



Regular Session

RS

Milwaukie City Council



MINUTES
MILWAUKIE CITY COUNCIL
www.milwaukieoregon.gov

REGULAR SESSION
MARCH 3, 2015
City Hall Council Chambers

Mayor Parks called the 2,193rd meeting of the City Council to order at 7:10 p.m.

Council Present: Council President Batey and Councilors Scott Churchill, Mark Gamba, and Karin Power

Staff Present: Assistant to the City Manager Mitch Nieman, City Recorder Pat DuVal, City Attorney Shelby Rihala, Library Director Katie Newell, Engineering Director Jason Rice, Civil Engineer Adriana Slavens, and Light Rail Construction Manager Stacy Bluhm

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. Portland-Milwaukie Light Rail (PMLR) Update

Ms. Bluhm showed slides of recently planted street trees on 21st Avenue and Adams Street.

Councilor Churchill understood the City's Ordinance required that street trees be staked.

Ms. Bluhm replied in this case there were tree wells making it possible to strap the trees and control the root balls with barriers. A lot of construction activity had been focused on the 21st Avenue and Lake Road area including wide sidewalks, stormwater planters, and the stairs leading to the station platform. Lake Road has been paved and will be two way with 11-foot shared lanes. Because of the trestle, height restrictions will still apply. There are signals on 21st Avenue at Adams and Washington Streets and an all-way stop at 21st Avenue and Lake Road. She pointed out the landscaped swath at 21st Avenue and Adams Street that reserves the area for a northbound light rail platform or to complement the adjacent triangle site. The next slide showed station solar shelters, and she noted the columns would be granite clad. She pointed out the connection to the Adams Street Connector for bikes and pedestrians that would feature granite artwork and the lanterns if funding were identified. She showed an eastbound view of the Adams Street fire gate for emergency vehicles as well as several slides of the work to the south including Oatfield Road, Park Avenue east of Hwy 99E, and the Park Avenue light rail station plaza that included benches and sidewalk poetry.

Ms. Bluhm commented on the safety improvements with flashers at all of the pedestrian crossings in Milwaukie and double swing gates on both sides of Washington and the south side of Harrison Streets. The north side of Harrison and both sides of Monroe Streets were single swing gates because of sidewalk constraints. Four quadrant gates would be installed at Harrison and Washington Streets and Mailwell Drive. Just last week the PMLR Safety and Security Task Force recommended that TriMet establish a signed School Speed Zone of 20 mph for light rail trains in downtown Milwaukie between Harrison and Adams Streets. Milwaukie's quiet zone is anticipated to go into effect on May 1. Other work underway was the electrical system, catenary poles and wires, new gates, and traffic signals that would be activated on 21st Avenue once the new gates are installed in late April.

The City continues to work with the Oregon Department of Transportation (ODOT) to redesign the McLoughlin Boulevard / 22nd Avenue intersection by widening the right turn pocket and realigning the intersection to create a 90-degree turn. She discussed the Kellogg Lake Bike and Pedestrian Bridge and the schedule of upcoming hearings before the Design and Landmarks Committee (DLC) and Planning Commission.

Councilor Churchill thought the curve would be softer on the bike and pedestrian bridge and expressed concern that this could be a collision point.

Ms. Bluhm replied the curve might be cost prohibitive and commented on the desire to keep the number of supports at a minimum.

Councilor Churchill suggested a three segment section in that area. He thought it looked like a pinch point and a safety issue.

Ms. Bluhm replied her ideal would always be a curve if money were not an issue. The slope at this point was about 5%.

Councilor Gamba observed that cyclists will build their own sweep. He asked Ms. Bluhm to provide a concept of how much a segmented design might cost.

Ms. Bluhm briefly reviewed upcoming public hearings and scheduled issuance of construction permits in May 2015. At this time there was no schedule for the McLoughlin Boulevard / 22nd Avenue improvements. The midblock ramp was already installed on the north side of Lake Road. She was undecided at this point when to open Lake Road since it would have to be closed again but hoped to open the sidewalk on the north side of the street.

Councilor Churchill noted that the street trees on Monroe Street, which he did not believe were a native species, seemed undersized and had no grates or stakes. He was concerned the trees will be snapped off if not staked.

Ms. Bluhm replied this street tree species was planted at the City's request. It was actually a very slow growing tree, and the City had to accept a smaller caliper. She would look into Councilor Churchill's question about staking.

Councilor Churchill thanked Ms. Bluhm for working to resolve the safety issues.

Mr. Rice explained that the purpose of the planter boxes was to accommodate slower growing trees that would be less likely to crack the sidewalk.

B. Eighth Street Surface Maintenance Program (SSMP) Report

Ms. Slavens and **Mr. Rice** provided the eighth annual report on the SSMP which was implemented in 2007 to bring Milwaukie's major streets up to a Pavement Condition Index (PCI) rating of 75. Last year's main project was Monroe Street Phase II which was a base and surface reconstruction between McLoughlin Boulevard and Oak Street. The Year 9 project will be a base and surface reconstruction of Railroad Avenue from 37th Avenue to Linwood Avenue at an estimated cost of \$1.25 million at the current pavement width or \$1.475 million to add a four foot shoulder. The latter option would include asphalt and base, ditch realignment, slope regarding, and pipe replacement.

Mr. Rice explained in order to cover the cost of the four foot shoulder, a future SSMP project, yet to be determined, would likely be postponed. He was seeking direction from the City Council before moving forward with the additional four foot shoulder. Although it was still not ideal, this option provided a shoulder for bikes and pedestrians.

Councilor Churchill understood the vehicle lane width would not change but rather a wider shoulder would be added on the north side of the street.

Mayor Parks felt this was a safety issue that needed to be addressed.

Council President Batey was concerned that once the road was improved that people would perceive the street was safer and be encouraged to speed.

Mr. Rice understood Council direction was to pursue the additional four feet on the north side of Railroad Avenue that would result in deferring a future project.

Councilor Power observed that people from that neighborhood had testified before the City Council about bike and pedestrian safety as well as pavement conditions.

Councilor Churchill supported adding the four foot shoulder.

Ms. Slavens talked about slurry and crack sealing which was a relatively inexpensive method for increasing pavement life for streets with a "good" rating. The cost was about \$65,000 annually.

Mr. Rice added that last year for \$65,000 streets were repaired in the Cedarcrest neighborhood and the Brookside area.

Ms. Slavens reviewed the funding sources, expenditures, and pavement network condition. The additional SSMP benefits were bike network and connectivity improvements, safer routes to schools, improved stormwater drainage, enhanced appearance, and more efficient prioritization of infrastructure projects.

Mr. Rice compared Milwaukie's street fees with Lake Oswego, Oregon City, and West Linn and the amount collected per lane mile. He discussed options for collecting additional funds and noted Milwaukie had not increased its fees in 9 years. He commented that Clackamas County was looking at road funding, but he was not sure at this time how that might impact those jurisdictions already collecting their own fees.

Councilor Gamba noted there were some streets that were little more than gravel roads that were not on the list. He hoped those streets could be improved while maintaining the streets that were in good condition.

Councilor Power thought the pay off would be in increased property values.

The group discussed funding to bring the entire network up to standards and the potential for bonding against the SSMP fees collected over a 20 year period.

Mr. Rice said it was estimated that it would take \$18 million to bring the system up to a PCI of 80. For now the City had an idea of what could be accomplished in the next ten years. In the fall, staff would look at the variables and make adjustments after the Railroad Avenue project was completed as well as coordinating with other infrastructure improvements.

Council President Batey recommended looking at sidewalk funding options during Council Goal Setting.

C. Community Development Update

Mr. Rice provided an update on Riverfront Park and discussed the goal of opening the Park as soon as possible for boaters. Staff anticipated letting bids for the Adams Street Connector on March 17 with a June 30 completion date. Meetings would be scheduled with the affected tenants of the adjacent buildings to discuss construction impacts. The final Moving Forward Milwaukie (MFM) hearing before the Planning Commission was scheduled for March 10 followed by a City Council study session on March 26. The Central Milwaukie and Neighborhood Main Streets elements will be coming forward. A Monroe Street Neighborhood Greenway public workshop is scheduled for March 18, and more information related to the Residential Parking Permit Program would be forthcoming. Councilors Batey and Power and Mr. Nieman introduced a Green Zebra Grocery representative to several development opportunities in downtown Milwaukie.

CONSENT AGENDA

It was moved by Councilor Gamba and seconded by Council President Batey to approve the consent agenda as presented.

A. City Council Meeting Minutes:

1. January 20, 2015, Regular Session;
2. January 22, 2015, Study Session;
3. February 3, 2015, Work Session; and
4. February 3, 2015, Work Session 2.

B. Oregon Liquor Control Commission (OLCC) Application – Liz Redesigned, LLC, 9401 SE 32nd Avenue – New Outlet

Motion passed with the following vote: Councilors Churchill, Batey, Gamba, and Power, and Mayor Parks voting “aye.” [5:0]

AUDIENCE PARTICIPATION

Mayor Parks outlined the audience participation process.

Mr. Nieman had no follow up remarks from the February 17, 2015, audience participation portion of the meeting.

Chris Ortolano, Hector Campbell Neighborhood resident, urged the City Council to consider providing mediation training through Clackamas County Dispute Resolution Services for one City staff member and two volunteers to guide discussions of complex City issues in the Neighborhood District Associations (NDA), boards, commissions, and committees, task forces, and groups of that nature. He suggested a train the trainer program to help extend the knowledge throughout the community and to help reduce conflicts. He noted the recently adopted supplemental budget allocated \$3,500 for this proposal which he felt would benefit the community as a whole. He offered to email the course syllabus and provide a link to the textbook for the City Council to consider at its retreat. He felt conflict management would help the City achieve its goals sooner.

Kellie Rice and Keith Daellenbach, Secretary/Treasurer, Director of the Madrone Wall Preservation Committee, sought Milwaukie City Council support in urging the Board of County Commissioners (BCC) to establish a public park at the Madrone Wall site near Carver. The BCC was coming up on a major decision point, and Matt Menely owner of Mountain Soles and Outdoor Threads in Milwaukie, suggested Daellenbach approach the City Council. He described the natural features of the site and briefly summarized its history which included many years of advocacy to have it reopened. The Madrone Wall was a special site that should be set aside for rock climbers and others to enjoy, and he urged the City Council to join the effort.

Ms. Rice echoed Mr. Daellenbach’s comments and spoke to the importance of exposing youth to a variety of activities to help promote self-esteem. This was a wonderful area where people of all ages could enjoy nature and recreate.

Councilor Power requested that Mr. Nieman send this information to Tony Anderson, Milwaukie’s representative on the North Clackamas Parks and Recreation (NCPRD) District Advisory Board (DAB).

PUBLIC HEARING

None scheduled.

OTHER BUSINESS**A. Establish a Library Fine Amnesty Week, April 12, 2015, through April 18, 2015, in Recognition of National Library Week – Resolution**

Ms. Newell described the fine program for overdue library materials and the amnesty period in recognition of National Library Week. In addition to making the contributions

to local families through the Oregon Food Bank, this program is a visible way to recognize the contributions of the Library and its patrons. This is the first year all libraries in the District are participating in the Food for Fines Program.

It was moved by Councilor Churchill and seconded by Councilor Gamba to adopt the Resolution establishing a library fine amnesty week from April 12, 2015, through April 18, 2015, in recognition of National Library Week. Motion passed with the following vote: Councilors Churchill, Batey, Gamba, and Power, and Mayor Parks voting “aye.” [5:0]

RESOLUTION No. 15-2015:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING A LIBRARY FINE AMNESTY WEEK FROM APRIL 12, 2015, THROUGH APRIL 18, 2015, IN RECOGNITION OF NATIONAL LIBRARY WEEK.

B. Supporting the Reopening of the Willamette Falls Locks – Resolution

Mr. Nieman reported that Mayor Parks had received a letter from former Congresswoman Darlene Hooley on behalf of the National Trust for Historic Preservation requesting the City Council’s support of reopening the Willamette Falls Locks on the West Linn side of the Falls. The Legislature is considering Senate Bill (SB) 131 to create a State Task Force. The Cities of West Linn, Oregon City, and Wilsonville, Clackamas County, Metro, and the Association of Oregon Counties have adopted Resolutions supporting the reopening of the Locks.

Sandy Carter, West Linn, was working with the Willamette Coalition which would act as a resource to the State Task Force. She noted the Willamette Falls Heritage Foundation had contracted with ECONorthwest to prepare the *Willamette Locks Economic Potential Report* that provided information on the potential benefits to the State and the region from reopening the Locks. She encouraged the City Council to adopt the proposed Resolution.

It was moved by Councilor Power and seconded by Councilor Churchill to adopt the Resolution in support of the reopening of the Willamette Falls Locks. Motion passed with the following vote: Councilors Churchill, Batey, Gamba, and Power, and Mayor Parks voting “aye.” [5:0]

RESOLUTION No. 16-2015:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF REOPENING THE WILLAMETTE FALLS LOCKS.

C. Council Reports

Councilor Power announced several upcoming events and encouraged people to attend.

Councilor Gamba reported that Councilor Power, Mr. Nieman, and he had attended Cities Day at the Capital where they met with several legislators.

Councilor Churchill reported on his activities on the Vietnam Wall Event Committee scheduled for July 23 through July 26.

Council President Batey attended the Milwaukie Police Department Officer of the Year Awards banquet, the Safe Energy Leadership Alliance meeting, and will attend the Greater Portland, Inc. meeting.

Mayor Parks encouraged people to apply for City board, commission, and committee vacancies and thanked those who had served and those who had applied. She announced upcoming Library events and encouraged people to sign up for the remaining community garden plots.


9216

ADJOURNMENT

It was moved by Councilor Gamba and seconded by Council President Batey to adjourn the regular session. Motion passed with the following vote: Councilors Churchill, Batey, Gamba, and Power, and Mayor Parks voting "aye." [5:0]

Mayor Parks adjourned the regular session at 8:54 p.m.

Respectfully submitted,



Pat DuVal, Recorder



MILWAUKIE CITY COUNCIL

Office of the City Recorder
10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Registration

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speakers Registration card, once submitted to the City Recorder, becomes part of the public record.

Name:

Keith K. Daellaubach

Address:

[Redacted]

Organization:

Madrone Wall Preservation Committee

Phone:

[Redacted]

Email:

k [Redacted]

Meeting Date:

Topic to Discuss:

Agenda Item You Wish to Speak to:

#4 Audience Participation

#5 Public Hearing

#6 Other Business

You are Speaking...

in Support

in Opposition

from a Neutral Position

to ask a Question

Comments:

Madrone Wall Park Creation effort in Clackamas County near Carver, Oregon



MILWAUKIE CITY COUNCIL

Office of the City Recorder
10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Registration

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speakers Registration card, once submitted to the City Recorder, becomes part of the public record.

Name: *Chris Ortolano*
Address: [REDACTED]

Organization:
Phone:
Email:

Meeting Date: *3/3/15*

Topic to Discuss:

Agenda Item You Wish to Speak to:

- #4 Audience Participation
- #5 Public Hearing
- #6 Other Business

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



MILWAUKIE CITY COUNCIL

Office of the City Recorder
10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Registration

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speakers Registration card, once submitted to the City Recorder, becomes part of the public record.

Name: *Sandy Carter*
Address: [Redacted]

Organization: *One Willamette River Coalition*
Phone: [Redacted]
Email: [Redacted]

Meeting Date:

Topic to Discuss: *Will. Falls Locks Resolution - it needed.*
Agenda Item You Wish to Speak to:

- #4 Audience Participation
- #5 Public Hearing
- #6 Other Business

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



Subject: Request: Speak at 3/3 Milwaukie City Council Meeting - Madrone Wall
From: Keith Daellenbach (kdaellenbach@att.net)
To: monahanb@milwaukieoregon.gov;
Cc: mtsoles@hotmail.com; kellie.e.rice@gmail.com; kdaellenbach@att.net;
Date: Monday, February 23, 2015 10:38 AM

23 February 2015, Monday

Bill Monahan
 Milwaukie City Manager
 10722 S.E. Main Street
 Milwaukie, Oregon 97222
 503/786-7501

Dear Mr. Monahan:

Matt Menely, owner of Mountain Soles & Outdoor Threads in Milwaukie, mentioned you as a possible contact within the City of Milwaukie to ask if we could be put on the agenda for the Tuesday 3 March agenda. I, along with Kellie Rice, represent Madrone Wall Preservation Committee a local, non-profit, all-volunteer organization focused on establishing a public park at the Madrone Wall site, owned by Clackamas County, near Caver, Oregon. We would like to speak briefly at next week's meeting and ask for your support to make the Madrone Wall a park.

This site, along the Clackamas River, sits a publicly owned property. Eighteen years ago the County closed the site to all recreational use, including rock climbing, where it had been a popular site for many years. There have been countless hours expended by volunteers trying to re-open Madrone and turn it into a park. In the mean time, it has become a frequent spot for illegal dumping.

Re-opening Madrone Wall area to recreation will help those of us who rely on recreation for our income, it would also bring tourist dollars into Clackamas County, and it would make a great addition to the parks system in the Metro area.

The County's Parks Advisory Board is tentatively meeting on ~~March 16th~~ ^(Now scheduled for 21 April) where they will discuss the future of the Madrone area. It would be fantastic if the City of Milwaukie sent letters to the PAB in support of turning Madrone into a park and once again allowing climbing.

If you or anyone you know might be willing to send a message in support of re-opening Madrone to the Parks Advisory Board, please contact the Board of County Commissioners at bcc@clackamas.us addressing comments to Commissioner Martha Schrader and ask that she bring your comments to the next Park Advisory Board meeting at which the Madrone Wall topic will be discussed. Also, please email Clackamas County Parks at parksreservations@clackamas.us addressing your comments to County Parks and Forest Manager Rick Gruen and ask that he also bring your comments to the next Park Advisory Board meeting at which the Madrone Wall topic will be discussed.

Here is a bit more info about Madrone and details of current actions are in the emails below-

Introduction:

Madrone Wall is still closed after many years of advocacy which, early on, saved the Madrone Wall from being blown up as an open pit rock quarry and logged of its uncommon stand of Pacific madrone and old growth Douglas fir, but climbers are working harder than ever to help open this beautiful crag once again to public access. Here is what we've been working on in recent years: First, the Madrone Wall Preservation Committee (MWPC), an all-volunteer nonprofit 501(c)3 conservation organization, completed detailed engineering construction plans for an aggregate access road and parking lot after three years of pro-bono work from T.Y. Lin International engineering firm. Second, working with Clackamas County Parks, with your help we completed 800 hours of volunteer time at the site building trails and removing illegally dumped rubbish. Third, with support from the Mazamas, Access Fund, American Alpine Club, and CRAG Law Center, we are trying to finalize a Memorandum of Understanding with County Parks. Finally and most importantly, we are creating ways for you to get involved to save Madrone Wall

with permanent park status and open it to public recreational access including rock climbing!

Park Creation:

In order to create a public park and re-gain access to Madrone Wall, Clackamas County Parks requires the resurfacing of the existing aggregate quarter mile access road and construction of a small gravel parking lot at the base of the Wall before the County will allow access and open a public park. To help find a way to accomplish this step, we proposed accessing the support of the Oregon National Guard. MWPC is working with the 1249th Engineering Battalion to determine if there is a possible partnership that could move this effort forward. This would be a partnership between County Parks, the public owner of the land, and the Oregon National Guard. It conceivably would allow Oregon soldiers to train on road building using excavators, dozers, scrapers, and rollers for essentially no labor cost to the County. If this approach is approved, it will be a win-win-win: the County wins with essentially a zero-labor construction cost, the soldiers of the State of Oregon gain the experience of building a road and using construction equipment as a training activity on a meaningful and lasting project, and the public would have a new park in which to recreate.

To move park creation plans forward, County Parks stipulated that a Memorandum of Understanding is required between County Parks and MWPC. This MOU would define roles and responsibilities and support activities that MWPC would provide County Parks as a long-term "friends of" and stewardship organization. We wrote a draft MOU in May 2014 and submitted this to County Parks. We waited nine months for the County to provide feedback but have heard none.

That is why we are ramping up our efforts to work closely with Mazamas, Access Fund, and the American Alpine Club, all longtime allies in the effort to save Madrone Wall, in an attempt to kick-start this 18-year old effort to move forward with new discussions with elected County officials and County Parks.

We ask the Park Advisory Board and Clackamas County Park in March re-establish the Madrone Wall in a process that will open a park by:

- 1.) Establishing funding (possibly taking advantage of Oregon National Guard, State Park grant, Clackamas County Tourism Commission grant, private grants like Access Fund, Mazamas) and a timeframe for the park opening project;*
- 2.) Completing a maintenance and operations plan for the park and take advantage of free Madrone Wall Preservation Committee volunteer project management time;*
- 3.) Complete the MOU (Memorandum of Understanding) that has been drafted by MWPC at County Park's request.*

Would we be able to speak to this matter at your 3 March City Council meeting?

Keith K. Daellenbach
Secretary/Treasurer, Director
Madrone Wall Preservation Committee
5815 N.E. 31st Avenue
Portland, Oregon 97211
503/673-5065
kdaellenbach@att.net
<http://www.savemadrone.org/>

ACTION ITEM OVERVIEW

Action Item Name	Madrone Wall needs your support!
Initiation date	March 1, 2015
Expiration date	March 18, 2015
Restrictions	<input checked="" type="checkbox"/> All visitors should have access to this item <input type="checkbox"/> Share with AF supporters in OR and WA
Advocacy targets (to)	Clackamas County Commissioner Martha Schrader (bcc@clackamas.us) and County Parks and Forest Manager Rick Gruen (parksreservations@clackamas.us)
Advocacy targets (cc)	
Do you want to put threshold on # letters sent?	<input type="checkbox"/> Yes: # <input checked="" type="checkbox"/> No
*Please include an image	Attached

WEBSITE DISPLAY

Synopsis/Call to Action – one sentence about the issue to hook people into taking action

Madrone Wall needs your support now more than ever to regain access after decades of unnecessary closure.

Full Description of Issue

Madrone Wall is still closed after many years of advocacy, but climbers are working harder than ever to help open this beautiful crag once again to public access. Early on, the climbing community, teaming with Clackamas County citizens, saved the Madrone Wall from being logged and blown up as an open pit rock quarry and formed the Madrone Wall Preservation Committee (MWPC), an all-volunteer, nonprofit organization. With the help of pro bono assistance from civil engineers at T.Y. Lin International, MWPC completed detailed engineering construction plans for a quarter mile resurfaced aggregate access road and parking lot and provided these to Clackamas County. With Clackamas County Parks and your help, we completed 800 hours of volunteer time at the site building trails and removing illegally dumped rubbish. To this day, however, the site remains posted “No Trespassing” and is still closed to public access after 18 years – a dubious distinction for being singularly unique among all of the 2,600 acres of publicly owned and accessible County land. With support from the Mazamas, Access Fund, American Alpine Club, and CRAG Law Center, we are trying to finalize a Memorandum of Understanding with County Parks and move towards permanent park status and re-establish climbing, recreational, and educational access in a timely manner.

Clackamas County Parks requires improvements to the existing access road and construction of a small gravel parking lot at the base of the Madrone Wall before the County will allow access and open a public park. To help find a way to accomplish this step, County Parks and MWPC have partnered with the Oregon National Guard seeking a project in which the 1249th Engineering Battalion could donate their labor as a training activity on a meaningful and lasting project that, if approved, will be a win-win-win for the National Guard, County, and public. After all, Clackamas County Board of County Commissioners already dedicated the site as the “Madrone Wall Park” by County Order 2010-70 in June 2010. Now is the time to move forward and open a Park and re-establish recreational access including rock climbing as called

out as an allowed use in the County's own Madrone Wall Park Concept Plan (completed in 2009 after 2 years of public planning and massive public involvement).

