



**Regular Session**

**RS**

**Milwaukie City Council**



**MINUTES**  
MILWAUKIE CITY COUNCIL  
www.milwaukieoregon.gov

**REGULAR SESSION**  
MARCH 17, 2015  
City Hall Council Chambers

**Mayor Wilda Parks** called the 2,194<sup>th</sup> 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: City Manager Bill Monahan, City Recorder Pat DuVal, City Attorney Shelby Rihala, Assistant to the City Manager Mitch Nieman, Finance Director Casey Camors, Public Works Director Gary Parkin, and Building Official Samantha Vandagriff

### CALL TO ORDER

PLEDGE OF ALLEGIANCE.

**Barbara-Lee Orloff** said she had served as the Clackamas Community Action Board (CAB) liaison for the Mayor of Milwaukie since 2006 and wished to continue in that capacity. The charge of the CAB was to advise the Board of County Commissioners (BCC) on matters of poverty throughout the County by partnering with agencies and businesses to maximize benefits and opportunities and to minimize the causes and conditions of poverty.

**Council President Batey** apologized that it took so long to meet with Ms. Orloff after receiving her correspondence.

It was moved by Councilor Gamba and seconded by Councilor Power to designate Ms. Orloff as the City of Milwaukie representative to the CAB. Motion passed with the following vote: Councilors Batey, Gamba, Power, and Churchill and Mayor Parks voting "aye." [5:0]

Staff will prepare a letter for the Mayor's signature confirming Ms. Orloff's designation as Milwaukie's representative.

### PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

#### A. Outstanding Student Achievement Award to Odalys Diaz

**Principal Mark Pinder** introduced Odalys Diaz and highlighted her achievements at Milwaukie High School (MHS) notably in the areas of athletics, serving as an interpreter and tutor, organizing Relay for Life events, and playing violin in the orchestra. She was also nominated as the most likely person to appear on a Wheaties box by her fellow students.

**Mayor Parks** and the Councilors congratulated Ms. Diaz on her selection as the Outstanding Student Achievement Award recipient for March 2015.

#### B. New Century Players (NCP) Update

**Kelley Marchant**, NCP Artistic Director, and **Kevin Yell**, NCP Board member, provided background on the local community theatre company. Ms. Marchant noted the group, founded in 2004, was on its 45<sup>th</sup> production and would present Agatha Christie's *Witness for the Prosecution* in the round at the Milwaukie Masonic Lodge beginning May 1. Because of its collaboration with local schools, NCP has been recognized as a national model. In 2007 the theatre company went into partnership with the City of Milwaukie by entering into a lease agreement for the historic Bertman House which was

now the company's official headquarters. NCP was also instrumental in helping the City establish its Milwaukie Arts Committee, also known as the artMOB, in 2008.

**Mr. Yell** said most people attending the shows were from Milwaukie and Oregon City. NCP hopes to work with Milwaukie on venues that identified the downtown as an arts center and helped stimulate other businesses such as restaurants.

### **C. Celebrate Milwaukie, Inc. (CMI) Donation Presentation and Vietnam Memorial Wall Event Update**

CMI Board members **David Aschenbrenner** and **Jim Bernard** discussed the goal of the nonprofit organization established in 1999 which was to support and promote community activities. In the spirit of that goal, Mr. Aschenbrenner and Mr. Bernard presented the City with a check for \$10,000 for the July Moving Wall event Honoring Military Service and Sacrifice Parade.

**Jerry Craig**, Legion Post 180 Chaplain, and **Mr. Nieman** provided a report on the Moving Wall, a half-size replica of the Vietnam Memorial Wall in our nation's capitol that would be on display at MHS from July 23 through July 26. The main event will be the Honoring Military Service and Sacrifice Parade through downtown Milwaukie and ceremony at the Wall on Saturday, July 25. They reviewed the budget, fundraising efforts, and significant donors to this point. Mr. Craig specifically thanked Scott Stauffer, Milwaukie employee, for being his right and left hand person on the Committee planning the event.

**Councilor Churchill** thanked everyone on the Committee including former City Councilor Mike Miller for their dedication to this significant community event.

### **CONSENT AGENDA**

**Council President Batey** asked that consent agenda item A.6, the minutes of the February 25, 2015, Study Session be removed for additional review.

**It was moved by Councilor Gamba and seconded by Council President Batey to approve the other items on the consent agenda.**

#### **A. City Council Meeting Minutes:**

1. February 3, 2015, Regular Session;
2. February 7, 2015, Goal Setting Session;
3. February 10, 2015, Walking Tour;
4. February 17, 2015, Work Session;
5. February 17, 2015, Regular Session; and
6. ~~February 25, 2015, Study Session.~~

#### **B. Boards, Committees, and Commission Appointments – Resolutions**

1. Resolution No. 17-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Appointing Andrea Adams to the Milwaukie Arts Committee;
2. Resolution No. 18-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Maitri Dirmeyer to the Milwaukie Arts Committee;
3. Resolution No. 19-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Appointing Natalia D'Onofrio to the Milwaukie Design and Landmarks Committee;
4. Resolution No. 20-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Dion Shepard as a representative of the Historic Milwaukie Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee;

5. Resolution No. 21-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Carolyn Tomei as a representative of the Island Station Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee;
  6. Resolution No. 22-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Kathi Schroeder to the Milwaukie Library Board;
  7. Resolution No. 23-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Anna Van Tyne to the Milwaukie Library Board;
  8. Resolution No. 24-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Lisa Gunion-Rinker to the Milwaukie Park & Recreation Board;
  9. Resolution No. 25-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Ray Harris to the Milwaukie Park & Recreation Board;
  10. Resolution No. 26-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Appointing Erin Willett Holcomb to the Milwaukie Park & Recreation Board;
  11. Resolution No. 27-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Lisa Lashbrook to the Milwaukie Park & Recreation Board;
  12. Resolution No. 28-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Lynn Sharp to the Milwaukie Park & Recreation Board;
  13. Resolution No. 29-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Greg "Frank" Hemer to the Milwaukie Planning Commission;
  14. Resolution No. 30-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, Re-Appointing Gabe Storm to the Milwaukie Planning Commission; and
  15. Resolution No. 31-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, appointing Kim Travis to the Public Safety Advisory Committee.
- C. Resolution No. 32-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, waiving the ten-day Acceptance Requirement of Resolution 7-2015 for Clackamas Garbage, Inc. and Recognizing Acceptance of the Franchise.
- D. Resolution No. 33-2015: A Resolution of the City Council of the City of Milwaukie, Oregon, authorizing staff to apply for a Local Government Grant from the Oregon Parks and Recreation Department for the 17<sup>th</sup> Avenue Trail and Delegating Authority to the City Manager to Sign the Application.
- E. OLCC Application – Beer Store Milwaukie, LLC, 11049 SE Main Street – New Outlet

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

#### AUDIENCE PARTICIPATION

Mayor Parks reviewed the Audience Participation procedures.

Mr. Monahan provided follow up on citizen comments from the March 3, 2015, Audience Participation portion of the agenda. One had to do with a request from Keith Daellenbach that the Milwaukie City Council urge the BCC to open the Madrone Wall near Carver to the public. Research found there was a land use approval in 2009, but the County did not have a funding source for the development, management, and staffing of the park that it envisioned. He added that the Madrone Wall was a County

park and not within the North Clackamas Parks and Recreation District (NCPRD). The City Council accepted Mr. Monahan's report.

The second request at the March 3, 2015, meeting was from Chris Ortolano who urged the City to provide mediation training for one City staff member and two volunteers to help address complex community issues and suggested a train the trainer program. Funds had been allocated in the supplemental budget, but the application deadline for the next training session was quickly approaching. **Mr. Monahan** recommended that staff, with City Council authorization, follow up with Mr. Ortolano and advise him that staff will develop an outreach plan and submit applications for the next training session in June.

## **PUBLIC HEARING**

None Scheduled.

## **OTHER BUSINESS**

### **A. Solid Waste Hauler Franchise Transfer - Resolution**

**Ms. Camors** provided the staff report in which the City Council was requested to approve the transfer of Wichita Sanitary Service's franchise area to Waste Management of Oregon and amend the franchise hauler list. Ms. Camors reviewed the requirements of Milwaukie Municipal Code (MMC) Chapter 13.24.130 for this action and reported that both Wichita Sanitary and Waste Management were in compliance.

**Council President Batey** asked if there would be a concern about a creating a monopoly and possible rate setting ramifications.

**Ms. Camors** replied the City Council should feel secure about the rate setting aspect based on Clackamas County's financial analysis process.

**It was moved by Councilor Churchill and seconded by Councilor Gamba to adopt the Resolution approving the proposed transfer of Wichita Sanitary Service's franchise area to Waste Management of Oregon, Inc., amending the list of franchised haulers and the solid waste service area map to reflect the transfer. Motion passed with the following vote: Councilors Batey, Gamba, Power, and Churchill and Mayor Parks voting "aye." [5:0]**

#### **RESOLUTION No. 34-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE PROPOSED TRANSFER OF WICHITA SANITARY SERVICE'S FRANCHISE AREA TO WASTE MANAGEMENT OF OREGON, INC., AMENDING THE LIST OF FRANCHISED HAULERS AND THE SOLID WASTE SERVICE AREA MAP TO REFLECT THE TRANSFER.**

### **B. Municipal Code Update 5.08.030B Related to Fees – Ordinance**

This item was deferred to a future agenda with the date to be determined.

### **C. Building Department Update and Fee Increase Discussion**

**Ms. Vandagriff** provided an overview of the Building Department, its goals, and activity levels. No action was requested at this time; however she would return at a later date to request a revised Building Department fee schedule.

**Councilor Gamba** observed the Department seemed to be trending more positively in terms of permits. He discussed parity in fees for large homes versus small homes, and he said he wanted to do something to encourage people to build smaller homes. For example, he understood the City of Portland waived certain systems development charges (SDC) on smaller homes.

**Councilor Churchill** said there were certain base costs such as planning inspection appointments that needed to be considered.

**Ms. Vandagriff** briefly commented on fluctuations due to light rail.

**Council President Batey** felt building department fees warranted a larger discussion and suggested funding could be found elsewhere in the City Budget.

**Councilor Gamba** suggested putting more weight on those building larger, more expensive houses.

**Council President Batey** was concerned about the effect that might have on a person's making a decision whether to build in Milwaukie or elsewhere.

**Mr. Monahan** said the City had been subsidizing the Building Department for a number of years in order to make sure Milwaukie residents got the best service possible. In Happy Valley, houses are grouped together in subdivisions while in Milwaukie most of the permits are electrical, mechanical, plumbing, and remodels scattered throughout the City. A moderate increase would help Milwaukie keep up with inflation. He suggested the City Council take up the matter at a work session or study session.

**Councilor Churchill** noted the fees had been quite low since 2004, and he supported increases that would help the Department be self-sustaining.

**Councilor Power** appreciated Councilor Gamba's comments and would like to discuss those issues in more detail in a study session.

**Councilor Gamba** hoped to explore options that achieved equity while sustaining the Department.

The group agreed to consider the fees in more detail at a study session and find a solution for keeping the Department viable.

**Mr. Monahan** said staff could research the City of Portland's SDC methodology, but Milwaukie would need to identify alternative funding sources. This information would be compiled for a future City Council study session.

#### **D. Energy Services Company – Check In and Review – Resolution**

**Mr. Parkin** requested that the City Council authorize staff to proceed to the evaluation phase of the Energy Savings Performance Contract (ESPC) with Ameresco. He noted that the contract was still under legal review. The Oregon Department of Energy maintains a list of prequalified Energy Services Companies (ESCO) to assist state and local agencies identifying, evaluating, and recommending energy conservation measures. The City issued a request for quotes (RFQ) to the ESCOs, and Johnson Controls and Ameresco responded. The interview team unanimously endorsed Ameresco to move forward to the next phase of the ESPC process. Projects to be evaluated may include changing out water meters, electrical improvements to pump stations, and facility lighting improvements.

**Councilor Gamba** understood this process was to identify energy saving, but it seemed like meter readers could be losing their job and people could get larger utility bills.

**Mr. Parkin** explained Ameresco would also look at energy issues in City buildings.

**Councilor Power** referred to Attachment 1, 1.(a) which seemed to bind the City to only looking at water meters. She thought it would make sense to append the agreement and perhaps expand the scope. She suggested that 30 days might not be adequate to fully review the Project Proposal.

**Mr. Monahan** said the contract did not acknowledge all the components.

**Councilor Gamba** understood the concept was to find enough savings that the improvements paid for themselves over a period of time not to exceed 15 years. It seemed like to only place the City would see a definite payback was in water meters.

**Councilor Power** pointed out there were still upfront costs that had to be addressed.

**Joe O'Donnell**, Ameresco, discussed the payback term and finding efficiencies in City facilities. His company was still working with the City on project development and determining the acceptability of debt service over a period of time.

**Council President Batey** thought this and other projects that needed funding might be addressed in Council goal setting.

**Mr. Monahan** discussed the City's needs including several municipal buildings. The City had plenty of capacity to bond, but the components started to add up.

**Councilor Gamba** would like to see the contract amendments before locking into \$29,000 for Ameresco's development work.

**Councilor Churchill** did not feel the City Council could make a decision at this time without a structured legal document to review.

#### **E. Proposal to Donate a Bike Repair Station to the City for Placement in Front of City Hall**

**Council President Batey** said there was strong community support for bike repair stations, and a group of individuals was prepared to do crowd funding in order to donate and install a station in front of City Hall. Her research indicated that there were no injuries or cases of vandalism in other cities in Oregon or in Carmel, IN, that had installed five stations and received a lot of positive community feedback.

**Greg Baartz-Bowman**, spoke in support of the bike repair station proposal particularly since Milwaukie did not have a bike shop. He thought it would be a great addition to the town and send a good message to the community.

**Councilor Churchill** would rather see the station on the Trolley Trail.

**Councilor Power** had agreed with Councilor Churchill's point of view until vandalism occurred along the Trolley Trail; she felt City Hall was a good location.

**Councilor Gamba** felt the bike repair station sent a signal that the City supported the needs of its citizens, and Milwaukie City Hall was a symbolic place.

**Council President Batey** pointed out it was next to the bus transfer area and was across the street from the very active Sunday Farmers' Market.

**Mayor Parks** had been concerned about the City's owning it, but after researching the issue, the station did not seem like it would be dangerous to people or vandalized in some way.

**Mr. Monahan** said the only risk would be if the station were not properly maintained. It was in a well-lit area, and there would likely be many eyes on it to make sure it was well maintained. The costs of insurance would likely be low.

**Councilor Churchill** appreciated the crowd source funding but would still like to see it on the Trolley Trail.

**Councilor Power** hoped the station would help draw people into the downtown.

**It was moved by Councilor Gamba and seconded by Council President Batey to accept a future donation of a bike repair station to be placed in front of City Hall. Motion passed with the following vote: Councilors Batey, Gamba, and Power and Mayor Parks voting "aye" and Councilor Churchill voting "no." [4:1]**

#### **F. Consider Support of Regional Safe Routes to School Program – Resolution**

**Councilor Gamba** reported that Safe Routes to School (SRS) was a nationwide organization, and this particular Resolution had to do with a region wide ask that was making its way through the Metro processes. School districts and other agencies have, or are looking at, adopting strong Resolutions in support of regional funding for SRS. He felt supporting the concept as a city would support the movement and set Milwaukie's intention to be a strong party in establishing safe ways to get to and from

school without being driven. The Resolution requests that Metro establish a policy that supports SRS in its effort to secure funding in the amount of \$40 million every two years for 30 years.

**It was moved by Council President Batey and seconded by Councilor Power to adopt the Resolution in support of Safe Routes to School.**

**Councilor Churchill** wanted it to be clear that Milwaukie was supporting the efforts to secure new funding, but this action did not incur financial responsibilities for the City.

**Councilor Gamba** clarified the \$40 million every two years was the amount that needed to be spent to create a comprehensive program in the tri-county area.

**Mayor Parks** added this was also part of Metro's 2014 Regional Active Transportation Plan.

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

**RESOLUTION 35-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF THE REGIONAL SAFE ROUTES TO SCHOOL PROGRAM \$40 MILLION ADDITIONAL EXPENDITURE.**

Staff will report this action to the Transportation Policy Alternatives Committee (TPAC), and Councilor Gamba will distribute the Resolution to interested parties.

**G. Council Input to Legislative, County, or Regional Issues**

**Mr. Monahan** described the intent of this new agenda item that was discussed at the recent City Council retreat. While the Legislature is in session, it may be important to bring bills before the City Council for prompt attention. Similarly, there may be County or regional committee issues that are time sensitive, so it was decided to create this ongoing agenda item to facilitate a full discussion. In advance, Council members could bring forward Legislative, County, or regional issues for the agenda which he or she felt needed some action or direction. If there was sufficient time, as in the case of the SRS Resolution, a separate agenda item would be included in the packet. Parameters were still being set, and Mr. Monahan hoped that it worked well and provided full transparency to the public.

**Councilor Power** said the issue of inclusionary zoning (IZ) has been discussed for some time in Oregon where cities have limited growth opportunities given urban growth boundaries so have been growing up rather than out. She noted that Oregon and Texas were the only states to have a statutory ban on IZ. Other cities including Portland, Corvallis, and Eugene have offered letters of support for House Bill (HB) 2564 that would repeal the current State preemption on inclusionary housing. She felt it was particularly germane to Milwaukie not because the City wanted to mandate affordable housing but because Portland has seen tremendous growth. She cited some of the sources in the proposed Resolution including Census data from *Governing* magazine and trends in current home prices from Zillow. Portland rental prices have increased and are beginning to put pressure on Milwaukie. She offered the Resolution for Milwaukie to pass along to its State Representative and other partners working on this issue. This was not only a big city issue but also one of displacing residents of close in suburbs.

**Council President Batey** believed this was an important tool that cities should have and would support the Resolution.

**Councilor Gamba** agreed this was not something that should be controlled by the State and expressed his support for the proposed Resolution.

It was moved by Councilor Power and seconded by Council President Batey to adopt the Resolution in Support of Oregon House Bill 2564, Repealing the Current State Pre-Emption on Inclusionary Housing. Motion passed with the following vote: Councilors Batey, Gamba, Power, and Churchill and Mayor Parks voting "aye." [5:0]

**RESOLUTION No. 36-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF OREGON HOUSE BILL 2564, REPEALING THE CURRENT STATE PRE-EMPTION ON INCLUSIONARY HOUSING.**

**H. Council Reports**

**Councilor Power** reported she had a full slate of meetings coming up and wished everyone a Happy Saint Patrick's Day.

**Councilor Gamba**, Mr. Rice, and Ms. Bluhm had spoken with Metro about helping fund the Kellogg Lake Bike/Pedestrian Bridge landings, and Metro agreed to support up to \$320,000 and using the proposed double S design curve. He announced the upcoming Monroe Street Greenway work shop.

**Councilor Churchill** discussed his work on the Moving Vietnam Wall Committee.

**Council President Batey** attended the Fire District Subcommittee meeting with Councilor Churchill and Mr. Monahan. On April 7 Council will be updated on the May Ballot Measure and oil trains.

**Mayor Parks** announced that the April 7 work session would be devoted to Council Goal Setting. Upcoming community events were Earth Day and the Public Safety Foundation spaghetti dinner fundraiser on April 11 with proceeds going to the Milwaukie Police Department bike giveaway program. She attended the grand reopening of Royalton Place on King Road.

It was the consensus of Council to consider the Kellogg Lake Bike/Pedestrian Bridge intergovernmental agreement (IGA) with Metro if ready on March 26.

**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 Batey, Gamba, Power, and Churchill and Mayor Parks voting "aye." [5:0]

**Mayor Parks** adjourned the regular session at 9:39 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.

BAARTZ

Name: Greg Bartz-Bowman

Address



Organization:

Phone:

Email:

Meeting Date:

### Topic to Discuss:

Agenda Item You Wish to Speak to:

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

Bike Repair Stand

You are Speaking...

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

Comments:

## Stauffer, Scott

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**From:** Cindy Miguel <cindymiguel@hotmail.com>  
**Sent:** Thursday, March 26, 2015 8:13 AM  
**To:** Power, Karin; Island Station Secretary; \_City Council  
**Cc:** Cid Blase; Gary Michael; Pamela Denham  
**Subject:** RE: ISNDA Letter

Hi Karin,

Thank you for your questions. Here's my take on this letter. At our most recent NDA meeting, we had a report from our newly formed committee that assembled to examine the FILOC program, with the understanding that this program was being reviewed by the city staff. After reviewing the information presented at the city's work session, the presentation given by Gary and Milo to the NDA reflected that there is a lack of structure and real coordination between the city and the NDA resulting in an under-utilization of the FILOC funds from our neighborhood and no real goals to combine the funding for projects toward.

I was initially expecting a report from the committee that was primarily geared toward the bike/ped bridge spending issue exclusively. I was under the impression that Gary and the other folks would look into how this decision was executed and perhaps find a way to avoid this hasty type of situation in the future. Could we find a better way to plan and communicate to ensure great improvements could be achieved with a better functional structure of this program?

In my opinion, including the concerns regarding the property on 19th on which the folks want to build their new home was added to the content of the letter to demonstrate that the need for improvements the the FILOC program is real and credible. Regardless of the outcome for this property, the program deserves improvements.

Because of my earlier understanding of what I thought was to be presented as an overall look at the FILOC program in general, and not a specific initiative to further support no sidewalks, when I was contacted prior to the meeting by Lisa Batey who expressed her concerns regarding the sidewalk issue, I advised her that this was not the purpose for the report and her sidewalk input would be premature. I was wrong. I emailed her directly after the meeting, letting her know that I did, indeed speak up on her behalf, informing everyone in attendance that not all of our residents are in agreement about sidewalks. I also asked her to send Milo the content of what she would have included and to send it with the minutes to the neighbors as an attachment. My point is that regardless of what is decided about individual cases in our neighborhood, we support and agree with Jason Rice's recommendations in regard to making the program more efficient.

The letter reflects a vote, as a motion was carried with one abstention and no nays. We had a pretty good attendance of folks at the NDA meeting, I'm guessing about 16.

I did direct the committee to reach out to the resident on 19th after the February meeting. I do not know where that stands.

If it would help, perhaps Milo could send you a copy of the report presented.

For me, personally, I do not have a preference regarding sidewalks, but my vote reflects the need for clearly established neighborhood improvement goals and vision. The program changes as described by Jason would, in my opinion ensure better efficiency and structure, which I think could help the city financially.

I know I haven't addressed all of your questions, but I hope this response helps. Thank you for everything you are doing on behalf of our city!

Cindy

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From: PowerK@milwaukieoregon.gov  
To: isnda.secretary@gmail.com; CityCouncil@milwaukieoregon.gov  
CC: cindymiguel@hotmail.com; cidblase@yahoo.com; garymic@gmail.com; pamdenham@gmail.com  
Subject: Re: ISNDA Letter  
Date: Thu, 26 Mar 2015 04:30:05 +0000

Milo,

Thank you for your communication to the city. I have copied Council so that all receive this letter. I have a few follow-up questions:

- is this letter from the Board only or full NDA?
- I see the property owners are not signed onto the letter. Is the letter drafted with their knowledge and/or concurrence?
- I am only aware of a neighborhood petition that was circulated that said neighbors do not sidewalks. That petition from fall 2014 also did not provide context that the property owners were in the process of site design which may or may not voluntarily include a sidewalk. Is there one that was circulated in favor of pedestrian and bike-oriented street designs? I ask because I have heard from some residents on 19th who would like to discourage bikes on the road, so that may merit further discussion among the neighborhood. I have also heard from others who do want sidewalks elsewhere within the neighborhood, but do not participate in the NDA.

Thank you for any additional information you can provide.

Karin

Milwaukie City Councilor  
(p) 503-786-7513  
(c) 503-867-7799

On Mar 25, 2015, at 10:02 AM, Island Station Secretary <[isnda.secretary@gmail.com](mailto:isnda.secretary@gmail.com)> wrote:

Hello Councilor Power,

Please see the attached files for an ISNDA board letter for you.

(I have included a copy without signatures as it is a cleaner copy and a bit easier to read.)

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Thanks,

**Milo Denham**

*Secretary, Island Station NDA*

<http://www.milwaukieoregon.gov/communityservices/island-station-nda>

<ISNDA Letter to Mayor and Councilors - 2015 Mar 22 Final- No Signatures.docx>

<ISNDA Letter to Mayor and Councilors - 2015 Mar 22 Final- Signed.pdf>

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MILWAUKIE SUSTAINABILITY: Please consider the impact on the environment before printing a paper copy of this message.



Councilor Lisa M. Batey  
Milwaukie City Council  
10722 SE Main St.  
Milwaukie OR 97222

Dear Councilor Batey:

I am an 8 year volunteer member of the Clackamas County Community Action Board. This Board of 9 members appointed by the Clackamas Board of County Commissioners works in an advisory capacity to the Commissioners on matters of poverty throughout the county. CAB partners with agencies and businesses throughout the county to maximize benefits and opportunities for self-sufficiency and to minimize the causes and conditions of poverty.

As a CAB member, I have represented the city of Milwaukie for the past 8 years by request of each elected Milwaukie's Mayor. One of the requisites of our Bylaws is to have 3 members who either are or who represent elected officials, 3 who have low-income, and 3 representative of other kinds of organizations in the private sector of the community.

As Mayor Jeremy Ferguson recently resigned as mayor and you are appointed President of the City Council, I ask that you designate me again a representative for the City of Milwaukie for the interim and coming year to continue at the will of the newly elected Mayor.

I will need a letter from you to the effect that you allow my continued appointment and service on the CAB. I live in Milwaukie, am actively involved in non-profit service. I directed the Annie Ross House program for 18 years before retiring in 2006 after 40 years in human services. I helped establish Ledding Library Pond House project and worked each Sunday during our Farmers' Market to set up the Used Book Stall at the Market for its first 2 years. I have represented for CAB former Mayors Carolyn Tomei and James Bernard and 2 before them whose names escape me now.

Questions/comments, please e-mail me @ [barbaraleeorloff@yahoo.com](mailto:barbaraleeorloff@yahoo.com) or phone 503-786-7883. I appreciate your consideration.

Yours truly,

Barbara-Lee Orloff

A large, solid yellow rectangular redaction box covers the bottom portion of the page, obscuring the signature and any other text that might have been present.



# Social Services

## Mission

The Social Services Division seeks to provide quality services and meaningful opportunities for the elderly, disabled, and low-income residents of Clackamas County.

Through citizen participation and the efforts of the Boards, staff, and volunteers, we recognize the goal of creating a comprehensive system which meets immediate service needs while encouraging as much self-help and independence as possible.

We further recognize the important role of planning and coordinating with other agencies and organizations and the importance of developing new programs and approaches to effectively meet identified needs.

Finally, we recognize the vital role of advocacy. Individual advocacy helps to guarantee rights and ensure access. Systemwide advocacy, on the local, state, and federal level helps to ensure a broad focus on the important issues affecting the populations we are committed to serve.

## Values

All participants (clients; board, committee and task force members, volunteer and paid staff; contract agencies and other organizations; the general public) shall be treated with dignity and respect.

Anticipation, responsiveness, and innovation is expected in working with each other on the needs of the elderly, disabled, and low income people of Clackamas County.

An open environment, one that is non-bureaucratic and accessible is expected; participants will have every opportunity to be involved in decision making (except as relates to legitimate confidential matters).



APPROVED: CAB 10-28-85  
BCC 11-21-85  
AMENDED: February, 1987  
November, 1993  
September, 1997  
March, 2002  
October, 2007  
December, 2008

## CLACKAMAS COUNTY COMMUNITY ACTION BOARD

### BYLAWS

#### **Article I - NAME:**

This board shall be known as the Clackamas County Community Action Board (CAB) and shall operate under the authority of the Board of County Commissioners, as the advisory body working with the Clackamas County Community Action Agency (CAA).

#### **Article II – PURPOSE:**

The purpose of the CAB is to advise the CAA on ways to: mobilize human and financial resources at the local, State, and Federal levels to benefit disadvantaged persons and maximize their opportunity for self-sufficiency; to minimize the causes and conditions of poverty; to cooperate with other persons and organizations interested in community betterment; and to advocate for institutional change to reduce the problems of poverty. CAB members are thus expected to become knowledgeable of CAA programs and local, state, and national issues pertaining to poverty.

#### **Article III - CAB FUNCTIONS:**

Subject to the advice and consent of the Board of County Commissioners and Federal and State regulations, the CAB shall:

- (1) Participate in the final selection of the Executive Director of the CAA
- (2) Advise on overall program plans and priorities for the CAA with final approval by the Board of County Commissioners.
- (3) Recommend approval of CAA program proposals, budgets and fiscal policies.
- (4) Determine the policies and rules of procedure for the CAB and Board committees.

- (5) Select officers of the CAB and the Executive Committee.
- (6) Grant leaves of absence to the Board members in justifiable cases.
- (7) Advocate on behalf of low-income people with public and private organizations.

#### Article IV - BOARD MEMBERSHIP

SECTION 4.1 - CAB Structure: The CAB shall consist of a minimum of nine (9) members as follows:

- A. A minimum of one-third shall be representative of the sector of people who have low incomes;
- B. One-third shall be elected officials currently holding office, or their representatives, except that if the number of elected officials willing to serve is less than one-third of the membership of the CAB, membership of the Board of appointed public officials may be counted in meeting such one-third requirement; and
- C. The remainder of the members shall be representatives of business, industry, labor, religious, private, educational, or other private sector organizations.

Members of the Board shall be elected in a manner to assure that they speak and act on behalf of the group or organization which they represent.

SECTION 4.2 - Invitation and Selection: Low-income and private sector organizations may seek representation on the CAB or be invited by the CAB to be represented thereon.

Upon being selected for representation on the CAB, the organization must then select a representative and inform the Board in writing.

SECTION 4.3 - Alternates: Each CAB member may have an alternate chosen in the same manner as the members.

In the absence of the Board member, the alternate shall have all the powers and responsibilities of the Board member; provided, however, that an alternate shall not serve as a Board officer or committee chairperson.

SECTION 4.4 - Appointment: The appointment of members of the Community Action Board shall be by the Board of County Commissioners upon recommendation by the CAB.

SECTION 4.5 - Terms of Office: Low-income and private sector representatives shall serve for a term of three (3) years and may be reappointed.

Public officials, or their representatives, serve at the pleasure of the Board of County Commissioners and as long as the public official is currently holding office.

ROSTER

1st Wednesday, 7:30 a.m. to 9:00 a.m.

Members, 3 alternates September 23, 2014

Liaison: Valerie Skinner

SECTOR	MEMBER	REPRESENTING	ADDRESS	TELEPHONE	TERM EXP.
Public	Sean Collinson	Clackamas County Sheriff's Office			N/A
Public	Major Jeremy Ferguson ALTERNATE: Barbara-Lee Orloff	City of Milwaukie		83	N/A
Public Member at Large	Vacant				
Private (Past Chair)	Bill Verheggen	Advocate		11	June 30, 2015
	ALTERNATE: Tom Noble	Advocate			June 30, 2016
Private (Vice Chair)	Cathy Horey	Advocate		50	June 30, 2014
					June 30, 2016
Private	Linda Eastlund	Advocate		81	June 30, 2016
	ALTERNATE: Christopher Coryell	Advocate		0	June 30, 2016
				90	
Low Income (Chair)	Joanna Bewley	Advocate		i	June 30, 2016
				6	
Low Income	Amber Stevens	Advocate		5	June 30, 2016
Low Income	Vacant	Advocate			
Staff	Brenda Durbin				
Staff	Erika Silver				
Staff	Valerie Skinner				



**The Vietnam War 50<sup>th</sup> Commemoration**  
*Milwaukie Partnership Program 2015-2017*



The Moving Wall, a half-size replica of the Vietnam Memorial Wall in Washington, D.C. will be on display at Milwaukie High School over the weekend of **July 23-26, 2015**

[www.tmwmuseum.org](http://www.tmwmuseum.org)



Saturday  
July 25<sup>th</sup>



A Parade through Downtown Milwaukie

***“Honoring Military Service and Sacrifice”***

Followed by a Special Ceremony at MHS



# Budget & Fundraising



**\$64,000 Total Event Cost**

**-\$20,000 In-Kind Donations and Services  
(City, NCSD#12 and Others)**

**= \$44,000 Funding Needed**

**-\$20,500 Cash Raised (as of 3/12/2015)**

**= \$23,500 Funds Still To-Be-Raised**



# Donors



Ardenwald NDA  
Hector Campbell NDA  
Historic Milwaukie NDA  
Island Station NDA  
Lake Road NDA  
Lewelling NDA  
Linwood ND

Clackamas County Tourism Board  
North Clackamas Chamber of Commerce

American Legion – Newport  
VFW – Lower Umpqua

Craig Family (American Legion)  
Messmer Family (American Legion)  
Nelson Family (American Legion)  
South Family (American Legion)

Clackamas Federal Credit Union  
Milwaukie Elks  
Precision Cast Parts



# Event Costs



- Contract (\$2,500 Balance Due)
- Hotel for TMW Driver per Contract
- Equipment Rentals (Port-a-Potties, golf carts, lighting, tents, chairs, etc.)
- Volunteer T-Shirts and Meals
- Program Printing
- Public Relations: Media Buys and Community Outreach
- Plants and Flowers around Wall Site (Milwaukie Floral)
- Wall Platform (materials)
- Miscellaneous Items (recycling, garbage, name rubbing materials, etc.)



