available at law or in equity. Failure to enforce shall not be construed as a waiver of a breach of any term, condition or obligation imposed upon the Grantee by or pursuant to this ordinance. A specific waiver of a particular breach of any term, condition or obligation imposed upon the Grantee by or pursuant to this ordinance shall not be a waiver of any other or subsequent or future breach of the same or of any other term, condition or obligation, or as a waiver of the term, condition or obligation itself.

Section 21. Severability. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining section.

Section 22. Additional regulations. City reserves the right to adopt additional regulations not inconsistent with the terms of this ordinance. Any additional regulations adopted pursuant to this section shall become effective upon notice to Grantee.

Section 23. Repeal and savings clause. Ordinance No. 896, as amended, is repealed upon the effective date of this ordinance. Ordinance No. 896 shall remain in effect during the period from April 9, 1982 ~~upon~~ <sup>until</sup> this ordinance takes effect.

Section 24. Effective date and acceptance. This ordinance shall take effect 30 days after passage unless Grantee fails to file its written unconditional acceptance of the franchise granted herein, in which case this ordinance shall be void.

Read the first time on \_\_\_\_\_, 1983, and moved to second reading by \_\_\_\_\_ of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_, 1983.

Signed by the Mayor on \_\_\_\_\_, 1983.

\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, City Recorder

Approved as to form:

\_\_\_\_\_  
Greg Fades, City Attorney

MILWAUKIE  
CITY COUNCIL MEETING  
January 18, 1983  
7 p.m.

IV a  
①

COUNCIL CHAMBERS

1424th Meeting

At 6:05 p.m. the City Council conducted interviews for positions on the Budget Committee and the Civil Service Committee. The following persons were interviewed:

Kathleen Hulme, 11519 SE 30th - Budget Committee  
Gary Salyers, 4488 SE Washington - Civil Service Commission  
Shirley Brown, 9642 SE 43rd Ave. - Budget Committee

The one thousand four hundred and twenty fourth meeting of the Milwaukie City Council was held on January 18, 1983 with the following members present:

Ronald Kinsella  
Michael Richmond  
Mayor Joy Burgess  
Don Graf  
Roger Hall

Also present:

Hugh Brown, City Manager  
Greg Eades, City Attorney (arrived 7:30 p.m.)  
Dick Bailey, Fire Chief  
Ron Schanaker, Police Chief  
Steve Hall, Public Works Director  
Topaz Faulkner, Comm. Services Director  
Gordon Erickson, Finance Director  
Laurie Perkin, City Recorder

Michael Richmond gave the invocation and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Jim Backenstos, 3626 SE Harrison, made the following suggestions.

- Security patrol in downtown area
- Volunteers to do parking control (possibly seniors)
- A suggestion box in the lobby of City Hall and an award system established for employees who suggest ways to save the city money.
- 4-Way stops at downtown intersections

Graf suggested that these recommendations be forwarded to the City Manager and/or the Traffic Safety Commission.

Sylvia Sycamore, Corporate Marketing Coordinator from Liberty Cable, read a letter to Council stating Liberty's continued interest in providing a cable franchise for the City of Milwaukie.

Backenstos suggested that city staff find out how downtown merchants would be affected as far as business, insurance rates, etc. in the event that adult bookstores be allowed within the city. He said he saw no reason for further public hearings on this issue.

Mayor Burgess announced that there would be an executive session following the regular meeting under authority of ORS 40.225 (consultation with City Attorney).

IV  
2 (2)

PUBLIC HEARING - Street Vacation - Jefferson Street

The Public Hearing was opened at 7:10 p.m. Public Works Director made the staff presentation requesting that the city vacate 4.0 feet of Jefferson Street right-of-way from McLoughlin Blvd. to the old Portland Traction Co. right-of-way along the south side of 10993 SE McLoughlin. The building located at this address was constructed partially in the SE Jefferson Street right-of-way. With this vacation the building and overhang will be placed entirely on private property. There were questions concerning the width of the road. Public Works Director said the road would be between 28 and 32 feet and would not interfere with the development of the riverfront.

Irene Church, owner of the property located at 10993 SE McLoughlin, spoke in favor of the street vacation.

There was no correspondence in favor of or in opposition to the street vacation.

Bill Hupp, 2626 SE Washington, asked if this property would go on the tax rolls. Public Works Director said yes, it would revert to private ownership.

The Public Hearing was declared closed at 7:20 p.m.

It was MOVED by Graf, SECONDED by Hall to read Ordinance 1534 the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING A PORTION OF JEFFERSON STREET RIGHT-OF-WAY FROM MCLOUGHLIN BOULEVARD TO THE OLD PORTLAND TRACTION COMPANY RIGHT-OF-WAY ALONG THE SOUTH SIDE OF 10993 SE MCLOUGHLIN BOULEVARD). MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall, to adopt Ordinance 1534. MOTION CARRIED unanimously.

LEGISLATION

Payment of bills

It was MOVED by Hall, SECONDED by Kinsella that the bills listed for January 18, be approved for payment. MOTION CARRIED unanimously. There was discussion on whether to maintain the services of Allen's Press Clipping Bureau. Staff was directed to look into this and present a memo to Council.

Request to approve progress payment on Well # 7.

Public Works Director has requested Council approve payment to Rean Contractors, Inc. in the amount of \$12,230.81 for pump house/equipment installation on Water Well # 7. The well is 280 ft. deep and will pump approximately 900 gallons per minute and will be completed within a week. Under discussion, Backenstos commented on gravel in his washer and asked if this would be a problem with equipment (washing machines etc.) Public Works Director said there were sand filters but it was impossible to get all the sand out of the water. It would be far too expensive to correct the problem entirely, he said. Mayor suggested that this was a topic to discuss at the Budget Committee meetings. City Manager asked Public Works Director to comment on Island Station. Steve Hall said that the Island Station Intertie was completed with block grant monies from HUD obtained through the county. Council agreed that staff should look into the cost of a screening system.

IV a (3)

It was MOVED by Kinsella, SECONDED by Hall, to approve payment to Rean Contractors, Inc. in the amount of \$12,230.81 for pump house/equipment installation on Water Well # 7. MOTION CARRIED unanimously.

Appointment to City Advisory Bodies

It was decided to wait until February 1 to make appointments to the Budget Committee and the Senior Citizens Advisory Commission so that all applicants would have a chance to be interviewed. It was MOVED by Hall, SECONDED by Graf, to appoint Gary Salyers to the Civil Service Commission. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of Minutes - January 4, 1983

Liquor license renewals: Vic's Tavern, Ferguson's Market, Red's Coach Inn. It was MOVED by Hall, SECONDED by Graf, to approve the consent agenda. MOTION CARRIED unanimously.

A recess was called at 7:50. The meeting reconvened at 8:00 p.m.

OTHER BUSINESS

Cable TV Negotiations

City Manager said that the city was close to an agreement with Tribune Company and requested that staff be given a maximum of two weeks to bring the final agreement to Council. City Attorney, prior to this meeting, had provided Council with a list of 16 provisions which he said were lacking in Tribune's proposal. Since this list was prepared and after continued negotiations, he said that of the 16 provisions, most have either been resolved or are being resolved. Of the remaining issues, he said he would need some guidelines from Council which could be discussed in executive session. There was discussion on how much time was needed to come to an agreement. Bill Cullen, President of Tribune, said that they would need two weeks. City Manager said that specific information could be provided to Council by Friday, January 28 indicating that the 16 issues had been resolved. Council agreed that an agreement in principle by this date would be acceptable.

Computer Feasibility Study

Bill McDonald, Administrative Assistant, has presented a memo dated December 16, 1982 summarizing the results of the computer feasibility study with a list of conclusions which resulted from the study plus a list of decisions which need to be made by Council including whether to award a contract for the second phase of the process. This next phase will cost approximately \$6000. Rick Pay of Price Waterhouse has prepared a statement of electronic data processing goals and objectives dated January 10, 1983. He spoke to Council of project objectives and benefits to departments, explained computer systems and alternatives and gave cost estimates. He presented a list of steps and priorities and gave an estimated time schedule for implementation. He said that when the RFP is issued, copies should be sent to the county since many of the needed services might be provided by the county.

Based on the study, the following recommendations were made: A minicomputer could accommodate the needs of the Finance Department and other administrative services in City Hall. A centralized minicomputer with terminals initially in the Police and/or Fire Departments and eventually microcomputers in the Police and Fire Departments would be the most cost-beneficial solution for the city. The following costs were listed: RFP for hardware/software - \$6000, Basic system acquisition - \$70 - \$90,000, Finance conversion - \$3000, Police and fire implementation - \$4 - \$12,000. There was discussion on training, the need for a change of programs, and terms of a lease purchase agreement. It was MOVED by Graf, SECONDED by Richmond, that a contract for the second phase of the process be awarded and that an expenditure of \$6000 be authorized. MOTION CARRIED unanimously.

Mayor Burgess reported on the meeting of the Clackamas County Recycling Task Force which she attended. It was requested by the Task Force that each jurisdiction or organization formally recognize the task force and appoint a representative to the task force. It was MOVED by Graf, SECONDED by Kinsella, that Mayor Burgess be appointed the representative for the City of Milwaukie and that the city recognize the Recycling Task Force. MOTION CARRIED unanimously.

Mayor Burgess announced that Bill Parrish from Oregon City had been appointed to Metro's Transportation Policy Alternatives Committee as an alternate to Steve Hall, Public Works Director.

The Mayor suggested that the Council meet at Milwaukie Center for the retreat on Saturday, January 22 rather than the Bank of Milwaukie. She said also that the Fernwood Inn was too expensive and would rather make other arrangements for lunch or dinner. There was discussion on the location of the retreat and arrangements for lunch or dinner. It was MOVED by Kinsella, SECONDED by Burgess, that the retreat be held at Milwaukie Center. MOTION CARRIED unanimously. It was agreed to wait until Saturday to decide on a location for lunch or dinner.

Topaz Faulkner, Community Services Director, reported on the activities of the Business Action Committee. She presented memo dated January 14, 1983 listing goals which were decided upon at the organizational meeting. As a first step, Faulkner said, the BAC will be sending letters to property owners requesting their involvement.

City Manager reported that representatives of the Post Office were in the city and had been taken on a tour by Bill McDonald. The Post Office is still interested in the AG site, he said.

The meeting was adjourned at 10:10 p.m. to go into executive session under ORS 40.225 (consultation with City Attorney). The executive session adjourned at 12:00 a.m.

MILWAUKIE  
CITY COUNCIL MEETING  
January 20, 1983  
7 p.m.

