

AGENDA

MILWAUKIE CITY COUNCIL AUGUST 19, 2003

MILWAUKIE CITY HALL
10722 SE Main Street

1916TH MEETING

REGULAR SESSION - 6:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Appointed Advisory Board Interviews

III. CONSENT AGENDA *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*

A. City Council Minutes of August 5, 2003

B. Amendments to the City of Milwaukie's Local Contract Review Board Rules to Comply with Current State Statutes -- Resolution

IV. AUDIENCE PARTICIPATION *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*

V. PUBLIC HEARING *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

None scheduled

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

A. Amend Municipal Code Section 5.08.110.1 to Clarify and Simplify the Business Tax Exclusion Afforded Construction and Landscape Contractors – Ordinance (Steve Smith)

B. Amend Municipal Code Section 10.50.030.C (3) Relating to Inventories of Impounded Vehicles – Ordinance (Larry Kanzler)

- C. **Consider Lien in Amount of City Costs for Abating the Nuisance on Certain Real Property Owned by Union Pacific Railroad – Resolution (Gary Firestone)**
- D. **Milwaukie Downtown Implementation Grant (Alice Rouyer/Jeff King)**
- E. **Milwaukie Light Rail Working Group (John Gessner)**

VII. INFORMATION

- A. **Park and Recreation Board Minutes, April 22, 2003**
- B. **Library Circulation Statistics**
- C. **Portland Commissioner of Public Safety Randy Leonard Increases Services in Neighborhood Bureau**

VIII. ADJOURNMENT

Public Information

- Executive Session: The Milwaukie City Council will go into Executive Session immediately following adjournment of the regular session. Council will consult with legal counsel regarding litigation pursuant to ORS 192.660(g).

All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making and final decision. Executive Sessions are closed to the public.

- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503.786.7555
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

MINUTES

MILWAUKIE CITY COUNCIL NEIGHBORHOOD NATIONAL NIGHT OUT CELEBRATION AUGUST 5, 2003

CALL TO ORDER

The 1915th meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:25 p.m. at the Neighborhood Association National Night Out Event on the Milwaukie riverfront. The following Councilors were present:

Councilor Barnes	Councilor Loomis
Councilor Lancaster	Councilor Stone

Staff present:

Mike Swanson,
City Manager

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Mayor Bernard recognized former Milwaukie Mayor Bill Hupp.

CONSENT AGENDA

It was moved by Councilor Lancaster and seconded by Councilor Stone to approve the consent agenda that consisted of:

1. City Council minutes of June 30, July 1, 14 and 15, 2003;
2. Resolution No. 33-2003: A Resolution of the City of Milwaukie, Oregon, Adopting Fiscal Year 2003/2004 (Year Fourteen) Annual Waste Reduction Plan and Authorizing the City Manager to Sign an IGA with Metro.
3. Authorize Vehicle Purchases.

Motion to adopt the consent agenda passed unanimously.

AUDIENCE PARTICIPATION

None.

OTHER BUSINESS

None.

ADJOURNMENT

It was moved by Councilor Lancaster and seconded by Councilor Barnes to adjourn the meeting. Motion passed unanimously.

Mayor Bernard adjourned the meeting at 7:27 p.m.

Pat DuVal, Recorder



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Steve Smith, Finance Director
Pat DuVal, City Recorder

Subject: Amend Local Contract Review Board Rules

Date: August 4, 2003

Action Requested

Adopt a resolution amending the City of Milwaukie's Local Contract Review Board Rules.

Background

Milwaukie Municipal Code Chapter 3.05 (Ordinance. 1771 § 2, 1994) designates the City Council as the Local Contract Review Board for contractual matters relating to the City. In addition to the Board's powers granted by state law, it also has the authority to adopt rules governing the awarding of public contracts.

The Council, acting as the Local Contract Review Board, exercised this authority in 2002 by approving Resolution 8-2002 on April 2 and Resolution 21-2002 on August 20, which adopted Milwaukie's Public Contracting Rules (PCR). From time to time, these Rules will need to be amended to reflect current statutes, and this is one of those instances.

The proposed resolution amends two sections of Rule 40.00 – Public Improvement Contracts:

1. Rule 40.010 (3) – Prevailing Wage Rate Notice. Bidders must comply with Oregon's prevailing wage law (ORS 279.348 – 279-365) if the contract

price for the project exceeds \$25,000. The proposed amendment would change the contract amount from the current \$10,000 to \$25,000.

2. Rule 40.012 (1) – First Tier Subcontractor Disclosure – HB 2341 requires that bidders or proposers for contracts with a value of \$75,000 or more must submit their first tier contractor disclosure sheets within two hours of the deadline for submitting the bid or proposal. The proposed amendment would change Milwaukie's rule from four hours to two hours to comply with legislation that went into effect August 1, 2003.

Concurrence

The city attorney's office advises city staff to amend the Milwaukie PCRs to be in compliance with state statutes.

Fiscal Impact

None.

Work Load Impacts

None.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE LOCAL CONTRACT REVIEW BOARD ADMINISTRATIVE RULES TO REFLECT LAWS RECENTLY ADOPTED BY THE STATE LEGISLATURE.

WHEREAS, the City of Milwaukie determined it would be beneficial to adopt administrative rules for entering into public contracts; and

WHEREAS, the Milwaukie City Council, acting as the Local Contract Review Board pursuant to Municipal Code Chapter 3.05 (Ord 1771 § 2, 1994), adopted Public Contracting Rules in Resolutions 8-2002 and 21-2002; and

WHEREAS, these Rules must be amended from time to time to comply with changes to state public contracting statutes; and

WHEREAS, the state legislature recently adopted certain laws amending public improvement contract laws which must be reflected in Milwaukie's Public Contracting Rule 40;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board:

Section 1: Resolutions 8-2002 and 21-2002, Exhibit A, Rules 40.010.3.c and 40.012.4 are amended by this resolution.

Section 2: Rule 40-010.3 – Prevailing Wage Rate Notice is amended to read:

c. The contract price for the project exceeds \$25,000.

Section 3: Rule 40.012.4 -- First Tier Subcontractor Notice is amended to read:

4. If the public contract may be for more than \$75,000, the solicitation documents must provide notice that the contractors must disclose first-tier subcontractors who will furnish labor or materials greater than five percent of the total bid or \$15,000, whichever is greater, or \$350,000 regardless of the percentage of the total bid within two (2) working hours after the deadline for bid submission. The disclosure must state the name of each subcontractor and the category of work the subcontractor will perform.

Section 4: This resolution is effective immediately upon adoption.

Introduced and adopted by the City Council of the City of Milwaukie,
Oregon, on _____ 2002.

James Bernard, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:

Ramis, Crew, Corrigan & Bachrach, LLP



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Steve Smith, Finance Director

Subject: Amend Municipal Code Section 5.08.110.I – Clarify and Simplify the Business Tax Exclusion Afforded Construction and Landscape Contractors

Date: July 15, 2003

Action Requested

Adopt an ordinance amending Municipal Code Section 5.08.110.I – Exclusions.

Background

The municipal code currently states that contractors and landscape contractors are not excluded from the requirement to pay the City's business tax if: (1) their principal place of business is outside the City and their gross receipts from business conducted within the boundaries of the City during the calendar year for which the business license tax is owed is less than \$125,000.00; or (2) if their principal place of business is outside the City and they have obtained a business license from Metro.

Proposed Amendment

The proposed amendment would limit the exemption so that only construction and landscape contractors based outside the City and who have Metro licenses would be exempt. The purpose of the amendment is to recognize that the Metro licensing program provides a regional license for construction and landscaping contractors who do work throughout the metropolitan area. Because of different ways that business taxes and business license fees can be imposed, requiring

each construction and landscape contractor doing business in the Metro area to obtain a license from each jurisdiction would be burdensome. However, there is no reason to exempt those who do not have a Metro business license.

Concurrence

City Attorney has reviewed the proposed amendment.

Fiscal Impact

None.

Work Load Impacts

None.

Alternatives

None.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE SECTION 5.08.110.I TO CLARIFY AND SIMPLIFY THE BUSINESS TAX EXCLUSION AFFORDED CONSTRUCTION AND LANDSCAPE CONTRACTORS.

WHEREAS, the City Council of the City of Milwaukie wishes to simplify the identification of certain contractors who are qualified for exclusion from the City's business tax; and

WHEREAS, the exclusion in Subsection I is intended for construction and landscape contractors, and not necessarily for others who contract with the city;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1 Section 5.08.110.I of the Milwaukie Municipal Code is amended to read:

I. Construction contractors or landscape contractors when their principal place of business is outside of the City and they have proof that they have obtained a business license from the Metropolitan Service District.

Read the first time on _____, 2003, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the Council on _____, 2003.

Signed by the Mayor on _____, 2003.

Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
RAMIS CREW CORRIGAN &
BACHRACH, LLP

City Attorney

Ordinance No. _____

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WHEREAS, the City Council of the City of Milwaukie wishes to simplify the identification of certain contractors who are qualified for exclusion from the City's business tax; and

WHEREAS, the exclusion in Subsection I is intended for construction and landscape contractors, and not necessarily for others who contract with the city;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1 Section 5.08.110.I of the Milwaukie Municipal Code is amended to read:

I. Construction contractors or landscape contractors when their principal place of business is outside of the City and they have proof that they have obtained a business license from the Metropolitan Service District.

Read the first time on _____, 2003, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the Council on _____, 2003.

Signed by the Mayor on _____, 2003.

Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
RAMIS CREW CORRIGAN &
BACHRACH, LLP

City Attorney

Ordinance No. _____



TO: Mayor and City Council

THROUGH: Mike Swanson, City Manager

FROM: Larry Kanzler, Chief of Police

DATE: July 31, 2003

SUBJECT: Amend Municipal Code Chapter 10.50.030 Section C, subsection 3
– *“Inventories of Impounded Vehicles”*

Action Requested

Adopt an ordinance amending Municipal Code Chapter 10.50.030, Section C, subsection 3 authorizing the Milwaukie Police Department to conduct vehicle inventories in accordance with Oregon State law and contemporary court rulings when impounding vehicles.

Background

Current Milwaukie Municipal Code restricts vehicle impound inventories to open containers and fails to provide safeguards to prevent misrepresentation of losses that may be attributed to procedural or operational errors by the police department. Recent court rulings now provide and recommend that inventorying vehicles with containers that are capable of carrying, storing, or securing money or items of value (rings, watches, etc.) should be inventoried by police when the vehicle transporting the container is taken into custody by the police (towed). The current Milwaukie City Code does not take these recent court rulings into account, thus unnecessarily exposing the City to loss claims because the contents of the containers were never identified or inventoried.

To remedy the error and limitation established by the current ordinance the following amendment is recommended:

Section 10.50.030.C.3 of the Milwaukie Municipal Code is amended to read as follows:

“Closed containers located either within the vehicle or any of the vehicle’s compartments will have its contents inventoried only when the closed container is designed for carrying money and/or valuables. Such containers include but are not limited to; closed purses, closed coin purses, closed wallets, closed backpacks, closed briefcases, and closed fanny packs.”

Concurrence

Staff
Clackamas County District Attorney’s Office
City Attorney

Fiscal Impact

None

Work Load Impacts

The additional time to properly inventory cars taken into custody by the police department is necessary to adequately protect the financial interests of the City. It should be considered as just the cost of properly doing business.

Alternatives

By not properly inventorying vehicles the current ordinance prevents police officers from deterring false claims of loss when their authority to inventory the contents of vehicles is limited beyond the scope authorized by the courts. By not amending this ordinance the flaw in Milwaukie City Ordinance 10.50.030, Section C, Subsection 3 will not be corrected.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MILWAUKIE MUNICIPAL CODE SECTION 10.50.030 SECTION C, SUBSECTION 3 – TO ALLOW PROPER INVENTORY OF IMPOUNDED VEHICLES.

WHEREAS, the City Council of the City of Milwaukie recognizes that a complete inventory of impounded vehicles will safeguard the vehicles contents and reduce improper claims of property loss while the vehicle was impounded and will create a greater deterrent for false claims;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 10. Section 10.50.030.C-3 of the Milwaukie Municipal Code is amended to read as follows:

10.50.030 SECTION C, SUBSECTION 3 – Inventories Of Impounded Vehicles.

C-3 Closed containers located either within the vehicle or any of the vehicle’s compartments will have its contents inventoried only when the closed container is designed for carrying money and/or valuables. Such containers include but are not limited to; closed purses, closed coin purses, closed wallets, closed backpacks, closed briefcases, and closed fanny packs.

Read the first time on _____, 2003, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the Council on _____, 2003.

Signed by the Mayor on _____, 2003.

Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
RAMIS CREW CORRIGAN &
BACHRACH, LLP

City Attorney

Ordinance No. _____



TO: Mayor and City Council
FROM: Mike Swanson, City Manager
DATE: August 11, 2003
RE: Resolution Authorizing a Lien in the Amount of City Costs for Abating the Nuisance on Real Property Owned by the Union Pacific Railroad

ACTION REQUESTED

Approval of the proposed resolution, which assesses the costs of the nuisance abatement, including administrative overhead, pursuant to Milwaukie Municipal Code Section 8.04.200.

BACKGROUND

Property owned by the Union Pacific Railroad located west of 21st Avenue, north of Lake Road, and east of the Union Pacific tracks in the City was cited for maintaining a nuisance pursuant to Milwaukie Municipal Code Sections 8.04.020 and 8.04.135.

In a hearing before Council on January 21, 2003, it was determined that a nuisance existed on the property, but the finding was held in abeyance until April 28, 2003. The Council further found that should the nuisance be abated by that date, the finding would be vacated. The nuisance was not abated by the date specified in the Council's January 21 decision.

Pursuant to Milwaukie Municipal Code Section 8.04.190, if a nuisance has not been abated "within the time allowed, . . . the city manager may cause the nuisance to be abated." Therefore, a Request for Proposals (RFP) was drafted to retain a qualified demolition/deconstruction contractor to effect abatement by the City. The RFP was advertised and distributed on May 12, 2003, and one qualified bid was received. The bid proposed two alternatives. On the one hand was the demolition alternative proposed at a cost of \$9,800; on the other hand was a deconstruction bid at a cost of \$17,000. The bid was reviewed by a committee, and Dan Obrist Excavation was selected to perform the demolition. Demolition was the option selected as being the least costly alternative.

Milwaukie Municipal Code Section 8.04.190(C) requires that an “accurate record of the actual cost incurred by the city in abating the nuisance, including any administrative expense,” be kept. Milwaukie Municipal Code Section 8.04.200(A)(1) provides that the City Recorder, “by registered or certified mail, postage prepaid, shall forward to the owner or person in charge of the property a notice stating . . . [t]he total cost of abatement including administrative overhead . . .” The owner or person in charge of the property may file a notice of objection to the cost of the abatement, and that objection is heard and determined by Council.

CONCURRENCE

The City Manager and City Attorney concur with the recommended action.

FISCAL IMPACT

If the recommended action is not taken as it relates to the non-administrative costs, the City will lose the amount of those costs. If the recommended action is taken as it relates to the non-administrative costs, the City will enter a lien against the property which may be satisfied in the near or far term as the property owner determines. In any event, it will accrue interest at the rate of six percent per annum from the date of entry of the lien in the lien docket pursuant to Milwaukie Municipal Code Section 8.04.200(D).

If the recommended action is not taken as it relates to the administrative costs, the City will not be reimbursed for those costs, which have been budgeted. If the recommended action is taken as it relates to the administrative costs, the effect will be the same as stated above with the non-administrative costs.

Attachments:

1. July 16, 2003 Letter from City Recorder Pat DuVal to Union Pacific Railroad
2. July 24, 2003 Letter from Lisa L. Burnside, Union Pacific Railroad to Pat DuVal
3. July 24, 2003 Letter from Lisa L. Burnside, Union Pacific Railroad to Rich Peterson
4. Milwaukie Municipal Code Sections 8.04.190 and 8.04.200

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING A LIEN IN THE AMOUNT OF CITY COSTS FOR ABATING THE NUISANCE ON CERTAIN REAL PROPERTY OWNED BY UNION PACIFIC RAILROAD.

WHEREAS, the City of Milwaukie abated a nuisance located on property owned by the Union Pacific Railroad located west of 21st Avenue, north of Lake Road and east of the Union Pacific Railroad tracks, having first complied with all requirements to declare the nuisance and enter onto the property;

WHEREAS, on July 16, 2003, the City Recorder provided notice of the costs of abatement as required by MMC 8.04.200A;

WHEREAS, Union Pacific timely filed a notice of objection to the amount of the costs of abatement on July 25, 2003;

WHEREAS, the City Council held a public hearing on August 19, 2003 to hear the objections to the costs;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The total cost of the abatement is \$22,522.97. The notice of costs of abatement accurately reflected the City's costs. This amount includes administrative overhead as allowed by MMC 8.04.200A.1. The amount expended is reasonable given the extent of the nuisance. The administrative costs reflect the City's actual costs.

Section 2. The amount of \$22,522.97 shall be assessed as costs for the abatement and entered as a lien in the City's lien docket.

Section 3. Because the matter was not heard by City Council within 30 days of the original notice, the assessment for costs shall not be docketed as a lien until 15 days after adoption of this resolution and shall not be docketed as a lien if the amount is paid in full within 15 days.

Section 4. This resolution shall take effect immediately upon adoption.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon on _____, 2003.

James Bernard, Mayor

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

ATTEST:

By: _____
City Attorney

Pat DuVal, City Recorder

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July 16, 2003

Union Pacific Railroad
 Attention: Lisa Burnside
 1800 Farnam Street
 Omaha, NE 68102

L.L.B.
 JUL 2 2003

Pursuant to Milwaukie Municipal Code Section 8.04.200, notice is hereby given that the total cost of abatement at the property located west of 21st Avenue, north of Lake Road and east from the Union Pacific Railroad tracks on the Union Pacific property, within the City of Milwaukie, County of Clackamas, State of Oregon is, \$22, 522.97 This amount includes Legal fees and administrative overhead. The costs are itemized as follows:

Abatement Services July 3, 2003

Dan Obrist Excavation	\$ 9,800.00
Metro Solid Waste Transfer Station (disposal)	\$ 3,555.77
Abatement Surveys	\$ 1,075.00
	\$ 55.00
Total	\$ 14,485.77

Administrative Costs

City Services	<u>Hours</u> 182 hrs
	Total Cost \$ 5,228.20
Legal Services	\$ 2,809.00
Total	\$ 8,037.20

<u>Total Abatement and Administrative/Legal</u>	<u>Total</u>	<u>\$ 22,522.97</u>
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The City of Milwaukie declared nuisances to exist on your property as described in sections 8.04.135 on January 21, 2003. The City abated these nuisances on July 3, 2003, after you failed to do so.

If the costs of abatement are not paid within thirty days from the date of this notice they will become a lien against the property. If you, as owner or person in charge of the property, object to these costs, you may file a Notice of Objection with the City Recorder not more than ten days from the date of this notice. Upon expiration of the ten days, the City Council will consider your objections during the course of regular business and shall make a final lien determination. Once the lien amount is determined and activated it shall bear interest at the rate of 6 percent per annum. If you have further questions please contact me at 786-7502.

Sincerely,
Pat DuVal
 Pat DuVal,
 City Recorder



July 24, 2003

File 1979-63

SENT VIA UPS NEXT DAY AIR DELIVERY

PAT DUVAL
CITY RECORDER
CITY OF MILWAUKIE
10722 SE MAIN ST
MILWAUKIE, OR 97222

NOTICE OF OBJECTION

Dear Ms. DuVal:

This is in response to your letter dated July 16, 2003, concerning abatement at property located at approximately 21st Avenue and Lake Road in Milwaukie, Oregon.

Union Pacific Railroad Company objects to the lien proposed to be filed against our real property. The house that was removed from the premises was personal property of Rich Peterson, who leases the property from us. The house was not attached to the land and was not part of the realty. It did not belong to the Railroad. As Mr. Peterson is the cause of the nuisance, relief for the costs of abatement should be sought from Mr. Peterson.

The Railroad strongly believes it is not responsible for these costs. However, in the event it should be determined the Railroad is liable for these costs, the Railroad also objects to the amount the City claims as the cost of abatement. If it should be determined the Railroad is responsible, we will not pay for the \$8,037.20 of the City's "Administrative Costs." Those costs are part of the job of employees of the City. The Railroad will not pay for an "overhead" charge. Also, the Railroad objects to the \$55.00 amount listed in your letter as there is no identification of what it covers.

Union Pacific Railroad respectfully requests the City not to file a lien against our property but to seek damages from Rich Peterson, the responsible party.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa L. Burnside".

Lisa L. Burnside
Senior Manager - Real Estate
(402) 997-3596

e-mail: LLBURNSI@up.com

Real Estate

UNION PACIFIC RAILROAD
1800 Farnam Street, Omaha, Nebraska 68102
fx. (402) 997-3601



July 24, 2003

File 1979-63
Audit No. 220773

SENT VIA UPS NEXT DAY AIR DELIVERY
and FAX TO (503) 266-3654

RICH PETERSON
714 NW TERRITORIAL ROAD
CANBY, OR 97013

Dear Mr. Peterson:

This is in regard to the Lease between Union Pacific Railroad Company ("Railroad," "Lessor") and you, Rich Peterson ("Lessee"), covering your use of certain Railroad-owned real property in Milwaukie, Clackamas County, Oregon.

Attached is a copy of a letter dated July 16, 2003, from Pat DuVal, City Recorder for the City of Milwaukie. The City is demanding payment of \$22,522.97 for the abatement of a public nuisance caused by the house you placed on the leased Premises.

Your attention is specifically called to certain sections of the Lease:

Section 1 of Exhibit B states "No improvements placed upon the Premises by Lessee shall become a part of the realty."

Section 6 of Exhibit B states in part "Lessee shall not use or permit the use of the Premises for any unlawful purpose, maintain any nuisance, permit any waste, or use the Premises in any way that creates a hazard to persons or property. Lessee shall keep the Premises in a safe, neat, clean and presentable condition, and in good condition and repair" and "Lessee shall comply with all governmental laws, ordinances, rules, regulations and orders relating to Lessee's use of the Premises."

Section 9 of Exhibit B states "Lessee shall not allow any liens to attach to the Premises for any services, labor or materials furnished to the Premises or otherwise arising from Lessee's use of the Premises. Lessor shall have the right to discharge any such liens at Lessee's expense."

Real Estate

UNION PACIFIC RAILROAD
1800 Farnam Street, Omaha, Nebraska 68102
fx. (402) 997-3601

In the event you may have sold your personal property, the house, to another party, your attention is also called to Section 18 of Exhibit B which states in part "Lessee shall not sublease the Premises, in whole or in part, or assign, encumber or transfer (by operation of law or otherwise) this Lease without prior consent of Lessor, which consent may be denied at Lessor's sole and absolute discretion. Any purported transfer or assignment without Lessor's consent shall be void and shall be a default by Lessee.

As evidenced by the City's letter demanding payment for the costs to abate a public nuisance (removal of your house), you have violated several sections of the Lease.

The Railroad demands you take the appropriate action to prevent the City from filing a lien against the Premises. In the event the City files a lien against the Railroad's property, the Railroad will use all of its legal remedies to collect from you said lien payment and all related legal expenses incurred by the Railroad.

Your immediate attention to this matter is required.

Sincerely,



Lisa L. Burnside
Senior Manager - Real Estate
(402) 997-3596

e-mail: LLBURNSI@up.com

CC: Pat DuVal, City Recorder – via UPS Next Day Air
John H. Hammond, Jr., Hutchison, Hammond & Walsh – via FAX to (503) 656-1092
Ted Stenstrom, UPRR Director-Real Estate
Brian Morrissey, UPRR General Director-Real Estate

Section 8.04.190 Abatement--By city.

A. If, within the time allowed, the nuisance has not been abated by the owner or person in charge of the property, the city manager may cause the nuisance to be abated.

B. No abatement shall occur under this section unless preceded by issuance of a judicial warrant authorizing entry, search, seizure and abatement, or in the alternative, written consent and release of liability by the property owner or person in charge of the property.

C. The city recorder shall keep an accurate record of the actual cost incurred by the city in abating the nuisance, including any administrative expenses. (Ord. 1722 § 2, 1992; Ord. 1028 § 20, 1964)

Section 8.04.200 Assessment of costs.

A. The city recorder, by registered or certified mail, postage prepaid, shall forward to the owner or person in charge of the property a notice stating:

1. The total cost of abatement including the administrative overhead;
2. That the cost as indicated will be assessed to and become a lien against the property unless paid within thirty days from the date of the notice;
3. That if the owner or person in charge of the property objects to the cost of the abatement as indicated, he may file a notice of objection with the city recorder not more than ten days from the date of the notice.

B. Upon the expiration of ten days after the date of the notice, the council in the regular course of business shall hear and determine the objections to the costs to be assessed.

C. If the costs of the abatement are not paid within thirty days from the date of the notice, an assessment of the costs as stated or as determined by the council shall be made by resolution and shall thereupon be entered in the docket of city liens, and upon such entry being made shall constitute a lien upon the property from which the nuisance was removed or abated.

D. The lien shall be enforced in the same manner as liens for street improvements are enforced, and shall bear interest at the rate of six percent per annum. Such interest shall commence to run from date of entry of the lien in the lien docket.

E. An error in the name of the owner or person in charge of the property shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property. (Ord. 1028 § 21, 1964)



To: Mayor and City Council

Through: Mike Swanson, City Manager
Alice Rouyer, Community Development and Public Works Director

From: Jeffrey King, Project Manager

Subject: Milwaukie Downtown Implementation Grant

Date: August 4, 2003 for August 19, 2003 meeting

Action Requested

Feedback on proposed downtown project implementation grant program.

Background

The City of Milwaukie was awarded a \$15,000 grant from Oregon Housing & Community Services (OHCS) to further downtown planning projects. The grant would be matched by \$5,000 from the City. Oregon Downtown Development Association (ODDA) will administer the grant.

The proposed grant project will develop specific “next steps” action plan in implementing the *Milwaukie Downtown & Riverfront Plan*. The intent is to provide focused project action steps that the City can follow during and after completing the North Main and McLoughlin projects. The hope is to have steps that leverage energy from the private sector to redevelop the downtown. Elements of the grant will include:

- Interviews with key stakeholder groups.
- Creation of a phased downtown project implementation plan that include projects most likely to leverage private sector development.

- Provide information of locally initiated funding mechanisms and tag them to specific projects.
- Presentation of findings at a public meeting (possibly at a City Council meeting) for feedback and refinement.
- Produce a final report that will include proposed projects for implementation, their phasing for next step feasibility design and engineering and discussion of final funding sources.

The project is projected to start in late August and be completed by the end of October, 2003.

Concurrence

Community Development staff including Planning and Engineering support the grant project.

Fiscal Impact

The required \$5,000 match will come from approved funds in the Community Development Administration budget. Existing Community Development staff will provide project management.

Work Load Impacts

This project is being managed by existing staff. The project is part of existing Community Development staff work plan.

Alternatives

- Accept grant project and work scope as proposed
- Accept grant but with modifications to work scope.
- Decline grant and project at this time.



To: Mayor and City Council

Through: Mike Swanson, City Manager
Alice Rouyer, Community Development and Public Works
Director

From: John Gessner, Planning Director

Date: August 19, 2003

Subject: Milwaukie Light Rail Working Group

Action Requested

None. Review and comment on Tri-Met proposed work program.

Background

On April 1, 2003, the City Council adopted Resolution 12-2003 in support of the South Corridor Policy Committee's recommendation for light rail, which includes the Milwaukie Crossover and I-205 alignments. The adopted resolution includes findings, observations, and considerations for future design and mitigation along the Milwaukie segment as recommended by the Milwaukie Planning Commission.

The Council resolution contains specific suggestions for additional public outreach with affected property owners, businesses, and neighborhoods to ensure full community participation in the discussion of identified concerns with the Crossover alignment. (See *Attachment 1 - Resolution 12-2003*.)

Tri-Met has contacted neighborhood leaders, North Industrial businesses, property owners, and staff for the purpose of convening a working group as requested by the Council. (See *Attachment 2 – Tri-Met Work Program*.) The working group process will be lead by Tri-Met. Milwaukie Planning and

Neighborhood Services staff will participate in neighborhood involvement, problem solving, and resolution of identified design and mitigation issues.

Tri-Met staff will be present at the August 19, 2003 worksession to address any questions the Council may have.

Fiscal Impact

The project will commit staff time over the next 4 to 6 months.

Work Load Impacts

Workload will vary based on the complexity of issues involved and the level of effort required to resolve them. The likely commitment of staff time has not yet been estimated.

RESOLUTION NO. 12-2003

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,
OREGON ENDORSING THE RECOMMENDED LOCALLY PREFERRED
ALTERNATIVE FOR THE SOUTH CORRIDOR PROJECT**

WHEREAS, the South Corridor Supplemental Draft Environmental Impact Statement (SDEIS) addressing potential transit improvements in the southeast metropolitan area was published on December 20, 2002; and

WHEREAS, the SDEIS evaluates a No-Build Alternative, a Bus Rapid Transit Alternative, a Busway Alternative, A Milwaukie Light Rail Alternative, an I-205 Light Rail Alternative, and a Combined Light Rail Alternative including bus and light rail improvements; and

WHEREAS, the public was invited to comment on the study alternatives and the SDEIS through an extensive process, including the public comment period that ran from December 20, 2002 through February 7, 2003; and

WHEREAS, the City of Milwaukie has participated in the preparation of the SDEIS; and

WHEREAS, after consideration of public comments, on February 13, 2003 the South Corridor Policy Committee concluded that a phased Light Rail option was the preferred alternative to serve the future transit needs of the South Corridor; and

WHEREAS, the South Corridor Policy Committee concluded that construction of the I-205 alignment would be accomplished during Phase 1, together with the construction of a park and ride at Southgate beginning November 2003 and relocation of the transit center from downtown Milwaukie to the Southgate area by April 2006; and

WHEREAS, the South Corridor Policy Committee concluded that construction of the Milwaukie alignment would be accomplished during Phase 2; and

WHEREAS, on March 11, 2003 the Milwaukie Planning Commission considered the Locally Preferred Alternative (LPA) as adopted by the South Corridor Policy Committee; and

WHEREAS, the Planning Commission recommended approval of the LPA together with certain considerations for future design and mitigation measures for the Phase 2 Milwaukie alignment attached as Exhibit A and incorporated herein.

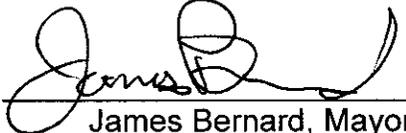
NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON.

Section 1. That the City Council adopts the South Corridor Locally Preferred Alternative recommended by the South Corridor Policy Committee on February 13, 2003 as the City's preferred alternative and recommends its adoption to the Metro Council.

Section 2. That the City Council requests that the Metro Council adopt the design and mitigation measures for the Phase 2 Milwaukie alignment as set forth in the attached Exhibit A.

Section 3. The resolution becomes effective upon its adoption.

Introduced and adopted by the City Council of the City of Milwaukie on the 1st day of April 2003.


James Bernard, Mayor

ATTEST:


Pat DuVal, City Recorder

APPROVED AS TO FORM:

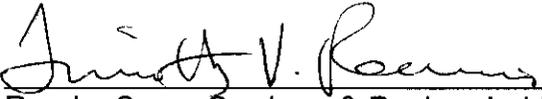

Ramis, Crew, Corrigan & Bachrach, LLP

EXHIBIT A

Recommended Findings, Observations, and Considerations for Future Design and Mitigation as Adopted by the Planning Commission.

1. Relocate the transit center from downtown Milwaukie as soon as possible.
2. A public involvement strategy that includes affected property owners and business operators that ensure adequate and thorough participation should be implemented.
3. TriMet is strongly encouraged to work with the Oregon Department of Transportation to commit to satisfactory transportation solutions in the North Industrial Area at McLoughlin intersections, including but not limited to the McLoughlin/Milport intersection. Satisfactory transportation solutions shall include, but not be limited to:
 - a. Protection of truck access.
 - b. Intersection capacity and stacking distance.
 - c. Preservation and enhancement of cross movements on McLoughlin Boulevard.
 - d. Protect and improve, where possible, access to the interior of the industrial area from McLoughlin Boulevard.
4. The light rail project should be designed to minimize adverse impacts on area businesses.
5. TriMet and Metro should form a Milwaukie working group for the Transit Center and Park & Ride relocation effort, so that representatives of the community, its residential neighborhoods and its industrial/commercial districts, can be involved in the interim and final designs of this transit center.¹
6. Milwaukie is concerned that property owner decisions made between now and the time at which final Phase 2 light rail design issues are resolved, may result in design changes to the presently proposed alignment and related facilities.
7. The Main Street alignment has potentially significant impacts to area business and therefore may not be the best alignment considering that the Tillamook alignment has far fewer potential impacts. Successful mitigation efforts, as outlined throughout this document, must be implemented in order to address the strong North Industrial Area business concerns expressed about the Crossover alignment.
8. The Milwaukie North Industrial Area is an important regional warehousing and distribution center that is supported by highway and freight rail service. In addition, Milwaukie is presently evaluating development potential of the area under a grant from the Transportation and Growth Management Program. Highway and local access is important to the continuing and future economic vitality of the area and Milwaukie's jobs and tax base. The Milwaukie Crossover has the following elements that warrant further design considerations and

¹ This item was adopted from the March 10, 2003 Memo of Michelle Gregory, Neighborhood Services Manager on behalf of the Neighborhood leadership.

mitigation prior to construction. It is noted that some of the issues below may already have been addressed in the Supplemental Draft Environmental Impact Statement.

- a. The closure of Moores Street reduces access options to northbound McLoughlin Boulevard and will add additional vehicle loading to the Ochoco/McLoughlin Boulevard intersection. Consideration should be given to ensuring adequate capacity at Ochoco Street intersection needed to accommodate the closing of Moores Street.
 - b. The redesign of the Beta Street intersection with Main Street as shown on Drawing C15C203 (South Corridor Transit Study, Milwaukie Max Alignment) is incomplete. The Beta Street intersection is an important access for nearby warehousing and distribution firms. Any redesign should minimize operational impacts to freight access.
 - c. Light rail construction will take more than 80 parking spaces along Main Street. This count excludes the Iridio site just north of the theatre, which also lose parking. Future design consideration should minimize the loss or parking and ensure the future success of businesses by replacement of parking displaced by light rail and related facilities.
 - d. The intersection of Mailwell Drive and Main Street serves major warehousing and distribution businesses and other commercial uses. Inbound and outbound traffic movements at this intersection should be protected to ensure the continued viability of area businesses.
 - e. The proposed site design at the Southgate Park & Ride and Transit Center should be reconsidered due to its impact on the Milport/Main and Milport/McLoughlin intersection. Additional stacking length is needed to ensure proper intersection functioning and adequate access to and from the industrial area.
8. Considerations for future design and mitigation at the Harrison site include the following:
- a. Visual and noise barriers to protect nearby residential properties.
 - b. Traffic impact analysis at the site and at Harrison Street intersections with McLoughlin Boulevard and Expressway 224.
 - c. Replacement of any loss of Waldorf School parking.
 - d. Neighborhood parking management including means to offset the cost of city parking enforcement.
9. Recommended considerations for future design and mitigation at the Lake Road and Washington Avenue sites include the following:
- a. Visual and noise barriers to protect nearby residential properties.
 - b. Neighborhood parking management including means to offset the cost of city parking enforcement.
 - c. Avoidance and mitigation of Water Quality Resource impacts to Kellogg Lake.

Milwaukie Transit Center Working Group

Draft Work Program

August 5, 2003

Introduction

In adopting the South Corridor Locally Preferred Alternative (LPA) in April 2003, the Milwaukie City Council requested that design mitigation measures be identified related to the LPA light rail alignment. The Council's request was based on findings adopted by the Planning Commission on March 11, 2003. The Planning Commission's findings largely addressed potential impacts of the Southgate Crossover Light Rail alignment on future access to the North Milwaukie Industrial Area. A summary of concerns and potential impacts to the North Milwaukie Industrial Area are listed below:

- Protect, and where possible, improve truck and vehicular access to the North Milwaukie Industrial Area.
- Minimize impacts to area businesses including loss of employee parking and truck access.
- Address the following design issues related to the Locally Preferred Alignment (via Main St with Southgate Crossover):
 - Ensure adequate capacity at Ochoco Street to accommodate the closing of Moores Street
 - Minimize operational impacts to freight access at the Beta Street intersection.
 - Replace the 80 parking spaces displaced by the light rail alignment and related facilities.
 - Protect inbound and outbound truck movements at the Mailwell/Main intersection.
 - Redesign the Southgate Transit Center and Park and Ride to ensure proper function of the Milport/McLoughlin and Milport/Main intersections.
- Address concern about timing of local property owner decisions and implementation of the LPA.
- Successful mitigation must be identified and implemented that address the strong concerns raised by North Milwaukie Industrial Area about the Crossover alignment.
- Form a Working Group with representatives of residential neighborhoods and the industrial area to be involved in the interim and final designs of the transit center

Objectives

Objectives of the Milwaukie Transit Center Working Group effort are as follows:

- Develop a mitigation plan for the Locally Preferred Alternative that minimizes impacts to access, circulation and parking within the North Milwaukie Industrial Area.

- Seek consensus within the Working Group for a mitigation plan that can become a recommendation for consideration by the Milwaukie Planning Commission and Milwaukie City Council.
- Ensure that the mitigation plan meets the functional requirements for transit-related facilities in Milwaukie and allows for phased implementation.

Working Group Charge

The Working Group is charged with developing a recommendation or set of recommendations for resolution of design issues related to the transit center, future light rail alignment, and park and ride facilities proposed in the Locally Preferred Alternative in Milwaukie. The group is to be comprised of North Milwaukie Industrial area stakeholders and Milwaukie neighborhood representatives. They will package their proposal for consideration by the Milwaukie Planning Commission, the Milwaukie City Council and the South Corridor Project team and Policy Group. The Working Group is being asked to accomplish their work by mid November of 2003 in order to further progress toward implementation of a new Milwaukie Transit Center at the earliest possible time.

Support Staff

Staff and consultants from TriMet, the City of Milwaukie, ODOT and Metro will provide technical support to the Working Group. John Gessner will be the lead person from the City of Milwaukie. Michelle Gregory will have overall responsibility for the organization and flow of the Working Group. Michael Fisher of TriMet will assume overall project management responsibility. Other key staff participants will include Dave Unsworth of Metro, Bill Adams of ODOT, and Randy McCourt of DKS (traffic consultants).

Schedule Summary

The overall schedule objective is to firm up a draft recommendation from the Working Group before Thanksgiving. The schedule for review and approval by the Milwaukie Planning Commission, Milwaukie City Council, TriMet and Metro will be determined.

Milestone	Week of:
Launch project	August 4
Working Group Meeting #1	September 1
Working Group Meeting #2	September 15
Working Group Meeting #3	September 29
Interim Assessment	September 29
Working Group Meeting #4	October 13
Community Open House	October 27
Final Working Group Meeting #5	November 8



Park & Recreation Board

PARB

Tuesday, June 24, 2003

7:00 PM to 9:00 PM

Conference Room – City Hall

MINUTES

Attendees: Mart Hughes, Kathy Buss, Kate McCready, Ray Harris, Rob Gabrish

Staff: JoAnn Herrigel

Absent: Joan Young, Sherri Dow

Meeting called to order by Chair Hughes at 7:00 PM

Herrigel played a tape of the Inside Clackamas County featuring Milwaukie.

Open Period: No audience

Minutes:

Minutes of the May meeting were approved as written.

District Meeting:

Herrigel shared the details of a meeting with Charlie Ciecko, Don Trotter, Bill Kennemer, James Bernard that she'd attended regarding the future of the Park District. After some discussion, the group requested that Herrigel draft a letter for Council to sign stating the following:

- PARB and Council request a 6-month extension of the Charlie's contract to ensure consistency of management at the District.
- The City would like to keep an active role in District management and operation through Mart's participation AND through Council's attention to the District.
- PARB and Council encourage the establishment of a task force or committee that would review the operation of Aquatics Center and discuss options for its future and further encourage the hiring of a technical consultant to assist with this review

Herrigel noted that the mayor had mentioned at the above meeting that there were several neighborhood people who have expressed interest in "taking over" maintenance of the parks in their neighborhoods. Herrigel proposed that the City wait until the District had established a volunteer coordinator (expected soon) and then ask all the NDAs in Milwaukie what they were willing and able to take on regarding maintenance and operation of the City's parks. All agreed that this was a good approach.

Other

Herrigel said she had asked Metro to do presentation at the next PARB meeting on the Trolley Tail. She said she would get PARB members advanced copies to review before the meeting.

Hughes asked Herrigel to look further into the Trail along Johnson Creek that was proposed by the NILUS study.

Buss suggested that a flier be developed regarding naming of the Riverfront. She also suggested that the park naming effort be emphasized on the City's web site and on the Government Channel.

Herrigel reported that she'd done a presentation in Salem the previous week regarding a grant she'd applied for for Lewelling Community Park for \$176,000. Hughes asked if a block grant might be pursued for the half street improvements for Lewelling Community Park. Herrigel said she'd look into it.

Buss noted that September 11 and 12 was the date for Ardenwald NDA's Historic Homes Walk.

Buss motioned to adjourn, McCready seconded. Motion carried 5-0.

CIRCULATION STATISTICS

Fiscal Year 2002-2003

2002-2003
Fiscal Year

354
Days open

	% change from prv. yr		% change from prv. yr		% change from prv. yr		% change from prv. yr
12,720	-17%	314,247	15%	191,016	23%	505,263	18%
Telecirc Renewal (Included in Adult and Juvenile Totals)		Adult Materials		Juvenile Materials		Grand Total	

Library Revenues	Current year	% change from prv. yr	New Library Users Added	Current year	% change from prv. yr
Fines & Fees:	\$36,239.55	22%	Milw.residents	1,593	18%
Copy Machine:	\$2,506.73	33%	Unincorp. residents.	591	40%
Total:	\$38,746.28	23%	Mult Co. residents.	507	57%

Reference Questions	Current year	% change from prv. yr	Volunteers	Current year	change from prv. yr
Research	14,421		4% Number	58*	78%
Directional	15,985		4% Hours worked	4,524	83%

*Average per month

Interlibrary Loan

Loaned:	Current year	% change from prv. yr	Borrowed:	Current year	% change from prv. yr
In state	330	40%	In state	229	-9%
Network	92,486	49%	Network	61,938	29%
Out of state	454	114%	Out of state	219	50%
			OSL	0	----
Total	93,270	49%	Total	57,176	18%

Items circulated to:	Current year	% change from prv. yr	Adult Programs	Current year
Milwaukie residents	195,120		16% Number	31
Unincorp. res.	198,622		26% # of people attend.	1,923
Mult. Co. res	65,574		7%	

Collection	FY totals	% change	% adult circ	# in ad. coll (Circulating)	% adult coll	Circ per item
Nonfiction	54,677	13%	17%	23,608	35%	2.32
Fiction	25,593	16%	8%	9,209	14%	2.78
Mystery	7,165	-12%	2%	3,832	6%	1.87
Sci. Fic	2,467	13%	1%	1,106	2%	2.23
Young Ad	5,399	59%	2%	1,152	2%	4.69
Paperback	17,479	-11%	6%	5,377	8%	3.25
Magazines	9,710	-3%	3%	6,010	9%	1.62
Videos	85,976	13%	27%	3,870	6%	22.22
Vert. File	70	-48%	.02%	209	.31%	.33
Large Print	2,740	1%	1%	1,230	2%	2.23
New Fiction	15,318	7%	5%	877	1%	17.47
New Nonfic.	4,124	-6%	1%	647	1%	6.37
Westerns	529	6%	.17%	489	1%	1.08
Spanish	1,021	First year	.32%	242	.36%	4.22
Short stor.	307	-11%	.1%	218	.32%	1.41
Talk. Bks.	14,036	7%	4%	1,979	3%	7.09
Talk Bk CD	287	395%	.09%	20	.03%	14.35
Comp Dis	39,399	18%	13%	5,112	8%	7.71
Equipment	29	164%	.01%	28	.04%	1.04
Biography	1,823	-1%	.58%	1,885	3%	.97
CDROM/Soft	1,497	129%	.48%	96	.14%	15.59
DVDs	19,320	457%	6%	484	.72%	39.92

Column 1 lists the collections in the Adult Library.

Column 2 lists the circulation totals by collection for FY 2002-2003.

Column 3 lists the percentage increase or decrease in circulation for each collection.

Column 4 lists the percentage of the total adult circulation accounted for by each collection.

Column 5 lists the number of items in each of the adult collections.

Column 6 lists the percentage of the items in the Adult Library accounted for by each collection.

Column 7 lists the average number of times that items in each collection circulated during FY 2002-2003.

For questions regarding the content of this email, please reply to the contact person listed.

Please use oninotification@ci.portland.or.us
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NEWS RELEASE
For Immediate Release
July 17, 2003

Contact:
Brent Canode, Commissioner Randy Leonard's Office, 503-823-4686

Leonard Announces Increased Services in Neighborhood Bureau
--Name change for Bureau also proposed

PORTLAND-To provide better services at the neighborhood level, the City has moved the noise control office and the neighborhood inspection staff into the Office of Neighborhood Involvement (ONI) at City Hall beginning July 1, 2003.

This consolidation of neighborhood involvement services, neighborhood inspections, and noise control into one bureau is part of Leonard's vision to provide better services to neighborhoods. "The move brings many of the direct services of interest to neighbors together under one bureau," says Commissioner Randy Leonard who spearheaded the proposal. "It will make it easier for neighbors to work together at the local level with their neighborhood associations, neighborhood offices, and city staff to get enforcement action on noise, substandard housing, and other eyesores in their neighborhoods."

Leonard is also proposing to change the name of the bureau to "Neighborhood Services Bureau" to better reflect the importance of providing direct neighborhood services. "I want our citizens to know exactly where to call when they are looking for services and support for their neighborhood issues," comments Leonard.

Neighborhood Inspections and Noise Control had been part of the city's Bureau of Development Services (BDS) at the 1900 Building at 1900 SW 4th Avenue until Leonard suggested the move last Spring.

"This change brings many positive things to ONI," said ONI Director Dr. David Lane. "I am excited about the range of tools that we'll be able to provide to our neighbors. We'll be working to implement Commissioner Leonard's vision of out-placing services and staff, wherever possible, into the neighborhoods to increase our capacity to solve problems that most affect our neighborhoods."

It's the biggest change in ONI since its inception as a bureau in 1974, said Lane as he welcomed 22 staffers into ONI, some of whom will be moving to City Hall. No new funds were allocated for the transition and no new administrative costs are planned. "I have been extremely impressed with the neighborhood inspectors and noise control staff's dedication to

neighborhoods and their enthusiasm for providing fair and competent services," said Lane.

More than just a physical move of staff, the new setup will streamline services under one administrative umbrella. ONI already provides an array of services to neighborhood such as supporting the internationally recognized neighborhood system, crime prevention, graffiti abatement, and information and referral.

The Neighborhood Inspection Center administers Title 29 of the Portland Code. It consists of two main parts: nuisance regulations and property maintenance standards. The standards have to do with minimum housing standards, abandoned vehicles, trash and garbage in yards, tall grass and weeds, illegal dumping, fences, pools and sidewalk obstructions. The Noise Control Ordinance, administered by Noise Control Officer Paul Van Orden, regulates loud music, stationary mechanical equipment, construction activities, power tools, noise variances, and other activities.

ONI E-Notification

oninotification@ci.portland.or.us <<mailto:oninotification@ci.portland.or.us>>

Office of Neighborhood Involvement

David Lane, Ph.D., Director

Randy Leonard, Commissioner