# The Legion's Contributions

- Fundraising
  - Volunteer Recruitment
  - Sponsorship Recruitment
  - Pre-Event Organizational Work
  - Publicity and Outreach (Jerry Craig)
- = Over 3,400 man hours logged to-date!**



# The City's Contributions

- Down payment on The Moving Wall contract
  - Organizing and Coordinating Parade
  - Public Relations and Media Outreach
  - Police and Public Works Services
  - In-Kind Use of Equipment (chairs, tents, etc.)
  - Administrative Support Costs – *ongoing* (hosting meetings, printing, staff time)
- = Over 800 hours of staff hours logged to-date!**



# Committee & Partners

- **Committee Members – Legion:** Mike Harryman, Jerry Craig, Mike Lueck, Dodie Maderis, Scott Southard, Kevin Zak, Mike Wilson, Linda Hedges, Randy Hille, Craig Knipe, Michelle Menefee, Richard Messner, Dean Syron, Chuck Leverton
- **Committee Members – City:** Scott Churchill, Bill Monahan, Mitch Nieman, Grady Wheeler, Scott Stauffer, Mark Dye, Gary Parkin, Jason Wachs
- **Committee Members – Other:** Chuck Shannon (NCSD#12), Reni Nowling (Patriot Riders), Dave Aschenbrenner and Mike Miller (CMI), Laura Edmonds (Chamber), Susie Hix (Stehn's Funeral Home), and representatives of Clackamas County.
- **Partners:** North Clackamas School District #12 (NCSD#12), Celebrate Milwaukie, Inc. (CMI), North Clackamas Chamber of Commerce, Milwaukie Community Emergency Response Team



# Tentative Schedule

Once Open on Thursday,  
The Moving Wall (TMW)  
will be Open to the Public  
**24-hours-a-day**  
July 23-26, 2015

**Thursday July 23:** Morning – TMW is Escorted to MHS and Set-up  
12:00 p.m. - Wall is Open to the Public

Evening – Taps Ceremony

**Friday July 24:** Morning – Reveille Ceremony

Evening – Taps Ceremony

**Saturday July 25:** Morning – Taps Ceremony

Mid-Morning – Parade down Main Street to MHS

Mid-Day – Main Ceremony

Evening – Taps Ceremony

**Sunday July 26:** Morning – Taps Ceremony

2:00 p.m. – Closing Ceremony



# To Volunteer or to find more Information

Visit Us Online @

[www.milwaukieoregon.gov/citycouncil](http://www.milwaukieoregon.gov/citycouncil)  
click on “Vietnam Commemoration”

# To Make a Donation

Send checks payable to the “**American Legion**” and  
designated for the “**Vietnam 50<sup>th</sup>**  
**Commemoration/Post 180**” to:

**American Legion Post 180**  
**2146 SE Monroe Street**  
**Milwaukie, OR 97222**



**July 23-26, 2015**

**Milwaukie High School**



MILWAUKIE CITY COUNCIL  
REGULAR SESSION

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

**(Fourth Revision)**  
**REVISED AGENDA**  
**MARCH 17, 2015**

2,194<sup>th</sup> Meeting

- |   | Page #    |
|---|-----------|
| <b>1. CALL TO ORDER</b>   |           |
| Pledge of Allegiance  |           |
| <b>2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS</b>   |           |
| <b>A. Outstanding Student Achievement Award to Odalys Diaz</b>  |           |
| Introduced by Mark Pinder, Milwaukie High School Principal  |           |
| <b>B. New Century Players</b>   |           |
| Introduced by Kelley Marchant   |           |
| <b>C. Celebrate Milwaukie, Inc. (CMI) Donation Presentation and Vietnam Memorial Wall Event Update</b>  | <b>2</b>  |
| Introduced by: Dave Aschenbrenner, CMI, and Jerry Craig, American Legion Post 180   |           |
| <b>3. CONSENT AGENDA</b>  |           |
| These items are considered routine, and therefore, will not be allotted discussion time on the agenda; these items may be passed by the Council in one blanket motion; any Councilor may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration of that part of the agenda. |           |
| <b>A. City Council Meeting Minutes</b>  | <b>7</b>  |
| 1. February 3, 2015, Regular Session;   |           |
| 2. February 7, 2015, Goal Setting Session;  |           |
| 3. February 10, 2015, Walking Tour;   |           |
| 4. February 17, 2015, Work Session;   |           |
| 5. February 17, 2015, Regular Session; <b>and</b>   |           |
| 6. <del>February 25, 2015, Study Session.</del>   |           |
| <b>B. Boards, Committees, and Commission Appointments – Resolutions</b>   | <b>36</b> |
| 1. Appointing Andrea Adams to the Arts Committee;   |           |
| 2. Re-Appointing Maitri Dirmeyer to the Arts Committee;   |           |
| 3. Appointing Natalia D'Onofrio to the Design and Landmarks Committee;  |           |
| 4. Re-Appointing Dion Shepard as a Representative of the Historic Milwaukie Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee (KGNC);  |           |
| 5. Re-Appointing Carolyn Tomei as a Representative of the Island Station NDA to the KGNC;   |           |
| 6. Re-Appointing Kathi Schroeder to the Library Board;  |           |
| 7. Re-Appointing Anna Van Tyne to the Library Board;  |           |
| 8. Re-Appointing Lisa Gunion-Rinker to the Park and Recreation Board;   |           |
| 9. Re-Appointing Ray Harris to the Park and Recreation Board.   |           |
| 10. Appointing Erin Willett Holcomb to the Park and Recreation Board;   |           |
| 11. Re-Appointing Lisa Lashbrook to the Park and Recreation Board;  |           |
| 12. Re-Appointing Lynn Sharp to the Park and Recreation Board;  |           |
| 13. Re-Appointing Greg "Frank" Hemer to the Planning Commission;  |           |

**14. Re-Appointing Gabe Storm to the Planning Commission; and  
15. Appointing Kim Travis to the Public Safety Advisory Committee.**

- C. Solid Waste Acceptance Waiver – Resolution 53**
- D. Oregon Parks and Recreation Department (OPRD) Grant for 17<sup>th</sup> Avenue – Resolution 61**
- E. OLCC Application – Beer Store Milwaukie, LLC, 11049 SE Main Street – New Outlet 66**

**4. AUDIENCE PARTICIPATION**

The presiding officer will call for citizen statements regarding City business. Pursuant to Milwaukie Municipal Code (MMC) Section 2.04.140, 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 submit it to the City Recorder. Pursuant to MMC Section 2.04.360, “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.

**5. PUBLIC HEARING**

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 presiding officer may limit testimony.

**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. Solid Waste Hauler Franchise Transfer 68**  
Staff: Casey Camors, Finance Director
- B. Municipal Code Update 05.08.030B Related to Fees – Ordinance 74**  
Staff: Bonnie Dennis, Assistant Finance Director
- C. Building Department Update and Fee Increase Discussion 78**  
Staff: Samantha Vandagriff, Building Official
- D. Energy Services Company – Check-In and Review – Resolution 102**  
Staff: Gary Parkin, Public Works Director
- E. Proposal to Donate a Bike Repair Station to the City for Placement in Front of City Hall 109-A**  
Introduced by Council President Batey
- F. Consider Support of Regional Safe Routes to School Program – Resolution 109-C**  
Introduced by Councilor Gamba
- G. Council Input to Legislative, County, or Regional Issues 110**  
Staff: Bill Monahan, City Manager
- H. Council Reports**

## **7. INFORMATION**

## **8. ADJOURNMENT**

### **Public Notice**

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 may attend 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 and they are closed to the public.

The Council requests that mobile devices be set on silent or turned off during the meeting.

The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act. For special accommodations, please call 503-786-7502 or email [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) at least 48 hours prior to the meeting.



**Regular Session  
Agenda Item No.**

**2**

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



**MILWAUKIE CITY COUNCIL  
AGENDA ITEM SUMMARY**

Agenda Item: **RS 2. C.**

Meeting Date: **3/17/15**

Title: **Vietnam Memorial Wall Event Update**

Prepared By: Scott Stauffer, Administrative Specialist II

Department Approval: Pat DuVal, City Recorder  
Mitch Nieman, Assistant to the City Manager

City Manager Approval: Bill Monahan

Approval Date: 3/10/2015

**ISSUES BEFORE COUNCIL**

A brief update on the Vietnam Memorial Wall event planning activities.

**STAFF RECOMMENDATION**

None – informational only.

**KEY FACTS & INFORMATION SUMMARY**

In 2013 the City Council directed staff to register the City in the nationwide Department of Defense (DoD) program commemorating the 50<sup>th</sup> Anniversary of the Vietnam War. The City joined with American Legion Post 180 as official DoD partners and have been working together to plan and coordinate commemoration activities and events. As official partners in the DoD program, the City and Legion are required to sponsor at least two (2) Vietnam Commemoration related events per year, for three years (2015-2017), for a total of at least six (6) events by the end of 2017; official events can range from the Council proclamation read around Veterans Day, to Legion sponsored dinners, and major events like hosting a travelling replica of the Vietnam Memorial Wall over a long weekend.

In 2014 the Vietnam Commemoration Planning Committee, comprised of representatives of the City, the Legion, and the community at-large, began to meet regularly to plan the required events and identified bringing a travelling replica of the Vietnam Memorial Wall, in Washington D.C., to Milwaukie during the summer of 2015. The last weekend in July was identified as a weekend usually set-aside in Milwaukie for Festival Daze and the committee believed it made sense to focus on that weekend for the Vietnam Memorial Wall event. With great cooperation and support from the North Clackamas School District (NCSD) the committee has secured the use of the Milwaukie High School (MHS) athletic field for the event weekend. The Wall is scheduled to arrive in the Portland metro area on Wednesday July 22, be escorted to MHS on the morning of Thursday July 23, and be set-up and open to the public beginning mid-day Thursday through 2 p.m. on Sunday July 26. There will be daily events and ceremonies at the wall, with a keynote event scheduled for mid-day Saturday July 25, following a morning parade through downtown.

To complement the activities and events scheduled for the Wall site at MHS, the City has agreed to sponsor a parade through downtown Milwaukie. As of this date the parade route was

still in the planning process, but the likely route has the parade beginning on Hannah Harvester Drive, proceeding south on Main Street, and possibly turning left onto Washington Street, where Vietnam and military related participants would turn into the MHS athletic field, and non-military participants would continue up Washington Street to 25<sup>th</sup> Avenue to disband. Mitch Nieman, Assistant to the City Manager, has been designated as the City's point person for the parade. The anticipated parade start time is 10:00 a.m. on Saturday July 25, 2015.

Through 2013 and 2014 Councilor Mike Miller represented the City Council on the planning committee, and since Councilor Miller's retirement Councilor Scott Churchill has served in the same capacity. To a great extent, the outreach and public relations effort has been led by Jerry Craig, Legion Post 180 Chaplain, with support from other members of the Legion and City staff.

#### **OTHER ALTERNATIVES CONSIDERED**

Not applicable.

#### **CITY COUNCIL GOALS**

Not applicable.

#### **FISCAL NOTES**

In 2014 the City provided \$2,500 as the down payment to secure the contract with Vietnam Combat Veterans, Ltd., the group based out of Michigan that operates The Moving Wall (TMW), a half-sized replica of the Vietnam Memorial Wall. The total cost to bring TMW to Milwaukie is estimated at around \$6,000, of which \$5,000 is the contract fee (half of which the City has already paid through the down payment) and roughly \$1,000 is to cover the costs of housing the TMW driver for six (6) nights. In addition to the contract fee, the City has provided miscellaneous administrative services including printing and staff time, and the purchase of 500 lapel pins (at a cost of around \$1,000) featuring the event logo to aid the public outreach effort.

The remaining contract fee balance (\$2,500) and the other event costs will be raised through fundraising efforts sponsored by the Legion and community. To-date, the committee has raised around \$20,000 in County and City tourism grants, and donations from the City's Neighborhood District Associations (NDAs) and veterans groups.

#### **ATTACHMENTS**

1. Draft Event Schedule.



## The Moving Wall (TMW) EVENT SCHEDULE

JULY 2015 | Milwaukie High School (MHS)

DATE	TIME	EVENT DESCRIPTION
WED July 22	(evening)	<p>TMW arrives at hotel destination</p> <p>Support items set up by 9 pm (tentative)</p> <ul style="list-style-type: none"> <li>a. Tents</li> <li>b. Sound system</li> <li>c. Golf Carts</li> <li>d. MHS support rooms ready( clinic-volunteer room)</li> <li>e. Tables/chairs</li> <li>f. Landscaping on site for wall ready</li> <li>g. Wheel chairs</li> <li>h. Sales items stored and ready-if any</li> <li>i. Highway signs and local signage up</li> <li>j. Parking areas ready and signage in place</li> <li>k. Volunteers final assignments published</li> <li>l. Military vehicles in place/displays ready</li> <li>m. Volunteer meals/snacks ready to go and sustained</li> </ul>
THU July 23	<p>07:00 am</p> <p>08:00 am</p> <p>08:00 am</p> <p>08:30 am</p> <p>12:00 pm</p> <p>10:00 pm</p>	<p>Event leaders arrive at MHS to prep TMW set-up</p> <p>TMW is escorted from hotel to MHS</p> <p>Volunteers arrive and begin 4 hour shifts</p> <ul style="list-style-type: none"> <li>a. A computers active and locator data up and running</li> <li>b. Attendants in parking ready</li> <li>c. Gate volunteers posted and briefed</li> </ul> <p>TMW arrives at MHS, set-up begins</p> <p>TMW is set-up and is now <b>Open to the Public 24 Hours-a-Day</b></p> <p>Soft Opening Ceremony: Local Legion/VFW/Veterans Post</p> <ul style="list-style-type: none"> <li>- Presentation of the Colors</li> <li>- Pledge of Allegiance</li> <li>- National Anthem</li> <li>- Light Musical Presentation</li> <li>- Brief Opening Remarks</li> <li>- Laying of the Memorial Wreath(s)</li> </ul> <p>TMW is open to the public.</p> <p>Taps Ceremony: Local Legion/VFW/Veterans Post/three volleys Patriot Guard on security duty</p>
FRI July 24	<p>06:00 am</p> <p>08:00 am</p> <p>10:00 pm</p>	<p>Patriot Guard ends security duty</p> <p>Day-time Shift Volunteers on station and ready to go</p> <p>Reveille Ceremony: Local Legion/VFW/Veterans Post</p> <ul style="list-style-type: none"> <li>- Presentation of the Colors</li> <li>- Laying of the Wreath</li> <li>- Pledge of Allegiance</li> <li>- National Anthem</li> <li>- Light Musical Presentation (different groups during day)</li> <li>- Brief Opening Remarks</li> </ul> <p>Taps Ceremony: Local Legion/VFW/Veterans Post/three volleys</p>

SAT	July 25	06:00 am	Patriot Guard ends security duty Day-time Shift Volunteers on station and ready to go
		08:00 am	Reveille Ceremony: Local Legion/VFW/Veterans Post - Presentation of the Colors/To the Colors
		10:00 am	Milwaukie Military Service Community Parade - Begins on Hanna Harvester Drive - Ends at MHS/TMW Site (for military and veteran groups) - Ends on 23 <sup>rd</sup> Ave (for community groups)
		11:30 am <i>After Parade</i>	Vietnam Veterans Recognition Ceremony: (after parade) - VIP Speakers - Musical Groups - <b>Reading of Clackamas Vietnam Casualties (on Sunday?)</b>
		10:00 pm	Patriot Guard on security duty (TBA)
		10:00 pm	Taps Ceremony: Local Legion/VFW/Veterans Post/three volleys
		SUN	July 26
08:00 am	Reveille Ceremony: Local Legion/VFW/Veterans Post - Presentation of the Colors - Pledge of Allegiance - National Anthem - Light Music all day		
TBD am	<b>Sunday Morning Service (?)</b>		
02:00 pm	Soft Closing Ceremony - Lowering of Flag - National Anthem - Brief Closing Remarks - Final Taps Played		
03:00 pm	Volunteers begin take-down of TMW; TMW is closed to the public.		
05:00 pm	TMW drivers depart MHS		
06:00 pm	<b>Volunteer Thank You Event/Dinner (?)</b>		
MON	July 27	(morning)	Drivers check out of hotel, depart for next destination



**Regular Session  
Agenda Item No.**

**3**

# **Consent Agenda**



**MINUTES**  
MILWAUKIE CITY COUNCIL  
www.milwaukieoregon.gov

**REGULAR SESSION**  
FEBRUARY 3, 2015  
City Hall Council Chambers

**Council President Batey** called the 2,191<sup>st</sup> meeting of the Milwaukie City Council to order at 7:20 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, Engineering Director Jason Rice, and Light Rail Construction Manager Stacy Bluhm

### **CALL TO ORDER**

PLEDGE OF ALLEGIANCE

### **PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

None scheduled.

### **CONSENT AGENDA**

- A. City Council Meeting Minutes of the January 20, 2015, Special Session.**
- B. Resolution 06-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, revising membership to the Library Expansion Task Force.**
- C. Resolution 07-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, appointing Carolyn Tomei as a representative of the Island Station Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee.**
- D. Oregon Liquor Control Commission (OLCC) Application for Big Bee Café, 4630 SE International Way – Change of Ownership.**

**Councilor Churchill** requested that item C be removed from the consent agenda for discussion.

**It was moved by Councilor Gamba and seconded by Councilor Power to approve consent agenda items A, B, and D. Motion to approve consent agenda items A, B, and D passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting “aye.” [4:0]**

**Council President Batey** proposed that discussion of consent agenda item C be at the end of the meeting.

### **AUDIENCE PARTICIPATION**

**Council President Batey** outlined the process for audience participation. Seeing no requests to speak, she asked Mr. Monahan for any follow up comments from the January 20, 2015, City Council audience participation.

**Mr. Monahan** reported at the last meeting there was a request from Greg Baartz-Bowman, Milwaukie resident, asking about the possibility of installing a crosswalk at 26<sup>th</sup> Avenue and Harrison Street. Mr. Rice reviewed the background with Mr. Baartz-Bowman and why the decision was made not to install one at this time. He communicated with Mr. Baartz-Bowman about possible future funding.

**Council President Batey** had visited the site and agreed it was quite a distance from any crosswalk.

**Mr. Rice** said staff applied for Community Development Block Grant (CDBG) Funds for crosswalks which included the one under discussion. The outcome of the grant application would be known in April.

**Mr. Monahan** reported there was a follow up comment from David Aschenbrenner that addressed a similar situation at Home Avenue and King Road. If there was funding for such mid-block crosswalks, then Mr. Aschenbrenner was also interested in having one installed.

**Council President Batey** noted one of the issues Ray Bryan brought up in his recent *Pilot* article was to reconsider reinstating the Walk Safely Milwaukie Program. There would likely be public input on this topic at the upcoming City Council Goal Setting session.

## **PUBLIC HEARING**

None scheduled.

## **OTHER BUSINESS**

### **A. Expedited Annexation of Property Located at 8908 SE 55<sup>th</sup> Avenue - Ordinance**

**Mr. Egner** provided the staff report in which the City Council was requested to approve File #A-14-05, an expedited annexation of the property located at 8908 SE 55<sup>th</sup> Avenue in the Northeast Sewer Extension (NESE) area. He provided background on the NESE Project and the construction of the sewer system in Dual Interest Area 1. The City annexed rights of way in 2010 so that the properties in that area abutted the Milwaukie City limits. Since that time, more than 140 properties had annexed in order to connect to sewer most frequently because of failing septic systems. He showed a map of the area. The subject site was in the manufacturing zone (M Zone) and planned for industrial use. The annexation met all relevant criteria and no necessary parties that the City notified submitted any objections. Staff recommended approval of the annexation.

**It was moved by Councilor Gamba and seconded by Councilor Churchill for the first and second readings by title only and adoption of the Ordinance annexing a tract of land identified as Tax Lot 1S2E30AB07000 and located at 8908 SE 55<sup>th</sup> Avenue into the City Limits of the City of Milwaukie (File #A-14-05). Motion passed with the following vote: Councilors Gamba, Power, and 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, and Churchill and Council President Batey voting “aye.” [4:0]

### **ORDINANCE NO. 2091:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 1S2E30AB07000 AND LOCATED AT 8908 SE 55<sup>TH</sup> AVENUE INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE (FILE #A-14-05).**

### **B. Solid Waste Hauler Franchise Agreement – Ordinance and Resolution**

**Ms. Camors** provided the staff report in which the City Council was requested to adopt an Ordinance amending Chapter 13.24 of the Milwaukie Municipal Code regarding management and collection of solid waste and recycling. The current franchise was due to expire December 2015. The significant changes included the term of the agreement which was a ten year rolling agreement, modification to the financial penalty

language, increased insurance coverage requirements, and increased penalties for nonfranchised persons engaging in franchised activities under Chapter 13.24.

The second action requested was to adopt a Resolution granting non-exclusive franchises to the current five haulers for solid waste management services. There was concurrence on the staff recommendation for adoption of both the Ordinance and the Resolution from the City Attorney, City Manager, Clackamas County Office of Sustainability, and the five franchised haulers.

There were no questions or comments from City Council.

**Dave White**, regional representative for the Oregon Refuse and Recycling Organization, said one of his responsibilities was to represent the Milwaukie franchised collection companies. These companies provide solid waste and recycling collection services to Milwaukie's residents and businesses. He submitted the following testimony for the record.

As noted in the staff report, the Milwaukie haulers and I have met with Finance Director Casey Camors and Clackamas County Senior Analyst Rick Winterhalter to discuss the proposed changes to the franchise provisions contained in City Code Chapter 13.24. We greatly appreciate the opportunity to engage in these positive and productive discussions.

The Milwaukie haulers have a decades-long tradition of commitment to providing excellent collection service in the city. We believe this partnership between the city and its franchised haulers is a cost effective, efficient, and sustainable system for providing solid waste, recycling, and yard debris collection services to the city's residents and businesses. With the passage of this Ordinance and Resolution, the haulers look forward to continuing to assist the city in its waste recovery and sustainability efforts.

The haulers ask that you accept the recommendation in the staff report and approve the Ordinance and Resolution.

**It was moved by Councilor Churchill and seconded by Councilor Gamba to approve the first and second readings by title only and adoption of the Ordinance amending Chapter 13.24 of the Milwaukie Municipal Code regarding management and collection of solid waste and recycling. Motion passed with the following vote: Councilors Gamba, Power, and 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, and Churchill and Council President Batey voting "aye." [4:0]

**ORDINANCE No. 2092:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING CHAPTER 13.24 OF THE MILWAUKIE MUNICIPAL CODE REGARDING MANAGEMENT AND COLLECTION OF SOLID WASTE AND RECYCLING.**

**It was moved by Councilor Power and seconded by Councilor Churchill to adopt the Resolution granting non-exclusive franchises for solid waste management services. Motion passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting "aye." [4:0]**

## RESOLUTION NO. 08-2015:

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE MANAGEMENT SERVICES.

#### C. TriMet Safety Committee Report

**Ms. Bluhm** reported in her last Portland – Milwaukie Light Rail (PMLR) update to the City Council that she was asked to invite members of the TriMet Safety Committee to respond to questions and concerns. **Harry Saporta**, CSP, PE, Executive Director, TriMet Safety and Security, and **Kurt Wilkinson**, CSP, Manager, TriMet Safety Risk/Construction Safety, made a presentation to the City Council.

**Council President Batey** commented on the good partnership between TriMet and Milwaukie.

**Mr. Wilkinson** briefly reviewed the timeline of events, provided a description of rail crossing safety treatments, described how decisions were made, and retrofits made in the system. In August 2014 there was an onsite review of grade crossings at Harrison, Monroe, and Washington Streets, and several issues were identified as needing further analysis. There was an onsite review in October with the City, TriMet Project staff, TriMet Project Safety, and the Oregon Department of Transportation (ODOT) Rail Crossing Division to identify issues and what might need to be put into place now that construction was well underway. Mr. Wilkinson confirmed this work had been done with 3-D models earlier, but the review was more effective now that it could actually be seen. The Safety and Security Committee, which acted as a clearinghouse for the diverse groups offering input and recommendations, decided some changes should be made to the crossing orders that included realigning and repositioning some tactile warning devices that had already been installed, the addition of pedestrian warning devices, altering the fencing to improve sight lines, and adding swing gates.

The Committee had been working with Ms. Bluhm on some of the questions that came up during her January 2015 City Council update which Mr. Wilkinson hoped to answer in the course of his presentation. Many factors were taken into account when looking at crossing safety treatments. TriMet considered pedestrian and operator sight lines, track geometry, speed and stopping distances, frequency of usage, impacts of development that may result in retrofits, and demographics of the area such as schools and disabled population that might present challenges.

He showed slides of various pedestrian grade crossing treatments in the light rail system that included bedsted barriers with active warning devices which took a lot of space but caused people to slow down and face the direction of the oncoming trains on the track closest to them. The warning device was a continuous, audible and visual stimulation that the train was going to be there.

**Councilor Gamba** said he and Council President Batey had visited several crossings on the Blue Line. One of the sites they visited had a swing gate near a station. The train started out of the station but stopped for some reason. The train ended up crossing with no audibles; he could not see from his angle whether or not the lights were flashing.

**Mr. Saporta** said when the design criteria were established many years ago, there were concerns from the neighborhoods about the active warning devices. The warning bell did stop sounding when the gate was lowered. There is an active program in the Beaverton area to provide upgrades which had already begun in many areas. The bell was designed for vehicular rather than pedestrian traffic, and there were large flashing lights. Now there is a part-time pedestrian warning device with dual flashers and the bell. He would look into Councilor Gamba's concerns as the bell should continue to sound until the train had passed. They were typically in the 85 – 90 decibel range and could go as low as 60 decibels depending on the ambient noise level. He gave the City

Council his personal assurance that the system being designed for Milwaukie would be operational and function properly through the certification process.

**Mr. Wilkinson** noted that given the amount of space on the west side, these barriers worked well with good sight lines in each direction and with flashing lights that were active until the train was out of the circuit. Another approach on the west side was to outfit the skewed types of crossings with channeling, pedestrian swing gates, and the active warning signals. In order to make sure there was clearance for a person using a mobility device to pull up next to the gates, additional sidewalk and fencing was installed to make sure they could be pulled open. He showed a slide of a crossing just south of the Nike Campus where the Committee for Accessible Transportation reviewed the installation to ensure that a mobility device could get through. One addition was the installation of a Braille plate. The gate design was good, user friendly, and created a decision point before crossing the tracks. He understood there was a discussion of automatic gates, but more right of way would be required for the automatic device. Additionally, a swing gate would be installed next to it as a means for escaping the right of way if the gates came down while one was crossing. The other issue with installing them throughout the Milwaukie area was that it would not be possible to put them at good decision points. If they were activated at the same time as the street crossing gate, people may wait for 20 seconds, become impatient, and cross anyway. The position of the swing gates brings people closer to the right of way where they have better site lines. He noted that the site shown on the slide had a fantastic line of site with little pedestrian traffic. This was a 45-mph crossing.

**Councilor Churchill** was familiar with the area and understood TriMet would keep a watchful eye on increasing bike and pedestrian traffic over time.

**Mr. Wilkinson** added work was being done on the nearly 30-year old Gresham line to employ strategies to enhance safety including fencing, flashing warning devices, channeling, railing, and tactile warning. These treatments were going on throughout the system. Milwaukie will benefit from the experiences from earlier lines in the system. He discussed angled crossings. Mr. Wilkinson provided his closing comments: pedestrian safety was paramount, crossings were designed to channel pedestrians, audible and visual warnings of approaching trains were at gated crossings, pedestrian behaviors would be monitored and evaluated during the startup activities with CCTV, and crossing strategies would be revised as warranted.

**Mr. Saporta** noted that many trains will have forward facing cameras.

**Councilor Churchill** urged keeping the cameras for as long as possible during the testing period to capture data related to train speed, demographics, and freight in this relatively small urban area. He felt this was a unique situation on the TriMet system.

**Mr. Saporta** added the design was only one strategy. Another was a comprehensive and aggressive education program that targeted schools as well as the general public. The focus would be on school-aged children in the spring before classes were out and again in the fall when classes started. TriMet personnel will be present to observe behavior and provide guidance and recommendations. Mr. Saporta was scheduled to meet with North Clackamas School District representatives next week.

**Council President Batey** asked for clarification of why the bedsted barriers and gates were not in the Milwaukie design.

**Mr. Wilkinson** replied there was not enough room for the bedsted barriers, and he felt with the sight line restrictions that the gates were a better choice. People could be closer to the alignment and make a better choice.

**Councilor Churchill** supported the choice of the gates and the visual and audible crossings for the pedestrians. He was concerned that there were no gates on the freight side of the track on the west side of the crossings.

**Mr. Wilkinson** replied that the issue with just having gates on the east side had to do with the construction of the large retaining wall. There were good sight lines going from west to east because of the location of the freight tracks and the openness required. The freight train was moving more slowly and less frequently so there was more opportunity to look up and down the track.

**Councilor Churchill** said his concern was crossing three tracks and the different demographic groups using the crossing. There were a lot of schools nearby. For him he was still concerned about not having a gate on the west side for this complex crossing. Freight was moving at one speed that was traditionally about 10 – 15 mph and a light rail line that was authorized to run at 35 mph. He thought he had heard a number of years ago that if a light rail train was in a school zone that it would operate at a much lower speed.

**Mr. Saporta** explained that if children were observed near the crossing that the operator would lower the train speed.

**Councilor Churchill** appreciated TriMet's looking at best practices. He did believe there was a different situation with more susceptible demographics and light and heavy rail. He believed the presentations to the schools about 5 years ago indicated that train speeds would be 20 mph through our school zones, and other community members recalled the same statement.

**Mr. Saporta** said they would go back and review the documents. He noted along the Blue Line in Gresham trains did operate at 35 mph adjacent to schools. The 20 mph speed was part of the standard operating procedure when children were present.

**Councilor Churchill** believed there was a roadway between the school and the tracks, but in Milwaukie that was not the case. His preference was that TriMet revisit putting gates on the west side. Were the owners of the freight line objecting?

**Mr. Wilkinson** would speak with Union Pacific (UP) and explore the options including bedsted barriers.

**Councilor Churchill** understood it was all about safety for Milwaukie citizens, and he would like to look at gates on the west side.

**Councilor Power** asked during the data collection period if train speeds were included.

**Mr. Wilkinson** replied that all the trains are equipped with event recorders and that any data from the train was recorded. Trains will be monitored during testing and training prior to making their initial runs.

**Mr. Saporta** added this training period was an opportunity to get feedback from the public and the operators to help evaluate the crossings.

**Mr. Wilkinson** noted that operator training would begin June 1, and dynamic signal testing would begin in March. They were already talking about the shared crossings on the alignment.

**Councilor Churchill** hoped Mr. Saporta and Mr. Wilkinson would return in July to update the City Council and provide assurances or identify deficiencies for which resolution might be necessary before opening day in September.

**Councilor Gamba** understood the reasoning behind the swing gates, but he did have several concerns. A lot of children rode their bikes on the sidewalk going to and from school, and he was concerned if the gates were always closed that it would push children out into the street. He was also concerned about people in motorized wheelchairs who did not have a lot of arm use and how they would fare with the swing gates.

**Mr. Wilkinson** addressed the bike concern. The goal was to get people off their bikes when they came to the crossing and look carefully and make a good decision. One will

either be stopped by the swing gates or the crossing arm. He was not aware of any motorized wheelchair complaints.

**Mr. Saporta** added complaints were very few, and if there were any, the situation would be evaluated and modified if needed. He commented on maintenance issues related to motorized swing gates.

**Councilor Churchill** understood if there were a situation that there was a way to go back and modify the gates if people could not make them work.

**Mr. Wilkinson** noted the motorized swing gates at the Beaverton Transit Center were problematic and had been removed and replaced with bedsted barriers.