TV  
a (5)

COUNCIL CHAMBERS

WORK SESSION

A work session of the Milwaukie City Council was held on January 20, 1983 with the following members present:

Mavor Joy Burgess	Don Graf
Ron Kinsella	Roger Hall
Michael Richmond	

Also present:

Hugh Brown, City Manager  
Topaz Faulkner, Comm. Services Director  
Steve Hall, Public Works Director  
Dick Bailey, Fire Chief  
Ron Schanaker, Police Chief  
Laurie Perkin, Secretary

Sumner Sharpe from Cogan and Associates has submitted memo dated January 20, 1983 summarizing previous study by Cogan and Associates and listing conclusions. It was determined from the previous study (May, 1982) that annexation of a relatively small area adjacent to the city's eastern boundary may be feasible. It was recommended also that the city explore alternative means of addressing its fiscal problems including improving governmental efficiency, revitalizing the central business district, redeveloping existing industrial areas, and developing the riverfront. Included in the memo are a list of the following events which have occurred since the previous study and which may affect the desirability/feasibility of annexation:

1. Information for the 1982 tax year could result in increased fiscal feasibility of annexation.
2. The anticipated tax burden to property owners who would be included in the new proposed City of Clackamas could affect their desire to incorporate.
3. Opponents of a special service district formed to finance needed road and storm drainage improvements in the Highway 224 industrial area have signed a petition requesting a vote on the district. Failure of the service district to be approved could enhance the city's position as a potential provider of services.

The available options from this most recent study were:

- 1) Undertake extensive annexation,
- 2) Pursue limited annexation only,
- 3) Explore alternative approaches to economic revitalization; achieve community consensus regarding Milwaukie's future.

There was extended discussion on areas of possible annexation, opportunities within the city to increase revenues, development of industrial areas and the waterfront, formation of LIDs and increasing the tax base. Should the city choose extensive annexation, Sharpe said, it would involve formally opposing the Clackamas incorporation, which would include testifying before the Boundary

Commission and a significant change in government structure.

There was discussion on the city assuming control of Wichita Water District and initiating formal contracts with other jurisdictions for the provision of services.

Sharpe said whichever way the city decides to go, time is essential because of the Clackamas incorporation movement which will be on the ballot in May of 1984.

The following topics were discussed:

- Provision of sewer service
- Provision of Fire and Police Service
- Possible advantages to annexed areas
- Private financing for the riverfront

Mayor Burgess asked how Cogan and Associates could help with an annexation effort. Sharpe said assistance could be provided in designing boundaries, addressing political questions, managing a campaign, and identifying revenue sources.

There was discussion on how much an annexation study would cost. Sharpe said that the PSU study being done in Washington County would cost approximately \$30,000 but that a study for Milwaukie would be considerably less since it is a smaller area. He said that help might be obtained from the county as well as Clackamas Community College which would further cut the cost.

There was discussion on the cost of annexation of area # 1 which would be East to Linwood Avenue, North to Johnson Creek Blvd., and South to Railroad Avenue. It has been estimated that the cost of services for the first year would amount to approximately \$500,000.

There was discussion on the cost of streets and street lights. Public Works Director said that the streets would be funded by the gas tax and that the street lights would be funded by an increase in the PGE franchise.

The meeting was adjourned at 9:20

Mayor Joy Burgess

Laurie Perkin, Secretary

MILWAUKIE  
CITY COUNCIL MEETING  
January 22, 1983  
9 a.m.

IV  
2 (7)

THE MILWAUKIE CENTER

WORK SESSION

A work session of the Milwaukie City Council was held on Saturday, January 22, 1983 with the following members present:  
Ron Kinsella Don Graf  
Mike Richmond Roger Hall  
Mavor Joy Burgess

Also present:  
Hugh Brown, City Manager  
Dick Bailey, Fire Chief  
Laurie Perkin, Secretary

The work session was called to order by Mavor Burgess at 9:15 a.m. Dick Bailey, Fire Chief, acted as the facilitator of this session on city goals. The City Manager and each Council member gave a brief personal history and spoke of his/her community service.

There was general discussion on perspectives and attitudes. There was discussion on public meetings and the type of format which is used.

There was discussion on public contact with Council members - how much and how important.

There was discussion on annexation and the cost of a study by Cogan and Associates. Graf suggested hiring a full-time person to work on such a study should the Council decide to authorize it.

The meeting recessed for lunch at 12:00 p.m.

The meeting reconvened at 1:15 p.m.

Dick Bailey provided a list of goals which he asked each Council member and the City Manager to prioritize. The following goals were listed as highest priority (no order established):

- IV  
a (8)
1. Communications (internal and external)
  2. Capital replacement/acquisition
  3. Economic development including riverfront development
  4. Budget process- development of long range plans
  5. Maintenance of services
  6. Progressive annexation

There was discussion on the maintenance of services and whether all services could be maintained.

Mayor Burgess suggested having a meeting with some citizens and with the Budget Committee to discuss these goals.

Bailey said that last year 40% of Federal Revenue Sharing Funds was withdrawn and asked Council if this should be continued. Council agreed the city should continue to withdraw Federal Revenue Sharing Funds.

There was discussion on the tax base. Mayor Burgess suggested the city budget on the basis of a \$5.08 per thousand tax rate since this was the estimated tax rate for last year's budget as approved by the voters even though \$4.91 per thousand was the actual rate due to a higher than expected assessed valuation. There was extended discussion on budget plans, revenue sharing, upgrading of sewer system and the cost and method of paying for it, the issuance of general obligation bonds, and reserve accounts. The Mayor said the Council would need funding proposals before making definite goal decisions. The City Manager said he would be bringing these proposals to Council.

There was further discussion on annexation. Hall expressed concern that some money be allocated for development of the riverfront. It was decided to have a work session on riverfront development with the Parks and Recreation Commission and to discuss it with the downtown business association. The following priorities were listed as directives for current budget formulation:

1. Maintenance of Services
2. Federal Revenue Sharing - 67% Capital funds
3. Annexation
4. Address Deficient Areas
5. Riverfront Development
6. Downtown Development

There was discussion on utilities and whether to consider a pay-as-you-go basis or whether to rely on G.O. Bonds.

It was decided that the Council would talk about goals at the February 3 meeting with the key communicators rather than have department presentations. City Manager said he would send a letter to the key communicators. Bailey suggested putting together an outline of goals for the Council's use at the meeting.

IV  
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Graf suggested a list of current services be developed with the number of people on the staff; etc.

There was discussion on the Business Action Committee and its activities. It was decided to meet with the Board of the downtown business association on February 9 from 5 p.m. to 7 p.m. The location was not decided upon.


The meeting was adjourned at 4:50 p.m.

Mayor Joy Burgess

Laurie Perkin, Secretary

MEMORANDUM

IV  
B  
①

TO: Hugh Brown, City Manager  
FROM:  Ron Schanaker, Police Chief  
DATE: January 18, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL


State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: Albertsons Inc. DBA  
Albertsons Food Center No. 517  
3232 SE Harrison Street  
Milwaukie, Oregon 97222

RCS:jh

M E M O R A N D U M

TV  
B  
②

TO: Hugh Brown, City Manager  
FROM:  Ron Schanaker, Police Chief  
DATE: January 20, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: SAFEWAY STORES INC  
SAFEWAY STORE NO. 349  
10554 SE Main Street  
Milwaukie, Oregon 97222

RCS:jh

M E M O R A N D U M

IV  
B (3)

TO: Hugh Brown, City Manager  
FROM: *[Signature]* Ron Schanaker, Police Chief  
DATE: January 20, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: Pietro's Corporation  
Pietro's Gold Coast Pizza Parlor  
10300 SE Main Street  
Milwaukie, Oregon 97222

RCS:jh

M E M O R A N D U M

IV  
B  
④

TO: Hugh Brown, City Manager  
FROM: Ron Schanaker, Police Chief  
DATE: January 26, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL


State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: O'Halloran, Thomas K.  
THE SOUTHLAND CORPORATION DBA  
7-Eleven Food Store  
6303 SE Harmony  
Milwaukie, Oregon 97222

RCS:jh

M E M O R A N D U M

IV  
B5

TO: Hugh Brown, City Manager  
FROM:  Ron Schanaker, Police Chief  
DATE: January 27, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal..

APPLICANT: Shrestha, Sarada D.  
Shrestha, Saroja D.  
Shrestha Rudra B.  
DBA LI'L CORNER GROCERY STORE  
8929 SE 42nd Avenue  
Milwaukie, OR 97222

RCS:jh

KENNETH S. SOLOMON, P.C.

ATTORNEY AT LAW  
4540 S.W. 110TH AVENUE  
BEAVERTON, OREGON 97005  
TELEPHONE (503) 641-9000

January 19, 1983

1 JAN 23 1983  
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VI  
a (1)

B. W. Luscher, Jr.  
Postmaster  
Portland, OR 97208-9998

Re: Milwaukie Post Office Facility

Dear Mr. Luscher:

I am in receipt of a copy of your letter dated January 11, 1983, which has been forwarded to me by Senator Bob Packwood.

The conclusions and facts recited in your letter are repleat with error. The record should be set straight in the following particulars, to-wit:

1. It is correct that the location of the present facility has been a source of complaints in reference to parking. The reason for this is that your Post Office Department occupies the majority of the off-street parking spaces. Because of the loading zones and travel lanes in the off-street parking area, it is difficult, if not impossible. Under the proposal which our leasing representative, CenterLine International, submitted to your Post Office Representative, there was to be a complete remodification of the parking, which would provide a very ample amount of parking in their opinion. I enclose herewith a copy of Mr. Hoag's submittal for your review. Copies of this have previously been submitted to the Milwaukie City Council and to the Mayor. Your conclusion that modifying the facility for re-use will not eliminate the problem does not appear to be accurate or correct. Without all of the postal trucks moving in and out of the very ample off-street parking area, it appears that vehicles may have much better, and safer, off-street parking.

2. You conclude that the City of Milwaukie is in favor of vacating this facility. This is not true. One of the facilities that is recommended by the City of Milwaukie is our facility. Per the letters from the Milwaukie Planning Director submitted to your department heretofore, this fact was confirmed. I am at a complete loss to understand your statement that the City is overwhelmingly in favor of vacating the facility and relocating in the downtown core. For your information, our facility is in the downtown core area.

VI  
2 (2)

3. Your conclusion as to the present condition of the downtown facility is also subject to correction. You must consider that the present lease with the Post Office Department, which just expired this past December, was for approximately twenty (20) years, considering all of the renewal options which were exercised. During that period of time, lessor has had the entire burden of maintenance, as near as I can tell. The wear and tear on the building during the period of very hard use by the Post Office Department was quite excessive. The basic structure, including the concrete foundation, concrete walls, and roof are structurally very sound. The only complaints that I am aware of was the outside of the building could use a coat of paint, the interior of the building had some tiles which continued to fall from the ceiling, and there were certain portions of the old lenolium floor that were chipping. These are matters that are normally taken care of during any refurbishing or remodeling process. When we submitted a proposal to your Post Office Department, we were led to believe by your representative that the portion of the building that the Department leased, would be remodeled by your Department to your expectations and desires. When we submitted our proposal we invited the Post Office to get back and talk in terms of reallocation of building space or parking, as well as any other matters of mutual concern which could be negotiated. To this very day, we have never received a request from your Regional Representative requesting more input on any specific problem area. I have only owned this facility since July of 1980, but during that period of time I have never received a letter from your representative complaining about the structural soundness of the building.

