Special & Study Sessions

SPS & SS

Milwaukie City Council

MILWAUKIE CITY COUNCIL
SPECIAL & STUDY SESSIONS

City Hall Conference Room
10722 SE Main Street
www.milwaukieoregon.gov

REVISED AGENDA
OCTOBER 29, 2015
(1st Revision – October 28, 2015)

A light dinner will be served.

Page #

Special Session (added to the Agenda October 28, 2015)

1.	**6:00 p.m.**	**Approve the 2015-2018 Collective Bargaining Agreement between the City and the American Federation of State, County, and Municipal Employees (AFSCME) Local 350-5 – Resolution** Staff: Gary Rebello, Human Resources Director	**1**
2.	**6:15 p.m.**	**Adjourn Special Session**	

Study Session

1.	**6:15 p.m.**	**Reroofing the Old Fire Station Building** Staff: Gary Parkin, Public Works Director	**1**
2.	**6:30 p.m.**	**Downtown Code Enforcement** Staff: Denny Egner, Planning Director	**4**
3.	**7:30 p.m.**	**Wildlife Management at Riverfront Park** Staff: Mitch Nieman, Assistant to the City Manager (Attachment 5 added to the Packet October 28, 2015)	**7**
4.	**8:00 p.m.**	**Holiday Lighting Plan** Staff: Mitch Nieman, Assistant to the City Manager	**52**
5.	**8:30 p.m.**	**No Smoking at Parks and City-Owned Property** Staff: Mitch Nieman, Assistant to the City Manager	**54**
6.	**9:00 p.m.**	**2016 Sunday Parkways** (added to the Agenda October 28, 2015) Staff: Mitch Nieman, Assistant to the City Manager	**62**
7.	**9:30 p.m.**	**Adjourn Study Session**	

Meeting Information

The time listed for each item is approximate; the actual time each item is considered may change due to the length of time devoted to previous items. The Council may vote in Work Session on non-legislative issues.

Public Notice

Executive Sessions: The Milwaukie City Council may meet in Executive Session immediately following adjournment pursuant to ORS 192.660(2). All Executive Session discussions are confidential and those present may disclose nothing; representatives of the news media may attend as provided by ORS 192.660(3) but must not disclose any information discussed. Executive Sessions may not be held for the purpose of taking final actions or making final decisions and they are closed to the public.

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

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Special Session SPS

Milwaukie City Council

MILWAUKIE CITY COUNCIL
AGENDA ITEM SUMMARY

Agenda Item: **SPS 1.**
Meeting Date: **Oct. 29, 2015**

Title: **Approval of the successor collective bargaining agreement with AFSCME Local 350-5**

Prepared By: Gary Rebello, Human Resources Director

City Manager Approval: Bill Monahan

Approval Date: October 28, 2015

ISSUES BEFORE COUNCIL

To pass a motion authorizing the Mayor, City Manager and Human Resource Director to enter into an agreement with AFSCME Local 350-5 for a three year collective bargaining agreement.

STAFF RECOMMENDATION

Staff recommends approval of the motion.

KEY FACTS & INFORMATION SUMMARY

The collective bargaining agreement with AFSCME Local 350-5 expired June, 30, 2015. A new three year agreement has been ratified by the Union membership and tentatively agreed to by the City's bargaining team.

OTHER ALTERNATIVES CONSIDERED

None.

CITY COUNCIL GOALS

FISCAL NOTES

The collective bargaining agreement is over budget by about an average of $100,000 per each year of the three year agreement.

ATTACHMENTS

1. AFSCME Local 350-5 tentative agreement summary
2. Resolution

AFSCME Local 350-5
Summary of Tentative Agreement – 10/23/2015

Article 1 – Recognition	Extend notification period for new classifications (10 to 14 days)
Article 2 – Management Rights	Current Contract Language (including Contracting Out)
Article 3 – Employee Rights	Minor language clean-up – Job Postings
Article 4 – Union Rights	Add maintenance of membership Allow up to 30 minutes for union member orientation of new hires
Article 5 – Non-Discrimination	Current Contract Language
Article 6 – Hours of Work	Add Public Works 9/80 alternate schedule (was annual MOU) Extend notice periods for temporary schedule changes (3 to 5 days) and regular schedule changes (3 to 10 days) Add EOC staff as essential personnel
Article 7 – Wages	7/1/2015 2.5% Cost of Living Adjustment (COLA) 7/1/2016 2.5% COLA 7/1/2017 2.5% COLA Market adjustments effective 7/1/2015 of: 2.5% for Utility Worker I, Sign Maintenance Technician and Landscape Maintenance Worker; 2.5 % for Mechanic; 5.0% for Permit Technician
Article 8 – Additional Comp	Add 5% premium for Direct Responsible Charge (DRC) effective 7/1/2015
Article 9- Overtime/CTO	Language clarification regarding electronic remote response
Article 10 – Seniority	Current Contract Language
Article 11 – Vacations and Holidays	Include Library vacation scheduling (was Appendix C) Holidays as a standalone article Christmas Eve - Add four (4) hours holiday pay for the second half of the day when Christmas falls on a Tuesday through Friday
Article 12 – Leaves	Language clarification
Article 13 – Benefits	Maintain 85/15 split on health premiums Re-opener on Article 13.A.1.a(1) Health Insurance if excise tax triggered Retirement as a standalone article Increase boot reimbursement from $240 to $300 every two years Add reimbursement of up to $150 for prescription safety glasses every year

Article 14 – Layoff	Language clarification regarding bumping eligibility and training
Article 15 – Discipline & Discharge	Current Contract Language
Article 16 – Grievance and Arbitration	Current Contract Language
Article 17 – Effect of Personnel Rules	Language clarification
Article 18 – Savings/Waiver of Bargaining	Current Contract Language
Article 10 – Funding	Current Contract Language
Article 20 – Term	Three years

CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A resolution of the City Council of the City of Milwaukie, Oregon, authorizing the Mayor, City Manager, and Human Resources Director to enter into an agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 350-5 for a three-year collective bargaining agreement.

WHEREAS, the City is honorably served by the men and women represented by AFSCME Local 350-5; and

WHEREAS, the current contract between the City and AFSCME Local 350-5 expired June 30, 2015; and

WHEREAS, the City and representatives of AFSCME Local 350-5, in consultation with the City Council, have negotiated a new three-year contract.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the Mayor, City Manager, and Human Resources Director are authorized to enter into an agreement with AFSCME Local 350-5 for a three-year collective bargaining agreement.

Introduced and adopted by the City Council on **October 29, 2015**.

This resolution is effective on **October 29, 2015**.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

Study Session

SS

Milwaukie City Council

MILWAUKIE CITY COUNCIL
AGENDA ITEM SUMMARY

Agenda Item: **SS 1.**
Meeting Date: **Oct. 29, 2015**

Title: **Reroofing the Old Fire Station Building**

Prepared By: Gary Parkin/Willie Miller
Department Approval: Public Works, Gary Parkin

City Manager Approval: Bill Monahan
Approval Date: 10-20-15

ISSUES BEFORE COUNCIL
Should the roof on the old Fire Station located at 40th and Harvey Ave be repaired, reroofed or left alone.

STAFF RECOMMENDATION
Staff recommends repairing the roof, funding the $9,100 repair from the Facilities budget with remaining contingency funds in the "Facility Repairs" line item.

KEY FACTS & INFORMATION SUMMARY
The old Fire Station was constructed in approximately 1950. The building has not been used as a Fire Station since the Public Safety Building was constructed in 1992. The last fulltime use of the building ended in 2010 when the North Clackamas Parks District left the building that had been provided by the City and rented new facilities outside of Milwaukie. Since then the building has been used and is currently used, as a work shop by Facilities and houses three pallets of boxed Building Department records. The area being used is in the large garage (fire bay) area and the small garage or shop area behind the large garage.

The building has about 600 sf of unused office space; a large, functioning restroom, a kitchen, and 300 sf of living area besides many small closet/utility rooms. The wood framed building is generally in good shape but is in need of a new roof. Some minor water damage has occurred because of roof leakage.

The old Fire Station building has potential for re-use as a site that is centrally located (although far from existing City campuses) with area that could support office, storage and additional shop use.

There are storage needs in the City. Each of the three campuses recently mentioned needs including City Hall (fire bay), Police (PSAC foundation) and archive records from Johnson Creek Blvd (JCB). Facility offices could be relocated here freeing up office space at the JCB campus for the Public Works Supervisors.

Maintenance of the structure (aside from the roof) is minimal and anticipated maintenance costs for the next 10 years (exterior painting, door/window hardware upkeep) would be about $10,000 or $1,000 per year. Average monthly utility costs for the lightly used building are: PGE at $50,

NWN at $15, City utilities average $140 (with storm charges at $100) so the total utility costs average $205 per month or $2,460 per year. The cost for the building to remain in its current use is about $3,460/year in a ten year timeframe.

The value of the building will be established based on its current use and availability. Assuming the building is only used for storage, the storage is worth about $5.00 per sf per year which is about $11,500 per year for the 2,300 sf of covered, free area within the building. Although the building is not completely used, the continued use of the 1000 sf garage/fire bay area for shop work area is more valuable than storage as is the use of 300 sf of living area for office space. The net cost benefit for retaining the building is roughly $11,500 (value) less $3,460 (maintenance) or $8,000 per year over the next 10 years.

Based on an average cost to demolish of $10 per sf for a 3,000 sf building, demolition of the building would cost $30,000.

A complete report addressing the entire 40th Ave at Harvey St site will be presented as part of the Facility Division update at the December Study Session on December 17, 2015.

OTHER ALTERNATIVES CONSIDERED

1. Leave the building mostly unused until such time as it can be remodeled for a particular use or demolished.

    This alternative is not favored by staff as the damage from the leaky roof will render the building useless within a 2-3 year timeframe. Leaving the roof as it is even over this winter may lead to structural damage.

    The building is useful now as it provides covered work space that can be driven into and storage for Building Department records, space that is not available on the main City campuses.

2. Demolish the building to provide park or other use area.

    Demolition is estimated to cost $30,000. The building is thought to be useful enough by staff to make this alternative unpopular. In addition, the cost to demolish would be difficult to cover in the current budget. Also, should a building need come up in the future, the cost to replace the current structure with a similarly sized building is estimated in the $500,000 to $750,000 range.

3. Replace or repair the roof of the old Fire Station building.

    The building is an asset that the City can use now and should retain for the future. The replacement cost is estimated at $70,000 (for a 20 year roof) making it difficult to accommodate in the current budget. Repairing the roof with a coating over its entire surface will water proof the structure and is expected to be good for 3 to 4 years at a cost of $9,100.

    Staff recommends repairing the roof of the old Fire Station building this Fall. Plans would be developed to relocate the two facility workers to the old Fire Station building for use as their primary office space as funds are available. This puts them in a more central location and frees up needed office space at the PW offices. The back area (old sleeping quarters/office space) would be available for storage needs.

CITY COUNCIL GOALS
Sustainability: preserve existing assets when possible to avoid duplicating resource use.

FISCAL NOTES
Maintenance cost for the current Facility budget will fund the recommended roof repair ($9,100) without impacting current projects or any foreseen work. Should another large need arise before the end of the current biennial budget (6-30-16), a supplemental budget may be needed.

ATTACHMENTS
None

MILWAUKIE CITY COUNCIL
STAFF REPORT

SS 2.
Oct. 29, 2015

To: Mayor and City Council

Through: Bill Monahan, City Manager
Alma Flores, Community Development Director

Subject: **Downtown Code Enforcement**

From: Denny Egner, Planning Director

Date: October 20, 2015, for the October 29 Study Session

ACTION REQUESTED
Direction regarding enforcement of downtown codes.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS
None.

BACKGROUND
The downtown area is subject to various code requirements that are set forth in the zoning ordinance (Title 19 of the Milwaukie Municipal Code) as well as other sections of the Municipal Code. The requirements within the zoning ordinance address land use and related design issues and are subject to the procedures and enforcement provisions of the zoning ordinance. The other Municipal Code sections govern a variety of issues including among others, noise, nuisances, traffic, streets, and sidewalks.

Recently, City representatives have received complaints related to two code sections – one in the zoning ordinance and one in the miscellaneous regulations section of the Municipal Code. Each are addressed briefly below.

Ground-Floor Window Coverings – Since the adoption of the downtown code in 2001, the business along Main St in the Downtown Storefront Zone have been subject to a requirement that no more than 50% of ground-floor storefront windows can be covered by interior furnishings, including but not limited to curtains, shades, signs, or shelves. With the new downtown code amendments, this same requirement will apply throughout the downtown rather than on a portion of Main Street. Code language for the Downtown Storefront DS zone is included in Attachment 1.

The purpose of the window coverage standard is to ensure that the downtown develops in a pedestrian friendly manner with a lively, active streetscape. Storefront windows create visual interest and allow window shopping and the ability for pedestrians to observe activity inside of the stores, shops, and offices. When businesses owners choose to close blinds or cover windows with signs or simply black-out windows, the pedestrian environment suffers.

Enforcement of the window covering regulation is complicated because there are many examples where windows were covered before the ground-floor window covering requirement went into effect. Many of the Dark Horse buildings have window coverings that pre-date the

code and they are not considered to be in violation of the code because of the pre-existing (or nonconforming) situation.

Recently, staff received a complaint about window coverings on an established business downtown which opened after adoption of the window covering requirement. The coverings have been in place for a number of years and no enforcement actions have been taken to date. The existing remedy for the business owner is to seek a variance to the requirement provided that variance criteria can be met.

Roller-skate, Skateboard, and In-Line Skate Regulations - MMC 10.44.070 sets forth regulations preventing any person from riding roller-skates, a skateboard, or in-line skates within any commercial or industrial zone. Recently, a parent complained that a ticket for skateboarding in the downtown is overly restrictive. The Police Department has no record of tickets being issued for skating for many years. The code language is included in Attachment 1.

DISCUSSION

Staff is seeking general direction from Council about enforcement related to these two issues. Answers to the following questions are sought:

1. Does the Council want staff to pursue enforcement of downtown regulations related to the covering and blockage of ground-floor storefront windows? If so, should we first conduct an outreach campaign to make business owners aware of the regulations and let them know that we are about to begin enforcement? In addition, should the City consider developing an amortization schedule and program to require non-conforming businesses to come into compliance?
2. Does the Council wish to revise the regulations for roller-skating, skateboarding, and in-line skating? If so, what are the conditions under which these activities are appropriate in commercial and industrial zones?
3. Are there other issues or code violations that need to be addressed downtown?

CONCURRENCE

The Police Department concurs with this report.

FISCAL IMPACTS

There are no significant fiscal impacts associated with these issues.

WORK LOAD IMPACTS

Enforcement of the window covering violations in the downtown will take away from time available for enforcement of other Municipal Code sections. Development of an amortization program and a tracking system would require a significant effort. There is minimal impact on workload related to changes to the skating section of the code.

ALTERNATIVES

Staff is seeking general direction. No alternative approaches have been explored.

ATTACHMENTS

1. Code Language – MMC 10.44.070 and MMC 19.304.8.d

Code Language Excerpts – MMC 10.44.070 and MMC 19.304.8.d

MMC 19.304.8.d Ground-Floor Windows/Doors

Ground-floor windows for buildings on the block faces identified on Figure 19.304-5 shall allow views into storefronts, working areas, or lobbies. No more than 50% of the window area may be covered by interior furnishings including but not limited to curtains, shades, signs, or shelves. Signs are limited to a maximum coverage of 20% of the window area.

Note: Figure 19.304-5 depicts Main Street frontages from Scott Street to Lake Road.

MMC 10.44.070 Rollerskate, Skateboards, and Inline Skate Regulations

No person shall ride rollerskates, skateboards, or inline skates within any commercial or industrial zones, as shown on the map attached to the ordinance codified in this section. Use of the above devices in any commercial or industrial zones, except where authorized, is prohibited. Use of the above devices is allowed in residential zones, except where prohibited. (Ord. 1846 § 1, 1998: Ord. 1360 § 8(8), 1977)

MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item: **SS 3.**
Meeting Date: **Oct. 29, 2015**

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Wildlife Management at Riverfront Park**

From: Mitch Nieman, Asst. to City Manager

Date: 10/21/2015

ACTION REQUESTED

Review and provide comment on proposals received for Canada goose management at Riverfront Park.

HISTORY OF PRIOR ACTIONS AND DISCUSSION

City Council and Riverfront Task Force (RTF) held a wildlife management visioning session on June 15, 2015, to discuss how to disperse and stabilize Canada goose population at Riverfront Park to maintain park grounds free of excessive goose droppings.

Milwaukie Parks and Recreation Board (PARB) Members, North Clackamas Parks and Recreation (NCPRD) Staff, United States Department of Agriculture (USDA) Wildlife Services Staff, Portland Audubon Society, and members of the public, shared ideas, provided insight and answered questions about goose management strategies.

Based on feedback and discussions at the meeting, City Council and RTF agreed to pursue two strategies. The first strategy involved dog herding, ancillary hazing techniques, and turf spray. The second strategy involved modifying park habitat and landscape. Council directed PARB to work on the first strategy and RTF to work on the second strategy.

After the meeting, staff received a proposal from Geese Guys, Inc for goose management services at Riverfront Park to facilitate the first strategy. Also, Councilwoman Power forwarded staff an e-mail solicitation from a Seattle-based service provider that specialized in goose management services (attached). Further, USDA offered to give the City surplus inventory of Flight Control Plus turf spray, but has since retracted its offer due to product unavailability. Finally, RTF and PARB agreed to work together to implement interim landscape improvements to facilitate the second strategy.

RTF and PARB have reviewed Geese Guy's proposal and recommended that the City contract with them for services. Both groups have not provided a recommendation on Pest Solution's proposal because it was received by staff fewer than two days prior to the drafting of this report. Therefore, staff has circulated Pest Solution's proposal to both groups and is anticipating a review and recommendation to share with Council on October 29, 2015. Finally, staff reached out to the service provider who initially reached out to Councilwoman Power, but he was unable to provide a bid due to the location of his business.

BACKGROUND

The City approached NCPRD to determine what resources they could contribute to either strategy. NCPRDs contribution is summarized in the attached correspondence. In short, they're able to assist with interim landscape improvements to facilitate the second strategy and placement of signage and enhanced concrete path cleaning to facilitate the first strategy.

FISCAL IMPACTS

There are no funds budgeted for either strategy. Therefore, if Council wants to fully pursue the first strategy and partially pursue interim steps to facilitate the second strategy, then both strategies (costs) can be funded out of the City Manager's Budget initially, but may eventually require a supplemental budget, which staff may bring to Council for review and consideration in early 2016.

Additionally, both strategies require staff and citizen volunteer time to administer and each require capital investments. Therefore, for both strategies to be effective, then each should be aligned with relative expenditures identified in the upcoming Biennium Budget that are necessary for goal achievement.

ATTACHMENTS

1. NCPRD Correspondence
2. Geese Guys Proposal
3. Pest Solutions Proposal (and MSDS Info)
4. E-mail solicitation from Geese Adversary Control

Nieman, Mitchell

From: Kok, Jeroen <JKok@co.clackamas.or.us>
Sent: Thursday, August 13, 2015 2:43 PM
To: Nieman, Mitchell
Cc: Barth, Gary; Monahan, Bill
Subject: Riverfront Park - Goose Management

Follow Up Flag: FollowUp
Flag Status: Flagged

Hi Mitch,

With our current budget situation, I would offer the following in the way of the District's contribution to the initial plan to manage geese at Riverfront Park. We realize that the plan will be a bit fluid and will need to be adjusted as we gain experience and determine what is effective and what is not.

Also, at the District level, and working with the PARB and City Council, we will be undertaking efforts to further assess our park and natural areas maintenance programs to see if there are additional efficiencies to be gained, possible reallocation of resources, and feasible ways in which we can effectively utilize volunteers to undertake work that our staff would normally do.

No Feeding Program: Signage already developed and installed. Do Not Feed fliers can be produced and distributed by NCPRD. **NCPRD contributed (100%): $950, $50 annual ongoing**

Pavement Cleaning: **NCPRD contribution (100%): $17,000 in staff time and equipment annual ongoing (may be reduced depending on effectiveness of other methods to reduce goose waste production)**

Seasonal Hazing: **NCPRD contribution (0% of $15,000 annual estimate): $0.** City assumes 100% of this cost (which may be significantly less depending on bids and actual amount of hazing required)

Egg Depredation: **NCPRD contribution (0% of $500 annual estimate): $0.** City assumes 100% of this cost (which may be significantly less depending on seasonal nest establishment)

Vegetation Barrier: **NCPRD contribution (50% of $4,700 one time cost, and annual maintenance): $5,200.** City assumes 50% of the one-time cost of plant materials, installation to be completed by volunteer labor.

Turf Chemical Treatment: **NCPRD contribution (one time only trial): $1,600 in staff time and equipment.** If successful, city would pay for future chemical purchases and contracted application)

Permanent Landscape Modifications: **NCPRD contribution limited to staff time in reviewing draft landscape modification plans.** City to hire qualified professional landscape architect to design, and bear the cost of implementation first two years of maintenance.

Please let me know if you or Bill have questions. We would be happy to discuss at our next meeting.

Thank you,
Jeroen

Jeroen Kok | Strategic Planning, Development & Resource Manager

North Clackamas Parks and Recreation District
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ncprd.com | **Join us on Facebook!**

**In keeping with Clackamas County's sustainability goals, the NCPRD Administrative offices are open Monday through Thursday 7am-6pm*

NCPRD

Attachment 2

CANADA GOOSE MANAGEMENT PLAN

MILWAUKIE RIVERFRONT PARK
JUNE 2015

GEESE GUYS
Portland, Oregon

SS11

EXECUTIVE SUMMARY

Geese Guys, LLC is a Humane Wildlife Management Service that focuses on decreasing conflicts between Canada geese and human populations by creating and implementing site-specific, adaptive, and integrated wildlife management plans that decrease the aesthetic concerns associated with the presence of abundant Canada goose populations.

Our methods are science-based, humane, non-lethal, and encourage biodiversity and ecosystem resilience. We are the Pacific Northwest's premiere Humane Canada Goose Management Company and are locally owned and operated right here in Portland, Oregon.

Our Goose Managers have 30+ years of combined experience humanely monitoring and managing wildlife populations, maintaining excellent client relations and account management, and educating the public on wildlife and habitat conservation concerns.

The following document outlines our recomendations to manage the resident Canada goose population in Riverfront Park in downtown Milwauikie, Oregon, including: Management Goals and Objectives, Proposed Methods of Management, Management Plan Duration, and Year One Management Plan Costs.

PLAN GOALS

The overall goals of the Geese Guys' Canada Goose Management Plan in Milwaukie's Riverfront Park are as follows:

1. MANAGE THE CANADA GOOSE POPULATION IN THE PARK HUMANELY.
2. DECREASE THE AESTHETIC CONCERNS ASSOCIATED WITH CANADA GEESE IN RIVERFRONT PARK.
3. EDUCATE PARK VISTORS ABOUT URBAN WILDLIFE AND HOW THEY CAN HELP CREATE HEALTHIER WILDLIFE AND HUMAN COMMUNITIES.
4. ENCOURAGE BIODIVERSITY AND ECOSYSTEM RESILLIENCE IN THIS URBAN PARK.
5. SUPPORT EFFORTS TO IMPROVE ACCESS TO THE WILLAMETTE RIVER AND ENCOURAGE VISITORS TO RECREATE IN AND CULTIVATE AN APPRECIATION FOR NATURE IN PORTLAND.

PLAN OBJECTIVES

The plan objectives are as follows:

DISPERSE AND STABALIZE THE CANADA GOOSE POPULATION IN THE PARK.

CREATE AND MAINTAIN PARK GROUNDS FREE OF EXCESSIVE GOOSE DROPPINGS.

SUPPORT LONG TERM EFFORTS TO CREATE URBAN WILDLIFE HABITAT IN THE PARK.

SERVE AS EXPERTS IN THE FIELDS OF CANADA GOOSE ECOLOGY AND HUMANE WILDLIFE CONFLICT MITIGATION AND SHARE OUR KNOWLEDGE AND PASSION WITH THE COMMUNITY.

PROPOSED METHODS OF MANAGEMENT

An effective Canada Goose Management Plan (CGMP) must be site-specific, adaptive, and utilize diverse management methods to achieve maximum success. The following section describes the methods we recommend for a CGMP in Milwaukie's Riverfront Park.

GOOSE DOG HERDING PROGRAM

Highly trained border collies are the backbone of all of the CGMPs we create. Our dogs are trained to humanely stalk and herd Canada geese off the property in a controlled manner. These dogs have been bred for generations to stare at livestock to move them without physically coming in contact with the animals. This intense gaze translates to the geese as a predation attempt, and quickly tells the geese that there is a "predator" on site. But, fear not, the dogs never harm the birds in any way. This method is humane and highly effective, as the geese will never acclimate to the presence and unnerving stare of our dogs. The best part is, our dogs are well socialized to busy environments and people, and are excellent ambassadors of both their breed and modern humane wildlife management methods.

Our dogs are effective either on or off leash, at the discretion of representatives from the City of Milwukie. Hazing must be adaptive to be effective, therefore we vary our visitation times and frequency in response to goose activity.

AUXILLARY HAZING TECHNIQUES

Canada geese are extremely fearful of novel situations and are hesitant to return to areas where they have experienced diverse hazing techniques. We take advantage of this quality by utilizing new and varied methods of disturbing them when they are in no tolerance zones. At times, our Goose Managers and Dogs may pursue the geese in the water or air. We commonly utilize remote controlled boats and drones, as well as long distance green lasers and kayaks to encourage the geese to disperse out of the area. All of our methods are humane and are supported by the People for the Ethical Treatment of Animals (PETA) and the Humane Society of the United States (HSUS). For this project, auxillary hazing techniques will be administered thoughout Milwaukie's Riverfront Park.

EGG DEPREDATION

Addressing Oregon's growing resident Canada goose population is an important part of our efforts to decrease conflict between humans and geese. During breeding season, we work with the US Fish and Wildlife Service (USFWS) to obtain permits that allow us to apply humane egg depredation methods. These efforts discourage the hatch out of goslings and exponential population growth on our clients' properties. This supports our efforts in three ways: 1) it stabilizes the local population of Canada geese, 2) it decreases the likelihood that geese will behave aggressively towards park visitors during breeding season, and 3) it decreases the likelihood that birds will molt on the property and utilize it during flightless periods. All of our activities are documented, transparent, and reported annually to USFWS. We follow protocols laid out by the HSUS, including determineing the age of eggs prior to oiling, to ensure humane standards. In this way, we are contributing to efforts to stabilize the region's resident Canada goose population humanely.

FLIGHT CONTROL® PLUS

Canada geese molt and regrow their flight feathers anually. This 8-10 week process begins around the time when goslings hatch. During molt, adult geese and goslings are flightless. To mitigate conflict when goose movement is limited, we use and recommend FlightControl® PLUS. The active ingredient in FlightControl® PLUS is anthraquinone, a naturally ocurring organic compound found in a variety of plants. After eating grass treated with FlightControl® PLUS, geese experience a mild, harmless digestive irritation and quickly learn to avoid treated areas. FlightControl® PLUS absorbs UV light, providing a visual cue to the geese which allows them to recognize treated grass. FlightControl® PLUS is colorless, odorless, typically last between 3-5 mowings, and is waterproof. It is completely safe, and will not harm people, pets, wildlife, or vegetation.

HUMANE WILDLIFE EDUCATION

Our intention is always to prevent conflict between human populations and Canada geese. As such, we serve as experts in the field of Canada goose ecology and Humane Wildlife Conflict Mitigation. We strive to continually educate the public about how their actions affect Canada geese and other Oregon wildlife species.

Our Goose Managers are trained to educate the public in a manner that serves to connect people with wildlife populations and further support us in our efforts to bring balance to local habitats, and support healthier wildlife populations and human communities.
As a part of our management efforts in Milwaukie's Riverfront Park, we will provide educational opportunities to park visitors during site visits and project-related public events.

EDUCATIONAL PARK SIGNAGE

One of the best ways that park visitors can support our program is by doing their part to keep wildlife wild. This requires that visitors have a basic understanding of two important pieces: 1) the Why, Who and What of our humane wildlife management efforts, and 2) that feeding waterfowl is unhealthy for the birds. To help spread the word, educational park signage can provide people with concise information that will help them to understand what our Goose Managers and Dogs are doing in the park and also that feeding wildlife is inhumane and unsafe for all involved. To support this, we can provide content and design elements for signage displayed in Milwaukie's Riverfront Park. These signs can help us gain public support for our efforts and encourage park visitors to recognize the impact their actions have on wildlife.

HABITAT AND LANDSCAPE MODIFICATION

Let's face it; Canada geese and humans both enjoy large expanses of turf with a clear view of the Willamette River. One of the best ways to discourage geese from frequenting an area is to modify the landscape in such a way that they no longer want to make use of it. Habitat modification and landscape plans should reduce the food supply available to geese, reduce their sense of security in the area, reduce the ability of geese to easily move from the water to the land, and reduce nesting opportunities.

An ideal design of Milwaukie's Riverfront Park would decrease the extent of fine-blade turf grass in the park by introducing plants that geese don't like to eat, such as: taller fescue type grasses, wildflowers, and shrubs. These plants, if strategically established, could serve to break up the landscap, decrease visibility and flight lines, and make accessing the water more challenging for the geese.

The introduction of these new plants would create viable habitat in the park for more diverse wildlife species and new wildlife viewing opportunities for park visitors. In collaboration with the City of Milwaukie and the North Clackamas Parks and Recreation, we would like to be involved in discussions centered on landscape modification to support the process of creating a beautiful park where both people and wildlife can enjoy the area with minimal conflict.

PLAN DURATION

This document outlines the methods and costs associated with the first year of Canada goose management in Milwaukie's Riverfront Park. Year One is characterized by extremely frequent and persistent management efforts that create as quick an impact as possible. While a significant decrease in goose activity occurs in the first year, one year is not long enough to create long-term change. Creating a long-term impact on local Canada goose populations takes time and patience. Canada geese are extremely loyal to the location where they were born, learned to fly, feed, and have successfully reproduced. The longer individuals have been successful in the park and immediate vacinity, the longer it takes to break them of their allegiance to the site. It is unrealistic to think that geese will ever completely leave the area, but the population can be managed to the extent that their presence no longer creates great conflict for park visitors. A site-specific, adaptive, and integrated CGMP, when coupled with long term habitat modification and native plant establishment, can be expected to create long-term change in the park's resident Canada goose population within 3-5 years depending on goose history and surrounding development.

Thank you for the opportunity to work with the City of Milwaukie! We are very excited to be involved with the process of transforming Riverfront Park, while managing urban wildlife populations humanely. We are so excited to embark upon this journey with you. Please don't hesitate to contact Kristen M. Grompone, President of Geese Guys, LLC, with questions at kristen@geeseguys.com or at 184-GOTGEESE Ext 701. We are always happy to share our knowledge and passion for Urban Wildlife Ecology, Management, and Conflict Mitigation.

PLAN COSTS

Goose Management Weekly Rate: includes Hazing with Professional Goose Management Dogs and Auxillary methods, as well as Egg Depredation Services and Data Collection and Analysis from August 2015- June 2016.

$350 per week x 48 weeks = $16,800 for the first year for Implementation of a Location Specific, Adaptive and Integrated Canada Goose Management Plan.

Flight Control Plus Application:

$550 per acre of turf sprayed: One application lasts 3-5 mowings or 6-8 weeks. It is anticipated that only one application will be required to mitigate conflict during the summer molt.

Education and Outreach Services:

We believe education to be the most vital part of mitigating wildlife conflict, as these efforts serve to prevent conflict and encourage tolerance of and appreciation for Portland's urban wildlife populations. We provide Education and Outreach opportunities free of charge. We provide Goose Dog Meet and Greets, public talks, event tabling, and one-on-one engagements with the public while on the grounds actively managing Canada geese.

PROVEN RESULTS

PATTY FENDALL

PROPERTY MANAGER
PAC TRUST

"We love to watch your border collies work! They are so well trained, effective, and entertaining! We are so thankful to have you around.

MARY LARSON

DIR OF OPERATIONS
PARKROSE SCHOOL DIST

"I highly recommend Geese Guys for the service they perform. It was the only solution that met our goals of protecting our children and our financial investment while moving the geese off of our property humanely.

MARTY FORSMAN

HOA PRESIDENT
TIDEWATER COVE CONDOS

"Since using the services of the Geese Guys our property has never looked better. Before using these wonderfully trained animals, residents could not walk outside due to the large amount of goose droppings. Today residents are enjoying the out of doors with their families again.

DECREASED PREVALENCE OF GOOSE DROPPINGS ON GROUNDS AND IN WATER SOURCES.

DECREASED COSTS ASSOCIATED WITH GROUNDS MAINTENANCE AND LANDSCAPING.

DECREASED OVERGRAZING OF LANDSCAPING.

IMPROVED WATER QUALITY.

DECREASED SLIP AND FALL HAZARDS.

DECREASED NOISE COMPLAINTS ASSOCIATED WITH CANADA GOOSE HONKING AND CACKLING.

DECREASED RISKS OF GOOSE AGGRESSION TO HUMAN VISITORS DURING BREEDING SEASON.

INCREASED BIODIVERSITY OF NATIVE BIRDS, WATERFOWL, AND MAMMALS.

INCREASED SENSE OF SATISFACTION IN KNOWING THAT YOU ARE DOING YOUR PART TO HUMANELY CREATE HEALTHIER WILDLIFE POPULATIONS AND ECOSYSTEMS.

CANADA GOOSE 101

ONE ADULT CANADA GOOSE CONSUMES *3-4LBS OF GRASS* AND CREATES *2-3LBS OF DROPPINGS* PER DAY!

CANADA GEESE CAN LIVE *25+ YEARS*.

A FEMALE CANADA GOOSE CAN SUCCESSFULLY HATCH UP TO *12 EGGS* PER BREEDING SEASON.

ONE FEMALE GOOSE CAN PRODUCE MORE THAN *50 GOSLINGS* IN HER LIFETIME.

CANADA GEESE ARE DIVIDED INTO 2 SEPARATE POPULATION TYPES: RESIDENT NON-MIGRATORY GROUPS AND MIGRATORY GROUPS.

6 DISTINCTLY DIFFERENT SUBSPECIES OF CANADA GEESE CAN BE OBSERVED IN THE PACIFIC NORTHWEST: 2 OF WHICH ARE LISTED AS A SPECIES OF CONCERN.

OREGON AND WASHINGTON ARE LOCATED WITHIN THE PACIFIC FLYWAY FOR MIGRATORY BIRDS.

IN 2013, THE PACIFIC FLYWAY POPULATION OF CANADA GEESE REACHED *220,000* INDIVIDUALS.

THE PACIFIC FLYWAY POPULATION OF CANADA GEESE HAS INCREASED AT A RATE OF *9% EACH YEAR* AND IS PREDICTED TO CONTINUE TO RISE.

CANADA GEESE ARE EXTREMELY ADAPTIVE AND EASILY ACCLIMATE TO MAN MADE HABITATS AND URBAN AREAS.

Geese Guys LLC

Kristen M. Grompone

President, Wildlife Biologist

184-GOTGEESE Ext 701

Kristen@geeseguys.com

WWW.GEESEGUYS.COM

SS21

Pest solutions

Green As Can Be

Telephone: 503-895-2510
4800 SW Griffith Dr. #250
Beaverton, OR 97005
info@pestsolutionsllc.com

Pest Solutions is pleased to submit this proposal for services to support the City of Milwaukie in significantly reducing the current goose issue at the Milwaukie Riverfront Park. Our reducing the goose population will significantly reduce the amount of geese droppings which will enhance visitors overall experience, reduce potential health issues, and reduce overall cleaning costs.

The Objective

Our objective is to safely and effectively mitigate the amount and frequency of geese presence at the park so that people are able to enjoy the park's facilities and aesthetic benefits without an abundance of geese droppings on the grasses and sidewalks. To accomplish this objective we have found that a comprehensive approach to goose management starts with having a multitude of tools as each situation is different than the next. The combination of tools below, used independently and in conjunction with each other, will allow us to properly manage the goose activity at Milwaukie Riverfront Park by creating an uncomfortable environment for them via these different tactics:

- Turf Spray- This is a product that is applied to active goose feeding areas that creates an unfavorable taste and smell due to the pungent properties of the active ingredients listed in detail below.
- Laser Pointers- This is an effective non-invasive tactic that utilizes a green laser pointer shined at the ground near the geese which makes them feel uncomfortable and encourages them to leave.
- Hand-held thermal fogger- This is an innovative product that utilizes heat to vaporize a non-toxic repellent into a mist that will cover a large area. This vapor fog irritates the mucous membranes of the lungs of avian species creating an uncomfortable feeling causing them to leave the area. Additionally, humans in the area will not be adversely affected and may only experience a faint smell of grape juice in the air.
- Dogs-This is a very effective hazing tactic as it triggers the bird's natural fear of predators. The birds in turn will then begin to associate the area as being dangerous and avoid these areas.
- Mechanical hazing-This hazing tactic utilizes a small RC motorized vehicle operated by our wildlife expert to create the illusion of a pursuing predator. Similarly to dogs, the birds will also avoid the areas of treatment due to the danger association.
- Away with Geese Land Unit-This product is placed in the ground and it features a 360-degree solar-powered light that flashes every two seconds, every night, year-round. This light is scarcely noticeable by humans but is very disruptive to the sleep of geese creating an unsecure feeling.
- Away with Geese Water Unit-This product is the same light apparatus as the land unit but it sits atop a float that would be anchored in the bay surrounding the park. Since geese will roost on

the water at night, creating the uncomfortable feeling in their sleeping areas by having these lights blink will be very beneficial to ridding them of the area.

- Goose Egg Addling-This treatment will be utilized in the spring when there are active nesting sites. Our wildlife expert will work closely with the Oregon Department of Fish and Wildlife and the United States Fish and Wildlife Service, to follow proper protocol to treat eggs in the nest to prevent them from hatching. The process entails locating a nest with eggs and applying a thin layer of corn oil, which prevents gas exchange, and are then returned to the nest.

Longer term solutions entail modifying the landscape.

Duration

We anticipate needing active treatments twice daily for 30 days, morning and evening, tapering off to once daily for the remainder of the cycle (cycle is typically October 1st through May 30th). We feel that a 7-month cycle will allow us to showcase our effectiveness, provide your city with terrific results, and allow your park to be ready for use during the busy summer months. We will perform the above for $15,200.00 with $3800.00 due upon the start of our treatments and the remaining balance will be paid in 6-increments of $1900.00 per month.

We look forward to working with you on this challenging, yet exciting project. We believe strongly that we will do a terrific job and provide you and your community exemplary geese protection.

AVIAN ENTERPRISES, LLC

Safety Data Sheet
Avian Control® Bird Repellent

SECTION 1: Identification

1.1 Product identifier

Product name	Avian Control® Bird Repellent
Product number	EPA Reg. 88889-1

1.3 Recommended use of the chemical and restrictions on use

Liquid Bird Repellent

1.4 Supplier's details

Name	Avian Enterprises LLC
Address	221 Ocean Grande Blvd Ste 801 Jupiter, FL 33477 US
Telephone	888-707-4355
email	sales@aviancontrol.com

1.5 Emergency phone number(s)

888-707-4355

SECTION 2: Hazard identification

2.1 Classification of the substance or mixture

GHS classification in accordance with OSHA (29 CFR 1910.1200)

Not a hazardous substance or mixture.

2.2 GHS label elements, including precautionary statements

Not a hazardous substance or mixture.

2.3 Other hazards which do not result in classification

Not a hazardous substance or mixture.

Statement regarding ingredients of unknown toxicity (OSHA)
Methyl anthranilate 20%, Inert ingrdients 80%

SECTION 3: Composition/information on ingredients

3.2 Mixtures

Hazardous components

1. METHYL ANTHRANILATE

Concentration	20 - 20 % (Weight)
Other names / synonyms	2-(METHOXYCARBONYL)ANILINE; 2-AMINOBENZOIC ACID METHYL ESTER; 2-CARBOMETHOXYANILINE; ANTHRANILIC ACID, METHYL ESTER; METHY ORTHO-AMINOBENZOATE; METHYL 2-AMINOBENZOATE; METHYL ANTHRANILATE; METHYL O-AMINOBENZOATE; METHYLANTHRANILATE; NEROLI OIL, ARTIFICIAL; O-AMINOBENZOIC ACID METHYL ESTER; O-CARBOMETHOXYANILINE
CAS no.	134-20-3

- Methyl anthranilate is classified as a Generally REcognized as Safe (GRAS) coompound under 21 CFR 182-60

2. Trade secret

Concentration	73 - 80 % (Weight)
Other names / synonyms	Trade secret

- Non-hazardous

3. Trade secret

Concentration	0 - 7 % (Weight)
Other names / synonyms	Trade secret

- Non-hazardous

SECTION 4: First-aid measures

4.1 Description of necessary first-aid measures

General advice	Caution. Keep out of reach of children. Caution. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum using tobacco or using the toilet. To be used on Agricultural Commodities (Pome Fruit, Stone Fruit and Small Fruit, Cereal Grains) and Non-Agricultural Sites including Turf, Hydroseeding, Non-fish bearing bodies of water, Buildings and Structures
In case of skin contact	Take off contaminated clothing. Rinse skin immediately with plenty of wate for 15 to 20 minutes. Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact the

	National Poison Control Center at 800-900-4044 for emergency treatment information
In case of eye contact	Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact the National Poison Control Center at 800-900-4044 for emergency treatment information

SECTION 5: Fire-fighting measures

5.1 Suitable extinguishing media
Non-flammable

5.2 Specific hazards arising from the chemical
None

5.3 Special protective actions for fire-fighters
Self-contained breathing apparatus and full bunker gear.

Further information
Use appropriate means to extinguish surrounding fire. Water may be used to cool containers. Dike and collect runnoff to prevent entry to drains or water bodies

SECTION 6: Accidental release measures

6.1 Personal precautions, protective equipment and emergency procedures
Prevent further leakage or spillage if safe to do so. Do not let product enter drains.

6.2 Environmental precautions
For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Pesticide is slightly toxic to fish and aquatic inverterbrates.

6.3 Methods and materials for containment and cleaning up
Prevent further leakage or spillage if safe to do so. Do not let product enter drains. Discharge into the environment must be avoided. Soak up with inert absorbent material and dispose of as hazardous waste. Keep in suitable, closed containers for disposal.

SECTION 7: Handling and storage

7.2 Conditions for safe storage, including any incompatibilities
Store only in original container, in a dry place, inaccessible to children, pets and domestic animals. Store apart form pesticides, fertilizers, food or feed that may cause cross-contamination from odor. Keep container closed when not in use.

SECTION 8: Exposure controls/personal protection

8.1 Control parameters

1. METHYL ANTHRANILATE (CAS: 134-20-3)

8.2 Appropriate engineering controls
None

8.3 Individual protection measures, such as personal protective equipment (PPE)

Skin protection
Applicators and other handlers must wear: Long-sleeved shirt and long pants, waterproof gloves, shoes plus socks. In California, pesticide handlers (mixers, loaders, applicators) must also wear coveralls over normal work clothes and must not prepare spray solutions using more than 50 gallons of Avian Control per day. Harvesters must wear gloves and long sleeved shirts.

SECTION 9: Physical and chemical properties

Information on basic physical and chemical properties

Appearance/form	Amber liquid
Odor	Grape or mint
Odor threshold	No data available.
pH	6.5 to 7.5
Melting point/freezing point	Will not freeze
Initial boiling point and boiling range	over 212F
Flash point	> 248F
Evaporation rate	No data available.
Flammability (solid, gas)	N/A
Upper/lower flammability limits	Non-flammable
Upper/lower explosive limits	N/A
Vapor pressure	N/A
Vapor density	N/A
Relative density	1.062 at 21C
Solubility(ies)	Alcohol, solvents, vegtable oils
Partition coefficient: n-octanol/water	No data available.
Auto-ignition temperature	N/A
Decomposition temperature	> 212F
Viscosity	No data available.
Explosive properties	N/A
Oxidizing properties	N/A

SECTION 10: Stability and reactivity

10.1 Reactivity
None

10.2 Chemical stability
Stable

10.3 Possibility of hazardous reactions
None

10.4 Conditions to avoid
Extreme temperature and humidity

10.5 Incompatible materials
Oxidizing agents

10.6 Hazardous decomposition products
None

SECTION 11: Toxicological information

Information on toxicological effects

Acute toxicity
Method: P320.UPD
Species: Rat
Routes of exposure: Oral
Effective dose: 5,000 mg/kg
Exposure time: 14 days
Results: No toxicity observed

Skin corrosion/irritation
Method: P326
Species: Rabbit
Routes of exposure: Dermal
Effective dose: Direct application
Exposure time: 4 hours
Results: Slight irritation

Serious eye damage/irritation
Method: P324
Species: Rabbit
Routes of exposure: Ocular
Effective dose: 0.1 ml.
Exposure time: One hour
Results: Moderately irritating

Respiratory or skin sensitization
ModeratMethod: P328
Species: Guinea Pig
Routes of exposure: Dermal
Effective dose: Diredct application
Exposure time: 21 days
Results: Not a contact sensitizer

Germ cell mutagenicity
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: Not listed

Carcinogenicity
Method:
Species:

Routes of exposure:
Effective dose:
Exposure time:
Results: Not listed

Reproductive toxicity
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: No evidence of mutagenic effects in in vivo and in vitro assays

Summary of evaluation of the CMR properties
None

STOT-single exposure
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

STOT-repeated exposure
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

Aspiration hazard
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

SECTION 12: Ecological information

Toxicity
For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Pesticide is slightly toxic to fish and aquatic inverterbrates.

Persistence and degradability
Readily biodegradable

Bioaccumulative potential
None

Mobility in soil
None

Results of PBT and vPvB assessment
N/A

SECTION 13: Disposal considerations

Disposal of the product
Product or rinse water that cannot be used according to label instructions must be disposed of accodring to Federal or State procedures. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Disposal of contaminated packaging
Nonrefillable container(five gallons or less): Nonrefillable container. Do not reuse or refill this conatiner. Offer for recycling, if available. Clean container promptly after empting. Triple rinse as follows: Empty the remaining contents into aplication equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into aplication equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after flow begins to drip. Repeat this procedure two more times.
Nonrefillable Container (greater than five gallons): Nonrefillable container. Do Not reuse or refill this container. Offer for recycling, if avilable. Clean container promptly after emptying. Triple rinse aas follows: empty the remaining contents into application equipment of a mix tank. Fill container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment

SECTION 14: Transport information

DOT (US)
Not dangerous goods

IMDG
Not dangerous goods

IATA
Not dangerous goods

SECTION 15: Regulatory information

15.1 Safety, health and environmental regulations specific for the product in question

California Prop. 65 Components
This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

SARA 302 Components
No chemicals in this material are subject to the reporting requirements of SARA Title III, Section 302.

SARA 311/312 Hazards
N/A

SARA 313 Components
This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

15.2 Chemical Safety Assessment
No Chemical Safety Assessment has been carried out.

SECTION 16: Other information

Effective Date 4/3/2015

16.1 Further information/disclaimer
The statements on this SDS are believed to be true and accurate, but because conditions are beyond our control, Avian Enterprises LLC, does not make, nor does it authorize any agent or representative to make any oral or written warrenty, guarantee or representation, expressed or implied, concerning this material or the use thereof beyond the statements on the label. Avian Enterprises LLC and the seller disclaim liability for, and expect the buyer to assume all risk for any claim or personal injury or property damage or loss resulting from handling, storage or use of this material not in accordance with the written directions. No other warranty exists.

16.2 Preparation information
Generated by
Avian Enterprises LLC

AVIAN ENTERPRISES, LLC

Safety Data Sheet
Avian Control® Bird Repellent

SECTION 1: Identification

1.1 Product identifier

Product name	Avian Control® Bird Repellent
Product number	EPA Reg. 88889-1

1.3 Recommended use of the chemical and restrictions on use

Liquid Bird Repellent

1.4 Supplier's details

Name	Avian Enterprises LLC
Address	221 Ocean Grande Blvd Ste 801 Jupiter, FL 33477 US
Telephone	888-707-4355
email	sales@aviancontrol.com

1.5 Emergency phone number(s)

888-707-4355

SECTION 2: Hazard identification

2.1 Classification of the substance or mixture

GHS classification in accordance with OSHA (29 CFR 1910.1200)

Not a hazardous substance or mixture.

2.2 GHS label elements, including precautionary statements

Not a hazardous substance or mixture.

2.3 Other hazards which do not result in classification

Not a hazardous substance or mixture.

Statement regarding ingredients of unknown toxicity (OSHA)
Methyl anthranilate 20%, Inert ingrdients 80%

SECTION 3: Composition/information on ingredients

3.2 Mixtures

Hazardous components

1. METHYL ANTHRANILATE

Concentration	20 - 20 % (Weight)
Other names / synonyms	2-(METHOXYCARBONYL)ANILINE; 2-AMINOBENZOIC ACID METHYL ESTER; 2-CARBOMETHOXYANILINE; ANTHRANILIC ACID, METHYL ESTER; METHY ORTHO-AMINOBENZOATE; METHYL 2-AMINOBENZOATE; METHYL ANTHRANILATE; METHYL O-AMINOBENZOATE; METHYLANTHRANILATE; NEROLI OIL, ARTIFICIAL; O-AMINOBENZOIC ACID METHYL ESTER; O-CARBOMETHOXYANILINE
CAS no.	134-20-3

- Methyl anthranilate is classified as a Generally REcognized as Safe (GRAS) coompound under 21 CFR 182-60

2. Trade secret

Concentration	73 - 80 % (Weight)
Other names / synonyms	Trade secret

- Non-hazardous

3. Trade secret

Concentration	0 - 7 % (Weight)
Other names / synonyms	Trade secret

- Non-hazardous

SECTION 4: First-aid measures

4.1 Description of necessary first-aid measures

General advice	Caution. Keep out of reach of children. Caution. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum using tobacco or using the toilet. To be used on Agricultural Commodities (Pome Fruit, Stone Fruit and Small Fruit, Cereal Grains) and Non-Agricultural Sites including Turf, Hydroseeding, Non-fish bearing bodies of water, Buildings and Structures
In case of skin contact	Take off contaminated clothing. Rinse skin immediately with plenty of wate for 15 to 20 minutes. Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact the

	National Poison Control Center at 800-900-4044 for emergency treatment information
In case of eye contact	Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact the National Poison Control Center at 800-900-4044 for emergency treatment information

SECTION 5: Fire-fighting measures

5.1 Suitable extinguishing media
Non-flammable

5.2 Specific hazards arising from the chemical
None

5.3 Special protective actions for fire-fighters
Self-contained breathing apparatus and full bunker gear.

Further information
Use appropriate means to extinguish surrounding fire. Water may be used to cool containers. Dike and collect runnoff to prevent entry to drains or water bodies

SECTION 6: Accidental release measures

6.1 Personal precautions, protective equipment and emergency procedures
Prevent further leakage or spillage if safe to do so. Do not let product enter drains.

6.2 Environmental precautions
For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Pesticide is slightly toxic to fish and aquatic inverterbrates.

6.3 Methods and materials for containment and cleaning up
Prevent further leakage or spillage if safe to do so. Do not let product enter drains. Discharge into the environment must be avoided. Soak up with inert absorbent material and dispose of as hazardous waste. Keep in suitable, closed containers for disposal.

SECTION 7: Handling and storage

7.2 Conditions for safe storage, including any incompatibilities
Store only in original container, in a dry place, inaccessible to children, pets and domestic animals. Store apart form pesticides, fertilizers, food or feed that may cause cross-contamination from odor. Keep container closed when not in use.

SECTION 8: Exposure controls/personal protection

8.1 Control parameters

1. METHYL ANTHRANILATE (CAS: 134-20-3)

8.2 Appropriate engineering controls
None

8.3 Individual protection measures, such as personal protective equipment (PPE)

Skin protection
Applicators and other handlers must wear: Long-sleeved shirt and long pants, waterproof gloves, shoes plus socks. In California, pesticide handlers (mixers, loaders, applicators) must also wear coveralls over normal work clothes and must not prepare spray solutions using more than 50 gallons of Avian Control per day. Harvesters must wear gloves and long sleeved shirts.

SECTION 9: Physical and chemical properties

Information on basic physical and chemical properties

Appearance/form	Amber liquid
Odor	Grape or mint
Odor threshold	No data available.
pH	6.5 to 7.5
Melting point/freezing point	Will not freeze
Initial boiling point and boiling range	over 212F
Flash point	> 248F
Evaporation rate	No data available.
Flammability (solid, gas)	N/A
Upper/lower flammability limits	Non-flammable
Upper/lower explosive limits	N/A
Vapor pressure	N/A
Vapor density	N/A
Relative density	1.062 at 21C
Solubility(ies)	Alcohol, solvents, vegtable oils
Partition coefficient: n-octanol/water	No data available.
Auto-ignition temperature	N/A
Decomposition temperature	> 212F
Viscosity	No data available.
Explosive properties	N/A
Oxidizing properties	N/A

SECTION 10: Stability and reactivity

10.1 Reactivity
None

10.2 Chemical stability
Stable

10.3 Possibility of hazardous reactions
None

10.4 Conditions to avoid
Extreme temperature and humidity

10.5 Incompatible materials
Oxidizing agents

10.6 Hazardous decomposition products
None

SECTION 11: Toxicological information

Information on toxicological effects

Acute toxicity
Method: P320.UPD
Species: Rat
Routes of exposure: Oral
Effective dose: 5,000 mg/kg
Exposure time: 14 days
Results: No toxicity observed

Skin corrosion/irritation
Method: P326
Species: Rabbit
Routes of exposure: Dermal
Effective dose: Direct application
Exposure time: 4 hours
Results: Slight irritation

Serious eye damage/irritation
Method: P324
Species: Rabbit
Routes of exposure: Ocular
Effective dose: 0.1 ml.
Exposure time: One hour
Results: Moderately irritating

Respiratory or skin sensitization
ModeratMethod: P328
Species: Guinea Pig
Routes of exposure: Dermal
Effective dose: Diredct application
Exposure time: 21 days
Results: Not a contact sensitizer

Germ cell mutagenicity
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: Not listed

Carcinogenicity
Method:
Species:

Routes of exposure:
Effective dose:
Exposure time:
Results: Not listed

Reproductive toxicity
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: No evidence of mutagenic effects in in vivo and in vitro assays

Summary of evaluation of the CMR properties
None

STOT-single exposure
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

STOT-repeated exposure
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

Aspiration hazard
Method:
Species:
Routes of exposure:
Effective dose:
Exposure time:
Results: None

SECTION 12: Ecological information

Toxicity
For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Pesticide is slightly toxic to fish and aquatic inverterbrates.

Persistence and degradability
Readily biodegradable

Bioaccumulative potential
None

Mobility in soil
None

Results of PBT and vPvB assessment
N/A

SECTION 13: Disposal considerations

Disposal of the product
Product or rinse water that cannot be used according to label instructions must be disposed of accodring to Federal or State procedures. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Disposal of contaminated packaging
Nonrefillable container(five gallons or less): Nonrefillable container. Do not reuse or refill this conatiner. Offer for recycling, if available. Clean container promptly after empting. Triple rinse as follows: Empty the remaining contents into aplication equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into aplication equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after flow begins to drip. Repeat this procedure two more times.
Nonrefillable Container (greater than five gallons): Nonrefillable container. Do Not reuse or refill this container. Offer for recycling, if avilable. Clean container promptly after emptying. Triple rinse aas follows: empty the remaining contents into application equipment of a mix tank. Fill container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment

SECTION 14: Transport information

DOT (US)
Not dangerous goods

IMDG
Not dangerous goods

IATA
Not dangerous goods

SECTION 15: Regulatory information

15.1 Safety, health and environmental regulations specific for the product in question

California Prop. 65 Components
This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

SARA 302 Components
No chemicals in this material are subject to the reporting requirements of SARA Title III, Section 302.

SARA 311/312 Hazards
N/A

SARA 313 Components
This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

15.2 Chemical Safety Assessment
No Chemical Safety Assessment has been carried out.

SECTION 16: Other information

Effective Date 4/3/2015

16.1 Further information/disclaimer
The statements on this SDS are believed to be true and accurate, but because conditions are beyond our control, Avian Enterprises LLC, does not make, nor does it authorize any agent or representative to make any oral or written warrenty, guarantee or representation, expressed or implied, concerning this material or the use thereof beyond the statements on the label. Avian Enterprises LLC and the seller disclaim liability for, and expect the buyer to assume all risk for any claim or personal injury or property damage or loss resulting from handling, storage or use of this material not in accordance with the written directions. No other warranty exists.

16.2 Preparation information
Generated by
Avian Enterprises LLC

SAFETY DATA SHEET

EMERGENCY CALL: 1-800-424-9300 (CHEMTREC)

1. IDENTIFICATION

PRODUCT NAME: Rejex-it® Migrate
DESCRIPTION: A bird repellant
EPA Reg. No.: 58035-9

COMPANY IDENTIFICATION:
Ceannard, Inc.
PO Box 2404
Gastonia, NC 28053

2. HAZARD IDENTIFICATION

WARNING
May be harmful in contact with skin

3. COMPOSITION / INFORMATION ON INGREDIENTS

Common Name	Chemical Name	CAS #	Composition
Methyl Anthranilate	Methyl 2-aminobenzoate	134-20-3	14.5%

4. FIRST AID MEASURES

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact CHEMTREC 24 hours a day at 1-800-424-9300 for emergency treatment information.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

5. FIREFIGHTING MEASURES

Flash Point (PMA-4): N/A

Flammable Limits (LFL-UFL): N/A

Fire and Explosion Hazards: When exposed to extreme heat, closed containers may explode due to pressure buildup.

Extinguishing Medium: Foam, dry chemical, CO_2, or water fog.

Fire Fighting Equipment: Self-contained breathing apparatus and full bunker gear.

Fire Fighting Instructions: Use means appropriate to extinguish surrounding fire. Water may be used to cool closed containers. Dike and collect any runoff to prevent entry to drains or water bodies.

Hazardous Combustion Products: Thermal decomposition may result in noxious fumes and gasses including oxides of carbon and nitrogen, acetic acid, and / or other toxic compounds.

NFPA Ratings: Health – 1 / Flammability – 1 / Reactivity - 0

6. ACCIDENTAL RELEASE MEASURES

Clean up spills immediately observing the precautions in Section 8 of this MSDS. Control spill at the source and dike spill to prevent material from entering soil, sewers, waterways or low areas. Allow spill to dry or cover entire spill with absorbing material and place into disposal containers. Once all material is cleaned up and placed in disposal containers, seal the containers and arrange for disposition.

7. HANDLING AND STORAGE

Handling: Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Storage: This product should be stored in its original container in a cool, dry locked place out of reach of children and out of direct sunlight. Do not use or store near heat or open flame.

8. EXPOSURE CONTROLS / PERSONAL PROTECTION

Engineering Controls: Not special requirements. Facilities storing or utilizing this material should be equipped with an eyewash station and a safety shower.

Protective Clothing: Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves and shoes plus socks. Follow manufacturer's instructions for cleaning/ maintaining PPE. Keep and wash PPE separately from other laundry.

General: Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing. Follow manufacturer's instruction for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical State: Gray to blue aqueous slurry
Odor: Slight grape odor
pH: 5.3 – 5.9
Density: 1.02 g/mL

10. STABILITY AND REACTIVITY

CONDITIONS TO AVOID: Extreme temperatures and high humidity.

CHEMICAL STABILITY: Stable under normal use and storage conditions.

INCOMPATIBILITY WITH OTHER MATERIALS: Oxidizing agents.

HAZARDOUS DECOMPOSITION PRODUCTS: Thermal decomposition may result in noxious fumes and gasses including oxides of carbon and nitrogen, acetic acid, and / or other toxic compounds.

HAZARDOUS POLYMERIZATION: Will not occur.

11. TOXICOLOGICAL INFORMATION

ORAL TOXICITY (rat LD_{50}): Data not available; ingestion of large quantities may be harmful

DERMAL TOXICITY (rat LD_{50}): Data not available; harmful if absorbed through skin

INHALATION TOXICITY (rat LC_{50}): Data not available; prolonged inhalation may lead to respiratory tract irritation.

EYE IRRITATION: Data not available; prolonged or repeated contact may result in eye irritation

SKIN IRRITATION: Data not available; prolonged or repeated contact may result in skin irritation

SKIN SENSITIZATION: Not a contact sensitizer.

CARCINOGENICITY:

EPA:	Not Listed		
ACGIH:	Not Listed	**NTP:**	Not Listed
IARC:	Not Listed	**OSHA:**	Not Listed

MUTAGENIC TOXICITY: No evidence of mutagenic effects during *in vivo* or *in vitro* studies.

REPRODUCTIVE TOXICITY: No evidence in animal studies.

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: May provoke asthmatic response in persons with asthma who are sensitive to airway irritants.

12. ECOLOGICAL INFORMATION

For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing or equipment washwaters or rinsate.

13. DISPOSAL CONSIDERATIONS

Do not contaminate water, food or feed by disposal.

PESTICIDE DISPOSAL: To avoid wastes, use all material in this container by application according to label directions. If waste cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Refer to product label for specific container disposal instructions.

14. TRANSPORT INFORMATION

US DOT:

Not regulated by DOT.

15. REGULATORY INFORMATION

FIFRA –

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. The following is the hazard information as required on the pesticide label:

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if absorbed through skin. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing or equipment washwaters or rinsate.

15. REGULATORY INFORMATION (CONT.)

All pesticides are governed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The regulatory information presented below is pertinent only when this product is handled outside of the normal use and application as a pesticide. This product is excluded from listing requirements under EPA/TSCA.

SARA Title III – Section 302 Extremely Hazardous Substances
Not listed

SARA Title III – Section 311/312 Hazard Categories
Immediate

SARA Title III – Section 312 Threshold Planning Quantity
N/A

SARA Title III – Section 313 Reportable Ingredients
None

CERCLA –
None

CALIFORNIA PROP 65 STATUS –
This product does not contain any chemical known to the state of California to cause cancer or reproductive toxicity.

CANADA –
This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the SDS contains all of the information required by CPR.

16. OTHER INFORMATION

DISCLAIMER:

The statements on this label are believed to be true and accurate, but because conditions are beyond our control, Ceannard, Inc. does not make, nor does it authorize any agent or representative to make any oral, or written warranty, guarantee, or representation, express or implied, concerning this material or the use thereof beyond the statements of the label. Ceannard, Inc. and the seller disclaim liability for, and expect the buyer to assume all risk for any claim or personnel injury or property damage or loss resulting from handling, storage, or use of this material not in accordance with the written directions. No other warranty exists.

SDS Version: 2.0 (Conversion from MSDS format) Effective Date: 06/18/2015

Avian Control®

Bird Repellent

To be used on Agricultural Commodities (Pome Fruit, Stone Fruit, Berry and Small Fruit, Cereal Grains) and Non-Agricultural Sites including Turf, Hydroseeding, Landfills, Non-fish bearing bodies of water, Buildings and Structures.

KEEP OUT OF REACH OF CHILDREN

CAUTION

ACTIVE INGREDIENT

Methyl Anthranilate (MA), methyl 2-aminobenzoate 20.0%

OTHER INGREDIENTS 80.0%

Total 100.0%

This product contains 1.65 pounds of Methyl Anthranilate per gallon of product.

EPA REG. No. 88889-1
EPA EST. No. 33162-MI-01

FIRST AID: IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. **IF ON SKIN OR CLOTHING:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Poison Control Center at 800-900-4044 for emergency medical treatment information.

See below and back/side panel for additional Precautionary Statements and Directions for Use including Storage and Disposal instructions.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. This pesticide is slightly toxic to fish and aquatic invertebrates.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

• Long-sleeved shirt and long pants • Waterproof gloves • Shoes plus socks

In California, pesticide handlers (mixers, loaders, applicators) must also wear coveralls over normal work clothes and must not prepare spray solutions using more than 50 gallons of ***Avian Control***® per day. Harvesters must wear gloves and long-sleeved shirts.

Persons occupying an enclosed cockpit may substitute work clothing (i.e., long sleeved shirt, long pants, shoes and socks) for label-specified personal protective equipment.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Remove clothing immediately if pesticide gets inside. If pesticide gets inside, then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Batch No.:

Manufactured for: Avian Enterprises, LLC
221 Ocean Grande Blvd. Suite 801 Jupiter, FL 33477

Net Contents:

☐ 1 Gallon ☐ 2.5 Gallons ☐ 5 Gallons ☐ 15 Gallons ☐ 30 Gallons ☐ 55 Gallons ☐ 275 Gallons

Avian Control® Bird Repellent

PEEL HERE

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.
Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard, 40 CFR Part 170. The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.
Keep unprotected persons out of treated areas until sprays have dried.

SPRAY APPLICATIONS

LANDFILLS, TURF (Golf courses, lawns, sport fields & parks), BUILDINGS & STRUCTURES, CROPS AND NON-FISH BEARING BODIES OF WATER

USE RESTRICTIONS: Use this product in areas to repel birds that congregate in large numbers, including these passerine birds: starlings (*Sturnus vulgaris*), gulls (subfamily *Larinae*), blackbirds including grackles (Family *Icteridae*), and rock dove and domestic pigeons (*Columba livia*), cliff swallow (*Hirundo fulva*), house (English) sparrow (*Passer domesticus*), house finch (*Corpodacus mexicanus*), American crow (*Corvus brachyrhynchos, Coruvs ossifragus*) as well as these wild migratory waterfowl: geese (*Anserinae*), mute swan (*Cugus olor*), and Coot (*Fulica Americana*). These listed birds are reservoirs or vectors for human disease causing agents, bacterial, parasitic, fungal, and ectoparasitic pathogens that can be transmitted to humans and may present a health risk to humans and domestic poultry.

Areas where the above types of wild birds or their drops and humans or domestic birds come in close contact pose a risk to human health and in these settings, birds are considered pests.

SPRAY APPLICATIONS *(Continued)* Use this product to repel birds from landfills; non-fish bearing bodies of water (tailing ponds, commercial or industrial water impoundments); and temporary pools of standing water located at or near airports. This product can also be used in non-crop areas that contain temporary surface water caused by the management activities, such as water collected in equipment ruts. ***Avian Control***® can also be applied near intermittently flooded low-lying areas, transitional areas between upland and lowland sites, marshes, swamps, bogs, and seasonally dry flood plains and/or deltas provided no water is present or water has receded where birds are a hazard or nuisance. This product can be applied to limit damage caused by birds to ripening crops. However, this product cannot be applied in these areas when non-target birds (i.e. those birds not listed above) or Threatened or Endangered Birds may be present. Do not apply directly to water, such as lakes, reservoirs, ponds, streams and canals; however, overspray to water bodies can be expected with proper use of this product.

SPRAY APPLICATION DIRECTIONS:

Non-fish bearing bodies of water (tailing ponds, commercial or industrial water impoundments, and decorative fountains):

Avian Control® is effective at a rate of 12 oz. to 42 oz. per acre (0.16 to 0.54 lbs a.i. per acre) of water surface at 3-4 week intervals but can be used at up to a maximum of 5 gallons per acre (8 lbs a.i. per acre). Adjust timing of subsequent applications as required by bird activity and anticipated seasonal migrations. Product is best applied with a surfactant approved for use in water applications to ensure water surface coverage. **California only –** Apply 1.4 to 2.75 parts of concentrate to 555 parts of water; 2.75 to 5.5 gallons concentrate per 1100 gallons of water (0.25% to 0.50%). Mix concentrate with water before adding to non-fish bearing bodies of water. Reapply at 3-4 week intervals if necessary to maintain repellency.

Landfills, Turf (Golf Courses, Lawns, Sport Fields & Parks):

Avian Control® is effective at a rate of 12 oz. to 42 oz. per acre (0.16 to 0.54 lb a.i. per acre) but can be used at up to a maximum of 5 gallons per acre (8 lbs a.i. per acre). Apply directly to the active site face as soon as the birds start to arrive. Repeat applications as long as birds persist. Make applications with conventional spray equipment, hydroseeders and other liquid application equipment. Product is best applied diluted while continuously agitated, or with a surfactant to ensure uniform coverage. **California only –** Apply to turf by ground or air at 7 to 14 day intervals, or after each mowing, using 1.39-2.78 gal product per acre (177-355 fl. oz.) (2.29 to 4.58 lb a.i.).

Buildings and Structures:

Apply this product to immediately repel birds from in or on structures including agricultural buildings. Product is best applied diluted while continuously agitated, or with a surfactant to ensure uniform coverage. Mix ***Avian Control***® with water at a ratio of 10-50% v/v with water. To make a 20% v/v mixture, mix 1 pint of product with 4 pints of water. To make a 50% v/v mixture, mix 1 pint of product with 1 pint of water.

New York only – Use this product only on landfills, non-fish bearing bodies of water and temporary pools of standing water on paved areas or construction sites at or near airports.

Crop Applications (Agricultural Uses – for list of crops in Crop Groups see table below. For application to berry and small fruit crops (Crop Group 13-07), pome fruit (Crop Group 11-10), stone fruit (Crop Group 12), cereal grains (Crop Group 13), soybeans, and sunflowers.

See Crop Group table on facing page for further information and for crops registered in the state of California.

Ground Applications:

This product must be applied using appropriate ground spray equipment. Withhold treatment until crop is susceptible to bird damage. Do not apply when crop is wet or rain is expected. Do not apply through any type of irrigation system. Product is best applied diluted while continuously agitated, or with a surfactant to ensure uniform coverage. For ground applications, dilute 12 oz. to 42 oz. ***Avian Control***® per acre (0.16-0.54 lb a.i./A) with water at a ratio of 1 part product to 10-20 parts water or in sufficient water for the application equipment to be used. Apply at rates between 25 to 100 gallons of spray mixture per acre depending on application equipment and vegetation density. Apply the spray mixture so that the crop receives thorough coverage. This product may be applied up to the day of harvest (Pre-Harvest Interval = 0 days). Repeat treatment at 6-8 day intervals if significant bird damage begins to occur. Do not apply more than 3.75 gallons per acre per application (6.2 lbs a.i. per acre). Refer to "**Application Methods and Rates in California Only**" for approved application method and rates in that state.

Air Applications (fixed wing and rotary aircraft):

Apply the spray mixture so that the crop receives thorough coverage. Product is best applied diluted while continuously agitated, or with a surfactant to ensure uniform coverage. Apply 12 oz. to 42 oz. ***Avian Control***® (0.16-0.54 lb a.i. per acre). Dilute with water and apply at rates between 2.5 to 10 gallons of spray mixture per acre. This product may be applied up to the day of harvest (Pre-Harvest Interval = 0 days). Repeat treatment at 6-8 day intervals if significant bird damage begins to occur. Refer to "Application Methods and Rates in California Only" for approved application method and rates in that state.

Applicat

Apples: 90 c

Apricots, Pe
per acre. Ap

Cherries: 9
per acre. Ap

Millet, Oats
per acre. Ap

Wild rice (m
application

Corn (sweet

Sunflowers:

Blueberries
Apply by air

Table Grape

New York:
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Application Methods and Rates in California Only:

Apples: 90 oz. product (1.15 lb a.i.) per acre. Apply by air or ground.

Apricots, Peaches, Plums: 1.88-3.75 gal. (241-480 fl. oz.) product (3.1-6.2 lb a.i.) per acre. Apply by ground only.

Cherries: 90 oz. to not more than 1.39 gal. (179 fl. oz.) product (1.15-2.29 lb a.i.) per acre. Apply by air or ground.

Millet, Oats, Sorghum: 1.88-3.75 gal. (241-480 fl. oz.) product (3.1-6.2 lb a.i.) per acre. Apply by air or ground.

Wild rice (mechanically harvested only): 22 oz. product (0.28 lb a.i.) per acre by air application only. Do not exceed 90 ounces product (1.15 lb a.i. per acre) per year.

Corn (sweet and popping): 90 oz. product (0.28 lb a.i.) per acre. Apply by air or ground.

Sunflowers: 90 oz. product (0.28 lb a.i.) per acre. Apply by air or ground.

Blueberries: 90 oz. to not more than 1.39 gal. product (1.15-2.29 lb a.i.) per acre. Apply by air or ground.

Table Grapes: 90 oz. product (1.15 lb a.i.) per acre. Apply by air or ground.

New York: This product is not to be used on grapes within Suffolk County. Do not apply this product by air.

Crop Group	Commodities in Crop Group Approved for ***Avian Control***®
Pome Fruit Crop Group 11-10	CA only: Apples. All other states: Apple, Azarole, Crabapple, Loquat, Mayhaw, Medlar, Pear, Pear (Asian), Quince, Quince (Chinese, Japanese), Tejocote, and cultivars, varieties and/or hybrids of these crops.
Stone Fruit Crop Group 12	CA only: Apricots, Cherries, Peaches, Plums All other states: Apricot, Cherry (sweet, tart), Nectarine, Peach, Plum, Plum (Chickasaw, Damson, Japanese), Plumcot, Prune (fresh).
Berry and Small Fruit Crop Group 13-07	CA only: Table Grapes, Blueberries (low bush and high bush). All other states: Grapes, Blueberries (low bush and high bush), Blackberry, Raspberry (red and black), Strawberry. For a complete listing of other crops in Crop Group 13-07, refer to 40 CFR180.41.
Cereal Grains Crop Group 15	California only: Corn (sweet and popping); Millet, Oats, Sorghum, Wild rice (mechanically harvested only) All other states: Barley, Buckwheat, Corn, Millet (pearl), Millet (proso), Oats, Popcorn, Rice, Rye, Sorghum (milo), Teosinte, Triticale, Wheat, Wild rice

FOGGING APPLICATIONS

New York: Fogging applications are prohibited in the State of New York.

USE RESTRICTIONS: Use this product in areas to repel birds that congregate in large numbers, including these passerine birds: starlings (*Sturnus vulgaris*), gulls (subfamily *Larinae*), blackbirds including grackles (Family *Icteridae*), and rock dove and domestic pigeons (*Columba livia*), cliff swallow (*Hirundo fulva*), house (English) sparrow (*Passer domesticus*), house finch (*Corpodacus mexicanus*), American crow (*Corvus brachyrhynchos, Coruvs ossifragus*) as well as these wild migratory waterfowl: geese (*Anserinae*), mute swan (*Cugus olor*), and Coot (*Fulica Americana*). These listed birds are reservoirs or vectors for human disease causing agents, bacterial, parasitic, fungal, and ectoparasitic pathogens that can be transmitted to humans and may present a health risk to humans and domestic poultry. This product can also be used in non-crop areas that contain temporary surface water caused by the management activities, such as water collected in equipment ruts. ***Avian Control***® can also be applied near intermittently flooded lowlying areas, transitional areas between upland and lowland sites, marshes, swamps, bogs, and seasonally dry flood plains and/or deltas provided no water is present or water has receded where birds are a hazard or nuisance. However, this product cannot be applied in these areas when non-target birds (i.e. those birds not listed above) or Threatened or Endangered Birds may be present. Do not apply directly to water, such as lakes, reservoirs, ponds, streams and canals; however, overspray to water bodies can be expected with proper use of this product.

Areas where the above types of wild birds or their drops and humans or domestic birds come in close contact pose a risk to human health and in these settings, birds are considered pests. For use on or near domestic structures or buildings.

Use ***Avian Control***® with thermal and mechanical foggers as well as specialized fogging and aerosol equipment as long as the product is applied at less than 30 microns. For best results, ensure the product comes in direct contact with target birds (see above) through direct fogging or proper air circulation via natural or artificial air movement.

Direct outlet or nozzle away from surfaces and greenery or hold the fog or aerosol generator at least 5 feet from any object, painted surface, and especially plants and shrubbery to avoid discoloration from direct contact with concentrated ***Avian Control***® or the heat when using thermal foggers. Do not smoke while applying this product.

INDOOR FOGGING APPLICATIONS:

Warehouses, hangers, garages, assembly plants, etc.

Apply ***Avian Control***® undiluted at a rate not to exceed two (2) ounces per 10,000 cubic feet of space to be treated. Point fog generator in the general direction of the nuisance birds, keeping the fog generator at least 5 feet away from any structure or object to allow for complete dissipation of the fog. A distance of at least 5 feet from any structure or object prevents any damage to desired materials. Expose as many birds as possible to the fog for fast and lasting results. Best product performance is achieved with a dry fog. Consult the fog generator owner's manual for proper settings to assure a dry fog. Both ULV and thermal foggers may be used to apply this product. Several treatments, 1 to 4 days apart may be required for removal of all nuisance birds.

For automated fogging applications, point the fogger in the direction of the birds or their expected approach. Set the fog generator for an appropriate duration as needed to repel target birds, such as 10 second to 5 minute fogging pulses during the time of expected bird activity.

OUTDOOR FOGGING APPLICATIONS:

General Application Directions:

Apply ***Avian Control***® undiluted at a rate of 12 to 16 ounces per acre (43,560 sq ft) of area to be treated. Point the fog generator in the general direction of the nuisance birds, keeping the fog generator at least 5 feet away from any structure or object to allow for complete dissipation of the fog. A distance of at least 5 feet from any structure or object prevents any damage to desired materials. Best product performance is achieved with a dry fog. Consult the fog generator owner's manual for proper settings to assure a dry fog. ULV, thermal, and other foggers and aerosol generating equipment with a minimum application size of less than 30 microns may be used to apply this product. Several treatments, 1 to 4 days apart may be required for removal of all nuisance birds.

For automated fogging applications, point the fogger in the direction of the birds or their expected approach. Set the fog generator for an appropriate duration as needed to repel target birds, such as 10 second to 5 minute fogging pulses during the time of expected bird activity.

Electrical Substations, Farmsteads, Agricultural Sites, Structures, Buildings, Airports, and other Open Areas

Apply ***Avian Control***® undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size within the aerosol size range (below 30 microns). Expose as many birds as possible to the fog for fast and lasting results. Apply ***Avian Control***® when birds have settled down or are roosting in the structure and/or wires of the substation. Withhold treatment until conditions favoring successful use arise (temperature, direction, and speed of wind) to be able to cover all the infested structure. For best results, make applications in the evening, when most of the birds have arrived, but before it gets too dark for the birds to leave once exposed to the fog.

Trees and Shrubs

Apply ***Avian Control***® undiluted using a thermal or mechanical fog generator that will deliver a dry fog with droplet size within the aerosol size range (below 30 microns) that will penetrate the foliage without wetting it. Expose as many birds as possible to the fog for fast and lasting results. Apply ***Avian Control***® when birds have settled down. Withhold treatment until conditions favoring successful use arise (temperature, direction, and speed of wind). For best results, make applications in the evening, when most of the birds have arrived, but before it gets too dark for the birds to leave once exposed to the fog. To prevent damage to foliage, do not allow ***Avian Control***® to accumulate to the point of runoff.

Turf (Golf courses, lawns, sports fields, parks, etc.):

Apply ***Avian Control***® undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size within the aerosol size range (below 30 microns) that will stay suspended and do not settle to the ground. Set fogger upwind so that the wind will carry the fog in the general direction of the birds. Apply at any time of the day when birds are present. To control Canada geese, apply at any time when they are feeding or roosting, except when they sit on a nest during breeding season.

Lakes and Ponds, Harbors and Boat Docks, Aquatic Production Sites (non-fish bearing sites such as hatchery buildings and around culture ponds)

Do not apply directly to water. However, it is expected that overspray may occur. Apply when wind and drift conditions are minimal. Apply ***Avian Control***® undiluted using a thermal fog generator that will deliver a dry fog with a droplet size below 30 microns that will stay suspended and does not settle on the water surface. Set fogger upwind so that the wind will carry the fog in the general direction of the birds. Apply as soon as birds arrive. For roosting birds, the product is best applied in the evening when most of the birds have arrived but before it gets too dark for the birds to leave.

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Crop Applications

(Agricultural Uses – for list of crops in Crop Groups see table above. For application to berry and small fruit (Crop Group 13-07), pome fruit (Crop Group 11-10), stone fruit (Crop Group 12), cereal grains (Crop Group 13), soybeans, and sunflowers.

Use this product to limit damage caused by birds on ripening crops. Withhold treatment until fruit is susceptible to bird damage. Apply ***Avian Control***® undiluted using a thermal or mechanical fog generator that will deliver a dry-fog with a droplet size within the aerosol size range (below 30 microns). Direct fog into crop area. Do not apply when crop is wet or if rain is expected. This product may be applied up to the day of harvest (Pre-Harvest Interval = 0 days). Repeat treatment if significant bird damage begins to occur.

Refer to the table above "Commodities in Crop Group Approved for ***Avian Control***®" for the crops approved for use of ***Avian Control***® in California.

STORAGE & DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE:

Store only in original container, in a dry place inaccessible to children, pets and domestic animals. Store apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor. Keep container closed when not in use.

PESTICIDE DISPOSAL:

Product or rinse water that cannot be used according to label instructions must be disposed of according to Federal or approved State procedures. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

Nonrefillable Container (five gallons or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Nonrefillable Container (greater than five gallons): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

WARRANTY:

NOTICE: The directions for use of this product are believed to be adequate and must be followed carefully. To the extent consistent with applicable law, Avian Enterprises, LLC, does not make, nor does it authorize any agent or representative to make any oral or written warranty, guarantee, or representation, express or implied, concerning this material or the use thereof beyond the statements of the label. To the extent consistent with applicable law, neither Avian Enterprises, LLC nor the seller shall be held responsible in any manner for any claim of personal injury or property damage or loss resulting from handling, storage, or use of this material not in accordance with the written directions. To the extent consistent with applicable law, the buyer assumes all risk and liability resulting from handling, storage, or use, or purchaser accepts and uses this material on these conditions. No other warranty exists.

Nieman, Mitchell

From: Power, Karin
Sent: Wednesday, June 24, 2015 8:41 AM
To: Nieman, Mitchell; Monahan, Bill
Subject: RE: Geese Guys: Riverfront Park Plan

Dion will be adding it to the July 14th KGNC agenda.

Bill, I had someone else email me interested in providing a bid for geese control at Riverfront. Geese Adversary Control provides the City of Tacoma with geese control. Owner Ken Harris wrote me: "My business specializes in the geese removal business, we have been in service since 2007, we currently service all of the parks for Tacoma Metro Parks and the city of Puyallup and local golf course's. Please feel free to visit our web site @ geese-adversary-control.com Our process usually takes 8-9 weeks. If we are able to help please feel free to contact me at (253) 261-6459."

While they're not local, should we try to obtain more than one bid for services?

Karin

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

From: Power, Karin
Sent: Tuesday, June 23, 2015 11:42 AM
To: Nieman, Mitchell; Monahan, Bill
Subject: RE: Geese Guys: Riverfront Park Plan

Mitch and Bill,

I'll send this along to Dion separately and see if it's something she thinks the GNC would be willing to pitch in for.

Karin

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

From: Nieman, Mitchell
Sent: Tuesday, June 23, 2015 11:37 AM
To: _City Council
Subject: FW: Geese Guys: Riverfront Park Plan

Council-

Following is an e-mail from Geese Guys with an attached proposal for geese mitigation at Riverfront Park.

PARB reviewed the proposal this morning and unanimously voted to recommend that City Council move forward with implementing all elements of the scope of work except for application of the Flight Control Plus Product. The group felt that they needed more time to research and analyze Flight Control Plus to get a better understanding of its carcinogenic and hazardous make-up. They agreed to prepare a final recommendation for your consideration of application next year. Additionally, nobody was able to recommend a similar product (including Geese Guys) that could be used in place

of Flight Control Plus. Further, nobody could identify any parks or golf courses in the region that use Flight Control Plus (including Geese Guys). I'm still waiting for USDA and Audubon's digest of the product…

Bill and I agreed that our next step is to discuss the proposal with NCPRD to find out if they're able to fund—or partially fund—the scope of work (excluding Flight Control Plus). Ideally we'd like some cost sharing on this because it wasn't budgeted.

Plan to see this as a follow-up or action item on July 7. Meanwhile, because this discussion involves a proposal for services, please reply separately to me if you have any specific questions from now until July 7.

Thanks,
Mitch

From: Kristen Grompone [mailto:kristen.grompone@gmail.com]
Sent: Monday, June 22, 2015 6:25 PM
To: Nieman, Mitchell
Subject: Geese Guys: Riverfront Park Plan

Hi Mitch,

Attached please find the Canada Goose Management Plan Overview and cost estimate I put together. I will print a few out and bring them with tomorrow morning as well.

Looking forward to tomorrow!

Warm Regards,
Kristen M. Grompone
President / Wildlife Biologist: Geese Guys, LLC
T: 184-GOTGEESE ext 701
Kristen@geeseguys.com
www.geeseguys.com

Attachment 5
Added Oct. 28, 2015

Geese Management

Geese
Adversary Control
leave no geese to gander

Prepared for

Parks and Sustainability

Prepared by

Ken Harris

Geese Adversary Control

4250 So. 326th Pl

Federal Way, Washington, 98001

Phone# (253) 261- 6459 Fax# (253) 939 – 8582

Kenhl40@comcast.net

Geese-Adversary-Control.com

Submitted on 10/20/15

Statement of Confidentiality & Non-Disclosure

By Acceptance of this document:

This document contains proprietary and confidential information. All data submitted to Oregon Parks and Sustainability is provided in reliance upon its consent not to use or disclose any information contained herein, except of its business dealings with Geese Adversary Control, the recipient of this document agrees to inform, present and future employees of Oregon Parks and Sustainability department, who view or have access to its content of its confidential nature.

The recipient agrees to instruct each employee that they must not disclose any information concerning this document to others except to the extent that such matters are generally known to, and are available for use by the public. The recipient also agrees not to duplicate or distribute or permit others to duplicate or distribute any material contained herein with Geese Adversary Control's express written consent.

Geese Adversary Control retains all title, ownership and intellectual property rights to the material and trademarks contained herein. Including all supporting documentation, files, marketing material and multimedia.

Geese
Adversary Control
leave no geese to guarder

Executive Summary

Geese Adversary Control (GAC) is pleased to present Oregon Parks and Sustainability Department with this proposal for the Geese Management Project. At Geese Adversary Control (GAC), we understand the geese business, as well as, the problems associated with geese gatherings on land and water.

Having duly examined Riverfront Park, we are confident that our proposed services will be highly effective in addressing your needs. The nuisances at Riverfront Park seems to be identical to the problems that were faced with at Wapato Lake in the city of Tacoma, WA. Over the last six years of servicing Tacoma Metropolitan Parks, Geese Adversary Control continued to notice a positive change at Wapato Park with a drastic reduction of geese activity and the vast improvement in the water quality.

After working side-by-side with the City of Tacoma Health Department and Fish and Game Wildlife, Geese Adversary Control was educated on the particulars found in combatting the continuous feeding of the geese by visitors and the damage to the geese population as a result of consumption of human food. Washington State University Biology and Research Department established a grant for case study involving Geese Adversary Control and will be monitoring the effects of our service. GAC is a member of PETA and does not condone in the inhumane treatment of any animals.

Company Back Ground

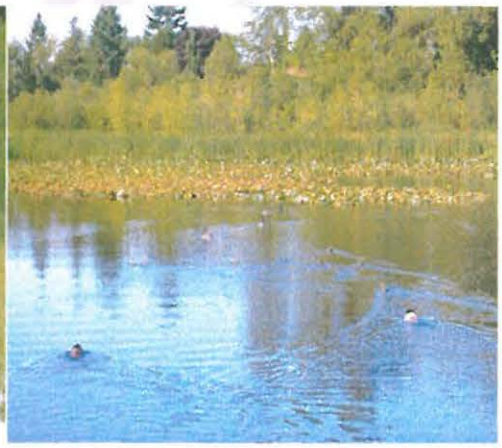
Our Mission Statement: Geese Adversary Control aims to ***"leave no geese to gander."*** We want everyone to enjoy the outdoors.

Geese Adversary Control was founded in March of 2008, by Ken Harris. Our service is known for its humane and environmentally safe way in managing migratory birds or any unwanted fowl. Geese Adversary Control is a minority owned business and continues to grow due to our success in solving problems associated with fowl. Our company has served North Shore Golf Course, City of Tacoma Parks, City of Puyallup Parks, private residences, in addition we are looking forward to serving the Federal Way School District and the Washington State University (satellite campus in Puyallup, WA). In addition to our experience and impeccable reputation, our dogs carry a one-million dollar liability insurance policy.

About the Owner: Ken and his dogs have been in competition herding for eight years. His dog Emma has earned four division titles and first place in herding trials. Ken is a member and in good standing with AKC and ASCA and an active member with the Washington State Animal Response Team. Ken has been training dogs for over 20 years, including working with King County Sheriffs K-9 unit. He is a former Police Officer with Long Beach police and King County Sheriffs, and is currently with the Port Of Tacoma Homeland Security.

Competing

Emma and Beau



Working

Current situation assessment

While visiting Riverfront Park, GAC estimated approximately 64 geese in the park at 1:18 pm an additional 200 flew into the river at 2:30pm for a total of Approximately 264 geese. From observations made, GAC noted the geese mainly gather around the grassy area of the park, no visitors were observed feeding geese. It should be noted that you have two species of geese inhabiting the park, the Canadian goose and the other, known as lesser geese; both are similar in habitat and behavior. It appears that these groups of geese have been in the area for some time and have become resident to the surrounding area this is also backed by an article published by Portland News Tribune on June 24th 2015. A large quantity of geese feces was observed in and around the surrounding areas of the park. Geese fecal matter can contain dangerous bacteria's such as, listeria and coli. While visiting Riverfront Park I released two of my dogs in the park to test the reaction of the geese, I then sent the dogs into the water to haze the geese for a short period. The results where positive, all of the lesser geese (200) left the area within 20min.the Canadian geese remained in the river but none of the geese returned to the park during the two hours we spent there.

Riverfront Park 10/18/15

Emma and Beau Hazing geese

Riverfront Park 10/18/15

Objectives

Our objectives are to focus on diminishing the population of geese residing at Riverfront Park with a prevention plan to keep the geese population at a minimum each year.

- Objective 1 - Reduce population.
- Objective 2 - Prevent mating grounds in the future.
- Objective 3 - Help with algae and other health problems associated with Geese.
- Objective 4 - Educate the public of the pit falls of feeding wild animals.
- Objective 5 - Provide a safe and healthy environment for Riverfront Park.

Unfortunately, accompanied with the large geese population/problem Riverfront Park has, is geese droppings/fecal matter. One goose produces 1-2 pounds of droppings each day. These droppings can be a serious health risk, carry Salmonella Coli, and Listeria. Large groups such that at River Park can alter the ecology of the lake and create algae problems.

Approach

Dog and handler make several visits per day (max. 3 visits) to your site, up to seven days a week. The dog is released to chase the geese, who respond immediately by honking their distress call and flying away to safety. If geese continue to fly to a different location in the water, other electronic devices are used to persuade the geese to take flight. Visits are staggered, so that the geese do not learn any schedule, and visits are always made near dusk to prevent overnight roosting. If the geese try to retreat to water, the dog will swim right after them.

Schedule

Monday thru Sunday schedules will vary starting out at 7:00am and returning at 7:30 pm. An additional visit if needed would take place between 2:00pm – 3:00pm. **(Third visits are only necessary in the first couple of weeks)**

Estimate cost

Due to the large population of geese, Geese Adversary recommends the following:

- First 2 weeks Dogs will be active 3 times a day 7 days (Morning, Noon, Dusk)
- Next 3 thru 5 weeks Dogs will visit 2 times a day 7 days (Morning, Dusk)
- 6th week Dogs will make 2 visits a day for 5 days
- Week 7 Dogs will make 2 visits a day for 5 days
- Week 8 week Dogs will make 1 visit a day for 5 days (varies per geese activity)
  At the end of 8 weeks we will re assess the progress and determine if any further service is needed.

Total Visits: 109
Cost per visit: $95.00
Total Visit Cost: $10,355

Geese
Adversary Control
Leave no geese to gander

MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item: **SS 4.**
Meeting Date: **Oct. 29, 2015**

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Replacement of Holiday Lighting**

From: Mitch Nieman, Asst. to City Manager

Date: 10/21/2015

ACTION REQUESTED

Receive direction from Council to replace holiday lighting.

HISTORY OF PRIOR ACTIONS AND DISCUSSION

Shortly after last year's Umbrella Parade and Holiday Tree Lighting events concluded, it was brought to Council's attention at a January 22 study session that sections of holiday lights (and tree topper) on the spruce tree located in the sculpture garden failed to light. Community members expressed their disappointment and suggested that the situation should be reviewed before the next holiday events. Lights on the City Hall rooftop function, but are not energy efficient.

Staff has researched the issue and determined that existing spruce lights and rooftop lights are over eight years old and have exceeded their useful life.

As staff analyzed existing conditions, it became apparent that adding mini lights to 12 mountain hemlocks, which surround the spruce, would create a wintry snow-like landscape to complement lights on the spruce tree. While this was never done in the past, it would add overall aesthetic of the sculpture garden.

BACKGROUND

The Umbrella Parade and Holiday Tree Lighting events are institutionalized city ceremonies, which typically take place during the first weekend in December. This year's event is scheduled to take place on December 5. The event is administered by staff and community volunteers, and receives no line item appropriation in the Biennium.

Staff has solicited bids from three vendors to have lights installed by Thanksgiving. Bids are expected to range from $7,000 to $12,000 depending on service levels. Service levels include, but are not limited to:

- removal of old lights and installation of new LED lights (Spruce and Rooftop)
- removal of old lights, installation of new LED lights, and storage of new LED lights (Spruce and Rooftop)
- installation and removal of mini LED lights for 12 mountain hemlocks
- removal and replacement of a new LED tree topper for Spruce

ALTERNATIVES

1. Direct staff to replace lights on Spruce only (including topper)
2. Direct staff to replace lights on Rooftop only
3. Direct staff to replace lights on Spruce and Rooftop only
4. Direct staff to replace lights on Spruce, Rooftop and 12 Hemlocks
5. Direct staff to <u>not</u> replace or install any lights on any trees or buildings and defer installations until next year

FISCAL IMPACTS

There are no funds budgeted to replace holiday lights. Therefore, if Council deems this as a worthwhile expenditure, then the cost to do so can be funded out of the City Manager's Budget initially. However, the expense may require a supplemental budget appropriation, which staff will bring to Council for review and consideration in early 2016.

ATTACHMENTS

None.

MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item: **SS 5.**
Meeting Date: **Oct. 29, 2015**

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **No Smoking at Parks and on City-owned Properties**

From: Mitch Nieman, Asst. to City Manager

Date: 10/21/2015

ACTION REQUESTED

Receive direction from Council to pursue the subject initiative.

HISTORY OF PRIOR ACTIONS AND DISCUSSION

Mayor Gamba and staff were approached by Scott France of Clackamas County Public Health Services to inquire if the city was interested in working with the County to engage in a citywide tobacco-free campaign.

Initial discussions began with the importance of setting a citywide policy to help drive campaign development and framework. Subsequent discussions focused on the question of whether the City had interest in banning smoking in 1) public parks, and 2) on all city-owned properties.

The discussion to explore no smoking in parks was based on the fact that many cities in the region, state, and nation already have no smoking policies in place. In fact, it is becoming uncommon to not have a no-smoking policy in parks. It is especially common in Western US cities where wildfires are a concern. Staff is researching cities in the Portland Metro region that ban smoking in public parks and on city properties, which will be provided to Council under separate cover.

The discussion to explore no smoking on city-owned properties was predicated on the current state of the sculpture garden at city hall and how its grounds are constantly littered with cigarette butts, likely resulting from the proximity to the TriMet bus shelter, of which members of the community frequently point out to City Council and staff.

Subsequent to discussions, staff worked with Scott France to craft a park visitor tobacco opinion survey (attached) to gauge park users' smoking preferences. Survey results concluded that the majority of parks users believed second-hand smoke is harmful to health and places that are family friendly should be tobacco-free. Also, the majority felt it was somewhat important for parks to be 100% tobacco free (attached).

BACKGROUND

City Personnel Policy 200.54 confines the use of tobacco products to designated smoking areas only (attached). The level of employee use of tobacco products in these designated smoking areas has not been surveyed and no discussions have been initiated with staff or association representatives to gauge concerns about a change of policy. Acknowledging that the interests of our employees must be considered before any change is made, staff has prepared a draft ordinance for discussion that proposes to eliminate smoking on all city campuses. The result would be that employees would not be able to smoke anywhere on city property, thus, eliminating employee designated smoking areas.

It is understood that some employees would like to retain the designated smoking areas on all campuses. So, if a no smoking ordinance is something that Council is interested in adopting, then it will need to be written to conform to the existing city tobacco personnel policy (to allow the continuance of designated smoking areas), or require the personnel policy to be amended to have consistent language with a new ordinance.

Therefore, if Council has a desire to adopt a no smoking ordinance on all city-owned properties, then it will need to determine if such an action could have an adverse effect on employee relations, or subject the City to potential scrutiny from the public for not making employees accountable to the same rules as members of the public.

ALTERNATIVES

1. Continue to pursue a direction of eliminating smoking on all city-owned properties. Therefore, make no exceptions for employees who smoke
2. Create a hybrid policy that makes exceptions for employees to be allowed to smoke in designated areas as identified in the existing personnel policy
3. Adopt a resolution instead of an ordinance to eliminate the burden of enforcement and interpretation of existing city policy, but encourage the movement of smoke-free public places
4. Adopt a no smoking policy ordinance <u>only</u> for parks
5. Do not adopt <u>any</u> no smoking ordinance at this point in time

FISCAL IMPACTS

To date, staff time to administer this initiative has been minimal, but has clearly exceeded the “one-hour-rule.” However, if an ordinance is passed, then enforcement will involve police officer time, and time and materials to fabricate and install program signage.

ATTACHMENTS

1. Draft ordinance
2. Tobacco survey
3. Survey results
4. Personnel tobacco policy

City of Milwaukie Administrative Policy
Effective Date:
Tobacco/Smoke Free Facilities and Grounds

Statement of Policy:
It is the policy of the City of Milwaukie to ensure a tobacco/smoke-free environment through positive and educational messaging that promotes the long-term health and safety of Milwaukie employees and the public.

Scope:
This policy applies to all City of Milwaukie employees, volunteers, interns, clients, visitors, and vendors on property owned or occupied by City of Milwaukie.

Definitions:
For the purpose of this policy the following definitions shall apply:
Tobacco products: including but not limited to cigarettes, cigars, pipes, hookah, dip, chew, snuff, snus and any other smokeless tobacco products and nicotine delivery devices, such as electronic cigarettes, excluding FDA-approved nicotine replacement therapy products for the purpose of tobacco cessation.

Policy and Procedures:
1. Tobacco/Smoke Free Facilities and Grounds: the use of all tobacco products and the smoking of tobacco or any other substances is not permitted at any time within any interior space of facilities owned or occupied by City of Milwaukie; on all outdoor property or grounds, parks, and natural areas owned or occupied by City of Milwaukie, including parking areas; in private vehicles while on City of Milwaukie properties; and in vehicles owned by City of Milwaukie.

2. Communication of Policy: signs will be used to designate a City of Milwaukie owned or occupied facility as a Tobacco/Smoke Free Property. Signs bearing this message will be clearly posted at the perimeter of the property, at each vehicular and pedestrian entrance, and at other prominent locations. Each building owned or occupied will display a decal that states Tobacco/Smoke Free Property at each entrance or exit. Any additional language on these signs should promote the success of the policy through education and be delivered in a positive tone. The Tobacco/Smoke Free policy applies at all facilities and grounds owned or occupied by City of Milwaukie regardless of whether or not signs are posted.

3. Tobacco Cessation Support: City of Milwaukie is committed to providing tobacco cessation support to all City of Milwaukie employees who wish to stop using tobacco products. Cessation resource information will be provided to any employee who expresses an interest in seeking help to stop using tobacco products. City of Milwaukie volunteers, contractors, clients and visitors may be referred to the Oregon Tobacco Quit Line (1.800.QUIT.NOW [English] or 1.877.2NO.FUME [Spanish]), which is a free tobacco

cessation resource.

4. Success of Policy: The success of this policy is the shared responsibility of all City of Milwaukie personnel. Employees are provided with materials to help communicate this policy to co-workers, volunteers, contractors, clients and visitors with courtesy, respect and diplomacy. If issues arise with successfully implementing this policy, an employee should notify a supervisor or other manager/administrator.

Approved by the City of Milwaukie City Council on

Clackamas County Tobacco-free Parks Survey
Interviewer-administered
Created by: Vicky Buelow
Reviewed by:

1. Record park location:
    a. Scott Park
    b. Clackamas Park
    c. Sculpture Garden

2. Are you a resident of the City of Milwaukie?
    a. Yes
    b. No

3. About how often do you come to this park? Would you say….
    a. Daily
    b. Weekly
    c. Monthly
    d. A few times per year

4. Have you ever been bothered by cigarette smoke while at this park? Would you say…
    a. Yes, a lot
    b. Yes, a little
    c. No, not at all

5. How harmful do you think breathing second-hand smoke is to one's health? Would you say it is….
    a. Very harmful
    b. Somewhat harmful
    c. Not very harmful
    d. Not at all harmful
    e. [Do not read] No opinion

6. Do you agree or disagree with the following statement: "Places that are family-friendly should be tobacco-free." *[Wait for response, then ask]* Would you say somewhat or strongly?
    a. Strongly agree
    b. Somewhat agree
    c. Somewhat disagree
    d. Strongly disagree
    e. [Do not read] No opinion

7. Do you agree or disagree with the following statement: "Smoking should not be allowed outdoors where children could be exposed to secondhand smoke." *[Wait for response, then ask]* Would you say somewhat or strongly?
    a. Strongly agree
    b. Somewhat agree
    c. Somewhat disagree
    d. Strongly disagree
    e. [Do not read] No opinion

8. In your opinion, how important is it for this park to be 100% tobacco-free? Would you say it is….
    a. Very important
    b. Somewhat important
    c. Not very important
    d. Not important at all
    e. [Do not read] No opinion

9. If this park were tobacco-free, would you come to the park….*[read responses]*
    a. More
    b. Less
    c. About the same
    d. Not at all

10. Do you currently smoke or chew tobacco?
    a. Yes
    b. No
    c. [Do not read] Refused

11. What is your age?
    a. Enter in age in years
       OR
    b. Enter 999 if refused

2015 Clackamas County Smoke-free Parks Survey Results
Prepared for: Scott France
Analyzed by: Vicky Buelow
October 7, 2015

Park location

51%	Clackamas Park	(N=19)
22%	Scott Park	(N=8)
11%	Sculpture Garden	(N=4)
11%	Riverfront Park	(N=4)
5%	Unknown/missing data	(N=2)

Resident of City of Milwaukie

60%	Yes	(N=22)
40%	No	(N=15)

Park visit frequency:

Nearly all survey respondents visited the park on at least a weekly basis.

60%	Weekly	(N=22)
35%	Daily	(N=13)
2.5%	Monthly	(N=1)
2.5%	A few times per year	(N=1)

Bothered by cigarette smoke at park

About one-third of survey respondents reported being bothered by secondhand smoke while at the park.

67%	No, not at all	(N=25)
30%	Yes, a little	(N=11)
3%	Yes, a lot	(N=1)

Believe second-hand smoke is harmful to health

Nearly all survey respondents believe that secondhand smoke is harmful to one's health.

81%	Very harmful	(N=30)
16%	Somewhat harmful	(N=6)
3%	Not very harmful	(N=1)

Places that are family friendly should be tobacco-free

Most respondents agree that family-friendly places should be tobacco-free.

67%	Strongly agree	(N=25)
24%	Somewhat agree	(N=9)
8%	Somewhat disagree	(N=3)

Smoking should not be allowed outdoors where children could be exposed to secondhand smoke

Most respondents agree that smoking should not be allowed outdoors where children could be exposed to secondhand smoke.

57%	Strongly agree	(N=21)
32%	Somewhat agree	(N=12)
8%	Somewhat disagree	(N=3)
3%	Strongly disagree	(N=1)

Importance for park to be 100% tobacco free

Four out of five survey respondents feel that it is important for the park to be 100% tobacco free.

49%	Somewhat important	(N=18)
35%	Very important	(N=13)
13%	Not very important	(N=5)
3%	Not important at all	(N=1)

Visiting frequency if park were tobacco-free

Nearly all survey respondents would visit the park as frequently or more if the park were tobacco-free.

81%	About the same	(N=30)
13%	More	(N=5)
3%	Less	(N=1)
3%	Not at all	(N=1)

Current tobacco user

78%	No	(N=29)
22%	Yes	(N=8)

Age of respondent

30%	17-34	(N=11)
46%	35-64	(N=17)
22%	65+	(N=9)
2%	Missing data	(N=1)

Personnel and Administrative Policy and Procedure

SUBJECT: Tobacco Usage	**EFFECTIVE DATE:** July 1, 2003 **REVIEWED:** **REVISED:** September 4, 2008; December 2012
CATEGORY: 200 **POLICY NUMBER: 200.54**	**CROSS REFERENCE:**

Purpose: To provide a smoke free environment for citizens and employees.

Scope: All employees

Policy: This policy relates to all work areas at all times, including before and after normal working hours. Smoking is limited to normal break periods, i.e. morning, afternoon and lunch break.

Employees are to confine the use of tobacco products including, but not limited to cigarettes, cigars, pipes, and smokeless tobacco to designated smoking areas only. Smoking is not allowed in City buildings or vehicles except as noted above. There shall be no smoking within ten (10) feet of building entrances, exits, widows that open, and ventilation intakes that serve an enclosed area.

These areas are:

JCB:

- **Front hillside smoking area** (South of the container storage buildings)
- **Covered equipment storage area** (open air storage space #5 – west side of the backhoe)

Public Safety Building: Ten (10) feet or more from the building, outside the back door in the police parking lot.

City Hall: Ten (10) feet or more from the building, in the employee parking lot behind City Hall.

Library: Ten (10) feet or more from the building, outside the employee entrance (back door).

The discarding of smokeless tobacco should be done in such a way as to avoid the potential exposure of other employees or citizens who come into contact with it.

Guidelines for Use: The employee may step out of public view and away from other employee's work area to smoke if an employee is out in the field and on a designated morning or afternoon break.

MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item: **SS 6.**
Meeting Date: **Oct. 29, 2015**

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **2016 Sunday Parkway**

From: Mitch Nieman, Asst. to City Manager

Date: 10/27/2015

ACTION REQUESTED

Receive direction from Council to work with Portland Bureau of Transportation (PBOT) to extend the 2016 Sellwood/Westmoreland Sunday Parkway event into the City of Milwaukie and earmark funds in the 2016-17 Biennium to pay for the City's cost share to participate.

HISTORY OF PRIOR ACTIONS AND DISCUSSION

In August 2015, Staff met with Mayor Gamba, Councilor Batey and members of Bike Milwaukie to discuss Parkway concepts.

In September 2015, Members of City Council and Bike Milwaukie participated in the Sellwood/Westmoreland Sunday Parkway.

In October 2015, Mayor Gamba, Councilor Batey, City Staff and members of Bike Milwaukie met with Linda Ginenthal of PBOT to discuss the possibility of partnering with PBOT to extend the 2016 Sellwood/Westmoreland Parkway into the City of Milwaukie, and to discuss potential routes and event costs.

BACKGROUND

Since 2008, PBOT has been holding Sunday Parkways events each summer, in which they close a loop of streets connecting parks and other neighborhood features from 11am to 4pm on a designated Sunday to provide a sort of "rolling street fair" for pedestrians and bike riders of all ages and abilities.

PBOT now holds five such events in different quadrants of Portland each year. In September 2015, they held their first Sunday Parkway event in the Sellwood/Westmoreland neighborhood, with an extension up to the Tillikum Crossing Bridge.

According to the 2015 Annual Report, there were over 28,000 participants in that event, and over 119,000 in total for the five events held this year. See that Annual Report for all sorts of details about the program, including their extensive volunteer recruitment efforts, at http://www.portlandoregon.gov/transportation/article/549399

Some Milwaukie residents, including two members of Council, have approached PBOT about holding a joint event. PBOT is interested in making the September 2016 event a joint Sellwood/Westmoreland-Milwaukie event, which will likely also include a crossing of the new Sellwood Bridge. Some discussion of potential routes has begun, and will continue to be fine-tuned if the Council agrees to move forward.

Each Sunday Parkway event costs PBOT approximately $90,000 to accomplish, including traffic engineering plans, police staffing of select intersections, paid flaggers for select intersections, and all the logistics, organizational, and promotional work that goes into an event of this scale. Some of that comes out of the PBOT budget, but some also comes in the form of fees paid by food and other vendors to be at the sites, and by corporate sponsorships.

If Milwaukie decides to participate, PBOT is asking Milwaukie to bear one-third of the costs, something just under $30,000. A portion of the Milwaukie commitment could also be met by vendor fees and corporate sponsorships, and there may be other potential funding sources, such as County Tourism grant funds.

But, if Council wants to produce this event in September, then it needs to make a commitment to PBOT now, with the understanding that whatever funding could not be found from other sources would have to come out of the City budget.

To compare funding levels for this event to funding levels of prior events, the City spent approximately $15,000 on light rail grand opening and $28,000 on Vietnam Wall. However, the City was reimbursed approximately $22,000 for Vietnam Wall expenses from partner agencies, and leveraged several thousands of dollars of infrastructure provided by TriMet for light rail.

ALTERNATIVES

1. Commit funds to participate in 2016 Sellwood/Westmoreland-Milwaukie Parkway
2. Do not commit funds to participate or to produce any parkway events
3. Commit funds to produce an exclusive Milwaukie parkway event

FISCAL IMPACTS

Under the direction of Council, Staff could earmark $30,000 in the 2016-17 Biennium to contribute to the proposed Parkway. Biennium budgeting has begun and Staff is expected to take a draft before the Budget Committee for their consideration and review in March. As stated, there may be other potential funding sources to contribute to the event, but at this time no sources have been secured.

To date, staff time to administer this initiative has been minimal, but has clearly exceeded the “one-hour-rule.” However, if commitment is approved, then staff time from police, public works and administration will be required.

ATTACHMENTS

1. 2016 Sellwood/Westmoreland Sunday Parkway Budget Estimate

Milwaukie Sunday Parkways 2016 Budget

Materials and Services	Total	Portland	Milwaukie	Budget for 5
Logistics Traffic Control				
Police	$8,000	$4,000	$4,000	$40,000
Traffic Engineering and Barricades	$8,320	$4,320	$4,000	$41,600
Certified Traffic Flaggers	$3,060	$1,560	$1,500	$15,300
Vol Managament and Training	$21,550	$13,550	$8,000	$107,750
Sub Total	*$40,930*	*$23,430*	*$17,500*	*$204,650*
Outreach				
Posters/Flyers (all events)	$700	$0	$700	$3,475
Neighbor Mailers and Traffic Alerts	$4,417	$2,017	$2,400	$22,085
Sponsorship/fundraising	$1,200	$900	$300	$6,000
Volunteer Groups	$2,500	$1,500	$1,000	$12,500
Miscellaneous	$600	$300	$300	$3,000
Sub Total	*$9,417*	*$4,717*	*$4,700*	*$47,060*
Day of Event				
Parks and Rec Activities	$2,000	$1,500	$500	$10,000
Porta Potties	$1,400	$700	$700	$7,000
Dumpster/Recycling/Composting	$1,200	$600	$600	$0
Tables and Chairs Canopies	$580	$150	$430	$2,900
Bike Parking	$460	$230	$230	$2,300
Equipment/Stages/Supplies	$1,680	$840	$840	$8,400
Sub Total	*$7,320*	*$4,020*	*$3,300*	*$30,600*
Total of M&S	**$57,667**	**$32,167**	**$25,500**	**$282,310**
Staffing				
Coordinator/Program Manager	$9,260	$6,760	$2,500	$46,301
Senior Planner	$11,578	$8,578	$3,000	$57,888
TDM Assistant (Mapping)	$2,398	$1,398	$1,000	$11,989
TDM Assistant (Organizer)	$10,000	$8,000	$2,000	$50,000
TDM Staff Overtime	$300	$300	$0	$1,500
Total Staffing Costs	**$33,536**	**$25,036**	**$8,500**	**$167,678**
Costs Grand Total	**$91,203**	**$57,203**	**$34,000**	**$449,988**
Income				
PBOT/Milwaukiee City Govt			$14,000	$60,000
Activity and Food Vendors	$7,500	$7,500		$37,500
Individual Contributors	$4,800	$4,800		$24,000
Sponsorships			$20,000	$225,000
General Fund				$103,500
Income Total			**$34,000**	**$450,000**
Reimburse PBOT			$20,800	
Items paid by Milwaukie			$13,200	