**Mr. Saporta** assured the Council that TriMet would work with the City to come up with a mutually agreeable solution.

**Councilor Gamba** said his other issue was almost a psychological question about a device, like a flashing yellow light, becoming invisible after a while. It was found that flashing yellow lights were more effective when pedestrians were present. In the same light, when the gates were always closed whether there was a train or not it might depend on the flashing red lights. That was why he preferred the automatic gates. Thinking about someone who went that way every, day he preferred automatic gates that only closed when a train was coming.

**Mr. Saporta** was not aware of any study on that subject. In conjunction with the gates, there were audible warning devices and flashing lights. This was a significant educational point. People sometimes think a gate is broken if he or she cannot see a train coming and may try to go around the gate. The pedestrian and driver behavior is informed with audible and visual devices. The devices will be active for both light rail and freight, so TriMet will need to be conscientious in educating the school children and the general public.

**Councilor Churchill** said with freight moving more slowly, one might expect to get across, but then one could be caught by a light rail train.

**Mr. Wilkinson** noted the gates were in such a position that a person could see where, from which direction, and on what track a train was coming.

**Councilor Gamba** said it seemed like there was space literally on the TriMet right of way to place the gate and in a spot where people could see.

**Mr. Wilkins** said he did not believe the device would fit inside the clearance envelope. There were clearance specifications for the trains with given maximum amount of movement within that dynamic envelope.

**Mr. Saporta** explained within that dynamic envelope the train actually rocked and rolled which was not noticeable to a train passenger.

**Council President Batey** had a new worry about not having gates on the west side which was the combination of freight and light rail.

**Councilor Power** said it seemed to her freight was running at faster speeds at least in her neighborhood.

**Mr. Wilkinson** said TriMet will only have access to light rail speeds. Another issue was UP clearance on the west side which he believed was 14 feet from the center of the track which set the gate pretty far from the track. That would put the gate 39 feet from the light rail track. With the sight lines, he did not believe it warranted putting the gates that far away. All of this was predicated on the position of the sound walls.

**Councilor Gamba** had concerns about freight trains stopping and backing up as they sometimes did, and people may try to cross. This was an important educational piece that it would not be safe to cross when the audible and flashing lights were operating. This was a complex crossing.

**Mr. Saporta** assured the City Council that TriMet would continue to evaluate the whole operation when the first train was introduced onto that track and continue beyond the startup date. Certain assumptions have been made, and he hoped they were correct. Operators are taught to provide constant feedback.

**Councilor Churchill** wanted information on the decision making process, whether or not the gates were installed on the west side.

**Councilor Gamba** suggested continuing the bike lane beyond what TriMet had installed.

#### **D. 22<sup>nd</sup> Avenue Safety Improvements Updates**

**Mr. Rice and Ms. Bluhm** addressed an issue brought to staff's attention by the public related to the opening of the Trolley Trail. The issue at hand was the intersection of 22<sup>nd</sup> Avenue and the Trolley Trail where the vision was poor and people were approaching speeds of about 35 mph coming off McLoughlin Boulevard to 22<sup>nd</sup> Avenue. It was difficult for anyone using the Trolley Trail to make a good decision, and it was apparent that something needed to be done. An open house was held at the Milwaukie Grange on December 17 where there was a good discussion of what might be done to improve the intersection. Mr. Rice and Ms. Bluhm were present to go over options developed by City and ODOT staff.

**Ms. Bluhm** reviewed the concepts that included the ODOT right-in right-out concept with a bit longer right turn pocket. It was close to a 90-degree turn with a tighter radius that would slow traffic. ODOT further proposed to carry pedestrians and bikes along the shoulders of 22<sup>nd</sup> Avenue and Bluebird Street with a traffic separator between the Trolley Trail and the travel lanes. The other concept was right-in only. The concern staff had was that there would not be a proper, safe turnaround if they came in northbound. Ideally, Milwaukie wanted to retain its businesses and provide access. One of the key concerns about this option was out of direction travel for pedestrians and bicyclists. Another concern was tight right angle turns that were not conducive to bicycle maneuvering. Further, City staff felt this option would negatively affect parking and access for existing business such as the River Road House. Another concern was the cost of an intersection realignment, pavement reconstruction, curbs, separators, lighting, and removal of part of the Trolley Trail.

**Mr. Rice** explained that at the meeting no one came to the table with any amount of money although everyone agreed it needed to be fixed. The hope was that an alternative would be found that was first of all safe and secondly something that could be achieved with those partners interested in participating to help solve the problem.

**Ms. Bluhm** said the City came up with a proposal to bring out the path with a curve and have a better line of sight as well as minimizing the crossing distance. She proposed a red textured concrete with an actual curb and a more mountable curb line, referred to as a truck apron, for larger vehicles. She showed a slide this treatment in Bend, Oregon.

**Council President Batey** liked the design.

**Councilor Power** thought it would make a big difference and be affordable alternative.

**Councilor Gamba** said he still preferred that the right-out be removed in order to get rid of one of the crossings. Also the cyclists were required to stop a couple of time. While addressing this it would be great to talk about the crossings slightly to the south.

**Ms. Bluhm** was concerned with the amount of delay for pedestrians and cyclists. She understood ODOT would look at signal modifications to address delay.

**Council President Batey** noted there was no right turn on Bluebird Street near Rusty's Resale when construction began. It was understandable that during construction that the street would be used to reroute traffic.

**Ms. Bluhm** thought it may have disappeared with the original Trolley Trail work.

**Mr. Rice** said that there were a lot of conflicts at the five intersections that Councilor Gamba mentioned. It would be a massive project requiring ODOT and Clackamas County involvement and might also include relocating homes. This project cleaned up the worst now rather than waiting, but everyone realized there was more to be done in the long term. This option was financially manageable since Stacy Witbeck was still onsite, and pedestrian and bike safety would be enhanced.

**Councilor Gamba** suggested going back to the no right-in and fix the signalization. He discussed a left arrow at Bluebird Street.

**Council President Batey** understood these suggestions would not slow down the current improvements at 22<sup>nd</sup> Avenue. Although there was no curb to impede a right turn at Bluebird, there was signage.

**Ms. Bluhm** would try to validate the no right turn.

**Mr. Rice** wanted to observe the changes to make sure it was working and preventing accidents, and there was some momentum upon which to capitalize. The goal was to prevent accidents.

**Councilor Power** noted that more drivers seemed confused about turning onto River Road.

**Ms. Bluhm** agreed this was a nonstandard intersection and was confusing to drivers.

**Mr. Rice** said that the pavement markings were planned to be redone.

**Councilor Churchill** felt due to the limited participation by other partners that this was a reasonable solution that he would support. He suggested rumble strips in the right hand turn pocket.

**Mr. Rice** said in recent discussions, ODOT suggested profile striping with different thicknesses that could be scraped clear and redone.

**Councilor Churchill** thought something that would provide a sensory warning was most appropriate.

**Council President Batey** asked if there were any value in adding a flasher or caution light. A pedestrian activated crossing might be another idea.

**Mr. Rice** replied that ODOT was concerned about visibility near the trestle. A flashing light with all the wiring would probably add about \$15,000 - \$20,000 to the project. It could probably be added after the fact.

**Ms. Bluhm** added from her perspective this was a different kind of crossing. In this case because there was not much of a right turn, the onus was on the pedestrians and cyclists to be cautious and make wise choices before the intersection.

**Mr. Rice** pointed out there was not a lot of room for cars in the deceleration lane and rear end accidents could be the risk.

**Ms. Bluhm** reviewed the next steps: continue working with ODOT to finalize the improvements; TriMet contractor to provide a cost estimate; and staff return to the City Council to discuss funding. She noted that TriMet could only include this additional work in its contract if approvals and funding were expedited.

**It was City Council consensus to accept the staff recommendation.**

#### **E. Amendment to TriMet – City of Milwaukie Betterments Intergovernmental Agreement (IGA) – Resolution**

**Ms. Bluhm** reported the TriMet – City of Milwaukie Betterments Agreement was approved in 2012, and the big item was the Kellogg Multiuse Trail and Bridge structure. That structure had \$1.2 million in Federal Transit Authority (FTA) funds. Part of the Agreement stipulated that the City was responsible for any additional funds necessary to complete the project. The effort at this time was to identify the additional \$256,000 to

make the connections from the Bridge structure to Lake Road and Robert Kronberg Park. Hopefully that could be accomplished before the light rail contractor left the project.

**Councilor Gamba** asked if it would be safe to say the City would not be obligated to actually build the trail.

**Ms. Bluhm** thought it was important for the City to show it was serious about making the connection and progressing toward Phase 3 of the project.

**Mr. Ramis** said in theory the FTA could come back, but it appeared it is not an action the federal government would like to take. It seemed rational to show the FTA that Milwaukie was peddling as fast as possible to get there.

**Ms. Camors** discussed funding and outlined several options. In the five year financial forecast, the general fund had the most funds. However, it was appropriate to use restricted resources first and those in line with City Council priorities and objectives. These restricted streams included the state gas tax portion of the transportation fund, the transportation systems development charge (SDC), and the fee in lieu of construction (FILOC) funds earmarked for projects in that particular neighborhood. Within that were many options including everything out of the general fund, the transportation fund could take out a loan from the general fund, the Island Station Neighborhood FILOC in the about of \$21,000, and the transportation SDC in the amount of \$150,000. Ms. Camors recommended using \$85,000 from the general fund, \$21,000 from the Island Station Neighborhood FILOC, and \$150,000 from the transportation SDC.

**Council President Batey** stated that the Island Station Neighborhood supported the idea of using the FILOC on this project.

**Ms. Camors** would bring a supplemental budget to the City Council in order to follow procedures.

**Councilor Churchill** observed the City Council wanted to do a lot of projects and suggested looking at the laundry list during goal setting.

**Ms. Camors** said there was more money in the general fund, but those dollars were there to carry out the Council goals and to address unforeseen circumstances.

**Council President Batey** commented this money could leverage other funds.

**Councilor Power** appreciated the detail.

**Councilor Gamba** urged that as the design went forward to keep in mind the look and feel that the City wanted.

**Council President Batey** understood the design would go before the Design and Landmarks Committee and the Planning Commission.

**Ms. Bluhm** discussed the design elements that had come before the City Council. The group discussed finishes and concerns about graffiti.

**It was moved by Councilor Churchill and seconded by Councilor Gamba to adopt the Resolution authorizing the City Manager to sign an amendment to the TriMet-City of Milwaukie Betterments Intergovernmental Agreement to provide additional funds for the Kellogg Multi-Use Bridge connections and clarify what improvements shall be constructed with those funds. Motion passed with the following vote: Councilors Gamba, Power, and Churchill and Council President Batey voting “aye” [4:0]**

**RESOLUTION NO. 09-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE TRIMET-CITY OF MILWAUKIE BETTERMENTS INTERGOVERNMENTAL AGREEMENT TO PROVIDE ADDITIONAL FUNDS FOR THE KELLOGG MULTI-USE BRIDGE CONNECTIONS AND CLARIFY WHAT IMPROVEMENTS SHALL BE CONSTRUCTED WITH THOSE FUNDS.**

**Resolution Appointing Carolyn to the Kellogg Good Neighbor Committee Island Station Neighborhood District Association (ISNDA) Position No. 2**

**The group agreed to defer consideration of this Resolution to the next meeting in Other Business.**

**F. Council Reports**

**Councilor Power** reminded people to attend the City Council goal setting session on Saturday, February 7 with the focus on community input.

**Councilor Churchill** thanked Mr. Nieman for his work on scheduling the City Council public input session for City Council goal setting.

**Council President Batey** announced the City had received the Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report (CAFR) and the Popular Annual Financial Report (PAFR). Interested persons could pick up copies or view them on the City website. She would attend her first Regional Water Providers Consortium meeting.

**ADJOURNMENT**

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

Respectfully submitted,

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Pat DuVal, Recorder



**MINUTES**  
MILWAUKIE CITY COUNCIL  
www.milwaukieoregon.gov

**GOAL SETTING SESSION**  
FEBRUARY 7, 2015  
City Hall Council Chambers

**Council President Batey** called the Goal Setting Session to order at 2:00 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 Recorder Pat DuVal, Administrative Specialist II Amy Aschenbrenner, Finance Director Casey Camors, Police Chief Steve Bartol, Planning Director Denny Egner, Reference Librarian Robert Lanxon, Library Aide II David Anderson, and Public Works Director Gary Parkin

**City Council 2015 Goal Setting Community Input Session**

Goal Setting Introduction

**Council President Batey** noted that about 167 goals had been submitted prior to the session. The shot-text forms of the goals were placed into spreadsheets and posted on the walls around the Council Chambers. City Staff had given the Councilors the full versions of submitted goals. She explained how audience members were encouraged to come up to the microphone and discuss their goals.

**Council President Batey** first focused on the 2013 goals, reading each adopted goal and explaining the outcome and if they were accomplished. She explained that this shows how some goals can get done in a year, and how other projects take longer.

**Mr. Nieman** went over the goal setting process, explaining how the spreadsheets were compiled from the full goal submittals that were received via email, Facebook, etc. He added that the full list of the goals was available on the website, and that while the spreadsheets in the room only captured the main idea of each goal, the full content was indeed captured. In addition to the website, a binder that contained the full spreadsheet was available during the goal session for people to view. He added that City Staff would be inputting any new goals that came in live via Facebook, email, etc. and adding them to the spreadsheet during the goal session.

**Council President Batey** passed out sheets that the audience could fill out if they wanted to speak during the goal session. She explained there would be a three minute time frame for people to make their comments. This could be used to discuss multiple goals or just one goal, as audience members saw fit. She added that Mr. Monahan would run the clock; with the timer beeping after the three minutes has expired.

Community Input Session

During the community input session, multiple members of the community spoke to the audience. They expanded on ideas they had submitted and shared new ideas as well. Throughout the event, **Mr. Nieman** provided live updates of goals submitted electronically. All councilors took advantage of the opportunity to ask clarifying questions after members of the public discussed their ideas. **Councilor Gamba**, **Councilor Power**, and **Council President Batey** took their three minutes and shared their own goal ideas as well.

**Council President Batey** discussed the possible steps moving forward with the goal-setting process. She mentioned that there was some talk about having a Councilor Retreat where items like this could be discussed.

**Councilor Gamba** added that they had discussed waiting until the Council was a full five members before setting goals. Therefore, they would likely wait until an interim mayor had been appointed so they could be involved as well.

**Council President Batey** recognized that no one else wanted to speak, and adjourned the goal session early, with councilors and staff hanging back for any other questions or comments until 4:00 p.m.

After the goal session, a total of 228 goals were submitted and organized by City Staff.

Respectfully submitted,

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Amy Aschenbrenner, Administrative Specialist II



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**SPECIAL SESSION**  
FEBRUARY 10, 2015  
Kellogg Wastewater Treatment Plant

**City Manager Monahan** called the Special Session to order at 4:00 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Karin Power (arrived at 4:37 p.m.)

Staff Present: City Manager Bill Monahan, Planning Director Denny Egner, and Public Works Director Gary Parkin.

**Mr. Monahan** explained that the purpose of the special meeting was to take a tour of the Kellogg Wastewater Treatment Plant (KWTP) with Clackamas County Water Environment Services (WES) staff. He noted that members of the Kellogg Good Neighbor Committee (KGNC), the Citizens Utility Advisory Board (CUAB), and the Planning Commission also attended, but that no quorums of those groups were expected or attained. He noted that also in attendance were WES staff members Greg Geist, Mike Treat, Randy Rosaine, and Doug Rumble, and Clackamas County Commissioner Paul Savas.

**Mr. Geist** opened the meeting by providing an introduction to the staff and WES' plans to invest \$18 million to make the plant a modern facility.

**Mr. Rosaine** provided further details about the improvement plans and conducted the tour. He noted that they will use a design build approach to improve elements of the plant. Certain features will be worked on systematically while the plant continues to function on a daily basis. WES is addressing eleven elements at once with a two phase approach. WES is now in phase 1 with a plan to select a design firm to have on board in the fall.

**Mr. Geist** described the plant and the processes employed to treat waste.

**Mr. Rosaine** noted that after changes are completed the capacity of the system will drop from 25 mgd to 21 mgd. The City of Happy Valley's growth does not all impact the KWTP as some waste is diverted to the Tri-City Wastewater Treatment Plant (TCWTP). The diversion of flow has taken some reliance off the KWTP allowing WES to work on the clarifiers at KWTP. There is some remaining capacity for growth in the KWTP (created by the connection to TCWTP).

The comprehensive tour of the plant began at 4:45 pm and concluded at 5:20 pm.

Respectfully submitted,

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Bill Monahan, City Manager



**MINUTES**  
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**WORK SESSION**  
FEBRUARY 17, 2015  
City Hall Conference Room

**Council President Batey** called the Work 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, Community Development Director Steve Butler, and Engineering Director Jason Rice

**City Manager's Report**

**Mr. Monahan** reported that there were no changes to the evening's agendas and no Audience Participation follow-up items from the February 2, 2015, Regular Session.

**Preliminary Goal Setting Discussion**

**Mr. Monahan** discussed Council Goal Setting Session options and suggested that Council may want to initially hold a short session on March 8, 2015, facilitated by the Mayor.

**Councilor Power** discussed scheduling a Goal Setting Session, and proposed session facilitators and locations.

**Mr. Monahan** noted that the next two Study Sessions were scheduled for February 25, 2015, at 7:00 p.m. and March 26, 2015, at 6:00 p.m. He also noted that Councilor Churchill was the new Council representative on the Vietnam Memorial Wall planning committee with Councilor Power as the alternate. He discussed the process for selecting the interim Mayor and reported that there were two candidates who would be interviewed during the evening's Work Session followed by a Council discussion during the Regular Session.

The group discussed the possibility and logistics of appointing an interim Mayor during the Other Business part of the Regular Session agenda.

**Mr. Monahan** handed out materials from the February 7, 2015, Goal Setting Session.

**Community Development Update**

**Mr. Rice** discussed a grant seminar he had attended and the possibility of the City seeking Oregon Parks and Recreation Department (OPRD) grants to fund certain projects at Riverfront and Wichita parks.

**Council President Batey** asked about the possibility of securing a funding match to do parts of the Wichita Park project, and **Mr. Rice** said it would be possible to find matching funds for parts of the Wichita Park project and noted that the street improvements could be funded with Fee-in-Lieu of Construction (FILOC) funds. **Mr. Butler** suggested it would be difficult to cut the Wichita Park project into clean parts to fund separately.

**Councilor Churchill** said it was his preference that staff focus on the 17<sup>th</sup> Avenue Multimodal Path project over the Wichita Park project for use of general funds and noted that there were several Council goals that would want to use general funds too.

**Mr. Rice** confirmed that the City was limited to having two active OPRD grant projects and that Riverfront Park would be completed by the time other grants would be active.

**Councilor Power** commented on the desire of residents east of Hwy 224 for infrastructure improvements, and **Councilor Churchill** remarked on the need to get public feedback on Council goals and projects that need funding to match an OPRD grant.

**Mr. Rice** and **Councilor Churchill** discussed the funding cycle of OPRD grants and the consequences of earmarking City general funds to match possible grant funding.

**Councilor Power** asked if there were any other grant opportunities available, and **Mr. Rice** said he was not aware of any other grant opportunities.

**Council President Batey** asked about the availability of North Clackamas Parks and Recreation District (NCPRD) systems development charge (SDC) funds for park projects, and **Mr. Rice** noted that NCPRD SDC funds are not very large and are shared with the other cities in the district. **Councilor Gamba** commented that he recalled that Milwaukie had about \$50,000 in SDCs available.

**Councilor Power** noted that Milwaukie had turned out in support of parks at the election last November and suggested that the neighborhood district associations (NDAs) would probably help fund park projects.

**Councilor Churchill** said he would like to know the impacts on the general fund when \$200,000 of discretionary funds is earmarked for a specific project. **Mr. Monahan** explained that each project that uses discretionary funds has an impact on where the City will be financially in 2016 and he noted that Ms. Camors is preparing the quarterly finance report that will include a projection of the impacts of discretionary funds already used. He also pointed out that there were several Council Goal Setting items that could impact the discretionary funds available and suggested that Council should prioritize the projects that would use discretionary funds.

**Councilor Churchill** said he agreed with Councilor Power that it was important to fund projects in all sections of the City and said he would like to know how much discretionary funding was available.

The group discussed the use of discretionary funding, the impact to other projects when budgeted funds are reallocated for special projects, the need to develop parks east of Hwy 224, and whether or not the City should apply for one or two OPRD grants. Staff noted that the City could ask for OPRD grant money to be spent in separate years, and alternative grant opportunities were also discussed.

**Council President Batey** suggested applying for a grant for the 17<sup>th</sup> Avenue Multimodal Path project this year and for Wichita Park next year, and asked if there was the flexibility to reconfigure the local match funds. **Mr. Rice** and **Mr. Butler** replied that the grant application process would include an agreement committing the City to funding the match, but they added OPRD wouldn't care where the matching funds came from.

**Mr. Monahan** said that Ms. Camors would be able to provide information regarding available discretionary funds to the March 3, 2015, Work Session.

The group discussed directing staff to begin the OPRD grant application process and identifying funding sources for the Wichita Park project in the fall of 2015. It was the group consensus that staff should proceed with the OPRD grant application process for the 17<sup>th</sup> Avenue Multimodal Path project.

**Mr. Rice** discussed the feedback he had received on the Community Development Block (CDBG) grant application for the Washington Street project, which he reported sounded like the City was going to be awarded. He also noted the amount of staff time required to complete large grant applications and how the OPRD grant funds are spent statewide.

**Council President Batey** commented on the grant funding that built Ball Michel Park and noted that the City's match had been buying the property.

**Mr. Rice** confirmed that the next two-year grant funding cycle would be in spring 2017 for funding projects in 2018 and 2019.

**Councilor Gamba** suggested that Council discuss grant opportunities when the budget is again considered so that funds might be utilized for park projects, and **Councilor Churchill** mentioned the possibility of budgeting park projects in stages.

**Council President Batey** noted that Council would revisit the topic on March 3, 2015, and the group requested that Ms. Camors provide high-level information on available discretionary funds by email if possible.

**Mr. Rice** reported that the floats had been installed at Riverfront Park and that he would be talking with the NCPRD regarding the maintenance responsibilities at Riverfront Park.

The group discussed possible buoy and log structures that could be built to prevent debris from damaging the floating docks at Riverfront Park.

**Mr. Rice** noted that he was still waiting to hear from the Oregon Department of Transportation (ODOT) on the access permits for Riverfront Park and he said as soon as those permits were in place he would work with Mr. Nieman to set a date for a dedication event. He discussed the Railroad Avenue project and said he would have more information on that project at the March 3, 2015, Regular Session discussion of the Street Surface Maintenance Program (SSMP). He reported that he had received a letter from the Island Station NDA asking to pull projects around 19<sup>th</sup> Avenue from the Transportation System Plan (TSP) and instead make 19<sup>th</sup> Avenue a greenway similar to Monroe Street. He talked about the possibilities of amending the TSP and the difficulty in managing Americans with Disabilities Act (ADA) requirements and pedestrians in the street.

The group discussed the concept, safety, and engineering of a greenway and the community's expectations of a street with increased pedestrian use.

**Council President Batey** commented that the public demand for a greenway in Milwaukie is probably enough to have a discussion about greenways and to run a neighborhood trial model. She expressed concern about fitting these types of projects into the workload of the Planning Department and she suggested scheduling a Council discussion in March.

**Councilor Power** said she thought there were greenway project grant opportunities, and **Mr. Egner** discussed the process for applying for a Transportation Growth Management (TGM) grant that a neighborhood greenway would be eligible to receive. He noted that a pre-application packet is due in March and that a TGM grant would require considerable staff and consultant time which could act as the in-kind funding match. He asked if applying for a TGM grant is where staff should spend their time versus other projects.

**Council President Batey** said it would be helpful for Council to see the Planning and Engineering Departments' work plans.

**Councilor Gamba** said a greenway was the right solution for many neighborhoods and suggested that Council start to consider the concept while also discussing related topics.

**Councilors Churchill and Power** commented that it was important to include streets from around the City not just on the west side of Hwy 224.

**Mr. Egner** said that all TGM grants he has been involved in have accepted staff time as the local grant match, but he thought financially the TGM grant required a 10% match. He also discussed the two-year grant cycle for TGM grants.

The group agreed to continue the Community Development Update discussion during the Regular Session, and **Mr. Butler** noted it was his final meeting before leaving Milwaukie.

### **Interim Mayor Applicant Interviews**

The Council interviewed Wilda Parks and Angel Falconer for the position of interim Mayor.

**Council President Batey** adjourned the work session at 6:55 p.m.

Respectfully submitted,

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Scott S. Stauffer, Administrative Specialist II



**MINUTES**  
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**REGULAR SESSION**  
FEBRUARY 17, 2015  
City Hall Council Chambers

**Council President Batey** called the 2,192<sup>nd</sup> meeting of the Milwaukie City Council to order at 7:04 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, Engineering Director Jason Rice, and City Attorney Dan Olson

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

**A. Milwaukie High School Outstanding Student Achievement Award to Alexandria Gallagher-Woods**

**Principal Mark Pinder** introduced Alexandria Gallagher-Woods and highlighted her achievements at Milwaukie High School notably in the areas of organizing Relay for Life events and Community 101. Council President Batey and the Councilors congratulated Ms. Gallagher-Woods on her selection as the Outstanding Student Achievement Award recipient for February 2015.

**CONSENT AGENDA**

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

**A. City Council Meeting Minutes of the January 20, 2015, Work Session**

**B. Board, Commission, and Committee Appointments – Resolutions**

- 1. Resolution No. 09-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, appointing Michael Osborne to the Milwaukie Budget Committee.**
- 2. Resolution No. 10-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, appointing Erin Lee to the Milwaukie Library Board.**
- 3. Resolution No. 11-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, appointing Jason Price to the Milwaukie Library Board.**
- 4. Resolution No. 12-2015: a Resolution of the City Council of the City of Milwaukie, Oregon, appointing Denise Emmerling-Baker to the Milwaukie Arts Committee.**

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

**AUDIENCE PARTICIPATION**

**Council President Batey** outlined the process for audience participation.

**Denise Emmerling-Baker**, Historic Milwaukie Resident, expressed her appreciation for the Council’s work on the community goals. She spoke regarding the importance of keeping Americans with Disabilities (ADA) accessibility in mind as the downtown

developed. She discussed the importance of making sure any hotels built in Milwaukie were ADA accessible. She referred to a Metro mailing she thought might be helpful information for the City Council. Metro was offering a grant program to help tenants pay their leases and help fill vacant commercial spaces.

**David Aschenbrenner**, Hector Campbell Resident, thanked Steve Butler for his service to the community and presented him with a Farmers' Market apron and an historic plate from the Milwaukie Museum that celebrated the City's 125<sup>th</sup> Birthday.

**Council President Batey** thanked Mr. Butler for his service to the City and presented several Milwaukie going away gifts including a Milwaukie Mustang hat and Breakside Brewery and Dave's Killer Bread t-shirts.

**Mr. Butler** said he would miss the Council, staff, and people of the community.

## **PUBLIC HEARING**

None scheduled.

## **OTHER BUSINESS**

### **A. Discussion of Interim Mayor Appointment Process (moved to end)**

**City Council agreed to discuss this matter at the end of other business.**

### **B. Appointment of Carolyn Tomei to the Kellogg Good Neighbor Committee (KGNC) Island Station Neighborhood District Association (ISNDA) Position No. 2 – Resolution**

**Council President Batey** asked for Councilor Churchill's reason for pulling the Resolution from the previous agenda.

**Councilor Churchill** felt Ms. Tomei had gone around the KGNC and contacted the County Commissioners directly. For him, it had to do with respect for the Committee and derailing the process. That begged a discussion of how to appoint citizens who did not have an understanding of what had transpired over the past two years and adjusting the landscaping to meet personal whims.

**Councilor Power** said the Kellogg property was unique and did not go through the normal Milwaukie input process. At the last KGNC meeting the group made some ecologically appropriate adjustments. On the positive side some invasive plants would be removed, and several last minute adjustments were made due to plant availability. This landscaping project was something of a unique process given the intergovernmental nature of the work.

**Council President Batey** thought some resolution had occurred in the past few days.

**Councilor Power** added that Dion Shepard had been phenomenal in tagging invasive species and working with Water Environment Services (WES).

**Councilor Gamba** said he had been the City Council representative on the KGNC for the past 18 months, and he did not feel disrespected by the sudden neighborhood interest. As Councilor Power noted, this process had not been typical and may have been a little bumpy. He felt it would result in a better project that also maintained Willamette River views. He did not feel any disservice had been done to the community or to the Committee.

**Councilor Churchill** thought it had been a mistake going directly to the County Commissioners.

**Council President Batey** thought there had been plenty of outreach.

**Councilor Power** added ISNDA was looking for someone to fill the next two year term.

**It was moved by Councilor Gamba and seconded by Councilor Power to adopt the Resolution appointing Carolyn Tomei as a representative of the Island Station**

Neighborhood District Association (ISNDA) to the Kellogg Good Neighbor Committee. Motion passed with the following vote: Councilors Power and Gamba, and Council President Batey voting “aye.” Councilor Churchill voted “no.” [3:1]

**RESOLUTION No. 13-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPOINTING CAROLYN TOMEI AS A REPRESENTATIVE OF THE ISLAND STATION NEIGHBORHOOD DISTRICT ASSOCIATION (ISNDA) TO THE KELLOGG GOOD NEIGHBOR COMMITTEE.**

**C. Award Contract for Public Safety Re-Roofing Project – Resolution**

**Mr. Parkin** requested that the City Council adopt the Resolution awarding the contract for the re-roofing of the Milwaukie Public Safety Building (PSB) to ABC Roofing at the cost of \$319,000 plus repair work estimated at \$5,000 total. Bids were opened on January 29, 2015, and ABC Roofing was determined to be the most responsive, responsible contractor with a bid that was under the estimate. The project had been in the capital improvement plan (CIP) for a number of years. The current budget includes \$350,000 for this project with Clackamas Fire District #1 (CFD#1) providing 39% of the funding.

**Councilor Gamba** requested clarification of the two part bid, one of which was the unit cost for water damage repair in the amount of \$3.80 per square foot. He asked if the overall amount might come in over the initial bid.

**Mr. Parkin** replied it looked like there would be little water damage, so the job should come in well under budget. The manufacturer’s representative had been very helpful in the process and would be on site during the installation. CFD#1 would contribute 39% in installments as stated in the recently signed Intergovernmental Agreement (IGA) with the City.

**Mr. Monahan** added that CFD#1 would pay its full obligation and that the amount would be paid in full in the next budget year or may be covered in a District bond measure.

**It was moved by Councilor Churchill and seconded by Councilor Power to adopt the Resolution awarding the contract for the re-roofing of the Public Safety Building to ABC Roofing at a cost of \$319,300 plus repair work at \$3.80/square foot (estimated at \$5,000 in total repair cost. Motion passed with the following vote: Councilors Power, Churchill, Gamba, and Council President Batey voting “aye.” [4:0]**

**RESOLUTION No. 14-2015:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO AWARD THE CONTRACT FOR THE RE-ROOFING OF THE PUBLIC SAFETY BUILDING TO ABC ROOFING AT A COST OF \$319,300 PLUS REPAIR WORK AT \$3.80/SQUARE FOOT (ESTIMATED AT \$5,000 TOTAL REPAIR COST).**

**Discussion of Interim Mayor Appointment Process**

**Council President Batey** noted there were two applicants for the position and outlined the options before the City Council.

**Councilor Gamba** felt it was appropriate to make the appointment at this meeting. Both candidates were known to the City Council, and the interview process filled any gaps.

**Councilor Churchill** said in principle, the City Council did not take this decision lightly, but he was willing to go along with other Councilors if they wished to make an appointment tonight.

**Councilor Power** was ready to have the discussion about the appointment at this meeting since there were two candidates. She was thrilled that both of them were women, and it was a pleasure to talk with both of them this afternoon. She learned recently that only 13% of local governments were comprised of women, and while she was pleased that Milwaukie got strong candidates from both genders, this was distinctive, and she was proud of the fact that Milwaukie was bucking the trends.

**Council President Batey** agreed with Councilor Power's comments and felt both would do well as Mayor. Each offered a good perspective.

**Councilor Churchill** stated that Ms. Parks offered a breadth of experience which gave her a slight advantage. He was pleased that Ms. Falconer was willing to step forward and represent that demographic. He put Ms. Parks forward for the Mayoral position.

**Councilor Power** agreed with Councilor Churchill's comments. She observed it was not an easy onboarding process and given the short term nature of the position she felt Ms. Parks' experience and confidence would serve the City well during this transition period. She seconded the motion to appoint Ms. Parks to the position of Mayor. She thanked Ms. Falconer for her interest in serving the community.

