

AGENDA
City of Oregon City, Oregon
WEDNESDAY, DECEMBER 16, 2009

REGULAR MEETING OF THE CITY COMMISSION
7:00 P.M.

City Commission:

Alice Norris, Mayor
Daphne Wuest, Commission President
Doug Neeley
James Nicita
Rocky Smith, Jr.

Meeting held at:

City Hall, Commission Chambers
625 Center Street
Oregon City, OR 97045
503-657-0891

1. Convene Regular Meeting of December 16, 2009, and Roll Call
2. Flag Salute
3. Ceremonies, Proclamations, Presentations
 - a. Sesquicentennial Moment
 - b. Distinguished Bravery Award - Destiny Rowe-Kappel
Presented by the Oregon City Police Department
 - c. National Park Service Update: Tracy Fortmann, Superintendent of Fort Vancouver National Historic Site
 - d. Transportation Advisory Committee - Annual Report for 2008 and 2009
4. Citizen Comments

This section of the agenda allows citizens up to 3 minutes to present information or raise issues relevant to the city, regarding items not on the agenda. As a general practice, the City Commission will not engage in discussion with those making comments. Prior to speaking, citizens should fill out a form (available in the foyer) and hand it to the Mayor or City Recorder. Begin speaking by stating your name and residing city.
5. Adoption of the Agenda
6. Public Hearings
7. General Business
 - a. Findings of Fact for the McLoughlin Neighborhood Association Appeal (AP 09-02) and the City Commission Call-up of the Planning Commission's August 13, 2009 Approval with Conditions of the Public Works Concept Master Plan
Staff: Dan Drentlaw, Community Development Director
 - b. Resolution No. 09-35, Department of Land Conservation and Development Grant for Downtown Redevelopment
Staff: Dan Drentlaw, Community Development Director
 - c. Resolution No. 09-34, Establishing the Oregon City Tree Committee
Staff: Dan Drentlaw, Community Development Director

7. General Business

- d. Task Force on Habitat Enhancement
Staff: Larry Patterson, City Manager
- e. End of the Oregon Trail Interpretive Center Request for Proposal for Consultant Services and Memo Detailing Current Staffing and Funding Estimates
Staff: Larry Patterson, City Manager
- f. Update on Volunteer Management of Ermatinger House
Staff: Scott Archer, Community Services Director

8. Consent Agenda

This section allows the City Commission to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.

- a. Minutes of the November 16, 2009 Work Session (all present)
Staff: Nancy Ide, City Recorder
- b. Minutes of the November 18, 2009 Regular Meeting (all present)
Staff: Nancy Ide, City Recorder
- c. Minutes of the August 5, 2009 Joint Work Session with Clackamas Heritage Partners (all present)
Staff: Nancy Ide, City Recorder
- d. Resolution 09-32, Authorizing Access Changes to City of Oregon City Rental of Safety Deposit Boxes No. 1355 and 1253 at Clackamas Federal Credit Union
Staff: Nancy Ide, City Recorder
- e. Reappointment of Members to the Urban Renewal Commission for the Term January 1, 2010 to December 31, 2012
Staff: Nancy Ide, City Recorder
- f. Minutes of the December 2, 2009 Regular Meeting
Staff: Nancy Ide, City Recorder

9. Communications

- a. City Manager
 - a. Update on Comcast Franchise and WFTV IGA
- b. Mayor
 - a. Mayoral Reappointments to the Planning Commission:
Tim Powell - Term: January 1, 2010 to December 31, 2010
Dan Lajoie - Term: January 1, 2010 to December 31, 2010
Paul Carter Stein - Term: January 1, 2010 to December 31, 2013
Chris Groener - Term: January 1, 2010 to December 31, 2013
- c. Commissioners

10. Adjournment

ORDER OF THE VOTE NO. 1
Nicita, Neeley, Wuest, Smith, Norris

Citizen Comments: The following guidelines are given for citizens presenting information or raising issues

10. Adjournment

relevant to the City but **not listed on the agenda** under the Citizen Comments section of the agenda.

- Complete a Comment Card **prior to the meeting** and submit it to the City Recorder.
- When the Mayor calls your name, proceed to the speaker table and speak into the microphone.
- Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the device on the speaker table. The green light turns on when speaking begins; the yellow light appears when 30 seconds remain; the red light appears when speaking time is complete.
- As a general practice, the City Commission does not engage in discussion with those making comments.

If you wish to speak on an item **on the agenda**, complete the Comment Card, submit it to the City Recorder, and the Mayor will call your name when the item is addressed on the agenda.

All speakers should begin speaking by stating their name and the city in which they reside.

Agenda Posted December 11, 2009 at City Hall, Pioneer Community Center, Library, [City Web site](#).

Video Streaming & Broadcasts: The meeting is streamed live on Internet on the Oregon City's Web site at www.orcity.org and available on demand following the meeting. The meeting can be viewed live on [Willamette Falls Television](#) on Channels 23 and 28 for Oregon City and Gladstone residents; Channel 18 for Redland residents; and Channel 30 for West Linn residents. The meetings are also rebroadcast on WFTV. Please contact WFTV at 503-650-0275 for a programming schedule.

City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City Recorder prior to the Commission meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

WELCOME TO THE FRANCIS ERMATINGER HOUSE

The Francis Ermatinger House was built in 1845, and is the oldest house in Oregon City, as well as the third oldest house in the state of Oregon. Originally located in downtown Oregon City, where the Elks Club now sits, it was moved in 1910 to 11th and Center Streets. The house was moved in 1986 to its present location.

Francis Ermatinger, the original owner, was a powerful and influential figure in early Oregon history. He was a chief trader for the Hudson's Bay Company, he was in charge of Fort Boise and Fort Hall and managed the Hudson's Bay Company in Oregon, and he was the first British subject to hold public office in the Oregon Provisional Government in 1845.

Francis Ermatinger was born in Portugal in 1798 and was educated in England. He entered the service of the Hudson's Bay Company in 1818 in England and worked at York Factory on Hudson Bay until 1825 when he came to the Oregon Territory to work for Dr. John McLoughlin at Fort Vancouver. He was placed in charge of trade with the Flat Head Indians in the 1830's and from 1838 to 1842, was in charge of Fort Hall and Fort Boise.

In 1841, Ermatinger married Catherine Sinclair, who was Mrs. John McLoughlin's granddaughter. In 1842 he was promoted to Chief Trader and from 1844 to 1846 managed the Hudson's Bay Company Store in Oregon City. When British subjects were given the right to vote and hold office in the Oregon Provisional Government in 1845, Ermatinger ran against incumbent Philip Foster and was elected Treasurer. In 1846 he visited England where he was transferred to York Factory by Governor Simpson of the Hudson's Bay Company. He died in Ontario, Canada in 1858.

The Francis Ermatinger House is the only two-story Federal-style house built with a flat roof in the state of Oregon. A hip roof was built over the original flat roof prior to the turn of the century and it is only with the restoration of the structure that the flat roof has again been brought into use. A new flat roof has been built over the original tin roof to protect it, but the tin roof is still visible for inspection through an interior accessway. The new flat roof is hidden by the original cornice. Other features that have been restored include the front porch, a rear porch, and original windows.

The restoration of the Francis Ermatinger house was undertaken and completed through the efforts of Ruth McBride Powers who has restored numerous other structures in the state, including structures in Aurora, St. Paul, and Jacksonville. She has moved and restored the house for the benefit and enjoyment of the citizens of Oregon City and the state of Oregon.



OREGON CITY

625 Center Street | Oregon City OR 97045

Ph (503) 657-0891

ENTERED INTO THE RECORD

DATE RECEIVED: 12-16-09
SUBMITTED BY: Alice Morris
SUBJECT: Item 3c

December 16, 2009

Mr. Rory Westberg
Acting Regional Director
National Park Service
1111 Jackson Street
Oakland, CA 94607

Dear Mr. Westberg,

The purpose of this letter is to clarify the position of the City of Oregon City on Ermatinger House and to make a proposal to the National Park Service regarding the long term preservation and public use of this historic property.

Several years ago when the National Park Service was engaged in the general management planning process for Fort Vancouver National Historic Site, the NPS was considering the possibility of adding historical properties in Oregon City, Oregon which have a direct connection with Dr. John McLoughlin, Chief Factor of the Hudson Bay Company (HBC) and the HBC operations in their Columbia Department as part of the park.

It was discussed at that time that three Oregon City properties were important historic properties worthy of consideration for addition to the Fort Vancouver National Historic Site and direct management by the National Park Service (NPS) due to their direct relationship with the Hudson Bay Company and the early settlement history of the Oregon Territory; the McLoughlin House, the Barclay House, and the Francis Ermatinger House.

At that time, the City of Oregon City endorsed legislation that would add the McLoughlin House National Historic Site, which was then an affiliated area of the National Park System, as a unit of Fort Vancouver National Historic Site. On July 29, 2003 Congress passed Public Law 108-63, which authorized these two properties to be added as the McLoughlin House Unit of Fort Vancouver National Historic Site.

The NPS proceeded to purchase the McLoughlin and Barclay houses from the McLoughlin Memorial Association in March, 2004. Concurrently, the City of Oregon City donated a scenic easement from its Charter Park land at the McLoughlin site to the NPS that provides for full NPS management and access to the site for public use and NPS operations and site preservation.



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In 2007, a plan for the McLoughlin House Unit, which also included the Barclay House, was subsequently approved by the NPS. The National Park Service now manages these two historic properties in cooperation with the McLoughlin Memorial Association and the City of Oregon City.

We are very pleased with the positive relationship between the City and the National Park Service that has been sustained since the property was incorporated as a unit of Fort Vancouver National Historic Site.

Unfortunately, at the time of the public discussions about the future of the McLoughlin and Barclay houses, the position of the City of Oregon City regarding the Francis Ermatinger House was less clear. Initially, the NPS and the City both supported the inclusion of the Ermatinger House into the legislation. However, at a later date, the City of Oregon City requested that the Ermatinger House be removed from consideration. We now believe that this latter position by the City was in error.

The Francis Ermatinger House is listed on the National Register of Historic Places, and is located within the McLoughlin Conservation District, established by the City in 1982.

The Ermatinger House was built in 1845 by Dr. John McLoughlin for Francis Ermatinger, who was the Chief Trader for the Hudson Bay Company in charge of the Hudson Bay Company Store in Oregon City until 1846. Mr. Ermatinger reported directly to Dr. McLoughlin. The Ermatinger House is the oldest house in Clackamas County, Oregon and was the site of the historic "coin toss" that named the City of Portland, Oregon.

In order to provide for the long term protection of this historic property, the City of Oregon City, which maintains title to both the land and historic Ermatinger House itself, proposes to donate the land and improvements of this site to the National Park Service in perpetuity to preserve, maintain and occupy Ermatinger House as a public structure. We make this proposal with the full confidence that, if accepted by the NPS, this historic property will be preserved and made available for the public use and education about the history of this structure and its relationship to the larger context of the history of Dr. McLoughlin, the Hudson Bay Company and the settlement of the Oregon Territory.

It is our understanding that prior to the National Park Service consideration of a donation request of this type, that a condition assessment and other procedural steps must be followed by the NPS. The City of Oregon City will make our departmental staff resources fully available to the NPS during this period of consideration.



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625 Center Street | Oregon City OR 97045
Ph (503) 657-0891

We look forward to working with you on this proposal as we move toward the long term preservation and public use of this historic property.

We appreciate your full consideration of this donation proposal.

Respectfully,

Alice Norris
Mayor

cc: Congressman Kurt Schrader, Senator Ron Wyden, Senator Jeff Merkley
Superintendent, Fort Vancouver National Historic Site
Chief of Planning, Pacific West Region, National Park Service



Agenda Item No. 3d
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Kathy Griffin, Administrative Assistant
PRESENTER:	Nancy Kraushaar, City Engineer and Public Works Director
SUBJECT:	Transportation Advisory Committee - Annual Reports for 2008 and 2009
Agenda Heading: General Business	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Acknowledge receipt of the Transportation Advisory Committee's Annual Reports for calendar years 2008 and 2009.

BACKGROUND:

The Transportation Advisory Committee prepares and submits a report to the City Commission annually outlining the year's accomplishments. This has been more clearly defined in the TAC's newly adopted ByLaws which states that the "TAC shall prepare and present a report for the City Commission on goals and accomplishments annually".

Attached for the Commission's review are reports for the calendar years 2008 and 2009.

BUDGET IMPACT:

FY(s): N/A
Funding Source: N/A

ATTACHMENTS:

2008 Annual TAC Report
2009 Annual TAC Report



OREGON CITY

Transportation Advisory Committee

625 Center Street | PO Box 3040 | Oregon City OR 97045
Ph: (503) 657-0891 | Fax (503) 657-7892

TO: City Commission of Oregon City
FROM: Transportation Advisory Committee
DATE: December 10, 2009
SUBJECT: Transportation Advisory Committee Annual Report - 2009

2009 TAC Membership:

Bill Blanchard, Chair (January to December)
Ron Haas, V. Chair (January to December)
Mary Smith (January to December)
Don Slack (January to December)
Betty Schaafsma (January to December)
Betty Mumm (January to December)
Jonathan David (January to December)
Nancy Walters (January to December)
Terry Wright (February to December)

2009 Meeting Dates:

January 27, February 24, March 24, April 28, May 26, June 23, September 15, October 20, and November 17.

2009 Accomplishments:

- Reviewed and supported the City Engineer/Public Works Director's recommendation to install stop signs on Frontier Parkway at Silverfox Parkway and Prospector Terrace. Stop signs were installed in February.
- Served as the advisory committee for the Transportation System Development Charge (SDC) Update. Resolution 09-02 was adopted by the City Commission on April 1, 2009 and went into effect 30 days later.
- Continued working on a vehicular access policy to establish how many driveway approaches and curb cuts should be allowed at residential properties. The policy was forwarded to Planning for inclusion in their City Code updates.
- Remained apprised of and participated in the Downtown Parking Committee.
- Elected a new chair and vice-chair.
- Worked through the appointment of one new Committee member.
- Worked with City staff and the Oregon City School District to discuss modifying the school speed zone on Beavercreek Road at Oregon City High School.
- Received testimony, reviewed and supported the decision of City staff to remove the flashing red light at the intersection of Warner Parrott and South End Roads.

- Continued to remain active on the future reconfiguration of the intersections of Warner Milne/Warner Parrott/Leland/Linn and Central Point/Warner Parrott.
- Remained apprised of and provided input on capital street projects including the McLoughlin Boulevard Improvement Project; McLoughlin Promenade Restoration Project; Warner Milne, Molalla Avenue to Beavercreek Road Improvement Project; Holcomb Boulevard Pedestrian Project; 2009 Slurry Seal Project; and 2009 Pavement Rehabilitation Project.
- Provided input and remained apprised on the impacts of the Oregon City/West Linn Bridge closure.
- Provided input and reviewed the traffic plan for The Cove.
- Provided input and reviewed the traffic plan for the Jug Handle.
- Reviewed concerns regarding poor ingress/egress at the U.S. Post Office on Molalla Avenue.
- Discussed the impacts of the Pavement Maintenance Utility Fee following the passage of a State gas tax increase.
- Maintained an active role in the development of a Regional Transportation Plan and a Regional High Capacity Update Plan.
- Established ByLaws for the Transportation Advisory Committee.
- Other general types of issues dealt with include:
 - speed complaints;
 - speed bump requests;
 - crosswalk requests;
 - neighborhood traffic;
 - stop sign requests.

2010 Goals:

- Remain involved in capital projects relating to transportation (CC Goals 3, 4 and 5).
- Resolve the school speed zone issue on Beavercreek Road at Oregon City High School (CC Goals 4 and 5).
- Remain involved in issues affecting Downtown Oregon City including a circulation study, parking issues, and the closure of the Oregon City/West Linn Bridge (CC Goals 2, 4, and 5)
- Provide support for the Pavement Maintenance Utility Fee (CC Goals 3 and 6).
- Handle citizen requests (CC Goal 5).
- Continue promoting light rail to Oregon City (CC Goals 2, 3 and 4)
- Begin work on the Transportation System Plan update (CC Goals 3, 4, and 5)



CITY OF OREGON CITY

PUBLIC WORKS

TRANSPORTATION ADVISORY COMMITTEE

PUBLIC PROJECTS DIVISION
CODE ENFORCEMENT /
PARKING
City Engineer/Public Works
Director
P.O. Box 3040
320 Warner Milne Road
Oregon City, OR 97045
(503) 657-0891
Fax (503) 657-7892

TO: City Commission of Oregon City
FROM: Transportation Advisory Committee
DATE: October 20, 2009
SUBJECT: Transportation Advisory Committee Annual Report - 2008

2008 TAC Membership:

Bill Blanchard, Chair (January to December)
Ron Haas, V. Chair (January to December)
Mary Smith (January to December)
Don Slack (January to December)
Scott Failmezger (January to December)
Betty Schaafsma (January to December)
Betty Mumm (January to December)
Jonathan David (January to December)
Nancy Walters (January to December)

2008 Accomplishments:

- Sent a letter to Metro Council in support of the Portland-Milwaukie Light Rail Project - Milwaukie Alignment and Southern Terminus Recommendation.
- Reviewed and assisted the City Engineer with the Linn Avenue speed zone change.
- Sent a letter of support to Metro for the MTIP Grant Application for McLoughlin Boulevard Enhancement Project, Phase 2.
- Provided input and remained apprised on the status of the Holcomb Boulevard pedestrian improvement project.
- Directed the placement of the "portable" speed radar monitoring assembly at two locations: Frontier Parkway and Clairmont Way.
- Served as the advisory committee for the Transportation System Development Charge (SDC) Update.
- Provided input and remained apprised on the status of the Holcomb Boulevard pedestrian improvement project.
- Remained apprised of and participated in the development of the Beavercreek Road and the Park Place Concept Plans.
- Remained apprised of and participated in the Downtown Parking Committee.
- Elected a new chair and vice-chair.
- Worked through the appointment of two new Committee members.
- Served as an advisory committee to help establish the Pavement Maintenance Utility Fee.
- Dealt with a request by Mt. Pleasant Elementary School staff and coordinated with TriMet to move a

Transportation Advisory Committee Annual Report - 2008
October 20, 2009

- bus stop in order to relocate the Linn Avenue crosswalk to the school's main entrance and have handicap ramps installed at both ends of the crosswalk.
- Handled a request for a pedestrian crossing on Meyers Road to accommodate Gaffney Lane Elementary School children and others by having a crosswalk installed on Meyers Road at Frontier Parkway. Work included extending one sidewalk and adding a handicap ramp.
- Reviewed the inclusion of A-frame regulations in the Sign Code.
- Continued to remain active on the future reconfiguration of the intersections of Warner Milne/Warner Parrott/Leland/Linn and Central Point/Warner Parrott.
- Began working on a vehicle access policy to establish the number of driveway approaches and curb cuts should be allowed at residential properties.
- Heard testimony on re-opening the Sophia Court pathway.
- Other general types of issues dealt with include:
 - speed complaints;
 - speed bump requests;
 - crosswalk requests;
 - neighborhood traffic;
 - stop sign requests.

2009 Goals:

- Remain involved in the Holcomb Boulevard pedestrian improvement project (CC Goals 3 and 4).
- Provide support for the Pavement Maintenance Utility Fee (CC Goals 3 and 4).
- Provide support to update the Transportation System Plan (CC Goal 3).
- Transportation System Development Charge development and implementation (CC Goals 3 and 4).
- Handle citizen requests (CC Goal 5).
- Update the Transportation Capital Improvement Plan (CIP) (CC Goal 3).
- Continue promoting light rail to Oregon City (CC Goals 3 and 4).
- Prepare Transportation Advisory Committee ByLaws (CC Goal 5).

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to 3 MINUTES.
- Give to the City Recorder in Chambers prior to the meeting.

Date of Meeting 12-16-09

Item Number From Agenda 3b ~~and~~ ~~and~~

NAME: OC Officer Jim Band + Chief Mike Conrad
ADDRESS: Street: presented award to Destiny Rowe-Kapp
City, State, Zip: _____
PHONE NUMBER: _____
SIGNATURE: _____

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to 3 MINUTES.
- Give to the City Recorder in Chambers prior to the meeting.

Date of Meeting 12-16-2009

Item Number From Agenda 3c

NAME: Tracy Fortmann, Superintendent of
ADDRESS: Street: Fort Vancouver National Historic Site
City, State, Zip: _____
PHONE NUMBER: _____
SIGNATURE: _____

COMMENT FORM



*****PLEASE PRINT CLEARLY*****

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 12/16/9

Item Number From Agenda 3d

NAME:

Bill Blanchard

ADDRESS:

Street:

PO Box 68

City, State, Zip:

OC

PHONE NUMBER:

503-781-3802

SIGNATURE:

Bill Blanchard

COMMENT FORM



*****PLEASE PRINT CLEARLY*****

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 12-16-2009

Item Number From Agenda

4 and 7e

NAME:

John Salsbury

ADDRESS:

Street:

National Park Service

City, State, Zip:

PHONE NUMBER:

SIGNATURE:

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 12-16-09

Item Number From Agenda 7a

NAME:

Kathy Roth

ADDRESS:

Street: 211 Jefferson

City, State, Zip: O.C 97045

PHONE NUMBER:

503-657-9784

SIGNATURE:

Kathy Roth

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 16 DEC 09

Item Number From Agenda 7a

NAME:

WILLIAM GIFFORD

ADDRESS:

Street: 517 JEFFERSON ST

City, State, Zip: OC 97045

PHONE NUMBER:

503.723.3456

SIGNATURE:

William Gifford

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting Jan 12/16/09

Item Number From Agenda

7a

Paula Blackwell

NAME:

P Blackwell

ADDRESS:

Street:

306 S Center

City, State, Zip:

PHONE NUMBER:

503 657 7151

SIGNATURE:

Paula Blackwell

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 12-16-2010

Item Number From Agenda

7f

NAME:

Marge & Rolla Harding

ADDRESS:

Street:

City, State, Zip:

Oregon City OR

PHONE NUMBER:

SIGNATURE:

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to **3 MINUTES**.
- Give to the City Recorder in Chambers **prior** to the meeting.