4. You have concluded that our response to a request for maintenance has been difficult. I draw to your attention the fact that initially when we took over the building in July of 1980, that your facility manager would contact your real estate department, who in turn would contact me by written communication when work was needed. By the time that we received the request for maintenance, a considerable period of time had transpired. At my suggestion, I asked your Department to have the manager contact me direct when any maintenance problem developed. Thereafter, the matters were taken care of in a prompt and efficient manner. I have never had any complaints since the initial difficulty, from the present facility manager, as to our method of responding to maintenance calls. With the exception of the initial communication problem, to the best of my knowledge, we have never had your Department make any written demand or objection as to the method or type of maintenance being performed.

VI  
a (3)

5. You conclude that the charge per foot as submitted in our proposal is higher than other bids. Our lease specialist, in submitting the proposal, outlined a method where the cost savings involved in being able to terminate the present lease extension, together with not having to move from the present facility and sharing in the cost of a demising wall, would be very cost efficient and beneficial to the Department. Our lease specialist further invited your Department to request any additional input or suggestions as how to solve any problems contemplated, so as to make the selection of the present site a very cost efficient transaction and to the best of my knowledge your Department Representative has never contacted Mr. Hoag and requested any information in reference to any of the problem areas which you have outlined in your letter. I find this most difficult to understand.

6. When the lease extension was entered into, your representative never did bring to our attention the fact that you were contemplating the continued use of the facility or any other location in downtown Milwaukie. Had that information been made available to us from the beginning, we would have been most interested in negotiating with you a continuation of the lease, which would have saved your Department countless thousands of dollars in unused lease expenditures.

I want to assure your Department as well as the City of Milwaukie, that at all times, our lease representative has been fully authorized to negotiate with and make proposals which would be economically feasible for the Post Office Department and beneficial to the City of Milwaukie, so that the present facility could remain in operation in the downtown core area. I further draw to your attention that the present location is the only location in downtown Milwaukie which is presently zoned properly for a Post Office facility. As I understand it, the present facility exists by virtue of a conditional use permit. If any other location is selected in the Milwaukie area, then that selection must qualify under the rules and procedures established by the Milwaukie Planning Department in reference to such conditional use.

Very truly yours,

Kenneth S. Solomon

City of Milwaukee  
Solid Waste Task Force  
January 13, 1983  
7 P.M.

VI  
C ①

Members present:           Michael Borg                           Bonnie Mishler  
                                  John Phillips                         Fred Kahut  
                                  Jean Baker                           Richard Hutchens  
                                  Ron Kinsella                         Mel Dienes  
                                  Jerry Herrman                        Roger Van Gelder

Also present:                Joy Burgess, Mayor  
                                  Lorna Olson, Acting Secretary  
                                  Bill McDonald  
                                  Bill Bree  
                                  Dwight Long

1. Introduction of Members: Persons appointed to the committee introduced themselves giving both their background and interest in the solid waste issue.
2. Organization and Process:
  - a. There was discussion on the appropriate relationship of the chairman to various "interests" on the Task Force, how this would effect the dynamics of decision making and recommendations. The Task Force elected Ron Kinsella as the permanent chairman. The chairman will be able to cast a tie-breaker vote if the group is deadlocked.
  - b. The purpose of the Task Force is to generate information, analyze it, and make recommendations. The city will provide staff support but seeks considerable member participation in each phase.
  - c. A status report is requested by the Council at one of the regular March meetings.
3. Mission and Goals: Chairman Kinsella stated that the group has been provided a mission and goals statement adopted by the Council. The committees first task will be to validate that statement. The committee accepted the mission and goals as a reasonable statement of purpose. The committee agreed to work thru each goal asking every question which would generate necessary background information. A coordinator or coordinator(s) will be appointed by the chairman to coordinate research on the specific goal and its questions. The committee developed questions for goals 1 and 2 which are attached. The coordinator for goal #1 is Mike Borg and for goal #2 Fred Kahut. The coordinators will make a report to the group at the next meeting on progress.

4. Assignments: Other than the research outlined in 3 above no specific assignments were made.
5. Other Business: Mayor Joy Burgess and Gerry Herrman outlined the results of a meeting earlier in the day of the "Clackamas County Recyclers Task Force". This group seeks county recognition as a coordinating body for recycling programs. The scope of its interest is such that it will reinforce but not interfere with the city's Task Force.
6. Meeting Schedule: The next meeting of the Task Force will be January 27th at 7:00 p.m. in the Council Chambers.
7. Adjourned: The meeting was adjourned at 8:45 p.m.

Lorna Olson, Secretary  
Bill McDonald, Administrative Assistant

Attachment

VI  
C (3)

GOAL: An efficient and effective collection system.

Research Questions

1. What is the specific collection system that operates in the city? (i.e. # of franchises, routes, manpower, equipment, etc.)
2. Is any hauler doing recycling now?  
How:
3. What is the profile of the waste stream of the city?
4. Who are the other recyclers in the city?  
Service Groups  
Independents
5. What is the mix of the residential user (households and apartments) and what is their demographics?
6. What is the potential actual customer use of basic collection and recycling programs?
7. What is the public's acceptance of the present collection system? (Satisfied, dissatisfied, want more or less service).
8. How does one determine if a collection system is efficient? What does it take in terms of equipment, manpower, promotion, and technology to be a "good" operation.

VI  
C(4)

Goal: Reasonable Service Choices for the Public

Research Questions

1. Define each of the following options and develop a matrix which relates such issues as currently available, frequency, promotion required, investment required, impact on rates, etc.

Curb Service

White Flag Service

Weekly Service

Yoo-Hoo Service

Commercial Service

Recycling on Call

Regular Recycling Service

Monthly Service

Mandatory Garbage Service

Yard Debris Disposal

Municipal Burner (Co-generation)

Municipal Composting

Municipal Mulching

Self Help Educational Services

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CITY OF MILWAUKIE TASK FORCE  
TO HELP UNEMPLOYMENT AND NEEDY IN CLACKAMAS COUNTY

MINUTES JANUARY 13, 1983

The Milwaukie Center

5:30 p.m.

Members Present:

John Maguire, Co-Chairman  
Beverly Kole  
Sara Hite

The Rev. Doug McClure, Co-Chairman  
James Backenstos, Sr.  
Mel Paulson

Absent:

Glenda Braget  
Marianne McGee  
Father Saalfeld

Morgana Wilson  
Mary E. Wilson

Also Present:

The Rev. Richard Huneger  
Jeannie Kuzman  
Barbara Redman  
Larry Schnaible

Otto Schnaible  
Robertta Shaver  
Joan Staley  
Stan Tann

The meeting was called to order. The last sentence of the last paragraph of the minutes was corrected from: McClure suggested she give a list of volunteers to Center Director for referral to: McClure suggested she give a job description of volunteers needed to Center Director. The minutes were approved as corrected.

The Chairman asked the group to address the problems of emergency housing and food with emphasis on short term and long term possibilities for assistance. Ideas were presented with no consideration for practicality or implementation at this time. Some avenues to consider are:

HOUSING - SHORT TERM

1. Donations to CCCAA, ACTS (Additional money for existing emergency
2. Persons opening homes; persons to watch homes) ) screening process  
need coordinator )  
tax credits? )
3. Open buildings
  - A. Unused schools
  - B. Armory
  - C. Storefronts, etc.
  - D. Nursing homes
4. Grants
5. Core of volunteers to implement above, 5A. To reconcile relatives.
6. Donate mobile homes
7. Rental properties - lower rates? - exchange for work?
8. Community College property - put mobile homes on it.
9. Build a shelter or buy existing space -  
Donated materials to renovate -  
Buy a motel -
10. Sabine Skill Center students donate labor.

HOUSING - LONG TERM

1. Moratorium on mortgages  
Talk with banks - what are they currently doing?  
Talk with CCC Pres., County Assessor

CITY TASK FORCE TO HELP  
UNEMPLOYMENT & NEEDY IN  
CLACKAMAS COUNTY  
MINUTES - JAN. 13, 1983  
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2. More low income housing.  
Have people donate hours and materials  
Non-profit co-op  
Housing Authority  
Talk with realtors
3. Pressure on politicians
4. Extended foster homes for children
5. Free legal aid

FOOD

1. Donations from:
  - A. Individuals
  - B. Stores
  - C. Warehouses/shipping companiesEducate public on:
  - A. Donations - Food banks (money needed for existing emergency programs)
  - B. Gleaning
2. Nutrition, cooking, canning classes
  - A. Doing it in groups
  - B. Open churches, Armories for days of activities
3. Government surplus - Advocacy
4. Refrigerated trucks that are mobile - go to where people are
5. Community gardens in low income areas
6. Delivery of food to those unable to get out of their home
7. Develop soup kitchens - Advocacy on federal legislation
8. Open market for low income - sell donated food at lower cost
9. Food co-op
10. White elephant sale - donate part or all of proceeds for food

It was decided that more information was needed in certain areas by the next meeting. Jim Backenstos will talk to Dr. Haakanson from Clackamas Community College to find out where the college got their mobile homes and how and where mobile homes could be put and what ideas does he have? Mel Paulson will find out what banks are currently doing about fore-closures and if an inventory of low-cost homes in the area is available. Mel will contact a realtor and Nick Knapp for this information. Doug McClure and John Maguire will investigate the process used in two projects for special funding to set up a co-op. All contacts will be asked if they are interested in pursuing the problem by aiding the Task Force.

At the next meeting the group will continue to consider the priorities primarily established; 1) Housing, 2) Food, 3) Emergency medical care, 4) Transportation.

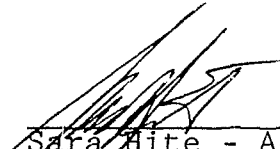
CITY TASK FORCE TO HELP  
UNEMPLOYMENT & NEEDY IN  
CLACKAMAS COUNTY  
MINUTES - JAN. 13, 1983  
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There was a discussion about requesting the City Council to replace members unable to attend and to add new members.

McClure requested an additional meeting in the last week of the month.

The meeting was adjourned.

  
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Sara Hite - Acting Secretary

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CITY OF MILWAUKIE  
TASK FORCE TO AID UNEMPLOYED AND  
NEEDY IN CLACKAMAS COUNTY  
January 20, 1983

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THE MILWAUKIE CENTER

5:45 p.m.

A meeting of the task force to aid the unemployed and needy in Clackamas County was held on January 20, 1983 with the following members present:

Marianne McGee	John Maguire
Jim Backenstos	Mel Paulson
Doug McClure	Beverly Kole
Sara Hite	

Members absent:

Father Saalfeld	Glenda Braget
Morgana Wilson	Mary Wilson

Also present:

John Staley	Rev. Richard Huneger
Robert Shaver	Larry Schnaible
Otto Schnaible	Pat Holm
P. Jay Holm	Jeanie Kuzman
Barbara Redman	Gordon Oliver

It was MOVED by McClure, SECONDED by Paulson that the minutes of the January 13 meeting be approved. MOTION CARRIED unanimously.