**Councilor Gamba** appreciated the perspective that each of the applicants brought and hoped that if a position opened up in the future that they might be interested.

**The motion to appoint Wilda Parks as Mayor passed with the following vote: Councilors Power, Churchill, Gamba, and Council President Batey voting "aye." [4:0] Motion passed 4:0**

**City Attorney Dan Olson administered the Oath of Office for Mayor Parks.**

### **Goal Setting Process**

**Mr. Monahan** reported that Mr. Nieman and his staff had compiled and were categorizing all the goals submitted by the public both in writing and orally. He distributed the word cloud that illustrated those goals most important to the respondents. At this point, the City Council had not identified the next steps and the next level of community engagement. The group agreed to hold a Council retreat on March 8 from noon to 4 p.m. at the Pond House to discuss the process. Given the short timeline to find a facilitator, he and Mayor Parks would take the lead.

**Councilor Gamba** urged scheduling another block of time for a discussion with senior staff.

**Mayor Parks** agreed it would be important to have senior staff present to help guide the discussions.

**Councilor Churchill** wanted a snapshot of the general fund dollars available to help set priorities and talk a rough order of magnitude. It was important to understand the City's ability to execute projects and programs.

The group discussed the benefits of developing a short list of the highest priority goals versus identifying aspirational goals.

**Councilor Power** said the word cloud could guide the general sense of what was important to the community. From that the City Council can create a smaller list and set out a strategic plan with concrete steps.

**Councilor Churchill** hoped Ms. Camors could forecast revenues and expenditures and determine at what point the City would start dipping into its reserves. He was interested in establishing guidelines for what could be spent on goals in a given year.

**Mr. Monahan** said with financial forecasting Ms. Camors could provide the City Council with options. Other funding resources including annexation can be part of the larger discussion.

**Councilor Gamba** encouraged the City Council to look for opportunities to increase revenues to meet the City's goals.

**Councilor Churchill** cautioned against transferring the financial burden to the next City Council without a funding plan.

#### **D. Council Reports**

**Council President Batey** spoke at the recent Chamber of Commerce State of the Cities luncheon. She attended the Water Providers Consortium that focused on water conservation and emergency preparedness. She announced the upcoming Spring Park work party.

**Councilor Churchill** reported that the volunteer committee was putting together a program of supporting events for the Vietnam Memorial Wall event on July 23 – 26. He attended the recent Water Environment Services (WES) walking tour and looked at the capital improvement plan. He noted one concern that came up was facility seismic risks.

**Councilor Gamba** worked with Dion and Mike Shepard on an early spring weeding of the downtown bulbouts. He attended the Clackamas County Coordinating Committee (C4) meeting and was selected by Clackamas County cities to represent them on the Metro Policy Advisory Committee (MPAC) as their representative. He was honored to attend the North Clackamas School District #12 (NCSD#12) committee for bond project oversight.

**Councilor Power** joined the Library Expansion Task Force (LETF) as the City Council representative. The group will take a fresh look at options for expansion and current resources. She had participated in a number of wastewater related activities including the WES tour, KGNC, and the RiverHealth Advisory Board. She had spent time with the NDA leadership and participated in the Monroe Street Greenway bike tour. She appreciated all those who took the time to participate in the community input phase of Council goal setting.

#### **Community Development Update – Planning Department**

**Mr. Egner** provided the planning department report and upcoming Planning Commission hearings related to downtown development and design standards. On February 24, 2015, the Commission will hold a public hearing on code amendments for medical marijuana facilities.

**Mr. Egner** discussed the recent questions and enforcement actions related to Airbnbs in Milwaukie. He suggested the approach of treating them essentially as one renting out a room in his or her house on a monthly basis. This could be done one time per month. Recently Code Enforcement had begun enforcement action on these rentals. Mr. Egner thought this would be a simple, short term solution to a problem that needed a broader discussion.

**Mayor Parks** discussed the County Transient Room Tax which she believed the cities could use in a variety of ways.

**Councilor Churchill** recommended putting a timeline on that strategy.

**Councilor Power** was surprised the City was taking a stance and looking for an interim solution. These rentals could showcase the great flavor of Milwaukie, and she questioned adding this to the growing list of things the City had to tackle.

**Councilor Gamba** did not think Airbnbs were so onerous that the matter could not be put off for a year. He felt it only benefitted Milwaukie and was a bonus if people were agreeable to paying taxes. He was surprised to find out the City was enforcing. He

requested that the topic be added to a future agenda for exploration without going through a series of open houses.

**Council President Batey** was in favor of having a bigger discussion. She asked if there were any liability for the City.

**Councilor Power** commented on the piecemeal approach to these shared economy services. There were upsides to these services, and there was probably a community discussion that needed to take place.

**Councilor Churchill** supported Mr. Egner's proposal, but requested that it be discussed again in no less than 6 months.

**Mr. Egner** described the process that would have to go through the Planning Commission, community, and City Council.

**Councilor Power** was concerned about the amount of staff time going into the effort and hoped for some kind of regional solution.

**The Council consensus was that the project would be completed and discussed when the new City Council was seated.**

**Mr. Monahan** announced the City Council would meet in executive session pursuant to ORS 192.660(2)(h) to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

The City Council would not return to open session.

#### **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 Power, Churchill, Batey, and Gamba and Mayor Parks voting "aye." [5:0]**

**Mayor Parks** adjourned the regular session at 8:48 p.m.

Respectfully submitted,

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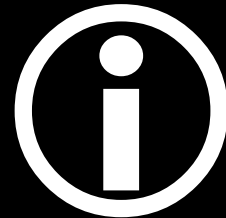
Pat DuVal, Recorder

**RS 3. A.**  
**3/17/15**  
**Revised 3/17/15**



## **February 25, 2015, Study Session Minutes**

This Packet has been **Revised**  
This Report has been **Removed**



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**MILWAUKIE CITY COUNCIL  
AGENDA ITEM SUMMARY**

Agenda Item: **RS 3. B.**

Meeting Date: **3/17/15**

Title: **Appointments to Boards, Commissions, and Committees**

Prepared By: Jason Wachs, Community Programs Coordinator

Department Approval: Mitch Nieman, Assistant to City Manager

City Manager Approval: Bill Monahan, City Manager

Approval Date:

**ISSUES BEFORE COUNCIL**

Recommendations to reappoint 12 members to six City Boards, Commissions, and Committees along with the appointment of three new members to three City Boards, Commissions, and Committees.

**STAFF RECOMMENDATION**

Reappoint the following members as a result of interviews conducted by Councilor Batey, Councilor Power, and Katie Newell on Feb. 23, 2015:

Library Board – Anna Van Tyne & Kathi Schroeder

Reappoint the following members as a result of interviews conducted by Councilor Batey, Councilor Gamba, and Denny Egner on Feb. 24, 2015:

Planning Commission – Greg “Frank” Hemer & Gabe Storm

Appoint the following members as a result of interviews conducted by Mayor Parks, Councilor Gamba, and Mitch Nieman on Mar. 2, 2015:

Park and Recreation Board – Reappoint Lisa Gunion-Rinker, Ray Harris, Lisa Lashbrook, and Lynn Sharp. Appoint Erin Willett Holcomb as new member.

Appoint the following members as a result of interviews conducted by Mayor Parks, Councilor Gamba, Mitch Nieman, and Li Aligood on Mar. 9, 2015:

Design and Landmarks Committee – Appoint Natalia D’Onofrio as a new member.

Arts Committee – Reappoint Maitri Dirmeyer and Andrea Adams.

Appoint the following members as a result of Neighborhood District Association (NDA) recommendations, which were voted on at their meetings in February.

Kellogg Good Neighbor Committee – Reappoint Carolyn Tomei as one of Island Station’s representatives and reappoint Dion Shepard as one of Historic Milwaukie’s representatives.

Public Safety Advisory Committee – Appoint Kim Travis as Ardenwald-Johnson Creek’s representative.

**KEY FACTS & INFORMATION SUMMARY**

Refer to staff recommendations.

**OTHER ALTERNATIVES CONSIDERED**

NA

**CITY COUNCIL GOALS**

NA

**FISCAL NOTES**

NA

**ATTACHMENTS**

BCC Appointing Resolutions



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Andrea Adams to the Milwaukie Arts Committee.**

**WHEREAS**, Andrea Adams has served a portion of one vacated term on the Milwaukie Arts Committee; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Andrea Adams possesses the necessary qualifications to serve on the Milwaukie Arts Committee.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Andrea Adams is reappointed to the Milwaukie Arts Committee.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

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Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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Pat DuVal, City Recorder

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City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Maitri Dirmeyer to the Milwaukie Arts Committee.**

**WHEREAS**, Maitri Dirmeyer has served a portion of one vacated term on the Milwaukie Arts Committee; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Maitri Dirmeyer possesses the necessary qualifications to serve on the Milwaukie Arts Committee.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Maitri Dirmeyer is reappointed to the Milwaukie Arts Committee.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon appointing Natalia D'Onofrio to the Milwaukie Design and Landmarks Committee.**

**WHEREAS**, a vacant position currently exists on the Milwaukie Design and Landmarks Committee; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Natalia D'Onofrio possesses the necessary qualifications to serve on the Milwaukie Design and Landmarks Committee.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Natalia D'Onofrio is appointed to the Milwaukie Design and Landmarks Committee.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Dion Shepard as a representative of the Historic Milwaukie Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee.**

**WHEREAS**, the Kellogg Good Neighbor Committee was created February 5, 2013 by Resolution 06-2013 and was established to make recommendations to Council on funding priorities of the Good Neighbor Fund, established by the Intergovernmental Agreement between the City of Milwaukie and the Clackamas County Service District #1 (CCSD#1) to mitigate the impacts of the Kellogg Plant on the surrounding neighborhoods; and

**WHEREAS**, Dion Shepard has served on the Kellogg Good Neighbor Committee since its creation in March 2013 as one of two representatives from the Historic Milwaukie NDA; and

**WHEREAS**, the Historic Milwaukie NDA has voted and recommends Dion Shepard's reappointment to the Kellogg Good Neighbor Committee to fill the Historic Milwaukie representative position #4; and

**Now, Therefore, be it Resolved**

**SECTION 1:** That Dion Shepard is reappointed to the Milwaukie Kellogg Good Neighbor Committee as the Historic Milwaukie NDA representative #4 position.

**SECTION 2:** That her term of appointment shall commence April 1, 2015 and shall expire March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Carolyn Tomei as a representative of the Island Station Neighborhood District Association (NDA) to the Kellogg Good Neighbor Committee.**

**WHEREAS**, the Kellogg Good Neighbor Committee was created February 5, 2013 by Resolution 06-2013 and was established to make recommendations to Council on funding priorities of the Good Neighbor Fund, established by the Intergovernmental Agreement between the City of Milwaukie and the Clackamas County Service District #1 (CCSD#1) to mitigate the impacts of the Kellogg Plant on the surrounding neighborhoods; and

**WHEREAS**, Carolyn Tomei has served on the Kellogg Good Neighbor Committee since February 18, 2015 as a representative of the Island Station NDA; and

**WHEREAS**, the Island Station NDA has voted and recommends Carolyn Tomei's reappointment to the Kellogg Good Neighbor Committee to fill the Island Station representative position #2; and

**Now, Therefore, be it Resolved**

**SECTION 1:** That Carolyn Tomei is reappointed to the Milwaukie Kellogg Good Neighbor Committee as the Island Station NDA representative #2 position.

**SECTION 2:** That her term of appointment shall commence April 1, 2015 and shall expire March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Kathi Schroeder to the Milwaukie Library Board.**

**WHEREAS**, Kathi Schroeder has served a portion of one vacated term on the Milwaukie Library Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Kathi Schroeder possesses the necessary qualifications to serve on the Milwaukie Library Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Kathi Schroeder is appointed to the Milwaukie Library Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Anna Van Tyne to the Milwaukie Library Board.**

**WHEREAS**, Anna Van Tyne has served one term on the Milwaukie Library Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Anna Van Tyne possesses the necessary qualifications to serve on the Milwaukie Library Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Anna Van Tyne is appointed to the Milwaukie Library Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Lisa Gunion-Rinker to the Milwaukie Park & Recreation Board.**

**WHEREAS**, Lisa Gunion-Rinker has served a portion of one vacated term on the Milwaukie Park & Recreation Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Lisa Gunion-Rinker possesses the necessary qualifications to serve on the Milwaukie Park & Recreation Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Lisa Gunion-Rinker is reappointed to the Milwaukie Park & Recreation Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Ray Harris to the Milwaukie Park & Recreation Board.**

**WHEREAS**, Ray Harris has served two terms on the Milwaukie Park & Recreation Board;  
and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Ray Harris possesses the necessary qualifications to serve on the Milwaukie Park & Recreation Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Ray Harris is reappointed to the Milwaukie Park & Recreation Board.

SECTION 2: That his term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon appointing Erin Willett Holcomb to the Milwaukie Park & Recreation Board.**

**WHEREAS**, a vacancy exists on the Milwaukie Park & Recreation Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Erin Willett Holcomb possesses the necessary qualifications to serve on the Milwaukie Park & Recreation Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Erin Willett Holcomb is appointed to the Milwaukie Park & Recreation Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2016.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Lisa Lashbrook to the Milwaukie Park & Recreation Board.**

**WHEREAS**, Lisa Lashbrook has served a portion of one vacated term on the Milwaukie Park & Recreation Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Lisa Lashbrook possesses the necessary qualifications to serve on the Milwaukie Park & Recreation Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Lisa Lashbrook is reappointed to the Milwaukie Park & Recreation Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Lynn Sharp to the Milwaukie Park & Recreation Board.**

**WHEREAS**, Lynn Sharp has served a portion of one vacated term on the Milwaukie Park & Recreation Board; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Lynn Sharp possesses the necessary qualifications to serve on the Milwaukie Park & Recreation Board.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Lynn Sharp is reappointed to the Milwaukie Park & Recreation Board.

SECTION 2: That her term of appointment shall commence April 1, 2015 and shall expire on March 31, 2017.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Greg "Frank" Hemer to the Milwaukie Planning Commission.**

**WHEREAS**, Greg "Frank" Hemer has served a portion of one vacated term on the Milwaukie Planning Commission; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Greg "Frank" Hemer possesses the necessary qualifications to serve on the Milwaukie Planning Commission.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Greg "Frank" Hemer is reappointed to the Milwaukie Planning Commission.

SECTION 2: That his term of appointment shall commence April 1, 2015 and shall expire on March 31, 2019.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon reappointing Gabe Storm to the Milwaukie Planning Commission.**

**WHEREAS**, Gabe Storm has served a portion of one vacated term on the Milwaukie Planning Commission; and

**WHEREAS**, Milwaukie Charter Section 26 provides that, "the mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body," and

**WHEREAS**, Gabe Storm possesses the necessary qualifications to serve on the Milwaukie Planning Commission.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

SECTION 1: That Gabe Storm is reappointed to the Milwaukie Planning Commission.

SECTION 2: That his term of appointment shall commence April 1, 2015 and shall expire on March 31, 2019.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon appointing Kim Travis to the Public Safety Advisory Committee.**

**WHEREAS**, a vacancy exists on the Public Safety Advisory Committee for a representative of the Ardenwald-Johnson Creek NDA; and

**WHEREAS**, Milwaukie Municipal Code Section 2.24.020(B) provides for appointment of members of the Milwaukie Public Safety Advisory Committee "by the council;" and

**WHEREAS**, Kim Travis possesses the necessary qualifications to serve on the Committee and has indicated her desire to serve.

**Now, therefore, the City of Milwaukie, Oregon resolves as follows:**

**SECTION 1:** That Kim Travis is appointed to the Milwaukie Public Safety Advisory Committee as the Ardenwald-Johnson Creek NDA representative.

**SECTION 2:** That her term of appointment shall commence immediately and shall expire June 30, 2016.

Introduced and adopted by the City Council on **March 17, 2015**.

This resolution is effective immediately.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

---

Pat DuVal, City Recorder

---

City Attorney



MILWAUKIE CITY COUNCIL  
STAFF REPORT

Agenda Item:  
Meeting Date:

**RS 3. C.**  
**3/17/15**

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

Subject: **Solid Waste Acceptance Waiver**

From: Casey Camors, Finance Director

Date: March 6, 2015 for March 17, 2015 meeting

### **ACTION REQUESTED**

Adopt a resolution waiving the ten-day acceptance requirement of Resolution 07-2015 for Clackamas Garbage, Inc. and recognizing acceptance of the franchise.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

February 2015 – The City Council adopted Resolution 07-2015 granting non-exclusive franchises for solid waste management services to the existing five solid waste haulers within City limits.

### **BACKGROUND**

In February of 2015, the City Council adopted a resolution granting non-exclusive franchises for solid waste management services to the existing five solid waste haulers within City limits. The Resolution included a clause requiring the franchisees to file written acceptances of the franchise within 10 days of the Resolution date. Hoodview Disposal & Recycling, Inc., Mel Deines Sanitary Service, Inc., Waste Management of Oregon, Inc., and Wichita Sanitary Service submitted their written acceptance within the 10 day time period. On February 16<sup>th</sup> (3 days after the closing of the time period) the City received an acceptance letter from Clackamas Garbage, Co. Inc.

February 18<sup>th</sup> the City received a letter from Clackamas Garbage, Co. Inc., explaining the circumstances for the late acceptance. City Staff believes that good cause exists to waive the ten day time frame required by Resolution 07-2015 and to recognize Clackamas Garbage, Inc.'s acceptance received on February 16<sup>th</sup>.

### **CONCURRENCE**

City Attorney

### **FISCAL IMPACTS**

N/A

### **WORK LOAD IMPACTS**

N/A

### **ALTERNATIVES**

Repeal Resolution 07-2015 and adopt a new resolution requiring all franchisees to reaccept.

**ATTACHMENTS**

1. Clackamas Garbage, Co. Inc., letter of acceptance received on February 16, 2015
2. Clackamas Garbage, Co. Inc., letter of explanation for late acceptance received on February 18, 2015
3. Draft Resolution waiving the acceptance requirement.
4. Resolution 07-2015

# Attachment 1



keep your neighborhood clean



## CLACKAMAS GARBAGE co. inc

8123 S. E. ROOTS RD. • MILWAUKIE, OREGON 97267-1699 • PHONE 656-9633

February 4, 2015

Casey Camors, CPA  
Finance Director  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, Oregon 97222

Re: Acceptance of Franchise Agreement effective March 5, 2015

Dear Mrs. Camors,

Please accept this letter as Clackamas Garbage Company acceptance of the Franchise Agreement effective March 5, 2015 for solid waste management services in a designated portion of the City of Milwaukie in accordance Section 13.24 of the City of Milwaukie Municipal Code as amended effective March 5, 2015.

We appreciate the opportunity to provide this service to the City and its citizens and look forward to continuing our positive and productive relationship.

Sincerely,

William Miller



## Attachment 2

keep your neighborhood clean



# CLACKAMAS GARBAGE co. inc

8123 S. E. ROOTS RD. • MILWAUKIE, OREGON 97267-1699 • PHONE 656-9833

February 18, 2015

Casey Camors, CPA  
Finance Director  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

RE: Milwaukie Franchise Agreement 2015

Dear City Council Members,

I am writing in regard to the acceptance letter that was to be submitted earlier this month for the upcoming Franchise Agreement, effective March 5, 2015. Unfortunately, Clackamas Garbage did not receive the email stating the timeline for accepting the proposed agreement. It was brought to our attention recently and we want to do what we can to rectify the problem.

Clackamas Garbage has serviced the area since 1955, and has been with the franchise system in Clackamas County and the City of Milwaukie since the onset of the agreement.

We are very sorry for the inconvenience this has caused. We would like to continue our franchise with Milwaukie and hope that we can be allowed to accept the franchise agreement at this time. We appreciate your consideration for this request and look forward to hearing from you soon.

Sincerely,

William R Miller

# Attachment 3



## CITY OF MILWAUKIE

*"Dogwood City of the West"*

### Resolution No.

**A resolution of the City Council of the City of Milwaukie, Oregon waiving the ten-day acceptance requirement of Resolution 07-2015 for Clackamas Garbage, Inc. and recognizing acceptance of the franchise.**

**WHEREAS**, on February 3, 2015, the Milwaukie City Council adopted resolution 07-2015 granting non-exclusive franchises for solid waste management services to five solid waste haulers; and

**WHEREAS**, the resolution provided that all franchisees were required to file with the City written acceptance of the franchise within ten days from the date of the resolution; and

**WHEREAS**, the City received timely acceptance of the franchise from Hoodview Disposal & Recycling, Inc; Mel Deines Sanitary Service, Inc.; Waste Management of Oregon, Inc.; and Wichita Sanitary Service; and

**WHEREAS**, the City received written acceptance from Clackamas Garbage, Inc. past the ten day timeframe; and

**WHEREAS**, the City has determined that good cause exists to waive the ten day time frame required by Resolution 07-2015 and to recognize Clackamas Garbage, Inc.'s acceptance.

**Now, Therefore, be it Resolved** that:

Section 1: The City of Milwaukie waives the ten day acceptance timeframe in Resolution 07-2015 in order to recognize Clackamas Garbage, Inc.'s acceptance of the franchise granted by the City.

Section 2: All other provisions of Resolution 07-2015 remain in full force and effect.

Section 3: This resolution is effective upon passage.

Introduced and adopted by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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

# Attachment 4



## CITY OF MILWAUKIE

*"Dogwood City of the West"*

### Resolution No. 07-2015

**A resolution of the City Council of the City of Milwaukie, Oregon, granting non-exclusive franchises for solid waste management services.**

**WHEREAS**, the franchise terms for the current solid waste collection franchise holders will expire December 21, 2015; and

**WHEREAS**, the current franchisees have requested to continue their franchises for solid waste and recycling service; and

**WHEREAS**, the current franchisees are in good standing with franchise fee payments and all other aspects of current solid waste and recycling codes; and

**WHEREAS**, the current franchisees meet the terms and conditions for granting a franchise as set forth in section 13.24.090 of Chapter 13.24 as amended.

**Now, Therefore, be it Resolved that:**

Section 1: Solid waste management franchises are hereby granted to the following companies:

Clackamas Garbage, Inc.  
Hoodview Disposal & Recycling, Inc.  
Mel Deines Sanitary Service, Inc.  
Waste Management of Oregon, Inc.  
Wichita Sanitary Service

Section 2: In accordance with the provisions of Chapter 13.24 of Milwaukie Municipal Code, as amended, the franchisees are assigned the geographical districts shown on the attached Exhibit A.

Section 3: These franchises shall be for a rolling term of 10 years unless canceled by either party pursuant to Chapter 13.24, as amended.

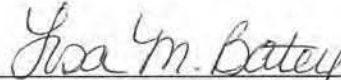
Section 4: The franchisees shall, within 10 days from the date of this resolution, file with the City their written acceptances of this franchise, and if any franchisee fails to do so, their franchise approval will become void.

Section 5: All franchises granted pursuant to this resolution shall be effective March 5, 2015.

Section 6: This resolution is effective upon passage.

Introduced and adopted by the City Council on 2/3/15.

This resolution is effective on 2/3/15.



\_\_\_\_\_  
Lisa Batey, Council President

ATTEST:

APPROVED AS TO FORM:

Jordan Ramis PC

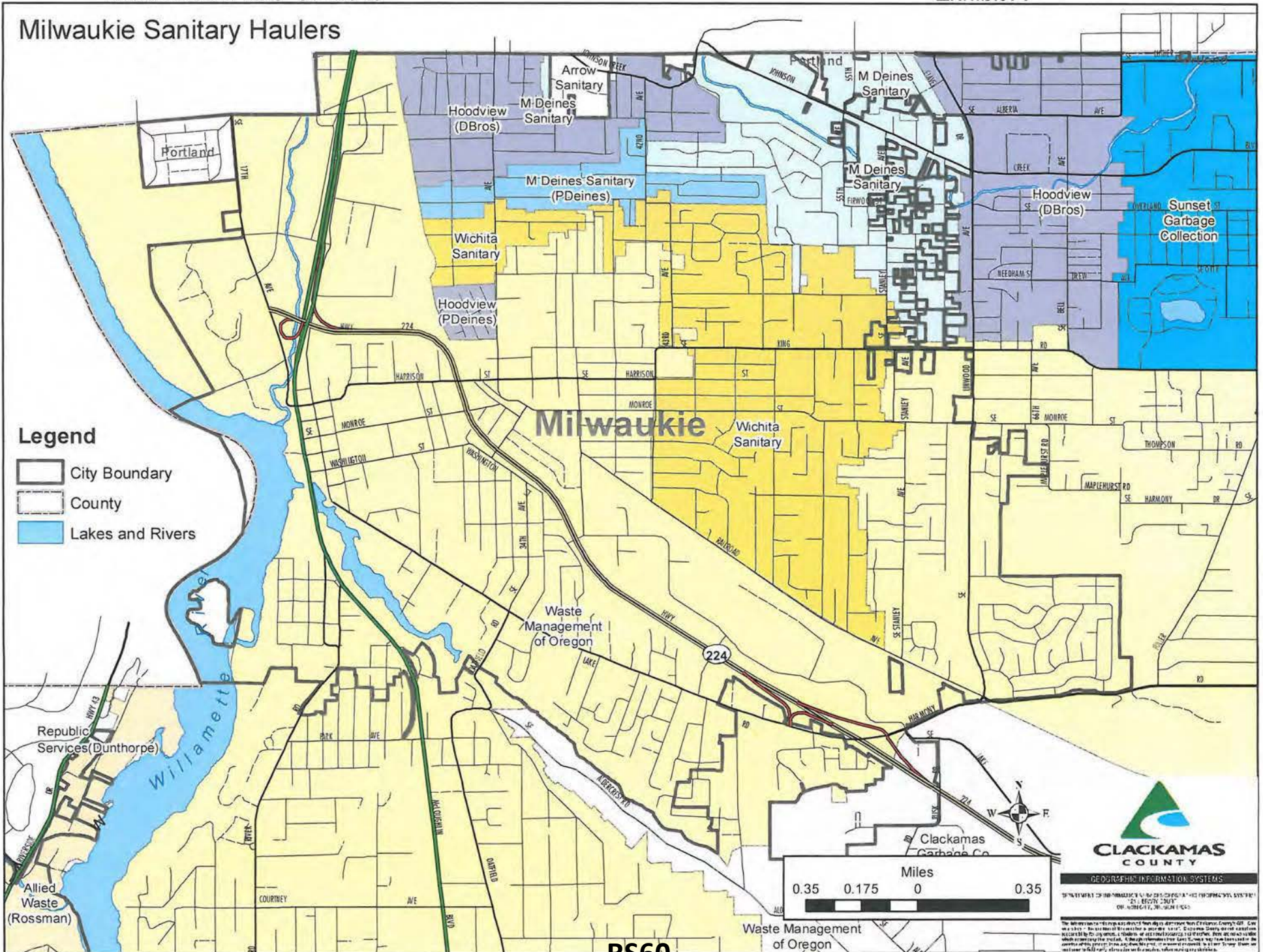


\_\_\_\_\_  
Pat DuVal, City Recorder



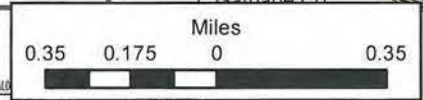
\_\_\_\_\_  
City Attorney

# Milwaukie Sanitary Haulers



### Legend

- City Boundary
- County
- Lakes and Rivers



RS60

**MILWAUKIE CITY COUNCIL  
STAFF REPORT**Agenda Item: OPRD Grant  
Meeting Date: 3/17/2015

To: Mayor and City Council

Through: Bill Monahan, City Manager  
Jason Rice, Interim Community Development Director

Subject: Oregon Parks and Recreation Grant Resolution

From: Brad Albert, Civil Engineer

Date: March 17, 2015 Regular Session

**ACTION REQUESTED**

Approve a resolution authorizing staff to submit a grant application to the Oregon Parks and Recreation Department (OPRD) for elements of the 17<sup>th</sup> Avenue Trail improvements.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**August 2013:** Council passed a resolution to authorizing Milwaukie's legal counsel to sign an intergovernmental agreement with the Oregon Department of Transportation (ODOT) to proceed with design and construction of the 17<sup>th</sup> Avenue Trail using Regional Flexible Funding grant.

**April 2011:** Council prioritized the 17<sup>th</sup> Avenue Multi-use Path Project as the most likely project to receive Regional Flexible Funds and gave Staff direction to complete a Regional Flexible Funding grant application for its design and construction.

**BACKGROUND**

The Oregon Parks and Recreation Department administers a Local Government Grant Program that distributes money to local government agencies for acquisition and development of parks and recreation areas. This grant program is funded with Oregon Lottery funds. The City of Milwaukie used funding from this same grant program to construct Ball Michel Park in 2005-06 and Riverfront Park in 2014-15.

The maximum single grant amount available under this program in 2015 is \$750,000 and the match requirement is 40% of the total project cost. The City is able to use the existing Regional Flexible Funding grant (\$2,969,000) and the City's portion of that match (\$310,000) as match for this grant. The attached Resolution authorizes staff to apply for a grant with OPRD and states that the City has the grant match available in the event that the grant funds are awarded.

Overall the goal is to obtain OPRD grant funds that will result in construction of some important aspects of the 17<sup>th</sup> Avenue Trail. The preliminary budget estimate for the

project shows a funding gap of approximately \$750,000. See the table below for a breakdown of funding.

### 17<sup>th</sup> Avenue Multi-use Trail Project Funding

<i>Design Contract Funding</i>			
Agency	Source	2013-2014 (Budget)	2015-2016 (Proposed Budget)
Metro	Regional Flexible Funds Grant	\$ 969,000.00	\$ -
Milwaukie	McLoughlin Industrial FILOC	\$ 62,000.00	\$ -
Milwaukie	Transportation SDC	\$ 50,000.00	\$ -
Sub-Total		\$ 1,081,000.00	\$ -

<i>Construction Contract Funding</i>			
Agency	Source	2013-2014 (Budget)	2015-2016 (Proposed Budget)
Metro	Regional Flexible Funds Grant	\$ -	\$ 2,000,000.00
Milwaukie	Downtown FILOC	\$ -	\$ 15,000.00
Milwaukie	Historic Milwaukie FILOC	\$ -	\$ 83,000.00
Milwaukie	Stormwater SDC	\$ -	\$ 80,000.00
Milwaukie	Transportation SDC	\$ -	\$ 20,000.00
Sub-Total		\$ 1,081,484.00	\$ 2,198,000.00

Total Metro Grant (Surface Transportation Program)	\$ 2,969,000.00
Total Estimated Match from Milwaukie	\$ 310,000.00
Total Estimated Project Funding	\$ 3,279,000.00
Total Preliminary Construction Cost Estimate	\$ 4,029,000.00
Total Deficit (Currently)	\$ 750,000.00
OPRD Grant Funding being requested	\$ 750,000.00
Total Surplus or Deficit	\$ 0.00

\*This expenditure has been discussed with the Historic Milwaukie NDA per MMC 19.706.4

Over the next few weeks, staff will continue to confer with the Oregon Parks and Recreation Department and the Harper Houf Peterson Reghellis design team to complete all application materials. Staff will provide City Council with an update on the proposed grant project details at the May 5 work session.

#### **CONCURRENCE**

Engineering staff prepared this report and consulted the Public Works and Community Development department. Both departments concur with applying for the grant.

#### **FISCAL IMPACTS**

This is a reimbursable grant. City funds would be expended to pay for project costs and these costs would then be reimbursed by the grant program. Finance staff will work closely with the project manager to ensure that reimbursements are timed appropriately.

**WORK LOAD IMPACTS**

The Engineering Department will manage project construction. Finance staff will consult on grant administration and contract management if a grant is awarded to the City. Public Works and Planning staff will provide some staff time to design review where necessary.

**ALTERNATIVES**

At this time there are no additional funding sources available for the project. Staff is continually searching for opportunities to fill the funding gap to construct the project completely along 17<sup>th</sup> Avenue from Hwy 99E to Ochoco St.