Date of Meeting 16 Dec 09

Item Number From Agenda 8F

NAME:

WILLIAM GIFFORD

ADDRESS:

Street:

517 JEFFERSON ST

City, State, Zip:

OC 97045

PHONE NUMBER:

503.723.3456

SIGNATURE:

[Signature]



Agenda Item No. 7a
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Tony Konkol, Senior Planner
PRESENTER:	Tony Konkol, Senior Planner
SUBJECT:	Adoption of the findings of fact for the McLoughlin Neighborhood Association appeal (AP 09-02) and the City Commission call-up of the Planning Commission's August 13, 2009 approval with conditions of the Public Works Concept Master Plan.
Agenda Heading: General Business	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Staff recommends that the City Commission adopt the findings of fact, conclusions of law and final order, with the amended conditions of approval, in the matter of an appeal and City Commission call-up of the Public Works Concept Master Plan, thereby denying the McLoughlin Neighborhood Association appeal and approving the concept master plan.

BACKGROUND:

On December 2, 2009, the City Commission voted to tentatively affirm the Planning Commission's approval of the Public Works Concept Master Plan (Planning File CP 09-01). Staff has prepared supplemental findings responding to the arguments set forth in the McLoughlin Neighborhood Association notice of appeal (Planning File AP 09-02) and the City Commission call-up.

BUDGET IMPACT:

FY(s):

Funding Source:

ATTACHMENTS:

1. AP 09-01: Findings of Fact, Conclusions of Law and Final Order and revised conditions of approval; and
2. Summary of changes to the Conditions of Approval.



OREGON CITY

Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

In the Matter of an Appeal and City)
Commission call-up for a concept)
master plan filed by the Public Works)
Department of Oregon City; Oregon)
and approved by the Oregon City)
Planning Commission.)
City File No. AP 09-02)
)
)

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND FINAL ORDER

Introduction

On December 2, 2009, the City Commission voted to tentatively affirm the Planning Commission's approval of the Public Works Concept Master Plan (Planning File CP 09-01). The City Commission's review was based not only on its calling up the Planning Commission decision for consideration but also an appeal filed by the McLoughlin Neighborhood Association (Planning File AP 09-02). These supplemental findings respond to the arguments set forth in the McLoughlin notice of appeal and the City Commission call-up. Except as noted herein, the City Commission adopts the findings of the Planning Commission on all other issues. Each appeal is summarized in italics with the Oregon City Commission findings and conclusions following:

I. Legal Representation – Representation of the applicant (City of Oregon City Public Works Department) and the decision-maker by the City Attorney is a conflict of interest, resulting a biased decision which put appellants at a disadvantage.

The City Attorney was not the decision-maker in this case and as such, the disclosure and bias prohibitions of ORS 227.145 do not apply. Further, the City Attorney is not subject to any of the conflict of interest standards that would ordinarily apply to governing bodies under ORS 244. The role of the City Attorney is to advise the City as a whole that role includes representing all departments and decision-makers, at the direction of the City Manager and the City Commission. ORCP Rule 1.13 provides that an attorney employed by an organization represents that organization. In Oregon Ethics Opinion 2005-134, the Board of Governors explained there can be no multiple client conflict of interest when there is only one client. The general counsel for the Bar ethics division has confirmed this result. Further, providing representation includes responding to questions by the decision-maker while an application is pending. ORS 227.180(4). Additionally, whether an attorney is qualified under the Oregon State Bar rules to represent a party is not germane to the City's review of a land use application. See *Burghardt v. City of Molalla*, 28 Or LUBA 788, 789 (1995) and *Dahlen v. City of Bend*, 56 Or LUBA 789, 790 (2008). The appellants were given a full and fair opportunity to participate by presenting testimony both orally and in writing to the Planning Commission and the City Commission. Therefore, the Commission finds that this argument on appeal provides no reason to overturn the Planning Commission's decision.

II. Site Selection – Consideration of alternative sites was not sufficiently comprehensive. The alternative site analysis is defective as it fails to describe the sites with sufficient specificity and no acquisition costs were submitted for comparison. Other insufficiencies include the failure to consider two and a half acres sites rather than four acre areas, the refusal to consider alternative locations in residential or commercial districts, the failure to consider co-locating a Public Works facility with Clackamas County, and failure to consider construction cost estimates between various sites were not

considered. The current site is not of sufficient size to accommodate the projected and anticipated growth of the Public Works Department. Further, the alternatives map included Waterboard Park which should not have been part of the search thereby calling the balance of the search into question.

The Appellant has failed to identify any approval criteria from the Master Plan section of the Oregon City Municipal Code that requires an applicant to submit a site alternatives study with property acquisition costs and the Commission finds that one is not required. The City Commission reviewed the information and testimony submitted by the Appellant and determined that the application could meet the approval criteria of the OCMC as proposed with the adopted conditions of approval and that the site was adequate for the proposed use.

As explained in the July 31, 2009 memo from Winterbrook Planning, OCMC 17.39 and 17.04.305 specifically defines “government facilities” and “maintenance facilities” as institutional development, and lists this kind of development as a permitted use in the zone. Therefore, the most reasonable reading is that the public works facilities of the type proposed are allowed. Since the use is allowed outright, there is no legal obligation to consider whether alternative sites would more appropriately serve the use or if it could be constructed at a lower cost. The maintenance facility use is allowed only in an Institutional zone making analysis of whether the facility could be located on land zoned residential or commercial irrelevant. The subject site is approximately 5.07 acres, 1.17 acres on the lower site and 3.9 acres on the upper site, when the Armory is added to the site, the total acres will be 7.5 acres, making the City’s alternatives analysis, though not required, comparable. Ultimately, the Appellant’s objections are directed to the Commission’s approval of the Public Works Department Operations Facilities Plan for the site which authorized expansion of the facility at this site and has no relationship to the applicable concept plan approval criteria. Therefore, the Commission finds that this argument on appeal is denied.

III. Waterboard Park – Boundary modifications or lot line adjustments necessary to accommodate Waterboard Park failed to consider the charter-created park and the possibility of a public vote to modify its boundaries.

Section 41(d) of the Charter specifically allows the construction of trails within parks without a vote of the people as authorized by Conditions of Approval 3 and 4. In addition, the purpose of Chapter X of the Charter is to prevent the transfer, sale, vacation or major change in use of city parks without first obtaining an approving vote of the legal voters of this city. The Charter is not clear on the location of the park boundaries or regulations governing the locating of lot line. Therefore, determining the boundary, providing additional property to a park or recording a public easement for the benefit of the city to access the park do not appear to be in conflict with the Charter or require a vote of the people (condition of approval 24). Due to the lack of a public road, legal descriptions, metes and bounds, or

other recorded document delineating the boundary of Waterboard Park, the City Commission required the applicant to further review the Waterboard Park property as described in the Charter and make all reasonable attempts to ensure the lot lines are in the appropriate location (condition of approval 27). Therefore, the Charter obligations relating to Waterboard Park are satisfied and this appeal argument is denied.

IV. Traffic Study – The City failed to consider the impact of additional traffic due to the closure of S. John Adams Street. The City failed to provide “a general description of the impact of the entire development” including traffic that is re-routed to other streets. The DKS traffic study does not correctly portray the S. John Adams Street Center Street intersection in terms of maneuverability for Public Works trucks thereby calling into question the entire study. The traffic analysis is also deficient because it addresses only projected traffic flows and not actual existing traffic. Site access is insufficient to accommodate the number and size of vehicles.

The City Commission considered all of the testimony presented during the public hearing process and deliberations. The Commission determined that the applicant had submitted an accurate and representative Transportation Impact Analysis that adequately addressed the transportation impacts associated with the proposed development based on the traffic demand methodology contained in the *ITE Manual*. The Commission relied on the expert testimony provided by the applicant’s transportation engineer and the findings of the City’s Transportation Engineer, Mr. Replinger, concerning the operations and safety of the system at full buildout of the concept master plan which included the closure of a portion of South John Adams Street, a private street, to through traffic and the rerouting of traffic to other streets resulting from the closure. The applicant demonstrated, and Mr. Replinger confirmed, that the proposal will meet the City’s minimum level of service standards as required by the OCMC. The Commission finds that appellants did not provide any documentation to the contrary.

The Appellant contends that the photographs submitted by the applicant in rebuttal to the photographs submitted by the appellant were staged and should not be considered. The City Commission disagrees with the Appellant’s assertion and determined that the applicant’s photographs demonstrate that a turn from the site access road onto South Center Street can occur safely without crossing the center line, rebutting the Appellant’s claim.

The applicant submitted photographs demonstrating that there was sufficient pavement width on South John Adams for two vehicles to safely pass. Further, in a letter dated June 12, 2009, DKS Associates explained that the narrowest portion of the roadway is approximately 18 feet wide which will be adequate to allow a large vehicle to safely pass. In an effort to address the concerns raised by the Appellant, the applicant has restricted the use of South John Adams to one-way outbound for Public

Works department trucks over 1-ton. For clarification, the Oregon City Trolley is not a Public Works vehicle subject to the vehicular access restrictions. The Planning Commission adopted the proposed site circulation and access plan as submitted by the applicant as their own.

Based on the expert testimony submitted into the record, the Commission finds that the transportation system has sufficient capacity based on the city's level of service standards and is capable of safely supporting the development proposed in addition to the existing and planned uses in the area and therefore, the applicable concept plan criterion is satisfied.

The City Commission finds compelling the testimony of the City's expert indicating that the roads are wide enough to accommodate public works trucks and that, although the impacts in terms of site circulation are adequately mitigated, the Commission will impose a condition of approval identifying the vehicular site access plan for the site.

Condition 30. Vehicular access to the site for Public Works vehicles shall be limited as identified in this condition except during an emergency situation as determined by the Public Works Director. Public Works vehicles over 1-ton may access or egress the site via Center Street and may egress the site via South John Adams between the hours of 7am to 4:30pm Monday through Friday. For all other hours than those identified above, all vehicular access to the site shall be from Center Street.

V. *Noise Study – The Noise Study is flawed because it applied industrial standards rather than residential standards. The current noise generated exceeds standards and by definition, any additional equipment would exceed those standards. The study failed to address the long-term impact of increased noise on surrounding residents.*

The City Commission finds that none of the applicable approval criteria set noise limitations for uses within an Institutional Zone. The Master Plan chapter of the code has a purpose statement that also serves as the first applicable approval criteria. Relevant elements of the purpose statement contained in Section 17.65.010 provides:

"...The master plan process is intended to facilitate an efficient and flexible review process for major developments and to provide them with the assurance they need over the long term so that they can plan for and execute their developments in a phased manner. To facilitate this, the master plan process is structured to allow an applicant to address the larger development issues, such as adequacy of infrastructure and transportation capacity, and reserve capacity of the infrastructure and transportation system before expenditure of final design costs."

The appropriateness of Public Works Center development as a use is clear from both the I-zone regulations and from the master plan purpose and criteria. Yet, if a proposal generates impacts, the city decision maker may require the applicant to provide mitigation to address these identified impacts. The obligation to mitigate impacts from the development derives from approval criteria 17.65.50(C)(5):

5. The proposed concept development plan, including development standards and impact mitigation thresholds and improvements adequately mitigates identified impacts from each phase of development.

Proposals must identify impacts and mitigate for them as part of the master planning process. While this approval criterion does not specifically state who is being impacted, the City Commission interprets this standard to that the applicant “consider the surrounding community and neighborhood.” 17.65.50(B)(1)(f). The Public Works application has correctly interpreted this to mean its impacts on the surrounding area, and has proposed mitigation measures accordingly.

The City’s authority under the code is, therefore, to decide whether mitigation is “adequate.” The code does not, as Appellant’s suggest, indicate that the use itself could be rejected or that the development could be required to relocate to another site because impacts such as noise or air quality impacts are identified. For these reasons, the City Commission finds that it has no standards on which to evaluate whether the noise study applied the correct standards. Rather, it interprets the term “adequate” to mean “enough to meet the purpose” which, as noted above, is to allow the “growth of major institutions and other large-scale development while identifying and mitigating the impacts of such growth.” Given that a public works facility already operates on this site, the Commission finds that adequacy obligation requires only reasonable efforts to reduce impacts and does not required that they be entirely eliminated.

That said, the City Commission notes that a noise analysis by an expert qualified to evaluate vehicle noise was completed. The study has applied the closest use to accurately capture the impacts associated with the proposed use, general government offices and maintenance facilities, both permitted uses in the Institutional zone. The applicant applied the Noise Regulations for Industrial Noise Sources from the Oregon Department of Environmental Quality – Noise Control Regulations. The Appellant has not identified any legal standards that require application of a different standard that should be used to review the existing Public Works maintenance facility.

The study has identified the existing noise levels, which range from 62 to 63 dBA, and asserts that any addition to the site would increase the noise impacts. The study has attributed this existing noise level to existing traffic noise, miscellaneous residential activity and local construction projects.

The Noise Study indicated that the noise levels for the five nearest residential receivers were projected for a worst case scenario that included compressors, utility trucks and general maintenance vehicles. Noise reducing effects of the proposed buildings, landscaping and buffer zones were included in the analysis. Based on these assumptions, one of the five locations was identified to exceed the DEQ standard, for which, the applicant has proposed mitigation measures to reduce the noise impact.

The Planning Commission adopted condition of approval 2, which states:

The applicant shall include the recommended noise reducing measures identified in the June 1, 2009 Noise Analysis (Exhibit 10) as best management practices for the site and that they be implemented to the maximum extent reasonable.

The Commission finds that the condition of approval should be amended. The new condition of approval 2 is: with the following, demonstrates that the impacts associated with the proposed development have been mitigated. The Commission finds that compliance with these additional requirements is feasible and therefore, the noise impact will be adequately mitigated.

The applicant shall include the recommended noise reducing measures identified in the June 1, 2009 Noise Analysis (Exhibit 10) as best management practices for the site. The following monitoring and mitigation measures shall be completed by the applicant to address the location on South John Adams near the Armory that is predicted to exceed the DEQ criteria by 1dBA:

- a. monitor the nearest residence for a continuous 48 hour period during a typical work week; and*
- b. if monitoring exceeds DEQ criteria, the City shall work with a noise consultant to identify and implement an appropriate form of noise mitigation.*

The Appellant incorrectly asserts that Leq in table 4 is the state standard, and therefore the increase is 3 – 4 dBA. Please see page 4 of the June 1, 2009 Noise Study, that clearly states that the Leq symbol represents the average noise level from the site, not the state standard, therefore the assertion that there is a 3 – 4 dBA increase is incorrect.

Based on the foregoing, the City Commission finds that the Noise Study was accurate and adequately identified the impacts and recommended appropriate mitigation to reduce the noise impacts associated with the development. Therefore, the Commission finds that these arguments on appeal are denied.

VI. Air Quality – Evidence regarding the health and environmental hazards associated with the accumulation of diesel fumes and particulates by an expert in the filed was not given sufficient consideration by the decision-maker.

As explained above, nothing in the applicable review criteria identify to what extent air quality impacts can be considered and if considered, to what level they must be mitigated to approve an application. The Commission applies a reasonable standard to determine adequacy.

The scientific documentation from the US Environmental Protection Agency (2002) submitted into the record states the following in part:

The assessment's health hazard conclusions are based on exposure to exhaust from diesel engines built prior to the mid-1990s. The health hazard conclusions, in general, are applicable to engines currently in use, which include many older engines. As new diesel engines with cleaner exhaust emissions replace existing engines, the applicability of the conclusions in this Health Assessment Document will need to be reevaluated (Abstract).

The reduction of harmful exhaust emissions has taken a large step forward because of standards issued in 2000 which will bring about very large reductions in exhaust emissions for model year 2007 heavy-duty engines used in trucks, buses, and other on-road uses (Forward).

The Agency expects significant environmental and public health benefits as the environmental performance of diesel engines and diesel fuels improves (Forward).

The health assessment concludes that long-term (i.e., chronic) exposure to diesel engine exhaust is likely to pose a lung cancer hazard as well as damage the lung in other ways depending on exposure. The health assessment's conclusions are based on exposure to exhaust from diesel engines built prior to the mid-1990's (Forward).

The amount of exhaust particulate from on-road engines has been decreasing in recent years and is expected to decrease 90% from today's levels with the engines designed to meet the 2007 regulations (Forward).

The applicant submitted evidence into the record indicating that the City's current fleet is not outdated or non-compliant with DEQ emissions regulations. The oldest vehicles are a 1989 pickup and 1991 caprice that are rarely used. There are several 1993 vans and pickups and about seven late 1990's pickups and utility trucks. The other 70 percent of the fleet were manufactured since 2000. The City maintains DEQ certification and records in accordance with state regulations. In the future, alternative energy and low green house gas emissions replacement vehicles will be actively pursued.

The City Commission considered all of the testimony and evidence presented by the Appellant and determined any impacts are adequately mitigated by the composition of the current fleet and as new vehicles are acquired and steps to increase the number of alternative energy vehicles in the City's fleet continues, the impacts will be lessened.

VII. LEED Certification – The entire site should be LEED certified.

Appellants identify nothing in the applicable approval criteria that require any of the buildings on-site be LEED certified. Although not so stating, the Appellant is suggesting that site LEED certification is required to off-set the carbon emission impacts resulting from the site. There is nothing in the record to suggest that operation of this site will have any greater greenhouse impact than operation of the public works department in its more dispersed locations.

The applicant has proposed to meet the minimum LEED standard for the design of the Office Building on the lower section of the site. The City Commission finds that the applicant's proposal is reasonable and that the use of the upper site as a yard with maintenance building is not required to meet minimum LEED standards. Therefore, the Commission finds that this argument on appeal provides no reason to overturn the Planning Commission's decision.

VIII. Deconstruction Condition – Condition #9 is inadequate in that it fails to refer to all buildings on the site and that requiring a demolition plan "prior to" demolition is contradictory.

IX. Historic Building Replacement – Historic Review Board certification is required for the entire site before the Master Plan can be approved.

Condition of approval 9 states:

The city shall deconstruct and reuse the building materials from all the outbuildings to the extent practicable. A deconstruction and demolition plan shall be submitted to Planning staff for approval prior to demolition to ensure compliance with the recommended conditions.

Condition of approval 8 states:

Prior to deconstruction/demolition, the city shall provide further documentation photos that show the outbuildings context on site, all elevations and interior rooms as well as close up

photos that show the buildings details. The photos shall be added to the inventory forms and filed with the Planning Department and the Museum of the Oregon Territory.

The Planning Commission adopted conditions of approval 8 and 9, as recommended by the Oregon City Historic Review Board (letter dated: 4/22/09) to address the demolition of the 3 historic outbuildings on the site. It is clear from the 4/22/09 letter that the intent was to address the historic outbuildings on the site. It is not clear to this Commission how the condition is ambiguous or contradictory in that it requires review of the demolition plan before a building is demolished to insure that, where appropriate, historic features are reused.

The City Commission generally agrees with the reasoning of the Planning Commission but finds that, pursuant to condition of approval 28, review by the HRB will be required before any demolition or development occurs on the site. A certificate of appropriateness is required before any person “alters any historic site” or conducts any “new construction” in a historic district. OCMC 17.40.060(A). Although the concept master plan review does allow for the identification of impacts resulting from a proposed development, the master plan review does not authorize alteration or new construction within the property. When an application for development such as a site plan review application is submitted, the applicant will be required to receive HRB approval as required by the approved Concept Master Plan. HRB recommended additional landscaping / fencing on the upper site to screen the uses and buildings from the South John Adams right-of-way and this recommendation can be accomplished through subsequent HRB review. Therefore, the City Commission agrees with the Appellant that HRB review is required and will be accomplished before construction commences. No further action by the Commission, beyond imposition of the condition, is required to ensure compliance.

Again, nothing in the applicable approval criteria requires demolition or deconstruction review as part of a concept master plan. The City Commission rejects adjustment 5, which requested that “All construction on the upper site shall be exempt from Chapter 17.40 (Historic Overlay District) of the Oregon City Municipal Code.” Thus all applications for development on the site will be required to be reviewed by the Oregon City Historic Review Board and, in addition, the Commission finds that the applicant shall consult with the State Historic Preservation Office for review and comment. The Commission finds that conditions of approval 6, 7, 8 and 9, which were recommended by the Oregon City Historic Review Board, shall be deleted from this decision since the applicant is required to submit an application to the Historic Review Board for any new development on the site and the application will be reviewed through the land use process identified in the Oregon City Municipal Code for development in a Historic District. The City Commission finds that this review is sufficient to ensure that impacts will be mitigated. The Commission adopts the following condition of approval:

The applicant shall consult with the State Historic Preservation Office and obtain a Certificate of Appropriateness from the City Historic Review Board before demolishing any building or before undertaking any new development on the site.

X. *Archeological Evidence- Evidence of an archeologically significant foundation of a pioneer building was not considered.*

Nothing in the City's Code or historic inventory data identifies any historic resources on this site. The City Commission's review of this matter is limited to those resources identified in the City's existing inventory. Moreover, nothing in the concept plan criteria requires revising the historic resource inventory through a reconnaissance survey before approving a master plan. The Commission also finds that the pictures of the foundation submitted in the record are clearly shown on the applicant's site plan in an area of the site that will be preserved per condition of approval 20 which states:

The applicant shall protect the open space in the northeast corner of the upper site, west of the proposed detention pond, as depicted. The security fencing shall be located along the west edge of the open space rather than the east end as identified with in the concept master plan application. Encroachment into the open space shall be considered an amendment to the concept master plan and require Type III review before the Planning Commission.

As part of HRB review before development approval, the HRB can evaluate whether other historic resources exist and should be protected thereby the impacts will be addressed. Therefore, the Commission finds that this argument on appeal is denied.