That is why MWPC needs the help of the Mazamas, Access Fund, American Alpine Club, and our members to kick-start this 18-year old effort. At an upcoming Park Advisory Board meeting this month, we ask Clackamas County Parks to re-establish a process that will open a public park at the site of this amazing civic treasure by moving to:

- 1) Establish a timeframe for the park opening.
- 2) Establish funding and pursue possible allied funding sources such as the Oregon National Guard, State Park Local Government Grant, Clackamas County Tourism Commission grant, and matching grants from Access Fund, Mazamas, and American Alpine Club;
- 3) Complete a maintenance and operations plan for the Park and take advantage of freely offered pro bono MWPC volunteer project management time under the authority and direction of Clackamas County Parks; and
- 4) Complete the MOU (Memorandum of Understanding) that was drafted by MWPC at County Park's request.

Bullet points (optional but suggested) – a list of points that supporters can use when crafting their own letters

Instructions to supporter – will appear above the letter

Please take a moment to submit a letter and share with your friends. We need strong support from Clackamas County residents and those that contribute to the local economy. Please personalize the letter below, especially if you live, operate a business, or recreate regularly in Clackamas County.

LETTER DETAILS

Different letter content for Friend or Foe?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Allow supporter to write their own letter?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Allow supporter to edit the letter that we wrote?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Subject line editable by supporter?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Subject line #1

Madrone Wall needs your support!

Letter Content: Friend (If you do not require different content for Friends and Foes, then the content below will be used for both)

I am asking for support from Clackamas County Parks and Forest, the Park Advisory Board, and Board of County Commissioners to end an 18-year closure and re-open Madrone Wall as a County Park. Madrone Wall is a recreational resource for local Clackamas County residents and visitors alike to hike, climb, view wildlife, and learn about ecology. Thousands of County residents and all surrounding Carver area businesses support the park's creation. By attracting a conservative estimate of 10 visitors per day, opening the park is expected to contribute over \$185,000 annually to the local economy as park users stop in to support businesses, stores, and diners in Clackamas County. Clackamas County Board of County Commissioners have already dedicated the site as the "Madrone Wall Park" by County Order 2010-70 in June 2010 and now is time to move forward and finally open the first new park in Clackamas County in years.

Pro bono work from 800 hours of volunteer time removing illegally dumped rubbish and building new trails and creation of detailed engineering construction documents valued at \$30,000 has been donated to moved this effort forward. There is more to come though. A proven by our unflinching and cooperative partnership with Clackamas County for nearly two decades, Madrone Wall Preservation Committee (MWPC) and its partners present numerous cost-savings and potential funding sources and, furthermore, stand ready to serve as a long-term "friends of" stewardship organization to significantly offset the cost of providing access and annual operations. Together, our community can serve as volunteers and stewards to support the work of County Parks in bringing this project to fruition. We respectfully ask Clackamas County to re-establish a process that will open this amazing civic treasure as Madrone Wall Park by moving to:

- 1) Establish a timeframe for the park opening.
- 2) Establish funding and pursue possible allied funding sources such as the Oregon National Guard, State Park Local Government Grant, Clackamas County Tourism Commission grant, and matching grants from Access Fund, Mazamas, and American Alpine Club;
- 3) Complete a maintenance and operations plan for the Park and take advantage of freely offered pro bono MWPC volunteer project management time under the authority and direction of Clackamas County Parks; and
- 4) Complete the MOU (Memorandum of Understanding) that was drafted by MWPC at County Park's request.

As a local climber and outdoor enthusiast , I firmly believe re-opening Madrone Wall will be a recreational, economic, and community asset now and for future generations of county residents. Please join us in sharing our support letters at the upcoming Park Advisory Board meeting where Madrone Wall future will be discussed. Thank you.

Any portions of the letter that you want to lock and not allow editing? Paste below.

Letter Content: Foe

Any portions of the letter that you want to lock and not allow editing? Paste below.



Memorandum

To: City Council

From: Jason Rice, Engineering Director and Acting Community Development Director

CC: Bill Monahan, City Manager

Date: March 3, 2015

Re: Community Development Department Projects - City Council Update for 3/03/15 Work Session

Parks & Sustainability

- **Milwaukie Riverfront Park**
- Four Parks Master Planning
- North Clackamas Parks & Rec. District
- Sustainability Plan
- Tree City USA
- Public/Government Access

Engineering

- **Adams Street Connector**
- 17th Avenue Multiuse Trail
- Stanley Avenue Stormwater
- Railroad Avenue Paving
- 17th Avenue Waterline Project

Planning

- **Land Use and Development Review**
- **Moving Forward Milwaukie: Enhancing Our Commercial Districts**
- Annexations
- TriMet Coordination

Community Development

- **Kellogg Ped/Bike Bridge**
- **Monroe Street Neighborhood Greenway**
- **Economic Development**
- **Residential Parking Permit Program**
- Grants

Building

▪

Parks & Sustainability

Milwaukie Riverfront Park

- The old PGE power poles have been removed.
- Curb work near the old Jefferson Street entrance has been completed.
- On site work is expected to be completed within the next few weeks.
- Staff is nearing completion with ODOT for an access permit. That work will take approximately 2-3 weeks to complete; but would not impact the site's use as a park.

Engineering

Adams Street Connector

- The final design review has been completed. Walker Macy is finalizing the design and bid package so that an advertisement for construction could occur on March 17th.
- An award of contract will appear on the April 21st Regular Session Agenda, so that construction may occur in May and June for a June 30th completion date.
- Staff is in the process of setting up meeting with the current tenants of the adjacent buildings to discuss impacts during construction.

Planning

Land Use and Development Review

- Planning Commission: At their February 24 meeting the Commission addressed downtown design standards and the development review process. Also on February 24, the Commission held a public hearing on code amendments for medical marijuana facilities.
- Design and Landmarks Committee: There will be two openings on the DLC at the end of March. Val Ballestrem and Scott Jones will be leaving the Committee. (This was reported to Council on February 17.)

Moving Forward Milwaukie: Enhancing Our Commercial Districts

- Downtown: The final Planning Commission hearing on the downtown plan and code amendments is scheduled for March 10. We have tentatively scheduled a City Council study session on the downtown code amendments for March 26, and the first hearing on the amendments for May 5.
- Central Milwaukie: Worksessions with the DLC and Planning Commission are scheduled in March, in preparation for April public hearings.
- Neighborhood Main Streets: A public kick-off event for the neighborhood main streets project is being planned for early May. The consultant team is preparing a first draft of plan and code amendments based on the 2012 Neighborhood Main Streets project recommendations.

Community Development

Monroe Street Neighborhood Greenway

- The next public workshop is set for March 18 (6-8pm at Milwaukie Christian Church on King Rd). The event is an opportunity for public discussion and comment on the draft concept design, which was reviewed and discussed by the PAC (Project Advisory Committee) at meetings on February 18 and March 3.

Residential Parking Permit Program

- Staff will provide a worksession update to Council on March 17 to summarize recommendations stemming from several months of discussion with an ad hoc group comprised of representatives from the Historic Milwaukie, Ardenwald, Island Station, and Lake Road NDAs.

Economic Development

- On February 27, Mitch Nieman and the City's economic development staff joined Council President Batey and Councilor Power to walk around Downtown with a representative from Green Zebra Grocery. The purpose was to inform him of the several development opportunities in Downtown.



RS Exhibit

3/3/15

LIGHT RAIL CONSTRUCTION UPDATE

March 3, 2015

21st Ave S/Adams - Now



21st Ave at Lake – NW Corner



Mailwaukie's LRT Station



LRT Station: Solar Shelter



21st Ave at Adams



Adams Fire Gate



Oatfield S/Park - Before



Oatfield S/Park - After



Park Ave E / 99E - Before



Park Ave E/99E - Now



Park Ave LRT Station Plaza



Park Ave LRT Station Plaza



Sidewalk Poetry

EVERYONE IS
A LITTLE
MORE FAMOUS
ON A TRAIN



PEDESTRIAN FLASHERS



SWING GATES



LRT SCHOOL ZONE

- The Safety & Security Task Force has made the recommendation that TriMet establish a signed School Speed Zone for their LRT trains in downtown Milwaukie (between Harrison and Adams).
- LRV's will be required to travel at 20 mph when children are sighted along the LRT alignment (24/7)



QUIET ZONE

- Portland's Quiet Zone
 - March 1, 2015
- Milwaukie's Quiet Zone
 - Anticipated Date; May 1st



SYSTEMS WORK

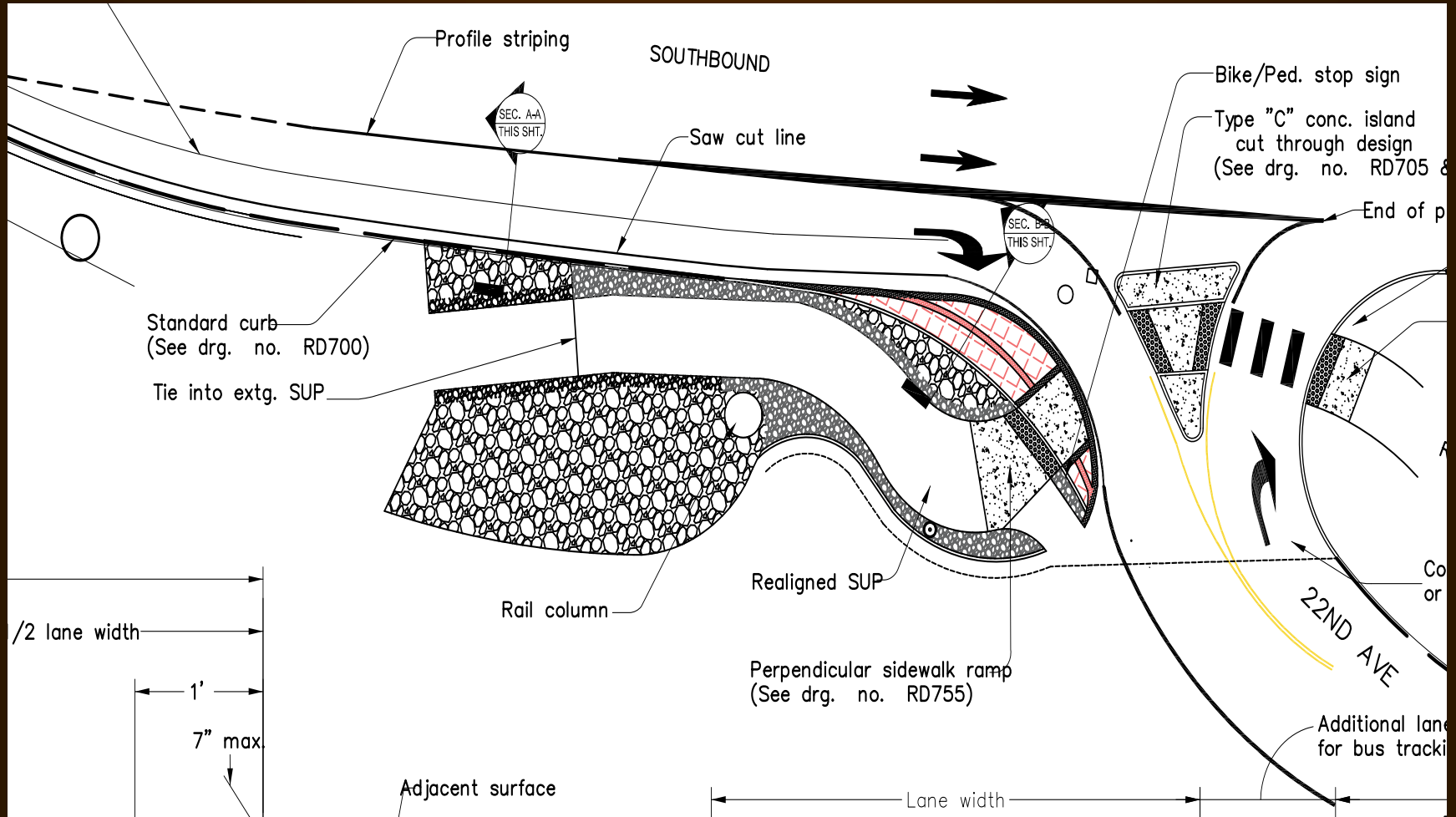
- The electrical systems work is a separate contract.
- Catenary poles are up – catenary wires are beginning to be placed overhead; starting with Mailwell this Thursday.
- New gates will follow.
- Traffic Signals on 21st to be turned on once the new gates are installed in late April.



McLoughlin at 22nd Ave



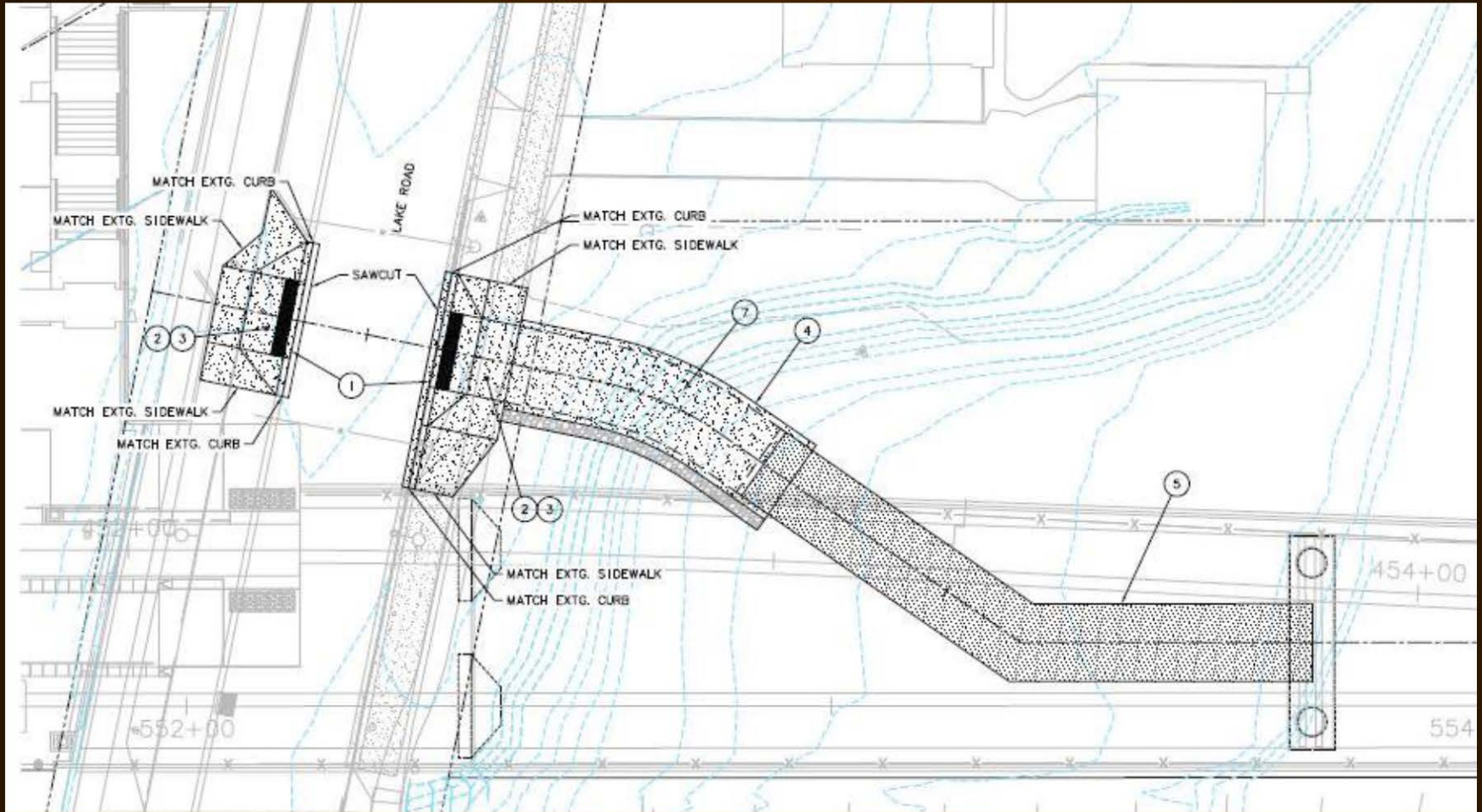
22nd Ave at McLoughlin



KELLOGG PED/BIKE BRIDGE



NORTH BRIDGE CONNECTION



KELLOGG PED/BIKE BRIDGE CONNECTION SCHEDULE

- Design & Landmarks Committee Hearing
 - Monday, March 9th
- Planning Commission Hearing
 - Tuesday, March 24th
- Issue Construction Permits
 - May 2015



Lake Road Mid-Block Ramp



CONSTRUCTION UPDATES

TriMet provides weekly construction updates on their website. These updates can be found at:

<http://trimet.org/pm/construction/index.htm#clackamas>





RS Exhibit
3/3/15

Street Surface Maintenance Program

8th Annual Report – March 3, 2015

Presented by:
Adriana Slavens, Civil Engineer
Jason Rice, Engineering Director

Presentation Outline

- Current Projects
- Upcoming Projects
- Overall Condition of the network
- Revenue Summary
- Fee Comparison



Original Ten Year Program Schedule

Year 1: 37th, Washington, 42nd

Year 2: King, Oak, Logus

Year 3: Linwood, River

Year 4: Roswell, Lake, Slurry Seal

Year 5: Harrison Phase I, International Way

Year 6: Monroe Phase I, Freeman Way

Year 7: Harrison Phase II, Main St.

Year 8: Monroe St. Phase II

Year 9: Railroad Ave.

Year 10: 42nd, 43rd, McBrod Ave.



Recently Completed Projects



- Monroe Street Phase II – August/September 2014
 - Base and Surface Reconstruction
 - McLoughlin Blvd to Oak St



Upcoming Projects



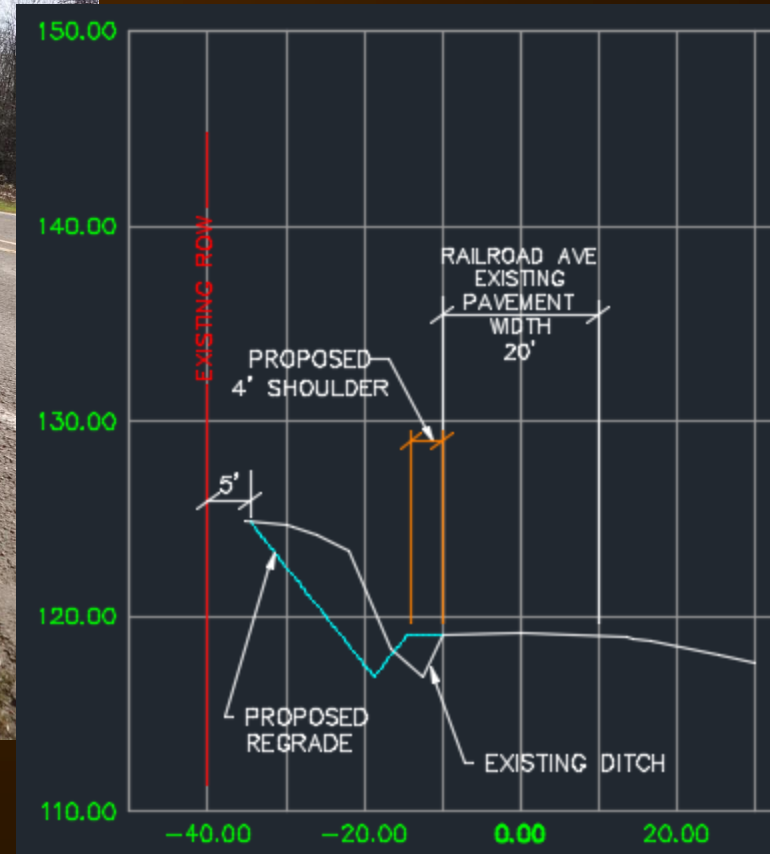
- **Railroad Avenue – July/August 2014**
 - Base and Surface Reconstruction
 - 37th Ave to Linwood Ave.
 - Estimated cost of \$1,250,000 (current CIP budget & at current pavement width)



- Railroad Avenue

- Estimated cost of \$1,475,000 (with 4-ft shoulder)

- Asphalt & Base
- Slope Regrading
- Ditch realignment
- Pipe Replacement



Slurry and Crack Sealing

- Inexpensive method for increasing pavement life for “good” streets (PCI >70)
- Average cost \$65,000 per year



Revenue Summary

	Street Maintenance Fee	Local Gas Tax	PGE Privilege Tax
FY 2012-13 Actual	\$612,159	\$219,520	\$315,055
FY 2013-14 Actual	\$616,913	\$175,000	\$305,351
FY 2014-15 Budgeted	\$606,000	\$188,000	\$317,000
FY 2014-15 Actual (thru February 18)	\$362,401	\$70,608	Collection occurs in June



Overall Condition of the Network

	July 2004	January 2015	2017 Estimated	Program Goal (2017)
Arterials	63	75	80	75
Collectors	69	58	70	
Residential	67	52	50	--



Additional Benefits

- The Street Surface Maintenance Program
 - Helps establish Milwaukie's bike network & connectivity (Linwood)
 - Makes safer routes to schools (Logus, Linwood, Lake)
 - Improves stormwater drainage (all)
 - Improves the city's appearance
 - Organizes other infrastructure priorities creating efficiencies
 - Makes public works visible to Milwaukie citizens!



Fee Comparison

Jurisdiction	Total Collected	Lane Miles	\$/mile Collected
Lake Oswego	\$ 5,500,000	348	\$ 15,805.00
Milwaukie	\$ 1,100,000	148	\$ 7,432.00
Oregon City	\$ 2,300,000	134	\$ 17,165.00
West Linn	\$ 2,347,000	200	\$ 11,735.00
Milwaukie (doubling current utility fee)	\$ 1,700,000	148	\$ 11,487.00



Questions?



3/3/2015**Stauffer, Scott**

From: chris ortolano <cdortolano@gmail.com>
Sent: Wednesday, March 04, 2015 3:57 PM
To: Milwaukie OCR
Subject: 3/3 Public Comment: Conflict Management Training

Mayor Parks, Members of Council, and City Staff, thank you for taking my public comment this evening.

My name is Chris Ortolano, resident of the Hector Campbell neighborhood since 1997. The purpose of my public comment is to ask a single question.

Would the city of Milwaukie benefit from offering community mediation training for 1 staff member and 2 volunteers?

The City facilitates a large network of volunteer organizations to address land use, transportation, and other complex issues. This includes NDA's, boards, commissions, committees, task forces, and PACs.

Many of us, myself included, have never received training in meeting facilitation, mediation, or negotiation. Yet these are the fundamental skills required to build common ground, reach consensus and make recommendations to City Council. Most of the time, these meetings run smoothly. Occasionally they don't. If the issue is complex, there is usually some tension.

Background and History

October 2014: Common Ground Milwaukie Proposal developed with Mitch Nieman and Amy Chase Herman, Mediation Services Supervisor, Clackamas Resolution Services.

December 2014: Supplemental Budget approved approximately \$3500 for this proposal

As a beginning student of conflict management, I can tell you the some short courses I have attended are fun. The often involve role playing and interactive exercises, and naturally build bridges across different points of view.

Clackamas County Resolution Services offers a 2 day conflict management course twice a year, and the next course will be offered on April 06 and 07. The cost for the 2 day training is \$400 per person.

Grady Wheeler has taken this course, and he speaks highly of this 2 day immersion course which delves deep into the best practices, and utilizes The Mediators Handbook, a textbook.

The 2 day 16 hour course addresses the following topics

- a) Tools for Assessing Conflict
- b) Engaging Parties to Build Common Ground
- c) Developing Dispute Resolution Agreements

I am here tonight to request that Council utilize some of the budget passed last year to send three more people to training. This would include one staff member, Jason Wachs, and two community volunteers. I spoke with Alicia Hamilton by phone this morning, and she is very interested in participating. I have not spoken with Jason about this, but as the Neighborhood Program Manager, he is in a unique position to engage with NDA leaders and share these skills. I am also interested in the training, and combined the three of us working with Grady would be in a position to transfer this knowledge to other city groups.