**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, IN THE MATTER OF AUTHORIZING THE CITY OF MILWAUKIE TO APPLY FOR A LOCAL GOVERNMENT GRANT FOR THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE DEVELOPMENT OF THE 17<sup>TH</sup> AVENUE TRAIL AND DELEGATING AUTHORITY TO THE CITY MANAGER TO SIGN THE APPLICATION.**

**WHEREAS**, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

**WHEREAS**, the City of Milwaukie desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

**WHEREAS**, City Council have identified improvements of the 17<sup>th</sup> Avenue Trail as a high priority need in the City of Milwaukie; and

**WHEREAS**, The 17<sup>TH</sup> Avenue Trail will connect the Springwater Trail to the north and the Trolley Trail to the south. The trail will consist of a 12-foot wide paved path on the west side of the SE 17<sup>th</sup> Avenue right of way. ADA ramps, cross walk upgrades, and signal improvements at each intersection will be incorporated in the design of the trail; and

**WHEREAS**, the City of Milwaukie has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

**WHEREAS**, the City of Milwaukie will provide adequate funding for on-going operations and maintenance of this trail should the grant funds be awarded; and

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie as follows:

Section 1: The City Council demonstrates its support for the submittal of a grant application to the Oregon Parks and Recreation Department for development of the 17<sup>th</sup> Avenue Trail.

Section 2: This Resolution shall be effective following its adoption by the City Council.

Introduced and adopted by the City Council on \_\_\_\_\_.

This resolution is effective on \_\_\_\_\_.

\_\_\_\_\_  
Wilda Parks, Interim Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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



**To:** Milwaukie City Council  
**Through:** Bill Monahan, City Manager  
**From:** Steve Bartol, Chief of Police   
**Date:** March 2, 2015  
**Subject:** O.L.C.C. Application – Beer Store Milwaukie LLC – 11049 SE Main St.

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**Action Requested:**

It is respectfully requested the Council approve the O.L.C.C. Application To Obtain A Liquor License from Beer Store Milwaukie LLC – 11049 SE Main Street..

**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**

Agenda Item: **RS 6. A.**  
Meeting Date: **3/17/15**

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

Subject: **Transfer of Wichita Sanitary Service Solid Waste Franchise**

From: Casey Camors, Finance Director

Date: March 6, 2015 for March 17, 2015 meeting

### **ACTION REQUESTED**

Adopt a resolution approving the proposed transfer of Wichita Sanitary Service's franchise area (area 5) to Waste Management of Oregon, Inc., and amending the list of franchised haulers and the Solid Waste Service Area map to reflect the area 5 transfer.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**May 1994** – Council approved Resolution 11-1994 granting non-exclusive franchises to seven solid waste hauling companies for solid waste management service.

**December 2005** – Council approved Resolution 56-2005 granting non-exclusive franchises to seven garbage companies for solid waste management services.

**January 2011** – Council approved the transfer of Deines Brothers Sanitary Services' franchise area to Hoodview Disposal and Recycling, and amended Resolution 56-2005 and the Solid Waste Service Area map to reflect the change.

**July 2013** – Council approved the transfer of Oak Grove Disposal Company, Inc.'s franchise area to Waste Management of Oregon, Inc., repealing Resolution 56-2005 and amending the list of franchised haulers and the Solid Waste Service Area map to reflect the transfer.

**February 2015** – Council approved Resolution 07-2015 granting non-exclusive franchises for solid waste management services to five solid waste haulers.

### **BACKGROUND**

The City currently holds franchises for five solid waste haulers who provide solid waste, recycling and yard debris collection service to residential and commercial customers in the City.

In February, Wichita Sanitary Service notified the City of their intent to sell its commercial and residential solid waste collection business to Waste Management of Oregon, Inc. They requested that, as part of this action, their franchise area (area 5) be transferred to Waste Management.

According to City Code section 13.24.130 - Transfer of Franchise, a franchisee proposing to transfer a franchise must provide the City with no less than sixty (60) day's advance written notice of any proposed transfer and the City must act on the franchisee's request within 60 days

of the notification. The City may “not reasonably refuse to consent to an assignment of the franchise to a proposed assignee that has sufficient knowledge, experience and financial resources so as to be able to meet, to the satisfaction of the City Council in its sole discretion, all obligations of the franchisee.”

Wichita Sanitary Service has complied with the requirements of MMC 13.24.130 by providing the City with the application fee of \$2,000 and financial statements for Waste Management of Oregon, Inc., for three immediately preceding years. In addition, Wichita Sanitary Service and Waste Management have submitted additional information to the City for review.

Staff has reviewed all submittals by the two companies involved and based on this review, staff recommends that Council approve the proposed franchise transfer.

The review of the submittals has determined that:

- Transfer of area 5 to Waste Management would impact approximately 1,580 residences and 12 commercial customers. Waste Management will purchase all of the Wichita trucks and equipment. Current staff of Wichita Sanitary Service are either retiring or starting employment with Waste Management.
- Waste Management is currently a franchise holder in the City of Milwaukie and has been for over 20 years. Waste Management has a very good service record in Milwaukie and other areas of Clackamas County where they operate garbage and recycling services; the company appears financially and technically capable of providing service to this new area.

Following transfer approval, all affected customers will be notified by mail of the transfer by both franchisees and any changes of collection days that may result.

#### **CONCURRENCE**

The City Manager and City Attorney concur with staff's recommendation.

#### **FISCAL IMPACTS**

N/A

#### **WORK LOAD IMPACTS**

A small amount of staff time will be required to answer customer concerns and questions following the transfer of service from Wichita Sanitary Service to Waste Management of Oregon, Inc. This should diminish after a month.

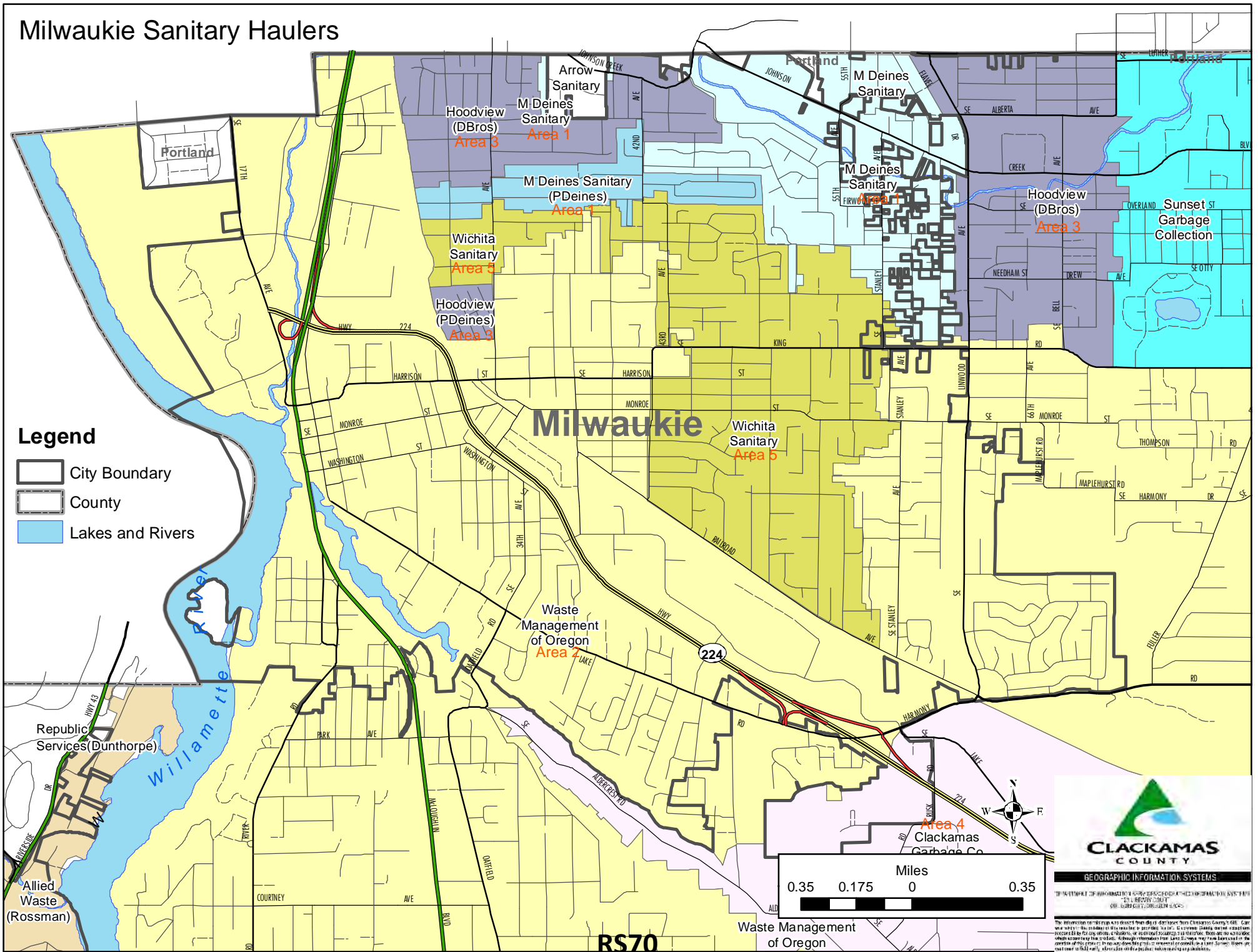
#### **ALTERNATIVES**

Defer approval of the proposed transfer until the first meeting in April.

#### **ATTACHMENTS**

1. Current Solid Waste Service Area Map
2. Revised Solid Waste Service Area Map
3. Draft Resolution

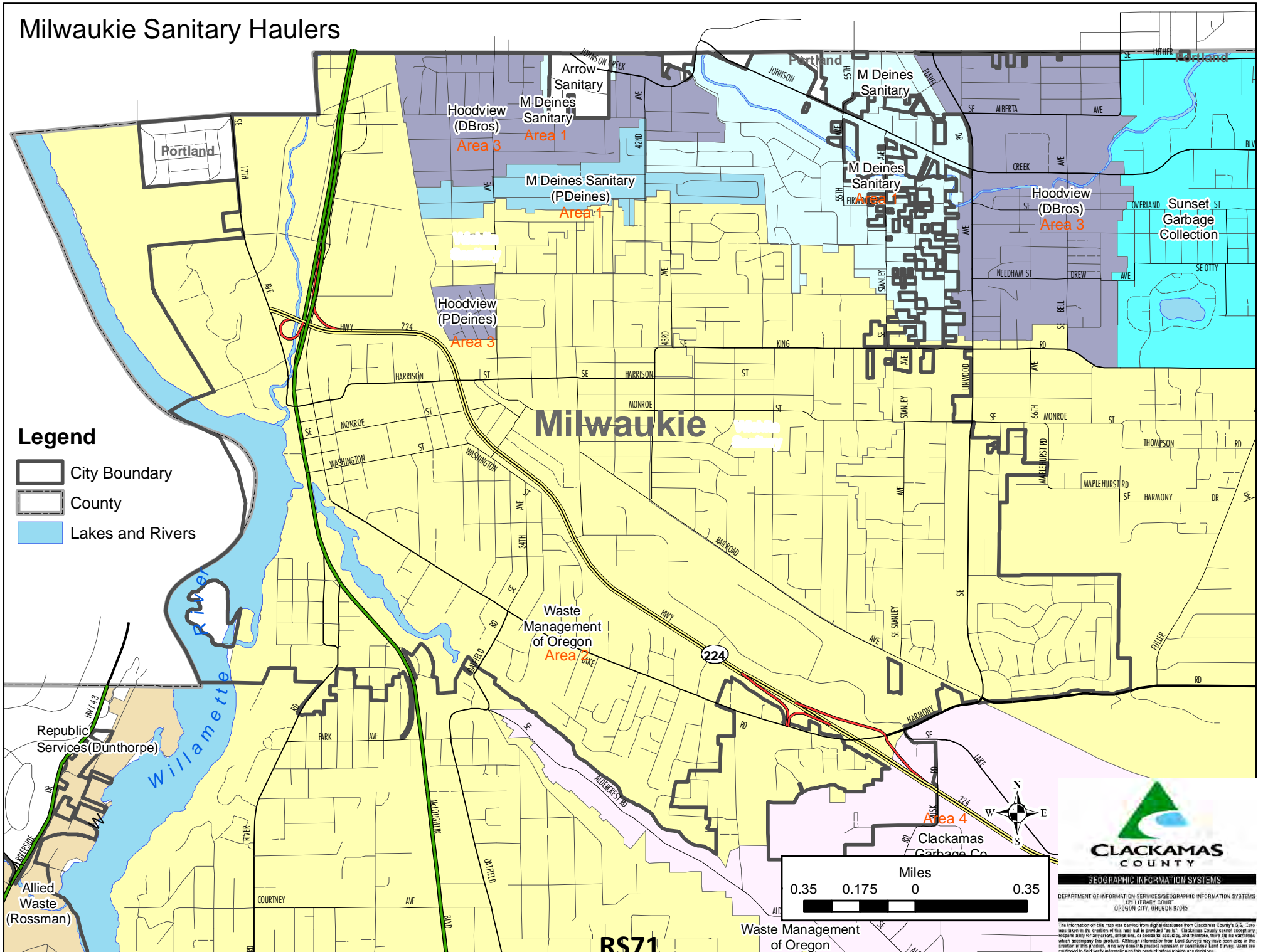
## Milwaukie Sanitary Haulers






**CLACKAMAS COUNTY**  
GEOGRAPHIC INFORMATION SYSTEMS

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## Milwaukie Sanitary Haulers



### Legend

-  City Boundary
-  County
-  Lakes and Rivers



**CLACKAMAS COUNTY**  
GEOGRAPHIC INFORMATION SYSTEMS  
DEPARTMENT OF INFORMATION SERVICES/GEOGRAPHIC INFORMATION SYSTEMS  
121 LIBRARY COURT  
OREGON CITY, OREGON 97145

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# Attachment 3



## CITY OF MILWAUKIE

*"Dogwood City of the West"*

### Resolution No.

**A resolution of the City Council of the City of Milwaukie, Oregon, approving the proposed transfer of Wichita Sanitary Service's franchise area to Waste Management of Oregon, Inc., amending the list of franchised haulers and the solid waste service area map to reflect the transfer.**

**WHEREAS**, Wichita Sanitary Service has been franchised and providing garbage and recycling service to customers in the City for over 33 years; and

**WHEREAS**, Wichita Sanitary Service has requested a transfer of the entirety of its franchise area to Waste Management of Oregon, Inc.; and

**WHEREAS**, on February 3, 2015, the Milwaukie City Council adopted resolution 07-2015 granting non-exclusive franchises for solid waste management services to five solid waste haulers; and

**WHEREAS**, Milwaukie City Code section 13.24.130, Transfer of Franchise, describes the requirements for the transfer of a franchise; and

**WHEREAS**, the City has determined that Wichita Sanitary Service and Waste Management of Oregon, Inc. complied with all requirements pursuant to MCC 13.24.130; and

**WHEREAS**, the City's review of financial and technical documents submitted by Waste Management of Oregon, Inc., coupled with the City's experience regarding the current area in which Waste Management of Oregon, Inc. serves within Milwaukie indicates that they have the knowledge, experience, and financial resources to meet all obligations of a solid waste franchise;

**WHEREAS**, the current franchisees are in good standing with franchise fee payments and all other aspects of current solid waste and recycling codes.

**Now, Therefore, be it Resolved that:**

Section 1: The transfer of the Wichita Sanitary Service solid waste franchise area to Waste Management of Oregon, Inc., is hereby granted.

Section 2: The list of franchised haulers in the City of Milwaukie consists of the following companies:

Clackamas Garbage, Inc.  
Hoodview Disposal & Recycling, Inc.  
Mel Deines Sanitary Service, Inc.  
Waste Management of Oregon, Inc.

Section 3: The Map of the Solid Waste Franchise Service Areas of the City of Milwaukie shall be amended to show Waste Management of Oregon, Inc. as the service provider for area 5.

Section 4: This resolution takes effect upon passage by Council and filing by

Waste Management of a signed copy of the Assignment Assumption and Consent Agreement with the City Recorder's Office.

Introduced and adopted by the City Council on \_\_\_\_\_.

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Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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Pat DuVal, City Recorder

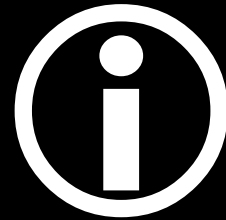
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City Attorney

**RS 6. B.**  
**3/17/15**  
**Revised 3/17/15**



This Packet has been **Revised**  
This Report has been **Removed**



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MILWAUKIE CITY COUNCIL  
**STAFF REPORT**

Agenda Item: **RS 6. C.**  
Meeting Date: **3/17/15**

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

Subject: **Building Department Fee Increase**

From: Samantha Vandagriff, Building Official

Date: 2/25/15 for the 3/17/15 Work Session

### **ACTION REQUESTED**

This item is for discussion purposes. Based on this discussion, Staff will return at a later date to request a revised Building Department fee schedule. No action requested at this time.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

June 2011 – Council approved by resolution minor adjustments to the Building Department Fee Schedule.

June 2004 – Council approved by resolution major adjustments to the Building Department Fee Schedule.

### **BACKGROUND**

The Milwaukie Building Department currently consists of two people, the Building Official, Samantha Vandagriff, and a permit technician, Bonnie Lanz. Bonnie manages all of the permits for the Building, Storm, Water, Engineering and Planning Departments, within Accela; the computer program used for permitting in Milwaukie. Beyond inspections and plan review, the Building Official also coordinates with Milwaukie Code Enforcement, and Clackamas County Fire to insure structures are safe for the public. The Building Official is also responsible for creating and issuing new addresses for the City. Both positions coordinate with planning and engineering on a daily basis to help facilitate a smooth permitting process for the applicant, and are responsible for any training needed by individuals or departments for the Accela program.

The Building Department currently processes all of the permits for structural, mechanical and plumbing, and completes plan review for structural, mechanical, and fire and life safety. After the permits are issued, the Department performs inspections for commercial structural and mechanical, and residential structural, mechanical, and plumbing. Since the downturn in 2011, the number of permits has remained constant for the last couple of years, (see attachment 1). However, during this time the department expenditures (see attachment 2) have raised with inflation and cost of living raises. To counteract these additional costs, Staff has developed a

proposed fee increase (see attachment 3) to create a self-sustaining budget for the Building Department.

ORS 455.210 (3)(a) authorizes local municipalities to set building and related permit fees by ordinance or regulation. Such fees are to be necessary and reasonable to provide for the administration and enforcement of any specialty code or codes for which the municipality has assumed responsibilities.

Attachment 4 shows a comparison of Milwaukie's fees to those of other local jurisdictions. The fees for the structural permits are on the higher side of the spectrum, while the mechanical and plumbing fees are right in the middle. Milwaukie is in a unique situation when compared to most other jurisdictions, in that the City does not have a lot of available land to develop. Meaning, a good portion of our permits come from remodels and tenant improvements vs. new-construction.

The fee increase proposed (see attachment 3) is intended to make the Building Fund self-sufficient and ensure breakeven between revenues and expenses starting in FY 2016. As previously discussed with Council, the Five-Year Financial Forecast illustrates that the Building Fund's ending fund balance is reduced annually due to declining revenues and increasing expenses. With the proposed fee increase, revenues in FY 2016 will increase by an estimated \$88,000 with an estimated 4% increase in subsequent years. Estimated expenses remain as budgeted with operating expenses increasing between 3%-5% per year (adjusted for CPI).

By FY 2020, fund balance is anticipated to hit \$71,000 with the proposed fee increases, (See attachment 5) a jump from the current forecast of (\$160,000). As demonstrated in Attachment 5, projections for this analysis are based on the following assumptions:

1. Current fiscal year estimates are based on actuals received from July 1, 2014 to January 31, 2015 and annualized for a full year projection.
2. Revenue increases assume that the proposed rate increase includes an annual adjustment for CPI to Permit Fees, Fire & Life Plan Check Fees, Mechanical Permits, Plan Check Fees, and Plumbing Inspection Fees.
3. Expenses increased by 11% in FY 2016 when comparing to FY 2015. This is due to personnel services. In FY 2014, personnel services had a savings related to the Building Official vacancy. Personnel Services in FY 2017 – FY 2020 increase by the standard cost of living increase.
4. The Capital Outlay expense in FY 2019 is estimated for a new vehicle.

The proposed fee schedule (see attachment 6) has also been adjusted to reflect a change in State Law that requires an investigation fee to be charged based on a fee recovery basis. Rather than equal to that of the permit fee as it has traditionally been charged. The Building Department intends to utilize this investigation fee to offset costs associated with requests for inspections for work that has been performed without permits.

In order to provide the continued excellent customer service that the residences of Milwaukie have to come to expect, the Building Department fees need to be adjusted so the department can remain self-supporting.

## **FISCAL IMPACTS**

The fiscal impact will be to create a budget that will cover the costs of the Building Department through the year 2020. By not increasing the fees, in the near future, the General Fund would likely need to support some portion of the Department.

## **CONCURRENCE**

The Home Builders Association and Oregon State Building Codes Director have reviewed the new fee schedule and concurs that increases are legitimate and warranted.

The Milwaukie Finance Department has checked the numbers and agrees that with current projections, the Department will be able to self-sustain through 2020.

The Milwaukie Community Development Department has also reviewed the fee schedule and agrees that the fees should be increased in order to provide the level of customer service the citizens of Milwaukie have come to expect.

## **WORK LOAD IMPACTS**

If the increases in fees are approved, it will take the Department approximately 10 hours to update the fees within Accela.

## **ALTERNATIVES**

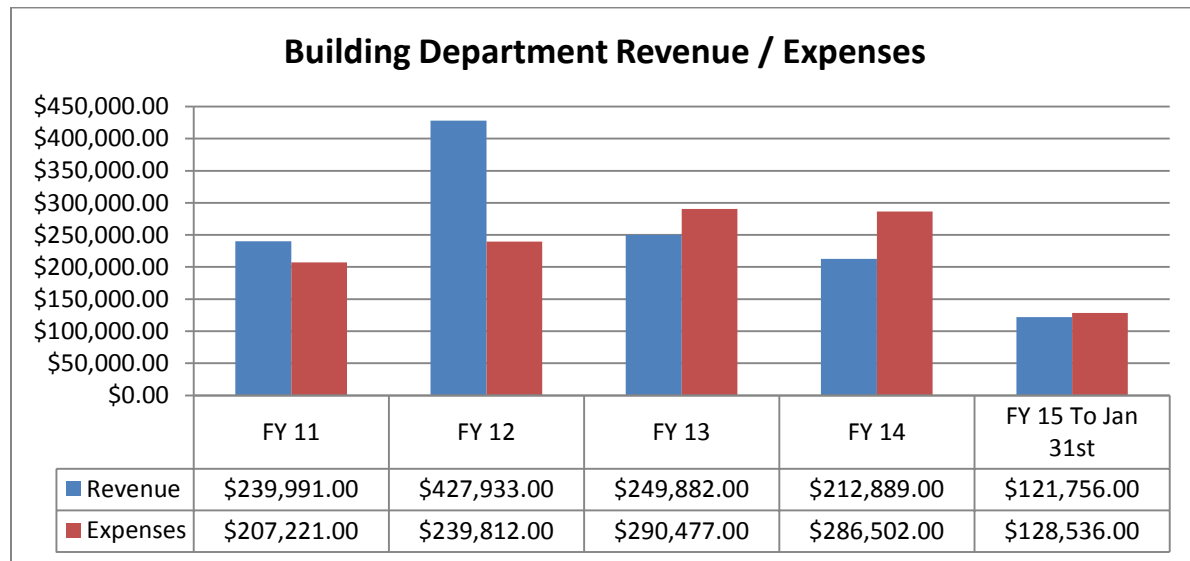
None.

## **ATTACHMENTS**

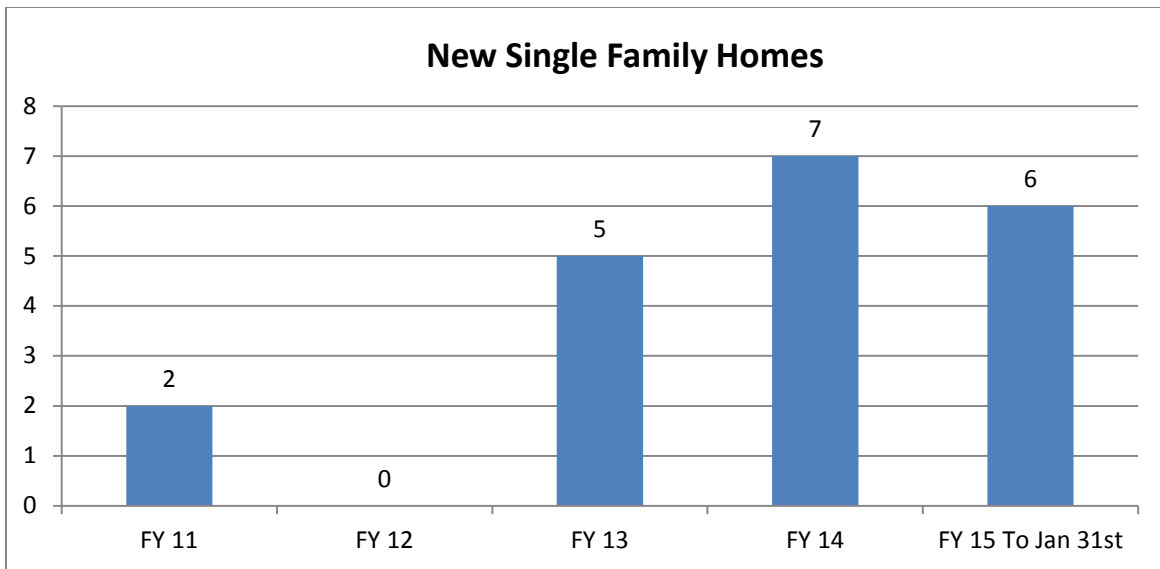
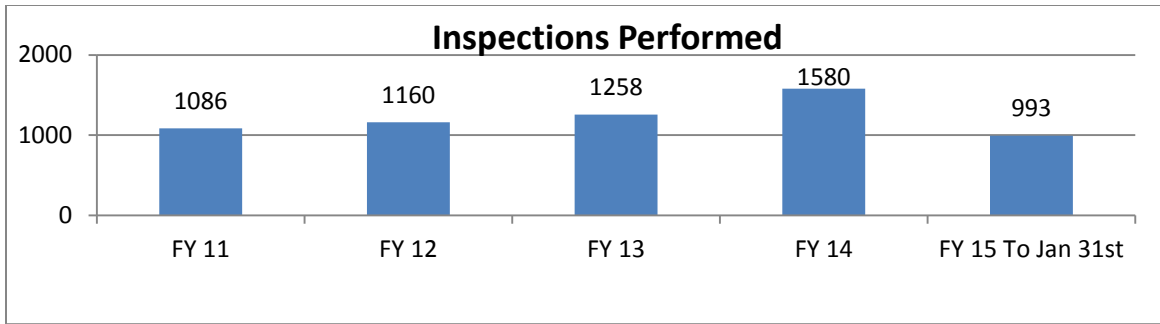
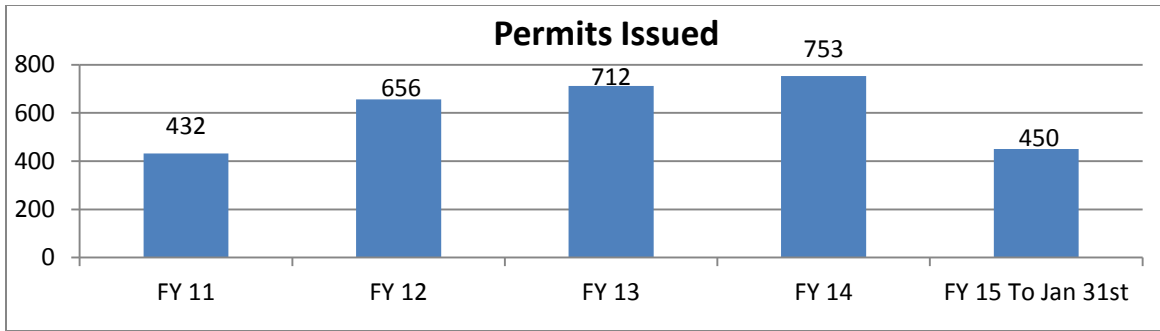
1. Permit activity
2. Current forecasted budget
3. Current fee schedule with proposed changes
4. Comparison of other jurisdictions fees
5. Financial Forecast with fee increase
6. Proposed fee schedule

## Attachment 1

<b>BUILDING DEPARTMENT STATUS REPORT</b>				
FY 11	FY 12	FY 13	FY 14	FY 15 To Jan 31st
<b><i>Permits Issued (residential, commercial, mechanical and plumbing)</i></b>				
432	656	712	753	450
FY 11	FY 12	FY 13	FY 14	FY 15 To Jan 31st
<b><i>Inspections Performed</i></b>				
1086	1160	1258	1580	993
FY 11	FY 12	FY 13	FY 14	FY 15 To Jan 31st
<b><i>New Single Family Homes</i></b>				
2	0	5	7	6
FY 11	FY 12	FY 13	FY 14	FY 15 To Jan 31st
<b><i>Revenue</i></b>				
\$239,991.00	\$427,933.00	\$249,882.00	\$212,889.00	\$121,756.00
FY 11	FY 12	FY 13	FY 14	FY 15 To Jan 31st
<b><i>Expenses</i></b>				
\$207,221.00	\$239,812.00	\$290,477.00	\$286,502.00	\$128,536.00



# Attachment 1



## Attachment 2

Projected totals without fee increase.