XI. *Property Values – The City failed to adequately consider expert evidence indicating that the proposed public works expansion plan will decrease property values.*

The applicant has not identified which approval criteria it believes is not satisfied assuming that expansion of the use will impact property values. Presumably the argument would be that the expansion plan will impact surrounding property values that that impact has not been sufficiently mitigated. The City Commission finds that any reduction in property values resulting from approval of the plan is a function of the zoning on the property that allows for public work facilities and that zoning was not challenged. As quoted above, the purpose of master plan approval is to address "development issues, such as adequacy of infrastructure and transportation capacity." These types of impacts are best characterized as the externalities resulting from a use that can be mitigated through site improvements such as buffering and site planning rather than the use itself. It is the Institutional zoning that permits the location of a public works facility that, according to Appellant, is to blame for the reduced property

values and therefore, cannot be considered as an impact resulting from development issues contemplated within the Code.

The Commission finds that impacts to property value are not an approval criterion and is not considered an impact that requires mitigation as identified in approval criteria 17.65.050.c.5. In addition, the Commission finds that expansion of the public works facility will not have any adverse impact on the surrounding neighbors in terms of property value because the facility already existing on the site and has operated at this location for the past 25 years. Market value has adjusted as a result of the public works operation and any expansion of the operation will not have a significantly greater effect on property values. Therefore, this argument on appeal is denied.

XII. Citizen Involvement – Citizens were not adequately consulted during the design of the project.

The Appellant identifies a 2009 City Commission Goal as imposing this requirement. This City Commission Goal is not approval criteria and does not identify any standards for determining to what level increased communication is required. Moreover, the City Commission finds that the applicant and the City met and exceeded the requirements of the OCMC concerning the requirement for a public meeting prior to the application being deemed complete. The applicant continued the public hearing process to perform requested studies, provided additional information to respond to concerns rose by those participating in the process and amended the design of the application in an effort to work with the citizens and neighborhood association and address the outstanding issues. Therefore, the Commission denies this argument on appeal.

XIII. Inherent Bias – Given the relationship between the applicant, the decision-makers, and City staff, the review was inherently biased.

Both the City Commission and Planning Commission members were careful to disclose all ex parte and conflict of interest issues as required by ORS 227.180(4) and ORS 244. Appellants did not challenge any individual decision-maker on his or her ability to make a fair and unbiased decision. No other legal standard requires a different review process when a project is proposed on City-owned land and as such, there is no error in the City's review. The City Commission finds that the application was reviewed based on the approval criteria contained in the OCMC and based on those standards determined that the issues raised by the Appellant were not an impact, could be mitigated as proposed or through the adopted conditions of approval, or where issues raised that did not address the approval criteria that a land use application and decision is bound to. Therefore, the Commission finds that this argument on appeal is denied.

XIV. Inadequate Financial Analysis - The financial analysis is inadequate in that it fails to consider the additional construction cost from building on an irregular site, the cost of acquiring additional land, and the cost of litigation to uphold the decision.

Nothing in the concept plan approval criteria required consideration of the overall cost of completing the development proposed in the plan. By the examples cited, the Appellant makes clear that its concern over cost relates to the comparison between the overall cost of locating on the proposed property against the cost of locating at an alternative site. As explained above, the City Commission does not interpret any concept plan criteria to require completion of an alternative site analysis. Therefore, the Commission finds that this argument on appeal is denied.

XV. The conditions of approval are impermissibly vague.

The Appellant identified several conditions that are vague or impermissibly vague. Each of the identified conditions are addressed below:

Condition 7 states:

The city shall send a letter to Clackamas Community College that identifies the outbuilding's historic link to the College and invite them to document the buildings and be involved with the potential relocation of the Cannery building or deconstruction of the outbuildings.

This condition requires that the City notify Clackamas Community College of its intent to redevelop the site and invite them to document the buildings or otherwise be involved in their removal or relocation. The Commission has determined that all demolition and new development on the site is required to be reviewed by the Oregon City Historic Review Board, thus condition of approval 7, as well as 6 through 9, which dealt with terms for relocating the Cannery Building, have been deleted as they will be considered as part of HRB review.

Condition 17 states:

The applicant shall investigate the construction of a mirror, or other improvement, at the corner of the driveway adjacent to 306 S. Center Street, connecting S. Center Street to the upper site to improve the sight distance.

The City Commission has amended the condition as discussed below. The original condition required that the City consider installation of a mirror or some other improvement to improve site distance at a Center Street intersection. The amended mitigation obligation imposed in this case is the improvement of sight distance, which will be accomplished through the installation of a mirror. During

deliberations the Commission discussed the need to look at all the opportunities to mitigate traffic and the directional circulation of traffic to and from the site. The Commission has determined that the installation of a mirror at the corner adjacent to 306 S. Center Street shall be required. In addition, the Commission finds that closing the section of the private street through the site will reduce the number of cut through transportation trips and improve the functionality and safety of the access. The Commission finds that as amended the condition of approval is not vague. The amended condition of approval 17 shall read as follows:

The applicant shall install a mirror at the corner of the driveway adjacent to 306 S. Center Street, connecting S. Center Street to the upper site to improve sight distance.

Condition 18 states:

The applicant shall investigate expanding the asphalt width of the driveway connection from S. Center Street to the upper site to the maximum extent practicable.

This condition requires that the City “investigate expanding the asphalt width of the driveway connection from S. Center Street to the upper site to the maximum extent practicable.” The Commission affirms the Planning Commission decision, supported by the Transportation Analysis Review, that there is adequate pavement to provide for the safe access of vehicles to the site. The driveway width accessing the site is limited by topography and the existing development pattern. This condition was not based on a need to address an inadequate facility or safety concern, but was rather required to allow the applicant to expand the width of the road if feasible based on the existing rock retaining wall and adjacent homes encroaching into the right-of-way. The Commission finds that this condition is not necessary and deletes condition of approval 18.

Condition 19 states:

The applicant shall work with the property owners adjacent to the 1st Street vacation to address rock fall mitigation as necessary.

This condition requires that the City “work with the property owners adjacent to the 1st Street vacation area to address rock fall mitigation as necessary” if it occurs. This condition was imposed to respond to testimony concerning previous rock falls that have impacted adjacent neighbors to the north of the upper site. The Commission finds that the evidence is insufficient to determine that the rockfall will occur as part of this expansion, therefore mitigation is not required. However, the Commission finds that the City shall continue to work with adjacent neighbors regardless of whether it is required by the approval criteria.

Condition 21 states:

The applicant shall engage the neighbors in an attempt to create a detention pond on the upper site that serves as an aesthetic amenity and educational opportunity for the neighborhood.

This condition requires that the City “engage the neighbors in an attempt to create a detention pond on the upper site that serves as an aesthetic amenity and educational opportunity for the neighborhood.” The City Commission did not identify any impacts from the stormwater pond that required mitigation. Rather, the reason the condition was imposed was to allow for additional benefits to be served by the pond rather than just a utilitarian purpose. As such, this condition is not required to address any concept master plan criteria and is sufficiently clear to achieve the Commission’s purpose.

Condition 27 states:

The applicant shall make all reasonable attempts to locate the southern property boundary so that it conforms to the description contained in the City Charter. A lot line adjustment may be required to facilitate this result.

This condition requires that the City “make all reasonable attempts to locate the southern property boundary so that it conforms to the description contained in the City Charter” which might include a lot line adjustment. This condition does not alter the City’s obligation to locate the southern property boundary as evidenced by the acknowledgment that location may require a lot line adjustment. The “reasonable attempt” language refers to making the boundary consistent as it is described in the Charter which may not be certain given the incomplete property descriptions available. This condition is sufficiently clear to require that the southern boundary be set as consistent with City requirements.

DECEMBER 2, 2009 CITY COMMISSION DELIBERATIONS

At the December 2, 2009 City Commission deliberations of the Public Works Master Plan Appeal and Call Up, the Commission tentatively denied the McLoughlin Neighborhood Association appeal. The Commission adopts the following findings, in addition to the findings above, in their denial of the McLoughlin Neighborhood Association appeal and the call-up review of the Public Works Master Plan.

1. The Commission determined that the State Historic Preservation Office should be involved in the review of any development on the site and that the whole project, both the upper and lower sites, shall be reviewed by the Oregon City Historic Review Boards.

The Commission denies Adjustment 5, which exempts the upper site from OCMC 17.40 Historic Overlay District review. In addition, the Commission adopts the following condition of approval:

The requested adjustment to exempt the upper site from Historic Overlay District review is denied. The applicant shall consult with the State Historic Preservation Office and obtain the approval of the City Historic Review Board before demolishing any building or before undertaking any new development on the site.

2. The Commission determined that the Planning Commission erred in approving Adjustment 1, which allowed the maximum height of the office building on Center Street to be increased from 35 feet when within 100 feet of a district boundary to 60 feet.

The Commission rejects Adjustment 1, which increases the maximum building height from 35 feet to 60 feet. In addition, the Commission finds that there is insufficient evidence in the record at this time to approve the adjustment, however, once a thorough examination of alternative designs is completed, it may be determined that an adjustment to implement the preferred alternative would be appropriate. The rejection of the adjustment is in no way a position against or for the requested adjustment, but rather a finding that additional alternative should be considered and an adjustment appropriate to the preferred design submitted at a later date. The Commission adopts the following condition of approval:

The requested height adjustment to OCMC 17.39.050.A is denied. However, the request for a height adjustment may be renewed at the time of design review for the potential building to recognize the setting in a residential neighborhood and proximity to a Charter Park with unique geographic features.

3. The Commission has amended condition of approval 2 to address and mitigate the noise generated from the site with the following:

The applicant shall include the recommended noise reducing measures identified in the June 1, 2009 Noise Analysis (Exhibit 10) as best management practices for the site. The following monitoring and mitigation measures shall be completed by the applicant to address the location on South John Adams near the Armory that is predicted to exceed the DEQ criteria by 1dBA:

- a. monitor the nearest residence for a continuous 48 hour period during a typical work week; and*
- b. if monitoring exceeds DEQ criteria, the City shall work with a noise consultant to identify and implement an appropriate form of noise mitigation.*

4. The Commission discussed the circulation system and site access and adopts as their own the recommended circulation plan approved by the Planning Commission. The Commission adopts the following condition of approval, which clearly identifies as a condition of approval, how access to the site will occur.

Vehicular access to the site for Public Works vehicles shall be limited as identified in this condition except during an emergency situation as determined by the Public Works Director. Public Works vehicles over 1-ton may access or egress the site via Center Street and may egress the site via South John Adams between the hours of 7am to 4:30pm Monday through Friday. For all other hours than those identified above, all vehicular access to the site shall be from Center Street.

5. The Commission discussed the preservation and mitigation of potential white oaks on the site. The applicant has identified the location and species of trees on the site, but they have not been identified down to a specific type of tree. The applicant has identified the tree locations on the site and has preliminarily identified 38 oaks to be removed and 56 oaks to be preserved. The Commission finds that the need to remove the identified trees from the site is necessary to successfully develop the site as proposed. The trees identified to be removed and preserved are included on a preliminary plan, and a detailed tree removal plan will be submitted when the applicant submits a detailed development plan. The OCMC does not identify which type of tree must be replanted when a tree is removed. The Commission finds that the applicant shall replace any white oaks removed from the site with new white oaks either on the site or off-site as permitted by code. The Commission adopts the following condition of approval to address the removal of the white oaks on the site:

The applicant shall replace any white oaks removed from the site with new white oaks so that there is no net loss of this specific tree type. The trees may be replaced either on the site or off-site as permitted by the Oregon City Municipal Code during the detailed development plan review.

6. The Commission discussed the need for a geotechnical engineer to review the site. As noted above, it did not find that slope stability concerns were so severe as to require any additional review or mitigation measures and the application meets the criteria with no further measures. However, the Commission adopts the following condition of approval in order to fully protect the site given its importance to the City:

The applicant shall have a geotechnical engineer review the entire site for landslide hazards and provide recommendations on the development of the facilities at the site.

7. The Commission discussed ORS 227.173 and whether the concept master plan is required to demonstrate compliance with the Oregon City Comprehensive Plan even though compliance with the plan is not an approval criterion of the Oregon City Municipal Code. The Commission interpreted ORS 227.173 to require that implementing code language must be consistent with the approved plan, but that ORS 227.173(1) does not require this application to consider specific provisions of the Comprehensive Plan since the OCMC implements the Plan and review of the Plan in this case would be redundant.

REVISED CONDITIONS OF APPROVAL

1. The applicant shall complete the South Center Street improvements for the east half of South Center Street as part of the phase 2 development of the site. The improvements in phase 3 shall be deleted from the plan. The improvements in phase 4 will be for the west half of South Center Street if they have not been previously completed.
2. The applicant shall include the recommended noise reducing measures identified in the June 1, 2009 Noise Analysis (Exhibit 10) as best management practices for the site. The following monitoring and mitigation measures shall be completed by the applicant to address the location on South John Adams Street near the Armory that is predicted to exceed the DEQ criteria by 1
 - a. Monitor the nearest residence for a continuous 48 hour period during a typical work week; and
 - b. If monitoring exceeds DEQ criteria, the City shall work with a noise consultant to identify and implement an appropriate form of noise mitigation.
3. The applicant shall construct the pedestrian path from the southeast corner of the site to the existing path in Waterboard Park as part of the phase 1 development of the site.
4. The applicant shall provide appropriate signage on South John Adams and South Center Street directing users to the location of the available parking on South Center Street and how to access the new Waterboard Park trail connection.
5. The applicant shall install the pedestrian stair-case providing direct access to the trail head prior to the issuance of an occupancy permit for the phase 2 development of the site, if not completed sooner.
6. **This condition of approval has been deleted by the City Commission.** The city shall make all reasonable attempts to move the Cannery Building to another property or donate the building to a private party before investigating options for deconstruction/demolition.
7. **This condition of approval has been deleted by the City Commission.** The city shall send a letter to Clackamas Community College that identifies the outbuilding's historic link to the College and invite them to document the buildings and be involved with the potential relocation of the Cannery building or deconstruction of the outbuildings.
8. **This condition of approval has been deleted by the City Commission.** Prior to deconstruction/demolition, the city shall provide further documentation photos that show the outbuildings context on site, all elevations and interior rooms as well as close up photos that show the buildings details. The photos shall be added to the inventory forms and filed with the Planning Department and the Museum of the Oregon Territory.
9. **This condition of approval has been deleted by the City Commission.** The city shall deconstruct and reuse the building materials from all the outbuildings to the extent practicable. A deconstruction and demolition plan shall be submitted to Planning staff for approval prior to demolition to ensure compliance with the recommended conditions.

10. If the 1st Street right-of-way is vacated, the applicant maintain a 5-foot setback from the property line and that the fence be setback from the property line to allow additional landscaping to be planted on the north side of the fence to provide visual screening of the fence and rear of the covered parking structures from the properties located to the north of the site.

If the 1st Street right-of-way vacation is not approved, the setback for the covered van parking along the north side of the property line shall be reduced to 0 feet.

11. The applicant shall prepare a landscaping plan to be submitted with the phase that incorporates appropriate materials and spacing to minimize the visual impacts of the upper site to the residential homes located on South John Adams.
12. All new facilities on both the upper and lower sites that require sanitary sewer connections shall connect to the nearest public / private line.
13. The applicant shall provide one new fire hydrant at the intersection of S. 1st Street and S. Center Street. The water line in the upper site should be looped through to S. Center Street, replacing the 1.5-inch water line to S. John Adams Street.
14. All new facilities on both the upper and lower sites that require water connections shall connect to the nearest new or existing public water meter.
15. The applicant shall include a fencing plan in a detailed development plan for the site prior to the construction of new fencing. The use of barb wire fencing shall be limited to the maximum extent reasonable while providing a secure site. The applicant shall consider screening options to mitigate the use of barb wire and shall consider adjacent views of the site when determining where barb wire fences shall be used.
16. The Transportation System Plan calls for bike lanes to be constructed on S. Center Street along the frontage of the lower site. The applicant has identified the needed bike lanes in the TIA. The street shall be designed and constructed to accommodate the bike lanes, though the actual striping of the lanes might best be delayed until a longer section of bike lane improvements can be implemented. The decision to provide the striped bike lanes shall be reviewed as part of the phase 2 detailed development plan.
17. The applicant shall install a mirror at the corner of the driveway adjacent to 306 S. Center Street connecting S. Center Street to the upper site to improve the sight distance.
18. This condition of approval has been deleted by the City Commission. The applicant shall investigate expanding the asphalt width of the driveway connection from S. Center Street to the upper site to the maximum extent practicable.
19. The applicant shall work with the property owners adjacent to the 1st Street vacation to address rock fall mitigation as necessary.

20. The applicant shall protect the open space in the northeast corner of the upper site, west of the proposed detention pond, as depicted. The security fencing shall be located along the west edge of the open space rather than the east end as identified within the concept master plan application. Encroachment into the open space shall be considered an amendment to the concept master plan and require Type III review before the Planning Commission.
21. The applicant shall engage the neighbors in an attempt to create a detention pond on the upper site that serves as an aesthetic amenity and educational opportunity for the neighborhood.
22. The office building on the lower site shall achieve at least the minimum a LEED certification.
23. The applicant shall either relocate the fuel pumps on the upper site or redesign the screening of the fuel pumps on the upper site to screen views of the fuel pumps from South John Adams Street.
24. If and when transfer of ownership of the Armory site is completed, the City shall either:
 - 1) Record a public access easement across the Armory site granting public access in perpetuity to the pedestrian path from the end of South John Adams into Waterboard Park; or
 - 2) Perform a lot line adjustment relocating the property line so that the pedestrian path is completely located within Waterboard Park.
25. The applicant shall install information signs in the vicinity of the trails heads into Waterboard Park from South John Adams Street and Center Street describing the geology, wildlife and vegetation of the area.
26. The applicant shall install an information sign in the lobby of the administrative building describing the history and accomplishments of Army Company D, which was located at the Armory building on the upper site.
27. The applicant shall make all reasonable attempts to locate the southern property boundary so that it conforms to the description contained in the City Charter. A lot line adjustment may be required to facilitate this result.
28. The requested adjustment to exempt the upper site from Historic Overlay District review is denied. The applicant shall consult with the State Historic Preservation Office and obtain the approval of the City Historic Review Board before demolishing any building or before undertaking any new development on the site.
29. The requested height adjustment to OCMC 17.39.050.A is denied. However, the request for a height adjustment may be renewed at the time of design review for the potential building to recognize the setting in a residential neighborhood and proximity to a Charter Park with unique geographic features.
30. Vehicular access to the site for Public Works vehicles shall be limited as identified in this condition except during an emergency situation as determined by the Public Works Director. Public Works vehicles over 1-ton may access or egress the site via Center Street and may egress the site via South

John Adams between the hours of 7am to 4:30pm Monday through Friday. For all other hours than those identified above, all vehicular access to the site shall be from Center Street.

31. The applicant shall replace any white oaks removed from the site with new white oaks so that there is no net loss of this specific tree type. The trees may be replaced either on the site or off-site as permitted by the Oregon City Municipal Code during the detailed development plan review.
32. The applicant shall have a geotechnical engineer review the entire site for landslide hazards and provide recommendations on the development of the facilities at the site.



Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

PUBLIC WORKS CONCEPT MASTER PLAN
CITY FILE NO. AP 09-02 (Appeal of Planning File: CP 09-01)
SUMMARY OF CHANGES TO THE CONDITIONS OF APPROVAL

The following conditions of approval have been modified, deleted or added to the decision:

Condition of approval 2 has been amended to identify the noise monitoring that the applicant shall complete as recommended by the Noise Study.

Conditions of approval 6, 7, 8 and 9 have been deleted and condition of approval 28 has been added. Conditions of approval 6, 7, 8 and 9 were recommended by the Oregon City Historic Review Board. The Commission has adopted condition of approval 28, which requires the applicant to process all demolition and development applications through the Historic Review Board, thus conditions of approval 6, 7, 8 and 9 are not necessary, as the Historic Review Board will be reviewing and issuing a decision at a later date.

Condition of approval 17 has been amended to require the installation of a mirror on the accessway connecting the upper site to Center Street to improve sight distance rather than directing the applicant to investigate the installation of a mirror.

Condition of approval 18 has been deleted. The Commission affirms the Planning Commission decision, supported by the Transportation Analysis Review, that there is adequate pavement to provide for the safe access of vehicles to the site.

Condition of approval 28 has been added. The Commission has determined that the applicant shall consult with the State Historic Review Board and obtain approval from the Oregon City Historic Review Board prior to any demolishing any building or undertaking any new development on the site.

Condition of approval 29 has been added. The Commission has denied the height adjustment request for the office building on Center Street.

Condition of approval 30 has been added. The Commission has adopted the vehicular access and circulation plan submitted by the applicant and approved by the Planning Commission as a condition of approval.

Condition of approval 31 has been added. The Commission has determined that any white oaks removed from the site shall be replaced by a white oak, ensuring that there is no net loss of white oaks in the city.

Condition of approval 32 has been added. The Commission has determined that a geotechnical engineer review shall review the entire site for landslide hazards and provide recommendations for the development of the site.



COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Dan Drentlaw, Community Development Director
PRESENTER:	Dan Drentlaw, Community Development Director
SUBJECT:	Resolution 09-35, Department of Land Conservation and Development Grant for Downtown Redevelopment.
Agenda Heading: General Business	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Staff recommends that the City Commission approve Resolution No. 09-35.

BACKGROUND:

With the help of Main Street Oregon City, the Community Development Division submitted a grant application to the Department of Land Conservation and Development to begin exploring regional center and downtown redevelopment opportunities. The intent of the project is to create potential and realistic development and redevelopment options for the regional center and downtown. The scope of the project may be revised based on the funding provided by DLCD.

The goals of the project include:

Define Performance Goals for the Regional Center . Through a facilitated discussion, downtown stakeholders will engage in a process of communication, deliberation and definition of performance measures that can be used to define success in achieving regional center development goals.
(Example: How should downtown add residential, retail, commercial, natural resource amenities, or some combination of these into our existing urban fabric?)

Explore Development Alternatives. Generate interest, excitement and a commitment to realistic and appropriate levels of development that reflects the unique assets, challenges and opportunities of the regional center as well as external influences in the city and region. Through a design phase, the community will have the opportunity to explore at least three development and build-out scenarios.
(Example: What would the addition of 1,000 units of residential development overlooking the waterfront look like in the mixed- use downtown marketplace?)

“Show Me the Numbers.” How Does Each Development Alternative “Pencil Out”. Measure the underlying economic value of different development scenarios as they relate to: projected build-out costs , ROI, increases in property values, economic and actual rent needed to achieve a given alternative. *(Example: What are the costs of adding 30,000 sq ft of commercial space to the downtown marketplace? What rents would be needed to justify this build out? How would that change property values downtown?)*

Create the Right Environment. Develop design guidelines to ensure compatibility with the historic character and natural environment. Provide a better "sense of place" by defining entrances and focal

points for the regional center and downtown. *(Examples: How could adaptive reuse be encouraged? How could a physical, visual and economic connection be made with the riverfront?)*

Downtown Action Plan The action plan will provide the City Commission, Urban Renewal Commission, Main Street Oregon City and other downtown stakeholder with development priorities, funding scenarios, time lines, and responsibilities to allow for effective planning and decision making. This action plan will include assigning priorities, profiling funding sources, estimating a time line and defining responsibilities and expectations of downtown stakeholder.

As part of the grant application, DLCD would like to see a Resolution adopted by the City Commission showing full support of this project. Mayor Norris provided a brief letter of support with the initial submittal.

BUDGET IMPACT:

FY(s):

Funding Source:

ATTACHMENTS:

Resolution No. 09-35

RESOLUTION NO. 09-35

**A RESOLUTION SUPPORTING OREGON CITY'S GRANT APPLICATION FOR
TECHNICAL ASSISTANCE GRANTS FROM THE DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT**

WHEREAS, The Oregon City Regional Center consists of three distinct areas: the smaller, but historic downtown center located between the Mill and 10th street, the underutilized north end, including the area between the 10th Street and Abernathy Creek, and the under built Brownfield areas north of Abernathy creek, centered near the 99E and I205 interchange. All three areas are in need of varying degrees of renovation, reuse, redevelopment and development; and

WHEREAS, a closer look is needed to assess how current investments and projects should be guided to best achieve the economic development of the regional center and how those actions affect the downtown; and

WHEREAS, The City desires an Action Plan that will provide the City Commission, the Urban Renewal Commission, Main Street Oregon City and other stakeholders with development priorities funding scenarios, timelines , and an implementation schedule that includes responsibilities and expectations of all regional center stakeholders; and

WHEREAS, this project will communicate the market realities of the regional center and downtown to property owners and community leaders. It will inspire local property owners, community leaders and business owners to imagine and work toward a more vibrant regional center and downtown. It will also help prioritize how the City's Urban Renewal Agency's leverages its resources to provide the most benefit to the community; and

WHEREAS, The City has also been a founding partner in the creation of several initiatives including the formation of a non-profit organization (Main Street Oregon City), a downtown parking study and a downtown circulation study and grant to assist in the funding of downtown façade improvements.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Oregon City that:

Section 1: The City of Oregon City supports the grant application for downtown technical assistance from the Department Of Land Conservation and Development.

Adopted, signed and approved this 16th day of December 2009.

Alice Norris, Mayor

ATTESTED to this 16th day of December 2009

Nancy Ide, City Recorder



Agenda Item No. 7c
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Dan Drentlaw, Community Development Director
PRESENTER:	Dan Drentlaw, Community Development Director
SUBJECT:	Resolution No. 09-34, Establishing the Oregon City Tree Committee
Agenda Heading: General Business	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Staff recommends that the City Commission adopt Resolution No. 09-34.

BACKGROUND:

The Planning Commission and staff have been working to designate Oregon City as a "Tree City USA." In order to achieve this national recognition, the City must meet four requirements 1) establish a Tree Committee or Department 2) develop a community tree ordinance 3) establish a community forestry program with an annual expenditure of at least \$2 per capita, and 4) Conduct an Arbor Day observation and proclamation. The City already has a qualifying tree ordinance and last year the City spent \$79,288 or \$2.64 per capita, above the required expenditure requirement.

The Planning Commission and staff recommend the Tree Committee be comprised of the members of the Planning Commission, one member of the Parks and Recreation Advisory Committee, and one member of the general public skilled in urban forestry or arboriculture. The committee will be initially be responsible for organizing and coordinating Arbor Week activities (e.g. community tree plantings), with a broader scope of activities and bylaws to be determined at a later date.

The resolution has been endorsed by the Planning Commission and the Parks and Recreation Advisory Committee (PRAC).

Adoption of the Resolution 09-34 will establish the Oregon City Tree Committee and set forth the initial task of organizing, preparing and celebrating Arbor Week in Oregon City, April 5th through 9th, 2010.

BUDGET IMPACT:

FY(s): NA
Funding Source: NA

ATTACHMENTS:

Resolution No. 09-34
Expenditure report

Column1	Column2	Column3	Column4	Column5	Column6
TREE CITY USA STANDARD #3 WORKSHEET					
	PLANTING / REMOVAL / PRUNING				
	Parks Department	Public Works	Planning	Code Enforcement	
Reporting Period	2008-2009	5/08 - 5/09	1 /08 - 12/08		Total
Number of Trees Planted	106	140	71		317
Number of Trees Pruned	80	320			400
Number of Trees Removed	29	27	71		127
	COSTS BY DEPARTMENT				
	Parks Department	Public Works	Planning	Code Enforcement	
Amount Spent on Tree Planting and Initial Care	\$ 16,605.00	\$ 8,449.90			\$ 25,054.90
Amount Spent on Community Forest Management		\$ 9,938.44	\$ 11,393.00		\$ 21,331.44
Amount Spent on Tree Removals	\$ 15,000.00	\$ 10,085.00			\$ 25,085.00
Estimated Value of Volunteer Time	\$ 1,400.00	\$ 918.00			\$ 2,318.00
Other	\$ 2,500.00	\$ 2,939.13			\$ 5,439.13
TOTAL	\$ 35,505.00	\$ 32,330.47	\$ 11,393.00		\$ 79,228.47
POPULATION	30,000				
Per Capita Expenditure	\$ 2.64	(\$2 min. required)			

May 5

Tree City USA Standard 3 Worksheet

Community Name: Oregon City Public Works Current Year: 5108-5109

Number of trees planted: 140

Number of trees pruned: 320

Number of trees removed: 27

Does your community have a current, or recently updated, street tree inventory? No

Please provide the following financial information about
your city's community forestry program:

ACTIVITY	COST
Amount spent on Tree Planting and Initial Care Include cost of tree purchases, labor and equipment for planting, planting materials, stakes, wrapping, watering, mulching, competition, etc.	8449.90
Amount spent on Community Forest Management Include pruning, public education, professional training, contracted services, memberships, salaries, street and park tree inventories, pest management, fertilization, watering etc. (Line clearance, per se, is not tree maintenance. Utility trimming expenses are allowed only if the utility is a partner in the city's tree program and has implemented a tree planting program and proper pruning methods as recommended in the Tree Line USA program.)	9938.44
Amount spent on Tree Removals Include cost of saws and equipment, contracted services, supplies, and labor.	10,085.00
Estimate of the Value of Volunteer Time E.g. time spent at tree board meetings; planning and implementing tree planting projects. (Use rate of \$18/hr for volunteer time.)	918.00
Other Include any other expenses not already mentioned and briefly describe. A list of "eligible" activities is included on the back of this sheet. ADMIN FEE 10% 2.939.13	2.939.13
TOTAL COMMUNITY FORESTRY EXPENDITURES*	32,330.47
COMMUNITY POPULATION*	

- To qualify for the Tree City USA, total expenditures must be at least twice the population. Transfer these to numbers to Standard 3 on form and attach this sheet to application/recertification form.
- Please attach annual work plan outlining the work accomplished over the past year related to your community forest.

Theater Ditch Supplemental Environmental Project (SEP)

Equipment

Date	Equip #	Hours	Total	Emp	Comments
4/14/2009	Mini-Excav	6	\$173.34	Rick Brown	Rental costs captured on Materials
4/14/2009	#643	9	\$135.00	Chuck Finnegan	2-yd dump
4/14/2009	#503	2	\$30.00	Eric Hand	Colorado Pickup
4/15/2009	Mini-Excav	6	\$173.33	Rick Brown	Rental costs captured on Materials
4/15/2009	#643	6	\$90.00	Rick Brown	2-yd dump
4/15/2009	#503	1	\$15.00	Eric Hand	Colorado Pickup
4/15/2009	#467	6	\$90.00	Chuck Finnegan	8-yd dump
4/16/2009	Mini-Excav	6	\$173.33	Rick Brown	Rental costs captured on Materials
4/16/2009	#643	6	\$90.00	Rick Brown	2-yd dump
4/16/2009	#503	1	\$15.00	Eric Hand	Colorado Pickup
4/16/2009	#467	6	\$90.00	Chuck Finnegan	8-yd dump
4/16/2009	#363	1	\$15.00	Kekoa Achong	F-550 Flatbed
4/17/2009	#640	1	\$15.00	Rod Arrigo	2-yd dump
4/18/2009	#640	7.5	\$112.50	Eric Hand	Planting - SOLV/O.C. Cleanup Day
4/18/2009	#560	2	\$70.00	Rod Arrigo	1999 Flush/Water Truck
4/18/2009	#363	6.5	\$227.50	John Lewis	F-550 Flatbed
4/20/2009	#571	4	\$100.00	Rick Brown	1999 J.D. Backhoe
4/20/2009	#560	2	\$70.00	Rod Arrigo	1999 Flush/Water Truck
4/20/2009	#503	1	\$15.00	Eric Hand	Colorado Pickup
4/20/2009	#363	1	\$15.00	Kekoa Achong	F-550 Flatbed
4/20/2009	#640	1	\$15.00	Chuck Finnegan	2-yd dump
4/23/2009	#560	1	\$35.00	Kekoa & Rod	1999 Flush/Water Truck
4/27/2009	#560	1	\$35.00	Kekoa & Rod	1999 Flush/Water Truck
5/1/2009	#560	1	\$35.00	Kekoa & Rod	1999 Flush/Water Truck
			<u>\$1,835.00</u>		

Theater Ditch Supplemental Environmental Project (SEP)
Materials

Date	Vendor	Cost	Comments
	NW Natives	\$1,516.00	Trees & Plants
4/8/2009	Clackamas Landscape	\$370.00	Planting Soil
4/8/2009	Clackamas Landscape	\$56.00	Mulch
4/14/2009	United Pipe	\$419.00	Silt Fence
4/14/2009	A & A Rental	\$520.00	Mini-Excavator Rental

Total

\$2,881.00

LOCATION	DATE	DESCRIPTION	COST
7th Street	4/20/2009	Replace 3 trees destroyed in accident	1,350.00
Various Locations	4/20/2009	Remove stumps and replace 11 trees	3,385.00
Various Locations	8/14/2008	Lift/prune 320 street trees	5,200.00
709 Van Buren	11/7/2008	Remove dangerous trees in ROW 2	3,680.00
Beavercreek Road	7/15/2008	Stake trees in median after wind storm	562.50
City Hall	2/1/2009	Remove tree blown over in storm	125.00
Meyers Road	2/1/2009	Remove tree broken in median	25.00
Peter Skene Way	8/19/2008	Remove tree near pump station	1,895.00
Wittke Court	8/19/2008	Remove 2 trees in greenway	1,100.00
Peter Skene Way	3/23/2009	Remove 9 trees with excessive leans	2,450.00
Ganong Street	3/3/2009	Inspect possible dangerous trees	175.00

2750 trees
4635 removal

4662.50

5200.00

10,085.00

TOTAL

19,947.50

Theater Ditch Supplemental Environmental Project (SEP)						
Labor						
Date	Emp	Hours	Reg	O.T.	Total	Comments
4/14/2009	Rick Brown	9	X		\$389.07	Get trackhoe & plant bed prep
4/14/2009	Chuck Finnegan	9	X		\$389.07	Get trackhoe & plant bed prep
4/14/2009	Eric Hand	2	X		\$100.42	Mark out planting plan
4/15/2009	Rick Brown	6	X		\$259.38	Remove sod & plant bed prep
4/15/2009	Chuck Finnegan	6	X		\$259.38	Remove sod & plant bed prep
4/15/2009	Eric Hand	1	X		\$50.21	Project Coordination
4/16/2009	Rick Brown	6	X		\$259.38	Remove sod & plant bed prep
4/16/2009	Chuck Finnegan	6	X		\$259.38	Remove sod & plant bed prep
4/16/2009	Eric Hand	1	X		\$50.21	Project Coordination
4/16/2009	Rod Arrigo	1	X		\$43.23	Load plants on flatbed truck
4/16/2009	Kekoa Achong	1	X		\$43.23	Load plants on flatbed truck
4/17/2009	Rod Arrigo	1	X		\$43.23	Load dump truck for Sat planting
4/17/2009	Eric Hand	2	X		\$100.42	Load dump truck for Sat planting
4/18/2009	Eric Hand	7.5	X		\$376.58	Planting - SOLV/O.C. Cleanup Day
4/18/2009	Rod Arrigo	7.5		X	\$486.35	Planting - SOLV/O.C. Cleanup Day
4/18/2009	John Lewis	6.5	X		\$326.37	Planting - SOLV/O.C. Cleanup Day
4/18/2009	Nancy Krushaar	3	X		\$150.63	Planting - SOLV/O.C. Cleanup Day
4/18/2009	17 Volunteers	3			\$918.00	\$18/hr per volunteer
4/20/2009	Rick Brown	4	X		\$172.92	Finish up from O.C. Cleanup Day
4/20/2009	Rod Arrigo	4	X		\$172.92	Finish up from O.C. Cleanup Day
4/20/2009	Eric Hand	1	X		\$50.21	Finish up from O.C. Cleanup Day
4/20/2009		4	X		\$172.92	Finish up from O.C. Cleanup Day
4/20/2009	Chuck Finnegan	4	X		\$172.92	Finish up from O.C. Cleanup Day
4/23/2009	Kekoa Achong	1	X		\$43.23	Watering
4/23/2009	Rod Arrigo	1	X		\$43.23	Watering
4/27/2009	Kekoa Achong	1	X		\$43.23	Watering
4/27/2009	Rod Arrigo	1	X		\$43.23	Watering
5/1/2009	Rod Arrigo	1	X		\$43.23	Watering
5/1/2009	Chuck Finnegan	1	X		\$43.23	Watering
5/5/2009	Eric Hand	3	X		\$150.63	Project record keeping
					\$5,656.44	
	Volunteer total				\$918.00	
	Staff total				\$4,738.44	

Planning

Tree City USA Standard 3 Worksheet

Community Name: O.C. Planning Division Current Year: 1/08 - 12/08

Number of trees planted: 71

Number of trees pruned: _____

Number of trees removed: 71

*Street Tree Replacement
Staff Time estimate*

Does your community have a current, or recently updated, street tree inventory? NO

Please provide the following financial information about
your city's community forestry program:

ACTIVITY	COST
Amount spent on Tree Planting and Initial Care Include cost of tree purchases, labor and equipment for planting, planting materials, stakes, wrapping, watering, mulching, competition, etc.	
Amount spent on Community Forest Management Include pruning, public education, professional training, contracted services, memberships, salaries, street and park tree inventories, pest management, fertilization, watering etc. (Line clearance, per se, is not tree maintenance. Utility trimming expenses are allowed only if the utility is a partner in the city's tree program and has implemented a tree planting program and proper pruning methods as recommended in the Tree Line USA program.)	<u>\$ 11,393</u>
Amount spent on Tree Removals Include cost of saws and equipment, contracted services, supplies, and labor.	
Estimate of the Value of Volunteer Time E.g. time spent at tree board meetings; planning and implementing tree planting projects. (Use rate of \$18/hr for volunteer time.)	
Other Include any other expenses not already mentions and briefly describe. A list of "eligible" activities is included on the back of this sheet.	
TOTAL COMMUNITY FORESTRY EXPENDITURES* <i>Planning Division see attached</i>	
COMMUNITY POPULATION*	

- To qualify for the Tree City USA, total expenditures must be at least twice the population. Transfer these to numbers to Standard 3 on form and attach this sheet to application/recertification form.
- Please attach annual work plan outlining the work accomplished over the past year related to your community forest.

Pete Walter

From: Pete Walter
Sent: Tuesday, May 12, 2009 4:33 PM
To: Dan Drentlaw
Subject: TCUSA application - Planning staff time for 2008

Dan,

Here is the planning division estimate of staff time for the TCUSA application you requested. In most cases we were approving a 1:1 removal / replacement ratio, so we can say that property owners were responsible for at least 71 trees.

- Number of street tree removal permits in 2008- 71
- Estimated time per permit-2 hours -7 hours (This is a range from easy cases to Code Enforcement Cases, includes site visits, letter writing, testimony in court in some cases)
- Average time per permit = 2.5 hours
- Total Average Time per Tree Removal Permits = 177.5
- Average Time Answering Questions Where No Permit is Applied For = 0.25 Hours
- Average Number of Inquiries Where No Permit is Applied For = 4 Per Week (208 in 2008)
- Total Average Time Where No Permit is Applied For = 52 Hours
- Total Time processing Street Tree removals and replacements = 229.5 Hours
- Estimated Time on Informational Sheets Etc. = 30 Hours in 2008

259.5 Hours in 2008 for Laura Butler in the Planning Division (259.5*Hourly Rate of \$39.91 = 10,357)

20 Hours in 2008 for Pete Walter in the Planning Division (20*Hourly rate of \$51.80 = 1,036)

- Total Time Dedicated to Trees by the Planning Division-**279.5 Hours**
- Total Cost by the Planning Division for Tree Enforcement -**\$11,393**

Pete



Pete Walter, AICP, Associate Planner
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Community Development Department
Planning Division
221 Molalla Avenue, Ste. 200
Oregon City, Oregon 97045
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Website: www.orc.org

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[Property Zoning Report](#)

Online Mapping is available at [OCWebMaps](#)



Please consider the environment before printing

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

Tree City USA Standard 3 Worksheet

Community Name: City of Oregon City/Park Current Year: 2008-2009

Number of trees planted: 106

Number of trees pruned: 80

Number of trees removed: 29

Does your community have a current, or recently updated, street tree inventory? NO

Please provide the following financial information about
your city's community forestry program:

ACTIVITY	COST
Amount spent on Tree Planting and Initial Care Include cost of tree purchases, labor and equipment for planting, planting materials, stakes, wrapping, watering, mulching, competition, etc.	16,605 ⁰⁰
Amount spent on Community Forest Management Include pruning, public education, professional training, contracted services, memberships, salaries, street and park tree inventories, pest management, fertilization, watering etc. (Line clearance, per se, is not tree maintenance. Utility trimming expenses are allowed only if the utility is a partner in the city's tree program and has implemented a tree planting program and proper pruning methods as recommended in the Tree Line USA program.)	
Amount spent on Tree Removals Include cost of saws and equipment, contracted services, supplies, and labor.	15,000 ⁰⁰
Estimate of the Value of Volunteer Time E.g. time spent at tree board meetings; planning and implementing tree planting projects. (Use rate of \$18/hr for volunteer time.)	1400 ⁰⁰
Other Include any other expenses not already mentions and briefly describe. A list of "eligible" activities is included on the back of this sheet.	\$2,500 ⁰⁰
TOTAL COMMUNITY FORESTRY EXPENDITURES*	\$35,505⁰⁰
COMMUNITY POPULATION*	30,000

- To qualify for the Tree City USA, total expenditures must be at least twice the population. Transfer these to numbers to Standard 3 on form and attach this sheet to application/recertification form.
- Please attach annual work plan outlining the work accomplished over the past year related to your community forest.

RESOLUTION 09-34

A RESOLUTION ESTABLISHING THE OREGON CITY TREE COMMITTEE AND APPOINTING MEMBERS OF THE PLANNING COMMISSION AND PARKS AND RECREATION ADVISORY COMMITTEE THERETO.

WHEREAS, Oregon City recognizes the importance of preserving trees in the urban environment and has adopted goals and policies pertaining to tree preservation in the Oregon City Comprehensive Plan; and

WHEREAS, the attainment of Tree City USA designation is an important step in the ongoing management and enhancement of Oregon City's urban forest; and

WHEREAS, the City must meet the following four standards in order to achieve Tree City USA designation:

#1: A Tree Committee or Department,

#2: A community tree ordinance,

3: A community forestry program with an annual expenditure of at least \$2 per capita, and

#4: Arbor Day observation and proclamation; and

WHEREAS, the City meet Standards #2 and #3 with a qualifying Tree Ordinance embodied in the Oregon City Municipal Code Chapters 12.08 and 17.41, and exceeds the minimum community forestry expenditure requirements per capita; and

WHEREAS, the establishment of a knowledgeable, engaged and citizen-based Tree Committee will fulfill standard #1 of the Tree City USA program, and

WHEREAS, the Oregon City Planning Commission and has worked extensively to improve Oregon City's natural resources and tree preservation policies on public and private land; and is the most appropriate body to oversee implementation of said policies both now and in the future;

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Oregon City that:

Section 1: The Tree Committee of the City of Oregon City is hereby established.

Section 2: The membership of the Oregon City Tree Committee shall be comprised of the members of the Oregon City Planning Commission, one member of the Parks and Recreation Advisory Committee (PRAC), and one member of the general public skilled in urban forestry or arboriculture.

Section 3: The first task of the Tree Committee shall be to establish a working group to plan, organize and celebrate Arbor Week in Oregon City, April 5th through 9th, 2010.

Section 4: The Tree Committee shall develop procedures and bylaws for approval by the City Commission at a date to be determined.

Adopted, signed and approved this 16th day of December 2009.

Alice Norris, Mayor

ATTESTED to this 16th day of December 2009

Nancy Ide, City Recorder



Agenda Item No. 7e
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Larry Patterson, City Manager
PRESENTER:	Larry Patterson, City Manager
SUBJECT:	End of the Oregon Trail Interpretive Center Request for Proposal for Consultant Services and Memo Detailing Current Staffing and Funding Estimates
Agenda Heading: General Business	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Discussion only.

BACKGROUND:

The Commission has directed staff to develop a Request for Proposal for Consultant Services for the Visioning and Operations Plan for the End of the Oregon Trail Interpretive Center Site. A draft of this RFP was sent to you electronically for review prior to this meeting. Staff wants to ensure that the RFP encompasses the information and captures the direction that the Commission desires so we may move forward with the publication and announcement.

As you may recall, the Commission previously approved the City becoming the employer for the current staff at the EOTIC Visitor Center. Staff has met with Dan Fowler of Clackamas Heritage Partners and Linda Bell, Clackamas County Tourism Development Council, to obtain personnel and salary information. There are currently two employees at the Visitor Center, one full-time manager and one part-time person. Please refer to the attached memo for more details. Staff will proceed with creating these City positions and staffing the Center unless the Commission would like to take a different direction than previously decided.

BUDGET IMPACT:

FY(s): Annual estimate \$150,000-\$250,000
Funding Source: TBD

ATTACHMENTS:

Request for Proposal
Memo on Current Staffing and Funding

**CITY OF OREGON CITY
Request for Proposal for
Consultant Services for Operations Plan and Visioning of
The End of the Oregon Trail Interpretive Center Site**



Deadline: January 8, 2010

Return to:

Teri Bankhead
City of Oregon City
Office of the City Manager
625 Center Street
P.O. Box 3040
Oregon City, OR 97045-0304

SECTION 1 – GENERAL INFORMATION

1.1 Introduction

The City of Oregon City (“City”) is seeking consulting services of a Firm or Individual (“Consultant”) who will guide a public process to develop a long-range operations plan for the End of the Oregon Trail Interpretive Center (EOTIC) site. This Consultant will assist the City in formulating a task force committee that will help guide the process and lead the group in developing an overall vision for the Center. The Consultant will lead the task force in exploring all programs and ideas presented as potential program offerings to be performed or housed at the EOTIC. The Consultant and task force will also analyze the financial feasibility of the various program options and assess the capability of each one as to its ability to sustain the Center financially, ensuring that funding sources and subsidy requirements are determined

Qualified consultants must have experience with historical tourism activities; possess the ability to perform the scope of analysis as needed; be able to work with City staff and community in examining various ideas and in understanding the complexity of the issues; and present status updates and final recommendations to the City Commission.

Their work will exhibit a rigorous attention to detail as well as an eye toward practical solutions. The anticipated start date is **February 1, 2010**.

1.2 Proposal Inquiries and Submittal

Requests for Request for Proposal (RFP) packets shall be directed to Teri Bankhead, Assistant to the City Manager. Teri Bankhead shall be the contact person for the respondents to this Request for Proposal, email address tbankhead@orc.org or phone (503-496-1582). The contact person shall arrange for any other City personnel to respond to the contractors’ questions as needed.

Three (3) copies of the proposal and one electronic copy shall be received by the contact person at **City Hall at 625 Center Street Oregon City** no later than 3:00 P.M. on **January 8, 2010**. **Faxed copies or proposals submitted after this time shall not be accepted.** The proposals shall be addressed to:

Proposal for EOTIC
City of Oregon City
Attn: Teri Bankhead
P.O. Box 3040
625 Center St.
Oregon City, Oregon 97045-0304

Each proposal shall be double-sided per section and printed on recycled paper. All proposals become part of the public file for the project, without obligation to the City of Oregon City. The City reserves the right to reject any or all submittals for good cause, in the public interest, and is not liable for any costs incurred by the contractors in the proposal preparation or presentation.

1.3 Project Description

The goal of this project is to hire a consultant to facilitate a public process and lead in the creation of a task force committee that will guide a visioning process and develop a plan of operation for the End of the Oregon Trail Interpretive Center site. The Consultant shall use the latest procedures, methods and technology. The final product will be a written, bound report to be presented to the City Commission of the recommendations for the operations plan and a vision for the EOTIC.

SECTION 2 – SCOPE OF WORK

2.1 Specifics

Provide a proposal detailing how the consultant will conduct the following:

- A. Guide a public process to develop a long-range plan for the operations of the EOTIC
- B. Assist the City in the formation of a task force
- C. Guide a visioning process
 - a. Develop a public outreach program to involve all citizens or groups that would desire input into this decision
 - b. Identify stakeholders, key community leaders, interested city-wide community members
 - c. Facilitate task force meetings
 - d. Explore all ideas presented as to various program offerings that may be performed or housed at the EOTIC, determining what is best suited for the Center and the vision set forth
 - e. Assess the financial capability of each program offering and determine which would sustain the Center financially, both short term and long range.
 - f. Determine the funding sources, including any need for subsidy from the City or otherwise
 - g. Submit an interim written report to the City
 - h. Provide final recommendations to the City regarding an overall vision/plan for the operation and programs of the Center

2.2 Reports Furnished by Consultant

The Consultant shall furnish the City with documents in the following format:

- A. An interim written, electronic report of the public process and findings to date
- B. Twenty (20) bound copies of the final report documenting all parts of the public process with recommendations for an overall vision/plan for operations and programs of the Center, revenue and expenditure estimates, and any staffing implications included based on the recommendation.

2.3 Presentations to the City Commission

- A. Status updates will be presented to the City Commission as needed
- B. Consultant will give a final presentation of the recommendations to the City Commission

2.4 Information Furnished by City

The City shall furnish the Consultant with all information available on the subject of:

- A. Contact information for City and Community stakeholders
- B. Use history of facility
- C. Access to facilities
- D. Proposed Timeline
- E. Budgetary issues
- F. GIS data, including zoning, aerial photo, and other available mapping needs
- G. Other information as requested

2.5 Preparations for Service Provided by the City

- A. The City shall furnish, at no cost to the Consultant, necessary maps (as available).
- B. The City shall provide a contact person to work and coordinate with the Consultant as needed.

2.6 Insurance Requirements

The Consultant must provide proof of insurance (workers compensation, automobile, and errors and omissions) as required by the City's Personal Services Agreement (see attached).

2.7 Fees for Consultant Services

The Contractor shall include fees for contractor's services in the proposal.

The fee schedule shall be based on:

- A. Cost per hour
- B. Estimated fee for 20 bound final reports
- C. Estimated fee for two presentations to the City Commission
- D. Estimated total hours per task in the Scope of Work
- E. Estimated Total Fee for Project
- F. Estimated time to complete the project based on provided timeline
- G. Date Consultant can begin services

SECTION 3 – PROPOSAL FORMAT

The Contractor shall respond to specific criteria that shall facilitate proposal evaluation. The specific criteria are presented below. Page limitations are presented in Section 4.2. The criteria need not be presented on separate pages. Proposal shall be double-sided per section and printed on recycled paper.

3.1 Introductory Letter

The letter shall name the person(s) authorized to represent the Consultant in any negotiations and name of the person(s) authorized to sign any contract that may result. The letter shall indicate insurance carried by the Consultant. An authorized representative for the Consultant shall sign the proposal letter.

3.2 Consultant's Capabilities

This criterion relates to the Consultant and any team members who assist the Consultant. Indicate capabilities and resources in relation to this project.

- A. Are resources available to perform the work for the duration of the project?
- B. What similar projects by type and location have been performed within the last three years, which best characterize work quality and cost control? Provide an example of a written report(s) if possible.
- C. Has the Consultant, and team member if relevant, completed similar projects with other government agencies?
- D. Has the Consultant, and team member if relevant, demonstrated that they follow internal procedures and/or policies associated to this project's services to provide quality control and quality assurance necessary to complete the project in a timely and cost effective manner?

3.3 Project Approach

This criterion relates to the Consultant identifying the action to be taken to achieve the objectives outlined in the scope of work. It should include the proposed scope of work, tasks, project schedule, and fee schedule.

The Consultant shall include in their proposal the fees for their services as presented in Section 2.6. The fee schedule shall not be exclusively used as an evaluation criterion.

3.4 Support Information

Support information shall be limited to that which is pertinent to the submittal. Material shall include sample final report and references. The City shall be seeking services of the most qualified Consultant.

3.5 Cost Considerations

Both the study and the proposed solutions must be conceptualized with the limitations of public funds in mind.

SECTION 4 – PROPOSAL REVIEW, EVALUATION, AND SELECTION

4.1 Review

A committee will evaluate and rank the proposals within two weeks of the submittal date and interviews will be conducted with the top three candidates. The City has the right to require any clarification or change needed to understand the consultant's approach to the project. The City of Oregon City will award a contract to the consultant whose qualifications and project approach would be most advantageous to the project.

4.2 Evaluations and Selection

Each proposal shall be limited in length and judged as a demonstration of the Consultant's capabilities and understanding of the project. Evaluation criteria, page limitations, and weighting factors (one page is considered to be one side of a sheet of paper measuring 8 ½" x 11") shall be as follows:

Proposal Evaluation Criteria/Page Limitations/Weighting Factors

Contents	Max. # Of Pages	Evaluation Weighting Factors
Introductory Letter	1	0%
Consultant's Capabilities	2	25%
Project Approach	4	45%
Support Information	(as desired)	20%
Cost Considerations	2	10%
TOTAL	8+ Support Information	100%

SECTION 5 – CONTRACT REQUIREMENTS

The successful Consultant shall enter into a Personal Services Agreement with the City (example attached as Enclosure 1). Payment for contract services shall be made monthly, upon receipt of the Consultant's billing statement, for work done to date. The invoice shall include a summary of progress through the billing date and shall not be submitted more often than once per month.

All billings shall be processed through the City Manager's Office.

Protests concerning the selection process must be in writing and delivered to Teri Bankhead, Assistant to the City Manager, within or not later than 14 days after the intent to award is provided to RFP respondents. The protest must state the grounds upon which it is based.

The City of Oregon City will review the protest and present a decision to all involved parties within 45 calendar days.

ENCLOSURES:

Enclosure 1: Personal Services Agreement

Enclosure 2: Standard Conditions to Oregon City Personal Services Agreement



MEMORANDUM

To: Madame Mayor and Commissioners
From: Teri Bankhead, Asst. to the City Manager
Re: EOTIC Staffing
Date: December 10, 2009

Linda Bell, Larry Patterson, Scott Archer, David Wimmer, Jim Loeffler and I met on December 3, 2009 to discuss the existing staffing structure of the EOITC and Visitor Center. Additionally we discussed what staffing would be needed to operate the Visitor Center, grounds, and EOTIC to facilitate school and other groups until some long range program could be define and implemented.

There are currently two staff positions at the Visitor Center: one FT and one PT. CHP also maintains an accountant who works in the office two days per week. Between the three individuals, and a few volunteers, the Visitor Center is staffed and the 800 number is answered. Currently TDC contributes \$60,000/FY to the Visitor Center for personnel and operations. This funding is passed through CHP. To date, \$30,000 remains for the current fiscal year, to expire June 30, 2010.

Jim Loeffler, HR Director, met with Dan Fowler and obtained the current salary information for the two employees at the Visitor Center. The full-time employee, or "Visitor Center Manager," is paid at \$12.50/hr, which equates to \$26,000/yr. The part-time employee is paid \$9.00/hr, or \$9,350/yr. Mr. Loeffler has compared the Visitor Center manager job duties with existing City classifications and has determined that the most comparable position would be a Parks Recreation Programmer. The salary of this position is \$26.08/hr, or \$54,250/yr including benefits.

The Commission has expressed an interest in having the Center operational for the upcoming summer and for school field trips. This will require opening the movie theater and the historic artifact tour. The previous Education Coordinator who worked in this role under CHP has expressed an interest in returning to the Center in the same or similar capacity, and Mr. Fowler



OREGON CITY

Office of the City Manager

625 Center Street | PO Box 3040 | Oregon City OR 97045
Ph: (503) 657-0891 | Fax (503) 657-7026

has indicated that CHP would permit the use of the film and equipment to use for the movie theater at no cost. This program could be an addition at a later time if you choose. Mr. Loeffler is in the process of researching the Education Coordinator duties and pay under CHP as well as comparing those duties to a comparable City classification. The intent would be to create a full-time position if this was considered.

We estimate that it would take approximately \$150k-250k to manage the facility and assume personnel expenses for one year. At a minimum, it would require 2 to 2.5 staff to run the Visitor Center and cover the 800 number and another full-time person in the education component. This is assuming that volunteers would still assist in the Visitor Center. If not, additional staff may be required. This overall amount also includes grounds, maintenance, increased janitorial, and administrative overhead (Finance Director, Parks and Public Works staff). Additional maintenance costs would also need to be assumed for the film equipment. Another consideration is that a gift shop previously shared the building with the Visitor Center, and it has now closed. Operational expenses, such as inventory, are not included in this overall annual amount for another gift shop. One possibility is to lease the space to an independent store operator.

An intergovernmental agreement will be required between the City and TDC for the funding stream. The City is poised to take over the Visitor Center personnel on January 1, 2010. TDC will begin to pay the remaining \$30,000 to the City as of January 1. It is important to recognize that this is an interim plan to assume responsibility of the existing Visitor Center and staff. The consultant-led visioning process is set to begin approximately January 2010. This process will better define the direction and future of the facility and subsequent staffing needs. During this transition, we must be sensitive to the needs of the community and visitors to the Center, and attempt to bring some stability to the existing operations. As the Center has opened and closed multiple times in the past year, we want to ensure that we are able to provide a consistent and reliable service and avoid a similar outcome.

**City of Oregon City
City Commission Work Session Minutes
November 16, 2009**

**City Hall – Commission Chambers
625 Center Street
Oregon City, OR 97045**

1. Convene Work Session of the City Commission and Roll Call

Mayor Norris called the meeting to order at 5:30 p.m.

Commissioners Present:

Alice Norris, Mayor
Daphne Wuest, Comm. Pres.
Doug Neeley
James Nicita
Rocky Smith, Jr.

Media:

Colin Miner, *The Oregonian*

Staff Present:

City Manager Larry Patterson
City Engineer/Public Works Director Nancy Kraushaar
Library Director Maureen Cole
Community Services Director Scott Archer
City Recorder Nancy Ide
City Attorney Bill Kabeiseman
Police Chief & Public Safety Director Mike Conrad
Community Development Director Dan Drentlaw
Finance Director David Wimmer
Human Resources Director Jim Loeffler
Planner Christina Robertson-Gardiner

2. Future Agenda Items

Commissioner Nicita asked that the next Work Session agenda include discussions regarding the Habitat Task Force and Economic Development Coordinator.

Commissioner Wuest wanted a review of the neighborhood associations' bylaws regarding reporting.

3. Discussion Items

a. End of the Oregon Trail Interpretive Center RFP

Larry Patterson, City Manager, said this was an outline of the critical points that were discussed and he asked if there were changes before creation of the final document.

It was confirmed that the goal would be to have a financially capable entity take the facility over.

Commissioner Neeley said this process would take some time and the Commission should listen to public suggestions regarding opening some of the historical facilities for students independent of the task force recommendations.

Commissioner Nicita discussed how the process would be funded and the option for using Urban Renewal funds. He also suggested adding a bullet point to say this individual was responsible for managing the operations of the center currently.

There was discussion regarding the visioning process and operations as two separate components. It was suggested to continue the RFP process but deal with the short term management needs separately.

Mr. Patterson said staff would do some research in regard to short term management and bring it back to the Commission meeting on Wednesday. Suggestions regarding the makeup of the task force could be forwarded to the Mayor or Mr. Patterson.

b. Vending Cart Program Update

Dan Drentlaw, Community Development Director, said they had three downtown stakeholder meetings regarding the program. Some of the changes discussed were: the requirement of 100% consent of all the property owners within 60 feet of the vending cart site, the fee would vary according to location, and the possibility of incentives for areas where they wanted to encourage vending carts.

Commissioner Nicita was concerned about a pending application which should have been brought to the Commission immediately. He wanted to make a decision on that application at the Commission meeting on Wednesday.

Commissioner Smith thought the fees were high and there should be a better explanation for how the fees were determined. He also thought the fee should not be used solely for beautification of downtown. He wanted to waive the additional fees on the pending permit.

Commissioner Wuest suggested adding a review from Main Street or the Downtown Business Coalition and a City review instead of requiring signatures from surrounding property owners. She also did not like the title of beautification money.

Mr. Patterson said if the applicant received the property owners' permission they could go forward, but if they felt they were being unfairly treated there would be a review with the City.

Commissioner Neeley thought the pending application's fee should be a year from the time it was approved.

Commissioner Smith thought the colors allowed for the cart should be explained better.

Commission Nicita wanted to look at the possibility of permitting vending carts within a certain radius of the elevator on the second level.

c. City Manager Recruitment Process

Mayor Norris explained the options and costs for an executive search.

Jim Loeffler, Human Resources Director, discussed a proposed timeline, rough cost estimates, and draft city manager profile as well as what his duties would be as an internal consultant and that the Commission would make the final decision.

Mayor Norris said the Commission had to decide how broadly they wanted to search, the salary range, and possible changes to the city manager profile.

There was consensus to have City staff do the executive search. Advertising would start December 1.

Commissioner Nicita thought they should be recruiting an interim city manager due to the election next year with a new Mayor and possibly new Commission members.

Mayor Norris thought for the stability of the City they needed to hire a manager.

Bill Kabeiseman, City Attorney, said the City's charter put a time limit on the terms for interim city managers.

It was decided that the salary range should be \$125,000 to \$140,000. The Commission would review the manager profile and send revisions to Mr. Loeffler.

In regard to the candidate living within the City limits, it was an expectation rather than a requirement.

d. City Manager's Request

Mr. Patterson said when he submitted his letter of intention to retire he asked if the Commission would allow him to retire under PERS effective January 1 and work back under PERS until March 31. There would be a \$3,000 to \$4,000 cost savings to the City.

Commissioner Nicita said this should be done under the context of the city manager's performance evaluation.

Mayor Norris thought they should do an exit interview but they typically did not do performance evaluations for employees who were leaving.

Betty Mumm of Oregon City said if it was going to save the City money, they should do it.

This item would be on the Commission meeting agenda on Wednesday.

e. Wastewater Advisory Committee Bylaws Update

Mr. Patterson said there were no substantial changes to the bylaws and there was regional consensus in favor of the changes.

f. Retention of Executive Session Minutes

Commissioner Nicita discussed four executive session tapes which were not recorded correctly and the information was lost. He reported on his research regarding retention of meeting tapes and minutes. Executive Session tapes prior to 2000 were destroyed and there was a range in the amount of information given in the minutes.

Mr. Kabeiseman said he did not see a violation of the Oregon Public Meetings Law. He discussed the Attorney General's model minutes in regard to the amount of detail required.

There was discussion regarding the need for retaining the tapes longer than the required 10 years.

Commissioner Nicita said they needed to establish an Oregon City retention policy. He suggested re-establishing their archive base as much as they could through the City Attorney's documentation of past executive session meetings.

Nancy Ide, City Recorder, said Resolution No. 03-15, adopted in 2003, established and authorized the use of the general records retention schedule as Oregon City's retention schedule. She explained that during past Grateful Shred Days, the City kept original or permanent records and shredded convenience copies. Oregon City was on the high end for record keeping and she was not aware of any other Oregon city who chose to extend the retention beyond the ten years. The recording procedure for executive sessions has now been changed to recording a DVD and maintaining it for the required ten years. Regarding the four missing tapes, technical errors occurred.

Commissioner Neeley made it clear that the tapes were not intentionally destroyed.

Commissioner Neeley asked that the current policy be amended to have executive session minutes retained permanently.

g. Minutes Transcription Process

Ms. Ide stated there were three digital copies of each regular meeting as well as written summary minutes.

Commissioner Neeley thought the minutes should include the title of documents that were submitted with testimony and there should be greater detail of discussion leading to a decision.

Commissioner Wuest said minutes were an interpretation and with their new system they could review the Web streaming video.

Commissioner Nicita said there was a sizable amount of people who did not have computers and written minutes would serve a segment of the population that would not be served by Web streaming on a computer.

The Commission's consensus was to use the next couple months as a test period before making any changes to the detail of transcription.

h. City Commission Calendar for 2010

Mayor Norris said the next Commission Work Session would be December 7, 2010 and the Commission Retreat would be rescheduled to January 22 and 23, 2010.

i. DOGAMI State-Wide Seismic Needs Assessment and Ratings Report

Nancy Kraushaar, City Engineer/Public Works Director, explained how the ratings were determined for schools in Oregon City through a rapid visual screening assessment. The screenings were based on how well a facility would behave in the maximum possible earthquake. For Oregon City, the older parts of the structures were rated high collapse potential and those structures with newer construction or improvements had a low risk of collapse. It was the same case with the college.

Commissioner Neeley said this report did not take into account structural improvements that were made internally. He would like to know how City public facilities would stand up in these conditions.

Ms. Kraushaar said the purpose of the report was to start prioritizing improvements and do more in-depth studies of the buildings so they could be better prepared. She would inform the Commission of the next Hazard Mitigation Committee meeting for further discussion.

k. Broadcast Origination Points with Comcast Franchise

Ms. Ide said during the franchise negotiations with Comcast an opportunity arose to expand the cable broadcast services by offering more origination points for broadcasting from City facilities for any type of City event or meeting. They could use these funds to design, build infrastructure, purchase equipment, and build facilities that would house the origination points. Operations and maintenance costs could not be included in the PEG fees. Staff recommended the Commission discuss the rate increase impact, which would be approximately \$1 a month added to the Comcast ratepayers' bill, and move toward the selection of City facilities to create origination points. If the Commission was interested, staff would negotiate it in the franchise and determine what facilities to include. The more facilities they wanted to include, the higher the cost.

Staff would bring this topic back with more clarity on the proposal.

j. City Sensitivity to Cultural Heritage Sites

Mr. Drentlaw said there was a question as to who would notify the State Historic Preservation Office if they found any historic gravesites or artifacts from Indian tribes during development. SHPO was willing to give them some generalized maps with high potential sites so they could better gauge development applications. The City's role was to inform the future developers what their responsibilities were, but they had no enforcement ability.

Commissioner Nicita thought they had authority to establish their own ordinances on protection of Native American cultural sites. He proposed to work with the tribes themselves and include any tribe that had interest in the Oregon City area as far as impact on cultural resources.

Commissioner Smith said this was a broader City issue and was concerned about key places downtown that might be developed.

The Commission would discuss this issue during the Code revision discussions in January.

5. City Manager's Report

There was no city manager's report.

6. Adjournment

Mayor Norris adjourned the meeting at 9:08 p.m.

Respectfully submitted,

Nancy Ide, City Recorder

DRAFT

**City of Oregon City
City Commission Regular Meeting Minutes
November 18, 2009**

**City Hall – Commission Chambers
625 Center Street
Oregon City, OR 97045**

1. Convene Regular Meeting of the City Commission and Roll Call

Mayor Norris called the meeting to order at 7 p.m.

Commissioners Present:

Alice Norris, Mayor
Daphne Wuest, Commission
President
James Nicita, Commissioner
Rocky Smith, Jr., Commissioner
Doug Neeley, Commissioner

Staff Present:

City Manager Larry Patterson
City Engineer/Public Works Director Nancy Kraushaar
Human Resources Director Jim Loeffler
Community Services Director Scott Archer
City Recorder Nancy Ide
City Attorney Bill Kabeiseman
Police Chief & Public Safety Director Mike Conrad
Community Development Director Dan Drentlaw
Finance Director David Wimmer
Library Director Maureen Cole

Media:

Colin Miner, *The Oregonian*

2. Flag Salute

3. Ceremonies, Proclamations, Presentations

a. Sesquicentennial Moment

Mayor Norris discussed the history of past City Halls.

**b. Presentation on Urban and Rural Reserves and Long Range Planning toward
Urban Growth Boundary Decision in 2010**

Carlotta Collette, Metro Councilor, said on September 15 the Strategies for a Sustainable and Prosperous Region report was released. The major themes were to invest in maintaining and improving what was already inside the Urban Growth Boundary, not to expand the Urban Growth Boundary unless it was absolutely necessary, and do some reporting to know they were achieving their goals. The most important change for the region was setting a new bar for when and how the Urban Growth Boundary was expanded, such as creating a concept plan for the community, deciding who would govern it, and creating an infrastructure plan. Regarding urban and rural reserves, each of the counties came up with a list and maps. It was determined that 15,000 to 29,000 acres would be needed for the next 40 years. The plan was to have draft intergovernmental agreements and a working map by the end of December. There would be a public involvement process and by February there would be finalized intergovernmental agreements. The Regional Transportation Plan was also released on September 15. More detailed greenhouse gas analysis would need to be done for the projects proposed in the Plan before they could be adopted by the June deadline.

The Commission asked about certain designations on the map that were different from what the Commission had previously discussed. Mayor Norris said the Core 4 decided on these designations. Ms. Collette would check on the status of those areas.

Commissioner Neeley discussed areas of concern, such as Newell Creek where part of it could not be urbanized but it was included in urban reserves and the Clear Creek Watershed which might be put in a position of being threatened.

Mayor Norris described the amenities of the new City Hall. There would be an Open House on December 18. She thanked staff for their time on this project.

4. Citizen Comments

Marge Harding of Oregon City read a letter regarding the condition of the End of the Oregon Trail Interpretive Center. The Center should be a truly unique setting and this piece of Oregon history should be showcased in a fitting manner. Ms. Harding would be willing to discuss a partnership with the City to continue to volunteer at the Ermatinger House.

William Becker of Oregon City voiced his support for Commissioner Smith and Commissioner Nicita's request for the evaluation of the City Manager to take place as it was promised to the citizens of Oregon City and to ask the Mayor and two Commissioners who opposed giving the evaluation to reconsider their positions.

Kathy Hogan of the South End and Hazel Grove-Westling Farm Neighborhood Association announced their next meeting would be on November 19 on S. End Road at the Methodist Church at 7 p.m. She also discussed the letter from John Martinson, CPO Chairperson, regarding concerns at the light on S. End Road.

William Gifford, co-chair of the McLoughlin Neighborhood Association, welcomed the Commission to the neighborhood. He thanked them for the opportunity to participate on the task force for the usage of the Carnegie Center.

5. Adoption of the Agenda

The vending cart permit would be discussed after the public hearing.

6. Public Hearings

a. Ordinance No. 09-1003, Amending Ordinance 08-1003, a Development Agreement with John Jones Construction, Inc. for a Regional Stormwater Facility

Nancy Kraushaar, City Engineer/Public Works Director, said in the development agreement it stated once all of the construction was completed and final construction costs were in, they would go back and by ordinance adopt the final construction costs so they would be passed on to future users. Staff was proposing to extend the two year payback period to a ten year payback period to provide more time for development to occur in that area.

Mayor Norris opened the public hearing.

There was no public testimony.

Mayor Norris closed the public hearing.

Motion by Commissioner Wuest, second by Commissioner Neeley, to approve Ordinance No. 09-1003 Amending Ordinance 08-1003, a Development Agreement with John Jones Construction, Inc. for a Regional Stormwater Facility.

Motion passed 5-0 with the following vote: Commissioners Wuest, Smith, Nicita, Neeley, and Mayor Norris voting "aye."

7. General Business

d. Vending Cart Permit

Dan Drentlaw, Community Development Director, said staff had been working on the standards for vending cart permits. The City received an application in July and the applicant received consent from the County, a food handling license, and liability insurance as was required. He was proposing a vending cart on the 800 block on Main Street in front of Liberty Plaza.

Lloyd Purdy, Downtown Manager, said there were divided feelings about vending carts downtown.

Commissioner Smith said the process had not been followed and a permit was issued before the Commission was aware of it.

Commissioner Wuest said her reservations were the economic downturn, the Commission had invested in a Main Street program to encourage businesses in downtown and wanted downtown businesses to be successful, the arch bridge was closed for two years, and there was a question about setting up unfair competition.

Mike Trauth of Oregon City explained the process he had gone through to get the permit. He had done everything that was asked of him. He started his vending cart business, and the Code Enforcement Officer told him he could not do business because of a right of way violation and lack of a business license. He had a right of way permit, but the City Manager denied his business license application. He thought he should be reimbursed for the money he had lost.

Darlene Trauth of Oregon City said they had permission for the cart and did everything legal. Then one person denied him and that was not right.

Commissioner Neeley said if they were to pass this, it would be for that particular site. Mr. Trauth said he would be willing to stay at that location.

Motion by Commissioner Nicita, second by Commissioner Neeley, to grant the vending cart permit pursuant to Mr. Trauth's application dated July 29, 2009 for a one year permit starting November 18, 2009.

Mr. Trauth said he could be operational in a week. He would need to get a tent due to the inclement weather.

Commissioner Wuest thought Mr. Trauth's application should be waived from any fee structure changes, but they had not figured out the design guidelines in regard to shelters.

Mr. Purdy said he was certain that they did not want tents on downtown sidewalks.

Motion passed 5-0 with the following vote: Commissioners Wuest, Smith, Nicita, Neeley, and Mayor Norris voting "aye."

Motion by Commissioner Wuest, second by Commissioner Neeley, to adopt a sidewalk vending cart program as quickly as possible and after the program was adopted, Mr. Trauth would be subject to the revised standards other than financial and the financial exemption was only for the first year.

Commissioner Nicita said the permit was under their current ordinances, and if it was allowed, he should be able to have a tent. He did not think they should link a future permit program to Mr. Trauth's application.

Bill Kabeiseman, City Attorney, said the Commission could set the conditions under which the permit was issued.

Ms. Kraushaar said there could be an issue with the County regarding the tent as far as approval because of the additional impairment of the sidewalk.

Betty Mumm of Oregon City said for the antique fair the vendors could not have canopies.

Mr. Kabeiseman said if Mr. Trauth's cart did not meet the design guidelines, he would have to comply.

Commissioner Neeley would vote no on the motion because Mr. Trauth's cart might not comply with the new design standards. They did not have enough information to make the decision that night regarding compensation.

Mayor Norris said it was important for the downtown manager and Mr. Trauth to work together to make the cart attractive and enhance Main Street. She thought for the success of the program the first vending cart should be as conforming as possible.

Motion failed 3-2 with the following vote: Commissioner Wuest and Mayor Norris voting "aye" and Commissioners Smith, Nicita, and Neeley voting "no."

Motion by Commissioner Neeley to extend Mr. Trauth's right of way permit to the same period the business license applied. Motion died for lack of a second.

Commissioner Nicita asked if the Commission had authority over the right of way permit or business license.

Mr. Kabeiseman said those were issued by staff. The Commission could ask that they be expedited.

Larry Patterson, City Manager, said staff did not approve applications if they did not meet the applicable standards and there was no policy currently in place. He had denied the application previously because there was an ordinance that prohibited this use unless the Commission granted it and staff thought they needed a policy before it was granted.

The Commission directed the City Manager to expedite the business license.

Commissioner Wuest was disappointed that there was not Commission support for language to bring Mr. Trauth's cart in line with the design code for the rest of the downtown.

Mayor Norris hoped Mr. Trauth would work with the new design standards as they were developed.

Commissioner Neeley recommended if Mr. Trauth wanted compensation to talk to staff and come back to the Commission.

Commissioner Nicita said what might have kept this issue from getting heated was communication with the Commission as to the choice of waiting for a policy before they issued a permit.

- a. Deliberation of the McLoughlin Neighborhood Association appeal (AP 09-02) and the City Commission call-up hearing of the Planning Commission's August 13, 2009 approval with conditions of the Public Works Concept Master Plan**

This item would be held over to the December 2, 2009 meeting.

- b. Amendment to the Intergovernmental Agreement with the School District Regarding the Collection of the Construction Excise Tax**

Motion by Commissioner Wuest, second by Commissioner Neeley, to approve the Intergovernmental Agreement with the Oregon City School District regarding the collection of the construction excise tax.

Commissioner Smith said as an employee of the Oregon City School District he would abstain from the vote.

Motion passed 4-0 with the following vote: Commissioners Wuest, Nicita, Neeley, and Mayor Norris voting "aye" and Commissioner Smith abstaining.

c. Statutory Bargain and Sale Deeds Conveying Four Parcels of Property from the City of Oregon City to Oregon City Urban Renewal Agency

Mr. Kabeiseman said these were four pieces of property in the Cove area that would be transferred to the Urban Renewal Agency as part of the Cove development.

Motion by Commissioner Neeley, second by Commissioner Wuest, to approve the Statutory Bargain and Sale Deeds conveying four parcels of property from the City of Oregon City to the Oregon City Urban Renewal Agency.

Commissioner Nicita said as a general matter of policy he thought it was wise to transfer these parcels so that everything in the redevelopment area was in unified ownership and he would vote in favor of it. However, he had a problem casting this vote because it enabled the financial deal surrounding this project and he was not in favor of the deal.

Commissioner Smith said he would vote no to be consistent with his Urban Renewal vote.

Motion passed 4-1 with the following vote: Commissioners Wuest, Nicita, Neeley, and Mayor Norris voting "aye" and Commissioner Smith voting "no."

e. City Manager's Request

Mayor Norris said Mr. Patterson was requesting to work under the PERS system starting in January and it would save the City money.

Mr. Patterson said a memo from Human Resources Director Jim Loeffler indicated that the amount saved would be \$5,829.15.

Motion by Commissioner Neeley, second by Commissioner Wuest, to accept the request to allow the City Manager to retire at the end of December 2009 and work back under PERS until March 31, 2010.

Commissioner Smith would abstain from the vote.

Commissioner Nicita thought this item should be considered within the context of a performance evaluation. He had concerns regarding Mr. Patterson as City Manager and it looked like his concerns would not be addressed. He would also abstain from the vote.

Mayor Norris said this request had nothing to do with Mr. Patterson's performance and it benefitted both Mr. Patterson and the City.

Commissioner Neeley said the City Manager was going to retire and the only function of an evaluation would be to vent frustrations that had already been surfaced and would not serve a purpose.

Mr. Patterson said he was open to an exit interview.

Commissioner Smith said his main concern was that an evaluation was not done last year.

Motion passed 3-0-2 with the following vote: Commissioners Wuest, Neeley, and Mayor Norris voting "aye" and Commissioners Smith and Nicita abstaining.

8. Consent Agenda

Motion by Commissioner Wuest, second by Commissioner Smith, to approve the Consent Agenda as presented.

Motion passed 5-0 with the following vote: Commissioners Wuest, Smith, Nicita, Neeley, and Mayor Norris voting "aye."

9. Communications

a. City Manager's Report

1. Report on Traffic Light at South End Road and Warner Parrott

Ms. Kraushaar summarized the involvement of the Transportation Advisory Committee (TAC) in this decision. With consensus the TAC agreed with staff's decision to remove the beacon. The TAC also felt that when it was possible staff should communicate with the public when they were making changes.

Ingra Rickenbach of Oregon City said they were representatives of the South End Neighborhood Association. The feeling of the Neighborhood Association was that it was a danger not to have the light there. They were told it was against the law to put it back.

Commissioner Wuest asked for more police patrol of this area. Mike Conrad said more patrol could be directed to this intersection but it had not been a problem according to the statistics.

Commissioner Smith thought the original report for the paving project stated that the beacon was to be removed temporarily and then put back.

Commissioner Neeley said regarding decisions to go from a more conservative device to a less conservative device that told drivers to do the same thing, they should keep the more conservative device.

Ms. Kraushaar said the current recommendation from MUTCD was to use the Stop Ahead signs. They used oversized highly reflective stop signs on three of the legs of the intersection. Staff was following the current professional standards for the application of traffic control devices on that intersection.

Mayor Norris suggested revisiting this issue in 6 to 12 months to see if it was a trouble spot.

Ms. Rickenbach was frustrated with the process and thought it wasn't a discussion of the citizens, the TAC had gone along with staff. She had gone to the Citizen Involvement Council (CIC) regarding this issue as well. She didn't know if the TAC was representative of the citizens.

Bill Blanchard, Chair of the TAC, said they had listened to both staff and the Rickenbachs. The TAC supported staff and had followed the process. He suggested in the future they hire a traffic engineer. He also would like to see better communication between the CIC, TAC, and Commission. He recommended waiting six months for citizens to adjust to the traffic change.

Betty Mumm said she talked with the chair of the CIC and was told this was not a CIC issue.

Commissioner Smith wanted to review the original contract to see if it was agreed to put the light back up.

Commissioner Neeley said when they were going from a more conservative device to a less conservative device, it should come before the TAC before any action was taken.

Mr. Blanchard said based on what they heard at the TAC meeting, there was a learning curve issue on the light being taken out because it didn't meet the MUTCD standards. If it was a civil liability issue, even though the contract said the light would go back up it might be illegal to do so.

The Commission would take no action on this item until the information requested by Commissioner Smith came back.

David Rickenbach of Oregon City said he got many explanations for why the light had been removed and the City needed to give out the correct information the first time.

Mr. Patterson discussed options for a short term operation program for the End of the Oregon Trail Interpretive Center. He discussed what was currently done at the Visitors Information Center (VIC). The VIC needed an employer of the current staff which had funding through June. They also needed information dissemination, maintenance of the 800 number, and maintenance of the facility. The facility maintenance was picked up through the City's park department. If the City became the employer, there were additional costs because the staff would become City employees. He explained the income stream off the Tumwater houses.

Commissioner Smith said his concern was they were subsidizing a County visitor's center and paying employees who were essentially working for the County. He also had concern about the marketing campaign of Historic Oregon City which was controlled by CHP when the City should be in control of it.

Mayor Norris said the Commission wanted to move forward with the RFP for long term planning. If they allowed the VIC contract to run through June while the public process was going on, they bought time and July 1 would be the target date for having a new process in place.

The Commission wanted to go forward with moving the VIC to City management, and staff would work with the County regarding the expectations of the employees.

c. Commissioners

Commissioner Nicita said regarding the review of the appeal on the Public Works Master Plan, the Commission needed to have a copy of the old Code during deliberations.

Commissioner Nicita discussed a request for better lighting at the parking lot on 10th and Main.

Mayor Norris said safe lighting for the downtown area was in the parking study that had not yet been approved. Staff would see what could be done.

Commissioner Wuest announced that the Farmer's Market was going to host a Holiday Market downtown on Saturday.

Commissioner Neeley had attended a meeting with a representative of Go 21, a lobbying group for the railways that was looking for a tax credit for capital improvement for rail lines to function better. The City was interested in a faster passenger rail system and to pursue improvements that could benefit both freight rail and passenger service. These were initial discussions.

b. Mayor

Mayor Norris attended a meeting regarding ODOT's applications to the federal government for funding a study for high speed rail to study both the old Oregon electric line and the Union Pacific line. If ODOT got the funding it would take two to five years for the planning.

The City Manager recruitment would begin on December 1 and applications were due by January 16. Mr. Loeffler outlined the process of the recruitment.

Mayor Norris attended a ribbon cutting for a housing development on South End Road.

Congressman Schrader should be dropping the bill that week regarding authorization for a feasibility study for a National Heritage Area.

Regarding art for the new City Hall, there would be a rotating exhibit every four months administered by the Art Alliance of Clackamas County.

10. Adjournment

Mayor Norris adjourned the meeting at 11:12 p.m.

Respectfully submitted,

Nancy Ide, City Recorder

DRAFT

CITY OF OREGON CITY
JOINT WORK SESSION WITH THE CITY COMMISSION
AND CLACKAMAS HERITAGE PARTNERS

MEETING MINUTES

August 5, 2009

1. **Convene Joint Work Session of August 5, 2009, and Roll Call**

Mayor Norris called the Joint Work Session with the CHP to order at 5:00 p.m. in the City Hall Commission Chambers, 320 Warner Milne Road, Oregon City.

Roll Call: Alice Norris; Doug Neeley; James Nicita; Rocky Smith, Jr; Daphne Wuest; Dan Fowler; Jackson Lewis; Freda Beal; Lowell Miles; Patty Brown; Penny Charman ; Joyce Cohen; Craig Danielson; Jack Hammond; Marilyn Morrissey; and David Porter.

Staff Present: Larry Patterson, City Manager; Nancy Kraushaar, City Engineer and Public Works Director; Dan Drentlaw, Community Development Director; Scott Archer, Community Services Director; Nancy Ide, City Recorder; Teri Bankhead, Office Specialist III-City Managers Office; David Wimmer, Finance Director; Nanita McIlhatten, AKT Consultant; and Geoff Guilfooy, AKT Consultant.

Absent: Mark Buser; Wade Byers; Tracy Fortmann; Scott Guptill; Michael Norris

Media Present:

The *Oregonian* Reporter Colin Miner
The *Oregon City News* Reporter Matthew Graham

2. **Discussion Items**

a. **Report on Clackamas Heritage Partners and Discussion on Next Steps**

Geoff Guilfooy of AKT acknowledged all the participants in the study. This was an operational and financial assessment.

Nanita McIlhatten, Consulting Manager for AKT, explained the executive summary. The financial analysis was based on the fiscal years 2006, 2007, and 2008. The net income of Clackamas Heritage Partners (CHP) fluctuated year to year. As typical of heritage operations, CHP showed a negative net operating income and needed contributed income or earned income from other sources. They were not self funding. The net amount to be funded for CHP as it currently operated, ranged from \$260,000 to \$376,000 a year over the three year period. Ms. McIlhatten discussed projection scenarios for the capacity for ticket sales at the End of the Oregon Trail Theater and the Tumwater Room. These scenarios assumed there was no near term funding from foundations. Government funding was being left for discussion at the end of the report. She focused on a range of opportunities for contributions from individuals. AKT's recommendation was to add to the management structure in order to fund a larger more complex organization. She discussed annual funding needs and costs of maintaining high quality exhibits in the heritage institutions and

theater presentations. There was a need for additional marketing investment and she explained the marketing assessment. AKT recommended examining the City's marketing environment because the scale and scope was beyond what a single organization could do. There was a significant funding gap that needed to be found for the institution to go forward.

Ms. McIlhatten discussed capital investments and a curatorial facility. The current storage in the buildings was not adequate to protect the artifacts and collections that were in them. She discussed the maintenance capital investments for the End of the Oregon Trail Interpretive Center and Museum of Oregon Territories. She recommended establishing a maintenance reserve. Overall the CHP business operations were efficient and effective. There was a need for strengthening the accounting oversight to be in compliance with the CHP bylaws and some strengthening of the business analysis which had been done intermittently by the executive director on a project basis. The City and CHP also needed to strengthen the communication flow between the two organizations regarding reporting and participation on the Board. The CHP Board was pursuing supplemental funding through a significant visitor draw attraction called the Willamette Falls Access Project. This project would require a partnership and consistent strategy with the City and a lot of capital. She explained the City development scenarios. The heritage community development and going forward strategy needed to be implemented in the context of the City's strategic vision.

Commissioner Neeley thought the tourism industry did not produce family wage jobs.

Mayor Norris said the first step would be to decide if they were committed to heritage in the community and the need for regional revisioning.

Lowell Miles, CHP Board member, said as a group they needed to be the champions to move this forward and work together. One way was through economic development as well as heritage.

Dan Fowler, Chair of CHP, said the Board agreed to adopt all of the recommendations and would immediately implement them to make a statement to the Commission and community, that they were serious about being a partner. He believed in no surprises, but understanding.

Commissioner Neeley suggested having a City representative on the CHP Board other than a City Commissioner.

Mr. Patterson suggested a task force to look at the long term issues and a facilitated process.

Commissioner Neeley gave ideas for keeping the museums open for school field trips, especially the McLoughlin House. Jack Hammond of CHP said they could only stay open until September 15 without an infusion of funds. He said they needed more income from the City and County while these discussions took place.

Commissioner Nicita asked the representative from CHP if they had formulated a specific cost needed to keep facilities open.

David Porter, Executive Director of CHP, referred to the cash flow models they had through December 31, 2009, and the expected revenues against expected expenses and the board had directed that they make sure they only operated with money they had, so they didn't get to a point where there was no revenue coming in, and only expenses. Mr. Porter stated that was what the September 15, 2009 date was all about, because at that point the revenues were gone and they would pretty much have to shut down operations, except for the Curator, so that the collections and library were safe, as well as the Visitors Center, which has funding from the TDC and possibly the

Tumwater room operations, although that had not really been looked at closely. Recognizing the Steven Crawford House volunteers, they would be paying the bills so that the heat was paid and the alarm system working for the volunteers to function, but during the winter they are generally closed anyway. The board realized that those base functions were just allowing them to continue to “moth ball” the facilities while whatever discussions were going on, and in order to do that, the amount needed from September to March was approximately \$75,000.00; \$11,851 for September, \$8,400 for October, \$6,000-\$7,000 for the month of November, \$12,000 for December, and \$12,300 each month for January, February, and March. This amount only allowed for maintaining the facilities without being open to the public, and allows enough staff to work through the facilitation process.

David Porter, Executive Director of CHP, said by March they hoped that the resulting collaboration would help make a decision about what facilities could be opened, services they could offer, and how to pay for them.

3. [Adjournment](#)

Mayor Norris adjourned the Joint Work Session with CHP at 6:35 p.m.

Respectfully submitted,

Nancy Ide, City Recorder



Agenda Item No. 8d
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Nancy Ide, City Recorder
PRESENTER:	Nancy Ide, City Recorder
SUBJECT:	Resolution 09-32, Authorizing City of Oregon City Rental of Safety Deposit Boxes No. 1355 and 1253 at Clackamas Community Federal Credit Union
Agenda Heading: Consent Agenda	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Staff recommends the City Commission approve Resolution No. 09-32, authorizing the change in the names of authorized persons who have access to safety deposit boxes #1355 and #1253 at Clackamas Community Federal Credit Union for off-site safekeeping of City microfilm and records.

BACKGROUND:

The names of the individuals authorized to make deposits and withdrawals from safety deposit boxes #1355 and #1253 at the Clackamas Federal Credit Union have changed. The Credit Union maintains a regulation requiring a resolution from the Board of Directors, or in the case of the City, the City Commission, to change the listing of those persons who have authorization to access the box. The resolution authorizes Nancy Ide, City Recorder, Jim Loeffler, Human Resources Director, and Mike Conrad, Police Chief to access safety deposit boxes #1355 and #1253.

BUDGET IMPACT:

FY(s): 2009-2010
Funding Source: General Fund, 300-013-342

ATTACHMENTS:

Resolution No. 09-32

RESOLUTION NO. 09-32

A RESOLUTION AUTHORIZING CITY OF OREGON CITY RENTAL OF SAFETY DEPOSIT BOXES NO. 1355 AND 1253 AT CLACKAMAS FEDERAL CREDIT UNION

WHEREAS, the City of Oregon City rents safety deposit boxes located at Clackamas Federal Credit Union, 270 Warner Milne Road, Oregon City, OR 97045; and

WHEREAS, the rental of safety deposit boxes is for the safekeeping of materials, documents, and microfilm of the City of Oregon City.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City, Oregon, that the financial institution named above is designated as a depository for materials, documents, and microfilm of this corporation; and

BE IT FURTHER RESOLVED that this resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the financial institution; and

BE IT FURTHER RESOLVED that all transactions with respect to deposit and withdrawal of materials, documents, and microfilm by or on behalf of the corporation with the financial institution prior to the adoption of this resolution are hereby ratified, approved, and confirmed, and

BE IT FURTHER RESOLVED that any of the persons named below, so long as they act in a representative capacity as agents of the corporation, are authorized to make any and all deposits and withdrawals of materials, documents, and microfilm, from time to time, with the financial institution; and

Nancy Ide, City Recorder
Jim Loeffler, Human Resources Manager
Mike Conrad, Police Chief/Public Safety Director

BE IT FURTHER RESOLVED that this corporation agrees to the terms and conditions of the financial institution related to the rental of safety deposit boxes.

Adopted, signed and approved this 16th day of December 2009.

ALICE NORRIS, Mayor

ATTESTED to this 16th of December 2009.

Nancy Ide, City Recorder

RESOLUTION NO. 09-32
Effective Date: December 16, 2009



Agenda Item No. 8e
Meeting Date: 16 Dec 2009

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Honorable Mayor and City Commission
FROM:	Nancy Ide, City Recorder
PRESENTER:	Nancy Ide, City Recorder
SUBJECT:	Reappointment of Members to the Urban Renewal Commission for the Term January 1, 2010 to December 31, 2012
Agenda Heading: Consent Agenda	
Approved by: Larry Patterson, City Manager	

RECOMMENDED ACTION (Motion):

Staff defers to the City Commission for the appointment of Urban Renewal Commission members.

BACKGROUND:

Urban Renewal Resolution No. 08-01, Section 1 states the following:

Urban Renewal Commission Membership: The Board of the Urban Renewal Commission will be composed of (10) voting Urban Renewal Commission members. Five (5) Urban Renewal Commission members shall be members of the City Commission of Oregon City and five (5) Urban Renewal Commission members shall be appointed by the City Commission and be citizen representatives of:

- The business community of the Oregon City North End Downtown Urban Renewal District (1 appointee)
- Oregon City Chamber of Commerce (1 appointee)
- The McLoughlin Neighborhood Association (1 appointee)
- The Park Place Neighborhood Association (1 appointee)
- The community at large (1 appointee)

The terms of Brian Shaw (McLoughlin Neighborhood appointee) and Graham Peterson (Chamber appointee) expire on 12/31/2009. Mr. Shaw and Mr. Peterson have applied for reappointment, have been approved for reappointment by the McLoughlin Neighborhood Association and the Chamber, respectively. By resolution, the City Commission appoints the URC members. The terms are from January 1, 2010 to December 31, 2012.

BUDGET IMPACT:

FY(s):

Funding Source:

ATTACHMENTS:

UR Resolution No. 08-01

Urban Renewal Commission Resolution 08-01

Resolution of the Oregon City Urban Renewal Commission Approving and Adopting Urban Renewal Commission By-Laws

WHEREAS, the Oregon City Urban Renewal Commission acting by and through the City of Oregon City, Oregon, pursuant to the provisions of Chapter 457 of the Oregon Revised Statutes is the duly appointed Urban Renewal Commission of the City of Oregon City, Oregon:

WHEREAS, the Urban Renewal Commission wishes to adopt a set of by-laws to govern the conduct and business of the Urban Renewal Commission;

NOW, THEREFORE, BE IT RESOLVED by the Oregon City Urban Renewal Commission that:

ARTICLE I – AUTHORITY

Section 1. Name: The name of the Urban Renewal Agency shall be the Oregon City Urban Renewal Commission hereinafter referred to as “Urban Renewal Commission”.

Section 2. Office: The office of the Urban Renewal Commission shall be the City Hall of the City of Oregon City, Oregon, or as mutually agreed to by the City Commission of Oregon City and the Oregon City Urban Renewal Commission.

Section 3. Powers and Duties of the Commission: The powers and duties of the Urban Renewal Commission shall be as provided by Chapter 457 of the Oregon Revised Statutes and Oregon City Charter and as authorized by the Oregon City Commission in accordance with Ordinance No. 08-1005, adopted by the City Commission of Oregon City as amended on March 19, 2008.

ARTICLE II – BOARD MEMBERS

Section 1. Urban Renewal Commission Membership: The Board of the Urban Renewal Commission will be composed of (10) voting Urban Renewal Commission members. Five (5) Urban Renewal Commission members shall be members of the City Commission of Oregon City and five (5) Urban Renewal Commission members shall be appointed by the City Commission and be citizen representatives of:

- The business community of the Oregon City North End Downtown Urban Renewal District (1 appointee)
- Oregon City Chamber of Commerce (1 appointee)
- The McLoughlin Neighborhood Association (1 appointee)
- The Park Place Neighborhood Association (1 appointee)
- The community at large (1 appointee)

The Oregon City Chamber of Commerce, the McLoughlin Neighborhood Association, and the Park Place Neighborhood Association shall each nominate a minimum of three (3) candidates for City Commission consideration and appointment. Representatives of the McLoughlin and Park Place Neighborhoods must reside in those neighborhood association's boundaries. The City shall solicit candidate applications from the Oregon City North End Downtown Urban Renewal Business District and the appointee shall be either a business owner or a management employee (preferably either the CEO or CFO) of a North End Downtown Urban Renewal District business. The City shall solicit candidate applications from the general public to represent the City at large. The citizen at-large appointee shall be a resident or business owner/operator of the City of Oregon City. The Oregon City Commission shall fill any vacancy on the Urban Renewal Commission subject to the membership provisions set forth above.

Section 2. Terms of Business and Citizen Members: Business and Citizen members of the Urban Renewal Commission will serve a term of three (3) years. Initial appointments of these members will be staggered by a draw of terms by the City Commission. Of the initial citizen membership, one member will serve one (1) year term, two members will serve two (2) year term, and two members will serve a full three (3) year term. Any board member, with the exception of a City Commission member, may be removed by a majority vote of all members of the Urban Renewal Commission.

Section 3. Lack of Participation: Any Board member, with the exception of a City Commission member, may be removed by a majority vote of all members of the Urban Renewal Commission for non-participation, which shall be defined as absence from three consecutive meetings without notice to the chair or vice-chair.

ARTICLE III – OFFICERS AND PERSONNEL

Section 1. Officers: The officers of the Urban Renewal Commission shall be a chair and vice chair. Officers can be members of the City Commission, but at least one of these officers during any given term should not be a City Commissioner.

Section 2. Chair: The chair shall be elected by the Board members of the Urban Renewal Commission and shall preside at all meetings of the Agency. Except as otherwise authorized by Board Members, the chair shall sign all contracts, deeds, and other instruments made by the Agency.

Section 3. Vice Chair: The vice chair shall be elected by the Board members of the Urban Renewal Commission and shall perform the duties of the chair in the absence or incapacity of the chair; and in case of resignation or death of the chair, the vice chair shall perform such duties as are imposed on the chair until such time as the Board shall elect a new chair.

Section 4. Executive Committee: The Mayor, the Chair and Vice Chair shall comprise the Executive Committee of the Urban Renewal Commission. They shall

assist and advise the City Manager where requested in Urban Renewal Commission business matters, Urban Renewal Commission briefings, project review and agenda preparation. The Executive Committee shall perform such other duties and functions as may from time to time be required by the Urban Renewal Commission or by the by-laws or rules and regulations of the Agency.

Section 5. Election or Appointment: The chair and vice chair shall be elected annually by the Board members at the first regular meeting of the Urban Renewal Commission each year, and shall hold office for one year or until their successors are elected and qualified.

Section 6. Vacancies in Office: Should the offices of the chair or vice chair become vacant, the Board shall elect a successor from its members at the next regular meeting and such election shall be for the unexpired term of such office.

Section 7. Personnel: The City Manager of Oregon City will be the executive director for the Urban Renewal Commission. The Executive Director or appointed designate shall keep the records of the Agency, record all votes, keep a record of the proceedings of the Commission, and perform all duties incident to the office and other duties and functions as may from time to time be required by the Commission, by-laws or rules and regulations of the Agency.

ARTICLE IV – MEETINGS

Section 1. Regular Meetings: Regular meetings shall be in accordance with ORS Chapter 192. All meetings shall be held in the City Commission Chambers in Oregon City, or at such other place as the chair shall determine. The Urban Renewal Commission shall meet on the first Wednesday of each month beginning at 5:00 p.m., when necessary. The Executive Director shall determine whether sufficient business exists for a meeting and notify each member through email of the meeting as well as arrange for official public notice of the meeting.

Section 2. Special Meetings: The Executive Director or Executive Committee of the Urban Renewal Commission may call a special meeting of the Commission to be held between regular meetings if a need exists for Commission action. Special Meetings may also be held at any time by the unanimous consent of all members of the Urban Renewal Commission.

Section 3. Quorum: A quorum of the Urban Renewal Commission will consist of three (3) members of the City Commission and three (3) citizen appointees. All decisions of the Urban Renewal commission will require a simple majority of a Commission quorum.

Section 4. Open Meetings: All Meetings shall be open to the public, except that any portion of a meeting may be held in Executive Session if such session is in conformity with ORS Chapter 192.

Section 5. Decorum: All rules of order not herein provided for or provided for by resolution shall be determined in accordance with Roberts Rules of Order, Newly Revised.

ARTICLE V - FINANCIAL

Section 1. Separate Fund: A separate fund or funds of the City of Oregon City shall be established for the Commission. All disbursements from these funds shall follow the regular disbursements procedures of the City of Oregon City.

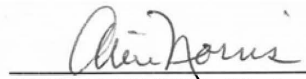
Section 2. Budget: Budget procedures shall be in compliance with state budget laws.

Section 3. Audit: An annual audit of the fund or funds of the Urban Renewal Commission shall be performed by the auditor of the City of Oregon City using the same procedures as are used for all other funds of the City and in accordance with state audit laws.

ARTICLE – AMENDMENTS

Section 1. Amendment to By-Laws: The by-laws of the Urban Renewal Commission shall be amended only with the approval of a majority of all members of the Urban Renewal Commission at a regular or special meeting.

Adopted, signed and approved this 19th day of March 2008.



ALICE NORRIS, Chair

**CITY OF OREGON CITY
CITY COMMISSION
MEETING MINUTES**

December 2, 2009

1. [Convene Regular Meeting of December 2, 2009, and Roll Call](#)

Roll Call: Mayor Alice Norris; Commissioner Doug Neeley; Commissioner Rocky Smith, Jr.; Commissioner James Nicita; and Commissioner Daphne Wuest.

Staff Present: Larry Patterson, City Manager; Bill Kabeiseman, City Attorney; Nancy Kraushaar, City Engineer and Public Works Director; Scott Archer, Community Services Director; Dan Drentlaw, Community Development Director; Nancy Ide, City Recorder; Jim Loeffler, Human Resources Director; Mike Conrad, Police Chief and Public Safety Director; Maureen Cole, Library Director; and Tony Konkol, Senior Planner.

2. [Flag Salute](#)

3. [Ceremonies, Proclamations, Presentations](#)

a. [Sesquicentennial Moment](#)

Mayor Norris read a newspaper article from January 10, 1954 that discussed the vision of an Oregon City civic center.

b. [Oath of Office for Officer Jesse Rowe](#)

Police Chief Mike Conrad introduced the officer. Mayor Norris administered the oath of office to Officer Jesse Rowe.

4. [Citizen Comments](#)

Karin Morey lives outside of Oregon City and was representing the Friends of the Oregon City Library and Three Rivers Artist Guild. She invited the Commission to the grand opening of the expansion of the Friends of the Oregon City Library bookstore and gallery this weekend.

Mike Trauth of Oregon City said he did get his right of way permit and it was good until 2010. However, he had to pay for his business license and it would expire December 31, 2009 and he was under the impression that the license would be issued through 2010. He also needed a tent for protection from the rain and had not been able to get the information from staff.

Mr. Patterson said the Commission waived the increase of the right of way permit fee but not the business license which was a prorated fee through the end of the year. He thought the Commission had denied the use of a tent.

The Commission did not recall waiving the business license fee or issuing it until 2010. Regarding the tent, Ms. Kraushaar said the right of way permit was for the cart and it did not include a tent, but allowed an umbrella.

5. [Adoption of the Agenda](#)

The agenda was adopted as presented.

6. [Public Hearings](#)

There were no public hearings.

7. [General Business](#)

a. [Deliberations of the McLoughlin Neighborhood Association appeal \(AP 09-02\) and the City Commission call-up hearing of the Planning Commission's August 13, 2009 approval with conditions of the Public Works Concept Master Plan \(Held over from 11/18/09 City Commission Meeting\)](#)

Mayor Norris said they did not expect to take public testimony that night. The rules of the hearing and declarations of conflict of interest and bias had already been done. This was an opportunity for discussion between staff and the Commission.

Commissioner Nicita had three new ex parte contacts to declare. After the last hearing, Mr. Mabee approached him and indicated he had considered challenging Commissioner Nicita for bias because his property values might be affected in a negative way by this project. At another time one of his neighbors gave him advice that there was insufficient room for expansion on the site. While at the north end of the upper site Commissioner Nicita noticed most of the trees were Oregon White Oak and Mr. Jerry Herrmann confirmed it.

Commissioner Smith declared that he led walking tours of the McLoughlin neighborhood.

Tony Konkol, Senior Planner, said since the last time they met, the record was closed and the final rebuttal by the Public Works Director was submitted into the record. The Planning Commission approved the plan unanimously and the Historic Review Board approved it with conditions for the buildings on the upper site only. The buildings on the lower site along Center Street would go in front of the Historic Review Board if any future development were to take place. The City currently owned 5.03 acres and the addition of the armory would add 2.19 acres. He explained the zoning and possible historic areas of the site. The site was on a basalt foundation, there were no steep slopes or water resources on the site, and there was nothing to indicate a slide hazard.

Mayor Norris said there was some concern from citizens regarding the glass causing a glare in the neighborhood. Mr. Konkol said that would be discussed in the land use process when they were ready to construct the building.

Commissioner Smith said the historical inventory forms were unreliable and he did not think the historical review was done adequately.

Commissioner Neeley said in 2004 he had no objections to zoning this area institutional.

Mayor Norris reviewed Nancy Kraushaar's memo regarding the reasons to locate the public works facility in the McLoughlin neighborhood.

Commissioner Nicita reviewed his memo regarding the use of the Comprehensive Plan as criteria for this appeal.

Commissioner Neeley said the proposed building height was a concern as he thought it would have a visual impact on the historic neighborhood. His other concerns were adjustments 4 and 5, and that the institutional commercial building standards and historical overlay building standards were exempted at the concept plan level.

Mr. Konkol said this was the only time they could request the adjustments. He described how the height would be set back from Center Street. The building would still need to meet the site plan and design review criteria that would apply in the general industrial zone.

Commissioner Smith did not think the landscaping and fencing would hide the facility. The site was surrounded by a landslide area and it could affect access to and from the site. Regarding the noise study, he was unsure if they would be able to notify citizens of the times they would be noisy.

Commissioner Neeley said by allowing the exemptions, they would not look at alternative designs.

Mr. Konkol said the Historic Review Board agreed to the height adjustment, but did not want offices on the top floor.

Commissioner Nicita said his concerns were the noise issue and whether mitigation was adequately addressed and the impacts to the ecology in the area. He did not think the height adjustment was a problem. He thought they should try to find a different location for vehicle storage as it was not compatible with the park and pedestrian trail.

Mr. Konkol said Public Works operated during the day from 7 a.m. to 4:30 p.m. unless there was an emergency call out. The majority of the vehicles were not large trucks.

Commissioner Neeley was concerned about the safety issues of larger vehicles leaving the site onto Center Street. He thought there should be one way routing from Center Street into the upper site and one way routing out John Adams.

Mayor Norris explained how she thought the proposed changes would make the site better. Mr. Konkol said the applicant proposed and the Planning Commission affirmed the trucks would be allowed to leave out of John Adams but would be returning via Center Street. During the weekend all access would be out of Center Street except during an emergency.

Commissioner Wuest said other sites within the City limits had been reviewed and there was not another suitable site for this facility. She thought this would be a neighborhood upgrade. It would help reduce cut through traffic and was the most conservative way to use taxpayer money because it required no bond. Most of the concerns would be addressed at another stage in the site plan and design review.

Commissioner Smith supported a condition to involve SHPO in the entire site. He also thought the height adjustment restriction should be removed and alternative designs be allowed. He wanted more discussion regarding the Comprehensive Plan, landslides, and noise issue.

Mr. Konkol said the Public Works Department had done geotechnical work on the site to address the existing historic rockwalls.

Regarding the use of the Comprehensive Plan as criteria, Mr. Kabeiseman said the context was directed at when the City adopted standards and criteria not when it reviewed permit decisions.

Commissioner Nicita agreed that it was open to interpretation.

Mr. Kabeiseman said his advice was they did not need to address the Comprehensive Plan provision, but there was nothing that prevented them from doing so.

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley to approve the Public Works Concept Master Plan application with conditions and deny the appeal. Conditions include: 1) Involve SHPO and HRB in entire site; 2) Remove height adjustment and consider alternate designs and consider an adjustment at time design is put forward; 3) Geotech review entire site for landslide hazard; 4) Mitigate noise issues; 5) Mitigate traffic concerns; 6) Save white oaks if at all possible.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, and Commissioner Daphne Wuest voting aye and Commissioner Rocky Smith, Jr., Commissioner James Nicita voting no. [3:2:0]

b. [Second Reading of Ordinance No. 09-1003, Amending Ordinance No. 08-1003, a Development Agreement with John Jones Construction, Inc. for a Regional Stormwater Facility](#)

Motion by Commissioner Doug Neeley, second by Commissioner Rocky Smith, Jr. to approve Second Reading of Ordinance No. 09-1003, Amending Ordinance No. 08-1003, a Development Agreement with John Jones Construction, Inc. for a Regional Stormwater Facility.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

c. [Personal Services Agreement with Wallis Engineering to Complete Design for Main Street: 5th Street to 15th Street, Oregon City](#)

Nancy Kraushaar, City Engineer and Public Works Director, said this would provide a detailed scope of work and fee estimate to complete the design of Main Street sidewalk improvements downtown and would include 5th to 15th Street and portions of 10th Street and 7th Street. There were no guarantees for funding, but ODOT made it clear that the project had to be ready to go to bid. The project could be phased and she discussed the funds for which they could apply. If they received the funding, she recommended the City take jurisdiction of those blocks. Wallis Engineering had successfully delivered the contract documents on other City projects. The design portion of the project would be funded with Transportation System Development Charges. She added a letter into the record from Terri Powers with Premier Choice Insurance Agency who expressed her support.

Lloyd Purdy, Downtown Manager, said this was an opportunity to make an investment in downtown to make it safer, more pedestrian friendly, and attractive. The timing was right as they had opportunity to leverage federal funds. He introduced the 13 business and property owners who came to the meeting to show their support.

Robb Crocker, business and property owner on Main Street, reiterated support for the project.

Sidewalks and lighting needed to be improved and he hoped they would seize the opportunity.

Commissioner Smith wanted to make sure the design took into account the Circulation Study findings.

Motion by Commissioner Daphne Wuest, second by Commissioner Rocky Smith, Jr. to approve personal services agreement with Wallis Engineering to Complete Design for Main Street: 5th Street to 15th Street, Oregon City.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

d. [Extension of Library Lease](#)

Maureen Cole, Library Director, said the library lease would end December 31, 2009, and they had been offered their seventh extension which would go for three months to March 31, 2010. She recommended approval.

Motion by Commissioner Rocky Smith, Jr., second by Commissioner Daphne Wuest to approve extension of Library Lease.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

e. [Resolution No. 09-31, Amending Resolution No. 03-15, Establishing and Authorizing the Use of the General Records Retention Schedule \(Records Retention Schedule\) for the Cities of Oregon, Adopted as OAR Chapter 166, Division 200](#)

Nancy Ide, City Recorder, asked the Commission to consider the unnecessary retention burden placed on the City and deny Resolution 09-31 which added permanent retention for executive session minutes.

Commissioner Nicita had edits to the proposed resolution. For number one he wanted to add "use of the state archivist's general retention schedule" and number 3 add "state archivist's general retention schedule" and replace the word "allow" with "require."

Commissioner Neeley said in terms of ten years verses a permanent record, he did not think it would be much more onerous.

Mayor Norris did not know how this was in the public's interest.

Ms. Ide said she did not know of any other City in the State that retained executive session minutes permanently and had never received a request for executive session minutes.

Commissioner Wuest said it placed a burden on staff, opened it up to possible misuse, and outdated DVDs would need to be changed to a different format.

Commissioner Neeley said the DVDs did not need to be stored permanently; they could be changed into another media.

Mr. Patterson said retaining these permanently would mean additional work and cost and he was not sure if what they were trying to protect was enough to warrant that type of effort.

Mr. Kabeiseman suggested adding to number 3 that it would require permanent retention of recordings of executive sessions and written minutes.

Karin Morey asked who was privy to executive session minutes. Mr. Kabeiseman said the written minutes could be accessed by the current City Commission.

Motion by Commissioner James Nicita, second by Commissioner Doug Neeley to approve Resolution No. 09-31 as amended.

A roll call was taken and the motion passed with Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., and Commissioner James Nicita voting aye and Mayor Alice Norris, Commissioner Daphne Wuest voting no. [3:2:0]

8. [Consent Agenda](#)

Motion by Commissioner Daphne Wuest, second by Commissioner Doug Neeley to approve consent agenda items 8a and 8c as presented.

A roll call was taken and the motion passed with Mayor Alice Norris, Commissioner Doug Neeley, Commissioner Rocky Smith, Jr., Commissioner James Nicita, and Commissioner Daphne Wuest voting aye. [5:0:0]

- a. **OLCC Liquor License Application, Full Off Premises Sales, Applying as a Limited Liability Company, Guru Rakhaa LLC, Located at 19057 Beavercreek Rd., Oregon City, Oregon**
- b. [Minutes of the August 5, 2009 Joint Work Session with Clackamas Heritage Partners \(all present\)](#)

Commissioner Nicita said regarding item 8b, he wanted a question he posed regarding how much funding CHP was suggesting to keep facilities open and Mr. Porter's response to be included in the minutes. These minutes would be brought back with the changes. Item 8b held over to the next City Commission meeting.

- c. **Minutes of the August 5, 2009 Regular Meeting (all present)**
9. [Communications](#)
- a. [City Manager](#)

Jim Loeffler, Human Resources Director, said the job announcement for the City Manager had been posted. The recruitment would be open until January 12 and initial first interviews held on January 25.

Ms. Kraushaar said the clearing of the invasive weeds at Singer Hill was an effort to save the trees and to clear a view for Singer Falls. An arborist was hired to select particular limbs that were important to save. They would like to plant better understory in the future. The Clackamas County Corrections crew and Public Works crew did the work. The cracking on the Grand Staircase developed years ago and joints could be put in but it was not consistent with the historic styling of the wall and columns.

Scott Archer, Community Services Director, said it was a good collaboration and was a management decision to do some basic maintenance and respond to the request made by several citizens and the downtown business community.

Commissioner Nicita confirmed there would be no tree removal on either side of Singer Creek Falls at this time. He requested consultation with the Commission if it came up in the future for this area.

Mr. Patterson reviewed his written report regarding upcoming projects and meetings.

b. **Mayor**

There was no Mayor's report.

c. **Commissioners**

Commissioner Neeley reported on the Willamette Falls TV operation. He requested the City Manager report back on the Comcast franchise and partnership with West Linn.

Commissioner Smith attended a meeting of the Clackamas County Heritage Council. Regarding the South End traffic light, at the July 15 City Commission meeting they had planned to put the light back up. He thought the Commission should have been notified before the decision was made to not put it back since they voted partially based on that criteria. He would like to put this issue on the next agenda. Ms. Kraushaar responded that staff would bring a cost estimate to the Commission as soon as possible.

Commissioner Nicita said he also attended the Clackamas County Heritage Council meeting. There had been no reports from the South Fork Water Board and he would like regular reports. Regarding the appeal, he confirmed it was not a final decision and that staff would come back with a final document with findings and conditions. He said Oregon law did not prohibit Commissioners from being on negotiating teams, and he thought one or two Commissioners should be on the police union negotiation team.

Commissioners Wuest, Neeley, and Mayor Norris did not support this suggestion.

Commissioner Neeley asked about a situation at a Chamber of Commerce meeting where Commissioner Nicita was giving a presentation on the possible hiring of an Economic Development Coordinator and Mayor Norris and Commissioner Neeley were both in attendance. He thought the quorum rule applied when the Commission was discussing an issue and he was at the meeting for information purposes only.

Mr. Kabeiseman said the rule was not clear.

Commissioner Neeley said he would not be excused by anyone from a meeting he thought he could attend.

10. **Adjournment**

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Nancy Ide, City Recorder

Newly Built or Renovated City Hall Costs Across Oregon

City	Yr Built/Ribbon Cutting	Total Sq Ft.	Overall Purchase \$	Bldg Purchase	Built or Renovated	Land Acquisition	\$/Sq Ft.	FFE	Notes
Oregon City	2009	14,500	5,400,000	2,500,000	Remodeled	2,900,000	\$ 172.41	Included in overall	
Happy Valley	2009	25,000	9,950,000	7,500,000	Built	2,450,000	\$ 300.00	300,000	Soft costs 1.5m (permits, SDCs, architect, engineering); purchased 3.32 acres
Wilsonville	2007	30,000	9,811,263	7,925,261	Built	1,886,002	\$ 264.18	Furnishings were an additional \$708,000 and included the AV system	UR used; land value was discounted by the seller/developer – this was a design build project for a fixed contract amount that included the land purchase.
Keizer	2009	68,500	18,800,000	18,800,000	Built	0	\$ 274.45		Owned site previously. We used almost 100% Urban Renewal for the construction and design. All City funds and Urban Renewal paid a prorated cost of the FF&E. Bldg costs include Architect/Engineering services, Project Management, Fixtures, Furnishings and Equipment.
Sisters	2006	9,300	2,081,600	1,714,425	Built	367,175	\$ 184.35		AV included in overall. Used minimal UR.
Aumsville	2009	6,720	1,285,000	1,220,000	Built	65,000	\$ 181.55		Including the police department portion of the City Hall/Police Complex; Overall incl. AV/FFEs
McMinnville Civic Hall (Council/Court only)	2009	6,117	3,686,002	3,098,086	Built	0	\$ 506.47	99,879	Bond, city owned land; Soft costs 488,037
McMinnville PD	2008	35,462	10,341,047	8,604,682	Built	0	\$ 242.65	726,399	Bond, city owned land; Soft Costs 1,009,966

Memorandum

Date: December 15, 2009

To: Mayor Norris and City Commission

From: Scott Archer, Community Services Director

RE: Warming center sites and other services

At last week's City Commission work session meeting Commissioner Nicita inquired about the potential to use the Pioneer Center as an emergency warming center for the community. Additionally, the Commission requested information regarding available shelters and services available to homeless persons in our community.

The need for a homeless shelter in Clackamas County is documented among the local agencies. Currently the nearest regularly operating shelter is the Clackamas Service Center at 82nd and Johnson Creek Blvd. There are a number of available shelters in Multnomah and Washington Counties. Attached is an extensive list of available warming centers and other services for homeless individuals and families. This information is provided as a referral handout to homeless persons when our code enforcement division does homeless camp clean-ups.

Setting up the Pioneer Center as a warming site presents a number of challenges for the City. During the daytime, our space is mostly booked with activities, classes, services, etc. that are part of the regular programming of the facility. In the evenings, and on weekends, the center is sometimes booked with classes, or rentals. The schedules vary during these time periods, and therefore, availability of the center would be inconsistent. Cots and/or bed rolls of some type would need to be purchased and stored somewhere on-site. Cost of this is unknown, and storage would be very problematic. We have no available shower or cleaning facilities other than the restroom sinks. We also have no way of preparing a dinner or breakfast meal while still maintaining the requirements of our noon meals (congregate and meals on wheels), unless our kitchen staffing is increased. This would require 2 additional staff x 7 hours per day, at a total additional cost of approximately \$500/day. Additional cleaning costs for this type of facility use would be estimated at \$100/day.

The recommendation from other shelters is that there be a minimum of two staff on site for operation of a shelter. Two people over night would run about \$210 at the building attendant

rate. However these are untrained persons in drug/alcohol and mental health issues. For a person with these qualifications our staffing costs would probably be around \$450/night.

Through our discussions with other service agencies, it is our understanding that most homeless clients know of the network of service in the greater Portland area, especially Multnomah County and that is where they tend to go if looking for these types of services. The network is set up to deal with the issues that are complex and ongoing. We are not set up with staffing, resources or the proper type of facilities at this time to deal with these issues. However, we can and do provide assistance in finding housing, shelter, food and social service support to homeless or other persons in need of services if they come into the Pioneer Center. We are also working to have this type of referral information available at the Library.

Shelter and Center Services

Salvation Army

www.tsacascade.org

General Information in Portland area, Cascade Division: 503-235-4192

Thrift Store-Milwaukie Marketplace: 971-233-0164

Adult Rehabilitation Center: 503-235-4192

Harbor Light Center – Salvation Army

30 SW 2nd Ave

Portland, OR 97204

503-239-1259

Emergency Assistance, Adult Program Services, Correctional Services, Housing/Residence Services, Family Counseling Services, Worship Center

West Women's and Children's Shelter – Salvation Army

2010 NW Kearney Street

Portland, OR 97209

503-239-1254

Emergency Financial Assistance, Emergency Shelter, Food & Nutrition Programs, and Seasonal Services for women and children

Family Services – Salvation Army

1712 NE Sandy Blvd.

Portland, OR 97232

503-239-1264

Adult Program Services, Domestic Violence Services, Emergency Assistance, Family Counseling Services, Housing/Residence Services, Other Adult Services

Moore Street Community and Worship Center – Salvation Army

5325 N Williams Ave

Portland, OR 97217

503-493-3925

Provide a center of hope and safe refuge for everyone – babies to seniors.

Offers food, utility assistance and other aid, involvement in sports leagues for all ages, involvement in groups for encouragement.

Christmas Services – Salvation Army

503-235-4192

Holiday food boxes, new toys for children, and holiday meals for senior citizens and homeless

White Shield – Salvation Army

503-239-1248

Family Counseling Services, Health Services, Housing/Residence Services, Youth Services. Serve the needs of pregnant and parenting clients the ages of 12-18 and adolescent girls who need a safe, secure, and nurturing environment.

Love Inc

Clackamas County Office: 503-650-0153

www.clackamasloveinc.org

Provides immediate and long term help to anyone in need

Oregon City Church of the Nazarene

503-656-6536

ClothesLine: free clothing available in gym every Mon 6:30-8:30pm / Thur 9:00-11:30am.

Food: food distributed in the gym every Mon 6:30-8:30pm.

YWCA of Greater Portland

www.ywca.org

1111 SW 10th Ave

Portland, OR 97205

503-294-7400

Serve men, women, and children through 11 programs @ 11 different sites

SafeHaven

503-246-1663 ext. 100

24-Hour Shelter Referrals call 211 or 503-222-5555

Eligibility: must have 1 or more children under age 18, must be homeless, must have been clean and sober for 30 days prior to intake.

Raphael House

www.raphaelhouse.com

Information: 503-222-6507 ext. 215

Crisis line: 503-222-6222

Shelter for battered women and children

Janus Youth Programs

1635 SW Alder Street

Portland, OR 97205

503-233-6090

www.janusyouth.org

Operates community-based programs for children, youth, and families in Oregon and Washington. Offers over 20 programs for runaway and homeless, residential and shelter, alternative education, scholarship program, detention program, and urban agriculture program.

Human Solutions

Daybreak Shelter

503-548-0200

Provides alcohol free day and evening lodging, meals, and hospitality once every ten weeks for an entire week.

Northwest Pilot Project

503-227-5605

Provides shelter referrals for elderly (50 and older) and disabled adults in Multnomah County.

Clackamas Service Center

8800 SE 80th Ave

Clackamas, OR 97206

503-771-7914

Medical Treatment/Services; Emergency food; Employment Assistance; Household goods

Transition Projects Inc.

www.tprojects.org

475 NW Glisan Street

Portland, OR 97209

503-823-4930

Provides basic shelter, transitional shelter, supportive housing

Portland Rescue Mission

www.portlandrescuemission.org

Men's Burnside Facility: 503-227-0421

111 West Burnside St

Portland, OR 97209

Provides food, shelter, bathroom, mail services, referrals, chapel

Shepherd's Door (Women and Children): 503-256-2353

13207 NE Halsey

Portland, OR 97230

Provides a long-term program individualized to each woman and child's needs.

Shelter Referral Services

Clackamas County Community Action Agency

Information and Referral: 503-655-8861

Washington County Community Action

503-648-6646

Multnomah County Community Action

503-248-5464

Food

Clackamas Service Center -- EFB

Portland, OR 97206

503-771-7914

Services: emergency food box/pantry, community basket
Days/Hours: M-Th 1:00pm-3:30pm

Clackamas Service Center – CMS

Portland, OR 97206

503-771-7914

Services: congregate meal site

Days/Hours: M - Thur 11am - 1 pm, M/Th 5 pm, T/W 4 pm

FISH Emergency Services, Inc.

Portland OR 97214

503-233-5533

Services: EFBs, clothing, bedding, some household, info & referral, harvest share

Days/Hours: M-F 10:30 am-2:00 pm

H.O.P.E.- Church of the Nazarene

Oregon City OR 97045

503-233-5533

Services: emergency food box/pantry

Days/Hours: M-F 10:30 am-2:00 pm

H.O.P.E.- Church of the Nazarene

Oregon City OR 97045

503-656-6536

Services: emergency food box/pantry

Days/Hours: M 6:30 pm-8:30 pm

H.O.P.E.- Cornerstone Community Center

Oregon City OR 97045

503-656-3433

Services: emergency food box/pantry

Days/Hours: W 1:00 pm-4:00 pm

H.O.P.E.- First Baptist

Oregon City OR 97045

503-656-3854

Services: emergency food box/pantry

Days/Hours: F 1:00 pm-4:00 p.m.

H.O.P.E.- First Presbyterian

Oregon City OR 97045

503-656-7444

Services: emergency food box/pantry

Days/Hours: Tu 1:00 pm-4:00 pm

SVDP St. John the Apostle

Oregon City OR 97045

503-235-8431

Services: emergency food box/pantry

Days/Hours: Th. 4:00 pm-5:00 pm (by referral only)

Educational/Employment Resources

Clackamas Community College

19600 Molalla Ave

Oregon City, OR 97045

503-657-6958

Career and Employment Resource Center: 503-657-6958 ext. 2409

Clackamas Education Service

District Information: 503-657-4000

Clackamas County Community Solutions

503-655-8840

Small Business Development Center

503-326-2682

Free information and counseling services

State of Oregon Employment Department

971-673-6400 ES ext. 22473

877-877-1781 UI Toll Free

Other Programs and Services Available

Goodwill

Oregon City: 503-542-2120

Clothing: 503-906-4899

Jobs: 503-542-1104

Job Connection Department (open 8:30am-4:00pm)

Teen Challenge

Portland Metro Center

3121 NE Sandy Blvd

Portland, OR 97232

503-230-1910

Male/Adult, 12-14 month program. Provides housing, food, work experience, recovery from alcohol and drugs, training. Cost is about \$500 to enter program.

Central City Concern

Housing – Alcohol and Drug free community living

503-525-8483

Outside In

1132 SW 13th Ave

Portland, OR 97205

503-535-3800

Provides homeless teens with day program, employment, housing, and medical clinic.



Adult Winter Warming Center:

Check in at Transition Projects, 475 NW Glisan, between 8:30 a.m. and 7:00 p.m. to reserve a space for the night.

Dates: seven nights a week throughout winter season

Hours: 8:00 PM - 7:00 AM, check-in on site

Serves: Single men, single women, couples without children, separate sleeping areas for men and women.

The agencies below will have additional shelter available for Wednesday evening:

City Team Ministries

526 SE Grand Avenue, Portland

Ph: 503-231-9334

Single male adults

No pets or carts

Disabled access if you are independent (don't need assistance)

Capacity: 10 extra beds for men, line starts at 5:00pm

Gresham 1st Baptist Church

224 W. Powell Blvd., Gresham

Adult, male and female

8pm-8am

Intake on-site

Janus Youth Programs

1635 SW Alder (9am-9pm call 503-432-3986; 9pm-9am call 503-222-5933)

For youth ages 15-23 ONLY

Capacity: 10 extra beds

Portland Rescue Mission

111 W. Burnside

Ph: 503-906-7632

Single adult males

8pm-5:30am; check-in by 8pm

No pets

Disabled access

6pm dinner, 7am breakfast

Capacity: 11 extra beds, mats with clean blankets

Union Gospel Mission

15 NW 3rd, Portland

Ph: 503-274-4483

Open 10pm – 8am

Adult men and women

No pets, no carts

Capacity: 40 extra beds



Severe Weather Shelter – Multnomah County

Effective December 9, 2009

Severe Weather Alert: The Severe Weather Alert for the City of Portland remains in effect through Wednesday night, 12/9/09. The National Weather Service predicts temperatures on Wednesday evening to drop to a low of around 17 degrees F. Mostly clear, with East wind between 7 and 9 mph.

Anyone seeking shelter should contact the 211info Winter Shelter Line (503) 721-1500. 211info will be available to identify available shelter and warming center resources between 8:00 AM and 10:00 PM, Monday through Friday, and 10:00 AM - 10:00 PM Saturdays and Sundays.

The Red Cross Severe Weather Emergency Warming Center will be open tonight at the Foursquare Church.

**Red Cross Severe Weather Emergency Warming Center
Portland Foursquare Church**

1302 Ankeny Street, (near 13th Avenue in Inner SE), Portland

Hours: 9:00 PM - 7:00 AM, check-in on site

Serves: Families, single adults, and youths; Pets allowed; some space for carts; accessible location (main floor)

TriMet Routes: One block south of 13th and Sandy, served by the #12, 19, and 20 bus routes

For transportation to any Severe Weather Emergency Warming Center, individuals should go to Union Gospel Mission (UGM) between 8:30pm – 9:30pm. The address is:
Union Gospel Mission
15 NW 3rd Avenue
Portland, OR 97209
(503)274-4483

WARMING CENTER FACILITIES

In addition to the Severe Weather Emergency Warming Center, the following warming center facilities are available during this Severe Weather Alert:

Family Winter Warming Center:

1435 NE 81st Street, Portland

(Behind the former Elmers restaurant at NE 82nd and Halsey, just off of the NE 82nd Max Line stop)

Dates: seven nights a week throughout winter season

Hours: 7:00 PM - 7:00 AM, check-in on site

Serves: Families with children under 18



Washington County Severe Weather Shelter/Warming Centers

For the latest information on shelter openings in the metro area, including Washington County, dial **211** or **503-222-5555** to access the 211info Information and Referral System. Online information is available at <http://www.211info.org/> or <http://www.co.washington.or.us/Housing/10-year-plan-to-end-homelessness.cfm>

	MON	TUE	WED	THU	FRI
BEAVERTON	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
Beaverton First Baptist 5755 SW Erickson Avenue, Beaverton	Open	Open	Open	Open	--
Singles/Families/Youth * Open at 6 p.m.					
Tri-Met # 88					
* No pets					
* Meal provided					
FOREST GROVE	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
Forest Grove UCC 2032 College Way, Forest Grove	Open	Open	Open	Open	Open
Singles/Family/Youth * Open at 7 p.m.					
Tri-Met # 57					
* No pets					
* Meal provided					
HILLSBORO	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
SOS-Shelter (Sonrise) 6701 NE Campus Way, Hillsboro	Open	Open	Open	Open	Open
Singles/Family/Youth * Open at 5:45 p.m.					
Tri-Met # 47, # 48 and "Orenco Station" MAX					
* No pets					
* Meal provided					
Safe Place Youth Shelter 454 SE Washington Street, Hillsboro	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
Youth <u>Ages 12 through 19 years only</u>	Open	Open	Open	Open	Open
Tri-Met # 57, and Max Stop "3 Avenue"					
**Day Use -- Open 24 hours daily for day and evening shelter.					
* No pets					
* Meal provided					
TIGARD	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
St. Anthonys Catholic 9905 SW McKenzie Street, Tigard	Open	Open	Open	--	--
Singles * Open at 5:30 p.m.					
Tri-Met #45, Bus Stop #13034					
* No pets					
* Meal provided					
TUALATIN	12/7/09	12/8/09	12/9/09	12/10/09	12/11/09
Rolling Hills Community 3550 SW Borland Road, Tualatin	Open	Open	Open	Open	--
Singles * Open at 6:00 p.m.					
**Transportation - * Van pickup at Tualatin Fred Meyer at 5:45 p.m.					
* No pets					
* Meal provided -- Yes					



In addition to the above overnight shelter resources, the providers below will open day center space for individuals.

DayWatch

522 SW 13th, Portland, 503-916-4009

Provides coffee, snacks

Hours: 6:30 AM – 3:30 PM Mon/Tues/Wed/Fri

6:30 AM – 1:30 PM Thurs

Serves: Adults only

Salvation Army Harbor Light

SW 2nd and Ankeny, 503-239-1259

Provides seating and hot beverages

Hours: 8:00 AM – 7:30 PM

Serves: Men only, up to 70 people

Hot beverage

No pets

Disabled access

Salvation Army Female Emergency Shelter (SAFES)

11 NW 5th, 503-227-0810

Basic services.

Hours: 7:00 AM – 11:00 PM

Serves: Women only

Service providers who would like to update information on services they offer during Severe Weather Alert, please call (503)721-1500.