

**RESOLUTION NO. 3-2006**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, RESCINDING RESOLUTION NO. 31-2004 "RECOMMENDING THE TILLAMOOK BRANCH LIGHT RAIL ALIGNMENT AND ALTERNATIVE 2.5 (KELLOGG LAKE) TRANSIT CENTER SITE" AND REAFFIRMING THAT RELOCATION OF THE PRESENT ON-STREET MILWAUKIE TRANSIT CENTER IS A PRIORITY AND IS ESSENTIAL TO A VIBRANT, THRIVING DOWNTOWN.**

**WHEREAS**, on April 17, 2004 the Metro Council approved the South Corridor locally preferred alternative ("LPA"); and;

**WHEREAS**, a significant provision of the LPA provides for "relocation of the existing on-street Milwaukie transit center to the Southgate area pending resolution of design and environmental issues . . ."; and

**WHEREAS**, shortly after adoption of the LPA by the Metro Council, some stakeholders expressed a desire to review the above recommendation regarding location of the on-street Milwaukie transit center; and

**WHEREAS**, a working group was convened to undertake that review; and

**WHEREAS**, on February 4, 2004 it recommended that the on-street Milwaukie transit center be relocated to a site referred to as the Kellogg Lake site; and

**WHEREAS**, on April 8, 2004 the Milwaukie Planning Commission recommended that the City Council approve the designation of the Kellogg Lake site; and

**WHEREAS**, on October 5, 2004 the City Council recommended designation of the Kellogg Lake site by adoption of Resolution 31-2004; and

**WHEREAS**, in October 2005 it was learned that the City and the grantor of the Kellogg Lake site, Ms. Dena Swanson, had entered into a letter of agreement ("Agreement") dated December 27, 1991 whereby the said property would be maintained as a "park" and would be named after her deceased husband, Bob Kronberg; and

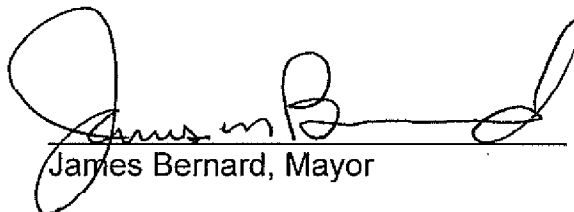
**WHEREAS**, on December 21, 2005, Mrs. Dena Swanson has indicated her desire that the whole of the real property transferred pursuant to the 1991 Agreement remain in park use; and

**WHEREAS**, development of a transit center on the Kellogg Lake site is inconsistent with the terms of the 1991 Agreement.

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

- Section 1: Resolution No. 31-2004 "RECOMMENDING THE TILLAMOOK BRANCH LIGHT RAIL ALIGNMENT AND ALTERNATIVE 2.5 (KELLOGG LAKE) TRANSIT CENTER SITE" is rescinded.
- Section 2: The City Council hereby reaffirms that the relocation of the present on-street Milwaukie transit center is a priority for 2006 and is essential to a vibrant, thriving downtown.
- Section 3: This resolution is effective upon adoption.


Introduced and adopted by the City Council on January 3, 2006.



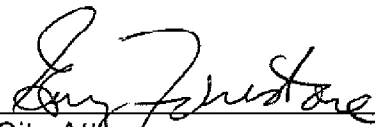
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew, & Corrigan, LLP



Pat DuVal, City Recorder



City Attorney