A Train the Trainer program would be the best way to extend, or leverage the initial training to other community groups. I spoke with Amy Chase Herman, Director of Clackamas Resolution Services today, and she indicated that she would be able to provide ongoing training for citizens of Milwaukie who would like to serve as community mediators. The ongoing work of community mediators could include

- a) a survey of conflicts, or potential conflicts in the community
- b) ongoing training for new and continuing community mediators
- c) quarterly speaker series to address community conflict and mediation

In conclusion, I would like to email the course syllabus and link to the textbook for your consideration at this weekends Council Retreat for your consideration.

It's my hope that you would see the benefit of sending one or more people to mediation training, with the intent of further delivering a train the trainer program.

I have indicated to Amy Chase Herman that I or someone from the City would be in contact with her next week, to either confirm or deny this pilot project.

Sincerely,

Chris Ortolano
(503)353-3000



**MILWAUKIE CITY COUNCIL
REGULAR SESSION**

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

**AGENDA
March 3, 2015**

2,193rd Meeting

- | | Page # |
|--|---------------|
| 1. CALL TO ORDER | |
| Pledge of Allegiance | |
| 2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS | |
| A. Portland-Milwaukie Light Rail (PMLR) Update | 2 |
| Staff: Light Rail Construction Manager Stacy Bluhm | |
| B. Eighth Street Surface Maintenance Program (SSMP) Report | 3 |
| Staff: Civil Engineer Adriana Slavens | |
| C. Community Development Update | |
| Staff: Interim Community Development Director Jason Rice | |
| 3. CONSENT AGENDA | |
| <i>These items are considered to be routine, and therefore, will not be allotted discussion time on the agenda; the items may be passed by the Council in one blanket motion; any Councilor may remove an item from the "Consent" agenda for discussion or questions by requesting such action prior to consideration of that part of the agenda.</i> | |
| A. City Council Meeting Minutes: | 22 |
| 1. January 20, 2015, Regular Session; | |
| 2. January 22, 2015, Study Session; | |
| 3. February 3, 2015, Work Session; and | |
| 4. February 3, 2015, Work Session 2. | |
| B. O.L.C.C. Application – Liz Redesigned LLC – 9401 SE 32nd Avenue – New Outlet | 56-1 |
| 4. AUDIENCE PARTICIPATION | |
| <i>The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140 of the Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360 of the Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.</i> | |
| 5. PUBLIC HEARING | |
| <i>Public Comment will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.</i> | |
| A. None scheduled | |

6. OTHER BUSINESS

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

A. Establish a Library Fine Amnesty Week, April 12, 2015 through April 18, 2015, in Recognition of National Library Week – Resolution 58

Staff: Library Director Katie Newell

B. Supporting the Reopening of the Willamette Falls Locks – Resolution 60

Staff: Assistant to the City Manager Mitch Nieman

C. Council Reports

7. INFORMATION

8. ADJOURNMENT

Meeting Information

- Executive Sessions: The Milwaukie City Council may meet in executive session immediately following adjournment pursuant to ORS 192.660(2).
 - All Executive Session discussions are confidential and those present may disclose nothing.
 - Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed.
 - Executive Sessions may not be held for the purpose of taking final actions or making final decisions.
 - Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503-786-7555
- During meetings the Council asks that all pagers and cell phones be set on silent mode or turned off.



**Regular Session
Agenda Item No.**

2

**Proclamations,
Commendations,
Special Reports,
& Awards**



Agenda Item: **RS 2. A.**
Meeting Date: **03/03/15**

COUNCIL AGENDA ITEM SUMMARY

Issue/Agenda Title: Portland-Milwaukie Light Rail Transit Project Update

Prepared By: Stacy Bluhm, Light Rail Construction Manager

City Manager Approval: Bill Monahan

Reviewed by City Manager:

ISSUES BEFORE THE COUNCIL

Staff will present an update to City Council on the latest Portland-Milwaukie Light Rail Transit project construction efforts.

STAFF RECOMMENDATION

This item is informational; for discussion purposes only.

KEY FACTS & INFORMATION SUMMARY

Milwaukie's Light Rail Construction Manager will provide an update on the most recent PMLRT construction efforts. An update on the status of the Kellogg Lake Pedestrian & Bike Bridge Landings and on the McLoughlin & 22nd Avenue intersection improvements will be provided as well.

OTHER ALTERNATIVES CONSIDERED

Not applicable.

CITY COUNCIL GOALS

Not applicable.

ATTACHMENT LIST

None.

FISCAL NOTES

No new fiscal issues.



MILWAUKIE CITY COUNCIL
AGENDA ITEM SUMMARY

Agenda Item: **RS 2. B.**

Meeting Date: **03/03/15**

Title: **Eighth Annual Report on the Street Surface Maintenance Program**

Prepared By: Adriana Slavens, Civil Engineer

Department Approval: Jason Rice, Engineering Director

City Manager Approval: Bill Monahan

Approval Date: February 18, 2015

ISSUES BEFORE COUNCIL

This report is the eighth in a series of required updates to Council that presents the status of the Street Surface Maintenance Program (SSMP).

STAFF RECOMMENDATION

This informational update does not contain a staff recommendation.

KEY FACTS & INFORMATION SUMMARY

The program is on pace for meeting its goal of bringing major streets up to a Pavement Condition Index (PCI) rating of 75. Staff will continue to target major streets until they are brought up to a "Good" range and then begin to address the whole street system in an effort to raise the network PCI.

OTHER ALTERNATIVES CONSIDERED

There are other adjustments for the SSMP to consider. Staff has calculated that by changing the monthly rate from \$3.35 to \$6.70, available funding for the program would increase \$600,000 annually. This additional funding could be used for any of the following:

- Leveraging approximately \$5,000,000 in grant funds for streetscape reconstruction.
- Construction of approximately 1,500 feet of sidewalk per year.
- Maintain the same level or increase the amount of maintenance related projects performed by Public Works Operations
- Paving an additional two to three streets each year.

CITY COUNCIL GOALS

The goal of the City's SSMP is to bring all major streets to a point where the cost efficiencies of good preventative maintenance are enjoyed, approximately 75 or above, and maintain them at that level.

FISCAL NOTES

The program goals can be met at its current funding level. Additional funding would help

bring the network PCI up to a “good” rating quicker, but is not necessary at this point to maintain the program.

ATTACHMENTS

1. Updated SSMP Project Budget Schedule
2. Updated SSMP Project Year-by-Year Tracker
3. SSMP Slurry Seal Map



MILWAUKIE CITY COUNCIL
STAFF REPORT

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Eighth Annual Report on the Street Surface Maintenance Program**

From: Adriana Slavens, Civil Engineer

Date: February 18, for the March 3, 2015 Meeting

ACTION REQUESTED

None. This is the annual update on the Street Surface Maintenance Program (SSMP) as required under the enacting ordinance (No. 1966) and is for information only.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

January 21, 2014: Staff presented the seventh annual SSMP report to Council

October 1, 2013: Staff presented an update of the SSMP report with a focus on ways to accelerate the program to Council

February 19, 2013: Staff presented the sixth annual SSMP report to Council

February 7, 2012: Staff presented the fifth annual SSMP report to Council

February 1, 2011: Staff presented the fourth annual SSMP report to Council

February 2, 2010: Staff presented the third annual SSMP report to Council

December 16, 2008: Staff presented the second annual SSMP report to Council

December 18, 2007: Staff presented the first annual SSMP report to Council

January 2, 2007: The City of Milwaukie's Street Surface Maintenance Program was adopted by Ordinance No. 1966, effective on July 1, 2007. The ordinance, in concert with related ordinances, established a street maintenance fee, an electric utility privilege tax and local gas tax to fund the SSMP. All funds were dedicated to street maintenance and rehabilitation, with the goal of bringing all arterials and collectors in the City to a "good" or better condition within ten years.

BACKGROUND

The Public Works Director is required to make an annual report to the City Council regarding the state of the street network and the Program¹. This is the eighth annual report and is organized into the following sections:

¹ MMC Section 3.25.020C, 3.25.040

- Completed Projects
- Upcoming Projects
- Overall Condition of the Network
- Workload Impacts and Overall Program Progress
- Revenue Summary
- Achievement of Program Goals

Completed Projects

Program Year Eight (FY 2015), the second phase of Monroe Street was completed. The project consisted of a 2.5-inch grind and asphalt inlay between McLoughlin Blvd and 21st Avenue and a full reconstruct from 21st Avenue to Oak Street. Street reconstruction included 10-inch cement treated base and a 6-inch asphalt overlay. The final project cost was \$482,511.52; less than the original SSMP budget amount.

The City previously received a Community Development Block Grant (CDBG) to improve ADA ramps within the City. Some of the ramps improved with the grant funding were along Monroe Street, in anticipation of the SSMP Monroe project. The SSMP Monroe project matched a portion of the grant by improving the ramps at the intersection of 25th Ave. and Monroe Street during Monroe project construction.

After preparing a cost analysis for performing crack sealing under contract versus purchasing a crack sealing machine and having it done in-house, and after discussing the benefits with Council, Staff made the decision to purchase a crack sealing machine. Once purchased, Engineering worked with the Public Works Streets Department to crack seal areas within the Cedarcrest and Brookside neighborhoods. Upon completion, Engineering then slurry sealed these same areas to further preserve those streets.

Upcoming Projects

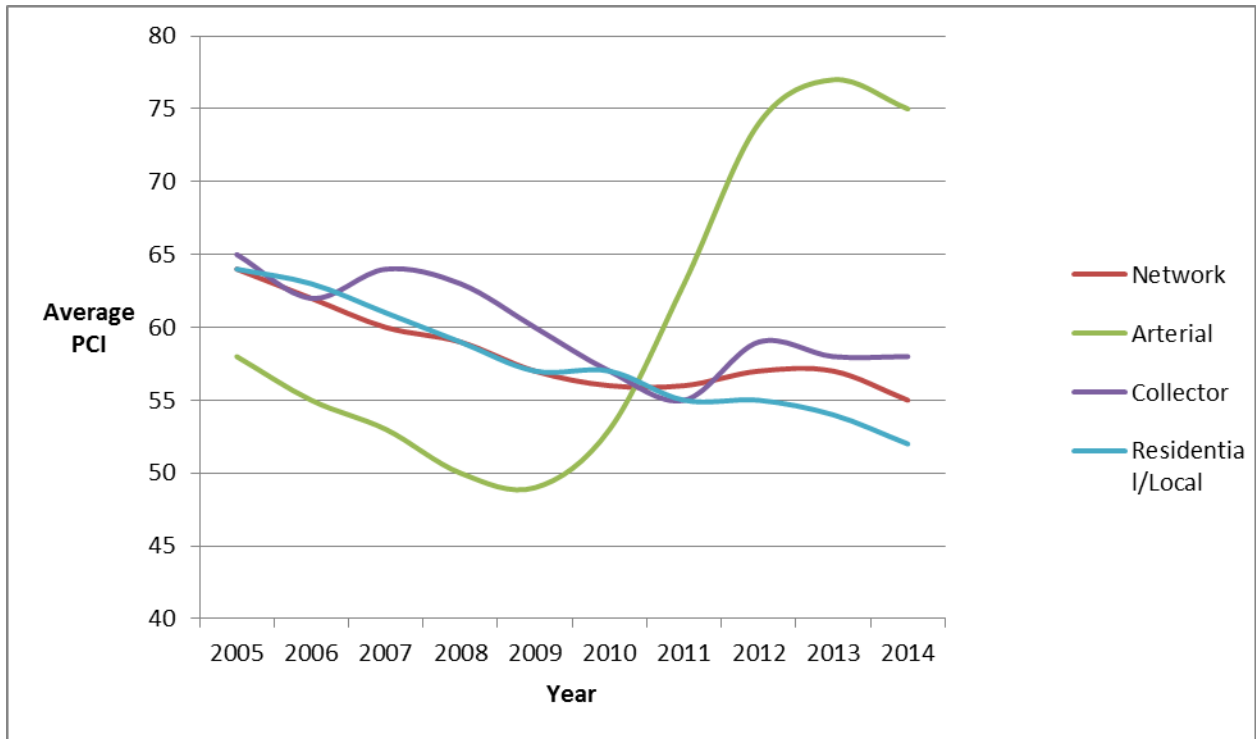
Year Nine (FY 2016) includes the reconstruction of Railroad Avenue from 37th Avenue to Linwood Avenue. Railroad Avenue will receive the same reconstruction treatment as Monroe Street Phase II which is a cement-treated base and pavement overlay. This method of reconstruction has fewer impacts and is a less expensive option compared to standard street reconstruction.

Overall Condition of the Network

The Engineering Department maintains a Pavement Condition Index (PCI) database of the entire network. This database is updated every 3-5 years based on a visual inspection of the network, and every 10 or so years based on more extensive “deflection” testing. The SSMP includes funds to keep this data current, so to inform the project selection criteria. The assessment is typically done by consultants who travel along every street and rate the condition of the pavement and assign a PCI rating reflecting its condition. This data is then processed to provide information on the overall state of the street network so that a scheduled maintenance program can be generated to suit budgetary constraints. This data also allows Staff to coordinate with other scheduled capital projects and to take advantage of opportunities to leverage other funds.

The last comprehensive evaluation of the street network was completed in 2011. At that time, the average PCI for the entire network was rated at a 57 on a scale of 100 and has been maintained to a 55. In the 4 years since that assessment was conducted, assuming no improvement to the network at all, the network PCI would have dropped about 10 points to 47.

Please note that the average condition of the network includes Arterial, Collector, Neighborhood Routes and Local classified streets. The primary goal of the first ten years of the program is to obtain an average PCI value of 75 for its Arterial and Collector routes only.



While the SSMP program has begun to increase PCI values for both Arterial and Collector streets, the overall condition of the network is holding. The reason this will continue to be the case is that the program focuses primarily on major streets which only account for a small fraction of the entire network. While slurry and crack seals are helping PCI values of local streets, many of Milwaukie’s Residential/Local streets are beyond the point of applying any sort of surface treatment. While it does not make sense to completely switch focus solely to local streets, those PCI values are pulling the entire network average down.

When the program continues beyond its 10-year program life, staff suggests modifying the method for which streets are selected for treatment, based on their overall benefit to the network PCI in the most cost effective way available. As an example, a street that can be treated with a “grind and asphalt inlay” today (at a fraction of the cost of having to rebuild it in 5 years) could make it a stronger candidate for treatment than a street in worse condition that needs to be rebuilt because it has already failed.

Workload Impacts and Overall Program Progress

The workload to implement and manage SSMP projects is substantial for the Engineering Department. Design of all SSMP projects occurs in-house, which includes surveys, design, and project management. Project design typically begins in the winter months for projects slated to begin in late spring, with additional project design in the spring for summer projects. It can take up to 3 months to complete a bid-ready set of contract documents for each project.

Members of the Engineering, Community Development, and Public Works Operation Departments form a SSMP Project team, which coordinates the ten-year paving schedule with the Capital Improvement Plan, Public Improvement Projects, and other City projects. These project team meetings require staff time for preparation and plan review. These meetings also become more frequent as design periods approach. Although these meetings require additional workload for each department, they are necessary to ensure departmental consensus regarding design decisions for upcoming projects. Furthermore, coordination within Engineering and between the utilities (Storm, Water, and Sewer) is necessary to make decisions regarding timelines of Capital Improvement Projects prior to paving a particular street. The utilities can then construct respective CIP projects prior to a paving project.

To meet the Engineering workload need during the construction phases, a contracted inspector has been used at times in the past. This inspector coordinates with both the City staff and the contractors to ensure that all applicable City standards are met or exceeded during paving operations. Use of this inspector has freed up time for City staff to perform other essential City duties while incurring minimal financial impact on the yearly Program fund. The Engineering Department anticipates continuing to design and manage projects with current staffing levels and using a contracted project inspection on a case-by-case basis, depending on workload and staffing levels.

Since the program's inception, an average of two to three streets have been paved each fiscal year. In accordance with program goals, this progress has been made on the major streets.

Revenue Summary

The SSMP resides in the City's Transportation Fund (fund 320-420), wherein revenues are collected specifically and exclusively for expenditures described in the Program. The three revenue sources are: (1) a street maintenance fee; (2) a local gas tax; and (3) an electric utility privilege tax.

1. Street Maintenance Fee

Revenue from the Street Maintenance Fee for fiscal year 2013-2014 was projected at \$616,000. The actual revenue collected was \$616,913, 1% higher than projected. Revenue for the current fiscal year is also projected at \$616,000. As of February 18, 2015, the revenue received from this fee was \$362,401 which is lower than the year-to-date projection and lower when comparing to the same period last fiscal year.

2. Local Gas Tax

The two-cent per gallon local gas tax was implemented beginning July 1, 2007. For fiscal year 2013-2014, gas tax revenue was projected at \$173,000. The current fiscal year projection for gas tax revenue is \$175,000. Actual year-to-date revenue (as of February 18, 2015) is at \$70,608. Overall, this is 18% lower than expected. Reduced driving rates or seasonality may be the cause.

3. Electric Utility Privilege Tax

The Electric Utility Privilege Tax is a consumption-based tax that fluctuates with electrical usage and is collected in the spring. Staff predicted that the City would collect \$305,000 in the 2013-2014 fiscal year, but only \$305,351 was collected. This budget estimate in 2014-2015 is \$317,000.

Year Seven (FY 2013-2014) total revenue for the above three revenue streams was \$1,088,284, which was 1% less than the projected amount of \$1,094,000. SSMP also had \$116,008 in intergovernmental revenues. No Fees In Lieu of Construction (FILOC) funds were used for Year Eight.

The first quarter of Year Eight (FY 2014-2015) total revenue shows \$170,726 collected and total year-to-date as of February 18th shows \$433,009 collected.

Achievement of Program Goals

The Program goals, described within the Council adopted document “Street Surface Maintenance Program” (Resolution No. 35-2006) include: (1) an average minimum PCI value of 75 for major streets; (2) a reduction of the deferred maintenance backlog for major streets; (3) preventative maintenance of major streets to avoid costly reconstruction; (4) continuance of city-wide emergency stopgap maintenance; and (5) Program revenue and expenditure goals. Each program goal is discussed separately below.

1. Major Street PCI Value Goal

The SSMP PCI Index Goal is to bring all major streets to a rating of 75 or better, with adequate maintenance to sustain this level of pavement quality. Staff finds that progress made to date as a result of this program is satisfactory.

2. Deferred Maintenance Goal

Twelve of the twenty-four original projects were pavement overlays. These projects were done prior to the street sections reaching a point of deterioration that would have required reconstruction. This strategy of overlaying the pavement prior to deterioration is needed to reduce the amount of deferred street maintenance.

3. Preventative Maintenance Goal

This goal is to prevent any street from deteriorating to the point of requiring reconstruction and has been satisfied to date. Streets such as Main Street, Linwood Avenue, River Road, and 27th Avenue all have been rehabilitated to avoid more costly repairs in the future. Furthermore, certain local streets will undergo treatments of crack and slurry sealing.

4. Continuance of City-wide Emergency Stopgap Maintenance Goal

Stopgap methods of street maintenance are street patching and pothole filling. Current street fund revenues are adequate to perform needed stopgap repairs throughout the City without the need for SSMP funds. As the program continues, there will be less and less need for stopgap measures.

5. Program Cost Goal

The overall revenue goal is \$1.2 million per year for the first 10 years of the program. The average annual revenue for the program is \$1.1 million. The difference has not affected the program goals related to street maintenance so far, however, because project costs have overall been less than estimated.

SSMP projects are designed in-house, with staff responsible for project surveys, design, and project management. This in-house work provides savings to the fund compared to more costly outside project design by engineering firms.

As discussed previously, an on-call inspector has been used to inspect SSMP projects. However, in FY 2014, an on-call inspector was not used because Engineering was able to cover the inspection duties due to the timing of the paving project in relation to other capital improvement projects. Engineering will evaluate the need of an on-call inspector on a case-by-case basis in future years.

6. Additional Benefits

The SSMP program has additional benefits than improving the pavement condition throughout the City. These side benefits include improving bike routes by the removal of obstacles, altering street grades to allow for improved drainage, and improving street striping for bike facilities, pedestrian crossings, and needed adjustments in roadway alignment.

CONCURRENCE

This report was prepared by SSMP staff, which includes employees from the Engineering, Community Development, Finance and Public Works Departments.

ALTERNATIVES

There are other adjustments for the SSMP to consider. Staff has calculated that by changing the monthly rate from \$3.35 to \$6.70, available funding for the program would increase \$600,000 annually. This additional funding could be used for any of the following:

- Leveraging approximately \$5,000,000 in grant funds for streetscape reconstruction.
- Construction of approximately 1,500 feet of sidewalk.
- Maintain the same level or increase the amount of maintenance related projects performed by Public Works Operations
- Paving an additional two to three streets each year.