Introductions followed stating reasons for attending.

- I. Recap history of task force.
  - A. Survey needs of low income is task (long & short term).
  - B. Limits-draw up plan for City Council who will decide implementation.
  - C. Last week survey housing/food.
- II. Reports from last week.
  - A. McClure wrote letter but has received no response.
  - B. Re: Foreclosures by company when taxes are delinquent for four years.
    1. No moratorium is feasible legally.
    2. Mostly land foreclosures - not many homes, but when homes are involved real estate investors buy them.
  - C. Bank foreclosures: Pacific Western Bank officer.
    1. If owner can't pay loan - bank has to assist (1/2 payment)
      - a. Debtors are categorized into can't pay vs. will not pay.
      - b. Little action taken for 6/7 months of no payment.
      - c. Communication with bank important.
      - d. Bank does not want houses - not in realty business.
      - e. Bank absorbs loss if the house is sold for less than owed.
  - D. Housing authority: Nick Knapp
    1. No money is there for additional housing.
    2. County has done survey looking for buildable land only.
  - E. Real Estate Broker: Thinks economy is going to turn around.
    1. Cost of rental.

TASK FORCE TO HELP UNEMPLOYED AND  
NEEDY IN CLACKAMAS COUNTY

January 20, 1983

Page 2

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- F. Mel sees little benefit in investing in houses, would help too few.
  - 1. Duplex prices start \$49,900, 4-plex \$112,000, 6-plex \$135,000, Motels \$100,000 to \$400,000 (Molalla)
- G. Hillside: Filled now & will be sold to non-profit group.
  - 1. 6 month waiting list.
  - 2. Oregon City housing filled too.
- H. Jim Backenstos - Report on Clackamas Comm. College area.
  - 1. Trailers \$17,000 - not available for housing/land not possible.
    - a. Haakenson asst. on housing.
- I. New ideas on housing.
  - 1. Army surplus mobile units - pre-constructed.
- J. Emergency medical:
  - 1. Brainstorm ideas for programs/dollar resources.
    - a. Publicize available prescriptions that exist.
    - b. Clack. Co. Health Dept. setting up fund for emergency assistance/prescriptions (donations go to Tom Traxel).
      - (1) Planning medical indigent clinic.
      - (2) Community Action fund.
  - 2. Dental/Medical problems: Approach dentists that would donate some services - especially emergency treatment:
    - a. Clackamas Co. Dental & Dental Societies approach free work on charitable basis.
      - (1) If non-profit then could have work written off (can already be done by Community Action).
    - b. Request report from the Medical School - is Clack. Co. getting fair share?
    - c. Investigate Portland volunteer doctor program (guidelines/ model, etc.)
  - 3. Develop speakers bureau on needs of poor.
  - 4. Medical ideas.
    - a. Lend more dollar support to existing prenatal programs.
    - b. Political advocacy re: welfare regulations (on lack of funding til 9 months).
      - (1) Public forum - State representatives/senators from Clack. Co.
      - (2) Legislators visit homes.
      - (3) Show that impact of lack of services more expensive.
    - c. Get sample medications from drug companies.
    - d. P.A.C.C. absorb a proportion of low income families.
    - e. Need on-going medical program with physicians.
    - f. Include medical/dental care program in school budgets.
    - g. Recommend satellite medical/dental clinics through-out county.
      - (1) Use health division staff/volunteer program.
    - h. Request that hospitals be involved in any planning.

TASK FORCE TO HELP UNEMPLOYED AND  
NEEDY IN CLACKAMAS COUNTY.

January 20, 1983

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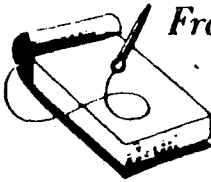
- i. More publicity on existing programs.
  - j. Get statistics of number of county residents being served in existing programs, by services.
  - k. Get county to subsidize care with existing agencies.
    - (1) Contracts.
    - (2) Clackamas Co. funding.
  - l. Request United Way break down of services to Clackamas County.
    - (1) United Fund seed money available.
  - m. Fraternal/Union organizations should be contacted.
  - n. Establish trust funds/memorial gifts.
  - o. Develop medical task force.
  - p. Hill-Burton Act funds - where in Clack. Co.?
    - (1) Who qualifies?
    - (2) Amount in Clackamas funds - %?
    - (3) Need information on that program in general.
- K. Assignments.
- A. John Maguire will write an introduction for 2 agenda items (housing/food) next time for consensus for City Council meeting on Feb. 1, 1983.
  - B. Marianne McGee will contact Laurie Perkin, City Recorder re being on the Agenda & being included in Agenda packet.
  - C. Information gathering assignments.
    - a. Beverly Kole -
      - (1) Existing services in Portland.
      - (2) Statistics of Clackamas County clients served at existing agencies.
    - b. CCCAA Staff - investigate:
      - (1) United Way funds being spent for Clack. Co.

The meeting was adjourned at 7:27 p.m. Next meeting date is January 27, 1983 at 5:30 p.m.

Marianne McGee  
Marianne McGee, Secretary

\_\_\_\_\_  
Chairman

Date: 1/28/83



*From the desk of*

MAYOR JOY BURGESS

*J.B.*

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*Joy - you may be interested in this*

**MIM Target of the Month**  
**YOUR MAYOR—ASK THAT HE WRITE PRESIDENT**

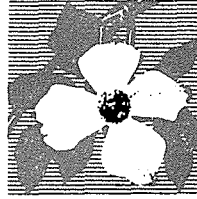
The traffic in pornography is out of control. It is a \$6 billion plus industry, and growing—largely because the U.S. Department of Justice is not vigorously enforcing the federal laws prohibiting the interstate transportation, mailing and importation of obscene materials. We are at the point where only a directive from the President will bring about the aggressive enforcement that is necessary. Morality in Media suggests you write the Mayor of your city or town. Tell him that the vilest pornography imaginable is crossing state lines and coming into your city in violation of federal law. Tell him that vigorous enforcement of federal obscenity law could stop this traffic within 18 months. Ask him to write the President of the United States and request that he direct the Attorney General to enforce the federal obscenity laws to keep this vicious traffic out of your city.

Recently the Mayor of a New Jersey town wrote to the President, and then contacted 500 other New Jersey mayors asking them to take the same action. It is this sort of action on the part of Mayors that could bring about the Presidential directive that is needed to get the U.S. Department of Justice to move.

Ask your Mayor to write the President, telling him that the obscenity traffic has reached a level of national concern; that it is being shipped into your city and state in violation of federal laws; that enforcement of those laws has been wholly inadequate; and that federal enforcement must be more effective and aggressive if this social ill is to be cured.

Morality in Media suggests you write your Mayor now. Ask him to write the President requesting that he publicly announce that the federal laws relating to the mailing, importing, interstate transportation and broadcasting of obscenity is a matter of utmost importance; that he direct the Attorney General to issue instructions to the Federal Bureau of Investigation and all United States Attorneys to make this a matter of prime concern; and request that such instructions authorize and encourage all U.S. Attorneys to institute criminal proceedings of violations of such laws brought to their attention by the FBI, the U.S. Postal Service and U.S. Customs. Ask that your Mayor tell the President that aggressive enforcement of federal obscenity laws can and will stop the traffic in pornography that is flooding your state and your city. Suggest to your Mayor that he inform other Mayors in your state that he has written the President, and ask them to take the same action. Please send a copy of your letter to the Mayor and his or her subsequent reply to: Morality in Media, 475 Riverside Drive, New York, N.Y. 10115. Please write your Mayor now, while you have this Newsletter before you.

# CITY OF MILWAUKIE



OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

January 28, 1983

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TO: CITY COUNCIL

FROM: CITY RECORDER

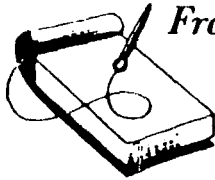
SUBJECT: VACANCY ON PLANNING COMMISSION

Don Trotter's term on the Planning Commission expires at the end of February. He has requested reappointment. We have on file applications of 5 persons who have applied for this position in the past year. Does Council wish to:

Reappoint Don Trotter to Planning Commission

Interview Don Trotter plus those persons who have applied and are still interested.

Advertise in the newspaper and interview all who are interested.



From the desk of

MAYOR JOY BURGESS

*JB*

*VI 8*

FRIDAY, JANUARY 28, 1983

# Let the tax action begin

Gov. Vic Atiyeh, calling his plan to balance Oregon's budget "the only game in town," ought to be advised that the revenue games in the Legislature have just begun, thus a revenue-raising plan superior to his punitive 1 percent net receipts tax on personal income will emerge.

The governor, who was given a polite reception from House Revenue Committee members when he presented his tax plan Tuesday, would be wise to keep an open mind toward compromise, as he hinted to the committee it would be.

Many lawmakers, sharing Atiyeh's view that state government institutions and services cannot endure extensive further cuts, complimented him on his budget philosophy and proposal, which include restoring some agency funding to 1981 levels and boosting financial support for higher education. The Oregonian, too, lauds the thrust of Atiyeh's budget for the 1983-85 biennium, but is skeptical of his package of tax increases and tax reductions needed to raise \$550 million to balance the budget.

Atiyeh said his plan would broaden the base of the Oregon tax system and ensure that taxes are collected from all wage earners, adding that no taxes are paid on about 15 percent of the returns under the current tax system. However, the Atiyeh plan would clobber middle-income taxpayers much harder than any other class. Atiyeh's proposal should be included in a legislative review of all tax proposals, the focus of which should be tax reform, but clearly it does not earn a high priority listing.

Lawmakers have promised they would look at a variety of tax packages, including graduated income taxes, increases in corporate excise taxes, sales tax proposals and a statewide lottery, as well as continuation of several temporary taxes passed in 1982.

The Atiyeh proposal, by the governor's own admission full of "pluses and minuses," is not the only tax game in Salem town. Sales tax momentum appears to be growing, although the governor believes, and we agree, that a sales tax, which he described as "indiscriminate, no matter how hard you try," could never be designed to protect the poor completely. That may be true, but Atiyeh's net receipts tax on personal income — actually a gross receipts tax for individual taxpayers — does not protect the poor either.

Atiyeh's property tax relief plan, which would freeze tax rates at current levels and allow only a 5 percent yearly increase on a statewide basis, also falls short of the mark in responding to the Oregon property tax uprising of 1982. The Atiyeh plan controls runaway property tax growth, but offers nothing to reduce current property tax levels. The Legislature would be wise to examine alternative financing schemes for schools and local governments as a

method to reduce the property tax burden.

Atiyeh is correct in chastising the Legislature for ignoring his 1979 plea to place a lid on property tax assessment and rate growth, but he is wrong to assume that property tax payers did not appreciate the Legislature's expensive property tax forgiveness program. In fact, they are angry that it was gutted so severely and so soon after the legislative promise of relief was made.