### City of Milwaukie

### Building Inspections Fund *(amounts in thousands)*

	ACTUALS					Current Year	+ 1	+ 2	+ 3	+ 4	+ 5	
	FY09	FY10	FY11	FY12	FY13	Estimated	FY15	FY16	FY17	FY18	FY19	
						FY14	PROJECTED					
<b>Resources</b>												
Beginning fund balance	\$ 309	\$ 195	\$ 94	\$ 96	\$ 284	\$ 244	\$ 147	\$ 94	\$ 44	\$ (10)	\$ (69)	
Fees and charges	238	164	236	426	249	203	224	244	249	254	259	2.00%
Interest	6	1	1	-	-	-	-	-	-	-	-	0.00%
Miscellaneous	-	-	(30)	1	-	-1	2	3	3	3	3	2.00%
Intergovernmental	2	2	2	1	1	-	-	-	-	-	-	0.00%
Total revenues	246	167	209	428	250	204	226	247	252	257	262	
<b>Total Resources</b>	<b>\$ 555</b>	<b>\$ 362</b>	<b>\$ 303</b>	<b>\$ 524</b>	<b>\$ 534</b>	<b>\$ 448</b>	<b>\$ 373</b>	<b>\$ 341</b>	<b>\$ 296</b>	<b>\$ 247</b>	<b>\$ 193</b>	
<b>Requirements</b>												
Personnel services	\$ 186	\$ 189	\$ 175	\$ 201	\$ 210	\$ 222	\$ 216	\$ 235	\$ 242	\$ 250	\$ 259	PS Spreadsheet
Materials & services (w/o chgs)	15	26	6	9	10	9	13	12	12	12	12	3.00%
Materials & services (int chgs)	93	39	-	-	-	-	-	-	-	-	-	2.00%
Debt service	-	-	-	-	-	-	-	-	-	-	-	Scheduled
Transfers to other funds	56	14	26	30	70	70	50	50	52	54	56	3.00%
Capital outlay	10	-	-	-	-	-	-	-	-	-	26	Estimated
Total expenditures	360	268	207	240	290	301	279	297	306	316	353	

# Attachment 3

## BUILDING

### Section I. Residential Building Permits

**Structural Permits**—Valuation shall be calculated in accordance with OAR 918-050-0100.

**1. Permit Fee**

A. Permit fees from calculation of total valuation from the square footage of the improvement

\$1-\$500.....		<del>\$48.75</del> <b>\$21.00</b>
\$501-\$2,000.....	\$ <del>21.00</del> <b>18.75</b> plus \$ <del>3.24</del> <b>2.89</b> per \$C-over \$5C to \$2K	
\$2,001-\$25,000.....	\$ <del>69.60</del> <b>62.40</b> plus \$ <del>12.92</del> <b>11.54</b> per \$K over \$2K to \$25K	
\$25,001-\$50,000.....	\$ <del>366.82</del> <b>327.52</b> plus \$ <del>9.60</del> <b>8.58</b> per \$K over \$25K to \$50K	
\$50,001-\$100,000.....	\$ <del>607.06</del> <b>542.02</b> plus \$ <del>6.46</del> <b>5.77</b> per \$K over \$50K to \$100K	
\$100,001 and up.....	\$ <del>930.18</del> <b>830.52</b> plus \$ <del>5.46</del> <b>4.88</b> per \$K over \$100K	
Minimum permit fee .....		<del>\$100.00</del> <b>\$125.00</b>

- 2. Initial Plan Review Fees**..... ~~65~~**75**% of the permit fee
- 3. Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)
- 4. Third Party Plan Review Fee (for transfer of plan review to a third party)** ..... 10% of the permit fee (\$65.00 min.)
- 5. Residential Solar PV Installation** ..... **\$100**

**Mechanical Permits**—Fees per current Mechanical Permit application

Minimum Permit Fee .....	<del>\$85.00</del> <b>\$136.00</b>
--------------------------	------------------------------------

**1. HVAC**

B. For the installation of:

Air handling unit including ducts:	
Up to 10,000 cfm .....	\$24.00
Over 10,000 cfm.....	\$27.00
Air conditioning/heat pump (site plan required) .....	\$42.00
Alteration of existing HVAC system.....	\$19.50
Boiler/compressor.....	\$19.50
Install/relocate/replace furnace/burner including ductwork and vent:	
Up to 100,000 BTU/H .....	\$19.50
Over 100,000 BTU/H.....	\$23.00
Install/relocate/replace heaters (room, suspended, wall- or floor-mounted) .....	\$19.50
Vent for other than furnace .....	\$19.50

**2. Environmental Exhaust and Ventilation**

C. For the installation of:

a. Appliance vent.....	\$16.00
Dryer exhaust .....	\$13.00
Each hood that is served by a mechanical exhaust or air conditioning.....	\$11.00
Exhaust system with single duct (bath fan) each.....	\$9.00
Exhaust system apart from heating or air conditioning.....	\$13.00

**3. Fuel Piping and Distribution**

a. LPG-NG-Oil fuel piping:	
Up to 4 outlets (includes gas tag) .....	\$23.00
Each additional outlet over 4 .....	\$2.50

**4. Other Listed Application or Equipment**

a. Decorative fireplace or insert.....	\$37.00
Woodstove/pellet stove.....	\$49.00

## Attachment 3

For each appliance or piece of equipment regulated by the code but not classed in other appliance categories,  
for which no other fee is listed in this code, or for which there is an alteration or extension of an existing  
mechanical system.....\$19.50

**Plumbing Permits—Fees per current Plumbing Permit application**

<b>1. Total Bathrooms Per Dwelling</b>	
1 bath dwelling (includes 1 kitchen) .....	<del>\$352.00</del> <u>\$545.60</u>
2 bath dwelling (includes 1 kitchen) .....	<del>\$ 389.00</del> <u>\$602.95</u>
3 bath dwelling (includes 1 kitchen) .....	<del>\$462.00</del> <u>\$716.10</u>
Additional bathroom/kitchen.....	<del>\$184.00</del> <u>\$285.20</u>
D. Includes the first 100 ft. of water piping, sanitary and storm sewer lines, hose bibs, icemakers, underfloor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.	
<b>2. Additions, Alterations, and Repairs.....</b>	<del>\$48.00</del> <u>\$28.00</u> /fixture
<b>3. Utilities per 100 feet .....</b>	<del>\$65.00</del> <u>\$100.00</u>
a. Catch basin .....	<del>\$ 28.00</del> <u>\$44.00</u>
b. Drywells each .....	<del>\$ 28.00</del> <u>\$44.00</u>
c. Footing drain (per 100 lin. ft.).....	<del>\$ 56.00</del> <u>\$86.00</u>
d. Rain drain connector .....	<del>\$ 28.00</del> <u>\$44.00</u>
e. Manholes each.....	<del>\$56.00</del> <u>\$86.00</u>
<b>4. Interior Piping <del>Replacing water line (per 100 lin. ft.) .....</del></b>	<del>\$65.00</del> <u>First floor / each additional floor</u> <del>\$85.00</del> <u>\$30.00</u>
<b>5. Stand-alone Fire Suppression Systems (requires a backflow device installed by licensed plumbing contractor or persons exempt from licensing)</b>	
0 sq. ft. to 2,000 sq. ft. ....	<del>\$ 94.50</del> <u>\$146.50</u>
2,001 sq. ft. to 3,600 sq. ft.....	<del>\$ 141.75</del> <u>\$220.00</u>
3,601 sq. ft. to 7,200 sq. ft.....	<del>\$ 177.50</del> <u>\$275.00</u>
\$7,201 sq. ft. and greater .....	<del>\$330.75</del> <u>\$512.00</u>
<b>6. Multipurpose or Continuous Loop Fire Suppression Systems</b>	
0 sq. ft. to 2,000 sq. ft. ....	<del>\$ 94.50</del> <u>\$146.00</u>
2,001 sq. ft. to 3,600 sq. ft.....	<del>\$ 141.75</del> <u>\$220.00</u>
3,601 sq. ft. to 7,200 sq. ft.....	<del>\$ 177.50</del> <u>\$275.00</u>
\$7,201 sq. ft. and greater .....	<del>\$330.75</del> <u>\$512.00</u>
<b>7. Minimum permit fee .....</b>	<del>\$85.00</del> <u>\$132.00</u>

**Other Inspections and Fees**

<b>1. Inspections outside of normal business hours .....</b>	\$98.00/hr. (min. charge 2 hrs.) (Must be preapproved by applicant)
<b>2. Inspections for which no fee is specifically indicated .....</b>	\$68.00/hr. (Must be preapproved by applicant)
<b>3. Reinspection fee .....</b>	\$60.00/hr.
<b>4. Replacement sheets .....</b>	\$23.00/sheet
<b>5. The minimum fee shall be .....</b>	<del>\$85.00</del> <u>\$132.00</u>
<b>6. Investigation fee.....</b>	Amount of subject permit fee

# Attachment 3

**Manufactured Dwelling and Cabana Installation Permits**— All jurisdictions in the Tri-County area shall charge a single fee for the installation and set-up of manufactured homes. This single fee shall include the concrete slab, runners, or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling standard, electrical feeder and plumbing connections, and all cross-over connections.

- 1. **Installation permit** .....\$445.00
- 2. **Earthquake-resistant bracing**..... \$135.00
- 3. **Reinspection** .....\$135.00
- 4. **Statewide code development, training and monitoring fee** (in addition to all other manufactured dwelling fees and charges).....\$30.00

## Section II. Commercial/Industrial Building Permits

**A. Structural Permits**—Valuation shall be calculated in accordance with OAR 918-050-0110.

- 1. **Permit Fee**
  - B. Permit fees from calculation of total valuation from the square footage of the improvement
    - \$1-\$500..... ~~\$18.75~~ \$21.00
    - \$501-\$2,000..... ~~\$21.00 48.75~~ plus ~~\$3.24 2.89~~ per \$C over \$5C to \$2K
    - \$2,001-\$25,000..... ~~\$69.60 62.40~~ plus ~~\$12.92 11.54~~ per \$K over \$2K to \$25K
    - \$25,001-\$50,000..... ~~\$366.82 327.52~~ plus ~~\$9.60 8.58~~ per \$K over \$25K to \$50K
    - \$50,001-\$100,000..... ~~\$607.06 542.02~~ plus ~~\$6.46 5.77~~ per \$K over \$50K to \$100K
    - \$100,001 and up..... ~~\$930.18 830.52~~ plus ~~\$5.46 4.88~~ per \$K over \$100K
    - Minimum permit fee ..... ~~\$100.00~~ \$125.00
- 2. **Initial Plan Review Fees**..... ~~65.75~~ 65.75% of the permit fee
- 3. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)
- 4. **Fire and Life Safety Plan Review Fee** (commercial only) ..... ~~40.50~~ 40.50% of structural permit fee  
(Based on valuation of total improvements or \$50.00/hr. to review a Fire and Life Safety Master Plan)  
(Hourly charge must be approved by Applicant)
- 5. **Seismic Site Hazard Report Review** ..... 1% of total structural and mechanical fees

**Mechanical Permits**—Valuation shall be calculated on the value of the equipment and installation costs.

- 1. **Use this section for commercial installation, replacement or relocation of nonportable mechanical equipment or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.**
  - C. Permit Fee:
    - \$1 to ~~\$6.55.000~~..... ~~\$85.00~~ \$136.00
    - ~~\$5.0016.504~~ to \$10,000 ..... ~~\$136.00 85.00~~ plus ~~\$2.10 1.73~~ per \$C over \$6.5K
    - \$10,001 to \$100,000 ..... ~~\$241.00 145.50~~ plus ~~\$16.00 10.50~~ per \$K over \$10K
    - \$100,001 and up..... ~~\$1681.00 1,000.50~~ plus ~~\$10.88 7.25~~ per \$K over \$100K
    - Minimum permit fee ..... ~~\$85.00~~ \$136.00
- 2. **Plan review fee** ..... 25% of mechanical permit fee
- 3. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)

### Plumbing Permits

- 1. **Additions, Alterations, and Repairs**..... ~~\$18.00~~ \$28.00 /fixture
- 2. **Utilities per 100 feet** ..... ~~\$65.00~~ \$100.00
  - a. Catch basin ..... ~~\$28.00~~ \$44.00
  - b. Drywells each ..... ~~\$28.00~~ \$44.00
  - c. Footing drain (per 100 lin. ft.)..... ~~\$56.00~~ \$86.00
  - d. Rain drain connector ..... ~~\$28.00~~ \$44.00
  - e. Manholes each ..... ~~\$56.00~~ \$86.00

## Attachment 3

- 3. Interior Piping (per 100 lin. ft.) .....\$65.00
- 4. Initial Plan Review Fees ..... 30% of the Plumbing permit fees
- 5. Plan Review Fees Required/Requested by Changes, Additions, Revisions ..... \$75.00/hr. (1 hr. min.)
- 6. Minimum permit fee .....\$85.00
- 7. **Medical Gas Permits:** Valuation shall be calculated on the value of the equipment and installation costs.  
**Medical Gas Permit Fees:**
  - \$1-\$6,500.....\$85.00
  - \$6,501-\$10,000.....\$85.00 plus \$1.73 per \$C over \$6.5K
  - \$10,001-\$100,000.....\$145.50 plus \$10.50 per \$K over \$10K
  - \$100,001 and up.....\$1,090.50 plus \$7.25 per \$K over \$100K
  - Minimum permit fee .....\$85.00

**Other Inspections and Fees**

- 1. Inspections outside of normal business hours .....\$98.00/hr. (min. charge 2 hrs.)  
(Must be preapproved by applicant)
- 2. Inspections for which no fee is specifically indicated .....\$75.00/hr.  
(Must be preapproved by applicant)
- 3. Reinspection fee .....\$60.00/hr.
- 4. Replacement sheets .....\$23.00/sheet
- 5. The minimum fee shall be .....\$85.00
- 6. Investigation fee..... Amount of subject permit fee
- 7. Temporary Certificate of Occupancy .....\$180.00
- 8. Change of use/occupancy.....\$300.00

**Deferred Submittal Fee** (in addition to project plan review fee)  
(OAR 918-050-0170) ..... \$250.00 + 10% of deferred item permit fee  
per deferred submittal (minimum \$300.00)

**Phased Permit Fee** (in addition to project plan review fee)  
(OAR 918-050-0160) .....\$250.00 + 10% of total project permit fee per phase  
(minimum \$300.00, not to exceed \$1,500 per phase)

### Section III. Permit Related Fees

**A. A State surcharge shall be collected in an amount as required by State law.**

**Building Moving/Demolition Permits**

- 2,000 sq. ft. or less .....\$78.00
- Each additional 1,000 sq. ft. ....\$38.00
- Plan Review Fee .....65% of the permit fee

**Prefabricated Structures** ..... (Per current permit fees)

**Temporary Structures**..... (Per current permit fees)

**Manufactured Dwelling Parks and Mobile Home Parks** ..... Per current State of Oregon permit fee  
(OAR. Division 650. Table 1) plus 30%

# Attachment 3

Recreational Parks and Organizational Camps ..... Per current State of Oregon permit fee  
(OAR.Division 650.Table 1) plus 30%

# Attachment 3

## Miscellaneous Building Valuations

<b>1. Retaining Walls</b>	
To 8 ft. high, including footing .....	\$254.00/lin. ft.
Over 8 ft. high .....	\$276.00/lin. ft.
<b>2. Fences</b>	
Over 6 ft. to 8 ft. high .....	\$15.00/lin. ft.
<b>3. Concrete Slabs on Grade Foundations</b> —For house moves, modular buildings, pole buildings, etc.	
B. Plain concrete:	
4-in. slab .....	\$3.00/sq. ft.
5-in. slab .....	\$3.10/sq. ft.
6-in. slab .....	\$3.25/sq. ft.
Reinforced concrete .....	Add \$1.15/sq. ft.
<b>4. Crawl Space Foundations</b>	
For house moves, modular, etc. ....	\$7.50/sq. ft.
<b>5. Accessory Buildings</b>	
With floor slab .....	\$55.00/sq. ft.
Without floor slab .....	\$28.00/sq. ft.
<b>6. Pole Buildings</b>	
Up to and including 14-ft. eave height .....	\$32.00/sq. ft.
Over 14-ft. eave height .....	\$45.00/sq. ft.
C. For insulation:	
Roof—add .....	\$.35/sq. ft.
Slab—add .....	\$.35/sq. ft.
Wall—add .....	\$.35/sq. ft.
For slabs on grade .....	see Section III.H.3 for fees
<b>7. Swimming Pools</b> (pool only/deck extra)	
Concrete or gunite .....	\$70.00/sq. ft.
Plastic below ground .....	\$45.00/sq. ft.

## Section IV. In-Fill and Grading

### A. In-Fill and Grading Permit Fees

1-50 cubic yards .....	\$100.00
51 to 100 cubic yards .....	\$150.00
101 to 1,000 cubic yards .....	\$200.00
1,001 to 10,000 cubic yards .....	\$250.00
10,001 cubic yards or more .....	Total hourly cost*
*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved	

### In-Fill and Grading Plan Review Fees

1-50 cubic yards .....	\$100.00
51 to 100 cubic yards .....	\$150.00
101 to 1,000 cubic yards .....	\$200.00
1,001 to 10,000 cubic yards .....	\$250.00
10,001 cubic yards or more .....	Total hourly cost*
*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved	

# Attachment 3

## Other Inspections and Fees

- 1. Inspections outside normal business hours .....\$75.00/hr. (min. charge 2 hrs.)
- 2. Reinspection fee .....\$75.00/hr.
- 3. Inspections for which no fee is specifically indicated .....\$75.00/hr.

## Section V. Penalties<sup>1</sup> (each day that a violation exists is a separate offense)

- Violation of vacant building standards (Ord. #1464, adopted 1980)..... up to \$300
- Interference with fire control device (Ord. #1515, adopted 1982) ..... up to \$750
- Swimming pool barrier violation (Ord. #1430, adopted 1979) ..... up to \$100 per week<sup>2</sup>
- Building relocation violation (Ord. #1952, adopted 2005).....not less than \$1,000
- Failure to comply with stop work order (Ord. #1881, adopted 2000)..... up to \$1,000
- Any violation of Title 15 for which a specific penalty has not been expressly provided ..... up to \$1,000  
(Ord. #2011, adopted 2010)

## Section VI. Specialty Code Penalty

- A. Penalty**  
Violation of various Specialty Codes (building, plumbing, mechanical, electrical)..... up to \$1,000 per day, (max. \$5,000)  
(Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010)
- B. Fee**  
Appeal of Specialty Code violation .....\$250  
(Ord. #2011, adopted 2010)

<sup>1</sup> All violations of the Municipal Code (except Specialty Code penalty) are additionally subject to the abatement fee and the general penalty for third or subsequent violations. See the **Code Enforcement** section for complete information.

<sup>2</sup> Each week that this violation exists is a separate offense.

Attachment 4

Fee Comparison per Jurisdiction

*Kitchen Hood, 3 - Bath Fans, 100k Furnace, Clothes Dryer, Gas Piping	Oregon City	Tigard	Canby	Lake Oswego	West Linn	Forest Grove	Woodburn	Happy Valley	Milwaukie	Milwaukie
<b>New Single-Family</b>										Proposed
Value 2000 sq. ft. house										<b>12% Bldg 55% Plumb 60% Mech</b>
w/ 500 sq. ft. garage										
\$234,470 Value										
Building Permit	\$1,571.93	\$1,463.64	\$1,153.45	\$1,101.00	\$1,704.00	\$1,594.65	\$1,627.50	\$1,429.60	\$1,489.32	\$1,668.04
Plan Check	\$1,021.75	\$951.37	\$749.74	\$715.65	\$1,107.60	\$1,036.52	\$1,383.75	\$929.24	\$968.06	\$1,251.00
Building State surcharge	\$188.63	\$175.64	\$138.41	\$132.12	\$204.48	\$191.36	\$195.30	\$171.55	\$178.72	\$200.16
Plumbing (3 bath)	\$956.00	\$500.32	\$956.00	\$402.50	\$633.00	\$386.25	\$441.00	\$790.00	\$462.00	\$716.10
Plumbing state surcharge	\$114.72	\$60.04	\$114.72	\$48.30	\$75.96	\$46.35	\$52.92	\$94.80	\$55.44	\$85.93
Mechanical*	\$65.00	\$291.03	\$139.00	\$168.00	\$122.00	\$88.60	\$175.00	\$127.50	\$93.50	\$136.00
surcharge	\$7.80	\$34.92	\$16.68	\$20.16	\$14.64	\$10.63	\$21.00	\$15.30	\$11.22	\$16.32
<b>Permit Total</b>	<b>\$3,925.83</b>	<b>\$3,476.96</b>	<b>\$3,268.00</b>	<b>\$2,587.73</b>	<b>\$3,861.68</b>	<b>\$3,354.36</b>	<b>\$3,896.47</b>	<b>\$3,557.99</b>	<b>\$3,258.26</b>	<b>4,057.24</b>
Storm SDC Fee	\$ 773.00	\$ 500.00	\$ 100.00	\$ 139.00	\$ 1,113.00	\$ 275.00	\$ 275.00	\$ 216.00	\$ 765.00	\$ 765.00
Sanitary Sewer SDC	\$ 4,055.00	\$ 4,800.00	\$ 2,571.00	\$ 2,544.00	\$ 5,214.00	\$ 4,800.00	\$ 2,977.00	\$ 6,860.00	\$ 6,563.00	\$ 6,563.00
Park SDC	\$ 4,034.00	\$ 5,996.87	\$ 4,725.00	\$ 12,034.00	\$ 9,745.00	\$ 3,000.00	\$ 1,752.00	\$ 6,075.00	\$ 3,985.00	\$ 3,985.00
Traffic Impact Fee	\$ 8,643.00	\$ 6,665.00	\$ 2,603.00	\$ 4,195.00	\$ 9,006.00	\$ 6,665.00	\$ 3,532.00	\$ 7,682.00	\$ 1,741.00	\$ 1,741.00
Water Meter	\$ 550.00	\$ 7,394.00	\$ 3,504.00	\$ 6,986.00	\$ 9,542.00	\$ 4,707.00	\$ 2,444.00	\$ 8,522.00	\$ 2,700.00	\$ 2,700.00
School Excise Tax	\$ 2,140.00	\$ 2,280.00	\$ 2,000.00	\$ 2,140.00	\$ 2,140.00	\$ 2,000.00	\$ 2,140.00	\$ 2,280.00	\$ 2,280.00	\$ 2,280.00
METRO Excise Tax	\$ 281.36	\$ 281.36	\$ 281.36	\$ 240.00	\$ 281.36	\$ 281.36	\$ 281.36	\$ 281.36	\$ 281.36	\$ 281.36
<b>SDC Total</b>	<b>\$ 20,476.36</b>	<b>\$ 27,917.23</b>	<b>\$ 15,784.36</b>	<b>\$ 28,278.00</b>	<b>\$ 37,041.36</b>	<b>\$ 21,728.36</b>	<b>\$ 13,401.36</b>	<b>\$ 31,916.36</b>	<b>\$ 18,315.36</b>	<b>\$ 18,315.36</b>
<b>Total fees:</b>	<b>\$ 24,402.19</b>	<b>\$ 31,394.19</b>	<b>\$ 19,052.36</b>	<b>\$30,865.73</b>	<b>\$ 40,903.04</b>	<b>\$ 25,082.72</b>	<b>\$ 17,297.83</b>	<b>\$ 35,474.36</b>	<b>\$ 21,573.62</b>	<b>\$ 22,372.60</b>

Attchament 4

New Commercial Office	Oregon City	Tigard	Canby	Lake Oswego	West Linn	Forest Grove	Woodburn	Happy Valley	Milwaukie	Milwaukie Proposed	
	\$3,546,000 Value (30,000 Sq. Ft. Office)	\$ 20,212.86	\$ 16,281.96	\$ 13,569.70	\$13,957.20	\$ 18,259.00	\$ 12,430.95	\$ 19,838.00	\$ 16,825.75	\$ 14,977.64	
Struct Plan Check	\$ 13,138.36	\$ 10,583.27	\$ 8,820.31	\$9,072.18	\$ 11,868.35	\$ 8,080.12	\$ 16,862.30	\$ 10,936.74	\$ 9,735.47		\$ 14,809.00
FLS Plan Check	\$ 8,085.14	\$ 6,512.78	\$ 5,247.60	\$5,582.88	\$ 8,216.55	\$ 4,972.38	\$ 12,894.70	\$ 6,730.30	\$ 5,991.06		\$ 9,872.67
State Surcharge	\$ 2,425.54	\$ 1,953.84	\$ 1,628.36	\$1,674.86	\$ 2,191.08	\$ 1,491.71	\$ 2,380.56	\$ 2,019.09	\$ 1,797.32		\$ 2,369.44
	<b>\$ 43,861.90</b>	<b>\$ 35,331.85</b>	<b>\$ 29,265.97</b>	<b>\$30,287.12</b>	<b>\$ 40,534.98</b>	<b>\$ 26,975.16</b>	<b>\$ 51,975.56</b>	<b>\$ 36,511.88</b>	<b>\$ 32,501.48</b>		<b>\$ 46,796.45</b>

Commercial Alteration	Oregon City	Tigard	Canby	Lake Oswego	West Linn	Forest Grove	Woodburn	Happy Valley	Milwaukie	Milwaukie Proposed	
	\$75,000 Value	\$ 682.63	\$ 917.70	\$ 535.20	\$ 579.50	\$ 847.00	\$ 753.60	\$ 705.00	\$ 663.10	\$ 686.27	
Struct Plan Check	\$ 443.71	\$ 596.51	\$ 347.88	\$ 376.68	\$ 550.55	\$ 489.84	\$ 599.25	\$ 431.02	\$ 446.08		\$ 635.30
FLS Plan Check	\$ 273.05	\$ 367.08	\$ 214.08	\$ 231.80	\$ 381.15	\$ 301.44	\$ 458.25	\$ 265.24	\$ 274.51		\$ 423.53
State Surcharge	\$ 81.92	\$ 110.12	\$ 64.22	\$ 69.54	\$ 101.64	\$ 90.43	\$ 84.60	\$ 79.57	\$ 82.35		\$ 101.65
Total	<b>\$ 1,481.31</b>	<b>\$ 1,991.41</b>	<b>\$ 1,161.38</b>	<b>\$ 1,257.52</b>	<b>\$ 1,880.34</b>	<b>\$ 1,635.31</b>	<b>\$ 1,847.10</b>	<b>\$ 1,438.93</b>	<b>\$ 1,489.21</b>		<b>\$ 2,007.54</b>

CITY OF MILWAUKIE

REVENUE/COST ANALYSIS - BUILDING PERMIT FUND, PROJECTED FEE INCREASE

Attachment 5

	<u>ACTUALS</u>				<u>CURRENT YEAR</u> Estimated FY15	<u>PROJECTED</u>				
	FY11	FY12	FY13	FY14		FY16	FY17	FY18	FY19	FY20
<b>Beginning Fund Balance</b>	\$ 94,000	\$ 95,830	\$ 283,950	\$ 243,356	\$ 169,741	\$ 111,133	\$ 108,515	\$ 107,421	\$ 103,102	\$ 73,026
<b>Revenue:</b>										
License & Permits	\$ 236,157	\$ 425,748	\$ 248,565	\$ 212,084	\$ 206,301	\$ 294,207	\$ 305,713	\$ 317,673	\$ 330,106	\$ 343,031
Miscellaneous	(27,106)	2,180	1,313	798	814	\$ 1,075	\$ 1,075	\$ 1,075	\$ 1,075	\$ 1,075
<b>Total Revenue</b>	<b>209,051</b>	<b>427,928</b>	<b>249,878</b>	<b>212,882</b>	<b>207,115</b>	<b>295,282</b>	<b>306,787</b>	<b>318,747</b>	<b>331,180</b>	<b>344,105</b>
<b>Expenses:</b>										
Personnel Services	175,001	200,410	209,565	206,741	206,000	238,000	246,000	259,000	269,000	278,000
Material & Services	6,220	9,398	10,906	9,756	9,723	9,900	9,881	10,067	10,257	10,451
Transfers	26,000	30,000	70,000	70,000	50,000	50,000	52,000	54,000	56,000	58,000
Capital Outlay	-	-	-	-	-	-	-	-	26,000	-
<b>Total Expense</b>	<b>207,221</b>	<b>239,808</b>	<b>290,471</b>	<b>286,497</b>	<b>265,723</b>	<b>297,900</b>	<b>307,881</b>	<b>323,067</b>	<b>361,257</b>	<b>346,451</b>
<b>Ending Fund Balance</b>	<b>\$ 95,830</b>	<b>\$ 283,950</b>	<b>\$ 243,356</b>	<b>\$ 169,741</b>	<b>\$ 111,133</b>	<b>\$ 108,515</b>	<b>\$ 107,421</b>	<b>\$ 103,102</b>	<b>\$ 73,026</b>	<b>\$ 70,680</b>

**BUILDING**

**Section I. Residential Building Permits**

**Structural Permits**—Valuation shall be calculated in accordance with OAR 918-050-0100.

1. **Permit Fee**
  - A. Permit fees from calculation of total valuation from the square footage of the improvement
 

\$1-\$500.....	\$21.00
\$501-\$2,000.....	\$21.00 plus \$3.24 per \$100 over \$500 to \$2,000
\$2,001-\$25,000.....	\$69.60 plus \$12.92 per \$1000 over \$2,000 to \$25,000
\$25,001-\$50,000.....	\$366.82 plus \$9.60 per \$1000 over \$25,000 to \$50,000
\$50,001-\$100,000.....	\$607.06 plus \$6.46 per \$1000 over \$50,000 to \$100,000
\$100,001 and up.....	\$930.18 plus \$5.46 per \$1000 over \$100,000
Minimum permit fee.....	\$125.00
  
2. **Stand-alone Fire Suppression Systems (requires a backflow device installed by licensed plumbing contractor or persons exempt from licensing)**

0 sq. ft. to 2,000 sq. ft. ....	\$146.50
2,001 sq. ft. to 3,600 sq. ft.....	\$220.00
3,601 sq. ft. to 7,200 sq. ft.....	\$275.00
\$7,201 sq. ft. and greater.....	\$512.00
  
3. **Annual Adjustment.** Residential permit fee (1-2 ) shall be automatically adjusted each July 1<sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year, effective July 1<sup>st</sup>, 2016 ending July 1<sup>st</sup>, 2020.
  
4. **Initial Plan Review Fees**.....75% of the permit fee
  
5. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)
  
6. **Third Party Plan Review Fee (for transfer of plan review to a third party)** ..... 10% of the permit fee (\$65.00 min.)
  
7. **Residential Solar PV Installation** .....**\$100**
  
8. **Investigation fee**..... **\$105.00 per hour (minimum one hour)**

**Mechanical Permits**—Fees per current Mechanical Permit application

1. **Minimum Permit Fee**.....\$136.00
  
2. **HVAC**
  - B. For the installation of:
 

Air handling unit including ducts:	
Up to 10,000 cfm.....	\$24.00
Over 10,000 cfm.....	\$27.00
Air conditioning/heat pump (site plan required).....	\$42.00
Alteration of existing HVAC system.....	\$19.50
Boiler/compressor.....	\$19.50
Install/relocate/replace furnace/burner including ductwork and vent:	
Up to 100,000 BTU/H.....	\$19.50
Over 100,000 BTU/H.....	\$23.00
Install/relocate/replace heaters (room, suspended, wall- or floor-mounted).....	\$19.50
Vent for other than furnace.....	\$19.50
  
3. **Environmental Exhaust and Ventilation**
  - C. For the installation of:
    - a. Appliance vent.....\$16.00

## Attachment 6

Dryer exhaust .....	\$13.00
Each hood that is served by a mechanical exhaust or air conditioning.....	\$11.00
Exhaust system with single duct (bath fan) each.....	\$9.00
Exhaust system apart from heating or air conditioning.....	\$13.00
<b>4. Fuel Piping and Distribution</b>	
a. LPG-NG-Oil fuel piping:	
Up to 4 outlets (includes gas tag) .....	\$23.00
Each additional outlet over 4 .....	\$2.50
<b>5. Other Listed Application or Equipment</b>	
a. Decorative fireplace or insert.....	\$37.00
Woodstove/pellet stove.....	\$49.00
For each appliance or piece of equipment regulated by the code but not classed in other appliance categories, for which no other fee is listed in this code, or for which there is an alteration or extension of an existing mechanical system.....	\$19.50
<b>6. Annual Adjustment.</b> The Residential Mechanical fees 1-5 shall be automatically adjusted each July 1 <sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year effective July 1 <sup>st</sup> , 2016 ending July 1 <sup>st</sup> , 2020.	
<b>7. Plan Check Fee</b> .....	.25% of the permit fee
<b>8. Investigation Fee</b> .....	\$105.00 per hour (minimum one hour)

**Plumbing Permits—Fees per current Plumbing Permit application**

<b>1. Total Bathrooms Per Dwelling</b>	
1 bath dwelling (includes 1 kitchen) .....	\$545.60
2 bath dwelling (includes 1 kitchen) .....	\$602.95
3 bath dwelling (includes 1 kitchen) .....	\$716.10
Additional bathroom/kitchen.....	\$285.20
D. Includes the first 100 ft. of water piping, sanitary and storm sewer lines, hose bibs, icemakers, underfloor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.	
<b>2. Additions, Alterations, and Repairs</b> .....	\$28.00 /fixture
<b>3. Utilities per 100 feet</b> .....	\$100.00
a. Catch basin .....	\$44.00
b. Drywells each .....	\$44.00
c. Footing drain (per 100 lin. ft.).....	\$86.00
d. Rain drain connector .....	\$44.00
e. Manholes each .....	\$86.00
<b>4. Interior Piping - Replacing water line</b>	
a. First floor .....	\$85.00
b. Each additional floor .....	\$30.00
<b>5. Multipurpose or Continuous Loop Fire Suppression Systems</b>	
0 sq. ft. to 2,000 sq. ft. ....	\$146.50
2,001 sq. ft. to 3,600 sq. ft.....	\$220.00
3,601 sq. ft. to 7,200 sq. ft.....	\$275.00
\$7,201 sq. ft. and greater .....	\$512.00
<b>6. Minimum permit fee</b> .....	\$132.00
<b>7. Annual Adjustment.</b> Residential plumbing permit fees 1-6 shall be automatically adjusted each July 1 <sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year effective July 1 <sup>st</sup> , 2016 ending July 1 <sup>st</sup> , 2020.	

## Attachment 6

### Other Inspections and Fees

1. Inspections outside of normal business hours .....\$98.00/hr. (min. charge 2 hrs.)  
(Must be preapproved by applicant)
2. Inspections for which no fee is specifically indicated .....\$75.00 /hr.  
(Must be preapproved by applicant)
3. Reinspection fee .....\$75.00 /hr.
4. Replacement sheets ..... \$23.00/sheet
5. The minimum fee shall be ..... \$132.00
6. Investigation fee.....\$105.00 per hour (minimum one hour)

## Attachment 6

**Manufactured Dwelling and Cabana Installation Permits**— All jurisdictions in the Tri-County area shall charge a single fee for the installation and set-up of manufactured homes. This single fee shall include the concrete slab, runners, or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling standard, electrical feeder and plumbing connections, and all cross-over connections.

1. **Installation permit** .....\$445.00
2. **Earthquake-resistant bracing**..... \$135.00
3. **Re-inspection** .....\$135.00
4. **Statewide code development, training and monitoring fee** (in addition to all other manufactured dwelling fees and charges).....\$30.00

### Section II. Commercial/Industrial Building Permits

**A. Structural Permits**—Valuation shall be calculated in accordance with OAR 918-050-0110.

1. **Permit Fee**
  - B. Permit fees from calculation of total valuation from the square footage of the improvement
 

\$1-\$500.....	\$ 21.00
\$501-\$2,000.....	\$21.00 plus \$3.24 per \$100 over \$500 to \$2,000
\$2,001-\$25,000.....	\$69.60 plus \$12.92 per \$1000 over \$2,000 to \$25,000
\$25,001-\$50,000.....	\$366.82 plus \$9.60 per \$1000 over \$25,000 to \$50,000
\$50,001-\$100,000.....	\$607.06 plus \$6.46 per \$1000 over \$50,000 to \$100,000
\$100,001 and up.....	\$930.18 plus \$5.46 per \$1000 over \$100,000
Minimum permit fee .....	\$125.00
2. **Annual Adjustment.** Commercial structural permit fees number 1 shall be automatically adjusted each July 1<sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year effective July 1<sup>st</sup>, 2016 ending July 1<sup>st</sup>, 2020.
3. **Initial Plan Review Fees**.....75% of the permit fee
4. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)
5. **Fire and Life Safety Plan Review Fee** (commercial only) ..... 50% of structural permit fee  
(Based on valuation of total improvements or \$50.00/hr. to review a Fire and Life Safety Master Plan)  
(Hourly charge must be approved by Applicant)
6. **Seismic Site Hazard Report Review** .....1% of total structural and mechanical fees
7. **Investigation Fee**.....\$105.00 per hour (minimum one hour)

**Mechanical Permits**—Valuation shall be calculated on the value of the equipment and installation costs.

1. **Use this section for commercial installation, replacement or relocation of nonportable mechanical equipment or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.**
  - C. Permit Fee:
 

\$1 to \$5,000.....	\$136.00
\$5,001 to \$10,000.....	\$136.00 plus \$2.10 per 100 over \$5,000
\$10,001 to \$100,000.....	\$241.00 plus \$16.00 per 1000 over \$10,000
\$100,001 and up.....	\$1681.00 plus \$10.88 per 1000 over \$100,000
Minimum permit fee .....	\$136.00
2. **Annual Adjustment.** Commercial Mechanical fees (1) shall be automatically adjusted each July 1<sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year, effective July 1<sup>st</sup>, 2016 ending July 1<sup>st</sup>, 2020.
3. **Plan review fee** .....25% of mechanical permit fee
4. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)

## Attachment 6

5. **Investigation Fee**.....\$105.00 per hour (minimum one hour)

### Plumbing Permits

1. **Additions, Alterations, and Repairs**..... \$28.00/fixture
2. **Utilities per 100 feet** .....\$100.00
  - a. Catch basin .....\$44.00
  - b. Drywells each .....\$44.00
  - c. Footing drain (per 100 lin. ft.).....\$86.00
  - d. Rain drain connector .....\$44.00
  - e. Manholes each .....\$86.00
3. **Interior Piping - Replacing water line**
  - a. By fixture .....\$28.00
4. **Minimum permit fee** .....\$132.00
5. **Annual Adjustment.** Commercial Plumbing permit fees 1-4 shall be automatically adjusted each July 1<sup>st</sup> based on the percentage of the change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year, effective July 1<sup>st</sup>, 2016 ending July 1<sup>st</sup>, 2020.
6. **Medical Gas Permits:** Valuation shall be calculated on the value of the equipment and installation costs.  
**Medical Gas Permit Fees:**

\$1-\$6,500.....	\$85.00
\$6,501-\$10,000.....	\$85.00 plus \$1.73 per \$100 over \$6,500
\$10,001-\$100,000.....	\$145.50 plus \$10.50 per \$1000 over \$10,000
\$100,001 and up.....	\$1,090.50 plus \$7.25 per \$1000 over \$100,000
Minimum permit fee .....	\$85.00
7. **Initial Plan Review Fees**..... 30% of the Plumbing permit fees
8. **Plan Review Fees Required/Requested by Changes, Additions, Revisions** ..... \$75.00/hr. (1 hr. min.)

### Other Inspections and Fees

1. **Inspections outside of normal business hours** .....\$98.00/hr. (min. charge 2 hrs.)  
(Must be preapproved by applicant)
2. **Inspections for which no fee is specifically indicated** .....\$75.00/hr.  
(Must be preapproved by applicant)
3. **Reinspection fee** .....\$75.00/hr.
4. **Replacement sheets** .....\$23.00/sheet
5. **The minimum fee shall be** .....\$132.00
6. **Investigation fee**.....\$105.00 per hour (minimum one hour)
7. **Temporary Certificate of Occupancy** .....\$180.00
8. **Change of use/occupancy**.....\$300.00

### Deferred Submittal Fee (in addition to project plan review fee)

- (OAR 918-050-0170) ..... \$250.00 + 10% of deferred item permit fee per deferred submittal (minimum \$300.00)

# Attachment 6

**Phased Permit Fee** (in addition to project plan review fee)  
(OAR 918-050-0160) .....\$250.00 + 10% of total project permit fee per phase  
(minimum \$300.00, not to exceed \$1,500 per phase)

## Section III. Permit Related Fees

**A. A State surcharge shall be collected in an amount as required by State law.**

### Building Moving/Demolition Permits

2,000 sq. ft. or less .....\$78.00  
Each additional 1,000 sq. ft. ....\$38.00  
Plan Review Fee ..... 75 % of the permit fee

**Prefabricated Structures** ..... (Per current permit fees)

**Temporary Structures**..... (Per current permit fees)

**Manufactured Dwelling Parks and Mobile Home Parks** ..... Per current State of Oregon permit fee  
(OAR. Division 650. Table 1) plus 30%

**Recreational Parks and Organizational Camps** ..... Per current State of Oregon permit fee  
(OAR. Division 650. Table 1) plus 30%

**Administrative fee for refunds** .....20% of permit fee

# Attachment 6

## Miscellaneous Building Valuations

- 1. Retaining Walls**  
To 8 ft. high, including footing ..... \$254.00/lin. ft.  
Over 8 ft. high ..... \$276.00/lin. ft.
- 2. Fences**  
Over 6 ft. to 8 ft. high ..... \$15.00/lin. ft.
- 3. Concrete Slabs on Grade Foundations**—For house moves, modular buildings, pole buildings, etc.  
B. Plain concrete:  
4-in. slab ..... \$3.00/sq. ft.  
5-in. slab ..... \$3.10/sq. ft.  
6-in. slab ..... \$3.25/sq. ft.  
Reinforced concrete ..... Add \$1.15/sq. ft.
- 4. Crawl Space Foundations**  
For house moves, modular, etc. .... \$7.50/sq. ft.
- 5. Accessory Buildings**  
With floor slab ..... \$55.00/sq. ft.  
Without floor slab ..... \$28.00/sq. ft.
- 6. Pole Buildings**  
Up to and including 14-ft. eave height ..... \$32.00/sq. ft.  
Over 14-ft. eave height ..... \$45.00/sq. ft.  
C. For insulation:  
Roof—add ..... \$.35/sq. ft.  
Slab—add ..... \$.35/sq. ft.  
Wall—add ..... \$.35/sq. ft.  
For slabs on grade ..... see Section III.H.3 for fees
- 7. Swimming Pools** (pool only/deck extra)  
Concrete or gunite ..... \$70.00/sq. ft.  
Plastic below ground ..... \$45.00/sq. ft.

## Section IV. In-Fill and Grading

### A. In-Fill and Grading Permit Fees

- |                                  |                    |
|----------------------------------|--------------------|
| 1-50 cubic yards .....           | \$100.00           |
| 51 to 100 cubic yards .....      | \$150.00           |
| 101 to 1,000 cubic yards .....   | \$200.00           |
| 1,001 to 10,000 cubic yards..... | \$250.00           |
| 10,001 cubic yards or more ..... | Total hourly cost* |
- \*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

### In-Fill and Grading Plan Review Fees

- |                                  |                    |
|----------------------------------|--------------------|
| 1-50 cubic yards .....           | \$100.00           |
| 51 to 100 cubic yards .....      | \$150.00           |
| 101 to 1,000 cubic yards .....   | \$200.00           |
| 1,001 to 10,000 cubic yards..... | \$250.00           |
| 10,001 cubic yards or more ..... | Total hourly cost* |
- \*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

# Attachment 6

## Other Inspections and Fees

- 1. Inspections outside normal business hours .....\$75.00/hr. (min. charge 2 hrs.)
- 2. Reinspection fee .....\$75.00/hr.
- 3. Inspections for which no fee is specifically indicated .....\$75.00/hr.

## Section V. Penalties<sup>1</sup> (each day that a violation exists is a separate offense)

- Violation of vacant building standards (Ord. #1464, adopted 1980)..... up to \$300
- Interference with fire control device (Ord. #1515, adopted 1982) ..... up to \$750
- Swimming pool barrier violation (Ord. #1430, adopted 1979) ..... up to \$100 per week<sup>2</sup>
- Building relocation violation (Ord. #1952, adopted 2005).....not less than \$1,000
- Failure to comply with stop work order (Ord. #1881, adopted 2000)..... up to \$1,000
- Any violation of Title 15 for which a specific penalty has not been expressly provided ..... up to \$1,000  
(Ord. #2011, adopted 2010)

## Section VI. Specialty Code Penalty

- A. Penalty**  
Violation of various Specialty Codes (building, plumbing, mechanical, electrical)..... up to \$1,000 per day, (max. \$5,000)  
(Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010)
- B. Fee**  
Appeal of Specialty Code violation .....\$250  
(Ord. #2011, adopted 2010)

<sup>1</sup> All violations of the Municipal Code (except Specialty Code penalty) are additionally subject to the abatement fee and the general penalty for third or subsequent violations. See the **Code Enforcement** section for complete information.

<sup>2</sup> Each week that this violation exists is a separate offense.



MILWAUKIE CITY COUNCIL  
**STAFF REPORT**

Agenda Item: **RS 6. D.**  
Meeting Date: 3-17-15

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Proceeding to the evaluation phase of the Energy Saving Performance Contracting Process**

From: Gary Parkin, Public Works Director

Date: March 9, 2015 for March 17, 2015 meeting

### **ACTION REQUESTED**

Permission to proceed to the evaluation phase of the Energy Savings Performance Contract (ESPC) process authorizing the City Manager to sign the Technical Energy Audit agreement.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

9-16-2014 City Council Work Session – Staff provided information on the ESPC process. Council provided guidance to move forward to the Request for Quotes (RFQ) phase.

### **BACKGROUND**

The Oregon Department of Energy has pre-qualified Energy Services Companies (ESCO) to assist Oregon state agencies and other public agencies such as the City in selecting a company for the purpose of entering into an Energy Savings Performance Contract (ESPC). The ESPC is a public contract between a contracting agency and a qualified energy service company for the identification, evaluation, recommendation, design and construction of energy conservation measures, including a design-build contract, and a guarantee of energy savings or performance based on State Statute ORS 279A.010(g). The process provides a means for the City to accomplish projects and use operational savings and enhanced revenue resulting from the project to pay for project costs and reduce on-going maintenance and operational costs.

An energy savings performance contract is basically a “design-build” contract with some highly tailored specializations. The owner uses the energy cost savings to reimburse the ESCO and to pay off the loan that financed the energy conservation projects.

Staff asked all six of the State-approved ESCOs to submit on the City’s Request for Quotes for services related to miscellaneous facility improvement and water meter replacement. We received two submittals, one from Johnson Controls and the second from Ameresco.

The companies were interviewed on February 5, 2015 by Public Works staff representing the Water and Facilities Divisions. The two companies are very similar and the interviews were likewise similar making it difficult to determine a clear favorite.

Johnson Controls has a local office making them attractive for this work. One distinguishing factor was Ameresco’s promise to not charge the City for work done during the evaluation phase if the evaluation showed that the project savings did not provide the predetermined payback. Johnson Controls did not offer the same “no charge” assurance.

The City interview team was unanimous endorsing Ameresco as the company to move forward into the evaluation phase of the ESPC process. The terms and scope of the evaluation phase are specified in the Project Development Agreement (attachment 1).

Moving forward with this process commits the City to provide about two weeks (about 80 hours) of staff time working with Ameresco to evaluate projects including some electrical improvements to Wastewater and Water Pump Stations and Facility lighting improvements. The evaluation of the water meters will also require another two weeks of Water Division staff time and a day or two from the Finance Department (Accounting Tech).

Staff recommends moving on to the evaluation phase in the ESPC process. Staff believes there is merit in the projects and it is likely that enough savings are possible that the projects will be completed.

Assuming that after the evaluation phase the City decides to continue to the implementation phase, the cost of the evaluation phase will be wrapped into the project cost and financed through the project loan.

If the evaluation phase reveals a payback period of over 15 years (based on the total facility and water meter work) and the City does not want to move into implementation, the City has no cost exposure.

If the evaluation period shows a payback period of less than 15 years but the City does not want to move into the implementation phase, the City would be responsible for up to \$29,000 of charges accrued during the evaluation phase. The cost would be funded primarily through the Water fund with a small portion coming from the Facility and Wastewater funds.

### **CONCURRENCE**

The Public Works department worked on the feasibility portion of this process with help from the Finance department. The Finance Director expressed support for the project recognizing the benefit of the water meter replacement and the effort required from the Finance Department.

The Citizens Utility Advisory Board (CUAB) heard a presentation from Ameresco and supports the water meter conversion and the staff recommendation to move forward with Ameresco.

### **FISCAL IMPACTS**

The potential need for funding up to \$29,000, should the evaluation phase be completed and show acceptable pay-back but the City does not continue to implementation, is in the Water budget (\$10,000 to test meters) and the rest could be absorbed within the M&S. The Facilities budget could likewise absorb that portion of the evaluation work that would be needed for its portion of the project (mostly time, small funding need).

Based on the feasibility phase, a nine to ten year payback is anticipated of an initial \$3.5 to \$4 million investment for water meter replacement.

### **WORK LOAD IMPACTS**

Contracting by an ESCO relieves the City from much of the effort. The meter change out may involve a significant amount of water crew time if the City chooses to do the work in-house and a lesser amount of time if it is contracted out.

## **ALTERNATIVES**

Don't do it - Continue to use old meters, replacing them on a pay-as-you-go method over an extended period of time.

Postpone it – also postpone likely savings.

## **ATTACHMENTS**

1. Project Development Agreement
2. Resolution

## PROJECT DEVELOPMENT AGREEMENT

THIS PROJECT DEVELOPMENT AGREEMENT (this “**Development Agreement**”) is entered into as of February 24, 2015 by and between the City of Milwaukie, Oregon having a principal business address 10722 SE Main Street, Milwaukie, Oregon (“**Customer**”) and Ameresco, Inc. having its principal place of business at 111 Speen Street, Suite 410, Framingham, Massachusetts 01701 (“**Ameresco**”). The Customer and Ameresco may be referred to herein individually as a “**Party**” and collectively as the “**Parties**”.

**WHEREAS**, Customer desires certain energy services including a detailed water meter system analysis and development of a Water Meter Replacement/AMI System Installation project and other efficiencies.

WHEREAS, Ameresco provides energy services as one of the Energy Services Companies (ESCO) approved by the state of Oregon.

WHEREAS, Ameresco was selected by the Customer through the RFQ process as the ESCO to move into the evaluation phase of the process.

**WHEREAS**, Customer intends to enter into an energy services agreement (“**ESA**”) with Ameresco for implementation of the Scope of Work (defined below) identified by Ameresco as a result of its work under this Development Agreement.

**NOW THEREFORE**, in consideration of the mutual promises and agreements contained herein, the Parties hereto hereby agree as follows:

1. Ameresco shall complete the following work under this Development Agreement (the “**Development Work**”) in accordance with the Time Table set forth in Schedule 1 attached hereto:
  - (a) conduct a detailed water meter system analysis in order to develop a detailed water meter replacement and AMI installation
    - (i) Analysis of current installed water meter inventory to determine opportunities for replacement resulting in enhanced revenues;
    - (ii) Field inspections of residential and intermediate commercial water meters in order to determine typical installation parameters;
    - (iii) \$5,000 allowance for additional inspections and/or testing of large commercial water meters beyond those recently investigated by the Client;
    - (iv) Development of replacement plan options for residential and intermediate commercial water meters, including AMI system installation; and
    - (v) Development of specific replace/repair/test scope for each individual large commercial water meter (3-inch and larger); and
  - (b) prepare and deliver to Customer a project proposal (the “**Project Proposal**”), which shall include:
    - (i) the proposed scope of work for installation of energy efficiency and renewable energy improvements based on the results of the Development Work (“**Scope of Work**”); and

(ii) the implementation price for the Scope of Work (the “**Implementation Price**”) which will permit a simple payback term (i.e. the number of years it would take for energy, operations and maintenance, and capital cost avoided savings derived from the performance of the Scope of Work to equal the installed costs plus financing costs) not to exceed fifteen (15) years from the date that the installation is completed. and submit to Customer an ESA detailing the terms and conditions related to the implementation of the Project Proposal.

2. Customer hereby agrees that if it does not enter into the ESA with Ameresco within thirty (30) days of submission of the Project Proposal, Customer shall compensate Ameresco for its Development Work by paying a development fee to Ameresco in the amount of Twenty-Nine Thousand Dollars (\$29,000.00) (the “**Project Development Fee**”). The Project Development Fee shall be fully-earned, due and payable by Customer to Ameresco no later than forty-five (45) days after the date that Ameresco submits the Project Proposal and ESA to Customer. If Customer and Ameresco enter into an ESA which includes the Scope of Work, Customer will not be billed the Project Development Fee due under this Development Agreement as the Implementation Price shall be all inclusive. In the unlikely event that Ameresco is unable to develop a project that would result in sufficient energy savings and/or avoided future capital, operational costs to Customer so that the installation costs can be paid from said savings over a period to be determined during the first part of the Development Work but shall not exceed 15 years, then Customer is not obligated to reimburse Ameresco the Project Development Fee; *provided, however*, that Ameresco will be deemed to have satisfied the requirements of Section 1(b) above should Ameresco’s failure to meet the requirements of such section result from either (a) a material adverse change in Customer’s credit or bond rating or (b) an increase in interest rates such that the costs associated with the Scope of Work increase due to conditions beyond the control or fault of Ameresco.

3. Ameresco’s receipt of an executed copy of this Development Agreement shall be evidence of Customer’s agreement to the terms and conditions of this Development Agreement and its authorization of and notification to Ameresco to proceed with the Development Work. Ameresco will thereafter promptly initiate the Development Work.

4. Ameresco’s obligation to provide the Development Work under this Development Agreement may be terminated by Ameresco:

(a) Upon seven (7) days written notice if Ameresco believes that Ameresco is being requested by Customer to furnish or perform services contrary to Ameresco’s responsibilities as a qualified professional services firm; or

(b) Upon seven (7) days written notice if Ameresco’s services for the Development Work are delayed or suspended for more than ninety (90) days for reasons beyond Ameresco’s control.

In the event of termination pursuant to this Section 4, Customer will pay Ameresco for its time incurred on the basis of percent complete utilizing the total fixed price outlined in Section 2, above. Reimbursables, including out of pocket expenses for the following items: travel, reproductions, photographic developing, and printing, shall also be included as a part of the termination fee.

5. This Development Agreement and exhibits hereto, if any, shall (a) constitute the entire agreement between the Parties relating to the subject matter hereof, (b) supersede all previous agreements, discussions, communications and correspondences with respect to the subject matter hereof and (c) only be amended, supplemented or modified by a written instrument executed by both Parties. If any provision of this Development Agreement is held by a court of competent jurisdiction to be unenforceable, no other provision shall be affected thereby, and the remainder of this Development Agreement shall be interpreted as if it did not contain such unenforceable provision.

6. Customer hereby agrees to provide timely and complete access to all necessary property and energy consumption and cost records for the three (3) years preceding the commencement of Ameresco's services. Customer will make available the assistance of such personnel as may be necessary for Ameresco's performance of the Development Work hereunder. If, during the performance of the Agreement, as a result Ameresco may, by written notice to Customer, terminate this Agreement.

7. In no event shall Ameresco be liable for any special, consequential, incidental, punitive, exemplary or indirect damages in tort, contract or otherwise, including, without limitation, loss of profits, loss of use of the Facilities or other property, or business interruption, howsoever caused, in connection with this Development Agreement.

8. Ameresco and Customer represent and warrant to each other that (a) the execution, delivery and performance of this Development Agreement have been duly authorized and approved by all necessary organizational action on the part of such Party, (b) the signatories hereto have been duly authorized by all necessary organizational action of such Party to sign and deliver this Development Agreement and (c) upon execution this Development Agreement will constitute a legal, valid and binding obligation of such Party.

9. In the event Customer and Ameresco fail to execute an ESA as provided in paragraph 2 above, because Ameresco will not therefore be engaged to perform services in connection with the implementation of its recommendations, Ameresco will have no control over such implementation by the Customer or any third party. Accordingly, Ameresco specifically and expressly disclaims all responsibility for the use of or reliance upon such documents or memoranda by the Customer or any third party. Customer hereby agrees to indemnify and hold harmless Ameresco for any liability, loss, cost, expense, or damage which may result from the use of the documents and/or memoranda provided by Ameresco hereunder in the implementation of the energy savings recommendations made by Ameresco without its continued involvement.

10. This Development Agreement shall be governed by the laws of the State of Oregon.

**IN WITNESS WHEREOF**, the duly authorized officers or representatives of the Parties have set their hand under seal on the date first written above with the intent to be legally bound.

**City of Milwaukie, OR**

**AMERESCO, INC.**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

**SCHEDULE 1**

**TIME TABLE OF EVENTS**

	<b>What</b>	<b>When</b>
1	Execute Project Development Agreement – PDA	On or about March 17th, 2015
2	Review preliminary findings with City of Milwaukie Project Committee	On or about June 1st, 2015
3	Review findings with Citizens Utility Advisory Board	Citizens Utility Advisory Board Meeting on June 3rd, 2015
4	Review final project scope, costs, and savings with City of Milwaukie Project Committee	On or about June 30th, 2015
5	Update for City Council	July 7 <sup>th</sup> City Council Work Session
5	Deliver Energy Services Agreement (ESA) to Client	On or about July 14th, 2015
6	Finalize Project Options – Final Scope & Pricing Financial Funding Discussion & Review	On or about July 21st, 2015
7	Final Scope and Legal Review of Contract Documents	On or about July 28th , 2015
8	Signing of Legal Energy Service Agreement [ESA] Contract	City Council Work Session August 4th, 2015
9	Issuance of the “Notice to Proceed” by Client to Ameresco	On or about September 1st, 2015
10	Construction begins	On or about September 15th, 2015

## Attachment 2



### CITY OF MILWAUKIE

*"Dogwood City of the West"*

### Resolution No.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, PROVIDING PERMISSION TO MOVE FORWARD TO THE EVALUATION PHASE OF THE ENERGY SAVINGS PERFORMANCE CONTRACT WITH AMERESCO AND GRANTING THE CITY MANAGER AUTHORITY TO INITIATE THIS PHASE BY SIGNING THE TECHNICAL ENERGY AUDIT AGREEMENT.**

**WHEREAS**, the City of Milwaukie has performed a feasibility study and determined that water meter replacement and energy improvement projects appear to be viable projects warranting further study in an evaluation phase; and

**WHEREAS**, Ameresco, one of six Oregon Department of Energy preapproved Energy Services Companies (ESCO), responded to the City's Request for Qualifications; and

**WHEREAS**, City staff determined through a review process that Ameresco was the ESCO to move forward with;

**Now, Therefore, be it Resolved** that City Council authorizes proceeding to the evaluation phase of the Energy Savings Performance Contract (ESPC) process authorizing the City Manager to sign the Technical Energy Audit agreement with Ameresco.

Introduced and adopted by the City Council on \_\_\_\_\_.

This resolution is effective on \_\_\_\_\_.

---

Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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Pat DuVal, City Recorder

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City Attorney

Proposal to donate a bike repair station to the City for placement in front of City Hall

Date: March 13, 2015

Prepared by Councilor Lisa Batey

Milwaukie has no bike shop and no public bike repair station, such as are found in many places in the metro area. Washington County is in the process of putting in five such stations at publicly-owned sites – see

<http://bikeportland.org/2015/02/25/washington-county-will-install-bike-fix-stations-five-locations-134931>

Nearer to Milwaukie, a repair station is going into the Park Avenue parking structure, but I understand that it will be in an area where only those who pay for bike storage will have access. As far as I am aware, there are no other such stations along the Trolley Trail or Springwater Corridor. Even if there were, one in downtown Milwaukie makes sense to serve the needs of residents, visitors and downtown business patrons.

A loose group of Milwaukie residents has discussed this issue over the past couple of years, and are committed to crowd-funding the purchase of a repair station for installation in front of City Hall if the Council grants approval. City Hall is the ideal location for several reasons:

- it is central within downtown and only a block off McLoughlin and a bit over a block from the Trolley Trail
- it is a well-lit location, where a rider can get away from the higher-speed vehicle traffic on McLoughlin, and yet still be visible, enhancing safety for riders using the station
- it will be located near a bench, which might be helpful for riders with kids or lots of cargo, or for fellow riders waiting while repairs are made
- it is at the intersection of two important thoroughfares – Main & Harrison Streets – and as such is well-traveled, ensuring more visibility for riders using the station
- it is the gathering point for monthly Bike Milwaukie rides
- it is across from the site of Milwaukie's biggest recurring event, the Sunday Farmers Market

The product our research has led us to select is this station:

<http://www.bikefixtation.com/products/deluxe-public-work-stand> The station, including shipping and an extra set of tools, will cost roughly \$2,500 – if response is strong, we may buy two and look for another location for the other.

We propose to give the station to the City, and the City can do the installation or we will arrange for the installation. The vendor put us in contact with the City of Independence, where an employee of the Public Works Department installed the

station last summer and reported (a) it gets lots of use, (b) it has not required any particular maintenance, (c) he is not aware that anyone has been injured using it, and (d) it has not been vandalized. He did note that he welded the bolts on so as to deter any attempt at theft, but said that even with that additional work, installation was quite simple. Here are two links about others in Oregon:

Ashland (2011):

<https://sobikeblog.wordpress.com/2011/12/29/ashland-gets-a-fixation-public-bike-repair-stand/> (which also references one even earlier in Medford)

Salem (2014):

<http://www.willamettelive.com/2014/news/inspiration-collaboration-create-bike-fixing-station/>

This is a simple project that can benefit bike riders of all ages and skill levels. It will fill a need in the community and will not cost the City. We would like to have the Council's approval for this project so we can move forward with raising the funds.



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**RS 6. F.**  
**3/17/15**  
**Added 3/16/15**

**Resolution No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IN SUPPORT OF THE REGIONAL SAFE ROUTES TO SCHOOL PROGRAM \$40 MILLION ADDITIONAL EXPENDITURE.**

**WHEREAS**, children who live within a mile of the schools are not offered bus transportation in the City of Milwaukie; and

**WHEREAS**, the one-mile radius around schools often lacks safe infrastructure for walking and biking; and

**WHEREAS**, due to physical and economic constraints, the children of Milwaukie are at higher risk for childhood diabetes; and

**WHEREAS**, obesity among school age children is at an all-time high and rising; and

**WHEREAS**, when it is safe, convenient and fund to walk and bike to school, our children are healthier, our streets are safer and our community thrives; and

**WHEREAS**, kids that can safely walk and bike to their neighborhood school get regular physical activity and do better in school; and

**WHEREAS**, comprehensive Safe Routes to School programs have proven successful at getting more kids to bike and walk to school; and

**WHEREAS**, many kids are currently driven to school which increases congestion in our neighborhoods, expense to our citizens and contributes to Climate Change; and

**WHEREAS**, new funding is needed to build the infrastructure and secure the training to make Safe Routes to School for every student in Milwaukie.

**Now, Therefore, be it Resolved** that the City of Milwaukie, Oregon, requests that the Metro Regional Government establish a policy that supports Safe Routes to School in their effort to secure funding from the Federal, State and Metro sources in additional monies of \$40 million every two years for 30 years.

Introduced and adopted by the City Council on \_\_\_\_\_.

This resolution is effective on \_\_\_\_\_.

\_\_\_\_\_  
Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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

# WE SUPPORT SAFE ROUTES TO SCHOOL FOR EVERY KID.



## ***For Every Kid* Coalition Proposal for a Regional Safe Routes to School Program**

*For Every Kid* is a growing coalition of community, public health, and social justice organizations that are seeking to ensure safe routes to school for every kid. Coalition Leaders include American Heart Association, Safe Routes to School National Partnership, Bicycle Transportation Alliance, Upstream Public Health, Coalition for a Livable Future, Oregon Walks, Asian Pacific American Network of Oregon, Opal Environmental Justice, and many more. Read more about the coalition at [ourhealthystreets.org/foreverykid](http://ourhealthystreets.org/foreverykid).

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# WE SUPPORT SAFE ROUTES TO SCHOOL FOR EVERY KID.



**Why focus on Safe Routes to School? When it is safe, convenient, and fun to walk, bike, and take transit to neighborhood schools, our children are healthier, our streets are safer for everyone, and our communities thrive. Every kid in Oregon deserves a chance at a healthy future.**

## **A Dangerous Trend for Oregon's Kids**

Our kids are getting less exercise than any previous generation. One in three kids in the U.S. is overweight or obese, conditions that lead to heart disease, diabetes, hypertension—and eventually early death. Something as simple as walking to school every day isn't an option for many families in the tri-county region. Too many communities lack safe sidewalks, bikeways, and crosswalks. Kids who most need opportunities for physical activity often don't have safe routes for walking or biking to school which could give them 66% percent of their recommend daily exercise.

## **Healthy Kids, Safe Communities**

Kids who can safely walk and bike to their neighborhood school get regular physical activity, are healthier, and perform better in school. To ensure that's an option for all families, it is our region's responsibility to promote safe routes to school. We call on Metro to:

- Prioritize streets and crossings within a mile-radius of schools.
- Empower communities to take charge of their own health and safety with bike and pedestrian safety education.
- Dedicate funding that will create communities of families walking and biking together through fun, school-based events, which will strengthen communities and create healthy, active travel opportunities for our youth.

## **Safe Routes to Schools Works**

Some schools in the tri-county region have received funding since 2006 and implemented robust initiatives to create safe routes to school. Schools with well-supported programs that include education, encouragement, engineering, and others have seen walking and biking to school quadruple in the span of one year. Unfortunately, 89% of schools in the tri-county region have not benefitted at all. We can and should do more to ensure every kid has a

chance at a healthy future. More than 60,000 kids in the tri-county region could be walking and biking to school after just one year of robust effort to make safe routes to school real for our youth in the region.



## **Every School District in the Tri-County Region**

When it is safe, convenient, and fun to walk to neighborhood schools, our children are healthier, our streets are safer for everyone, and our communities thrive. Providing safe routes to school could bring the following to every community in the tri-county region:

- Healthier kids ready to learn – with fewer absences and better test scores
- Neighborhood streets that are built to be safer for all residents
- Kids equipped with crucial bike and pedestrian safety education
- Thriving neighborhoods that foster community
- Opportunities for physical activity for underserved kids in the region who need it most

**In the coming months, Metro Council will decide on critical funding that could give every kid a chance at a healthier future. Join us in working to get safe routes to school for every school district in the tri-county region to reach 150,000 kids.**

# Our Opportunity: Funding Safe Routes to School *For Every Kid*

\$56.5M biennially for comprehensive Safe Routes to School in the tri-county region.

To invest in safe routes to schools and help ensure health for every kid in the tri-county region will take \$56 million. Cities, counties, and school districts are already contributing a small portion of the needed funds for safe routes to school. Prioritizing kids as part of the \$140 million Metropolitan Transportation Improvement Program is a needed step in making safe routes to school a reality for every kid.

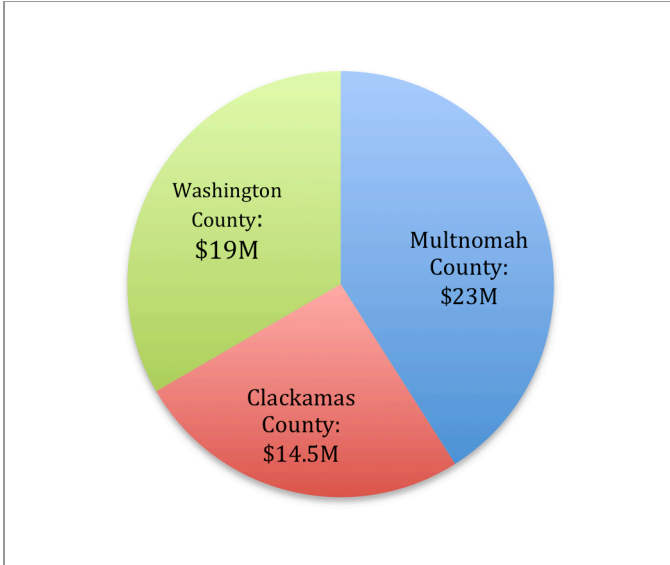
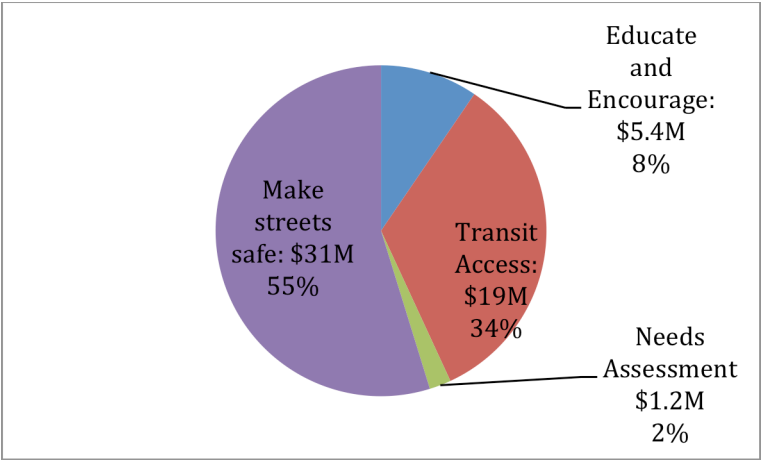
## Comprehensive Safe Routes to School Investment:

- Educate and encourage: 5.4M (biennial cost)
- Transit access: 19M (biennial cost)
- Needs assessment: 1.2M (one time cost)
- Making streets safer: 31M (biennial cost for 30 years)

Total: \$56.5M/biennium  
\$375 per student

## Break down of Investment in Safe Routes to School by County:

- Clackamas County: \$14.5M
  - 1.4M for education and encouragement
  - 4.7M for access to transit
  - 300K for needs assessment (one time cost)
  - 8M for making streets safe
  
- Multnomah: \$23M
  - 2.3M for education and encouragement
  - 7.4M for access to transit
  - 525K for needs assessment (one time cost)
  - 13M for making streets safe
  
- Washington: \$19M
  - 1.7M for education and encouragement
  - 7M for access to transit
  - 393K for needs assessment (one time cost)
  - 9.8M for making streets safe



## Our Opportunity: Funding Safe Routes to School *For Every Kid*

Neighborhood safety projects are developed using a variety of funding sources; sometimes several different funding programs are needed to complete a project from concept to completion. Options to help Metro and local jurisdictions bring safe routes to school for every kid include:

- 1) Federal – Discretionary Funds
- 2) Federal – Federal Transit Administration Grants and Funds
- 3) State – Safe Routes to School Program Grants
- 4) State – Highway Safety Improvement Program
- 5) State – Transportation Safety Division Funding
- 6) State – State Transportation Improvement Program (STIP) – Enhance Funding
- 7) State – Transportation Growth Management Grants
- 8) State – Department of Education School Funds
- 9) State – Oregon Health Authority Funds
- 10) State – New State Revenue – Gas Tax, Carbon Tax, Vehicle Registration Fee...
- 11) Regional – Regional Flexible Fund Allocations
- 12) Regional – New Public Safety/Transportation Bond Measure
- 13) Regional – Payroll Tax
- 14) Regional – Transit Fare Box Recovery
- 15) Regional – Transit Capital Funding
- 16) County – Health Funding
- 17) County – Traffic Safety Citation Revenue
- 18) County – General Funds
- 19) County – Property Tax
- 20) Municipal – General Transportation Revenue
- 21) Municipal – State Highway Trust Fund
- 22) Municipal – Parking
- 23) Municipal – General Funds
- 24) Municipal – Institutional Zone Development
- 25) Municipal – Local Improvement District
- 26) Municipal – Public Schools Bonds
- 27) Municipal – General Obligation Bond
- 28) Municipal – Parks & Rec Departments – education partnerships & infrastructure
- 29) Municipal – School transportation departments
- 30) Private – Private Development

## A Regional Safe Routes to School Program meets Metro's Regional Goals

Metro's Regional Transportation Plan (RTP) is a guide for future investments in the region's transportation system. The RTP is a blueprint that guides investments in the region's transportation system to manage congestion, build new sidewalks and bicycle facilities, improve transit service and access to transit, and maintain freight access. It sets policy and project priorities on a 25-year horizon and is updated every four years. The goals for the tri-county area laid out in Metro's Regional Transportation Plan are to foster vibrant communities and efficient urban form, sustain economic competitiveness and prosperity, expand transportation choices, emphasize effective and efficient management of the transportation system, enhance safety and security, promote environmental stewardship, enhance human health, ensure equity, ensure fiscal stewardship, and deliver accountability.

The *For Every Kid* Coalition proposes regional dedicated Safe Routes to School funding that supports regional goals adopted by Metro, including:

- Foster vibrant communities and efficient urban form and sustain economic competitiveness and prosperity

The Safe Routes to School National Partnership estimates that 20-25 percent of morning traffic is due to parents driving children to school<sup>1</sup>. These short vehicle trips slow traffic for all road users including people driving to work, people driving trucks delivering the necessary goods that keep our economy running, and people accessing those goods through local businesses by car. The *For Every Kid* Coalition proposal addresses the need to reduce congestion in the tri-county region in order to sustain economic competitiveness and prosperity.

- Enhance human health

Kids and families who can safely walk and bike to their neighborhood school get regular physical activity and perform better in school. Providing safe routes to school will ensure healthy transportation options for all families.

- Expand transportation choices and emphasize effective and efficient management of the transportation system

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<sup>1</sup> How Children Get to School: School Travel Patterns from 1969 to 2009 Prepared by the National Center for Safe Routes to School. November 2011. Available: [www.saferoutesinfo.org/program-tools/NHTS-school-travel-1969-2009](http://www.saferoutesinfo.org/program-tools/NHTS-school-travel-1969-2009).

The **2014 Regional Active Transportation Plan** emphasizes the importance of Safe Routes to School, including the need to “Fund education programs, encouragement programs and initiatives such as Bike Share and Safe Routes to School Programs” as one of the Priority Strategies. Although with health benefits, Safe Routes to School can lead to significant benefits for congestion management, as highlighted by the ATP through the success of Findley Elementary School in Beaverton, which “reduced the number of autos dropping and picking up students from 800+ a day to 400 cars by introducing a Safe Routes to School Program.”

- Promote environmental stewardship

One of the most cost effective strategies to reduce greenhouse gas emissions in the **Climate Smart Strategy** is to make walking and biking safe and convenient. Both infrastructure and program investments are necessary to improve safety for people walking and biking, and the *For Every Kid* Coalition proposal ensures that projects include both to maximize the effectiveness of each project.

- Ensure equity

The recently completed **Equity Baseline Report** discusses another critically important regional goal: meaningful engagement and empowered communities. “Decision makers should acknowledge the social, historical, and institutional barriers that exclude these communities from the decisions that most impact them, provide resources to build community capacity, affirmatively promote inclusive engagement that is early and often enough to be meaningful, prioritize community identified needs and solutions.” The *For Every Kid* Coalition proposal aims to improve meaningful engagement for community members and organizations to work with Metro to nominate projects for funding. Our kids who most need opportunities for physical activity often don’t have safe routes for walking or biking to school which could give them 66% percent of their recommend daily exercise. *Every* kid in Oregon deserves a chance at a healthy future.

*For Every Kid* is a growing coalition of community, public health, and social justice organizations that are seeking to ensure safe routes to school for every kid. Right now, kids in the tri-counties who most need opportunities for physical activity don’t have the necessary safe infrastructure—sidewalks, crosswalks, and bike lanes—in their communities and around their schools to support a healthy childhood. This is why the *For Every Kid* Coalition proposes regional dedicated Safe Routes to School funding that supports regional goals adopted by Metro.

# ***For Every Kid* Coalition Proposal for a Regional Safe Routes to School Program**

## **Regional Safe Routes to School Program**

The Regional Safe Routes to School Program allocates funding to reach all corners of the tri-county region. Through a competitive grant application process to fund safety projects and programs that encourage students to walk, bike, or use transit to travel to K-12 schools throughout the greater tri-county region, the Program will prioritize low-income schools and those schools with the greatest infrastructure barriers. See Appendix A for nomination/application process description.

The Regional Safe Routes to School Program (SRTS) prioritizes investments that:

- Support bicycling, walking, and access to transit in the 1-mile vicinity of schools through infrastructure projects, including (see Appendix B for Safe Routes to School needs and ideas from tri-county school districts):
  - Sidewalk improvements & connectivity
  - Transit access improvements
  - Traffic calming and speed reduction
  - Pedestrian and bicycle crossing improvements
  - On-street bicycle facilities
  - Off-street bicycle and pedestrian facilities
  - Secure bicycle parking facilities
  - Trail connections
- Support bicycling, walking, and riding transit in the 1 mile vicinity of schools through non-infrastructure projects, including (see Appendix B for Safe Routes to School needs and ideas from tri-county school districts):
  - Public awareness campaigns and outreach to media and community leaders to reach families, students, school staff, and community members
  - Traffic education and enforcement in the vicinity of schools
  - Youth transit passes and safe access to transit
  - Student transit education on safety, etiquette and route-finding
  - Student education sessions on bicycle and pedestrian safety and related health, environment, and other benefits of active travel
  - Outreach, training, and retention of safe routes to school program volunteers and managers
  - Incentives for encouragement programs such as challenges or weekly/monthly events
- Provide appropriate matching funds as required to leverage funds allocated

by MAP-21

- Prioritize service, education, and programming in communities of concern<sup>2</sup>
- Ensure that qualified community based organizations can provide general contracting services in construction of infrastructure projects, education, or encouragement programs

## **PROGRAM CRITERIA**

The following sets of criteria and questions will be used to determine which projects will be funded/selected for nomination. (See Appendix C for examples of criteria for Safe Routes to School in other states.)

### ***Highest priority criteria***

- **Safety Needs:** Based on the SRTS Needs Assessment and other map/data, identify the safety issues in the project area. How does the project design address safety in the area? (See bike/pedestrian crash map/data on Metro FTP site)
- **Serving Underserved Communities:** How does the project serve traditionally underserved, communities of concern, and Environmental Justice (EJ) communities? Explain how your project responds to data identifying concentrations of underserved communities and what project elements address the transportation needs of these communities. (See Transportation Equity maps/data on Metro FTP site for help identifying concentrations of EJ and communities of concern and how well they are served/not served).
- **Targeted Outreach:** Describe any outreach that has been conducted with EJ/underserved communities to date. Targeted outreach to these communities may be facilitated by Metro during the regional public comment period for comments on project scope. Additional outreach during project development phases (final design, preliminary engineering, etc.) may be a condition of funding approval.

### ***High priority criteria***

- **Last Mile Connections:** Does the project design include “last mile” connections between the school(s) and transit stop(s)? Please explain. (Last mile connections create safe and comfortable biking and walking routes that directly connect transit stops to nearby origins and destinations within a mile, and can include the provision of secure and convenient bicycle parking at stations)
- **Mode Share Changes:** Describe how the project will lead to an increase in non-

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<sup>2</sup> Communities of concern are communities where 50% or more of the children are eligible to receive free and reduced priced meals in the school or project area in question.

auto trips through improvements in the user experience.

- **Density/Growth:** Does the project serve a high density or projected high growth area? Please explain. (For high growth areas, explain how the project is coordinated with growth plans to focus or orient future development to maximize use of the project).
- **Outreach:** Please describe the outreach/education/engagement element of the project nomination (Metro staff is available to help design an effective and appropriate level of education and marketing for your project nomination).

***Priority criteria***

- **Leveraging Funds:** Are there opportunities to leverage other funds or investments with this project? Describe any opportunities you have identified and how you plan to coordinate with other project(s) or leverage other funds.
- **Reduce Road Expansion:** Describe how the project may help reduce the need for road and highway expansion.
- **Metro RTP Criteria:** Explain how the project meets Metro’s priorities for the region as outlined in the RTP.

## APPENDIX A

### **Regional Safe Routes to School Program Nomination/Application Process**

**Description:** This description is based on the Regional Flex Fund Allocation Project Nomination process for allocation of 2016-2018 funds.

#### **ELIGIBLE APPLICANTS**

Project nominations may be submitted on behalf of eligible sponsors located within the region's Metropolitan Planning Organization (MPO) boundary, including urbanized portions of: Washington County, its cities, and its school districts; Clackamas County, its cities, and its school districts; Multnomah County, its eastern cities, and its school districts; the City of Portland and its school districts; and TriMet. Community based organizations interested in applying will receive assistance from Metro staff to partner with an eligible sponsor.

#### **NOMINATION/APPLICATION FRAMEWORK FOR SAFE ROUTES TO SCHOOL PROGRAM**

This framework provides the direction for Metro to initiate the collaborative project nomination process and lays out the steps that will be taken to get to the decision process.

#### **Pre-application Assistance (Date)**

- i. Outreach and educational workshops with communities of concern and organizations that serve communities of concern
  - a. Define roles for community-based organizations to play in needs assessment, technical assistance, application assistance, and developing community capacity
  - b. Describe available application assistance, including access to data, mapping, and research services that support the selection criteria
  - c. Provide information about evaluation frameworks to measure effectiveness of projects
  - d. Provide information about community-based contracting partners
- ii. Provision of alternative matching funds opportunities for lower-income communities through (insert process).

#### **Regional kick-off meeting (Date)**

Process description & instructions

- i. Sub-regional allocation target
- ii. Project scope direction
- iii. Project cost minimum/maximums
- iv. Nomination materials and schedule
  - a. Data addressing criteria objectives
  - b. Illustrative project and project development process description

**Public comment process (on scope and scale of submitted projects)**

- A public comment process will be held in (insert date) on all projects submitted
- Metro to provide summary of comments to applicants, three county coordinating committees, City of Portland, and TriMet
- Applicants to provide response to issues identified in comment summaries

**Project nomination**

- Action by Transportation County Policy Coordinating Committees and City Councils to nominate project(s) consistent with nomination process instructions
- Action from lead agency Council or board on project nominations

**Decision process**

- TPAC recommendation
- JPACT action
- Metro Council adoption

**Sub-regional fund targets \***

Fund targets*	Region	Clackamas County	Multnomah County	Washington County
Education & encouragement (biennial cost in	\$5.4	\$1.4	\$2.3	\$1.7

millions)				
Access to transit (biennial cost in millions)	\$19.1	\$4.7	\$7.4	\$7.0
Needs assessment (one time cost in millions)	\$1.2	\$0.3	\$0.525	\$0.393
Making streets safer (biennial cost in millions for 30 years)	\$30.8	\$8	\$13	\$9.8
Total	\$56.5	\$14.4	\$23.2	\$18.9

\* Based on % of student population

### **Program non-infrastructure minimum**

Program applications must seek to fund infrastructure and non-infrastructure projects concurrently with a commitment to 10-30% allocated to non-infrastructure initiatives that support the overall project at a specific location.

## **PROJECT SUMMARY AND NOMINATION/APPLICATION NARRATIVE INSTRUCTIONS**

### **Project summary**

Project summaries will be used for the public comment process. The feedback received on these summaries can be used to help prioritize which project(s) to nominate if desired. The summary form includes the following:

1. Project extent or area description and how you identified the location as a priority.
2. Purpose and need statement (highlight most relevant criteria).
  - Discuss the relative costs and benefits of the range of alternatives considered
  - Quantify the safety and mobility benefit in relationship to both the total project cost and the funds provided
  - Improved public health through the targeting of populations with high risk factors for obesity, physical inactivity, asthma or other health issues
  - Benefit to communities of concern

3. Description of project design elements

4. Map of project area

### **Project nomination narrative**

Project nomination narratives provide in-depth process, location and project definition details and serves as the application/nomination form for project funding consideration. The following is identical to the form available on Metro’s website and includes instructions and information for answering the questions. Project narratives should be kept to 12 pages total per project.

#### *Process*

- Describe the process used to identify the project to be put forward for funding consideration. (Answer should demonstrate that the process met minimum public involvement requirements per Appendix D.)
- Describe how you coordinated with: community members, community-based organizations, school staff and administrators, students, transportation providers, and other relevant parties; and how the process impacted the project location and design.

#### *Location*

- Describe how you identified the travel corridor/area for the project and how regional and local data relevant to the project criteria support this location as your top priority.

#### *Project information*

- Corresponding RTP project number(s) for the nominated project (if applicable).
- Contact information for: Application lead staff, Project Manager (or assigning manager), Project Engineer (or assigning manager, if applicable).
- Description of project extent, design elements and how measurement of project effectiveness after construction/implementation is to be completed. (Metro staff is available to help design measurement methodologies for post-construction project criteria performance).
- Please provide a purpose and need statement for the project you’re nominating. (The purpose and need statement should address the criteria as they apply to the project area for example: increase non-auto trip access to X school(s), particularly for the high concentration of Y and Z populations in the project area).

- Describe how the project improves access to school for EJ/underserved communities. (See maps/data on Metro FTP site).

## APPENDIX B

**Interviews with School District Staff, October 2014-February 2015:** What school districts in the tri-county region want from a Regional Safe Routes to School Program.

### Summary

A successful Safe Routes to School Program includes:

- Comprehensive education programs for walking and biking safely
- Encouragement programs to promote walking and biking to school
- Safe access to transit
- Safety improvements on streets within a one-mile radius of the school focusing on infrastructure to make it safe to walk, bike, and access transit

Interview with Barbara Keinle 10/16/14

David Douglas School District

What does a fully funded SRTS program look like for David Douglas students?

- Sidewalks on every street, especially the major thoroughfares that students use
- Bike lanes on major streets
- Assistance for kids to take public transit
- Have enough bike racks
- Safety patrol, supplies, training for kids and adults
- Awareness about school bus zones
- Small stipend for safety patrol teachers/volunteers
- Bus safety monitors- someone to help direct traffic in front of the schools when the buses come
- A walking and biking program that can be done during PE with a special schedule
- Staff support for PE teachers to teach bike classes
- Outreach to parents
- Walking school buses
- Have a wellness coordinator
- Provide materials for SRTS and staffing for SRTS at the same time!
- School resource officers could participate in SRTS activities
- Funds to help coordinate SRTS at the school level
- A POD to store bikes during programming
- The School district would work with the City to fix hazard busing areas.

Interview with Principal Amy Busch: 10/21/14

Linwood Elementary, North Clackamas School District

- Families travel to our school daily for school, to attend sports practices/games and for healthy recreation time. Linwood Avenue is a very

busy street with limited sidewalks that causes a great safety concern each day. We would be thrilled to have additional safe routes to school that would help to protect our students as they walk or bike to school.

Interview with Casey Walitich: 11/4/14

Hillsboro School District

What does a fully funded SRTS program look like for Hillsboro students?

- Needs consistent funding that is not grant oriented
- Staff capacity
- Infrastructure projects
- Rain coats for families
- Lights and flashers for kids
- Bicycle education and walking habits education
- Establish programs for walkers, like walking school buses
- Incentive programs for good/safe behavior
- Bullying awareness walking to schools
- Equipment for safety patrol- rain gear, flags, and vests
- We are understaffed in crossing guards at high impact areas
- Do a needs assessment for capacity
- The parking lots are not built for the level of traffic that is now here
- Add sidewalks on streets
- Hire an engineer to look into traffic flow and what improvements can be made
- Beacons at crossing- more in school zones

Interview with Justin Birmingham: 12/16/14

Reynolds School District

What does a fully funded SRTS program look like for Reynolds students?

- Make the streets safe around the schools
- More kids walking and biking to school
- Education programs for all students
- Staff capacity for encouragement programs
- More options for students and families

Interview with Justin Dollard: 1/7/15

Portland Public Schools

What does a fully funded SRTS program look like for PPS students?

- Update hazard busing plan and help reduce hazard busing by fixing streets
- Identify collector streets for every school that kids can walk and bike on
- Integrate walking and biking education into PE classes
- Incorporate bike maintenance education into SUN programs
- Maintain Trimet bus service for high school students

Interview with Principals and District staff: 1/8/15

David Douglas School District

What does a fully funded SRTS program look like for DD students?

- Bike Security and storage: Fernridge
- Sidewalks from 122-136 and 128- Holgate/Foster: Alice Ott Middle School (MS)
- Walking and biking education in SUN programs: Alice Ott MS
- Bike path from 135 to 130<sup>th</sup> to access the high school: John Buyer High School (HS)
- Sidewalk assessment and Trimet bus access: John Buyer HS
- In-school education for every student: Gilbert Heights Elementary School (ES)
- Bike Helmets for adults and children: Gilbert Heights ES
- Sidewalks on 128<sup>th</sup> to Foster: Gilbert Heights ES
- Fix Intersection at 108<sup>th</sup> and Stark- students have been hit here: District
- Sidewalks 117<sup>th</sup> to Market to Lincoln: Mill Park ES
- Sidewalks on 104<sup>th</sup>: Earl Boyles ES
- Ability to improve walk-zones (area 1-mile radius of the school): District
- For policy: Rank the schools using the SUN service system of ranking. District

Interview with Kevin Sutherland, Public Safety Director: 1/12/15

Beaverton School District

- Migrate SRTS from public safety transportation and get dedicated staff/coordinator
- All schools have neighborhood maps
- All students have biking and walking education- including parent education
- Coordinate with Let's Move/Healthy Students Move (Michelle Obama effort)
- Fully integrated with school district's values/pillars and strategic plan
- At least 1 FTE with engineering expertise, who could go to every established crosswalk and evaluate it, coordinate improvements with the City of Beaverton and Washington County, make sure parking lots have safe circulation and separation of biking, walking, school buses etc, ensure crossing guards and lighting is working properly, and also bring a SRTS lens to capital bond construction
- About 4 FTE (1 at minimum) in charge of education and encouragement: public face of SRTS, advocate for it, work with community partners and law enforcement, coordinate education for kids during school and out-of-school, coordinate education and engagement for parents (evenings, weekend events), work on the webpage and public communications
  - 1 position cannot be enough due to need for daytime/weekday work, and evening/weekend work to reach parents and broader community
- Sufficient budget for these positions to ensure quality candidates, benefits-high-quality engineers, educators, public speakers don't come cheap

- Ability to serve high schools too
- Really smart evaluation (maybe done by Metro) of pilot programs and other efforts to make sure we learn from our work and improve
- Need sidewalks and lighting, especially in unincorporated areas
- Hire “walkers” to “drive” walking school bus
- Parents feel comfortable letting kids use great existing regional trails
- Ability to contract more for targeted enforcement
- No kid is being driven who has school bus or is close enough to bike/walk

Interview with Hillsboro Education Association, 1/21/15

What does a fully funded SRTS program look like for Hillsboro students?

- McKinney- needs sidewalks on north side of school, also to Glencoe high school.
- WL Henry- no buses, dark, needs sidewalks
- Exercise is important, and its also an equity issue
- Buses or options for kindergarten (younger students)
- Need speakers at school with parents to talk about benefits of walking and biking
- Need umbrellas and good shoes
- Cornelius Pass crosswalk, needs vocal element
- Need more than one crosswalk to the school
- Need flashing lights at crossings
- Need to do a needs assessment for entire district to looks for sidewalk gaps near schools

Interview with Safe Schools Committee of Washington County, 1/27/15

Attendees: Washington County Health Department, Hillsboro SD, Beaverton SD, Hillsboro Police, and Beaverton Police

What does a fully funded SRTS program look like for Washington County students?

- Education around pedestrians and bikers reflective clothing
- Infrastructure: lighting, sidewalks, won’t allow younger kids to walk until the pieces are in place.
- School needs assessment
- Programming: educating students
- Stranger danger: walking school buses, group walking to schools
- SRTS folks get into traffic departments to ask for enforcement around pick up and drop off, do evaluation around schools.
- Make marked crosswalks closer to schools

## APPENDIX C

### **Excerpts from the California Transportation Commission Active Transportation Program Guidelines**

California Transportation Commission adapted a resolution and policy language around Safe Routes to School in March 2014. Below are excerpts that focus on criteria for Safe Routes to School projects, a Technical Assistance and Resource Center, and scoring criteria. Read the whole document online at [http://www.catc.ca.gov/programs/ATP/2014\\_ATP\\_Guidelines\\_adopted\\_032014.pdf](http://www.catc.ca.gov/programs/ATP/2014_ATP_Guidelines_adopted_032014.pdf).

#### SAFE ROUTES TO SCHOOL PROJECTS

For a project to contribute toward the Safe Routes to School funding requirement, the project must directly increase safety and convenience for public school students to walk and/or bike to school. Safe Routes to Schools infrastructure projects must be located within two miles of a public school or within the vicinity of a public school bus stop. Other than traffic education and enforcement activities, non-infrastructure projects do not have a location restriction.

#### TECHNICAL ASSISTANCE RESOURCE CENTER

In 2009, the University of California, San Francisco was awarded federal Safe Routes to School funds to act as the Technical Assistance Resource Center for the purpose of building and supporting local regional Safe Routes School non-infrastructure projects.

Typical center roles have included:

- Providing technical assistance and training to help agencies deliver existing and future projects and to strengthen community involvement in future projects including those in disadvantaged communities.
- Developing and providing educational materials to local communities by developing a community awareness kit, creating an enhanced Safe Routes to Schools website, and providing other educational tools and resources.
- Participating in and assisting with the Safe Routes to Schools Advisory Committee.
- Assisting with program evaluation.

The Commission intends to comply with the statutory requirement to fund a state technical assistance center by expanding the existing Safe Routes to Schools Technical Assistance Resource Center interagency agreement to serve all Active Transportation Program non-infrastructure projects.

#### SCORING CRITERIA

Proposed projects will be rated and ranked on the basis of applicant responses to the below criteria. Project programming recommendations may not be based

strictly on the rating criteria given the various components of the Active Transportation Program and requirements of the various fund sources.

- Potential for increased walking and bicycling, especially among students, including the identification of walking and bicycling routes to and from schools, transit facilities, community centers, employment centers, and other destinations; and including increasing and improving connectivity and mobility of non-motorized users. (0 to 30 points)
- Potential for reducing the number and/or rate of pedestrian and bicyclist fatalities and injuries, including the identification of safety hazards for pedestrians and bicyclists. (0 to 25 points)
- Public participation and Planning. (0 to 15 points)

Identification of the community-based public participation process that culminated in the project proposal, which may include noticed meetings and consultation with local stakeholders. Project applicants must clearly articulate how the local participation process resulted in the identification and prioritization of the proposed project. For projects costing \$1 million or more, an emphasis will be placed on projects that are prioritized in an adopted city or county bicycle transportation plan, pursuant to Section 891.2, pedestrian plan, safe routes to school plan, active transportation plan, trail plan, or circulation element of a general plan that incorporated elements of an active transportation plan. In future funding cycles, the Commission expects to make consistency with an approved active transportation plan a requirement for large projects.

- Cost-effectiveness. (0 to 10 points)

Applicants must:

- Discuss the relative costs and benefits of the range of alternatives considered.
- Quantify the safety and mobility benefit in relationship to both the total project cost and the funds provided.

Caltrans must develop a benefit/cost model for infrastructure and non-infrastructure active transportation projects in order to improve information available to decision makers at the state and MPO level in future programming cycles by September 30, 2014.

- Improved public health through the targeting of populations with high risk factors for obesity, physical inactivity, asthma or other health issues. (0 to 10 points)

- Benefit to disadvantaged communities. (0 to 10 points)
- Use of the California Conservation Corps or a qualified community conservation corps, as defined in Section 14507.5 of the Public Resources Code, as partners to undertake or construct applicable projects in accordance with Section 1524 of Public Law 112-141. Points will be deducted if an applicant does not seek corps participation or if an applicant intends not to utilize a corps in a project in which the corps can participate. (0 to -5 points)

The California Conservation Corps can be contacted at [ccc.ca.gov](http://ccc.ca.gov). Community conservation corps can be contacted at [californialocalconservationcorps.org](http://californialocalconservationcorps.org).

Direct contracting with the California Conservation Corps or a qualified community conservation corps without bidding is permissible provided that the implementing agency demonstrates cost effectiveness per 23 CFR 635.204 and obtains approval from Caltrans. A copy of the agreement between the implementing agency and the proposed conservation corps must be included in the project application as supporting documentation.

- Applicant's performance on past grants. This may include project delivery, project benefits (anticipated v. actual), and use of the California Conservation Corps or qualified community conservation corps (planned v. actual). Applications from agencies with documented poor performance records on past grants may be excluded from competing or may be penalized in scoring. (0 to -10 points)

## APPENDIX D

### Description of Nominating Agencies Minimum Public Involvement Requirements

Nominating agencies shall provide Metro with documentation as part of project applications that they:

1. Used appropriate demographic data to develop a demographic profile of the area affected or served by the proposed project or program.
2. Provided notice of public input opportunities.
3. Sought public input in the planning of the project.
4. Made a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these groups and other protected classes.
5. Considered public comments and responded to all substantive comments, even when the suggestions in the comments were not accepted.

The public involvement and Title VI activities may have taken place during a prior funding process.

Minimum requirements for local public process prior to the identification of local priority projects.

- Sub-regional county coordinating committees and Portland to hold at least one public meeting on projects that could be nominated. This should extend beyond a public hearing at a regular County Coordinating meeting and should take place in (insert date).
- All sub-regions are to document how they notified the public and stakeholder groups about the meeting. Contact information for those groups should be forwarded to Metro for use in the subsequent regional public comment period.
- All Sub-regions to document the comments received at public meeting(s) and other times during the nomination process.
- Sub-regions to use outreach to publicize the meeting(s) and gather input.
- A technical analysis of the nominated projects to the category criteria shall be completed. It should reference the materials used from the Resource Guide and it should be made available and shared with the:
  - Public in time for the public comment period.
  - Policy committee prior to their recommendation of projects to JPACT.
  - Metro Council.



**To: Mayor and City Council**

**Through: Bill Monahan, City Manager**

**Subject: Council Input to Legislative, County, or Regional Issues**

**Date: March 10, 2015**

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### **ACTION REQUESTED**

Bring forward and discuss any Legislative, county or regional action items that require City Council input prior to the next regularly scheduled City Council meeting.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

March, 2015 – During the City Council retreat of March 8, 2015, Council discussed interest in having the opportunity to discuss time sensitive issues that could require City Council input to Legislative, Clackamas County, or regional committee. It was determined that an agenda item would be placed on future agendas for this purpose.

### **BACKGROUND**

With the convening of the Oregon Legislative Session, a number of proposed bills are and will be pending before the Legislature that might require City Council input. In addition, recently citizens approached the City Council to take a position on a matter pending before the Clackamas County Board of Commissioners or one of its advisory boards. During the City Council retreat of March 8, 2015, Council discussed interest in having the opportunity to discuss time sensitive issues that could require City Council input to Legislative, Clackamas County, or regional committee. It was determined that a routine agenda item would be placed on future agendas for this purpose.

Staff plans to reserve an agenda item on each future agenda to allow Council to bring forth issues that require such Council input. In order to provide sufficient public notice of the matters before Council, and to allow for a full discussion of issue, matters to be discussed during this agenda item should be identified by individual Council members in advance and materials related to the item (such as draft bills, background materials, etc.) provided to be part of the agenda materials. It is recognized that in some cases there will be short notice of the need for Council input so materials may not be available for the packet. But, these cases should be the exception rather than the rule.

The discussion items that will be considered during this agenda item will be limited to the following:

1. Legislative issues pending before the Oregon Legislature.
2. Issues before the Clackamas County Board of Commissioners or a County Advisory Board.
3. Issues before a regional board or committee that a member of the City Council or other Milwaukie designated representative serves. In most cases, the purpose of the discussion will be to provide direction to the City's representative of the Council's preferred position on a matter pending before that regional board or committee.

Items that require discussion by Council during the agenda of March 17 include:

- Madrone Wall – pending before the County
- House Bill -

**CONCURRENCE**

None

**FISCAL IMPACTS**

None

**WORK LOAD IMPACTS**

Preparation of materials for Council consideration and whatever follow up action is required.

**ALTERNATIVES**

Take no action on items of this nature at the March 17 meeting.

**ATTACHMENTS**

1. Resolution In Support of House Bill 2564

# Attachment 1



## 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 OREGON HOUSE BILL 2564, REPEALING THE CURRENT STATE PRE-EMPTION ON INCLUSIONARY HOUSING.**

**WHEREAS**, inclusionary zoning is a tool that local governments may use to promote a supply of affordable, work force housing for their citizens; and

**WHEREAS**, Oregon and Texas are the only states in the United States that have a state statutory ban on inclusionary zoning; and

**WHEREAS**, recent Census data indicates that Portland, OR, is gentrifying more rapidly than any other city in the United States, Milwaukie home prices have increased approximately 11% in the course of one year, and Milwaukie median rent now exceed \$1,000 per month; and

**WHEREAS**, City Council believes housing affordability for its residents is imperative to preserving the character and community in its town; and

**WHEREAS**, the Oregon Legislature is currently considering legislation which would repeal that inclusionary zoning prohibition.

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

Section 1. This Resolution is adopted to support the passage of House Bill 2564 and repeal the Oregon Revised Statutes 197.309.

Section 2. This Resolution is effective immediately.

Introduced and adopted by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Wilda Parks, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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