ATTACHMENTS

1. Updated SSMP Project Budget Schedule
2. Updated SSMP Project Year-by-Year Tracker
3. SSMP Slurry Seal Map

ATTACHMENT 1
Updated SSMP Project Budget Schedule

FY	Account #	Budgetary Title	Activity Type	Project Code	Estimate	Actual
FY15 - Year 8		Beginning Fund Balance/Working Capital			1,500,000	1,539,000
	315-420-6060-0000	Contractual Services	Testing, Inspection		(48,000)	-
		Operation Equipment, Repair & Maint.	Purchase		(70,000)	-
		Crack/Slurry/Fog Seals	Preventive Maintenance		(65,000)	(65,000)
		Monroe Street (99E to 224)	Reconstruction		(550,000)	(505,601)
	315-420-9500-0000	Transfer to General Fund	Transfer		(193,000)	(193,000)
	315-420-6500-0000	Utility Billing Expense	Transfer		(22,000)	(22,000)
			FY Expenses		(948,000)	(785,601)
			FY Revenue		1,100,000	1,108,000
			FY Fund Balance		1,652,000	1,861,399
FY16 - Year 9		Beginning Fund Balance/Working Capital			1,861,399	
	315-420-6060-0000	Contractual Services	Testing, Inspection		(48,000)	-
		Pavement Assessment (Visual)	Road Network Assessment		(30,000)	
		Crack/Slurry/Fog Seals (Madison & Sellwood)	Preventive Maintenance		(85,000)	
		Railroad Ave (Harrison to Harmony)	Reconstruct		(1,250,000)	
	315-420-9500-0000	Transfer to General Fund	Transfer		(185,000)	
	315-420-6500-0000	Utility Billing Expense	Transfer		(23,000)	
			FY Expenses		(1,621,000)	-
			FY Revenue		1,123,000	1,108,000
			FY Fund Balance		1,363,399	1,108,000
FY17 - Year 10		Beginning Fund Balance/Working Capital			1,363,399	
	315-420-6060-0000	Contractual Services	Testing, Inspection		(48,000)	-
		Crack/Slurry/Fog Seals (See Slurry Map)	Preventive Maintenance		(70,000)	
		43rd (King to Howe) and Howe (to 42nd)	Overlay/Rehab		(400,000)	
		42nd (Railroad to King)	Reconstruct		(500,000)	
		Washington (37th to 40th)	Reconstruct		(60,000)	
		McBrod (Ochoco to 17th)	Reconstruct		(1,000,000)	
	315-420-9500-0000	Transfer to General Fund	Transfer		(185,000)	
	315-420-6500-0000	Utility Billing Expense	Transfer		(23,000)	
			FY Expenses		(2,286,000)	-
			FY Revenue		1,123,000	1,108,000
			FY Fund Balance		200,399	1,108,000

Attachment 2

FY 2018 - SSMP Year 11

Road Name	Beginning Location	End Location	Treatment	Cost
HOME AVE	RAILROAD	KING	RECONSTRUCT	\$500,000.00
WOOD AVE	RAILROAD	MONROE	RECONSTRUCT	\$500,000.00
REFER TO SLURRY MAP			SLURRY SEAL	\$65,000.00
			TOTAL	\$1,065,000.00

FY 2019 - SSMP Year 12

Road Name	Beginning Location	End Location	Treatment	Cost
HARVY ST	32ND	42ND	RECONSTRUCT	\$600,000.00
MAILWELL DR	MAIN ST	COMMERCE PARK	RECONSTRUCT	\$400,000.00
REFER TO SLURRY MAP			SLURRY SEAL	\$100,000.00
			TOTAL	\$1,100,000.00

FY 2020 - SSMP Year 13

Road Name	Beginning Location	End Location	Treatment	Cost
LAKE RD	21ST - GUILDFORD	WHERE ELSE - FREEMAN	RECONSTRUCT	\$1,000,000.00
REFER TO SLURRY MAP			SLURRY SEAL	\$70,000.00
			TOTAL	\$1,070,000.00

FY 2021 - SSMP Year 14

Road Name	Beginning Location	End Location	Area (SF)	Treatment	Cost
23RD AVENUE	DEAD END	WASHINGTON STREET	12,975	MILL AND 2 INCH OVLY	\$21,625.00
29TH AVENUE	ROSWELL ST SE	VAN WATER ST SE	10,035	MILL AND 2 INCH OVLY	\$16,725.00
34TH AVENUE	HARRISON ST SE	S DEAD END/BARRICADE	9,858	MILL AND 2 INCH OVLY	\$16,430.00
34TH COURT	ROCKWOOD ST	CUL DE SAC	11,600	MILL AND 2 INCH OVLY	\$19,333.33
40TH AVENUE	HARVEY ST SE	75 FT S OF HOWE ST	19,640	MILL AND 2 INCH OVLY	\$32,733.33
43RD AVENUE	KING RD SE	HOUSE #10288/WIDTH CHG	8,892	MILL AND 2 INCH OVLY	\$14,820.00
43RD AVENUE	ROCKWOOD ST SE	COVELL ST SE	5,472	MILL AND 2 INCH OVLY	\$9,120.00
49TH AVENUE	HARVEY ST	WILLOW ST	9,025	MILL AND 2 INCH OVLY	\$15,041.67
56TH AVENUE	DEAD END S OF WAYMIRE ST	WAYMIRE ST SE	2,205	MILL AND 2 INCH OVLY	\$3,675.00
BOSS LANE	LICYNTRA LN SE	LAKE RD SE	17,520	MILL AND 2 INCH OVLY	\$29,200.00
BOWMAN STREET	51 FT E OF BRAE ST	BRAE ST SE	1,479	MILL AND 2 INCH OVLY	\$2,465.00
CAMPBELL STREET	MONROE ST SE	HARRISON ST SE	13,584	MILL AND 2 INCH OVLY	\$22,640.00
ELSEWHERE LANE	W DEAD END-END OF PAVE	WHERE ELSE LN SE	2,420	MILL AND 2 INCH OVLY	\$4,033.33
FREEMAN WAY	STATE HWY 224	INTERNATIONAL WAY	10,836	MILL AND 2 INCH OVLY	\$18,060.00
GARRETT CIRCLE	GARRETT DRIVE	CULDESAC	5,508	MILL AND 2 INCH OVLY	\$9,180.00
JOHNSON CREEK BOULEVARD	CITY LIMITS W. OF 40TH AVE	SPRINGWATER CORRIDOR	57,815	MILL AND 2 INCH OVLY	\$96,358.33
KING ROAD	42ND AVE SE	43RD AVE SE	13,584	MILL AND 2 INCH OVLY	\$22,640.00
LICYNTRA COURT	LICYNTRA LN	S DEAD END	2,508	MILL AND 2 INCH OVLY	\$4,180.00
LLEWELLYN STREET	47TH AVE SE	HOME AVE SE	17,091	MILL AND 2 INCH OVLY	\$28,485.00
MILPORT ROAD	MCLOUGHLIN BLVD	MAIN ST SE	2,688	MILL AND 2 INCH OVLY	\$4,480.00
MOORES STREET	MCLOUGHLIN BLVD(N BOUND)	100 FT E OF 25TH AVE SE	17,886	MILL AND 2 INCH OVLY	\$29,810.00
OCHOCO STREET	MAIN ST SE	25TH AVE SE	11,680	MILL AND 2 INCH OVLY	\$19,466.67
17TH AVENUE	MCLOUGHLIN BOULEVARD	WAVERLEY GREENS APPT ENTRANCE	45,828	MILL AND 3 INCH OVLY	\$89,110.00
17TH AVENUE	WAVERLEY GREENS APPT ENTRANCE	N CITY LIMITS-450 FT N MILPORT	76,058	MILL AND 3 INCH OVLY	\$147,890.56
34TH AVENUE	LAKE RD SE	WASHINGTON ST SE	74,868	MILL AND 3 INCH OVLY	\$145,576.67
MAIN STREET	JACKSON ST	MONROE ST SE	16,701	MILL AND 3 INCH OVLY	\$32,474.17
OAK STREET	CAMPBELL ST SE	RAILROAD AVE SE	5,970	MILL AND 3 INCH OVLY	\$11,608.33
OATFIELD ROAD	BRIDGE/CITY LIMITS	HOUSE #12249-100 FT N GUILFORD	21,556	MILL AND 3 INCH OVLY	\$41,914.44
WASHINGTON STREET	OAK ST SE	33RD AVE SE(WIDTH CHG)	15,314	MILL AND 3 INCH OVLY	\$29,777.22
REFER TO SLURRY MAP				SLURRY SEAL	\$90,000.00

TOTAL

\$1,028,853.06

FY 2022 - SSMP Year 15

Road Name	Beginning Location	End Location	Area (SF)	Treatment	Cost
22ND AVENUE	SPARROW STREET	BLUEBIRD STREET	21,500	MILL AND 2 INCH OVLY	\$35,833.33
35TH AVENUE	LAKE RD SE	WASHINGTON ST SE	79,812	MILL AND 2 INCH OVLY	\$133,020.00
45TH AVENUE	CUL DE SAC	WHITE LAKE RD	3,840	MILL AND 2 INCH OVLY	\$6,400.00
55TH AVENUE	MONROE ST SE	KING RD SE	21,006	MILL AND 2 INCH OVLY	\$35,010.00
66TH AVENUE	100 FT S OF EUNICE ST SE	115 FT S OF MONROE ST	16,864	MILL AND 2 INCH OVLY	\$28,106.67
67TH AVENUE	PLUM DR SE	200 FT N OF FURNBERG ST SE	14,520	MILL AND 2 INCH OVLY	\$24,200.00
ADA LANE	HOUSE #4794-PAVE CHG	HOME ST SE	13,716	MILL AND 2 INCH OVLY	\$22,860.00
ASTI COURT	VERINE AVENUE	CUL DE SAC	6,960	MILL AND 2 INCH OVLY	\$11,600.00
BOYD STREET	W DEAD END BARRICADE	32ND AVE SE	46,308	MILL AND 2 INCH OVLY	\$77,180.00
GUILFORD COURT	OATFIELD RD	GUILFORD DRIVE-E INTERSECTION	13,288	MILL AND 2 INCH OVLY	\$22,146.67
HARLOW STREET	110 FT W OF 56TH AVE (PCC SLAB	STANLEY AVE SE	17,255	MILL AND 2 INCH OVLY	\$28,758.33
HARRISON STREET	STANLEY AVE	59TH AVE SE	10,489	MILL AND 2 INCH OVLY	\$17,481.67
HAZEL STREET	38TH AVE	40TH AVE	5,526	MILL AND 2 INCH OVLY	\$9,210.00
LLEWELLYN STREET	44TH AVE SE	47TH AVE SE	10,416	MILL AND 2 INCH OVLY	\$17,360.00
OAK STREET	WASHINGTON ST SE	ST HWY 224	6,060	MILL AND 2 INCH OVLY	\$10,100.00
OAK STREET	ST HWY 224	MALL ENTRANCE BY CHEVRON	27,720	MILL AND 2 INCH OVLY	\$46,200.00
RAILROAD AVENUE	OAK ST SE	32ND AVE SE	15,720	MILL AND 2 INCH OVLY	\$26,200.00
WOOD AVENUE	PARK ST SE	MONROE ST SE	22,266	MILL AND 2 INCH OVLY	\$37,110.00
43RD AVENUE	HOUSE #10288/WIDTH CHG	HOWE ST SE	37,100	MILL AND 3 INCH OVLY	\$72,138.89
OATFIELD	GUILFORD	LAKE RD		RECONSTRUCT	\$56,000.00
25TH	DOVE ST	NARROWS RD		RECONSTRUCT	\$17,000.00
25TH	DEAD END	WILLARD ST		RECONSTRUCT	\$63,000.00
WREN	PVT DRIVE AT BOTTOM OF HILL	19TH AVE		RECONSTRUCT	\$6,000.00
REFER TO SLURRY MAP				SLURRY SEAL	\$65,000.00

TOTAL \$867,915.56

FY 2023 - SSMP Year 16

Road Name	Beginning Location	End Location	Area (SF)	Treatment	Cost
30TH AVENUE	DEAD END/END OF PAVE	SHERRETT ST SE	2,004	MILL AND 2 INCH OVLY	\$3,340.00
31ST AVENUE	S DEAD END	SHERRETT ST SE	2,700	MILL AND 2 INCH OVLY	\$4,500.00
37TH AVENUE	RAILROAD AVE SE	MONROE ST SE	24,640	MILL AND 2 INCH OVLY	\$41,066.67
RIVER ROAD	S PL #12600 RIVER RD	23RD AVE/LARK ST	36,963	MILL AND 2 INCH OVLY	\$61,605.00
WASHINGTON STREET	21 ST AVE SE	OAK ST SE	85,239	MILL AND 2 INCH OVLY	\$142,065.00
32ND AVENUE	RAILROAD AVE SE	200 FT N OF HARRISON/PAVE CHG	15,503	MILL AND 3 INCH OVLY	\$30,144.72
MAIN STREET	SCOTT ST	LOT #10282-WIDTH CHG	28,329	MILL AND 3 INCH OVLY	\$55,084.17
MAIN STREET	200 FT S OF MILPORT RD-WDTH CH	BETA ST SE	70,958	MILL AND 3 INCH OVLY	\$137,973.89
MAIN STREET	BETA ST SE	MOORES ST SE	26,520	MILL AND 3 INCH OVLY	\$51,566.67
20TH AVE	LARK ST	SPARROW ST.		RECONSTRUCT	\$32,000.00
20TH AVE	WREN ST	EAGLE ST		RECONSTRUCT	\$142,000.00
WASHINGTON STREET	33RD AVE	35TH AVE		RECONSTRUCT	\$90,000.00
REFER TO SLURRY MAP				SLURRY SEAL	\$70,000.00

TOTAL \$861,346.11

FY 2024 - SSMP Year 17

Road Name	Beginning Location	End Location	Area (SF)	Treatment	Cost
23RD AVENUE	LAKE ROAD	WILLARD STREET	6,235	MILL AND 2 INCH OVLY	\$10,391.67
26TH AVENUE	DEAD END S OF GINO LN	LAKE RDSE	12,760	MILL AND 2 INCH OVLY	\$21,266.67
28TH AVENUE	WASHINGTON ST SE	HARRISON ST SE	34,131	MILL AND 2 INCH OVLY	\$56,885.00
46TH COURT	RAILROAD AVE SE	CULDESAC	6,150	MILL AND 2 INCH OVLY	\$10,250.00
71ST AVENUE	HARMONY RD SE	PLUM ST SE (AT CORNER)	49,536	MILL AND 2 INCH OVLY	\$82,560.00
GUILFORD DRIVE	GUILFORD CT (W INT)	GUILFORD CT (E INT)	29,520	MILL AND 2 INCH OVLY	\$49,200.00
MILPORT ROAD	17TH AVE SE	MCCLOUGHLIN BLVD	41,446	MILL AND 2 INCH OVLY	\$69,076.67
MONTGOMERY DRIVE	LINNWOOD AVE SE	64TH AVE SE	14,694	MILL AND 2 INCH OVLY	\$24,490.00
MYRTLE STREET	CAMPBELL ST SE	S CULDESAC	18,802	MILL AND 2 INCH OVLY	\$31,336.67
PENZANCE STREET	MONROE ST SE	CULDESAC	7,440	MILL AND 2 INCH OVLY	\$12,400.00
21ST AVENUE	WASHINGTON STREET	HARRISON STREET	43,800	MILL AND 3 INCH OVLY	\$85,166.67
32ND AVENUE	200 FT N OF HARRISON/PAVE CHG	CITY LIMITS/SHERRETT ST SE	134,602	MILL AND 3 INCH OVLY	\$261,726.11
28TH AVENUE	VAN WATER ST	SHERRETT ST		RECONSTRUCT	\$14,000.00
29th AVENUE	VAN WATER ST	SHERRETT ST		RECONSTRUCT	\$45,000.00
29TH AVENUE	DEAD END S OF BALFOUR	BALFOUR ST		RECONSTRUCT	\$31,000.00
56TH AVENUE	HOUSE #11303	N CUL-DE-SAC		RECONSTRUCT	\$15,000.00
JACKSON ST	E CUL-DE-SAC	E DEAD END		RECONSTRUCT	\$20,000.00

TOTAL \$839,749.44

FY 2025 - SSMP Year 18

RoadName	Beginning Location	End Location	SectionArea	Treatment	Cost
35TH AVENUE	BARBA ST	CUL DE SAC	3,525	MILL AND 2 INCH OVLY	\$5,875.00
43RD AVENUE	HOWE ST SE	ROCKWOOD ST SE	9,824	MILL AND 2 INCH OVLY	\$16,373.33
44TH AVENUE	LLEWELLYN ST SE	KING RD SE	8,228	MILL AND 2 INCH OVLY	\$13,713.33
46TH AVENUE	KING RD	WHITE LAKE RD	7,344	MILL AND 2 INCH OVLY	\$12,240.00
59TH AVENUE	MONROE ST SE	HARRISON ST SE	9,146	MILL AND 2 INCH OVLY	\$15,243.33
64TH AVENUE	MONTGOMERY DR	EUNICE ST SE	10,757	MILL AND 2 INCH OVLY	\$17,928.33
ARDEN STREET	ROCKWOOD ST	49TH AVE	26,105	MILL AND 2 INCH OVLY	\$43,508.33
HOWE STREET	42ND AVE	43RD AVE	9,720	MILL AND 2 INCH OVLY	\$16,200.00
JACKSON STREET	42ND AVE SE	44TH AVE SE	19,592	MILL AND 2 INCH OVLY	\$32,653.33
RIVER ROAD	23RD AVE/LARK ST	SPARROW ST SE	16,946	MILL AND 2 INCH OVLY	\$28,243.33
STANLEY AVENUE	HECTOR ST SE	WILLOW ST SE	22,550	MILL AND 2 INCH OVLY	\$37,583.33
TAMBARA COURT	55TH AVE	CUL DE SAC	9,175	MILL AND 2 INCH OVLY	\$15,291.67
WASHINGTON STREET	MCLOUGHLIN AVE	21ST AVE SE	17,655	MILL AND 2 INCH OVLY	\$29,425.00
WICHITA AVENUE	FIRWOOD STREET	JOHNSON CREEK BOULEVARD	12,144	MILL AND 2 INCH OVLY	\$20,240.00
OATFIELD	GUILFORD	LAKE RD		RECONSTRUCT	\$62,500.00
20TH AVE	LARK	SPARROW		RECONSTRUCT	\$33,000.00
STANLEY AVENUE	RAILROAD AVE	KING RD		RECONSTRUCT	\$745,000.00

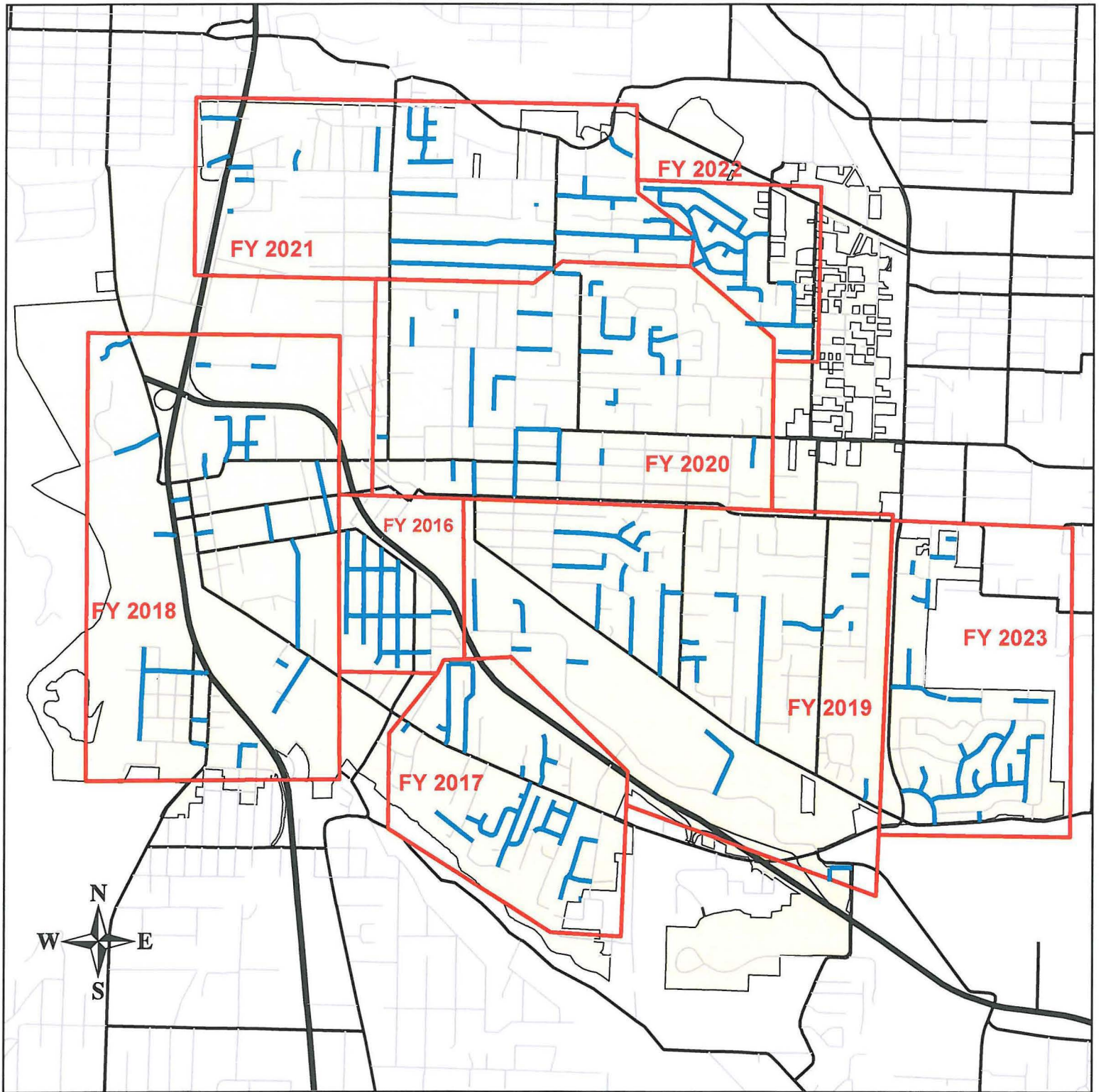
TOTAL \$1,145,018.33

FY 2026 - SSMP Year 19

RoadName	Beginning Location	End Location	SectionArea	Treatment	Cost
26TH AVENUE	100 FT. S. OF HWY 224 OVERPASS	PARKING LOT	7,728	MILL AND 2 INCH OVLY	\$12,880.00
31ST AVENUE	HARRISON ST	GATE	5,883	MILL AND 2 INCH OVLY	\$9,805.00
40TH AVENUE	INTERNATIONAL WAY	CULDESAC	19,368	MILL AND 2 INCH OVLY	\$32,280.00
47TH AVENUE	HARRISON ST SE	KING RD SE	9,000	MILL AND 2 INCH OVLY	\$15,000.00
ADAMS STREET	RAILROAD AVE SE	42ND AVE SE	17,017	MILL AND 2 INCH OVLY	\$28,361.67
DWYER DRIVE	32ND AVE SE	WILLAMETTE APPT ENTRANCE	10,948	MILL AND 2 INCH OVLY	\$18,246.67
GUILFORD DRIVE	GUILFORD CT (E INT)	LAKE RD SE	13,872	MILL AND 2 INCH OVLY	\$23,120.00
HARRISON STREET	42ND AVE SE	44TH AVE SE	12,880	MILL AND 2 INCH OVLY	\$21,466.67
LICYNTRA LANE	200 FT E OF BOSS LN-BEG OF CUR	VERNIE AVE SE	22,736	MILL AND 2 INCH OVLY	\$37,893.33
SPARROW STREET	19TH AVE SE	22ND AVE SE	14,256	MILL AND 2 INCH OVLY	\$23,760.00
OAK STREET	MALL ENTRANCE (BY CHEVRON)	CAMPBELL ST SE	8,584	MILL AND 3 INCH OVLY	\$16,691.11
STANLEY	RAILROAD AVE	SUNDIAL		RECONSTRUCT	\$363,000.00
56TH AVE	HOUSE #11303	CUL-DE-SAC		RECONSTRUCT	\$13,870.00
21 ST AVE	SPARROW	BLUEBIRD		RECONSTRUCT	\$130,000.00
22ND AVE	BLUEBIRD	MCLOUGHLIN BLVD		RECONSTRUCT	\$110,000.00
BIRK ST	RIVER RD	E DEAD END		RECONSTRUCT	\$26,000.00

TOTAL \$882,374.44

Attachment 3

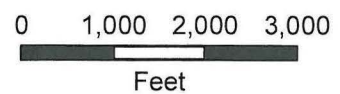


SSMP Slurry Seal Map



 Slurry Seal Streets

 Fiscal Year to be Completed
RS20





**Regular Session
Agenda Item No.**

3

Consent Agenda



MINUTES
MILWAUKIE CITY COUNCIL
www.milwaukieoregon.gov

REGULAR SESSION
JANUARY 20, 2015
City Hall Council Chambers

Chairperson Batey called the 2,190th meeting of the City Council to order at 7:08 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Karin Power

Staff Present: City Manager Bill Monahan, Assistant to the City Manager Mitch Nieman, City Attorney Tim Ramis, City Recorder Pat DuVal, Community Development Director Steve Butler, Planning Director Denny Egner, Finance Director Casey Camors, and Light Rail Construction Manager Stacy Bluhm,

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. Elect President of the Council

Chairperson Batey reported that Jeremy Ferguson had resigned his position as Mayor of Milwaukie effective today, January 20, 2015, at 5:00 p.m. The first order of business on the agenda was to elect the President of the Council which occurred at the first meeting following the seating of any new duly elected members.

Councilor Churchill said he wished to be considered.

Mr. Monahan said the City Council could take all potential nominations and discuss the process for actually taking the vote. The City Council may also wish to consider giving everyone an opportunity to make a brief statement.

Councilor Power nominated Chairperson Batey.

Councilor Gamba said he also wished to be considered.

Chairperson Batey took Mr. Monahan's suggestion regarding entertaining brief statements from those interested in the Council President position.

Councilor Churchill felt he was qualified based on his experience with the City Council for two years and the Planning Commission for 6-1/2 years as well as his service on various other committees.

Councilor Gamba said had, like Councilor Churchill, been on the City Council for 2 years as well as being deeply involved with the Metro region and Clackamas County on a variety of committees. He had also put a lot of time and effort into the community on a variety of projects particularly in the past two years. He had expressed his intent to run for the office of Mayor.

Chairperson Batey appreciated Councilor Power's the confidence in her, however, she did not wish to accept the nomination.