Nothing short of a proposal to limit growth in property assessments and rates and reduce current property tax bills will satisfy the organizers of Ballot Measure 3, the property tax limitation measure. The governor and the Legislature should grasp the warning inherent in the close November vote on the limitation else the son of Measure 3 will return in 1984 with stronger support.

PETER COURTNEY  
MARION AND POLK COUNTIES  
DISTRICT 33

REPLY TO ADDRESS INDICATED:

- House of Representatives  
Salem, Oregon 97310
- 2925 Island View Drive NE.  
Salem, Oregon 97303



HOUSE OF REPRESENTATIVES  
SALEM, OREGON  
97310

COMMITTEES

Member:

Judiciary:

Sub-Committee — Courts, Corrections  
and Evidence Code

Sub-Committee — Domestic Relations,  
Mental Health, Products Liability  
and Tort Legislation

Housing and Urban Development

VI 801

January 24, 1989

Mayor Joy Burgess  
10722 S.E. Main Street  
Milwaukie, Oregon 97222

Dear Mayor Burgess,

Thank you for your letter regarding the need to provide Property Tax Relief to the taxpayers of Oregon.

I couldn't agree with you more and will therefore be supporting legislation to provide Property Tax Relief. The legislation I will be introducing with Representative Van Vliet will be providing two major constitutional changes.

The first will be a cap on the amount of property tax which can be levied by the educational systems. A limit of a certain dollar level per thousand dollar property value would be constitutionally established. Then, to make up for lost revenues to education, a sales tax dedicated entirely to the schools would be instituted at a constitutionally established limit. In order to alter either limit an election would be necessary. These limits could not be raised or lowered by the legislature.

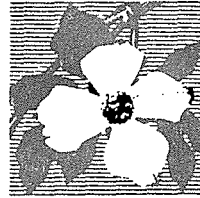
This proposal would provide a significant roll back of current property tax payments, cap the future growth of property taxes by limiting its major source of growth-education, and will also provide a dedicated source of revenue for education - the sales tax.

It is my hope that these changes will be adopted by voters when put on the ballot. I hope you will work toward its passage.

Respectfully,

*Peter Courtney*  
Peter C. Courtney

# CITY OF MILWAUKIE



CITY COUNCIL  
in the City Hall • phone 659-5171

VI  
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January 27, 1983

Peter Courtney, State Representative  
House of Representatives  
Oregon Legislative Assembly  
Salem, OR. 97310

Dear Mr. Courtney:

I appreciate your response to my request to help alleviate the tax burden on property owners within our city and state wide. The ideas you suggest for renovating the state tax structure are good. Please keep up the good work on behalf of your constituents.

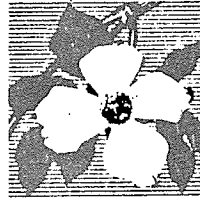
If I or other city officials can be of assistance to you in your endeavors please feel free to call upon us.  
My phone no. is 654-4951

Sincerely,

Joy Burgess  
Mayor

JB/ss

# CITY OF MILWAUKIE



VI g 3  
CITY COUNCIL  
in the City Hall • phone 659-5171

January 28, 1983

Annette Farmer, State Representative  
House of Representatives  
Oregon Legislative Assembly  
Salem, OR. 97310

Dear Ms. Farmer:

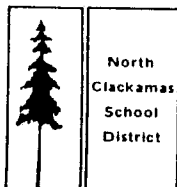
I appreciate your response to my request to help alleviate the tax burden on property owners within our city and state wide. The ideas you suggest for renovating the state tax structure are good. Please keep up the good work on behalf of your constituents.

If I or other city officials can be of assistance to you in your endeavors please feel free to call upon us.  
My phone no. is 654-4951

Sincerely,

Joy Burgess  
Mayor

JB/ss



# NORTH CLACKAMAS SCHOOL DISTRICT 12

4444 S.E. Lake Road, Milwaukie, Oregon, 97222, (503) 653-3600

SUPERINTENDENT  
Ben A. Schellenberg

BOARD OF DIRECTORS  
Mrs. Shirley Brown, Chairman  
Mrs. Donna Smith, Vice-Chairman  
Ms. Julie Clark  
Mr. Marvin Law  
Mr. James K. Linderman Jr.  
Mr. James Redman  
Mrs. Marilyn Wright

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January 24, 1983

Mayor Joy Burgess and Council  
City Hall  
City of Milwaukie  
Milwaukie OR 97222

Dear Mayor:

This letter is to inform you and the Council of the outstanding job the police department has done in and for our North Clackamas schools in the City of Milwaukie.

Often, in "public service" jobs, we aren't thanked for the positive effect our people have on the community and our patrons. In Milwaukie, however, we are grateful for the outstanding relationship between the North Clackamas School District and the Milwaukie Police Department.

Chief Schanaker and his staff have been highly visible in all levels of our school system, and they have developed an excellent rapport with both students and staff.

The police department has initiated and maintained various quality programs which are currently operating in our schools. In kindergarten through the third grade, the "Officer Friendly" program is highly successful. The "Bike Safety" program with "Bike Rodeos" is for kindergarten through sixth grade and has been extremely beneficial. Additionally, the day shift officers are assigned to eat lunch with students in several different grade schools. At the secondary level, the officers are used for drug and alcohol talks in the seventh grade and sophomore classes.

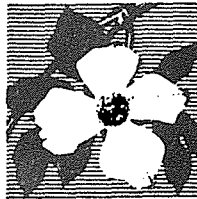
Also, I have been informed of several incidents of a serious nature when the high school administration has requested assistance from the police department. It has been reported to me that in each occurrence the officers were highly professional and helpful.

These impressions of outstanding performance and service are a credit to the training and monitoring programs of the Milwaukie Police Department. Please pass along my thanks to Chief Schanaker and his staff for their fine job!

Sincerely,

Ben A. Schellenberg  
Superintendent

# CITY OF MILWAUKIE



CITY COUNCIL  
in the City Hall • phone 659-5171

VI  
H (2)

January 27, 1983

Ben A. Schellenberg  
North Clackamas School District 12  
4444 SE Lake Road  
Milwaukie, OR. 97222

Dear Ben:

I appreciate your letter of January 24 addressed to myself and the City Council praising the outstanding job our police department has done in providing service to the North Clackamas Schools. Indeed I always like to receive these comments informing us of services being rendered by our city employees.

Thank you again and feel free to call upon me at any time if I can be of service to you.

Sincerely,

Joy Burgess  
Mayor

JB/ss

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January 17, 1982

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**CITY OF  
SANDY**

P.O. BOX 116  
SANDY, OREGON 97055  
Telephone 668-5533

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Mr. Bill McDonald  
Administrative Assistant  
City of Milwaukie  
10722 S.E. Main Street  
Milwaukie, Oregon 97222

Dear Mr. McDonald:

Solid Waste Management Task Force

This is in response to a letter dated December 23 from Mayor Joy Burgess regarding the formation of a task force on solid waste management.

The City of Sandy does not wish to participate in this task force, but we would appreciate receiving copies of their meeting minutes.

Sincerely,

Ruth M. Loundree  
Mayor

jb

## CITY OF MILWAUKIE

## GOAL STATEMENT

FEBRUARY 1983

As adopted by the City Council, the City of Milwaukee has established the following goals to provide for the orderly and efficient development and maintenance of the community:

1. CAPITAL IMPROVEMENTS PROGRAM: To plan and develop a capital improvements program to improve the city's streets and water and sewer systems.

To achieve this goal, it is the policy of the city to

1.1 Provide for improvement and maintenance of city streets to current standards. This policy shall be implemented by

1.1.1 Identifying standards, priorities and total costs of street improvements.

1.1.2 Identifying standards and costs of adequate maintenance of the city's streets.

1.1.3 Studying possible funding strategies for necessary improvements and maintenance of the city's streets including local improvement districts, general obligation bonds, revenue bonds, tax increment financing, grants (CDBG, EPA, EDA, etc.), Special road and/or street lighting district.

1.1.4 Developing a funding plan for this need.

1.1.5 Recommending to the voters in an election a funding plan for improvement and maintenance of the city's streets.

1.2 Provide for construction and maintenance of an adequate storm drainage system substantially in compliance with the drainage studies of 1970 and 1979. This policy shall be implemented by

1.2.1 Correlating storm drainage improvements with priority list of streets, establishing standards and total costs of improvement.

1.2.2 Identifying standards and costs of adequate maintenance of the city's storm drainage system.

1.2.3 Including costs of storm drainage maintenance and improvements in studies of possible funding strategies and the recommended funding plan for city streets.

1.3 Provide for improvement and maintenance of the city's water and sewer systems to current standards. This policy shall be implemented by

1.3.1 Identifying standards, priorities and total costs of water and sanitary sewer systems improvements.

1.3.2 Identifying standards and costs of adequate maintenance of the water and sanitary sewer systems including local improvement districts, general obligation bonds, revenue bonds, tax increment financing, grants (CDBG, EPA, EDA, etc.), special water and/or sewer districts.

1.3.4 Developing a funding plan for this need.

1.3.5 Recommending to the voters in an election a funding plan for improvement and maintenance of the city's water and sewer systems.

2. ECONOMIC DEVELOPMENT: To promote economic development in the city.

To achieve this goal, it is the policy of the city to

2.1 Provide for the revitalization of the downtown core area. This policy shall be implemented by

2.1.1 Continuing to work with existing organizations and with individual downtown businesses on specific projects designed to help revitalize the downtown area.

2.1.2 Appointing a Downtown Development Commission.

2.1.3 Adopting a plan for redevelopment of the downtown, in cooperation with downtown businesses.

2.1.4 Reviewing all available financing sources and developing a plan for financing redevelopment.

2.1.5 Providing staff assistance wherever appropriate to assist the Commission in the development and implementation of the redevelopment plan.

2.2 Provide for the planning, design, financing and construction of new recreational and commercial development on the Willamette Riverfront. This policy shall be implemented by

2.2.1. Continuing to work with existing organizations on specific projects designed to increase usage of and interest in the riverfront.

2.2.2 Appointing a Riverfront Development Task Force to investigate the extent and nature of development of the area and make recommendations.

2.2.3 Reviewing all available financing sources and developing a plan for financing the project.

2.2.4 Preparing an engineering design and construction schedule.

2.3 Provide for the continued development of the city's industrial areas. This policy shall be implemented by

2.3.1 Working with the Clackamas County Economic Development Commission to promote the city's industrial areas and facilitate financing of development.

2.3.2 Developing other mechanisms to promote the City of Milwaukie including industrial areas.

2.3.3. Providing for the needs of the industrial areas in planning for capital improvements (see Goal 1).

3. BUDGETING PROCESS: To develop financial planning for city needs.

To achieve this goal it is the policy of the city to

3.1 Develop financial planning for replacement of capital outlays on a planned basis. This policy shall be implemented by

3.1.1 Completing an inventory and estimate of useful life for all capital outlay purchases.

3.1.2 Developing a capital replacement program and identifying its costs.

3.1.3 Studying possible funding strategies for the capital replacement program including a long term capital improvement program, an equipment reserve program, etc.