Councilor Power thought it was important for the Council President to continue to work in that capacity and not step into a mayoral race.

Mr. Monahan discussed the process for filling the position of Council President which was done the first meeting after the seating of a new duly elected City Council. The

next election of a new Council President would be after the seating of a new Mayor at the May 19, 2015, election.

Councilor Power expressed concern about the time management element of holding the Council President position while managing a campaign. She felt stability was important while working with new Neighborhood District Association (NDA) leaders, board, commission, and committee members, and other regional organizations.

Councilor Gamba noted upcoming events in the near term where the Council President would be representing the City of Milwaukie that took place during the work day. Until recently, Councilor Gamba had been the only Council member attending those events. He would occasionally attend meetings and events in the place of the Mayor, and he noted Councilors Hedges and Miller did not attend frequently.

Councilor Churchill did not believe Councilors Hedges and Miller were given the option.

Chairperson Batey declined the nomination as she was concerned that additional daytime meetings might present a problem for her at her job.

Mr. Monahan clarified that a new Council President would not be elected until after the May 2015 election.

Chairperson Batey said she could be talked into seeking the Council President position since it was only until May. In order to keep things clean, she said she would stay with declining the nomination. There was no further discussion.

Ms. DuVal polled the Council: Chairperson Batey and Councilor Gamba voted for Gamba; Councilor Power and Councilor Churchill voted for Churchill.

Mr. Ramis said a majority vote was needed, and **Chairperson Batey** reopened the nominations.

Councilor Churchill said for the purpose of clarification that he had no intention of running for the Mayoral position. As Council President, he would provide backup to the Interim Mayor for the next two or three months. He added that since his schedule had become more flexible, he would have time to attend some of the meetings on the Interim Mayor's behalf.

Councilor Gamba was concerned about consistency in leadership with an Interim Mayor for the upcoming months. The City had many projects right now, and he was not concerned about the time commitment.

Councilor Power thought it would be helpful to have someone in the Council President position that might be able to focus more during the campaign if there were multiple mayoral candidates.

Councilor Gamba felt he could handle to multiple demands on his time.

Councilor Power pointed out that he was not on the City Council during his last campaign. She thought it would be simpler if the lines were kept a little clearer.

Councilor Gamba was interested in keeping the leadership consistent to help carry the many projects forward. He was not concerned about the time commitment.

Chairperson Batey hoped to break the tie for the Council President position and nominated herself.

Councilor Power asked the City Attorney if there were any conflicts with someone's attending meetings and events on behalf of the City and also running for office.

Mr. Ramis replied that was purely a political question, and that was a judgment call the City Council would have to make.

Councilor Gamba pointed out that from the standpoint of time or ethics this was what Mr. Ferguson had done when he was running for re-election.

Chairperson Batey opened the floor for nominations. In the interest of getting to a majority, she nominated herself. **Councilor Churchill** wished to be considered. **Councilor Power** did not wish to make a nomination. There were no further nominations.

Ms. DuVal polled the Council with **Chairperson Batey** and **Councilors Gamba and Powers** voting for **Batey**; **Councilor Churchill** voted for himself.

Council President Batey continued the regular session.

B. Milwaukie High School Outstanding Student Achievement Award to Michael Hangland-Skill

Principal Mark Pinder introduced Michael Hangland-Skill and highlighted his achievements at Milwaukie High School notably in the areas of photography and drama. Council President Batey and the Councilors congratulated Mr. Hangland-Skill on his selection as the Outstanding Student Achievement Award recipient for January 2015.

C. Portland-Milwaukie Light Rail Update

Ms. Bluhm provided a synopsis of the light rail construction project for the benefit of the new Council members. She showed before and after slides of Mailwell Drive with sidewalk, stormwater planter, new street and gutters, as well as improvements to 26th Avenue under Hwy 224 that included sidewalk, barriers to the rail tracks, and safety walls. She showed slides Washington, Harrison, Monroe and Adams Streets, and 21st Avenue improvements including pedestrian activated flashers.

Council President Batey asked Ms. Bluhm the cost of the pedestrian flashers as there were other locations in Milwaukie where they could be used.

Ms. Bluhm replied that she would check on the cost of the flashers. She added that Clackamas County would maintain the signals which were being installed in other areas in addition to Milwaukie. Harrison Street featured black welded wire fence, new railroad cantilevered flashers, and bike lanes. Monroe Street had sidewalk on both sides of the street, and TriMet acquired enough property to provide for 8-foot sidewalks that accommodated features such as light poles and street trees. There was a separator required for the quiet zone.

21st Avenue improvements included wider sidewalks, driveways that met Americans with Disabilities (ADA) requirements, and utilities were undergrounded. At Adams Street there was sidewalk on both sides of the street, the decorative dogwood railing, and separators at the crossings. She pointed out the cobblestone areas between the tracks where landscaping would be difficult to maintain and would help keep people on the designated sidewalks.

The Trolley Trail reopened on December 1, 2014, with the exception of 22nd Avenue where safety improvements were still being discussed. She understood that the Oregon Department of Transportation (ODOT) was supportive of the City's suggestion for safety improvements. TriMet hoped to have this project done before Stacy Witbeck left the area. Staff intended to bring the design to the City Council in February for input. She showed slides of the six pieces of art being installed along the Trail created from trees that had been removed for the project. There were various planting, gabion walls, noise walls, pedestrian lighting, and black welded wire fencing. Various species of trees were strategically planted to maintain a line of sight to the Trolley Trail from McLoughlin Boulevard and the light rail line. The remaining slides showed the Milwaukie Main Street Station and the Park Avenue Garage with its water treatment features and solar panels.

Councilor Churchill wanted a better understanding of how Trolley Trail security response plans and access points would be addressed.

Ms. Bluhm said she would have to come back to the City Council with that information. She noted the sight lines to McLoughlin Boulevard and said there were bollards that

North Clackamas Parks and Recreation District (NCPRD) employees and emergency responders could unlock. She understood that pedestrians were concerned about visibility to the path.

Councilor Power asked about the plans for the staging area and asked if the chain link fence would be removed.

Ms. Bluhm replied that TriMet acquired the property from ODOT; however, there was no active redevelopment plan for that site. It was something that would come up in the near future. She assumed the chain link fence would be removed in the near future or at least pulled back, but that decision had not come up.

Council President Batey said there was an unnamed water source on that property that needed to be named at some time in the future.

Ms. Bluhm reviewed the construction efforts at Lake Road and 21st Avenue that were expected to be completed by the end of February and when it might possibly open depending on the schedule and staging needs for the Kellogg Bike/Pedestrian Bridge. She showed a slide of the signal and communications (sig/com) building at Adams Street which had been designed with a wire clad exterior to discourage graffiti and a green roof.

She discussed funding for the Kellogg Pedestrian/Bike Bridge touchdown. The overall project funds available were \$1.4 million with \$1,044,000 spent to date leaving \$356,000. On December 16, 2014, the City Council authorized an additional \$254,000 in funds for the Bridge connections.

Ms. Bluhm discussed the Pedestrian/Bridge design, timelines, and status of preliminary plans.

Ms. Bluhm next addressed pedestrian crossing safety and sight line issues. The wall itself had been built low enough, but once the fence was added a visual barrier was created. Clearly there were some sight line issues, and keeping the vegetation trimmed could be an ongoing problem. According to the ODOT crossing order, the train could travel at about 35 mph. In terms of process, she worked with TriMet safety and engineering personnel and ODOT Rail to talk about these issues and what other jurisdictions were doing. That culminated in a presentation to the Safety and Security Task Force made up of participants from TriMet, ODOT Rail, Union Pacific Railroad, Clackamas County, and others with safety backgrounds. She discussed her general concerns with the automated pedestrian gate and the feasibility of people circumventing the gates if they did see the trains coming. She addressed the proposal of installing swing gates similar to those used in Beaverton and other locations in the Metro area. Pedestrians stopped by the swing gate could open it if no trains were coming. She proposed installing swing gates on the east side of the tracks where the sidewalks were on the downhill slope.

Councilor Churchill suggested looking at the feasibility of a double swing gate.

Councilor Gamba commented on his concerns that something was always there and young bike riders who had to open and close a gate.

Ms. Bluhm hoped that anyone on a bike who wanted to cross the rail would slow down, pause, and cross safely.

Councilor Churchill wanted to know why trains could not consider a lower speed limit and asked that the TriMet Safety Committee give the City Council an explanation.

Ms. Bluhm said she would carry that message to the Committee and explained that drivers would evaluate their speeds once the trains started running. She added that the swing gates were an allowed use in ADA guidelines.

Councilor Churchill suggested a power switch might be an option.

Ms. Bluhm showed a slide of the pedestrian flasher that included an audible warning. TriMet was looking to install these at every crossing including Mailwell Drive.

Councilor Gamba asked if the final decision had been made on the swing gates.

Ms. Bluhm indicated she was now on board with this solution and the recommendation to install them on both sides of the street on the east side of the tracks. Her general concern with the automatic gates was that they could not be close enough to the tracks for people to see the conflicts.

Councilor Power asked if something could be put in the pavement to let people know a train was approaching

Ms. Bluhm replied TriMet was beginning to use a warning device specifically for people on the sidewalk which was becoming a standard, and she was proposing that those be installed. The other proposal was to install swing gates that had to be pulled open in order to enter the railroad area whether there was a train or not.

Councilor Churchill observed that swing gates were used in Beaverton.

Ms. Bluhm said TriMet agreed that swing gates could be at the edge of the tactile meaning anyone coming up to the gate was past the wall with a perfect sight line. This was what swayed her opinion.

Councilor Churchill said in Beaverton the double gates created a holding area; he would send Ms. Bluhm a photo.

Ms. Bluhm said one had to be very careful with placement because people tend to circumvent them. Beaverton has both single and double swing gates. The proposal was to only install these on the east side of the tracks at the locations with the worst sight line issues on the east side of the tracks. She felt it was important to be consistent at each of the crossings. The other issue with these particular streets was the downhill slope, and she thought it would be wise, given the number of schools nearby, to require students on bikes and skateboards halt and actively open the gates.

Councilor Gamba had two issues with the gates always being there. One tended to ignore something that was always there like a flashing yellow light. There was also the issue of the time it took to open the gate, so to him it made sense to have a gate that closed only when a train was coming.

Ms. Bluhm looked for examples of gates that closed and locked when a train was coming, but with the exception of Australia, there were very few. She hoped that everyone would be cautious and slow down and cross safely.

Councilor Churchill said he would like to have the Safety Committee representative come to Council and talk about why the trains are going 35 mph through school zones when vehicles are restricted to 20 mph. The freight line did not go 35 mph through the downtown either. It would be good to understand the logic and why they would not consider a 25 mph or less zone.

Ms. Bluhm replied that was a point of much debate with the Task Force, and she had come in with the recommendation to reduce the speed to 25 mph because of the speed limits on the streets. Their response was that their drivers would tell them what speed they felt appropriate, so the speed may be lower after some experienced drivers had run the trains.

Councilor Power asked how someone in a wheelchair would be able to open the gates.

Ms. Bluhm replied these were an allowed use within the ADA guidelines.

Councilor Churchill thought a power switch would be an option.

Ms. Bluhm responded that power switches had a lot of maintenance problems, and Beaverton had removed them at Millikan. For her the piece that made all the difference

was the pedestrian flashers that included an audible warning that continued until the train had passed and would not stop if another train were coming. She showed a video of the pedestrian crossing at Orenco Station.

Councilor Gamba asked if a final decision has been made.

Ms. Bluhm replied the Task Force endorsed this concept, and she was seeking input from the City Council and direction on moving forward.

Councilor Churchill understood the pedestrian flashers would be at all crossing between the tracks both on the north and south sides. It seemed the question was the location of the manual gates.

Ms. Bluhm replied the Task Force recommended installation on all six sidewalks on the east side of the tracks. She noted Union Pacific was not supportive.

Councilor Power appreciated Ms. Bluhm's efforts and hoped there would be time for neighborhood input from those who may have mobility issues.

Mr. Monahan asked if the City Council wanted these matters added to the February 3, 2015, regular session agenda.

Councilor Churchill was greatly concerned about the speed since Milwaukie will not have gates on both sides of the track. A pedestrian going east could completely avoid the gates and be exposed to trains travelling 35 mph.

Councilor Gamba was not convinced that automatic gates were not the preferred choice.

Council President Batey thought it would be useful to have information on how those with disabilities would maneuver the gates.

CONSENT AGENDA

It was moved by Councilor Gamba and seconded by Councilor Power to approve the consent agenda as presented.

A. City Council Meeting Minutes:

- 1. January 6, 2015, Work Session; and**
- 2. January 6, 2015, Regular Session**

B. Resolution 03-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, authorizing an Intergovernmental Agreement between the City of Milwaukie and City of Portland in support of the City's migration as a Full Entry Regional Partner Agency of the Regional Justice Information System (RegJIN).

Motion passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting "aye." [4:0]

Mr. Monahan asked that the agenda be modified to consider a Resolution acknowledging the resignation of Jeremy Ferguson from his position as Mayor of Milwaukie, declaring a vacancy, and calling for an election on May 19, 2015. The City Council could consider adding the discussion of preliminary goal setting and the Mayor/Council Communication Agreement at the end of the agenda.

Council President Batey was fine with adding the goal setting discussion and the Communication Agreement to the end of the regular session agenda and carrying the 2014 event review and 2015 event preview over to the January 22, 2015, Council Study Session. She felt the Resolution setting the election could be considered at the end of the regular session as well. She noted a person was present to discuss the Transportation for America (T4A) and recommended that item be moved up in the agenda after audience participation and before the public hearing. **Councilor Gamba** seconded Council President Batey's recommendations.

AUDIENCE PARTICIPATION

Council President Batey reviewed the purpose of the audience participation portion of the agenda.

Greg Baartz-Bowman, Milwaukie resident, discussed his efforts to get a crosswalk at 26th Avenue and Harrison Street. There were a lot of pedestrians, apartment buildings, as well as a school bus stop. He urged the City Council to visit the area to get an understanding of the amount of traffic and number of pedestrians. He hoped the City might find a way to at least put in a temporary crosswalk which had actually been done but somehow disappeared.

Councilor Gamba said the temporary crosswalk was put in during light rail construction.

Mr. Baartz-Bowman said the crosswalk had not been ADA compliant, but right now it was not compliant for anyone. He was confused why it was alright to have a temporary ladder crosswalk in 2013, but it was not allowed now. People were still using it, and the amount of traffic on Harrison Street has not gone down. The nearest crosswalks were at 24th and 29th Avenues, and the apartment complexes were at 26th and 25th Avenues. Overtime the TriMet improvements will create more traffic, so it would only make sense that TriMet would have installed the crosswalks or for citizens to buy some paint and go out and do it. He hoped the City would find the funds and the will to address this issue.

Councilor Power understood Mr. Rice could put this in the Community Development Block Grant (CDBG) application for Americans with Disabilities (ADA) ramps, but the outcome of the application would not be known until later this spring. She asked if Mr. Baartz-Bowman had heard back from the City.

Mr. Baartz-Bowman said Mr. Rice had recently responded saying that he would not recommend doing anything until the crosswalk was ADA compliant. He appreciated that, but he walked by there every day and saw mothers with baby carriages, and he had seen the temporary crosswalk work. It did not add up for him not to see anything there now. He would like to see a crew go out and put some paint down until the City could find the money to do ADA. Why do nothing?

Mr. Monahan would ask Mr. Rice to provide an explanation from the engineering perspective at the January 22, 2015, Study Session.

David Aschenbrenner, Milwaukie resident, supported Mr. Baartz-Bowman's comments because he had a similar issue in his neighborhood. He hoped the City would find the funds to install flashing lights at Home Avenue and King Road. He also had questions related to Ms. Bluhm's light rail presentation and the installation of flashing lights at 21st Avenue and Adams Street. The students he saw walking today near 21st Avenue ignored the cobblestones and continued to walk down the street.

The City Council discussed potential options, and **Councilor Power** suspected this was not the only intersection that would benefit from a crosswalk.

Mr. Monahan reported there was no follow up to earlier questions or comments during the January 6, 2015, audience participation portion of the agenda.

Councilor Power was in a sidebar conversation with Patty Jay regarding her comments related to developing a resource guide for those experiencing homelessness and poverty.

OTHER BUSINESS

C. Transportation for America (T4A) Campaign Update

Mr. Nieman reported this was an opportunity for the Milwaukie City Council to authorize staff to sign on to the T4A letter to Oregon's Congressional Delegation to advocate for a reauthorization of Moving Ahead for Progress in the 21st Century Act (MAP-21) to stabilize the highway transportation fund.

There were three alternatives for signing on: authorize staff to sign on behalf of the City Council, authorize the Council President to sign, or leave it to the discretion of the elected officials to sign as individuals. None of the options preclude the other.

Councilor Gamba thought the City Council could also adopt a Resolution supporting the program with even stronger language. He noted Mr. Rice would have more information regarding the 17th Avenue Multi-Use Trail Project that would highlight the need for action. He noted that Chris Rall was present to discuss the effort in more detail. When the City got federal dollars there were a lot of hoops it had to go through for ODOT that resulted in a longer, more costly project. If the process were changed so that it was more localized and less controlled by the State, then the City would benefit. He proposed drafting a Resolution for adoption that went into more depth on that aspect and supported the increased gas tax.

Mr. Nieman explained the effort basically supported the increased gas tax and MAP-21. He noted a majority of Congress was still not in support, but he understood the Oregon Delegation supported the federal transportation program.

Chris Rall, Pacific Northwest Organizer for T4A, Portland. T4A was a national alliance working to increase federal and state funding to locally driven, innovative transportation solutions. He discussed the history of MAP-21 and its Congressional approval. With the deadline looming for the MAP-21 expiration, some kind of action was required. Various maneuvers were being used to shift money from the General Fund to the Highway Trust Fund, and certain elements seemed to be conspiring to render transportation funding more challenging. Additionally, there were no longer earmarks which were now replaced by what he termed policy earmarks. The most effective way of doing that was to have entities with similar policy goals and more local control. This particular letter was addressed to the Oregon Delegation, but work was also being done in other states. The deadline for signing on was February 3, 2015. Joining the letter indicated a common set of goals; a Resolution could address specific challenges in more depth. The sign on letter and a Resolution adopted by the City Council were not mutually exclusive. Some entities were using this letter as a model to develop their own letter, but he was not aware of any city adopting its own resolution.

Councilor Power commented on the composition of the T4A advisory board that included a Metro Councilor and City of Boise Councilors. It looked as if the organization drew from local elected officials to help guide the policy work.

Mr. Rall said that was correct along with local representatives of Chambers of Commerce.

It was moved by Councilor Churchill and seconded by Councilor Power to move ahead with alternative 1 and authorize staff to sign the letter for the City Council President on behalf of the City Council. Motion passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting “aye.” [4:0]

Councilor Power requested information on other local initiatives T4A was working on so that Milwaukie could potentially be involved.

Councilor Churchill asked Ms. Camors if she could do some checking on the pension smoothing revenue raising provision that Mr. Raul mentioned.

PUBLIC HEARING

A. Limited Commercial (C-L) Zone Amendments (File ZA-14-03) – Ordinance

Opening: **Council President Batey** called the legislative public hearing on Zoning Amendment ZA-14-03 initiated by the City of Milwaukie to order at 9:02 p.m.

Purpose and Procedures: The purpose of this hearing was to consider an Ordinance amending Title 19 Zoning, Section 19.306 Limited Commercial Zone C-L, to allow eating establishments in certain areas of the C-L Zone.

This was a legislative decision by the Council and would be based on the statewide planning goals; applicable federal or state laws or rules; any applicable plans and rules adopted by Metro; applicable Comprehensive Plan policies; and applicable provisions of implementing Ordinances.

Council President Batey reviewed the order of business in the conduct of the hearing.

Conflicts of Interest: No potential or actual conflicts of interest were declared.

There were no challenges from any member of the audience to any Council member's ability to participate in the decision.

Staff Presentation: **Mr. Egner** provided the staff report in which the City Council was requested to adopt an Ordinance amending the Zoning Ordinance to allow eating establishments as a permitted use in the limited commercial (C-L) zone on three properties at the intersection of 32nd Avenue and Olsen Street. The project was initiated on the request of the City Council as an interim project of the Moving Forward Milwaukie (MFM) Program. One phase of the project was to evaluate the C-L zone and look at the uses in the area. The proposal was to add eating establishments to the list of permitted uses for three commercially zoned properties at the intersection of 32nd Avenue and Olsen Street. Some businesses were operating in a way that was not totally consistent with the zoning Ordinance, so the intent was to address those situations since MFM was taking longer than anticipated. He showed a map of the three properties that were zoned C-L with the surrounding area zoned R-7.

Mr. Egner reviewed the approval criteria that included consistency with the goals and policies of the Comprehensive Plan, Metro Plans, and State Goals. Additionally, the amendments had to be compatible with the surrounding area; there was a need for the uses; there was a lack of suitable alternative sites; and the transportation system was adequate. The staff report addressed all those criteria. Since the staff report went out one new email in support of the proposed amendments was received from Angel Falconer on January 15, 2015. The Planning Commission recommended approval of the proposal at its November 25, 2014, meeting.

Staff recommended approval of the proposed amendment and proposed findings of approval which he noted were amended to correct a scrivener's error.

Testimony in Support: None.

Neutral Testimony: **David Aschenbrenner**, Milwaukie resident, was a member of the MFM group. This was a consideration of realistically one business, and he felt there were other businesses in the City that would fall under this. He felt it was strange to move this one ahead in the actual process which would more than likely make these changes anyway.

Opposed: None.

Staff Response: **Mr. Egner** said in response to Mr. Aschenbrenner's comments that this was the recognition of a problem with the Code, and the MFM process was taking longer than anticipated. He thought the Neighborhood Main Streets portion of the MFM would have started sooner, but the Downtown area portion was taking longer than expected.

Council President Batey watched the Planning Commission hearing online, and at one point Mr. Egner said he wished he had put it forward as the 2,000 square foot limit. She too thought that might be a better way to go and asked what made Mr. Egner feel that way in the middle of the hearing.

Mr. Egner thought it was a reaction to the Planning Commission's comments. The proposal was for 3,250 square feet which was about the size of the entire building that housed Liz's Creative Café and the dog grooming business. There was no magic number there. A larger café or restaurant would probably require more trips. In the staff report it was written that a convenience store generally generated more trips than a

restaurant or café. There are still uses in that zone that would cause more traffic, so that should really not be a factor. It was one of the variables that could be used to reduce the impact on the neighborhood.

Council President Batey noted a convenience store would generate more trips, but it would be unlikely that all three properties would be convenience stores. It was more of an outlier.

Mr. Egner said staff was looking at the node of uses and not singling out one property.

Councilor Churchill said he appreciated the work and supported it.

Close Public Hearing: **It was moved by Councilor Gamba and seconded by Councilor Churchill to close the public testimony portion of the hearing. Motion passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting “aye.” [4:0]. Council President Batey closed the public testimony portion of the hearing at 9:02 p.m.**

Council Discussion: **Council President Batey** said there was a lot of discussion at the Planning Commission about the City’s changing its mind and the parking impacts that had not really been fleshed out. She thought a 2,000 square foot Subway sandwich shop would generate a lot of trips if one were opened on one of those three properties. She thought it was large enough, and there had been no analysis that compared the square footage of various types of eating establishments and the generated trip volumes. She was in favor of the more conservative 2,000 square foot limit. It would be more difficult to back track when MFM came forward in a few months.

Councilor Churchill said given it was a walkable neighborhood zone, he did not see a series of 3,000 square foot structures that would create a lot of traffic generation. He did not think the demand would be there. Although he understood Council President Batey’s comments, he did not have a problem taking it as it was.

Councilor Gamba said it would be unusual for that to become a destination fast food restaurant. He thought it was much more likely to be a neighborhood café. If it were successful and expanded, then most of the traffic would be bike and pedestrian. A person going to a restaurant on Hawthorn, Belmont, and Division might have to park their cars three blocks away.

Council President Batey said that was a conversation that has not yet taken place. She thought most neighborhoods were willing to have some parking impacts on their street to have some of the amenities but not to the level of Division, for example.

Councilor Gamba pointed out there may be twelve good restaurants rather than two or three. He did not see even at 3,000 square feet that a problem would be created.

Councilor Power said just as garbage haulers were given some stability by providing them with more understandable rules of the game, she thought dividing up the building in its current compartments and not allowing that to change based on the needs created artificial barriers. It could become a really successful neighborhood shop, and based on the testimony received, she felt the neighborhood would like to see something more active.

Council President Batey clarified she was not suggesting that the use should not be approved.

Councilor Power added it did seem a little piecemeal, and she appreciated the comment. She understood it was put forth by the City Council last fall trying to be responsive to a local business owner’s concerns. She thought on balance all of those were good endeavors.

Councilor Churchill said he respected planning staff’s comments about trying to move this forward quickly given MFM was taking longer than anticipated. This was a business improvement in what was right now a dry zone. He would err on the side of giving them as much flexibility as possible even at the risk of creating a precedent that the Council

might have to not allow others to do in the future. He agreed with Councilor Power about giving the business enough latitude to help them make a go of it.

Council President Batey thought it was dependency on MFM and the fact that the whole 32nd Avenue area had been targeted for some time that made this amendment pretty easy to adopt. She thought the problem was other businesses that moved in somewhere and asked for a rezone when what they put in in the first place as never allowed.

Decision by Council: **It was moved by Councilor Churchill and seconded by Councilor Power for the first and second readings by title only and adoption of the Ordinance amending Title 19 Zoning, Section 19.306 Limited Commercial Zone C-L to allow eating establishments in certain areas of the C-L Zone (File #ZA-14-03). Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting “aye.” [4:0]**

Mr. Monahan read the Ordinance two times by title only.

Ms. DuVal polled the City Council: Councilors Gamba, Power, Churchill and Council President Batey voting “aye.” [4:0]

ORDINANCE NO. 2089:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO AMEND TITLE 19 ZONING, SECTION 19.306 LIMITED COMMERCIAL ZONE C-L, TO ALLOW EATING ESTABLISHMENTS IN CERTAIN AREAS OF THE C-L ZONE (FILE #ZA-14-03).

Council President Batey provided information on how a party with standing might appeal the decision of the City Council to the State Land Use Board of Appeals (LUBA).

OTHER BUSINESS

A. Utility Billing Intergovernmental Agreement (IGA) with Clackamas River Water (CRW) – Resolution and Ordinance

Ms. Camors provided the staff report in which the City Council was requested to adopt an Ordinance amending the Municipal Code for slightly altering the application of payments to the Street Surface Maintenance Program (SSMP) and adopt a Resolution approving an IGA with Clackamas River Water (CRW) allowing for overlapping districts where CRW provided water service and the City provided SSMP, stormwater, and street maintenance. In these areas, the parties believed it will be most cost-effective to do a joint billing which the City would administer. In addition to providing more efficient customer service, the City would have more leverage in the collection of delinquent payments. CRW will pay the City about 5% for its administrative services. The code amendment addressed an inconsistency that created inequities in the utility fund structure. The IGA was adopted by the CRW Board on January 8, 2015.

There were no questions from the City Council, so **Council President Batey** called for a motion.

It was moved by Councilor Gamba and seconded by Councilor Power to adopt the Resolution approving an Intergovernmental Agreement with Clackamas River Water allowing the City to perform joint billing of utility services provided to joint accounts. Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting “aye.” [4:0]

RESOLUTION NO. 04-2015:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH CLACKAMAS RIVER WATER ALLOWING THE CITY TO PERFORM JOINT BILLING OF UTILITY SERVICES PROVIDED TO JOINT ACCOUNTS.

It was moved by Councilor Power and seconded by Councilor Gamba for the first and second readings by title only and adoption of the Ordinance amending Milwaukie Municipal Code Chapter 3.25.070B to revise the allocation of delinquent utility service payments among the City's utility service funds. Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting "aye." [4:0]

Mr. Monahan read the Ordinance two times by title only.

Ms. DuVal polled the City Council: Councilors Gamba, Power, Churchill and Council President Batey voting "aye." [4:0]

ORDINANCE NO. 2090:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 3.25.070B TO REVISE THE ALLOCATION OF DELINQUENT UTILITY SERVICE PAYMENTS AMONG THE CITY'S UTILITY SERVICE FUNDS

B. 2015 City Council Committee Assignments

Mr. Monahan said annually the City Council decides on regional committee assignments that are typically recommended by the Mayor. These included Metro and Clackamas County Committees as well as other organizations of which the City was a member. The assignments were made by former Mayor Ferguson prior to his resignation, and Mr. Monahan reviewed the options. Some committees were becoming more active since the first of the year, so he recommended action on those. Mr. Monahan pointed out those committees to which Mr. Ferguson had appointed himself. Two additional committees were added since distribution of the original spreadsheet on January 6, 2015. These were the Kellogg for Coho regional group to continue discussions with Wildlands, and the North Clackamas School District #12 Bond Committee for which Councilor Gamba had been recruited. He noted the Library Expansion Task Force (LETF) had not been active for some time but was ramping up again, so it was advisable to make that appointment as soon as possible.

Council President Batey asked which were the most critical to fill.

Mr. Monahan provided his assessment of the groups. The most critical were the Clackamas County Coordinating Committee (C4), Regional Wastewater Advisory Committee, the RiverHealth Committee, the Regional Water Providers Consortium, the North Clackamas Watershed Council, North Clackamas Parks and Recreation District (NCPRD) Board, the North Clackamas Social Needs Roundtable which was meeting this week. Those he felt could wait were the Clackamas Fire District #1 District Board Subcommittee, Greater Portland, Inc., the Rotary as the City was already well represented, Councilor Churchill had represented the City Council on the Audit Committee but could likely wait, and the Economic Development and Events Committees. The group discussed the Boards, Commissions, and Committee (BCC) Appointment Committee.

Councilor Gamba discussed the recommendations and noted he would be attending the C4 meetings, so appointing an alternate at this time was not critical. He and Tony Anderson were scheduling a meeting to discuss the NCPRD Advisory Board position.

Councilor Power suggested the Mayor appointments be left open until such time such as the interim was appointed.

Mr. Monahan recommended filling the LETF position as there was a need to have the group active and have some continuity.

Councilor Churchill felt the LEFT had been taken about as far as it could. He did not wish to be the alternate on the North Clackamas Urban Watershed Council.

Councilor Gamba thought Tony Anderson would be a great choice for the NCPRD Advisory Board position for Milwaukie.

Councilor Churchill was in favor of keeping Mike Miller on the NCPRD Advisory Board but he did not know if Mr. Miller intended to apply for the PARB. The group agreed to wait on this appointment.

Councilor Power was interested in being the City Council representative on the LETF and would trade the assignments to the wastewater groups with Councilor Churchill. She would be the alternate on the Watershed Council.

Councilor Churchill thought Councilor Power's history on the Regional Wastewater Treatment Advisory Committee would be valuable.

Councilor Gamba understood from the conversation that the interim Mayor would be the C4 alternate.

Council President Batey was interested in attending some of the Metro meetings as well as Greater Portland, Inc. and the Economic Development Committee.

It was moved by Councilor Gamba and seconded by Councilor Churchill to adopt the 2015 Local and Regional Committee Assignment roster as amended through the discussion. Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting "aye." [4:0].

Acknowledgement of Mayor's Resignation and Call for a Special Election – Resolution

It was moved by Councilor Gamba and seconded by Councilor Power to adopt the Resolution instructing the City Recorder to notify Clackamas County Elections of the City's desire to have an election in May to fill the vacant position of Mayor. Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting "aye." [4:0].

Mr. Monahan noted in the work session City Council provided direction to fill the remainder of the Mayor's term and begin recruitment for the Interim Mayor to serve between the time of appointment and certification of the May 19, 2015, election results. He discussed the Interim Mayor application process that would close on February 11 with City Council interviews scheduled for February 17.

RESOLUTION NO. 5-2015:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, NOTING THE RESIGNATION OF THE MAYOR THAT CREATES A VACANCY ON THE CITY COUNCIL, AND DIRECTING THE CITY RECORDER TO CALL A SPECIAL ELECTION.

Preliminary Goal Setting Brainstorming Process

Council President Batey said the purpose of this discussion was to set the date and time of the initial goal setting session to gather community input and to consider options for public input.

Councilor Gamba was in favor of the February 7 date and felt anyone interested in applying for the Interim Mayor position would be sufficiently engaged with the

community to come up to speed quickly. Although Mr. Monahan was scheduled to be out of the office in late February and early March, he was confident staff could organize the public input. He did not wish to make any decisions prior to Mr. Monahan's being back in the office.

Councilor Power did not wish to go too far into March because she had previous commitments.

Councilor Churchill thought starting the goal setting on February 7 was, in principle, a rush; however, if the session were limited to public input, he did not object.

The consensus of City Council was to hold the initial goal setting session for public input on February 7, 2015, from 2 p.m. to 4 p.m. in the City Hall Council Chambers.

Mr. Nieman discussed the menu of options that included input criteria, input content, program name, outreach plan, program deployment schedule, information collection and analysis, and next steps. He reviewed public input communication options.

The consensus of the City Council was to have an interactive session utilizing, in addition to in person comments, a web form, written comments, email, and Facebook as methods of effectively capturing comments in sufficient detail during the interactive session.

Mr. Nieman reviewed the input criteria. The group agreed since the number of attendees was unknown, that speaking time would be limited to three minutes. After all attendees had an opportunity to speak and address his or her primary goal, the Council would open the process up to additional goals. The group discussed the information that would be requested from the person making the submission that included a description of the goal, rationale, name, contact information, and whether or not the person was a resident. The program name selected was *got goals? 2015 Community Input Session*.

Mr. Nieman outlined the outreach plan including buying an ad in the *Clackamas Review*, cable Channel 30, email lists, Facebook and Twitter, press releases, announcement at the NDA Leadership meeting, *The Pilot* newsletter, posters and flyers, and the City home page. The City Council agreed to defer from the *Clackamas Review* ad. **Mr. Nieman** said deployment could begin as early as February 21, and he would provide the City Council with the comment form and web form for any last minute input electronically. He described how the input would be collected and displayed at the goal setting session. Next steps would be to organize the public input, receive staff white papers, review the 2014 goals, analyze, set a date for the strategic session at the January 22 study session, and finally adopt the strategic plan and 2015 goals.

Councilor Gamba hoped staff would submit goals based on their contact with the public.

Mayor/Council Communication Agreement

It was City Council consensus to defer this item to the February 3, 2015, work session.

C. Council Reports

Council President Batey made several announcements related to upcoming community events and volunteer opportunities.

Councilor Gamba discussed the Chamber of Commerce Policy meeting, a lunchtime meeting, that he understood was an important one to attend. **Mr. Nieman** said the recommendation was that the Councilors took turns. He and Ms. Koliias attended from staff.

ADJOURNMENT

It was moved by Councilor Gamba and seconded by Councilor Churchill to adjourn the Regular Session. Motion passed with the following vote: Councilors Gamba, Power, Churchill and Council President Batey voting “aye.” [4:0].

Council President Batey adjourned the regular session at 10:49 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES
MILWAUKIE CITY COUNCIL
www.milwaukieoregon.gov

STUDY SESSION
JANUARY 22, 2015
City Hall Conference Room

Council President Batey called the study session to order at 5:00 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Karin Power

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Assistant to the City Manager Mitch Nieman, Engineering Director Jason Rice, and Community Development Director Steve Butler

17th Avenue Multi-Use Path Project Discussion

Mr. Rice was joined by Aaron Eisenhart, PE, Harper Houf Peterson, Righellis, Inc. (HHPR) and Anthony Buczek, Metro, to discuss the extension of the Trolley Trail on the west side of 17th Avenue. The plans were now at 30%, and staff was seeking City Council input in order to stay on schedule with the design and within budget. He noted at the time the grant application was submitted to Metro it was understood there would be some hurdles related to the Waverley Golf Course and the Milwaukie Pioneer Cemetery. The funding became available November 2012, and staff began working on a project summary or prospectus. The Oregon Department of Transportation (ODOT), Metro, the City of Milwaukie, and consultant (HHPR) kicked off the project in May 2014.

Mr. Eisenhart discussed the survey of the length of the approximately one mile project and the historical, natural area, and wetlands design constraints. He commented on the 30-day response period and added delays may abstractly impact the project budget and may spill into another construction schedule.

Mr. Rice reviewed the 30% plans that provided for safer pedestrian crossing, benches, lights, and trees and discussed right of way acquisition. He reviewed the budget and potential for onsite contaminated soil disposal that was caused by road runoff and golf course chemicals. Another issue was the jurisdiction claim adjacent to the Garthwick Neighborhood which was in the City of Portland. He was optimistic that the discussions taking place with the City of Portland would rectify the discrepancies. He felt a choice could be made as a team without going up the political ladder.

Mr. Monahan added there was currently a \$1 million gap that would be the City's responsibility.

Councilor Gamba observed in the span of two years this one mile path will cost \$2 million after jumping through all the hoops.

Mr. Rice understood ODOT might have some discretionary funds for bike/pedestrian projects, and staff was already thinking of potential cuts to stay within budget.

Mr. Eisenhart discussed moving the utility poles and noted that one property owner did not want encumbrances and would not give permission. The project will stop at the railroad tracks, so a crossing would not be necessary.

Mr. Monahan said the project was still a go, but it may have to be scaled back. The intent right now was to stay within budget.

Mr. Rice said best case scenario was that the project was \$400,000 short. He added that it was not ideal to stop the project at Lava Drive because the proximity to the travel lane.

26th Avenue and Harrison Street Crosswalk

Mr. Rice explained the temporary crosswalk that was removed was part of the light rail project. He was concerned about liability if another temporary crosswalk was established and a ramp was not installed. The cost for the crosswalk would be about \$10,000 - \$15,000. The City submitted two grant applications for Community Development Block Grant (CDBG) Funding, but he was not sure the City would be awarded both grants. The other request included the Washington Street crosswalk between Milwaukie High School and St. John's School. He discussed the conditions under which a real crosswalk would be constructed. He understood the temporary crosswalk had been in place for about a year for which TriMet probably would have been liable if an accident had occurred. He would find out the results of the grant applications at end of March followed by a prioritization of locations.

Councilor Power said it would be good to know what other traffic slowing methods could be used.

Adams Street Connector

Mr. Rice reported on the design concept that still needed railing while continuing to function as a plaza. He hoped to go out for bid as soon as possible with construction before May or June. The treads were probably about 3 feet, and the hardscape had stayed the same. The slopes were 8%, and the lanterns would be installed in the future.

Safe Routes to Schools (SRS) Program

Nicole Perry, a Linwood Elementary School parent, introduced herself and explained that she daily walks or bikes with her children to school.

Jessica Rinner, a Linwood Elementary School parent, introduced herself and noted that she was a civil engineer who is working to provide technical support to the project.

Kari Schlosshauser, Regional Policy Manager for the SRS National Partnership, introduced herself and explained that her role was to connect parents and their communities to make safer schools.

LeeAnne Ferguson, an Advocate with Bicycle Transportation Alliance (BTA) and other regional groups, introduced herself and explained that she works for SRS around the region and she introduced Gerik Kransky, Advocacy Director for BTA.

Ane Roth, a Linwood Elementary School parent, introduced herself and discussed her frustration with her children's currently unsafe route to school.

Ms. Perry explained that the group would share their experiences working on SRS projects and their hopes for future projects.

Ms. Schlosshauser presented national statistics that reflect the decline of walking and biking to school and the related increases in health and transportation challenges.

Councilor Gamba noted that the North Clackamas School District (NCSD) provides bus service to families that live more than a mile from the school, and that kids who live within a mile of the school are being dropped off by car because it's unsafe to walk. He added that being dropped off by car also increases the traffic congestion at the school.

Ms. Schlosshauser discussed the impact of the morning car drop-off traffic around a school, and she shared statistics that show the increase in the number of pedestrian deaths in low income areas. She explained the work done nationally and regionally by the SRS National Partnership, and she said that SRS does not provide grant funds but works with groups like the BTA to connect local groups with grant opportunities. She discussed how modern transportation-centered infrastructure has led to the likelihood that today's children may have shorter life expectancies their parents. She reviewed the history of SRS' work through initiatives that address barriers to getting to school through pedestrian and bike safety education, encouragement events, identifying engineering

safety elements, and helping to find funding to make improvements. She said that SRS initiatives that began with a focus on safety have become linked to encouraging exercise, and improving learning skills. She highlighted the benefits of improving routes to schools including reduced fuel costs and decreased absentee rates. She outlined the concept of a school action plan that incorporates all stakeholders and she explained the ideal flow of plans, programs, and projects between governments and agencies. She concluded by suggesting that communities need to make walkability a priority not only for student health and safety but for the benefit of the entire community.

The group discussed the added benefit of walking to school in terms of getting the recommended 60 minutes of daily physical activity, and it was noted that the current curriculum and schedule at Linwood Elementary School does not provide the recommended daily amount of exercise.

Ms. Ferguson discussed the connection between unhealthy children and unsafe streets and she explained that the goal was to remedy these problems by providing safe routes to school. She explained that the BTA and the For Every Kid Coalition was working with other organizations and local governments to secure funding for SRS projects in the region and to provide education on the benefits of safe routes to schools. She talked about the problem of childhood obesity and the increased number of diabetes cases around Title 1 schools. She noted that there are multiple causes of and approaches to childhood obesity and suggested that it was each person's responsibility to work toward the solution in the area they controlled.

The group discussed State efforts to address health concerns regarding school lunches.

Ms. Ferguson pointed out that SRS projects are outside of and beyond the school's ability to fix and she suggested that it would take a community effort like SRS to address the problems. She reviewed the components of SRS' work and discussed the benefits of SRS education, encouragement, and law enforcement programs. She presented SRS program data that reflected increases in walking and biking to school and decreases in driving at schools that have incorporated all components of the SRS program. She noted barriers to implementing SRS programs such as the school's lack of capacity to address the problems, the need for equipment and storage, a lack of options for students to get to school, and a lack of sidewalk project funding. She explained that a consequence of these barriers was that children are unable to access their neighborhoods and she suggested that a funded SRS program could help every student in the region. She reported that Metro would be asked to help fund SRS projects.

The group discussed the data sources used by SRS to project regional funding needs.

Ms. Schlosshauser discussed the significant increases reported in exercise and student health when a SRS program is consistently put into place every year.

Ms. Ferguson noted that to address the key routes to schools problems at each school it would cost an estimated \$1 million per school.

Council President Batey asked if the goal of the SRS campaign was to convince local decision makers and Metro to set aside funding consistently for these projects, and **Ms. Ferguson** said that was correct and explained that they were working to reach out and educate cities, counties, schools, and the public about the long term benefit of these investments through prioritizing kids and families within transportation projects. She explained that Metro will be making a decision in December 2015 regarding long-term dedicated funding for SRS projects.

Councilor Power said that the City's Planning Department had estimated higher but similar dollar amounts to complete the SRS projects at the schools in Milwaukie, and **Ms. Ferguson** offered to speak to anyone regarding the funding estimates. She discussed the benefits for Milwaukie including investments in the health of kids, community safety, and equity in balancing the health risks for kids at Title 1 schools.

She suggested that the Council could help SRS projects by supporting dedicated funding for SRS projects.

Councilor Churchill inquired about the schools SRS had made this presentation to, and **Ms. Ferguson** responded that they are in contact with the NCSD but have not presented this information to that district yet, and she noted that she has been working with other school districts who have signaled their support for funding SRS projects.

Ms. Schlosshauser and **Ms. Ferguson** explained that the SRS program in the Portland area has been active for about 15 years and that Federal funding ended 2 years ago. They noted that Portland was successful in part because the City of Portland dedicated revenue from a traffic fine increase in 2006 to support SRS programs where other SRS programs have come and gone each year using inconsistent grant funding from the State. They commented that Portland has focused on the education and encouragement programs but have not been able to fund the infrastructure changes around the schools.

Ms. Perry noted that they intend to present what is done at Linwood to other schools.

Councilor Power asked if having a needs assessment in place helped position schools to secure funding, and **Ms. Schlosshauser** explained that having an action plan provides a better link to State and regional funding as a part of the City's Transportation System Plan (TSP).

Ms. Perry reviewed the work done to-date by the Linwood Elementary School Parent Teacher Association (PTA) to address the existing parking lot congestion issue and the lack of sidewalks around the school. She reported that they have held walk and bike to school events and have conducted a simple survey of Linwood families and their use of the walking and biking routes to the school from the neighborhood.

Ms. Roth presented a map of the Linwood neighborhood showing the results of the simple survey.

Ms. Rinner explained the methodology used for the simple survey and the two surveys funded by the SRS, one which was administered by teachers in the classroom and the other being sent home to be completed by parents. She reported that the surveys showed that more children arrived at school in personal cars than on school buses regardless of the weather, and the various rates of students who walked, biked, or rode to school based on how close they lived to the school.

The group discussed that the survey reported very few students carpoled and it was noted that those who carpool are typically travelling to before or after school daycare.

Ms. Rinner and **Ms. Roth** provided data that showed the number of children that wanted to walk or bike to school, what influenced students' permission to allow their children to walk or bike to school, and parents perception of the school's encouragement of biking or walking to school. They shared parent comments from the survey and photos of typical bike and pedestrian route conditions. They commented on their experiences walking and biking to school, thanked the Milwaukie Police Department's efforts to slow down drivers along Linwood Avenue, and they remarked on the frustration that has come with the increased density of the neighborhood.

Ms. Perry discussed a documentary film that is currently being produced that compares how children get to school in the United States and Japan and which several Linwood families were interviewed for.

Ms. Schlosshauser pointed out that it was good news that there is now an action plan in place for Linwood Elementary School to seek funding for future safe routes projects.

Ms. Perry said that the Linwood work model is available online for others to use and she added that the SRS funding went to supplies, equipment, and incentives to encourage children to walk or bike to school.

Ms. Roth and **Ms. Perry** discussed the importance of safe sidewalks and walking routes for the health and wellbeing of children and senior citizens, and expressed their frustration at the lack of action to improve pedestrian and community building infrastructure across the City.

Ms. Rinner reported that concerns about safe biking and walking routes was discussed at the Linwood Neighborhood District Association (NDA) and the possibility of neighbors helping children cross the streets to and from school. She also noted that the Rotary Club may do fundraising for SRS projects at Linwood Elementary School.

Ms. Perry and **Ms. Schlosshauser** remarked on the ease of funding incentives to encourage biking and walking to school versus infrastructure projects.

Council President Batey asked if the Linwood SRS action plan prioritized infrastructure projects. **Ms. Roth** and **Ms. Perry** explained that the action plan points out where the problems are without any hierarchy of which project should be done first.

Ms. Roth said she serves on the State PTA Board and has begun to receive inquiries from other Milwaukie parents who want to take similar steps at their schools.

The group discussed groups that may provide grant funding such as Celebrate Milwaukie, Inc. (CMI), Nike, and Clackamas County, and the long-term program need for consistent and sustainable funding was noted.

Council President Batey said it was her understanding that a commitment from Metro on funding infrastructure projects might stand a better chance if they were bundled on a district-wide scale, and **Ms. Schlosshauser** remarked that bundling projects is more efficient in terms of coordinating projects and makes securing funding easier.

The group discussed broadening the work done at Linwood to include other schools in Milwaukie and the school district, and it was noted that the PTA-to-community approach is unique among the SRS programs in the region. The increased numbers of Linwood students walking and biking to school because of the SRS program was also noted.