3.1.4 Recommending to the Budget Committee and, if necessary, the voters in an election a funding plan for the capital replacement program.

3.2 Develop city-wide goals and identify related financial needs, including needs of general government, enterprise activities, and grant activities. This policy shall be implemented by

3.2.1 Assessing and prioritizing city needs annually and establishing city-wide goals.

3.2.2 Identifying financial needs related to each goal.

3.2.3 Studying all available funding methods for all financial needs identified.

3.2.4 Developing financial priorities and plans for all city-wide goals.

3.3 Develop and improve financial reporting and forecasting systems to extend budget planning to a five-year cycle.

3.3.1 Working toward implementing electronic data processing equipment and other improvements for cost-effective and efficient operations.

3.3.2 Developing a five-year forecast report system which includes both needs and resources and is based on assumptions developed in the goals process.

4. ANNEXATION POLICY: To initiate steps to straighten the city's irregular eastern boundary.

To achieve this goal, it is the policy of the city to

4.1 Encourage orderly city growth through development of an annexation policy. This policy shall be implemented by

4.1.1 Reviewing all planning and development ordinances and policies to insure they contain no unreasonable restrictions on development.

4.1.2 Identifying which unincorporated areas would, if annexed, contribute to improving the city's irregular eastern boundary.

4.1.3 Determining which unincorporated areas could most logically be provided with city services if annexed.

4.1.4 Identifying additional capital and personnel requirements to accommodate service needs of annexed areas and developing a plan for providing these requirements.

4.1.5 Making use of all lawful means to make neighboring area residents aware of the benefits of city services and encourage annexation and development of those areas.

5. SERVICE PROVISION: To provide for maintenance and enhancement of current and future city services.

To achieve this goal it is the policy of the city to

5.1 Strengthen police services for all residents of the community. This policy shall be implemented by

5.1.1 Enhancing the police-citizen participation in the community to reduce crime by providing quarterly crime-prevention seminars for schools, community groups, civic organizations, and conducting security surveys on homes and businesses at no cost.

5.1.2 Expanding non-traditional police services to the community by developing a police-social worker program to provide crisis intervention and follow-up counseling and treatment, and developing a police-community service worker program to provide civilian processing of non-critical police calls.

5.1.3 Pursuing cost-effective alternatives for providing police services by investigating options for consolidating dispatch services if costs can be reduced and service improved, and providing a station house reporting system for cold calls/non-critical calls, i.e. follow-up reports.

5.1.4 Developing a system for the orderly replacement of police capital equipment by initiating a policy of planned obsolescence, depreciation, and disposal of all capital equipment, and establishing an equipment reserve fund to pool resources for equipment replacement.

5.2 Strengthen fire services for all residents of the community. This policy shall be implemented by

5.2.1 Enhancing the fire-citizen participation in the community to reduce fire loss by conducting fire safety surveys on homes and businesses and by providing periodic fire-prevention seminars.

5.2.2 Developing a system for orderly replacement of fire capital equipment by initiating a policy of planned obsolescence, depreciation and disposal for all capital equipment and establishing an equipment reserve fund to pool resources for equipment replacement.

5.2.3 Completing a study of and implementing useful facets of a plan for more efficient utilization of fire department personnel.

5.2.4 Completing a Fire Protection Master Plan.

5.2.5 Developing a program of shared community/city fire protection (e.g., encouraging in-built fire protection).

5.3 Provide a level of library service responsive to the needs of patrons residing in the community. This policy shall be implemented by

5.3.1 Surveying the user and non-user library needs of residents of the community.

5.3.2 Achieving standard levels of staffing and materials and an automated circulation system.

5.3.3 Making plans for the future expansion of services offered by the library.

5.4 Provide for growth of senior services and create social service programs for the general community. This policy shall be implemented by

5.4.1 Increasing the outreach efforts to area senior citizens to involve them in existing programs and determine additional program needs.

5.4.2 Developing new senior programs both at the Center and in the community as needed.

5.4.3 Equipping The Milwaukie Center and developing a plan for its use as an emergency shelter facility.

5.4.4 Continuing involvement in country-wide planning for funding of senior services.

5.4.5 Assessing the community's needs and beginning active programming for the community in general as space and funding allow.

5.5 Provide for an adequate park system and reestablishing and expanding recreation programs to meet needs of citizens. This policy shall be implemented by

5.5.1 Identifying and prioritizing needs for park acquisition, improvement and maintenance and establishing total costs of acquisition, design, construction and maintenance.

5.5.2 Identifying and prioritizing needs for reestablishing and expanding recreation programs to maximize use of facilities.

5.5.3 Studying possible funding strategies for providing for priority needs including general obligation bonds, revenue bonds, grants and a special park district .

6. COMMUNITY RELATIONS: To build confidence and strength in the Milwaukie community by bringing citizens and government together.

To achieve this goal, it is the policy of the city to

6.1 Provide a system of communications that develops a positive understanding between the city and its citizenry. This policy shall be implemented by

6.1.1 Continuing the Key Communicator program to provide timely accurate information to a network of citizens regarding accomplishments and situations with a potential for conflict or confusion.

6.1.2 Providing for improved orientation to the city, its structure and functions, for all city boards, commissions and committees.

6.1.3 Updating all city and department information materials and creating a suitable structure for information dissemination whenever the opportunity presents itself (Festival Days, Fallfest, school programs , etc.).

6.1.4 Developing a city newsletter to be distributed periodically to all citizens.

6.1.5 Making use of opportunities available through the cable television system to communicate with the citizens.

6.1.6 Organizing a program of coffees and other informal gatherings to increase citizens' understanding of the city and its functions.

6.2 Work cohesively as a directing force in exercising positive political leadership within the community. This policy shall be implemented by

6.2.1 Providing opportunities for the City Council to obtain group effectiveness training and other useful tools in an informal situation.

6.2.2 Providing opportunities for the City Council to work directly with city boards, commissions and committees on major projects.

6.3 Create a positive image of the city within its boundaries and in the greater metropolitan area. This policy shall be implemented by

6.3.1 Implementing the communications channels identified in 6.1.

6.3.2 Extending participation in opportunities to disseminate information to those outside the city (e.g., County Fair, Metro committees).

6.3.3 Working more closely with the media to improve the image it portrays of the city.

6.4 Create a climate in which there is a positive response to the administrative leadership of the city. This policy shall be implemented by

6.4.1 Clarifying the differentiation between the role of the City Council (sets policy) and the role of the city administration (implements policy).

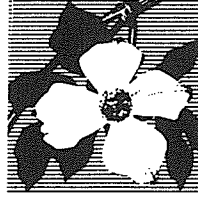
6.4.2 Clearly enunciating an "open door" policy for the City Manager's office to the community.

6.4.3 Insuring that administration participates positively in all the activities listed in 6.3 regarding the image of the city.

6.5 Provide for significant involvement of the citizens in the workings of their city government. This policy shall be implemented by

6.5.1 Developing new structures for including citizens in city functions such as the "Key Communicator" program.

6.5.2 Encouraging closer involvement of the various boards, commissions and committees with the City Council.



January 24, 1983

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: HUGH BROWN 

SUBJECT: 1983-84 LABOR CONTRACT NEGOTIATIONS

It is time again to consider the issues involved in labor contract negotiations. The contracts we have with IAFF Local 1159 (fire) and MPEA (police) expire on 6/30/83. Our contract with MEA (general employees) requires negotiation of economic items for 1983-84.

There are a number of issues the Council will need to provide staff direction regarding before bargaining can begin. Such direction will provide a clear basis for developing the city's proposals, for evaluating union proposals, and for providing continuity and consistency among the three separate negotiations. Below I have drafted guidelines for your consideration based on my evaluation of the city's circumstances in consultation with Greg Eades and Jo Durand. This draft can serve as a basis for discussion at an executive session scheduled after the February 1, 1983 Council meeting.

In addition to the guidelines, we will need to discuss who will negotiate for the city this year. Last year Greg and Jo handled most of the bargaining. It may be advantageous to involve an outside negotiator this year. The IAFF negotiations are the most likely to result in arbitration since the central dispute (comparability) in last year's negotiations was unresolved by the arbitrator. This would probably be the best place to use an outside negotiator. Attached is information I have received from Kevin Lindgren of the Local Government Personnel Institute. I believe he is our best option for an outside negotiator for this year if we decide we want to use one.

## GENERAL LABOR RELATIONS GUIDELINES

1. Maintain all existing management rights and prerogatives and where possible increase management rights.
2. Make use of any legal means available to encourage early resolution of labor disputes and avoid lengthy contract negotiations and third party intervention.
3. Work for short-term agreements in order to maintain maximum flexibility and allow us to take into account fluctuations in the economy and changes in city finances.
4. Where appropriate, attempt to exclude employees from bargaining units and encourage non-union membership.
5. Resist requests for additional time off with pay.
6. Attempt to tie any increase in compensation to corresponding increase in productivity.

## SALARY GUIDELINES

1. Establish a wage policy based primarily on only three factors: (a) city's ability to pay, (b) job market, (c) job performance.
2. Attempt to implement merit pay system in lieu of step pay plan.
3. Establish a uniform format for wage plans and uniformity in pay between like jobs across all three bargaining units.

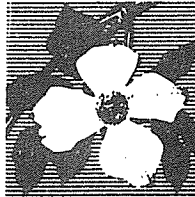
## GUIDELINES REGARDING SPECIFIC LANGUAGE ISSUES

While there are many specific language issues in each of the contracts which we need to work on during negotiations, there are several that are important enough that they should be mentioned in general guidelines.

1. Delete work week, existing conditions/maintenance of standards and minimum manning clauses.
2. Limit city's payment of insurance premiums and increase flexibility to switch carriers.
3. Pay educational incentive only for job-related courses and remove possibility of tuition reimbursement for these courses.
4. Discourage frivolous grievances by requiring award of cost to prevailing party and establish strict guidelines for each step in grievance procedure.

5. Add flexibility to overtime provisions to allow variations in scheduling.
6. Clarify and reduce liability of injury leave policy.
7. Clarify and reduce liability of sick leave policy.

# CITY OF MILWAUKIE



VI  
①

OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

## MEMORANDUM

January 28, 1983

TO: MAYOR AND CITY COUNCIL  
FROM: HUGH BROWN, CITY MANAGER  
GREG EADES, CITY ATTORNEY  
SUBJECT: CABLE NEGOTIATIONS

As you requested, we substantially completed the franchise negotiations and we recommend your approval of the agreement in principle which has been reached with the Tribune Cable Company of Oregon.

The agreement accomplishes many of the city's objectives. Attractive features of a franchise granted to Tribune would include a 12 year franchise term, a comprehensive penalties provision, good complaint and public information programs, subscriber preference surveys, rate discounts for seniors and multiple pay channels, city authority over public access and institutional services, annual performance evaluations and a guarantee of performance even if in the future the city is denied the ability to regulate cable.