Councilor Power asked if there were educational programs ongoing, and **Ms. Perry** replied that there were some and that they were looking at piloting a bike education curriculum at Linwood Elementary School. **Ms. Rinner** and **Ms. Schlosshauser** added that they will be working with the school district to standardize a bike curriculum.

Councilor Power asked if there was any follow-up with families who receive a bike via a giveaway event, and **Ms. Roth** reported that she had heard from former Chief Jordan that some low-income families had sold or given away bikes that they had been given.

Ms. Ferguson said that one SRS program could be a bike repair workshop to encourage bike owners to care for and use their bikes. **Ms. Rinner** and **Ms. Perry** commented on events conducted in Milwaukie meant to encourage bike use.

Councilor Power suggested that the adult bicycle community might consider hosting and encouraging school bike programs, and **Councilor Churchill** noted the possibility of crowdsourcing a bike repair facility at a school.

The group discussed screening bike giveaway recipients for their ability to store and use bicycles, and it was noted that children like to be rewarded for using their bikes.

Councilor Gamba asked if one teacher could provide bike and pedestrian safety education to all NCSD grade schools. **Ms. Schlosshauser** said the answer was yes but that it would depend on the use of a high school mentors, and **Ms. Ferguson** added that a sustainable district wide education program would require the involvement of physical education teachers and a shared bicycle fleet.

Ms. Ferguson asked for Council input and feedback on the SRS program presented.

Councilor Power summarized that she understood the Council was being asked to support the local SRS grass-roots effort while also supporting SRS' work to secure dedicated Metro funding.

Ms. Perry commented that the Linwood group wasn't asking for any funding from the City but were looking for City support at the citywide and district level.

Councilor Gamba said that he thought the City could work to support the request for dedicated funding from Metro. He talked about the City's long-term efforts to seek Federal grant funding for infrastructure projects and he proposed exploring a fee similar to the Street Surface Maintenance Program (SSMP) to fund a sidewalk program that would prioritize areas around schools first. He suggested that it would be possible to complete all the sidewalk projects identified by SRS action plans around every school through a dedicated monthly fee that could eventually be bonded against.

The group discussed the possibility of a monthly fee providing the required Metro project matching funds and prioritizing schools and other needed pedestrian projects.

Councilor Power stated that there was a growing need to look at the SSMP fee as the City was reaching a point where a serious talk about infrastructure is needed.

The group discussed the need for a comprehensive discussion on transportation infrastructure and next steps the City can take to draft a resolution to Metro.

Council President Batey announced that the Council would recess the Work Session for 10 minutes.

Study Session Schedule

Mr. Monahan reviewed previous Council preferences for scheduling Study Sessions on the third Thursday of each month and discussed the options for scheduling future Study Sessions to avoid conflicting with Clackamas Cities Association (CCA) dinners.

The group discussed different week nights to schedule Study Sessions and the feasibility of Councilors calling in to meetings if they are traveling. It was noted that a room at City Hall room would need to be reserved and a Willamette Falls Media Center (WFMC) videographer would need to be scheduled in advance of each Study Session.

The group discussed broadcasting Study Sessions and agreed to begin live broadcasts of Study Sessions after the first thirty minutes similar to Work Sessions.

Mr. Monahan summarized that the group consensus was to hold Study Sessions on the fourth Thursday of the month at 6:00 p.m. with the live broadcast starting at 6:30 p.m.

The group agreed to hold the next Study Session on February 26, 2015, beginning at 6:00 p.m. with the live broadcast to begin at 6:30 p.m.

Railroad Avenue Paving Project

Mr. Rice explained that the Railroad Avenue Paving Project was part of the Street Surface Maintenance Program (SSMP) and that the required \$1.2 million in funding had been budgeted and made available to complete the project. He noted the possible additional work that could be done along Railroad Avenue and reported that he had received several calls regarding the Railroad Avenue projects listed in the Transportation Systems Plan (TSP) which have led him to believe that there was a public perception that the City is planning to do more on Railroad Avenue than what will be done with the paving project. He said that he was looking for direction from Council regarding the inclusion of other Railroad Avenue projects that could be done while a contractor was repaving the street.

Councilor Churchill asked Mr. Rice to address right-of-way (ROW) issues and the risk of high-speed rail, and **Mr. Rice** discussed the feasibility and challenges of adding a 4-foot shoulder on the side of Railroad Avenue. He expressed concern about adding too many additional projects to the paving project and remarked that it would be physically possible to add the 4-foot shoulders but that he hoped Council would provide direction as to the financial feasibility of adding shoulders along Railroad Avenue at this time. He noted that the paving project could be done this summer and suggested that adding additional projects may push all the work out to 2016.

Council President Batey inquired about the possibility of narrowing the lane width, and **Mr. Rice** replied that he had hoped that narrower lanes would work and reported that in some spots along Railroad Avenue the goal would be to widen the lane to 11 feet.

Councilor Power asked if funding was available to add 4-foot shoulders, and **Mr. Rice** reported that SSMP funding was in good shape with annual savings being generated by the City conducting its own inspections. He noted the possibility of sliding the next projects scheduled under the SSMP back a year or two as a way to fund extra projects along Railroad Avenue.

Councilor Power and **Councilor Gamba** commented on the unsafe conditions along Railroad Avenue and the importance the street plays in connecting neighborhoods.

Councilor Churchill asked if there was a risk in expanding a ROW, and **Mr. Rice** discussed the risk to City infrastructure if ODOT built a high-speed rail line through Milwaukie along Railroad Avenue.

Councilor Gamba asked if ODOT would have to pay for the infrastructure they would put in the ROW with high-speed rail, and **Mr. Monahan** remarked that what ODOT and the City would pay for would have to be negotiated.

Councilor Churchill said the cost for adding the 4-foot shoulders was reasonable but expressed concern about paying for something that might be taken out soon.

Councilor Gamba commented that it would be years before high-speed rail was built.

The group discussed the possibility of carving into the banks and realigning ditches along Railroad Avenue to add the shoulders. They also discussed bike lane widths and it was noted that ODOT prefers 6-foot lanes but has granted variances for 5-foot lanes.

Mr. Rice noted that if realigning the ditches required a pipe it would become a stormwater project and that the City doesn't have the resources to do.

The group discussed what side of the street would best accommodate pedestrians and Americans with Disabilities Act (ADA) requirements. It was noted that a multi-use path and stormwater project for the north side of Railroad Avenue is included in the TSP.

Councilor Gamba said the City needs to consider ways to fund our own infrastructure projects while lobbying the Federal government to use their resources better. He discussed how regional and Metro committees work with the Federal government and suggested that hearing from individual small cities directly helps to remove some of the red tape of funding and completing projects. He said that the City would be better off funding its own projects.

Mr. Rice talked about the possibility of delaying the Railroad Avenue paving project to include it in a larger Railroad Avenue project that may include matched funding, and he noted that Railroad Avenue was one of the highest maintenance streets for the Public Works crews. He explained that the SSMP paving project with the added 4-foot shoulders on the north side could be done this summer.

Councilor Churchill expressed his support for adding the 4-foot shoulders on the north side and completing the paving project this summer.

Councilor Gamba and **Mr. Rice** talked about the possibility of grinding the center line of the street to better accommodate a future multi-use path project. They also discussed the community preference and design for bike lanes with a multi-use path.

Mr. Rice summarized that he would play with the design to see what could be done at different widths while keeping the project around the \$120,000 budget.

Dave Aschenbrenner, Chair of the Hector Campbell NDA, said that Railroad Avenue was in bad shape and needed to be paved this year. He expressed the NDA's support for extending the shoulder and doing anything to improve the safety of the street. He added that the NDA was concerned about drivers speeding on Railroad Avenue.

The group discussed the issue of speeding drivers, how speed limits are set, and methods to slow drivers down including stripes on the street and using expanded shoulders to place additional traffic and speed enforcement officers.

Mr. Rice pointed out that Railroad Avenue is a collector street where traffic should be moving fast as an alternative to having traffic moving fast on neighborhood streets. He said he would include a redesigned project plan in the next Community Development update before Council.

Study Session Schedule Discussion (continued)

Councilor Power noted that the Public Safety Foundation banquet will be on February 26, 2015, and creates a conflict with holding a Study Session that same night.

The group discussed alternate meeting times and agreed to schedule the Study Session on Wednesday February 25, 2015, with the meeting and broadcast starting at 7:00 p.m. They also agreed to hold future Study Sessions on the fourth Thursday of each month beginning in March.

City Events Update

Mr. Nieman provided a report on the events successfully completed in December 2014 including the Umbrella Parade and Tree Lighting Ceremony, and the Winter Solstice and Christmas Ships Parade. He then presented a review of scheduled events in 2015 and reported that organizations like Stop Oregon Litter and Vandalism (SOLVE) have expressed interest in working with the City on an Earth Day event. He asked for Council input on possible Earth Day events.

Council President Batey reported that she had heard support from the community for a bulk drop off day and she confirmed that as long as she has been involved such an event in Milwaukie has involved a central location for bulk drop-off, not curbside pick-ups by the garbage haulers. She also noted that the bulk drop-off was after Earth Day and not really related to Earth Day.

Mr. Monahan suggested that staff could draft some Earth Day event ideas with a focus on volunteers and working with groups like SOLVE.

Mr. Nieman noted that Earth Day may be a good time to roll-out the adopt-a-street program that staff and several NDAs have been working on.

Council President Batey credited Beth Ragel, formerly the City's Program Coordinator, with coordinating and organizing recent Earth Day clean-up events.

Mr. Nieman summarized that Council was suggesting a continuation of clean-up events, and **Council President Batey** remarked that if there was momentum from recent Earth Day plans that it made sense to continue with those successes.

Mr. Monahan and **Mr. Nieman** said that they will keep that Earth Day clean-up focus and also keep a waste pick-up or drop-off day sometime this spring.

The group discussed the importance of keeping downtown clean and it was suggested that an ongoing campaign to keep downtown clean be considered, possibly in conjunction with the adopt-a-street program. The need to clean-up downtown before major events was also noted.

Mr. Nieman reported on work being done in support of the Vietnam Wall event and noted the financial contribution of CMI. He discussed the plan for the City organized parade through downtown in honor of military service which will end at Milwaukie High School (MHS) where the replica Vietnam Wall will be located.

Councilor Gamba asked how the Vietnam Wall event was being promoted throughout the region. **Mr. Monahan** and **Mr. Nieman** discussed the public relations outreach work done by Jerry Craig with the American Legion, the City, and other event partners. It was noted that media outlets have also been involved in the marketing effort.

Mr. Monahan said that Council had provided direction previously to use funds available in the City Manager's budget to cover Vietnam Wall event planning costs, and he discussed Mr. Craig's successful fundraising efforts to-date with the growing understanding of what it will cost to put on the event. **Mr. Nieman** noted that CMI's contribution will also help pay for media promotion.

Mr. Nieman reviewed the plans for the September 11th Salute to Veterans and First Responders event, which will be a one hour evening event paid for by TriMet who is working with the Oregon Department of Veterans Affairs (ODVA). He discussed TriMet's plan to use the September 11th event infrastructure resources for the September 12th light rail grand opening event working in coordination with CMI for the two days of Sunday Farmers' Market vendors. He reported that TriMet estimates between 1,000 to 2,000 attendees for the September 11th event and possibly 35,000 visitors to Milwaukie for the light rail opening on September 12th. He asked for Council input on the City's commitment and planning of activities related to these TriMet events.

Council President Batey suggested scheduling another time for Council to discuss these events and recommended that members of the Council participate on the committee working with TriMet. **Mr. Nieman** explained that staff's thought was to get Council input before the planning discussions progressed much further.

Mr. Monahan suggested funding for these events come under the City Manager's budget and the City consider taking further ownership of the annual events. He said staff would work to focus this year's events to get an idea of the funding required to put on each event for future budget planning.

Councilor Power commented that it makes sense to bring to light any event that the City has funded but has not been properly allocated, and **Mr. Nieman** noted that City event funding has historically been minimal and that the City has relied on volunteer groups to provide parts of each event.

Council President Batey added that typically individuals and NDAs have also provided supplemental funding, sometimes out of their personal pockets, to ensure events occur with little City funding.

Councilor Gamba suggested the City consider an events budget, and **Mr. Nieman** added that such a budget might also include infrastructure rehabilitation costs, such as ensuring that the lights on the tree in front of City Hall work.

Councilor Power reported that several downtown businesses had expressed support in the City lighting trees along Main Street as is done in other cities. **Mr. Nieman** commented on additional tree lighting helping to showcase the downtown.

Councilor Gamba noted that with the events coming this year will bring visitors to the City and that it would be a good time to encourage the parklet and food cart programs to grow to help make a good first impression for many first time visitors to Main Street.

Mr. Nieman remarked that many cities leave downtown trees lit all year. He said Council would receive reports on the event ideas suggested by the light rail grand opening committee and expressed staff interest in receiving Council input on possible event ideas.

Councilor Power said it would be helpful to get a sense for what the City Manager's office sees as available funding and noted it was not the time to not-sell Milwaukie well given the impending event schedule. **Mr. Nieman** discussed leveraging TriMet's financial support to showcase the City's assets and businesses.

Council President Batey noted that the concerns about Riverfront Park's availability this summer are part of the reason CMI is not organizing Festival Daze, and **Mr. Nieman** said he would be sure the availability of Riverfront Park was considered by the TriMet events planning committee and he restated his interest in Council input on the City's commitment to these TriMet events.

Councilor Power said the TriMet events were not at the same level of the Umbrella Parade, and suggested that Mr. Nieman and Mr. Monahan would have a good sense of what the City would need to do it well given the tight budget.

Council President Batey remarked on the City's historic problem of not having a cohesive downtown business group, and she expressed her hope that these events could help the businesses come together. She suggested that any City investment in downtown beautification be to the benefit of both events.

Mr. Nieman reported that several downtown business owners had expressed support for those types of City infrastructure investments and programs. He also discussed the ability to leverage limited staff and partner resources to draw visitors to downtown. He summarized that Council would have further discussions on these events and that it was his understanding that Council was supportive of these events being put on well. He discussed the events planned for November and December of 2015 and noted that they may require a little investment. **Mr. Monahan** added that one goal of these annual events is to identify roles for volunteers to fill.

Council President Batey distributed a handout created by staff of projects in the TSP related to Safe Routes to Schools.

Mr. Nieman and **Mr. Monahan** noted that the public relations campaigns for the Council Goal Setting Session, the Interim Mayor Application process, and the Special Election information, were launched and published today.

Mr. Monahan reported that Tony Anderson had expressed interest in serving as the City's representative on the North Clackamas Parks and Recreation District (NCPRD) Advisory Board.

The group agreed that Mr. Anderson would serve as the City's representative to the NCPRD Advisory Board and that staff would reach out to Mike Miller to see if he would be willing to serve as the alternate.

Council President Batey adjourned the study session at 9:35 p.m.

Respectfully submitted,

Scott Stauffer, Administrative Specialist II



MINUTES
MILWAUKIE CITY COUNCIL
www.milwaukieoregon.gov

WORK SESSION
FEBRUARY 3, 2015
City Hall Conference Room

Council President Batey called the work session to order at 5:04 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Karin Power

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Development Director Steve Butler, Finance Director Casey Camors, Planning Director Denny Egner, Associate Planner Brett Kelder, Engineering Technician 1 Alex Roller, and Engineering Director Jason Rice

City Manager's Report

Mr. Monahan noted revisions to the agenda that included removing the Oak Lodge Sanitary Intergovernmental Agreement (IGA) and adding discussions of the Mayor/Council Communication Agreement, Goal Setting, and Marijuana Grow Site to the first work session. The Marijuana Grow Site discussion could be continued to the second work session scheduled after the regular session if necessary. Mr. Ramis would be available to address any legal issues.

There was one follow up issue from the January 20, 2015 meeting. Greg Baartz-Bowman asked about installing a pedestrian crosswalk on Harrison Street at 26th Avenue, and Dave Aschenbrenner spoke in support of that request and also suggested another location on King Road that would connect to a TriMet bus stop. Mr. Rice responded to Mr. Baartz-Bowman that the installation was not feasible at this time but that it would be considered when funding became available.

There was a request for a bike repair station at City Hall, and staff contacted the City's Agent of Record for advice. The recommendation was that if the station were installed that it be left in the other party's ownership. It was anticipated that there would be no impact to the City's insurance premiums and no deductible.

Mr. Monahan discussed the study session schedule and conflicts with the Clackamas Cities Association (CCA) monthly dinner meetings.

He provided the City Council with options for the Interim Mayor interviews scheduled for February 17, 2015. The City Council could make the appointment that night at the regular session if it wished, evaluate the applicants further and call a special meeting, or make the appointment at the next regular session.

Councilor Churchill thought the number of candidates would indicate if the City Council had time for a discussion. He felt it was appropriate to allow some time and not make an appointment that night since this was a serious decision.

Council President Batey did not have the expectation that the City Council could come to a decision that night but that there would be some latitude. She suggested retaining the flexibility to appoint the position at the February 17 meeting.

Mr. Monahan added the decision would be arrived at during an open discussion, and it was his intent to add the discussion of the appointment to the agenda. There might be some members of the public who may wish to comment during audience participation on the selection.

Councilor Gamba thought the City Council should try to make the appointment as soon as possible and perhaps at the meeting on February 17 or call a special meeting soon thereafter.

Councilor Churchill thought it would be worthwhile doing some background checks.

Council President Batey suggested the Council members independently do further checking.

Mr. Monahan reminded the City Council of the Kellogg Treatment Plant Walking Tour on February 10.

Community Development Update

Mr. Butler reviewed 17th Avenue Multi-Use Trail and parks funding options through the Oregon Parks and Recreation Department (OPRD). Eligible projects were Wichita Park or another element of Riverfront Park.

Mr. Rice attended a meeting where options for filling the 17th Avenue Project funding gaps were discussed and the feasibility of using Congestion Mitigation and Air Quality (CMAQ) dollars for matching funds.

Council President Batey said it was difficult to know what we needed or have. She supported focusing on Wichita Park and asked if the City was limited to one project.

Mr. Rice replied the stipulation was that the applicant was limited to two active plans.

Council President Batey said if the match could be identified, would it be possible to do the whole park or could certain elements be carved out?

Mr. Butler thought there was sufficient funding to complete Wichita Park.

Councilor Gamba suggested that Ms. Camors provide an opinion on whether the match could be met and from what fund or funds.

Mr. Rice reported that the boat ramp was completed. The floats have been constructed and would be delivered about February 11, and the restroom was being constructed off site. The concrete work was the next small piece. Plantings were underway with the help of Milwaukie High School students. Portland General Electric (PGE) had removed all utilities from the old poles and fixed to the new poles; the old poles would be removed later this week. Mr. Rice was still working with the Oregon Department of Transportation (ODOT) to resolve the plan review comments, and he noted the Oregon State Marine Board (OSMB) was interested in helping resolve the issues. The contractor, Colf Construction, may be able to start work on those elements of the project that were not under debate. Signal standards at Washington Street and 99E were one of the issues. He discussed the grand opening date and said that OSMB understood hitting March 1 was not likely.

It was Council consensus that the project should be as complete as possible for the grand opening, and if March 1 was not feasible, then it should be moved to a later date.

Councilor Churchill noted the barricade on the path from Harrison Street to McLoughlin Boulevard had been moved, and he was concerned about safety issues related to uncapped rebar.

Mr. Rice said the barricade had been moved for Winter Solstice event and that he would make sure it was back in place. He would talk to Colf Construction about the rebar.

Mr. Rice reported on the Adams Street Connector that was in final design. The right of way issue with the City of Portland related to the 17th Avenue Multiuse Trail was resolved, and the Clackamas County Tax Assessor maps were being corrected.

Mr. Egner reported that Planning Commission was continuing work on Moving Forward Milwaukie (MFM) with the third hearing scheduled for February 10. The Planning Commission will also hear a front yard variance request for a property on Riverway Lane near MODA. On February 24, the Commission will have a hearing on code amendments for medical marijuana facilities. The group discussed availability of MFM code amendments prior to the initial City Council hearing, and Mr. Egner said the goal was to have the material to Council three weeks prior to the hearing.

Mr. Butler reported briefly on Community Development projects including the Kellogg Bike/Pedestrian Bridge, the Monroe Street Neighborhood Greenway, the Residential Parking Permit Program, and the policy issues related to marijuana grow facilities.

Mr. Butler, who had recently submitted his resignation, expressed the opinion that Milwaukie was a city on the cusp of a great future. He thanked City staff and particularly thanked Mr. Monahan.

Public Works Standards

Mr. Roller reported that annually the City of Milwaukie Public Works Standards which guide construction within the City limits were reviewed and updated. One of the main changes last year was adding locking gaskets as a required feature with new construction of water mains. The purpose of this type of gasket was to add an extra level of support to hold pipe segments together while the pipe is pressurized. He noted this was not a seismic connection per se but it would help in the event of an earthquake.

Councilor Gamba recalled a presentation some time ago regarding seismic connections, costs, and effectiveness.

Mr. Rice said that was correct. The locking gaskets added about 5% to the project costs, but the results would be a more robust system. The mechanical connections were used in some situations like hydrants. Once the locking gaskets were used the thrust block were no longer required.

Councilor Gamba said since they were talking about the standards and the seismic durability of the system, he understood these gaskets were better but not as good as the mechanical joints.

Mr. Rice said the person who spoke to the City Council at the time suggested this system. If he understood correctly, Councilor Churchill was talking about joints that actually flexed.

Mr. Roller said another change had to do with placement of ground structure, like utility poles, within the sidewalk. In anticipation of Americans with Disabilities (ADA) standards, the new language required a four foot clear path rather than the three feet that was currently the standard. The driveway approach was also modified to four feet. Additionally, the Public Works Operations Division requested a requirement that a rubberized crack sealant be used that would flex during weather changes and maintain a seal for a longer period of time. The final amendment Mr. Roller addressed was rain garden forebays to catch sediment and make maintenance and cleaning easier.

Councilor Churchill understood the forebay was like a pre-filer, and he asked how these would be engineered.

Mr. Roller replied they would be installed on the uphill side and about two inches deep or deeper in the problem areas. It will sit where the water actually comes in. The forebays would be evaluated for their effectiveness.

Councilor Churchill asked how bioswales that had already been installed in areas like Lake Road might be remediated.

Mr. Roller replied the design would allow for a process that could be done easily. Staff requested that the Standards be adopted at this meeting to allow time for a 30-day comment period.

Monroe Street Neighborhood Greenway

Mr. Kelper said the Transportation System Plan (TSP) identified a network of neighborhood greenways that connected areas of the City and reduced traffic volumes and speeds to create a safer environment for bicyclists and pedestrians. Monroe Street was the first street for which a concept plan was being developed. The project hired a consultant team from CH2MHill using funds from an ODOT Transportation Growth Management (TGM) grant. A Project Advisory Committee (PAC) had been formed that represented community and technical voices, the four neighborhoods impacted by this project, the Public Safety Advisory Committee (PSAC), bike and pedestrian groups, Clackamas County, Clackamas Fire District, and the Milwaukie Engineering Department and Streets Division. Other stakeholders were residents living on or near Monroe Street. There were two PAC meetings last fall and a public workshop in December 2014. He discussed the Needs and Opportunities document.

The next, and probably the most important, step was to draft the Concept Plan that would show the proposed treatments and challenges. The PAC would review the draft at its next meeting on February 18. The members' comments would be incorporated into revisions for presentation at the next public workshop in mid-March.

Mr. Kelper gave a brief overview of some of the issues along the route including diversion of traffic to other streets, on-street parking which could be a benefit by narrowing the street and slowing traffic, challenging crossings including Hwy 224 and Linwood Avenue, and providing pedestrian facilities on the east end of Monroe Street. Some people were concerned about what the changes might mean while other looked forward to the changes. He anticipated scheduling another City Council update after the public workshop in March and providing the vetted draft Concept Design in June.