Since the last meeting we resolved the majority of the remaining issues, either by compromise or by getting Tribune's final offer on certain items. The final offer is somewhat deficient in several areas, compared with the original city requirements and other proposals we received:


1. Local production facilities, staff and funding may not be adequate to encourage community programming.
2. Although the capability for future improvements and additions has been provided in some areas, there are many examples of "built-in" limitations. Later improvements could cost more and may require rate increases.
3. The construction period is longer than we wanted.
4. There is no formula to determine the need for rate increases.
5. The city is required to purchase the system in the event of termination for any reason other than revocation of the franchise for cause.

Both the advantages and these deficiencies are discussed in more detail in a separate summary of the ordinance.

Although there are problems with the agreement, and some of the deficiencies could be removed in negotiations with another company, there is no guarantee that anyone else would accept even as many of the original city requirements as Tribune has. Some of the requirements may be unreasonable for a system this size, and the offer has been improved on since the first round of negotiations. Further improvement, without creating new deficiencies, appears to be unlikely.

If the agreement in principle meets with City Council approval, an ordinance will be prepared for first reading on February 15. A public hearing would also be scheduled for this meeting. Final reading could take place the same evening, or more likely, at the March 1st meeting.

The decision to award a franchise is always an important one for a city. The final decision by City Council must weigh the advantages and disadvantages of a negotiated agreement. If you have any further concerns, we encourage you to discuss them with us and, if desired, the Tribune representatives on Tuesday. Ken Downes, the city's cable consultant will be present at the meeting as well as Bill Cullen, President of Tribune.

  
\_\_\_\_\_  
Hugh Brown, City Manager

  
\_\_\_\_\_  
Greg Eades, City Attorney

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**KEN DOWNES / Associates**

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February 1, 1983

Members of the Council - City of Milwaukie

Our experience with the Milwaukie cable franchising situation is rather extensive. For twenty months we have served as consultants to the staff and council in the preparation of ordinances and franchise documents, in the promulgation of two requests for proposals, in the evaluation of proposals, and in the current detailed negotiations with the city-selected applicant. We have also procured franchises, owned, built and operated systems, developed and operated innovative services and equipment, organized regional system networks, and have some sixteen years intimate experience with the cable industry on both a local and national basis.

Based on this experience and our understanding of the city's desire to obtain the realistically available benefits from a Milwaukie cable system, we have the following conclusions and recommendations:

Conclusions: Milwaukie has shown unusual municipal initiative and intelligence in its pursuit of the best quality cable service.

The proposal presently before you, in its current state of negotiation, represents a 'reasonable' cable system by current standards -- but almost certainly considerably less than you can achieve with very little more persistence and resolution.

- We recommend:
1. That you 'table' the present negotiations and, in a period of two to four weeks (no longer), obtain a staff report on available alternatives - with detailed lists of the advantages and disadvantages and the steps needed to pursue each alternative.
  2. On receipt of the staff report, you determine whether it is best to conclude the present negotiations as favorably as possible and grant the franchise -- OR

Whether one or more alternatives should be aggressively pursued -- for a limited time and with the details of its practicality reported to you so that you can decide on its implementation.

Respectfully Submitted:

*Benneth S. Downes Jr.*

The best and most detailed information available on the Tribune's 'best offer' describes a reasonably modern cable system offering a limited number of the industry's fairly standard and highest profit services. Rates are comparable to similar systems.

In relation to some other systems, and to the requirements for the kind of cable service requested by Milwaukie, the Tribune's 'best offer' has the following deficiencies:

1. The selection of channels and services to be offered will not be adequately influenced by the interests and desires of the public. 7.1
- ✓ 2. There is no assurance of any two-way or interactive service during the 12 year franchise life. 7.5B
- ? 3. Service to all parts of the city is not assured, except at substantial additional cost to some residents or bussinesses. 6.3E1
- ✓ 4. Subscriber equipment cannot be upgraded to expand system services in the future except at substantial cost. 5.4
- ✓ 5. There is no effective provision for interconnecting the system with others in the area, or for the exchange of meaningful amounts or ranges of services. 7.8  
7.9
6. No library reference service or library TV facility is available.
- ✓ 7. Minor shortening of franchise term as a penalty for major franchise violations is not available.
8. Satellite reception facilities giving access to an adequate variety of present and future satellites are not required. 5.3K
9. The franchise term required by the Tribune is 50% longer than that offered by the city.
10. Franchise extensions based on quality of service and operator performance have been refused by the Tribune.
11. In the event of interconnection, the capacity of the institutional network to serve users within the city may be reduced, and there is no means to require restoration of this capacity. 7.8

- ✓ 12. There is no assurance that the institutional system will reach everyone in the city who may need to use it. 6.3B
13. An adequate procedure for "Proof of technical performance" of the system has not been offered (after repeated requests by staff). 5.4A, C
14. There is no requirement for introduction or use of any new technology, or for the offering of any new services, during the next twelve years. 5.5A, B, C  
7.5B
15. Hookup charges are not in proportion to the cost of the work. 9.1  
Some rates have been raised since the original proposal. 9.2C  
No interest is paid on subscriber equipment deposits.  
Extra charges are made for some items may decrease the sale of cable service.
16. An effective discount for low income families (as provided by the city for its utility users) is not available. 9.5C
17. Only about 65% of the system's TV channel capacity is used, and none of its computer data capacity, two-way, or interactive capacity. 7.1
18. Pay-per-view programming is not available in a form, on a schedule, or at a cost likely to generate public use or expand viewer choice of programming. 7.4  
5.4
19. The operator can require renegotiation of the franchise before any new services are offered. 7.10B
- ✓ 20. Studio design and production equipment do not meet the minimum requirements of the RFP and are not adequate for effective use by the public, local institutions and government, community groups, or the Grantee. 8.0  
8.1  
8.4C
21. There is no predetermined or orderly method of evaluating the merits of rate increase requests, but if the city does not act on a request within 60 days it is automatically approved. 10
22. On expiration of the franchise, or its termination except for cause, the city must purchase the system at fair market value, using the then current methods of valuation of systems sold in the commercial marketplace. 4.3B  
4.8

23. Exhibits to the franchise need not be submitted for city approval for 90 days after the franchise has been accepted and is in force. Exhibits include:

Proof of performance testing methods  
Studio design and production equipment  
Technical system specifications  
Institutional network cable routing  
Detailed construction schedule

24. The city may inspect the Grantee's equipment and operations only during normal business hours. 4.4
25. Expense to the city caused by Grantee's acts or omissions can only be recovered if a franchise violation was involved. 12.46
26. The city is not assured of reimbursement for the full costs of negotiation and award of the franchise.
27. Arrangements for interconnection and exchange of services with neighboring systems are uncertain. An interconnect may also not provide adequate capacity. 7.9
28. Provision of alarm service may be delayed up to two years. 7.6
29. Adequate numbers of cable company personnel are not assured to produce local programming and services and assist the public in using the cable system. 8.2
30. There is no requirement for minimum error in the operation of a service by the company. 11.1C
31. The city does not have the insurance protection of the standard cross-liability endorsement. 12.7B
- ✓ 32. The Grantee is only required to defend or to pay the costs of defense of the city for the specific liabilities listed in the franchise. (i. e. The hold-harmless clause is strictly limited instead of the standard broad form.) 12.8
33. Subscriber information privacy is limited to information on individual subscribers only. 13.2
34. The Grantee is not required to do an installation in the manner desired by a subscriber even if the subscriber is willing to pay the cost. 11.4B

35. The local corporation holding the franchise is guaranteed by its parent company to perform in accordance with the franchise only during the first year. 3.7
36. Adequate log or announcement channels are not provided to inform subscribers of programs not listed in TV Guide. 7.1C
37. There is no reduction in charges for services for which subscribers provide their own equipment. 7.7
- ✓ 38. There is no assurance that any channels will be available for leasing on a practical financial and operating basis. 8.4D
39. Effective publicity and current and accurate information on available cable services to inform the public is not assured. 7.11
- ✓ 40. Adequate production supplies to support the programming efforts of the public and non-profit system users are not provided. 8.3A, B
- ✓ 41. The criteria for expansion of the channels available to government and non-profit system users are unrealistic and may restrict or discourage such users of the system. 8.4F, G
42. The two year rate freeze begins on date of franchise award rather than on date of first service. It is therefore a one year to eighteen month freeze; not two years. 9.6
43. Use by the public of the access channels is subject to unregulated charges. 9.3B
44. Performance bonds and other sureties contained in the franchise cannot be extended to cover Grantee liabilities to subscribers. 12.6
45. Limited hours of Grantee's production staff availability may limit the public in program development. 8.5
46. Billing payment delinquency of only 15 days is allowed to avoid additional charges. 9.7Ba
47. An extra charge is made for the ability to use any two-way or interactive services offered, in addition to the charges for the services themselves. 9.2D

MEMORANDUM

January 31, 1983

TO: MAYOR AND CITY COUNCIL  
FROM: HUGH BROWN, CITY MANAGER  
GREG EADES, CITY ATTORNEY

*HB*  
*GE*

SUBJECT: CABLE FRANCHISE ORDINANCE

The attached summary describes the major provisions of the tentative agreement with Tribune. These may be reviewed tomorrow night, at the public hearing and anytime during our discussion of the proposed ordinance.

SUMMARY  
OF  
CABLE FRANCHISE ORDINANCE  
TRIBUNE CABLE COMMUNICATIONS

Section 1. TITLE.

Section 2. DEFINITIONS.

Section 3. GRANT OF FRANCHISE. A non-exclusive, revocable franchise is granted to Tribune. The franchise allows use of the public right-of-way, subject to other general city ordinances and regulations. The franchise is valid for 12 years and is not transferable without city consent. The ordinance is effective 30 days after adoption unless Tribune fails to file a written acceptance before then.

Section 4. GRANTOR'S AUTHORITY. The city reserves broad regulatory authority including the right to purchase the system, inspect and make tests, examine records, assess fines for franchise violations, conduct annual performance evaluations and delegate regulatory authority to an appointed or joint commission.

The penalties provision is very comprehensive and allows imposition of fines of up to \$1,000 per day. The only disadvantage is that the city may not reduce the term of the franchise as a penalty.

The city may acquire the system at any time. If the city elects to purchase for any reason except revocation of the franchise for cause, the purchase price is fair market value as determined by an arbitration panel. If the city elects to purchase after revoking the franchise, the purchase would include only the value of the system assets.

Section 5. SYSTEM DESIGN. This section includes the basic system requirements for the residential network, institutional network, emergency override system, subscriber equipment, required tests, and technological improvements. Subscriber equipment to accommodate interactive services will be provided when and if such services are offered. New equipment and services may be added when economically feasible, subject to future negotiation.

Section 6. CONSTRUCTION. The system will be completed within 9 months after the effective date of the franchise, except that the studio may not be complete until the 10th month. Entertainment service will be provided throughout the city, institutional services will be provided to places listed by the city. Cable will be installed underground only where all other utilities are underground. Grantee will maintain a set of "as-built" drawings for city reference.

SUMMARY - CABLE FRANCHISE ORDINANCE  
PAGE 2

Section 7. SERVICES. Basic subscriber service includes a minimum of 8 broadcast stations, 4 "log" channels, 7 local channels and 18 satellite channels. 14 of the satellite channels may be selected by the city, subject to certain restrictions. Grantee will also provide FM radio service and a minimum of 8 "premium" channels at additional cost. A "pay-per-view" service will be offered within two years. There is no guarantee that other interactive services, such as teletext or videotext, will be provided at all. Subscribers may provide their own converters and terminal equipment, but there is no discount in the rates if they do.

The institutional services include 5 channels for government and institutional use, which may be expanded later depending on the use. Free connection to the institutional network will be provided to a long list of agencies, and there is no charge for use of the institutional system for the city, school district and other non-profit users.

Grantee will interconnect with other major systems in the tri-county area within 18 months, if acceptable agreements with the other operators can be worked out. Future service changes are subject to negotiation.

Section 8. LOCAL PROGRAMMING. Grantee will provide a local studio and equipment, staffed with 2 full-time employees initially. 75% of the studio equipment and staff time are available for public use. Grantee will provide \$2,500 a year for community programming materials and \$7,500 for equipment for the school district. In addition to the seven channels initially provided, Grantee will reserve 5 for future local programming needs. Rules for use of system and facilities by community users shall be developed subject to city approval.

Section 9. RATES. Basic rate is \$7.50 per month, plus \$20.00 minimum installation charge. Installation is free for at least the first 30 days. Senior citizens are entitled to a 10% discount in basic rate. Premium channels start at \$5.95 - \$8.95 per month with discounts for purchase of multiple services. Studio and portable equipment use is free up to 20 hours a month for non-commercial users. Basic rates would be "frozen" for 2 years and premium rates for 18 months following first service date.

Section 10. RATE REGULATION. The city is given regulatory authority over a broad range of rates and charges, including institutional services and public access. Future service rates may be regulated if "similar" to initial regulated rates. Tribune insists that it be granted at least the expectation of a reasonable return on investment. The city insists that it ought to be under no obligation to approve a rate increase request. The city must act on rate requests within 60 days.

SUMMARY - CABLE FRANCHISE ORDINANCE  
PAGE 2

Section 11. SYSTEM OPERATION. This section includes extensive requirements dealing with installation, operation and changes or disconnection of services. Grantee shall provide a local office and sufficient staff and phone lines to adequately handle complaints and inquiries. Grantee shall take specific steps to market services and inform the community concerning existing and potential services. Grantee will adopt complaint procedures acceptable to Grantor. An equal employment opportunity policy and certain records and reports are required.

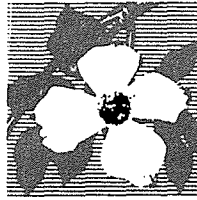
Section 12. FINANCIAL AND INDEMNITY PROVISIONS. Grantee will pay the city 5% of gross revenues as franchise fee quarterly. A minimum fee of \$35,000 per year shall be paid during the first four years. Grantee will reimburse city for franchising costs. Grantee will maintain a letter of credit in favor of the city of \$40,000 and a performance bond in the mutual amount of \$100,000, reducing to \$40,000, to guarantee performance under the franchise. Grantee will also provide adequate liability insurance, naming the city as additional insured. Grantee agrees to provide limited indemnification to the city for claims arising out of the system operation.

Section 13. SUBSCRIBER PROTECTION. Grantee has accepted provisions dealing with non-discrimination, privacy, use of subscriber lists, public safety, misrepresentation and misuse of the system.

Section 14. TERMINATION. The franchise will terminate upon expiration of its term, revocation by Grantor or by mutual consent. A procedure is established to consider revocation for cause.

Upon termination, the city may renegotiate with Tribune, invite other applications or take any other action it deems appropriate, provided that if the franchise is terminated for any reason other than revocation for cause, the city must purchase the system from Grantee at fair market value.

Section 15. MISCELLANEOUS PROVISIONS. This section contains several provisions required for interpretation of the franchise. Tribune guarantees performance under the franchise in the event the city may not have the authority to enforce it in the future. Tribune is excused from violations caused by factors beyond its control. The city shall adopt regulations dealing with tenants' rights to receive cable services.



## MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM: HUGH BROWN  
SUBJECT: POLICE DEPARTMENT VEHICLE SAFETY AND  
DOWNTOWN PATROL  
DATE: FEBRUARY 11, 1983

During recent City Council meetings, questions have arisen regarding police department activity and procedures. Specifically, the concerns related to downtown patrol activities and repairs on police vehicles.

Attached are two memorandas from Chief Schanaker. Regarding vehicle damage, I believe you'll find the department is taking steps to develop good driving skills and the record of damage over the past five years is minimal. This is certainly the best record I have seen among cities I have worked with. As these incidents occur, we expect the cost to be higher, unfortunately, because of the extraordinary increases over the last few years in car repair prices. This is just another reason, though, for the department to continue their emphasis on safe driving and maintain their low accident rate.

The second memo addresses the concern about sufficient patrol coverage of the downtown area. While criminal activity will and does occur, the record is good downtown and there does not appear to be a cause for alarm. The city does take extra measures to communicate with the businesses to be aware of concerns and does respond to special needs and situations.

I also don't recommend the use of volunteers performing certain patrol activities. There are some liability concerns depending mostly on the type of work. Insurance could cover these additional people, but this would need to be carefully evaluated also, as we are trying to reduce

MAYOR AND CITY COUNCIL  
February 11, 1983

page 2

VT  
N (2)

risk exposure and the cost of insurance in all programs of the city. The only parking problem we are aware of downtown is the desire for varying time limits and this is being studied. We are not aware of a concern regarding inadequate patrol or inadequate parking. The downtown parking situation and the method of patrol will continue to be reviewed, however, as business activity downtown increases.

M E M O R A N D U M

TO: Hugh Brown  
FROM: Ron Schanaker  
DATE: February 4, 1983  
SUBJECT: TRAFFIC ACCIDENT INVESTIGATION PROCEDURE

FEB 05 1983  
VI  
N (3)

The following information is in response to your request for:

1. Police Vehicle Accident Investigation

In the event a police vehicle is involved in a traffic accident, the provisions of our department policy, established April 24, 1980, must be complied with. According to our policy,

"An accident involving a department vehicle shall be investigated by the Oregon State Police, or if they are unavailable, the Clackamas County Sheriff's Department, when one or more of the following elements are present:

- a. Damage to department vehicle exceeds \$200;
- b. There is an injury;
- c. There is damage to another vehicle;
- d. There is a violation of any law."

In the event none of the above elements are present in an accident, and the damage is less than \$200, the Milwaukie Police Department will investigate the accident. Following the field investigation of police vehicle accidents, an accident review board is convened within ten days following the accident. This is an internal procedure that was established in 1980 with the purpose of reviewing the circumstances surrounding the accident and submitting a finding to the Chief of Police. The minimum action taken by the Chief of Police would be a letter of reprimand being placed in the officer's personnel file. In the event the officer is involved in a chargeable and negligent accident within one year of

Memo to: Hugh Brown  
From: Ron Schanaker  
Subject: Traffic Accident Investigation Procedure

2/4/83

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N (4)

Page 2

of the letter of reprimand, additional disciplinary action would be taken. This has not occurred in the past five years.

2. Driver Training

All of the uniformed officers in our department have received driver training. This involves behind the wheel training at the Portland International Raceway and conducted by the larger departments in the area. The program is offered about once every two years as an on-going training process. In addition to this localized training, the Board on Police Standards and Training provides driver training instruction during the initial recruit training process. We feel that it is important to expose our officers to this training, thereby increasing their skill at driving and reducing the possibility of accidents.

3. Warranty Repair on Vehicles

You requested information about the repair, at Olinger Dodge, of a 1982 Dodge police car. The bill was for the repair of a rear window defroster that could not be done by our city shops. Additionally, the car was passed the 12,000 mile warranty period. In fact, at the time of the repair, the patrol vehicle had 16,000 miles on it.

In summary, I believe the elements of our vehicle operation procedures and policies have assisted in reducing the number of accidents over the past years. We have an outstanding record of few accidents considering the fact that our officers drive approximately 160,000 miles a year. As an example, from 1978 through 1982, we experienced a total loss of \$2655 for accidents which occurred as the result of police officer driving error.

Please contact me for any further information.

RCS:jh

M E M O R A N D U M

VI  
N(S)

TO: Hugh Brown  
FROM: Ron Schanaker  
DATE: January 31, 1983  
SUBJECT: CITIZEN DOWNTOWN PATROL AND PARKING ENFORCEMENT

A concern was raised at the last council meeting regarding the level of criminal activity in the downtown area. In an effort to reduce this perceived problem, a citizens' patrol was suggested. A citizen volunteer parking control program was also presented.

For you to address these two topics, I believe it is necessary to present a brief overview. The downtown commercial area has not experienced a dramatic increase in any type of criminal activity. Although we do witness an occasional burglary and robbery through the year, there has been no appreciable change over the past years. The basis of the concern expressed at the council meeting was the problem of four burglaries occurring during a three-day period. This was an unusual occurrence and I don't recall it happening in the past, in the same manner.

We commit an acceptable level of police officer patrol to the downtown area, considering the amount of general police activity and citizens' calls for services in the remaining portion of our community. As an example, a seven-month survey of activity in our downtown area, covering a period from April 1, 1981 through October 30, 1981, reflected that 252 incidents in 23 categories occurred, as compared to 7,795 calls for service, city-wide, during the same period of time.

I frequently attend the Milwaukie USA Merchants Association for the principle purpose of understanding the merchants' concerns about police service. During the several years that I have been attending these sessions, I can recall only one question being raised about the level of police service in the downtown area. To elicit further information on the topic of downtown police service and merchants' satisfaction with our activities, I contacted the chairman of the Milwaukie USA Merchant's Association, Pete Sinclair. Mr. Sinclair stated that there has been no discussion or complaints about police service in the downtown area.

The suggestion that citizens patrol the downtown area, to deter criminal activity, is a questionable approach to police augmentation. There are several concerns regarding this. The first,

Memo to Hugh Brown  
From Ron Schanaker

1/31/83

VI  
N (6) Page 2

Subject: Citizen Downtown Patrol and Parking Enforcement

and most significant, is the issue of city liability when individuals are permitted to perform security-type service on behalf of the city. Also, it is rather doubtful whether citizens would patrol, on a continuous basis, during the hours of darkness. This takes a considerable number of people and dedication to this type of program.

The second suggestion, that being a civilian parking control officer, was raised. Again, the liability attached to this type of program creates an enormous exposure for the city. Additionally, the present system of patrol and control of vehicle movement appears to be working well. It is seldom that we receive any complaints from the merchants regarding inadequate parking enforcement in the downtown area. Random visual surveys have been conducted during many periods of the day - the conclusion is that adequate parking spaces are available for shoppers.

I believe that further information should be developed by the city attorney to address some of these questions.

If you have further comments, please contact me.

RCS:jh