Councilor Gamba noted the study area ended about two blocks from the Trolley Trail on the west side. He felt it was important to address crossing and signalization on McLoughlin Boulevard that included connecting with the 17th Avenue Multiuse Trail. He felt it was important to incorporate at least the McLoughlin Boulevard crossings into the thinking. This might mean a change in the contract scope of work, but he did not get the impressions that CH2MHill would balk.

Mr. Kelper recalled conversations that when one got to 21st Avenue there was more of a downtown feeling. He remembered at the time that the discussion of needs centered on Monroe Street east of 21st Avenue. Connecting people with the Trolley Trail was obviously important west of 21st Avenue but was beyond the scope of the contract. It was important for the City to keep that on its radar screen, however, to bridge the gap.

Councilor Churchill would be concerned about the cost of adding that to the scope.

Council President Batey understood there had already been some discussions with ODOT about the timing of lights for pedestrians which were focused on Washington Street. She wanted to be sure the dots were being connected.

Councilor Churchill observed that drivers were not making turns at Monroe Street.

Councilor Gamba's interest was in activation of the signal and timing as it was the longest wait in the downtown area. He thought it was important to equalize the crossings.

Mr. Monahan suggested a possible radical approach of eliminating the pedestrian crossing on the south side on Washington Street.

Councilor Churchill liked the idea of an isolated pedestrian crossing, but drivers may still see a green light and gun it while someone was in the crosswalk. He was concerned about the pedestrian head start solution because a pedestrian could be in the middle of the crosswalk when the light turned green. The duration was probably all right but could be adjusted.

Councilor Gamba felt the preferred 99E bike/pedestrian crossing should be at Monroe Street so people would use Washington Street less. He thought a lot could be accomplished with signal timing.

Councilor Power thought the single worst intersection in Milwaukie was at Hwy 224 and Oak Street. It presented a real obstacle to joining the two sections of the City. It was a big intersection with nothing to help bicyclists and pedestrians cross.

Mr. Kelder said one of the projects of the TSP was to get funding to do studies of the Hwy 224 crossings. In discussions with ODOT, he felt it might be amenable to creating a refuge.

Councilor Churchill requested the same information that went to the PAC, so the City Council could keep up to speed.

Communication Agreement

Mr. Monahan said this year several examples of what other communities had done regarding communications were solicited, and generally it was rare for a Mayor/Council Communication to be a standalone document. One suggestion was to discuss this at a Council retreat when the new Mayor was elected. The City Council may also wish to adopt it as-is on an interim basis.

Council President Batey liked the idea of signing the current Agreement with the understanding that it would be a retreat discussion when the Mayor was elected or the Interim Mayor was appointed.

Councilor Gamba agreed and thought it would be good to look at the Agreement as a team.

Councilor Churchill said based on his experience, the Agreement did not work well and was not successful. He was not willing to sign it until there was further discussion. He thought it was being disingenuous to agree to do one thing and then do the exact opposite on Facebook. He was willing to discuss a communication agreement in a retreat.

Councilor Power thought the City Council was working together well now, and it probably would not do any harm to wait for another 10 weeks or so.

Council President Batey would like to have discussion in the latter half of March when the Interim Mayor was appointed. There were decisions coming down the pipe that might be contentious, so she felt it was a discussion that should take place.

Mr. Monahan suggested looking at Council communication in conjunction with goal setting. The City Council was working well and could plan for a fuller discussion in March.

Goal Setting Update

Mr. Nieman discussed the format of the session. To date he had received 65 goals from the public and planned to print them and post them around the Council Chambers. He would add new goals as they came in during the session using a laptop and projector. Additionally, he planned to post the 2013 and 2014 goals.

Council President Batey talked about allowing people a three minute block of time to speak with the notion of giving those efficient with their time a break. The City Council could ask clarifying questions, but no protracted debates would occur. Mr. Monahan volunteered to operate the timer. Council President Batey said if the room was really packed the Council could make a judgment call on the length of time speakers were allowed.

Mr. Nieman understood the written comments would carry as much weight as the oral comments. On the spreadsheet he would state the goal, provide a brief summary, and include the person's name.

Board, Commission, and Committee Interviews and Appointments

Council President Batey said she and Councilor Churchill would conduct interviews next week. She proposed interviews for new applicants, and those seeking reappointment would be allowed to do so if they were members in good standing.

Councilor Churchill thought it was useful to interview those who were reapplying. The City Council should look for the best candidate at the time.

Mr. Monahan thought it might be useful to compare an incumbent with a new applicant.

The group discussed the amount of time it would take to interview all the applicants and still meet the March 17 timeline to make appointments since many terms expired on March 31.

Councilor Power thought it would be helpful for Councilor Gamba and her to help with the interviews.

Mr. Monahan thought distributing the labor given the short timeline would be helpful followed by the Council's having a discussion of the process going forward.

Councilor Gamba agreed that some interview process for incumbents was not a bad thing because there may be situations where people were not working well in the group or not attending the meetings.

Council President Batey suggested revisiting the term limit matter at the end of the regular session.

Marijuana Grow Sites

Mr. Egner reported that an application had been filed for director's determination to determine if a marijuana grow site was an industrial use. He felt this was more a policy choice than a yes or no director's decision. The code clearly stated that agricultural uses were accessory uses on residential properties. The question was, did the City want to look at grow sites as agricultural uses or a process leading to a product. The arguments for that were that these were sophisticated operations. In this case, the request was for a property in the Tacoma Station area where there was a vision for some high tech development. The question was how and did it fit into that area and was it a production type use. There was a lot of empty warehouse space so a number of these applications could pop up in these vacant industrial sites. One of the key elements was that the Oregon Liquor Control Commission (OLCC) was just starting its process to look at new rules for recreational marijuana. Earlier rules dealt only with medical marijuana dispensaries and were silent about production facilities. There was a regulatory process established for grow sites, but there were no siting requirements. These issues were likely to be dealt with in more detail by the Legislature and OLCC. The City found itself in a land of limbo regarding these uses in industrial areas. He recommended saying at this time that these were agricultural uses and deal with these applications once the State Legislature and OLCC sorted things out. On the other hand he could understand the argument that this use might fit in the industrial area.

Councilor Gamba asked if current zoning would allow for prescription drug manufacturing.

Mr. Egner replied that it would. He thought taking the raw product and either packaging it or turning it into something else was clearly allowed in that zone. The question was whether growing was allowed in that zone especially if one looked at it as an accessory use to production.

Mr. Ramis commented it was not unusual for zoning codes to be a step behind in defining uses. He thought it was correct to look at this as a policy issue, and he concurred with staff's recommendation to wait until OLCC and the Legislature had sorted things out.

Councilor Power asked if this might be considered as a de facto prohibition.

Mr. Ramis said at this point it might be, but it was not necessarily a right to be in that zone.

Mr. Egner said the medial marijuana facilities were a use addressed in the state law, and those facilities were the dispensaries. It was silent about grow sites, but it did state that grow sites could not be located next to a facility.

Councilor Gamba asked if Milwaukie allowed the use, and it was later disallowed by the State, would the grow site be grandfathered?

Mr. Ramis said that was a difficult question. There was nothing that would allow the City to eliminate the use.

Councilor Gamba asked if growing gourmet mushroom for the best chefs would be allowed.

Mr. Egner said the code defines an agricultural use as tilling the soil, but what did that mean? Growing hydroponically would not involve soil. It probably makes sense that those types of businesses could be allowed in an industrial area. This facility would about double the current employment of that area, but it was probably zoned for higher employment numbers.

Council President Batey asked if there would be safety issues related to these facilities not engaging in traditional banking.

Mr. Egner understood there was a new bank based in Oregon that was gearing up for that type of banking.

Council President Batey was concerned about that location since it allowed for retail, housing, or mixed use.

Mr. Egner said this proposed site was south end of that area.

It was the consensus of Council to wait for clear direction from the Legislature and OLCC prior to making a determination.

Council President Batey adjourned the work session at 7:00 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES
MILWAUKIE CITY COUNCIL
www.milwaukieoregon.gov

WORK SESSION #2
FEBRUARY 3, 2015
City Hall Council Chambers

Council President Batey called the work session to order at 9:38 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Karin Power

Staff Present: City Manager Bill Monahan, City Attorney Tim Ramis, City Recorder Pat DuVal, Community Development Director Steve Butler, Planning Director Denny Egner

Discussion of Development Conditions of Approval and Exactions

Mr. Ramis said the fundamental policy question was to what extent do we build cities using funds from property taxes or funds from development? The exaction process created a tension between the two. The law in that area was all about striking a balance and determining the limits on the cities' ability to exact improvements from developers rather than through taxes.

Mr. Ramis provided a brief history of the evolution of building cities and constitutional law. In previous centuries, land was platted, sold, and divided, and with no subdivision ordinances there were no requirements for improvements. That necessitated road building by cities that were organized by essentially large barn raising efforts to build a street paid for by taxes with the understanding that a street grid would eventually be built.

Eventually the proliferation of the automobile and the Great Depression influenced that process which resulted in communities owning vast undeveloped neighborhoods. At that point there was an increased demand for a certain level of amenities that prevailed until the post WWII housing boom. Subsequently there was a much higher public demand for amenities including streets, water, sewer, and parks. That coincided with an effort by Congress to fund these large programs. That started to burn out in the 1970's, and by the 1980's those programs were very weak. Public demand, however, was increasing and putting a lot of pressure on local governments. Property taxes were increased to meet those demands which resulted in property tax limitation measures. This resulted in more dependency on the exaction process as developers came through the system.

At the time the laws said the a city could establish conditions to provide infrastructure as long as the condition was reasonably related to the project. There was a surprisingly small amount of litigation on the subject. As local governments across the country got more aggressive about conditioning projects, resistance mounted. The Supreme Court of the United States (SCOTUS) started taking up these cases including *Nollan* that addressed the nexus of the impact of the project and if the exaction actually mitigated that impact. The next significant case was *Dolan v. The City of Tigard* having to do with proportionality and, assuming the nexus was established, had the government gone too far in imposing the exaction. The *Koontz* case related to the requirements for nexus and proportionality.

The next step was examining in more depth the fee in lieu construction (FILOC) rather than approaching it on a case by case basis. One could evaluate the impact of a single family home and make available to the developer the option of paying that cost rather than building some improvements to avoid the sidewalk to nowhere scenario. It was a tool that might be enhanced in the code in the future.

Councilor Churchill asked how much other communities were relying on FILOC. He understood it was creating the flexibility to do other things.

Mr. Ramis thought it was happening more frequently, and it was a subject on everyone's mind.

Council President Batey understood whether it was FILOC or the developer built a sidewalk, for example, that it was still an exaction. Whether it passed muster under *Koontz* did not matter as the same test applied.

Mr. Ramis thought this was a close examination of how cities applied FILOC.

Councilor Gamba asked if the proportionality issue impacted things like the sewer systems development charges (SDC).

Mr. Ramis replied there was some case law that said the calculation of sewer SDCs was not directly related to proportionality, but if one read State Statute on how SDCs were calculated, it was a proportionality analysis. SDCs were an examination of impacts on a system, and Mr. Ramis felt it was legitimate for the developer to say he had already paid for a portion of that. The Stanley Avenue issue was a negotiated result based on the impact of a single family home.

Mr. Rice added that one of challenges brought to light in the Stanley Avenue case was that the street was classified as a collector. The argument was why a home should be required to do more than a home on a local street. This led to a discussion of how one got the improvements of a collector street such as set back sidewalks on a local street. This resulted in the need to develop a standardized version and how to make the City's expectations clear to a developer.

Councilor Gamba said it seemed to him that FILOC might be the answer.

Mr. Rice said in the case of the Stanley Avenue home, the original house had burned, so the argument was that there was no greater impact. He believed the new house was built on the existing foundation. He was not seeing a lot of potential for making sidewalk connections outside of subdivisions, so staff was looking at alternatives with clear standards.

Council President Batey noted beyond the sidewalk questions were half-street improvements and constructing through streets.

The group talked about some recent development discussions.

Councilor Gamba asked if the City could say it was only doing FILOCs.

Mr. Ramis said it might be possible if Milwaukie could standardize it enough. It would probably help in many cases.

Council President Batey thought there might be educational value in having sidewalks to nowhere.

Councilor Churchill said if one went down the route of FILOC with a pot of money at the end of the trail, and he suggested extending the sunset but asked if there were a limit.

Mr. Ramis replied a capital improvement plan (CIP) can go out a long way, and visions and costs can go up. Logically, it made sense to envision the end picture of the City and determine how much more infrastructure was needed in order to forecast how much could come from SDCs and what the remainder was. The impact of a single family home on the infrastructure could be calculated with the balance being the responsibility of the taxpayer. It would be good for everyone to know the numbers.

Council President Batey asked Mr. Ramis if he thought there would be litigation that the fees be spent within a certain distance from the property.

Mr. Ramis responded he thought there would be conflicts and potentially litigation.

Mr. Rice thought the neighborhood strategy was working without a lot of negativity surrounding the use of FILOC. At this time those who had paid those fees do not get notice of the use of those funds on specific projects. Right now there was language regarding communicating and coordinating without a lot of definition. He thought it would be best to cleanup that language and add come clarity.

Council President Batey understood some years ago the City accepted remonstrance waivers.

Mr. Ramis said those were predominantly used in the 1970's, but there still needed to be some type of proportionality test. These were typically local improvement districts (LID) where everyone in the district paid for the improvements. Those with which he was familiar went with the property for an unlimited period of time.

Council President Batey said one of the people who had signed the non-remonstrance agreement lived on River Road which was a likely place for sidewalks especially once the connection was built to Kronberg Park. If the City found funding, then this person would likely be part of the LID.

Mr. Ramis said he would have to look at the language in the waiver. The only limit was that the cost and apportionment of the project costs be identified at the time it was built.

Mr. Monahan commented that it was important to be consistent in accepting non-remonstrance agreements. It was a political decision on whether to form the LID.

Board, Commission and Committee Interviews

Council President Batey understood from Mr. Nieman that there was not a plethora of applicants at this time. She urged people to apply.

Councilor Power and **Councilor Gamba** said they would be happy to help with the interviews if the City Council wanted to interview everyone. Councilor Power thought it might be a good idea to touch base with other board members to find out how the incumbents were doing.

It was the consensus of Council to interview all those seeking appointment and reappointment, to divide the interview responsibilities among the four Council members and to give the incumbents a shorter interview.

The group discussed reducing the number of members on the artMOB, and **Mr. Monahan** said doing so would require a code amendment. **Mr. Nieman** added that the artMOB supported reducing the number of members. The Committee recently lost its chair, and some members have not attended for years. It was agreed the artMOB would take a formal vote on the record on the membership matter.

Mr. Nieman said this staff would distribute the interviews as evenly as possible among the Council members and noted there was about a month to make City Council appointments.


Council President Batey adjourned the work session at 10:30 p.m.

Respectfully submitted,

Pat DuVal, Recorder

RS 3. B.
3/3/15



To: Milwaukie City Council
Through: Bill Monahan, City Manager
From: Steve Bartol, Chief of Police 
Date: February 18, 2015
Subject: O.L.C.C. Application – Liz Redesigned LLC – 9401 SE 32nd Ave

Action Requested:

It is respectfully requested the Council approve the O.L.C.C. Application To Obtain A Liquor License from Liz Redesigned LLC – 9401 SE 32nd Ave.

Background:

We have conducted a background investigation and find no reason to deny the request for liquor license.



**Regular Session
Agenda Item No.**

6

Other Business



**MILWAUKIE CITY COUNCIL
STAFF REPORT**

To: Mayor and City Council
Through: Bill Monahan, City Manager

Subject: **Resolution to approve a library fine amnesty for the week of April 12 through April 18, 2015 in recognition of National Library Week**

From: Katie Newell

Date: March 3, 2015

ACTION REQUESTED

Adoption of the proposed resolution.

BACKGROUND

The City Council annually adopts a resolution establishing a fee schedule for various fees and charges for the Ledding Library. Included in the resolution are fines for overdue materials. Resolution No.62-2014, adopted on June 17, 2014, set the overdue fine for adult material at \$0.25 per day with a maximum of \$3.00 and for children's material at \$0.10 per day with a maximum of \$1.00. In recognition of National Library Week, the Library proposes to waive \$1.00 of a patron's fine for each can or package of food they donate as part of a National Food for Fines program. Food collected is sent to the Oregon Food Bank for local distribution.

For the first time, all libraries in the district will be participating in the Food for Fines program during National Library Week.

FISCAL IMPACTS

It is not possible to accurately predict the financial impact of the proposed fine amnesty. For the fiscal year ended June 30, 2014, the total fines collected amounted to \$60,014, or approximately \$1,154 per week. The amount budgeted for library fine revenue during FY2014-15 is \$63,000.

RECOMMENDATION

Katie Newell, Library Director, recommends this action. It is a visible way to recognize the City's Ledding Library and the contributions of the Library and its patrons to the community.

ATTACHMENTS

1. Resolution

Attachment 1



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A resolution of the City Council of the City of Milwaukie, Oregon, establishing a library fine amnesty week from April 12, 2015, through April 18, 2015, in recognition of National Library Week.

WHEREAS, the City Council adopted Resolution No. 62-2014 on June 17, 2014; and

WHEREAS, Resolution No. 62-2014 established a schedule of fees and charges for all City services, including an overdue library fine for adult material at \$.025 per day with a maximum of \$3.00 and for children's material at \$0.10 per day with a maximum of \$1.00; and

WHEREAS, April 12, 2015, through April 18, 2015, is National Library Week, and in recognition thereof, the Library Director has proposed a waiver of a patron's accumulated library fines in the amount of \$1.00 for each can or package of food donated; and

WHEREAS, the food collected will be distributed to the Oregon Food Bank for distribution to those in need; and

WHEREAS, the fine waiver is for a limited period of time and is a visible way in which to demonstrate and recognize the Ledding Library's contributions to the community during National Library Week; and

WHEREAS, a resolution is required to establish a fee waiver program for 2015,

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon that:

Section 1. This Resolution is adopted to permit a waiver of a patron's accumulated overdue library fines in the amount of \$1.00 for each can or package of consumable food donated by the patron during the week of April 12, 2015, through April 18, 2015, in recognition of National Library Week.

Section 2. This Resolution is effective immediately.

Introduced and adopted by the City Council on **March 3, 2015.**

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item: **RS 6. B.**
Meeting Date: **3/3/2015**

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Resolution in support of reopening the Willamette Falls Navigation Canal and Locks**

From: Mitch Nieman, Asst. to City Manager

Date: March 3, 2015

ACTION REQUESTED

Adopt Resolution in support of reopening the Willamette Falls Navigation Canal and Locks on the West Linn side of the Willamette Falls.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS - N/A

BACKGROUND

Mayor Parks received a letter from Congresswoman Darlene Hooley on behalf of the National Trust for Historic Preservation requesting City Council's support (through Resolution) of reopening the Willamette Falls Navigation Canal and Locks on the West Linn side of the Willamette Falls. Opening of the Locks facilitates navigability above Willamette Falls and enhances river traffic between cities along the Willamette River.

The cities of West Linn, Oregon City and Wilsonville have adopted formal Resolutions in support of the reopening of the Locks. Clackamas County, Metro and the Association of Oregon Counties have also adopted formal Resolutions. A bill creating a State Task Force is under consideration by the Legislature as well. (SB 131).

CONCURRENCE - N/A

FISCAL IMPACTS

None. There is no cost to adopt a Resolution in support of reopening the Locks.

WORK LOAD IMPACTS - N/A

ALTERNATIVES

1. Adopt the Resolution in support of reopening the Locks
2. Do not adopt the Resolution in support of reopening the Locks

ATTACHMENTS

1. Hooley & Naito Request Letter
2. Resolution

Attachment 1



6122 SW Riverpoint Lane
Portland • OR • 97239
503•244•4288 office
www.HooleyNaito.com

February 20, 2015

Dear Mayor Parks (Wilda),

Our firm is working for the National Trust for Historic Preservation with the goal of reopening the Willamette Falls Navigation Canal and Locks located on the West Linn side of the Willamette Falls. As you may know, the Willamette Falls are the second largest falls in our nation by volume of water, the first being Niagara Falls. In 1873, the Willamette Falls Locks opened to allow passage around the waterfall and the Locks were transferred to the U.S. Army Corps of Engineers in 1915. The Locks operated continuously until 2011, when the Corps placed them into "non-operational" status. This closure of the Locks has rendered the Willamette River non-navigable above Willamette Falls, cutting off river traffic between cities along the Willamette River.

Under the leadership of Peggy Sigler, Oregon Field Officer for the National Trust for Historic Preservation, Sandy Carter, Executive Director of One Willamette River Coalition, and the Willamette Falls Heritage Foundation, a study was commissioned from ECO Northwest last fall and titled, "*Willamette Locks Economic Potential Report.*" This report provides information on the potential benefits for the region and state from reopening the Locks. A copy of this report will be sent by separate email.

The cities of West Linn, Oregon City and Wilsonville have adopted formal Resolutions in support of the reopening of the Locks. Clackamas County, Metro and the Association of Oregon Counties have also adopted formal Resolutions. A bill creating a State Task Force is under consideration by the Legislature as well. (SB 131)

We would very much appreciate your consideration for adopting a similar Resolution to show widespread support for reopening the Locks. A sample draft Resolution is attached for your consideration.

Thank you for your public service and the work you do for our community of Oregon.
Thank you for your consideration of this request.

Sincerely,

Congresswoman Darlene Hooley

Attachment 2



CITY OF MILWAUKIE

"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF REOPENING THE WILLAMETTE FALLS LOCKS.

WHEREAS, on January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City, thereby providing access to a one river system; and

WHEREAS, in 1915, the Army Corps of Engineers purchased the Locks from the private operator, thereby ensuring free public passage through the locks; and

WHEREAS, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system and through 1939, the most important; and

WHEREAS, in 1991, the Willamette Falls Locks were designated as a State Historic Civil Engineering Landmarks by the American Society of Civil Engineers; and

WHEREAS, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project, and the Willamette Falls Locks Oregon Solutions Task Force was formed, which continues to the present as the One Willamette River Coalition coordinated by the Willamette Falls Heritage Foundation to preserve the Locks and support its continued operations; and

WHEREAS, from 2006 to 2010, funding provided to the Army Corps of Engineers from the Oregon Department of Transportation, Clackamas County and the U.S. Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recover and Reinvestment Act of 2009 (PL 111-5); and

WHEREAS, in November 2011, the Willamette Falls Locks were placed into "non-operational" status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

WHEREAS, closure has placed a severe hardship on commercial, recreational and tribal river users; and

WHEREAS, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing technical assistance; and

WHEREAS, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 "Most Endangered Places"; and

WHEREAS, an application is being prepared for designation of the area surrounding the Locks as a National Heritage Area by the National Parks Service; and

WHEREAS, in September 2014, ECO Northwest, under contract with the Willamette Falls Heritage Foundation, published the “*Willamette Locks Economic Potential Report*”, providing information on potential operating costs and community benefits of reopening the Locks; and

WHEREAS, the non-operational status of the Locks has rendered the Willamette river non-navigable above Willamette Falls; and

WHEREAS, the Locks are a primary historic asset under the application being prepared for designation of the areas at the Willamette Falls as State and National Heritage Areas; and

WHEREAS, the Cities of West Linn, Oregon City and Wilsonville have adopted formal Resolutions Supporting the Reopening of the Willamette Falls Locks.

Now, Therefore, be it Resolved as follows:

1. The City of Milwaukie urges the Corps of Engineers to expedite the needed rehabilitation of the Willamette Falls Lock and reopen the Locks to the general public and commercial, recreational, and marine traffic.
2. The City of Milwaukie supports the creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
3. The City of Milwaukie urges the Oregon Congressional delegation to support the expedited repair and reopening of the Willamette Falls Locks.
4. The City of Milwaukie supports the rehabilitation of the Locks as an integral part of the State and National Heritage Area at Willamette Falls.

Introduced and adopted by the City Council on _____.

This resolution is effective immediately.

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney