

REGULAR SESSION

AGENDA

MILWAUKIE CITY COUNCIL JUNE 5, 2012

MILWAUKIE CITY HALL
10722 SE Main Street

2127th MEETING

REGULAR SESSION – 7:00 p.m.

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1. CALL TO ORDER	
Pledge of Allegiance	
2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS	1
A. Neighborhood Main Street Project Report	2
Staff: Ryan Marquardt and Portland State Project Team	
3. CONSENT AGENDA <i>(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)</i>	11
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B. Establishment of an Economic Development Grant Program to Offset Public Area Requirements – Resolution	14
C. Modify Budget Committee Terms – Resolution	20
D. Reappoint Beth Kelland to the Citizens Utility Advisory Board – Resolution	24
4. AUDIENCE PARTICIPATION <i>(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.)</i>	
5. PUBLIC HEARING <i>(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i>	25
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6. OTHER BUSINESS <i>(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)</i>	106
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Public Information

- **Executive Session:** The Milwaukie City Council may meet in executive session immediately following adjournment of the regular session pursuant to ORS 192.660(2).
- All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

2.

PROCLAMATIONS,
COMMENDATIONS,
SPECIAL REPORTS,
AND AWARDS



Agenda Item: 2 A
Meeting Date: 6/5/2012

COUNCIL AGENDA ITEM SUMMARY

Issue/Agenda Title: Neighborhood Main Streets Project

Prepared By: Ryan Marquardt, Associate Planner

Dept. Head Approval: Katie Mangle, Planning Director

City Manager Approval: Bill Monahan

Reviewed by City Manager: 6/25/12

ISSUE BEFORE THE COUNCIL

Report on long-range planning project for 32nd Ave and 42nd Ave neighborhood commercial areas; the Neighborhood Main Streets Project (NMSP). Request for direction on proceeding with zoning amendments based on NMSP work.

STAFF RECOMMENDATION

Direct staff to proceed with zoning code amendments and bring them for adoption in Fall 2012.

KEY FACTS & INFORMATION SUMMARY

There are zoning code obstacles that hinder existing neighborhood commercial areas from becoming successful areas that provide goods and services to area residents. Portland State University students have engaged the community in a dialogue about the vision for the 32nd Avenue and 42nd Avenue commercial areas. Staff proposes to begin drafting zoning code amendments based on their outreach and recommendations.

OTHER ALTERNATIVES CONSIDERED

- 1) Request further information from staff on specific topics
- 2) Direct staff to conduct further outreach on the project
- 3) Direct staff to suspend work on the project

CITY COUNCIL GOALS

None

ATTACHMENT LIST

- 1) Map of NMSP Study Areas
- 2) Project Workplan and Deliverables

FISCAL NOTES

Project has used very minimal fiscal resources thus far. Project implementation will require staff time and some additional expenditures.



To: Mayor and City Council

Through: Bill Monahan, City Manager
Kenneth Asher, Community Development and Public Works Director
Katie Mangle, Planning Director

From: Ryan Marquardt, Associate Planner

Subject: Neighborhood Main Streets Project

Date: May 29, 2012, for June 5, 2012 City Council Regular Session

ACTION REQUESTED

Consider report on Neighborhood Main Street Project outreach and recommendations, and give staff direction on whether to come back in Fall 2012 with proposed code zoning amendments for neighborhood commercial areas.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

January 2010: Council passed Resolution 06-2010, authorizing application for a Metro Construction Excise Tax (CET) grant. Part of the work proposed in the grant included revisions to the zoning for commercial areas within Milwaukie's residential areas.

November 2009: Council received briefing on the results of Tashman Johnson urban renewal feasibility study and directed staff to submit a letter of intent to apply for Metro Construction Excise Tax Planning grant.

BACKGROUND

Milwaukie has some small commercial districts located within larger residential areas throughout the city. City residents, particularly in the central and eastern areas of the city, have often expressed a desire to have more places to walk and bike to in their neighborhood, such as a small store or café. City staff is aware that there are obstacles in the zoning ordinance that make it difficult for these types of neighborhood-focused commercial areas to exist with Milwaukie's small commercial districts. In some instances the zoning is very restrictive in the array of uses allowed, such as not allowing a restaurant or eatery. In other instances, the zoning allows automobile dependent uses that can hinder creation of a walkable neighborhood commercial area.

There was a strategy to address these issues as part of the larger Commercial Core Enhancement Program (CCEP). Due to the uncertainty of when the CCEP will be able

to proceed, staff looked for ways to keep moving forward on the neighborhood commercial areas. Staff believed that zoning code amendments would be necessary to fix some, but not all, of the hindrances to establishing successful neighborhood commercial areas, but did not have the resources to facilitate the discussion with citizens and stakeholders about the amendments.

Staff submitted a project proposal for this work to Portland State University's School of Urban and Regional Planning for consideration as a workshop project for graduate students. The City was fortunate to be 1 of 5 projects selected by the students for a workshop project out of more than 40 project proposals. The project group, dubbed Horizon Planning, includes Jay Higgins, Allison Moe, Kelly Moosbrugger, Levi Roberts and Tony Vi.

Horizon Planning has worked diligently for the past few months on a dialogue with the community about what they would like to see for neighborhood commercial areas. The specific focus of the Neighborhood Main Streets Project (NMSP) has been 32nd Avenue in the Ardenwald Neighborhood and the area near 42nd Avenue and Harrison Street in Hector Campbell Neighborhood. The project and its events have been advertised in The Pilot, on Oregonlive.com, on community fliers, to interested person's lists, and on the City's project website. A summary of the public involvement they've conducted is:

- Walking Tours of the commercial areas – 20-25 attendees
- Main Streets Visioning workshop – 16 attendees
- Project open house – 34 attendees
- Online and paper survey – 101 responses
- Attendance at Ardenwald, Hector Campbell, and Lewelling NDA meetings in February, March, April and May
- Project presentation at Hillside Manor resident's meeting – 20 residents
- Individual interviews with 11 business owners, property owners, and individual residents

At the City Council meeting, Horizon Planning will present the NMSP and recommendations for the commercial areas. Staff and Horizon Planning will emphasize the recommendations about zoning amendments, which include:

- Creation of a neighborhood commercial zone. Uses allowed will focus on neighborhood-scale uses like eating establishments, small retail, and services.
- Possible expansion of commercial area zoning boundaries to include other properties on the same block face as existing commercial areas or properties that have historically been commercial properties, but are currently zoned residential. Staff may consider expanding the neighborhood commercial zone to apply to other pockets of commercially zoned areas.
- Revise development standards for the zone to bring storefronts closer to the street and encourage storefront windows.
- Greater allowance for temporary/seasonal uses

The NMSP explored many aspects of the study areas, and also makes recommendations about transportation and economic development. Some highlights of these recommendations that may be brought up at the meeting include:

- Transportation
 - Identification of gaps in pedestrian and bicycle network
 - Suggested connections between the two commercial areas
- Economic Development
 - Improve city's capacity for economic development assistance
 - Consider programs like the storefront improvement program for the neighborhood main streets
 - Encourage work spaces that house small businesses as they get established
 - Organization among business and property owners, such as a business association

Staff's focus will be on implementing the recommendations related to zoning. While the discussions about the neighborhood commercial areas covered a broad range of topics, staff directed Horizon Planning to do outreach and recommendations specific to zoning ordinance amendments. Comments and recommendations on other aspects of the neighborhood commercial areas may serve as the basis for updates to capital project lists, possible Walk Safely Milwaukie project, or implementation of other programs.

Staff seeks direction from Council on how to proceed with the project. Horizon Planning has done an impressive job of engaging the community in discussions about neighborhood commercial areas and drafting recommendations based on that involvement. Staff believes that it is appropriate to begin drafting code amendments based on their work since the outreach has been of such high quality. This would result in staff drafting the code, presenting the amendments at a limited number of Planning Commission and City Council worksessions, and proceeding with adoption hearings. The stakeholders, residents and NDAs would be notified of the project's status and be able to have input as the amendments are prepared. However, staff would not carry on the broad public involvement that has been part of the NMSP up to this point.

CONCURRENCE

The Planning Department staff concurs with this project and the recommendations from Horizon Planning. Planning staff has overseen the project and intends to carry its zoning-related recommendations forward. Community Development staff also concurs with the recommendations and the project. Community Development staff was involved with the scoping of the project and review of the project deliverables.

FISCAL IMPACT

The project has had limited fiscal impact to this point. By the end of their involvement in June, Horizon Planning will have provided roughly 1,050 person-hours to the NMSP, which equates to about \$63,000 at the hourly billable rate for an Assistant Planner. Direct project costs to the city have been limited to covering public outreach materials,

meeting supplies, and travel. City staff has spent an average of 10 hours per week on this project since mid-January.

Staff time will be required to carry the zoning code amendments forward. Additional costs related to the zoning amendments may be a traffic study to evaluate the impacts and comply with state Transportation Planning Rule requirements. The study may cost up to \$10,000. This study does not have a specific line item in the budget that is currently under consideration. The Planning Department has about \$2,000 of discretionary funds that could be used to pay for the study. Additional revenue would be required from other departments or grant funding to cover the difference.

WORK LOAD IMPACTS

Zoning amendments will require .33 -.5 FTE in the Planning Department for 3-4 months. This level of work assumes that further broad-base public outreach and involvement is not needed.

ALTERNATIVES

There are multiple alternatives to moving forward with zoning code amendments in the fall. These include:

- Identifying aspects of the zoning recommendations about which Council would like more information before directing staff to proceed with amendments.
- Directing staff to conduct further outreach on areas of the NMSP if particular aspects of the recommendations are of concern to Council or other stakeholders.
- Direct staff to suspend work on the amendments if there is broad concern about the nature of the project or the staffing levels and resource expenditures necessary to complete the amendments.

ATTACHMENTS

1. Map of NMSP Study Areas
2. Project Workplan and Deliverables

Attachment 1: 32nd Avenue and 42nd Avenue Commercial Areas

Existing commercial zoning in solid red outline; potential new areas in dashed red outline

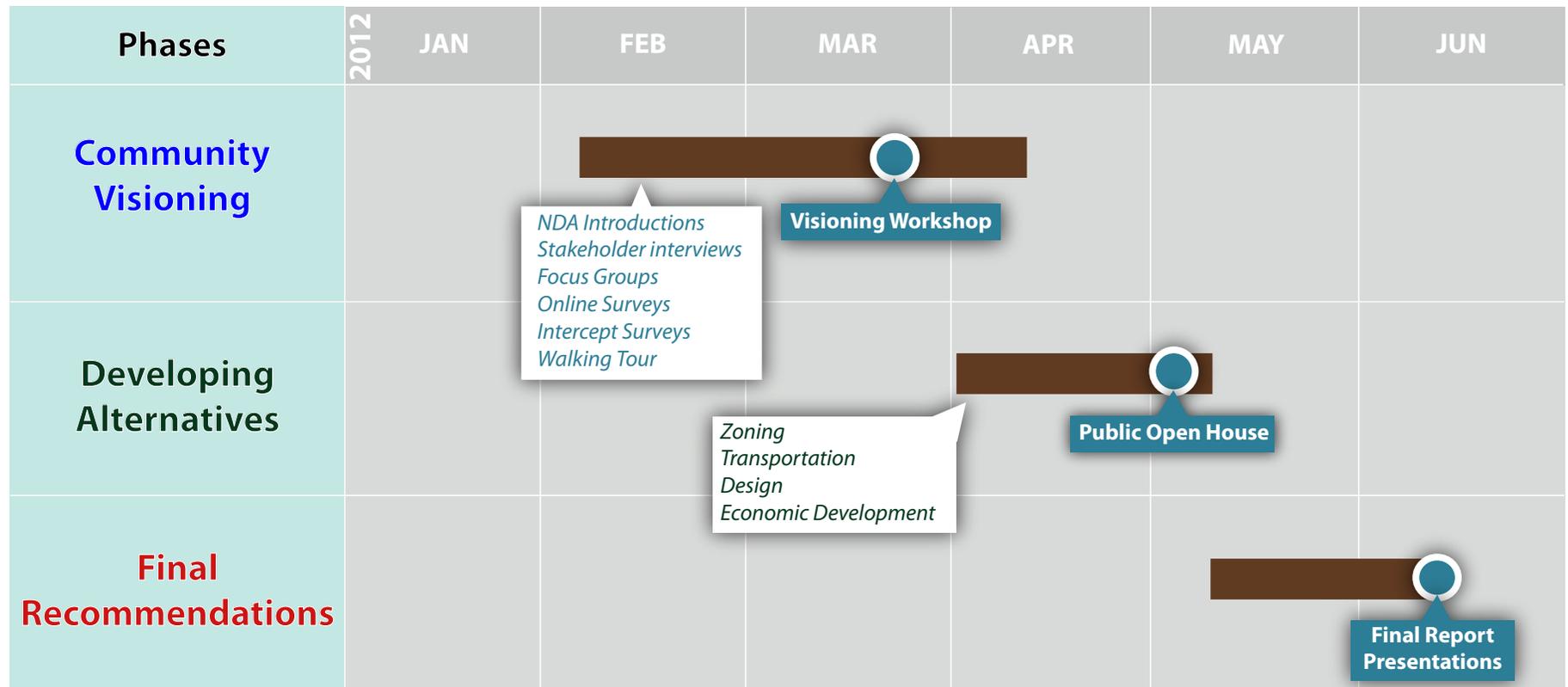


Attachment 1: 32nd Avenue and 42nd Avenue Commercial Areas

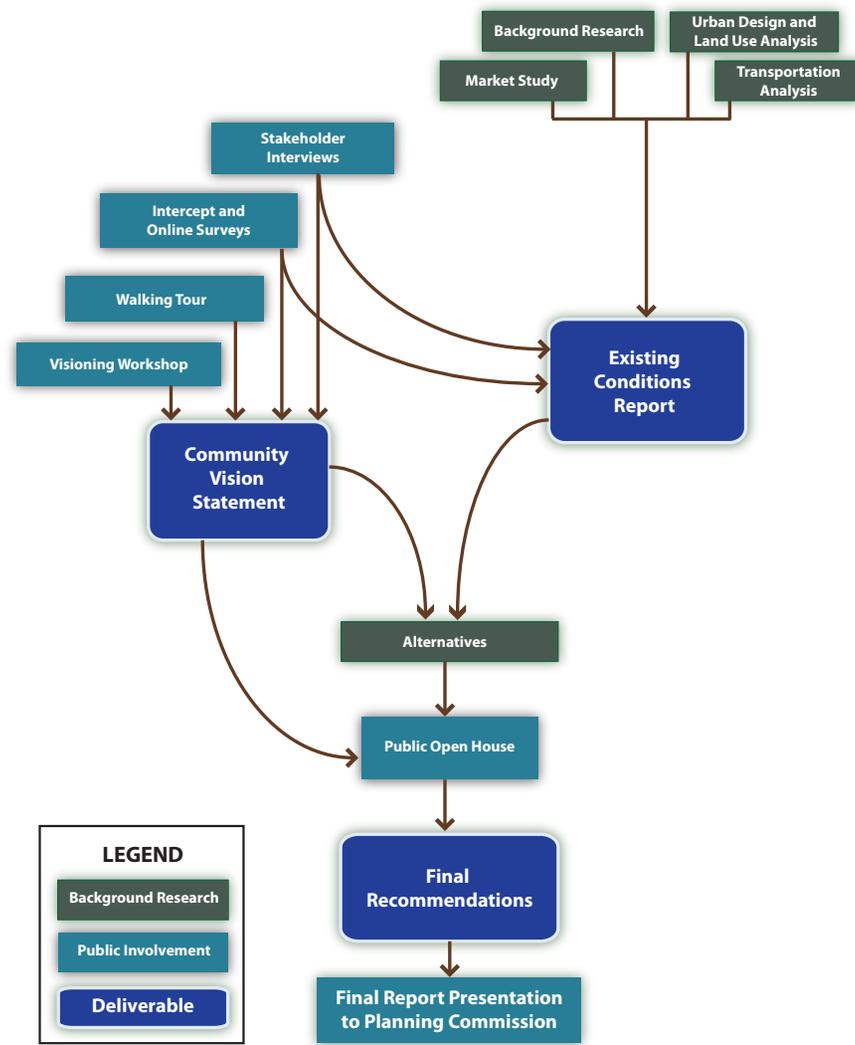
Existing commercial zoning in solid red outline; potential new areas in dashed red outline



Figure 1. Project Outreach Timeline



Project Approach Flow Chart



3.

CONSENT AGENDA

MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
MAY 15, 2012

Council President Chaimov called the work session to order at 5:08 p.m. in the City Hall Conference Room.

Council Present: Council President Greg Chaimov and Councilors Dave Hedges, Joe Loomis, and Mike Miller. Mayor Ferguson arrived at approximately 5:30 p.m.

Staff Present: City Manager Bill Monahan, Assistant Finance Director Rina Byrne, Community Development/Public Works Director Kenny Asher, Planning Director Katie Mangle, Public Affairs Coordinator Grady Wheeler, Finance Director Casey Camors, Accountant Judy Serio, Code Compliance Coordinator Tim Salyers, and City Attorney Tim Ramis

City Manager's Report

Mr. Monahan reviewed the evening's agenda and future agendas that included a report from the rate consultant. He discussed the upcoming Clackamas Cities Association Monthly meeting hosted by Milwaukie on May 17. The TriMet agreement was pulled from the agenda to allow for further refinement and a discussion with the Budget Committee. He recommended scheduling a special session May 29 at 7 p.m. to consider the payment agreement.

Mr. Monahan announced staff would conduct a travel survey of those attending municipal court on May 30 to gather data related to the proposed court relocation project.

Councilor Hedges discussed the feasibility of an interim wastewater rate while future rates were being determined. **Mr. Monahan** said he would have Ms. Camors run the numbers and understood it was best to do the rate analysis sooner than later.

Community Development and Planning Active Projects

Mr. Asher reported on the South Downtown implementation and design team's scoping of the Adams Street Connector and its role in the South Downtown Project. The City had \$450,000 in Metro funding for the project, and staff hoped to pair it with the light rail project. Staff was presenting the Kellogg for Coho Initiative to the parties responsible for releasing contaminants into the Portland Harbor, and he felt progress was being made. Cost estimates and preliminary pro forma were being prepared on the station building as conceptualized during the light rail design process.

Ms. Mangle reported on the permits currently being reviewed by the Planning Department including an application from Blount for a parking lot expansion into a Natural Resource Area. The Tacoma Station Area Plan was underway, and staff was drafting the public involvement plan that included a Stakeholder Advisory Group (SAG). She updated the City Council on the work staff was doing with Metro on its population and employment forecast.

Public Area Requirements Grant Program

Mr. Asher discussed the background of this request and previous City Council actions. Dark Horse Comics had asked what would be required to be eligible for the funds

City Council Work Session – May 15, 2012

Draft Minutes

Page 1

remaining in the grant program. He referred to earlier resolutions and how those might apply. He would recommend extending the program for another year.

Councilor Miller did not have a problem with extending the program but felt there should be some trigger, such as the date the permits were pulled, as to when the funds were awarded.

Neil Hankerson, Dark Horse Comics, said the project was moving forward now that it was determined an elevator was not required. Knowing the availability of the grant funds would help in budgeting. He anticipated having architectural drawings by the end of the week.

It was agreed to let the current program run out and put steps in place to modify the program at a June meeting to be effective July 1, 2012 with the remaining amount.

Business Registration Fee on Duplexes

Ms. Byrne discussed code language and duplex owners' paying for a business license. She understood the intent was to exempt a two-unit arrangement. Utility records were reviewed, and staff estimated the cost would be about \$15,000.

Councilor Miller discussed business registration fees based on income.

Councilor Chaimov noted a number of people were reluctant to show their receipts for reduced business registration fees.

The group discussed property rentals and multi-family complexes.

Mayor Ferguson was inclined to exclude the first unit. Two units or more seemed more like a business opportunity.

Councilor Hedges observed it was not fair that larger complexes paid less because they were on one site.

Councilor Chaimov suggested making the first rental free of unit fee and after that counted as a business. He felt there should be a means for a more proportional impact.

Mr. Monahan understood staff was being empowered to take immediate action to correct the current fee structure and doing some forgiveness. After that staff would make a recommendation having to do with the units of business which may impact some adversely.

Wastewater Action if Terms Approved

The group discussed establishing an interim measure to prevent dipping into the reserves to pay treatment fees, and Councilors agreed to consider options. Mr. Monahan would put this on a future Council agenda and perhaps include the interim rate with the budget adoption on June 5.

Clackamas County Commissioner Paul Savas and County Counsel Chris Storey were present; however, the City Council had no questions for them.

Respectfully submitted,

Pat DuVal, Recorder



Agenda Item: 3.B.
Meeting Date: 6/5/12

COUNCIL AGENDA ITEM SUMMARY

Issue/Agenda Title: Public Area Grant Program
Prepared By: Kenneth Asher, Community Development and Public Works Director
Dept. Head Approval: Kenneth Asher
City Manager Approval: Bill Monahan
Reviewed by City Manager: 5/25/12

ISSUES BEFORE THE COUNCIL

Staff is requesting establishment of a new Economic Development Grant Program, for FY 2013 to offset Public Area Requirements in downtown.

STAFF RECOMMENDATION

Staff is requesting Council to authorize a one-year economic development grant program to offset Public Area Requirements (PARs) triggered by Milwaukie Municipal Code section 19.310.5, effective July 1, 2012 through June 30, 2013.

KEY FACTS & INFORMATION SUMMARY

Under MMC 19.310.5, developers are required to improve downtown sidewalks under a code provision known as Public Area Requirements (PARs). The zoning code was amended in 2009, adjusting the methodology under which PARs are calculated, however, the burden still falls entirely on the developer and the sidewalk improvement standard remains very high.

OTHER ALTERNATIVES CONSIDERED

Council may change the amount or timing of the grant program, or the provisions of the program itself. Council could elect to forego the program, waiting instead for a permanent change to the zoning code to take effect. As staff projects such a permanent fix won't be possible until late 2012 at the earliest, the staff recommends adopting the action as proposed.

CITY COUNCIL GOALS

N/A

ATTACHMENT LIST

1. Resolution

FISCAL NOTES

By taking this action, the City will be agreeing to cover up to \$6,143 in expenditures for downtown streetscape improvements, should the grant program be fully subscribed



To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Kenneth Asher, Director of Community Development and Public Works

Date: May 18, 2012 for the June 5 Regular Session

Subject: Establishment of an Economic Development Grant Program to Offset Public Area Requirements (MMC 19.310.5)

ACTION REQUESTED

Authorize a one-year economic development grant program to offset Public Area Requirements (PARs) triggered by Milwaukie Municipal Code section 19.310.5, effective July 1, 2012 through June 30, 2013.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

July 2011: Council adopted resolution 69-2011, extending the PAR Grant Program (with available funds remaining) through July 1, 2012.

June 2011: Council heard a report and request for extending the PAR Grant Program.

May 2011: Council adopted resolution 57-2011 establishing a temporary PAR Grant Program for the period May 17, 2011 through July 1, 2011.

April 2011: Council heard background from staff on the PAR code and the effects of the code on downtown development. Council deliberated on the resolution to temporarily suspend PAR exactions, and heard additional testimony about the issue from applicants, businesses and staff.

March 2011: Council discussed a proposed resolution to temporarily suspend the exaction of PARs.

BACKGROUND

Under MMC 19.310.5, developers are required to improve downtown sidewalks under a code provision known as Public Area Requirements (PARs). This code provision has proven controversial over the years because the improvement standard for downtown

sidewalks is very high (expensive), and the development threshold for requiring these improvements has been very low. The zoning code was amended in 2009, adjusting the methodology under which PARs are calculated, however, the burden still falls entirely on the developer and the sidewalk improvement standard remains very high.

In spring 2011, Councilor Miller brought forward a resolution seeking to temporarily suspend PAR exactions. The Councilor understood from impacted property and business owners that the City's code was a disincentive to downtown development, and unfair. Over a series of meetings, the Council deliberated the issue and heard a motion from Councilor Miller seeking a vote on his resolution. The resolution was not voted on because it would not have had the effect that Councilor Miller desired. The PAR exaction, which is in the zoning code, was enacted by ordinance, and cannot be amended by resolution.

The City Manager was tasked with resolving the issue. He did so by requesting the Councilors (Councilor Loomis) negotiate with an impacted applicant to see if terms could be arranged to the mutual satisfaction of the parties. Councilor Loomis said he was comfortable committing to finding \$25,000 in support of filling the Main/Monroe building with tenants (which was being held up by the dispute over PAR payment). The City Manager agreed to look at the budget and prepare a staff resolution for an upcoming meeting that would provide a grant program of some kind, so that the Main/Monroe property owner could receive an occupancy permit for the building. Councilor Hedges asked how the grant program would be funded.

On May 17, 2011, Council adopted Resolution 57-2011 establishing a \$20,000 temporary economic development grant program for offsetting part of the public area requirements for the period of May 17, 2011 to July 1, 2011. Concurrently, the City Council awarded \$13,857 to the developer of the Main/Monroe project, thereby shifting responsibility for the Main/Monroe PAR improvements from the developer to the City.

On July 5, 2011, Council adopted Resolution 69-2011 renewing and extending the temporary economic development grant program for PAR relief through June 30, 2012.

On April 30, 2012, the City received a letter from Dark Horse Comics asking about the status of the remaining \$6,143 in grant funds. Dark Horse Comics is planning to renovate property on Main Street and is interested in securing a grant under the program for the remaining funds.

At its work session on May 15th, Council directed staff to draft a resolution for Council consideration that would establish a new economic development grant program for PAR relief for the period of July 1, 2012 through June 30, 2013. The program is to be funded in the amount of \$6,143 and is not reserved for Dark Horse Comics. It is to be available for any downtown property owner with a project that triggers PAR improvements.

The resolution is attached.

CONCURRENCE

The City Manager and Community Development Director have consulted and concur with this approach. The Finance Director has reviewed the grant program and is tracking the City's liability for completing the PAR improvements caused by each grant award. The Planning Director and Engineering/Operations Director are conferring on

possible changes to the zoning code that, once implemented, could obviate the need for additional economic development grant programs for PAR relief.

FISCAL IMPACT

By taking this action, the City will be agreeing to cover up to \$6,143 in expenditures for downtown streetscape improvements, should the grant program be fully subscribed.

WORK LOAD IMPACTS

There are no workload impacts of any significance associated with this action.

ALTERNATIVES

Council may change the amount or timing of the grant program, or the provisions of the program itself. Council could elect to forego the program, waiting instead for a permanent change to the zoning code to take effect. As staff projects such a permanent fix won't be possible until late 2012 at the earliest, the staff recommends adopting the action as proposed.

ATTACHMENTS

1. Resolution

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING A TEMPORARY ECONOMIC DEVELOPMENT GRANT FOR OFFSETTING PART OF THE PUBLIC AREA REQUIREMENTS OF MILWAUKIE MUNICIPAL CODE SECTION 19.310.5 FOR THE PERIOD OF JULY 1, 2012 TO JUNE 30, 2013.

WHEREAS, the City of Milwaukie requires under Section 19.310.5 of the Milwaukie Municipal Code that those who develop or redevelop property in the Milwaukie Downtown make certain public area requirement improvements within the public right-of-way; and

WHEREAS, the public area requirements were adopted to ensure the development of a consistent and high-quality public right-of-way that establishes a safe, comfortable, contiguous pedestrian-oriented environment with a unified urban design; and

WHEREAS, the redevelopment of the Milwaukie Downtown continues to be a high priority of the City; and

WHEREAS, during the last few years economic conditions have caused redevelopment to slow and some buildings in the Milwaukie Downtown are at less than full occupancy; and

WHEREAS, the imposition of public area requirements has been identified by some downtown property owners as an impediment to redevelopment efforts and the attraction of new businesses or the expansion of existing businesses; and

WHEREAS, the City Council adopted Resolutions 57-2011 and 69-2011 identifying \$20,000 of grant money under the Economic Development line item of the General Fund—non-departmental budget that can be reserved for downtown livability; and

WHEREAS, the City Council awarded \$13,857 in 2011 as the first grant under the program, leaving \$6,143 unencumbered for additional grantees; and

WHEREAS, the City Council wishes to establish a new economic development program to offset PAR costs for the fiscal year beginning July 1, 2012, in the amount of \$6,143; and

WHEREAS, under the program, required PAR costs will be offset and reallocated to the city upon the submittal of building permits that will improve space for new ground level retail tenants; and

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

Section 1. The City of Milwaukie hereby provides a total grant of \$6,143 to be allocated among property owners or developers required to pay for the provision of Public Area Requirements in the downtown.

Section 2. The City of Milwaukie will consider letter requests for use of the grant at the time building permits are submitted for the improvement of ground level space for new retail tenants.

Section 3. The grant program established in Section 1 of this Resolution will end automatically on June 30, 2013, or after the entire grant amount has been reallocated to the City, and may not be renewed without Council approval.

Section 5. This resolution is effective immediately.

Introduced and adopted by the City Council on June 5, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

Pat DuVal, City Recorder

City Attorney



Agenda Item: 3.C.
Meeting Date: 6/5/12

To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Casey Camors, Finance Director
Teri Bankhead, Assistant to the City Manager
Richard Seals, Finance Director

Subject: Budget Committee Terms

Date: May 23, 2012

ACTION REQUESTED

Adopt a resolution revising terms of Budget Committee members to be in accordance with City Municipal Code and Oregon Revised Statute (ORS) 294.414.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

October 2011 – The Budget Committee discussed the move to biennial budgeting and demonstrated intent to move to biennial budgeting, including the revision of Budget Committee terms to 4 years, consistent with ORS 294.414.

December 2011 – The Budget Committee recommended to the City Council that the City of Milwaukie move to biennial budgeting and make the necessary changes as applicable. Acting on the Budget Committee's recommendation, the City Council adopted resolution 100-2011 directing the preparation of biennial budgets for the City of Milwaukie effective for the biennium beginning July 1, 2012.

May 2011 – City Council adopted ordinance 2047 modifying the terms of office of Budget Committee members to be the latest allowed, 4 year terms, under state law and amended section 2.14.020 Membership-Qualifications.

BACKGROUND

In accordance with Oregon Revised Statutes Section 294.414 - Budget Committee, appointive members of a Budget Committee that prepares a biennial budget shall be appointed for terms of four years. Currently, the City of Milwaukie Municipal Code Section 2.14.020 Membership-Qualifications reads that "the appointed members shall be appointed for terms consistent with Oregon Revised Statute 294."

Council Staff Report – Budget Committee Terms
Page 1 of 2

In an effort to come into compliance with City Municipal Code and state law, Budget Committee member terms must be extended as follows:

- For John Fox and Ronald Palmer terms shall expire on June 30, 2015
- Jeffrey Dondino's term shall expire March 31, 2014
- For Jon Stoll and Gabe Storm terms shall expire on March 31, 2015

CONCURRENCE

N/A

FISCAL IMPACTS

N/A

WORK LOAD IMPACTS

N/A

ALTERNATIVES

N/A

ATTACHMENTS

1. Draft Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, REVISING TERMS OF BUDGET COMMITTEE MEMBERS TO BE IN ACCORDANCE WITH OREGON REVISED STATUTE 294.414.

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

WHEREAS, the terms of the Milwaukie Budget Committee Members were established by Ordinance 2035 as three year terms under the annual budget process; and

WHEREAS, the City Council of the City of Milwaukie elected to move to a biennial budget process per Resolution 100-201 to become effective July 1, 2012; and

WHEREAS, Oregon Revised Statute 294 mandates that appointed members of a budget committee that prepare a biennial budget shall be appointed for terms of four years; and

WHEREAS, the City Council passed Ordinance 2047 to be effective June 1, 2012 that changes terms of the budget committee members from three years to the latest allowed under State law, currently four years.

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

SECTION 1: That terms for John Fox and Ronald Palmer shall expire on June 30, 2015

SECTION 2: That Jeffrey Dondino’s term shall expire March 31, 2014

SECTION 3: That terms for Jon Stoll and Gabe Storm shall expire on March 31, 2015

SECTION 4: This resolution takes effect June 1, 2012.

Introduced and adopted by the City Council on June __, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

Resolution No. _____

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
REAPPOINTING BETH KELLAND TO THE MILWAUKIE CITIZENS UTILITY
ADVISORY BOARD.**

WHEREAS, a vacancy exists on the Milwaukie Citizens Utility Advisory Board;
and

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

WHEREAS, Beth Kelland possesses the necessary qualifications to serve on the
Milwaukie Citizens Utility Advisory Board;

**NOW, THEREFORE, the City Council of the City of Milwaukie, Oregon
resolves that:**

Section 1: Beth Kelland is reappointed to the Milwaukie Citizens Utility Advisory
Board.

Section 2: Her term shall commence immediately upon adoption of this
resolution and shall expire on March 31, 2014.

Section 3: This resolution takes effect immediately upon passage.

Introduced and adopted by the City Council on June 5, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

5.
PUBLIC HEARING



Agenda Item: 5.A.
Meeting Date: 6/5/12

To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Casey Camors, Finance Director
Richard Seals, Finance Director

Subject: Resolutions for Budget Actions

Date: May 23, 2012

ACTION REQUESTED

Adoption of the resolution certifying that the City of Milwaukie provides four or more municipal services for eligibility to receive state shared revenues, and adoption of the resolution expressing the election to receive state revenue sharing, both for the 2013-2014 biennium.

BACKGROUND

In order to receive *State Revenue Sharing* funds, the City of Milwaukie must elect to receive *State Revenue Sharing* funds (general funds of the State) in the 2013-2014 biennium. This election is satisfied by the public hearing at the Budget Committee level and the City Council level. At both meetings, citizens have the opportunity to comment on the use of *State Revenue Sharing* funds.

In order to receive *State Shared Revenue funds*, the City of Milwaukie must certify that it is eligible to receive *State Shared Revenue* funds (i.e., liquor, cigarette, 911, and gas taxes) because it provides at least four of the mandatory municipal services in the 2013-2014 biennium.

CONCURRENCE

The City Manager concurs with the proposed resolutions.

FISCAL IMPACTS

The following schedule reflects the projected revenue from the various state shared revenues, the fund the revenue is received in and the purposes for which the revenue is utilized.

	FY13	FY14	Total	Fund Receiving the Revenue
State Revenue Sharing	\$ 197,000	\$ 203,000	400,000	General Fund
Liquor Tax Revenues	274,000	279,000	553,000	General Fund
Cigarette Tax Revenues	30,000	27,000	57,000	General Fund
911 Tax Revenues	102,000	101,000	203,000	General Fund
Gas Tax Revenue	1,175,000	1,188,000	2,363,000	Transportation Fund
	\$ 1,581,000	\$ 1,595,000	3,176,000	

WORK LOAD IMPACTS

N/A

ALTERNATIVES

N/A

ATTACHMENTS

1. State Revenue Sharing Resolution
2. State Shared Revenue Resolution
3. Attachment A to State Shared Revenue Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
DECLARING THE CITY OF MILWAUKIE’S ELECTION TO RECEIVE STATE
REVENUE SHARING FUNDS (GENERAL FUNDS OF THE STATE) IN THE 2013-
2014 BIENNIUM**

WHEREAS, the City of Milwaukie desires to receive state revenue sharing funds apportioned and distributed to the cities of the state during the 2013-2014 biennium as provided in ORS 221.770; and

WHEREAS, ORS 221.770(1)(a) requires that any city electing to receive a distribution must enact an ordinance or resolution expressing that election and file the same with the Oregon Department of Administrative Services no later than June 30th; and

WHEREAS, ORS 221.770 (1)(b) requires that any city electing to receive a distribution must hold at least one public hearing at which citizens have the opportunity to provide written or oral comment on the possible uses of the distributions; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie that the City hereby elects to receive its proportionate share of the state revenues for the 2013-2014 biennium pursuant to ORS 221.770 and has met the requirement of ORS 221.770 (1) as certified in the declaration certificate.

Introduced and adopted by the City Council on June __, 2012.

This resolution is effective on June __, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

CITY OF MILWAUKIE

CERTIFICATION

I, Bill Monahan, City Manager, certify that a public hearing before the Budget Committee was held on April 26, 2012, and a public hearing before the City Council on June __, 2012, giving citizens the opportunity to comment on the use of state revenue sharing funds.

Bill Monahan, City Manager

RESOLUTION NO. [REDACTED]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, IS ELIGIBLE IN THE 2013-2014 BIENNIUM TO RECEIVE STATE SHARED REVENUES (CIGARETTE, LIQUOR, 911, AND HIGHWAY GAS TAXES) BECAUSE IT PROVIDES FOUR OR MORE MUNICIPAL SERVICES

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance, and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milwaukie hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

- (1) Police protection
- (2) Street construction, maintenance, and lighting
- (3) Sanitary sewer
- (4) Storm sewers
- (5) Planning, zoning, and subdivision control
- (6) One or more utility services

Introduced and adopted by the City Council on June __, 2012.

This resolution is effective on June __, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

ATTACHMENT 3

Attachment A

Projection of 2013-2014 Biennium State Shared Revenues

Amount and Use of State Shared Revenues

Projected for the City of Milwaukie using data from the League of Oregon Cities

Type	FY 2013	FY 2014	Total	Fund Receiving the Revenue
Liquor Tax Revenue	\$274,000	\$279,000	\$553,000	General
Cigarette Tax Revenue	\$30,000	\$27,000	\$57,000	General
911 Tax Revenue	\$102,000	\$101,000	\$203,000	General
Gas Tax Revenue	\$1,175,000	\$1,188,000	\$2,363,000	General



Agenda Item: 5.B.
Meeting Date: 6/5/12

To: Mayor and City Council
Through: Bill Monahan, City Manager
From: Casey Camors, Finance Director
Richard Seals, Finance Director
Subject: Resolution Adopting the BN 2013-2014 Budget
Date: May 23, 2012

ACTION REQUESTED

Consider and approve the resolution, as may be adjusted after receiving and considering public testimony, adopting the budget, making appropriations, and declaring and categorizing taxes for the 2013-2014 Biennium.

BACKGROUND

The Budget Committee of the City of Milwaukie was scheduled to meet and approved the 2013-2014 biennial budget on May 31, 2012. A financial summary of the approved budget and a notice of budget hearing before the City Council were published in the "Clackamas Review" on Tuesday, May 30, 2012 according to the requirements of Oregon Local Budget Law (ORS 294.438). The City Council may take action to adopt the budget once the budget hearing has been held and testimony has been heard and considered.

CONCURRENCE

The City Manager concurs with the proposed resolution.

FISCAL IMPACTS

The resolution adopts the 2013-2014 biennial budget of \$88,310,000.

ATTACHMENTS

1. Appropriation Resolution

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE CITY OF MILWAUKIE BUDGET AND CAPITAL IMPROVEMENT PLAN (CIP) FOR THE BIENNIUM COMMENCING JULY 1, 2012, MAKING APPROPRIATIONS, LEVYING AD VALOREM TAXES, AND CLASSIFYING THE LEVY PURSUANT TO SECTION 11b, ARTICLE XI OF THE OREGON CONSTITUTION.

BE IT RESOLVED by the City Council of the City of Milwaukie that:

Section 1. The City Council hereby adopts the budget approved by the Budget Committee for the biennium commencing July 1, 2012 in the sum of \$88,310,000 now on file at Milwaukie City Hall (Finance Department) 10722 SE Main Street, Milwaukie, Oregon 97222.

Section 2. The amounts listed below are hereby appropriated for the biennium commencing July 1, 2012 for the purposes stated.

GENERAL FUND

City Council Department	\$ 98,000
City Manager's Department	1,037,000
Community Development & Public Works Admin	7,571,000
Engineering Services Department	1,235,000
Facilities Management Department	2,494,000
Finance Department	1,408,000
Fleet Services Department	1,733,000
Human Resources Department	717,000
Information Systems Technology Department	1,930,000
Municipal Court Department	708,000
Planning Services Department	1,246,000
Community Services Department	1,244,000
Code Enforcement Department	415,000
Public Access Studio Department	143,000
Records and Information Management Dept.	881,000
Police Administration Department	1,016,000
Police Field Services Department	10,372,000
Police Support Services Department	722,000
Nondepartmental	1,890,000
Contingency	750,000
Appropriated for the General Fund	<u>\$ 37,610,000</u>

LIBRARY FUND

Personnel Services	\$ 2,829,000
Materials & Services	400,000
Debt Service	70,000
Transfers to Other Funds	1,440,000
Capital Outlay	1,000,000
Contingency	100,000
Appropriated for Library	<u>\$ 5,839,000</u>

BUILDING INSPECTIONS FUND

Personnel Services	\$ 424,000
Materials & Services	16,000
Transfers to Other Funds	80,000
Capital Outlay	157,000
Contingency	50,000
Appropriated for Building Inspections	<u>\$ 727,000</u>

TRANSPORTATION FUND

Personnel Services	\$ 928,000
Materials & Services	962,000
Transfers to Other Funds	1,960,000
Capital Outlay	6,327,000
Contingency	500,000
Appropriated for Transportation	<u>\$ 10,677,000</u>

WATER FUND

Personnel Services	\$ 1,125,000
Materials & Services	1,360,000
Transfers to Other Funds	1,880,000
Capital Outlay	965,000
Contingency	50,000
Appropriated for Water	<u>\$ 5,380,000</u>

WASTEWATER FUND

Personnel Services	\$ 813,000
Materials & Services	7,338,000
Debt Service	220,000
Transfers to Other Funds	1,860,000
Capital Outlay	2,355,000
Contingency	200,000
Appropriated for Wastewater	<u>\$ 12,786,000</u>

STORMWATER FUND

Personnel Services	\$ 850,000
Materials & Services	689,000
Transfers to Other Funds	1,500,000
Capital Outlay	2,694,000
Contingency	200,000
Appropriated for Stormwater	<u>\$ 5,933,000</u>

SYSTEMS DEVELOPMENT CHARGES FUND

Materials & Services	\$ 55,000
Capital Outlay	995,000
Contingency	800,000
Appropriated for SDCs	<u>\$ 1,850,000</u>

SUMMARY TOTALS FOR ALL FUNDS

Appropriated Expenditures	\$ 78,152,000
Appropriated Contingency	2,650,000
Total Appropriations	80,802,000
Total Unappropriated	7,508,000
Total Budget for BN 2014	<u>\$ 88,310,000</u>

Section 3. BE IT RESOLVED that the City Council of the City of Milwaukie hereby imposes the taxes provided for in the adopted budget at the rate of \$4.0731 for FY 2012-2013 and \$4.0744 for FY 2013-2014 (City's permanent rate is \$6.5379 offset by County's FD1 permanent rate of \$2.4012 and bonded debt rate of \$0.0636 and \$0.0623 for FY 2013 and 2014 respectively) per \$1000 of assessed value for operations and \$0 bonded debt rate for FY 2012-2013 and FY 2013-2014 and that taxes are hereby imposed for the FY 2012-2013 and FY 2013-2014 tax years upon the assessed value of all taxable property; and classified pursuant to the categories and subject to the limits of section 11b, Article XI of the Oregon Constitution as follows:

	<u>FY 2012-2013</u>	<u>FY2013-2014</u>
General Operations (permanent rate per \$1,000 AV)	\$ 4.0731	\$4.0744
Debt Service Fund (excluded from M5 limitation)	NONE	NONE

Section 4. The City Manager or his designee shall certify, file with and give notice to the County Assessors of Clackamas County and the Department of Revenue information as required by the Oregon Revised Statutes.

Section 5. Effective Date. This Resolution shall take effect upon passage.

The above resolution statements were approved and declared adopted at a regular meeting of the City Council of the City of Milwaukie held on the ___ day of June 2012.

Jeremy Ferguson, Mayor

Dated: _____

ATTEST:

Pat DuVal, City Recorder

Approved as to form:
Jordan Ramis PC

City Attorney



Agenda Item: 5.C.
Meeting Date: 6/5/12

To: Mayor and City Council
Through: Bill Monahan, City Manager
From: Casey Camors, Finance Director
Richard Seals, Finance Director
Subject: Master Fee Schedule Update
Date: May 23, 2012

ACTION REQUESTED

Modify the Master Fee Schedule to reflect the fees and charges updates included in the 2013-2014 biennial budget.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Annually, the City of Milwaukie reviews the Master Fee Schedule ensure recovery of certain City costs from fees and charges levied in providing City services. The updated fee schedule is then adopted by Council each year, commonly on the same or similar schedule as the City Budget.

BACKGROUND

The attached fee schedule (a red-line version and a clean version are both provided as attachments to the adopting Resolution), if adopted, would go into effect on July 1, 2012. Each year, department heads review their fees and make changes, as necessary. The suggested changes generally reflect either a new City practice or a change in the City's cost. The over-arching goal is to accurately recover City costs incurred, per the City's adopted fiscal policies:

The City will maximize the use of service and user charges in lieu of ad valorem taxes and subsidies from other City funds, for services that can be identified and where costs are directly related to the level of service provided. The Council may establish fees at less than "full cost recovery" when deemed in the public interest. The City will periodically and systematically review user fees and charges to take into account the effects of additional service costs and inflation.

The more significant changes in this year's update are:

- Monthly utilities rates are updated to reflect recommendations made by the Citizens' Utility Advisory Board.
- Apply the winter average annually on March 31 based on consumption from December to March, rather than on June 30 based on consumption from November to February. This change is intended to reduce confusion caused by the lag between calculating and applying the average. The winter average will be applied July 31, 2012 as before and then on March 31, 2013 and annually thereafter.
- Planning land use standard application fees are updated to more accurately reflect actual costs.
- Throughout the schedule, there have traditionally been small dollar deposits collected. Often these small deposit type items have been changed to fee type items reducing administrative time in monitoring deposits.
- System Development Charges have been indexed in line with Resolution 40-2007 adopted in 2007.

The Fee Schedule is updated through the course of the year, as needed, when Council actions impact fees. Those changes are not reflected as changes in this document, as they are already in effect.

CONCURRENCE

Changes and updates were solicited from all Departments that assess fees and charges.

FISCAL IMPACTS

No changes are significant enough to be expected to substantially alter any fund budgets.

WORK LOAD IMPACTS

None.

ALTERNATIVES

A delay in adoption would leave current fees in place.

ATTACHMENTS

1. Master Fee Schedule
2. Master Fee Schedule (red-lined)
3. Master Fee Schedule Resolution

ATTACHMENT 1



Master Fee Schedule

Adopted June xx, 2012

Effective July 1, 2012

(Unless otherwise noted)

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1. GENERAL INFORMATION

1.1 Overview

The City of Milwaukie provides a full range of municipal services to the community, which includes police protection, traffic control and improvement, street maintenance and improvement, water, sewer, and surface water management services, planning and zoning regulation, building inspection and regulation, and community library services. This Master Fees Schedule consolidates all City fees and charges, adopted by City Council resolution, for the various services that the City provides. Typically, it is updated annually and reflects all fee resolutions passed by Council during the year. For easy reference, the current Master Fees Schedule booklet is available online at: <http://www.ci.milwaukie.or.us/finance>.

1.2 Fee waiver and variance statement

Based upon an unusual circumstance or event, past practices, demonstrated hardship, or public benefit, the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a particular matter or establish a fee not yet authorized in this schedule. When a new fee is established by the City Manager it shall be incorporated into this resolution, and it shall be included and specified during the next update to this document. It shall be communicated to Council in writing to allow opportunity for comment. The request for a waiver or reduction may be in writing. If the City Manager or his designee agrees to said waiver or reduction, he/she may inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$500 or less).

1.3 Billable hourly rates

Unless otherwise specified, the City employee billable hourly rate shall be calculated as 2.5 times the employee's hourly pay rate, to the nearest \$5 increment. This calculation shall be used to recover costs for those services billed on an hourly basis, including but not limited to professional services such as planning, engineering, public works, utility, financial, legal, and police services. The use of a multiplier of 2.5 is intended to recover all overhead, training, benefits, and other costs associated with a City employee's time. Any work performed during overtime hours shall be billed the calculated hourly rate multiplied by 125 percent. A schedule of hourly billing rates will be maintained. The City Manager or Department Directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

2 UTILITIES

2.1 Monthly Rates

Wastewater and Water

UTILITY	Residential		Low Income		Commercial	
	Fixed	Volume Charge	Fixed	Volume Charge	Fixed	Volume Charge
	(per unit)	(per CCF of water consumption)	(per unit)	(per CCF of water consumption)	(per account)	(per CCF of water consumption)
Wastewater¹ effective July 1, 2012	\$ 11.93	\$ 4.53	\$ 5.97	\$ 2.27	\$ 11.93	\$ 5.87
Water² effective July 1, 2012	5.27	2.39	exempt	2.39	5.27	2.39

1. Residential wastewater volume charge is determined by the average monthly water usage from December to March (winter average). The winter average is adjusted annually on March 31st.

2. Fixed water rate of \$5.27 is for a 3/4" meter or smaller. The base rates for larger meters are as follows:

Commercial/Multifamily Meters		Standby Meters for Fire Flow Purposes	
Meter Size	Monthly Base Rate	Meter Size	Monthly Base Rate
1"	\$ 7.35	2"	\$ 7.85
1.5"	11.86	4"	28.27
2"	18.42	6"	41.16
3"	45.41	8"	55.88
4"	78.06	10"	70.59
6"	115.18	12"	85.31

Stormwater and Streets

UTILITY	Single Family Residential	Low Income	Commercial
Stormwater effective July 1, 2012	\$11.44	\$5.72	\$11.44 per 2,706 sq. ft. of impervious area
Street Maintenance Ord. #1966 effective July 1, 2007	\$3.35	Exempt	\$.35 per daily trip generated ²

Full billing cycle rates for street maintenance in other residential categories are:

Street Maintenance Rates for Other Residential Categories	
Residential Category	Rates
Multifamily residential	\$2.10 per unit
Elderly housing	\$1.40 per unit
Mobile homes	\$1.40 per unit
Congregate care	\$.70 per unit

Commercial daily trip generation is calculated based on type of use and building square feet. Monthly bill is capped at \$250. (Municipal Code Section 3.25.060.)

2 UTILITIES (continued)

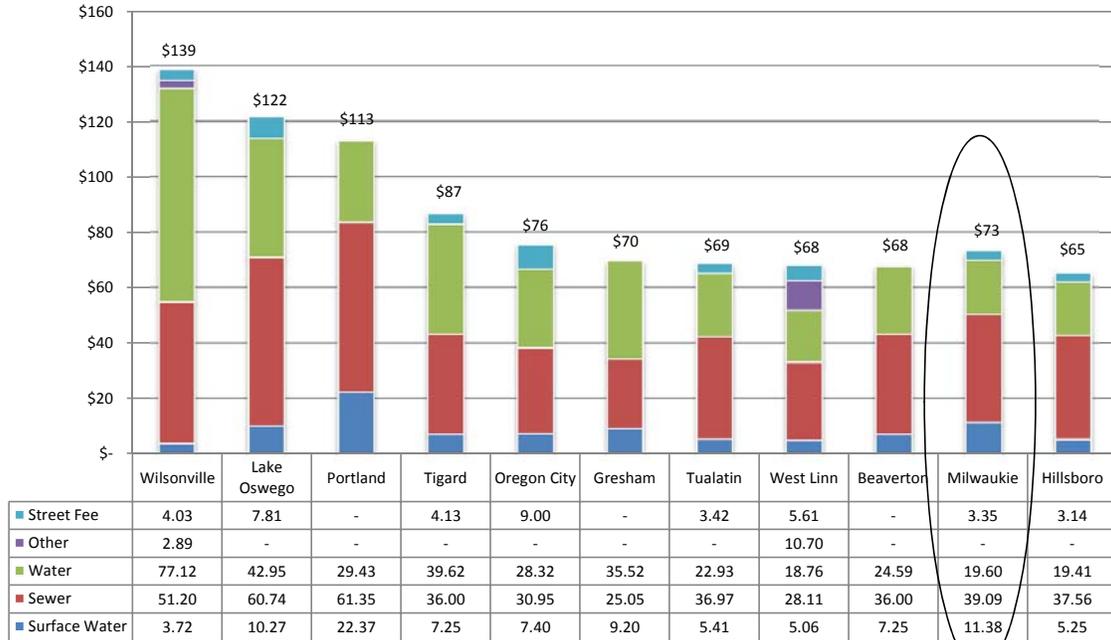
2.2 Other Charges

Water:	<u>Fee</u>
Service and Equipment	
Connect Service 5/8" or 3/4" Residential Service	\$ 2,460
Connect Service 1"	2,547
Connect Service 1 1/2"	2,923
Connect Service 2"	3,067
Equipment	
3/4" Meter	208
1" Meter	301
1 1/2" Meter	510
2" Meter	625
Hydrant Meter Deposit	2,000
(Refundable less water usage)	
Miscellaneous	
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Shut-off/Turn-on	30
After-hours Restoration of Service (reduced from \$120 by authorization of City Manager on 3/11/11)	80
(Monday-Friday 3:00-8:00 p.m.; Saturday and Sunday 8:00 a.m.-8:00 p.m.)	
Information Research	\$44/hr.
Reimbursement District Fee	To be determined by scope of project

2.3 Penalties (each day that a violation exists is a separate offense)

Low income utility rate violation (Ord. #1424, adopted 1979)	up to \$200
Water, wastewater, or storm system regulation violation (Ord. #1418, adopted 1978, Ord. #1548, adopted 1983, and Ord. #1755, adopted 1994)	\$25 to \$500
Sewer violation (Ord. #1548, adopted 1983)	maximum \$500
FOG violation (Ord. #1990, adopted 2008, Ord. #1985, adopted 2008, and Ord. #1972, adopted 2007)	maximum \$500

2.4. Comparison Graph of Average Utility Bills of Neighboring Cities (on a monthly basis)



This graph compares the average utility bills for the neighboring cities surrounding Milwaukie. As some cities bill monthly, some bill every two months, and some bill every three months, these amounts are converted to average monthly amounts so they are comparable to Milwaukie. Also, cities increase different rates at different times during they year; therefore, this graph is simply a picture in time reflecting the rates at the time that the survey was conducted. And finally, cities have different average water consumption amounts per household; so for the sake of this comparison, these rates are computed using an average 6ccfs of water used per month so as to be most comparable to Milwaukie's overall average. Below are Milwaukie's calculations:

	eff. July 1, 2011		eff. July 1, 2012		eff. July 1 2013			
	increased	avg bill	increased	avg bill	increased	avg bill		
Water Service Fee								
Base		\$ 4.50	17.1%	\$ 0.77	\$ 5.27	14.70%	\$ 0.77	\$ 6.04
Plus per 6ccf		12.24	17.1%	2.09	14.33	14.70%	2.11	16.44
<i>Avg water per house (6ccfs)</i>		16.74			19.60			22.48
Sewer Service Fee								
Base fee		11.15	7.0%	0.78	\$ 11.93	6%	0.72	12.65
Plus per 6ccf		25.38	7.0%	1.78	27.16	6%	1.63	28.79
<i>Avg sewer per house</i>		36.53			39.09			41.44
Storm Water Management Fee		10.64	7.0%	0.74	11.38	7%	0.80	12.18
Street Maintenance Fee		3.35	0%	-	3.35	0%		3.35
<i>Average bill to homeowner</i>		<u>\$ -</u> <u>\$ 67.26</u>		<u>\$ 6.16</u> <u>\$ 73.42</u>		<u>\$ 6.03</u> <u>\$ 79.45</u>		

3. BUILDING

3.1 Residential Building Permits

A.

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

1. Permit

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$500	\$ 18.75	\$ -
\$501 to \$2,000	18.75	2.89
\$2,001 to \$25,000	62.10	11.54
\$25,001 to \$50,000	327.52	8.58
\$50,001 to \$100,000	542.02	5.77
Over \$100,000	830.52	4.88
Minimum permit fee	100.00	

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

	<u>Fee</u>
2. Initial Plan Review Fees	65% of the permit fee
3. Plan Review Fees Required/Requested by Changes, Additions, Revisions	75/hr. (1 hr. min.)
4. Third Party Plan Review Fee (for transfer of plan review to a third party)	10% of the permit fee (\$65 min.)
5. Residential Solar PV Installation	\$ 100.00

B. Mechanical Permits—Fees per current Mechanical Permit application

	<u>Fee</u>
Minimum Permit Fee	\$ 85.00

1. HVAC

For the installation of:

Air handling unit including ducts:

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

3. BUILDING (continued)

2. Environmental Exhaust and Ventilation

For the installation of:

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

3. Fuel Piping and Distribution

LPG-NG-Oil fuel piping:

Up to 4 outlets (includes gas tag)	23.00
Each additional outlet over 4	2.50

4. Other Listed Application or Equipment

Decorative fireplace or insert	37.00
Woodstove/pellet stove	49.00
For each appliance or piece of equipment regulated by the code but not classed in other appliance categories, for which no other fee is listed in this code, or for which there is an alteration or extension of an existing mechanical system	19.50

C. Plumbing Permits—Fees per current Plumbing Permit application

Minimum Permit Fee	<u>Fee</u>
	\$ 85.00

1. Total Bathrooms Per Dwelling

1 bath dwelling (includes 1 kitchen)	352.00
2 bath dwelling (includes 1 kitchen)	389.00
3 bath dwelling (includes 1 kitchen)	462.00
Additional bathroom/kitchen	184.00

Includes the first 100 ft. of water piping, sanitary and storm sewer lines, hose bibs, icemakers, under floor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.

2. Additions, Alterations, and Repairs (per fixture)	18.00
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3. Utilities per 100 feet	65.00
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Catch basin	28.00
Drywells each	28.00
Footing drain (per 100 lin. ft.)	56.00
Rain drain connector	28.00
Manholes each	56.00

4. Interior Piping (per 100 lin. ft.)	65.00
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3. BUILDING (continued)

5. Stand-alone Fire Suppression Systems (requires a backflow device installed by licensed plumbing contractor or persons exempt from licensina)

0 sq. ft. to 2,000 sq. ft.	94.50
2,001 sq. ft. to 3,600 sq. ft.	141.75
3,601 sq. ft. to 7,200 sq. ft.	177.50
\$7,201 sq. ft. and greater	330.75

6. Multipurpose or Continuous Loop Fire Suppression Systems

0 sq. ft. to 2,000 sq. ft.	94.50
2,001 sq. ft. to 3,600 sq. ft.	141.75
3,601 sq. ft. to 7,200 sq. ft.	177.50
\$7,201 sq. ft. and greater	330.75

D. Other Inspections and Fees

Minimum Inspection Fee	<u>Fee per hour</u>
	\$ 85.00

1. Inspections outside of normal business hours

98/hr. (2 hr. min.)

(Must be preapproved by applicant)

2. Inspections for which no fee is specifically indicated

68.00

(Must be preapproved by applicant)

3. Re-inspection fee

60.00

4. Replacement sheets

23.00

5. Investigation fee

Amount of subject permit fee

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

	<u>Fee</u>
1. Installation permit	\$ 445.00
2. Earthquake-resistant bracing	135.00
3. Re-inspection	135.00
4. Statewide code development, training and monitoring fee (in addition to all other manufactured dwelling fees and charges)	30.00

3. BUILDING (continued)

3.2 Commercial/Industrial Building Permits

A.

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

1. Permit Fee

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$500	\$ 18.75	\$ -
\$501 to \$2,000	18.75	2.89
\$2,001 to \$25,000	62.10	11.54
\$25,001 to \$50,000	327.52	8.58
\$50,001 to \$100,000	542.02	5.77
Over \$100,000	830.52	4.88
Minimum permit fee	100.00	

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

	<u>Fee</u>
2. Initial Plan Review Fees	65% of the permit fee

3. Plan Review Fees Required/Requested by Changes, Additions, Revisions	75/hr. (1 hr. min.)
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4. Fire and Life Safety Plan Review Fee (commercial only)	40% of structural permit fee
(Based on valuation of total improvements or \$50.00/hr. to review a Fire and Life Safety Master Plan)	
(Hourly charge must be approved by Applicant)	

5. Seismic Site Hazard Report Review	1% of total structural and mechanical fees
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B. **Mechanical Permits**—Valuation shall be calculated on the value of the equipment and installation costs.

1. Use this section for commercial installation, replacement or relocation of non-portable mechanical equipment or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.

1. Permit Fee:

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$6,500	\$ 85.00	\$ -
\$6,501 to \$10,000	85.00	1.73
\$10,001 to \$100,000	145.50	10.50
Over \$100,000	1,090.50	7.25
Minimum permit fee	85.00	

3. BUILDING (continued)

2. Plan review fee 25% of mechanical permit fee

3. Plan Review Fees Required/Requested by Changes, Additions, Revisions 75/hr. (1 hr. min.)

C. Plumbing Permits

Fee

1. Additions, Alterations, and Repairs (per fixture) \$ 18.00

2. Utilities per 100 feet 65.00

Catch basin 28.00

Drywells each 28.00

Footing drain (per 100 lin. ft.) 28.00

Rain drain connector 28.00

Manholes each 28.00

3. Interior Piping (per 100 lin. ft.) 65.00

4. Initial Plan Review Fees

30% of the Plumbing permit fees

5. Plan Review Fees Required/Requested by Changes, Additions, Revisions 75/hr. (1 hr. min.)

6. Minimum permit fee 85.00

7. Medical Gas Permits: Valuation shall be calculated on the value of the equipment and installation costs.

Medical Gas Permit Fees:

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$6,500	\$ 85.00	\$ -
\$6,501 to \$10,000	85.00	1.73
\$10,001 to \$100,000	145.50	10.50
Over \$100,000	1,090.50	7.25
Minimum permit fee	85.00	

3. BUILDING (continued)

	Fee
D. Other Inspections and Fees	
Minimum Inspection Fee	\$ 85.00
1. Inspections outside of normal business hours	
(Must be preapproved by applicant)	98/hr. (2 hr min.)
2. Inspections for which no fee is specifically indicated	75.00
(Must be preapproved by applicant)	
3. Re-inspection fee	60.00
4. Replacement sheets	23.00
5. Investigation fee	Amount of subject permit fee
6. Temporary Certificate of Occupancy	180.00
7. Change of use/occupancy	300.00
E. Deferred Submittal Fee (in addition to project plan review fee)	
(OAR 918-050-0170)	\$250 + 10% of deferred item permit fee per deferred submittal (minimum \$300)
F. Phased Permit Fee (in addition to project plan review fee)	
(OAR 918-050-0160)	\$250 + 10% of total project permit fee per phase (minimum \$300, not to exceed \$1,500 per phase)

3. BUILDING (continued)

3.3 Permit Related Fees

A. A State surcharge shall be collected in an amount as required by State law.

B. Building Moving/Demolition Permits

2,000 sq. ft. or less	\$	85.00
Each additional 1,000 sq. ft.		300.00
Plan Review Fee		65% of the permit fee

C. Prefabricated Structures

(Per current permit fees)

D. Temporary Structures

(Per current permit fees)

E. Manufactured Dwelling Parks and Mobile Home Parks

Per current State of Oregon permit fee

(OAR. Division 650.Table 1) plus 30%

F. Recreational Parks and Organizational Camps

Per current State of Oregon permit fee

(OAR. Division 650.Table 1) plus 30%

G. Miscellaneous Building Valuations

1. Retaining Walls

	<u>Fee</u>
To 8 ft. high, including footing	\$254/lin. ft.
Over 8 ft. high	276/lin. ft.

2. Fences

Over 6 ft. to 8 ft. high	15/lin. ft.
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3. Concrete Slabs on Grade Foundations—For house moves, modular buildings, pole buildings, etc.

Plain concrete:

4-in. slab	3/sq. ft.
5-in. slab	3.10/sq. ft.
6-in. slab	3.25/sq. ft.
Reinforced concrete	Add 1.15/sq. ft.

4. Crawl Space Foundations

For house moves, modular, etc.	7.50/sq. ft.
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5. Accessory Buildings

With floor slab	55/sq. ft.
Without floor slab	28/sq. ft.

3. BUILDING (continued)

6. Pole Buildings

Up to and including 14-ft. eave height	32/sq. ft.
Over 14-ft. eave height	45/sq. ft.

For insulation:

Roof—add	0.35/sq. ft.
Slab—add	0.35/sq. ft.
Wall—add	0.35/sq. ft.
For slabs on grade	see section G. 3. for fees

7. Swimming Pools (pool only/deck extra)

Concrete or unite	70/sq. ft.
Plastic below ground	45/sq. ft.

3.4 In-Fill and Grading

A. In-Fill and Grading Permit Fees

	<u>Fee</u>
1-50 cubic yards	\$ 100.00
51 to 100 cubic yards	150.00
101 to 1,000 cubic yards	200.00
1,001 to 10,000 cubic yards	250.00
10,001 cubic yards or more	Total hourly cost*

*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

B. In-Fill and Grading Plan Review Fees

1-50 cubic yards	100.00
51 to 100 cubic yards	150.00
101 to 1,000 cubic yards	200.00
1,001 to 10,000 cubic yards	250.00
10,001 cubic yards or more	Total hourly cost*

*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

C. Other Inspections and Fees

1. Inspections outside normal business hours

75/hr. (2 hr.min.)

2. Re-inspection fee

75/hr.

3. Inspections for which no fee is specifically indicated

75/hr.

3. BUILDING (continued)

3.5 Penalties

	<u>Fee</u>
Penalties (each day that a violation exists is a separate offense)	
Violation of vacant building standards (Ord. #1464, adopted 1980)	up to \$300
Interference with fire control device (Ord. #1515, adopted 1982)	up to \$750
Swimming pool barrier violation (Ord. #1430, adopted 1979)	up to \$100 per week ^[2]
Building relocation violation (Ord. #1952, adopted 2005)	not less than \$1,000
Failure to comply with stop work order (Ord. #1881, adopted 2000)	up to \$1,000
Any violation of Title 15 for which a specific penalty has not been expressly provided (Ord. #2011, adopted 2010)	up to \$1,000

3.6 Specialty Code Penalty (1)

A. Penalty

Violation of various Specialty Codes (building, plumbing, mechanical, electrical) (Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010)	up to \$1,000 per day, (max. \$5,000)
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B. Fee

Appeal of Specialty Code violation (Ord. #2011, adopted 2010)	250.00
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(2) Each week that this violation exists is a separate offense.

4. BUSINESS REGISTRATION

4.1 Fees and charges

	<u>Fee</u>
Standard base fee	\$ 110
New business commencing between July 1 and December 31	55
Change in business ownership fee	10
Fee for each FTE	5
Temporary Business (2 weeks or less)	25
Duplicate receipt	10
Delinquent Registration	\$10% of base fee each calendar month and fraction thereof

4.2 Penalties (each day that a violation exists is a separate offense)

Violation of business registration requirements (Ord. #1863, adopted 1999, and Ord. #1349, adopted 1976)	up to \$200
Failure to secure motor vehicle fuel sales permit (Ord. #1970, adopted 2007)	200% penalty on tax owed
Failure to file monthly motor vehicle fuel sales report (Ord. #1970, adopted 2007)	\$50
Late payment of motor vehicle fuel sales tax (Ord. #1970, adopted 2007) (depending upon length of delinquency)	1% or 10% of tax
Violation of "Milwaukie Junk Dealers, Secondhand Dealers, Pawnbrokers and Transient Merchants Ordinance" (Ord. #1552, adopted 1983)	up to \$300

Metro Business License versus City Business License or Both?:

Instead of getting separate business licenses within each Portland-area city that you conduct business in, you can get a single license from Metro to construct, alter and repair structures in 20 cities that have licensing requirements in the metropolitan area. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. The Metro license allows contractors or landscapers to operate in 20 cities surrounding Portland having licensing requirements in the metropolitan area, excluding Portland. Exception: if your principal place of business is inside the City of Milwaukie, the business is required to apply for a City of Milwaukie Business Registration in addition to the Metro License.

For Metro applications, contact Metro at 503-797-1710 or visit their website at: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=24216>.

5. CODE ENFORCEMENT

5.1 Penalties (each day that a violation exists is a separate offense)

	<u>Fee</u>
General penalty (applies to any Municipal Code violation where no other penalty is specified) (Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986)	\$150 to \$500
Third or subsequent violation (applies to any Municipal Code violation) (Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986)	\$1,000
Nuisance violation (Ord. #1503, adopted 1981, and Ord. #1028, adopted 1964)	maximum \$500
Shopping cart retrieval programmatic violation (Ord. #1980, adopted 2008)	maximum \$500
Noise control violation (Ord. #1528, adopted 1982)	maximum \$500
Adult business code violation (Ord. #1533, adopted 1982)	maximum \$500
Public urination or defecation (Ord. #1953, adopted 2005)	up to \$750
Curfew violation (Ord. #1503, adopted 1981, and Ord. #995, adopted 1963)	up to \$300
Failure to retrieve shopping cart within 72 hours (Ord. #1980, adopted 2008)	\$50
Solid waste regulation/un-franchised violation (Ord. #1955, adopted 2005)	up to \$100
Abatement (applies to any Municipal Code violation citation) (Ord. #1998, adopted 2009, Ord. #1758, adopted 1994, and Ord. #1659, adopted 1989)	\$50

All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations.

6. ENGINEERING

6.1 Inspections and Permits

	<u>Fee</u>
Right-of-Way Inspection Permit	\$ 150
Right-of-Way Use Permit	30
Street Opening Inspection Fee	85
Right-of-way/Street Opening Re-inspection (beyond standard of 2 for R-O-W and 1 for street opening)	85
Sewer Dye Test	100
Subdivision Const. Inspect. (Street/Sewer/Water/Storm Sewer)	5.5% of Total Const. Cost (min. \$500)
Public Impvts. Const. Inspection (Comml./Ind./Misc. Dev.)	5.5% of Total Const. Cost (min. \$500)
Street Opening Deposit (Performance bond amount at discretion of City Engineer)	\$25 per square foot, \$1,500 minimum
Street Opening Deposit (Streets under 5-Year Moratorium) (Performance bond amount at discretion of City Engineer)	\$50 per square foot, \$3,000 minimum
Right-of-Way Usage for Wireless Communication Facility	\$250/month per antenna per utility pole
Moving Buildings	\$200 + \$65/hr. staff time + \$1,000 deposit

6.2 Tree Removal

	<u>Fee</u>
Tree Removal Permit	\$ 150

6.3 Materials (Engineering)

	<u>Fee</u>
Public Works Standards	\$ 30
Sewer TV Inspection Tape	25
Electronic Drawings	
Paper—all sizes	5
Other format	7
(plus \$45/hr for additional work)	
Reproduction charges	1
(\$0.10 for additional pages)	

6. ENGINEERING (continued.)

6.4 Printed and Electronic Maps (GIS)

	<u>Fee</u>
Standard selection of GIS maps	
Full Sheet (34" x 44")	\$ 45
1/2 Sheet (22" x 34")	35
1/4 Sheet (17" x 22")	25
1/8 Sheet (11" x 17")	15
Electronic file (via electronic mail in PDF, JPG, GIF or TIF formats)	15
Electronic file (for mailed media, which includes postage, handling and media charges)	22
Aerial maps	
Full Sheet (34" x 44")	50
1/2 Sheet (22" x 34")	40
1/4 Sheet (17" x 22")	30
1/8 Sheet (11" x 17")	20
Electronic file (via electronic mail in PDF, JPG, GIF or TIF formats)	15
Electronic file (for mailed media, which includes postage, handling and media charges)	22
Custom maps:	
Flat charge per hour plus cost of materials	55
Electronic file (for mailed media, which includes postage, handling and media charges)	7

6.5 Erosion Control

	<u>Fee</u>
Erosion Prevention and Sediment Control Planning and Design Manual (CD)	\$ 10
Minimum Charge for Clearing/Construction*	75
Minimum charge applies if:	
Over 500 sq. ft. of disturbed soil	
Not in or around a sensitive area (NR Zone, wetlands, conservancies, and streams)	
Value of structure/remodel doesn't exceed \$20,000	
Clearing/Construction for Single-Family Residential	380
Rate if certified in erosion control**	225
Clearing/Construction for Multifamily Residential	490
Rate if certified in erosion control**	335
(additional \$40 per ½ acre over 1 acre)	
Clearing/Construction for Subdivision/Commercial/Industrial	623
Rate if certified in erosion control**	467
(additional \$40 per ½ acre over 1 acre)	
Additional Site Visit (due to code enforcement)	65

*Erosion control certification discount does not apply

**Certification requires 4 hours of training in erosion control every 2 years

City of Milwaukie

Master Fees & Charges

Effective July 1, 2012

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6. ENGINEERING (continued.)

6.6 Penalties (each day that a violation exists is a separate offense)

Violation of capital improvement regulations (Ord. #1707, adopted 1991)	up to \$500
Basketball hoop regulation violation (Ord. #1503, adopted 1981, and Ord. #1405, adopted 1978)	up to \$250
Vegetation too low in the right-of-way (Ord. #1999, adopted 2009)	up to \$100
Clear vision violation (Ord. #1679, adopted 1990)	up to \$250
Failure to repair sidewalk (Ord. #1697, adopted 1991)	up to \$250
Sidewalk bench violation (Ord. #1503, adopted 1981, and Ord. #1289, adopted 1974)	up to \$100
Failure to remove street bench after permit termination (Ord. #1289, adopted 1974)	\$25
Flood hazard violation (Ord. #1983, adopted 2008, and Ord. #1899, adopted 2002)	up to \$1,000
Access management violation (Ord. #2004 adopted 2009)	up to \$250
Right-of-way encroachment (Ord. #2004 adopted 2009, and Ord. #1866 adopted 2000)	up to \$250
Erosion control violation (Ord. #1899 adopted 2002)	up to \$300

7. LIBRARY

7.1 Photocopies:

	<u>Per Item</u>
Black and White	\$ 0.10
Color	0.90
Microfilm Copies	0.10

7.2 Overdue Fine:

	<u>Per Day</u>	<u>Maximum</u>
Adult	\$ 0.25	\$ 3.00
Juvenile	0.10	1.00

7.3 Lost or damaged items:

	<u>Per Item</u>
Barcode	\$ 1.00
Book Jacket	0.90
Barcode and Book Jacket	0.90
Audiobook Cassette or CD	0.90
Audiobook and CD-ROM case	0.90
Juvenile Kit—Plastic Bag	0.90
Missing Pages and Booklets	Refer to Librarian
Lost Item	Actual Retail Cost
Damaged Material	Replacement Cost
Lost Library Card	\$1

7.4 Replacement Media Cases:

	<u>Per Item</u>
Cover sheet	\$ 1.00
Video Box	1.00
DVD Case	1.00
CD Case	2.00
CD and CD-ROM booklets	3.00

7.5 Miscellaneous

	<u>Per Item</u>
Public Computer Printing (first 5 free)	\$ 0.10
	<u>Per year</u>
Non-District citizen library use	\$ 95.00

8. MISCELLANEOUS

8.1 Photocopies		<u>Per Item</u>	
Assisted:			
Black and White		\$	0.30
Color			1.00
Unassisted:			
Black and White			0.10
Color			0.90
8.2 Other Copying/Service		<u>Per Item</u>	
Audio tape		\$	10
Video tape			20
Transcription (per hour)			30
Electronic files on CD-ROM			5
(Includes \$2 for postage & handling. Additional research charges may apply.)			
8.3 Photographs		<u>Per Page</u>	
Color photos on photo quality paper		\$	3
Color photos on standard copy paper			1
8.4 Financial Reports		<u>Fee</u>	
Adopted Budget		\$	45
Comprehensive Annual Financial Report			45
Capital Improvement Plan			45
8.5 Miscellaneous		<u>Fee</u>	
Returned Check Charge		\$	30
Lien Search			27
Temporary Event/Block Party			Actual Cost
Postage and Handling			\$2 plus postage
8.6 Telecommunications		<u>Fee</u>	
Registration fee		\$	36
Franchise review deposit			5,000
Community Service Use—Wireless Communication Facility (see PLANNING fees)			
Right-of-Way Usage for Wireless Communication Facility (see ENGINEERING fees)			

9. MUNICIPAL COURT

9.1 Fees and Charges

	<u>Fee</u>
Payment Plan Installment Fee	\$ 25
Failure to Appear Fee	25
Reinstatement Fee	15
Suspension Packet Fee	12
Returned Check Fee	30
Boot Release Fee	45
Seat Belt Class Fee	50

9.2 Penalties	<u>Presumptive Fine</u>	<u>Special Zone Fine₁</u>	<u>Minimum Fine</u>	<u>Maximum Fine</u>
Class A	\$ 435	\$ 870	\$ 220	\$ 2,000
Class B	260	520	130	1,000
Class C	160	320	80	500
Class D	110	220	60	250

₁ Special Zones include highway work Zones, school zones and safety corridors

10. PARKING

10.1 Parking Permit Fees

	<u>Fee</u>
Monthly Permit	\$ 20

10.2 Parking Bail Schedule

(Res. #46-2009, adopted 2009)

	<u>Fee</u>
Abandoned Vehicle	\$ 50
Angle Parking	15
Bicycle Lane	20
Blocking Driveway	50
Block Rule	25
Bus Zone	20
Double Parking	20
During Prohibited Times	50
Emergency/Safety Zone	50
Fire Hydrant	50
Five or More Unpaid Violations	50
Handicapped Zone	250
Loading Zone	20
No Parking Zone/Prohibited	50
On Crosswalk/Sidewalk	35
Over 1 Ft. from Curb	15
Over Space Line	15
Overtime Parking	25
Overtime Parking 5 or more	30
Permit Only Parking	30
Taxi Zone	20
Tow Away Zone	50
Traffic Hazard	50
Trucks—2 Hr. Limit	50
Wrong Side of Street	15

If bail is not posted by the court date the fine will be doubled

(Ord. #2005, adopted 2009, Ord. #1997, adopted 2009, Ord. #1728, adopted 1993, and Ord. #1361, adopted 1977)

11. PLANNING

11.1 Land Use Standard Applications

The following standard fees apply to all land use applications[1] not listed below. Some applications may require additional fees as described below under Additional Application Fees:

	<u>Fee</u>
Type I Administrative Review	\$ 200
Type II Administrative Review	1,000
Type III Quasi-Judicial Review	2,000
Type IV Quasi-Judicial Review	5,000
Type V Legislative Review	5,000

11.2 Other Land Use Applications

	<u>Fee</u>
Community Service Use—Minor Modification (Type I)	\$ 50
Historic Resource Designation (Type IV)	150
Minor Land Partition (Type II)	2,000
Natural Resource (Res. #77-2011, adopted 8/16/11, effective 9/15/11)	
Boundary Verification (Type I)	-
Construction Management Plan (Type I)	-
Natural Resource Management Plan (Type I)	-
Tree Removal Request (Type I)	-
Tree Removal Request (Type III)	500

All Other Type I, II, or III applications

Per Standard
Application Fees
(listed above)

(Fees waived for applications that meet all 3 of the following criteria: (1) the application involves only a habitat conservation area (HCA) and not a water quality resource (WQR), (2) the property is used for residential purposes, and (3) the current owner was the owner prior to September 15, 2011, the effective date of Ordinance #2036, pursuant to Resolution #77-2011.)

Planned Development—Preliminary Plan Review (Type III)	4,400
Planned Development—Final Plan Review (Type IV)	5,700
Property Line Adjustment (Type I)	650
	\$4,400 + \$100
Subdivision—Preliminary Plat Review (Type III)	per lot over 4 lots
Temporary Structure (Type I)	50

11.3 Annexations

	<u>Fee</u>
Annexation (Expedited)	\$ 150
Annexation (Non expedited: No Zone Change or Comp Plan Amendment)	150
Annexation (Non expedited: Zone Change only)	500
Annexation (Non expedited: Zone Change and Comp Plan Amendment)	3,500

11. PLANNING (continued)

11.4 Appeals

	<u>Fee</u>
Appeal to Planning Commission (Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	\$ 500
Appeal to City Council (Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	1,000

11.5 Additional Application Fees

	<u>Fee</u>
The following fees apply in addition to Land Use Application fees:	
Measure 56 Notice (for Zoning Map or Text Amendment)	Actual Cost (\$1 per affected property, \$35 minimum)
Reserve deposit	500
Technical Report Review:	
Scope of Work Preparation	Actual Cost[1]
Reserve deposit	1,000

[1] For a complete list of land use application types, see Milwaukie Municipal Code Table 19.901.

[2] Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project. See more information under Deposit Information.

Review of Technical Report	Actual Cost[1]
Reserve deposit:	
Traffic	2,500
Natural Resources (Res. #77-2011, adopted 8/16/11, effective 9/15/11)	2,000
All others	1,000

11.6 Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

11. PLANNING (continued)

11.7 Discounts for Land Use Applications

Two or more applications (no discount for most expensive application)	25% discount
(This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.)	
Senior citizens	10% discount
(Seniors must be at least 65 years of age, and must be the property owner. May get Senior or Low income discount)	
Low income citizens	25% discount
(Low-income citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.)	
NDA-sponsored land use applications related to parks	Fees waived

11.8 Early Assistance

	<u>Fee</u>
Pre-application Meeting	\$ 100
(Applies to optional meetings attended by a maximum of 2 City staff. No written notes provided.)	
Pre-application Conference	200
(Applies to required or optional meetings that require 3 or more City staff. Written summary notes provided 2 weeks after meeting.)	
Pre-application Conference—Transportation Facilities Review	100
(Additional meeting required to discuss Transportation Impact Study.)	
Design Review Consultation with Design and Landmarks Committee	800

11.9 Special Requests

	<u>Fee</u>
Planning Commission Approval for Bee Colonies	\$ 500
Property Value Reduction Claims (pertaining to Measures 37 or 49)	1,515
(Fee will be refunded if applicant prevails. If claim is denied, additional money may be required to cover contract-attorney or appraiser costs, as determined by City Manager.)	
Significant Modification of Complete Land Use Application	500
Reschedule of Public Hearing at Applicant's Request (when re-notification required)	500
Temporary Occupancy Request	100
Time Extension of Previously Granted Land Use Approval (Title 17 only)	50
Zoning Confirmation (General)	50
Zoning Confirmation (DMV Permit, LUCS)	25
(waived for LUCS for emergency sewer connection)	

11. PLANNING (continued)

11.10 Permit Review and Inspections

	<u>Fee</u>
Building Permit Review and Inspections (Minor; e.g., Demolition, Erosion Control, etc.)	\$ 25
Building Permit Review and Inspections (Major)	200
Additional Planning Inspection Fee	50
Modifications to Building Permit during Review (Fee applies to site plan revisions generated by applicant, not those required by staff during review process.)	100
Sign Permit Review (per sign)	100
Sign Permit Review (Daily Display or "sandwich board" sign)	150
Tree Permit (major pruning or removal of trees in the public right-of-way)	80

11.11 Materials

	<u>Fee</u>
Zoning Ordinance	\$ 25
Comprehensive Plan	15
Many materials are available online for free at: http://www.ci.milwaukie.or.us/planning/planning-documents-ordinances-plans-and-guidelines . Contact Planning staff for additional information.	

11.12 Comprehensive Plan or Zoning Ordinance Map:

	<u>Fee</u>
11x17 handout (Black & White)	No charge
11x17 handout (Color)	\$ 2
GIS maps full sheet (e.g., Zoning Map) (See Engineering for other sizes)	45

11.13 Comprehensive Plan ancillary documents: (most not available online)

	<u>Fee</u>
Ardenwald Park Master Plan	\$ 2
Downtown and Riverfront Land Use Framework Plan	25
Elk Rock Island Natural Area Management Plan	8
Furnberg Park Master Plan	5
Homewood Park Master Plan	1
Johnson Creek Resources Management Plan	15
Lake Road Multimodal Plan	8
Lewelling Community Park Master Plan	1

11. PLANNING (continued)

Comprehensive Plan ancillary documents: (most not available online) (contd.)

	Fee
North Clackamas PFP	25
Town Center Master Plan	15
Scott Park Master Plan	2
Spring Park Master Plan	5
Springwater Corridor Master Plan	8
Transportation System Plan:	
Full Document	49
Executive Summary	15
CD	4
Water Tower Park Master Plan	2
Wichita Park Master Plan	2
Vision Statement (one page)	No charge
Sign Ordinance	5
Land Division Ordinance	5
Downtown Design Guidelines (Black & White/Color)	\$10/\$35
Downtown and Riverfront Public Area Requirements	15
Other informational handouts (10 pages or less)	No charge
Other informational handouts (over 10 pages)	At cost

11.14 Penalties (each day that a violation exists is a separate offense)

Violation of Sign Ordinance (Title 14) (Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993)	up to \$100
Unpermitted tree cutting in the public right-of-way (Title 16) (Ord. #1836, adopted 1998)	\$150 to 500
Violation of Land Division Ordinance (Title 17) (Ord. #1907, adopted 2002)	200
Violation of Zoning Ordinance (Title 19) (Ord. #2025, adopted 2011)	up to \$200

[1] Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project. See more information under Deposit Information.

12. POLICE

12.1 Permits/Licenses

	<u>Fee</u>
Adult Business	\$ 372
Alarm Permit—Residential (seniors 60+ exempt from fee requirement)	15
Alarm Permit—Business	21
Gun Background Check	21
Liquor License (Original Application)	108
Liquor License (Name or other change)	83
Liquor License (Renewal Application)	36
Liquor License (Temporary License)	\$10/day per type of alcohol: beer, wine, or distilled spirits

12.2 Police Reports

	<u>Fee</u>
Dispatch Tape Copy	\$ 26
Video Tape Copy	31
Police Report	15
Copy of Field Contact Report (FCR card)	5
Photo CD	15
(Additional research charges may apply for unusual/complex requests)	

12.3 Police Services

	<u>Fee</u>
False Alarm Response (first three)	No charge
False Alarm Response (each alarm after third)	\$ 160
Vehicle Impound	75
Fingerprinting	10
Loud Party Response—first response	Warning
Loud Party Response—second response and/or each subsequent response in 24-hr. period	50
Fire and Emergency Services fee (Ord. #1764, adopted 1994)	Actual cost

Penalties (each day that a violation exists is a separate offense)

12.4 Penalties

	<u>Fee</u>
Penalties (each day that a violation exists is a separate offense)	
Traffic violation penalty (Ord. #1922, adopted 2003)	at least 50% of maximum under Oregon Statute
Weapon discharge violation (Ord. #1515, adopted 1982)	up to \$750
Public consumption of alcohol (Ord. #1746, adopted 1993)	up to \$250
Failure to pay Fire and Emergency Services fee (Ord. #1767, adopted 1994, and Ord. #1764, adopted 1994)	up to \$300
Security alarm violation (Ord. #1568, adopted 1984)	maximum \$500

13. SYSTEM DEVELOPMENT CHARGES & CONSTRUCTION EXCISE TAXES

SDC fees for water, stormwater and transportation shall be indexed for inflation annually using the Engineering-News Record Construction Cost Index for Seattle. Resolution 40-2007.

	Fee			
	Reimbursement	Improvement	Administration	TOTAL
13.1 Transportation System Development Charge				
Trip generation rates for each land use type are derived from the Institute of Transportation (ITE) report Trip Generation (7th Edition, 2003). Trip rates are expressed as vehicle trips entering and leaving a property during the p.m. peak travel period.				
Transportation SDC (per trip)	\$ 80	\$ 1,596	\$ -	\$ 1,676
13.2 Stormwater System Development Charge				
Stormwater unit is equal to 2,706 square feet of impervious surface on the property. Each single-family residential property is 1 Stormwater unit.				
Stormwater SDC:	286	813	85	1,184
13.3 Wastewater System Development Charge				
A wastewater unit is equal to 16 fixture units derived from Table 7-3 of the Oregon Plumbing Specialty Code. Each residential dwelling unit is 1 wastewater unit.				
Wastewater SDC:	327	566	-	893

13.4 Water System Development Charge

Meter Size	Reimbursement	Improvement	Administration	TOTAL
5/8"x3/4"	\$ 527	\$ 438	\$ 74	\$ 1,039
3/4"x3/4"	791	657	111	\$ 1,559
1"	1,318	1,096	185	\$ 2,599
1.5"	2,636	2,191	370	\$ 5,197
2"	4,217	3,506	591	\$ 8,314
3"	8,434	7,011	1,183	\$ 16,628
4"	13,178	10,955	1,848	\$ 25,981
6"	26,357	21,910	3,696	\$ 51,963
8"	42,171	35,057	5,914	\$ 83,142
10"	60,620	50,394	8,502	\$ 119,516
12"	118,605	98,596	16,634	\$ 233,835

13. SYSTEM DEVELOPMENT CHARGES & CONSTRUCTION EXCISE TAXES (continued)

13.5 Parks and Recreation System Development Charge

Collected for the North Clackamas Parks and Recreation District (adopted Clackamas Board of County Commissioners, Ordinance 09-2007, Oct. 25, 2007)

Parks and Recreation SDC:

Single-Family Residential

\$3,985 per dwelling unit

Multifamily Residential

\$3,608 per dwelling unit

Nonresidential

\$60 per employee*

* Number of employees calculated according to type of business and building square feet

See: <http://www.clackamas.us/transportation/planning/sdc.htm#psdc>

Fee

13.6 School Construction Excise Tax

Collected for North Clackamas School District (adopted North Clackamas School District, December 6, 2007)

School Construction Excise Tax:

Residential

\$1 per square foot

Commercial

\$0.50 per square foot*

*Total commercial fee capped at \$25,000 per project. Private schools, public improvements, low-income (HUD) housing, hospitals, religious facilities, and agricultural buildings are exempt.

Construction under 1,000 square feet exempted.

Fee

13.7 Metro Construction Excise Tax

Collected for Metro (adopted Metro Council, Ordinance 06-1115, March 23, 2006, effective July 1, 2006; extended Metro Council, Ordinance 09-1220, June 11, 2009)

Metro Construction Excise Tax

\$0.12 per \$100 of permit value

*Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for development of affordable housing units and permits issued to 501(c)(3) nonprofit organizations for other projects aimed at serving low-income populations. Permits for construction valued at more than \$10 million will be assessed a flat \$12,000 fee (0.12 percent of \$10 million).

ATTACHMENT 2

1. GENERAL INFORMATION

1.1 Overview

The City of Milwaukie provides a full range of municipal services to the community, which includes police protection, traffic control and improvement, street maintenance and improvement, water, sewer, and surface water management services, planning and zoning regulation, building inspection and regulation, and community library services. This Master Fees Schedule consolidates all City fees and charges, adopted by City Council resolution, for the various services that the City provides. Typically, it is updated annually and reflects all fee resolutions passed by Council during the year. For easy reference, the current Master Fees Schedule booklet is available online at: <http://www.ci.milwaukie.or.us/finance>.

1.2 Fee waiver and variance statement

Based upon an unusual circumstance or event, past practices, demonstrated hardship, or public benefit, the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a particular matter or establish a fee not yet authorized in this schedule. When a new fee is established by the City Manager it shall be incorporated into this resolution, and it shall be included and specified during the next update to this document. It shall be communicated to Council in writing to allow opportunity for comment. The request for a waiver or reduction may be in writing. If the City Manager or his designee agrees to said waiver or reduction, he/she may inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$500 or less).

1.3 Billable hourly rates

Unless otherwise specified, the City employee billable hourly rate shall be calculated as 2.5 times the employee's hourly pay rate, to the nearest \$5 increment. This calculation shall be used to recover costs for those services billed on an hourly basis, including but not limited to professional services such as planning, engineering, public works, utility, financial, legal, and police services. The use of a multiplier of 2.5 is intended to recover all overhead, training, benefits, and other costs associated with a City employee's time. Any work performed during overtime hours shall be billed the calculated hourly rate multiplied by 125 percent. A schedule of hourly billing rates will be maintained. The City Manager or Department Directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

2 UTILITIES

2.1 Monthly Rates

Wastewater and Water

UTILITY	Residential		Low Income		Commercial	
	Fixed	Volume Charge	Fixed	Volume Charge	Fixed	Volume Charge
	(per unit)	(per CCF of water consumption)	(per unit)	(per CCF of water consumption)	(per account)	(per CCF of water consumption)
Wastewater¹ effective July 1, 2012	\$ 11.93 \$ 11.15	\$ 4.53 \$ 4.23	\$ 5.97 \$ 5.38	\$ 2.27 \$ 2.12	\$ 11.93 \$ 11.15	\$ 5.87 \$ 5.49
Water² effective July 1, 2012	5.27 4.50	2.39 2.04	exempt	2.39 2.04	5.27 4.50	2.39 2.04

1. Residential wastewater volume charge is determined by the average monthly water usage from the November thru February water bills.

1. Residential wastewater volume charge is determined by the average monthly water usage from December to March (winter average). The winter average is adjusted annually on March 31st.

2. Fixed water rate of \$5.27 (~~\$4.50~~) is for a 3/4" meter or smaller. The base rates for larger meters are as follows:

Commercial/Multifamily Meters		Standby Meters for Fire Flow Purposes		Current	
Meter Size	Monthly Base Rate	Meter Size	Monthly Base Rate		
1"	\$ 7.35	2"	\$ 7.85	6.28	6.70
1.5"	11.86	4"	28.27	10.13	24.14
2"	18.42	6"	41.16	15.73	35.15
3"	45.41	8"	55.88	38.78	47.72
4"	78.06	10"	70.59	66.66	60.28
6"	115.18	12"	85.31	98.36	72.85

Stormwater and Streets

UTILITY	Single Family Residential	Low Income	Commercial
Stormwater effective July 1, 2012	\$11.44 10.64	\$5.72 5.32	\$11.44 (10.64) per 2,706 sq. ft. of impervious area
Street Maintenance Ord. #1966 effective July 1, 2007	\$3.35	Exempt	\$.35 per daily trip generated ²

Full billing cycle rates for street maintenance in other residential categories are:

Street Maintenance Rates for Other Residential Categories	
Residential Category	Rates
Multifamily residential	\$2.10 per unit
Elderly housing	\$1.40 per unit
Mobile homes	\$1.40 per unit
Congregate care	\$.70 per unit

Commercial daily trip generation is calculated based on type of use and building square feet. Monthly bill is capped at \$250. (Municipal Code Section 3.25.060.)

City of Milwaukee
Master Fees & Charges

Effective July 1, 2012

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2 UTILITIES (continued)

2.2 Other Charges

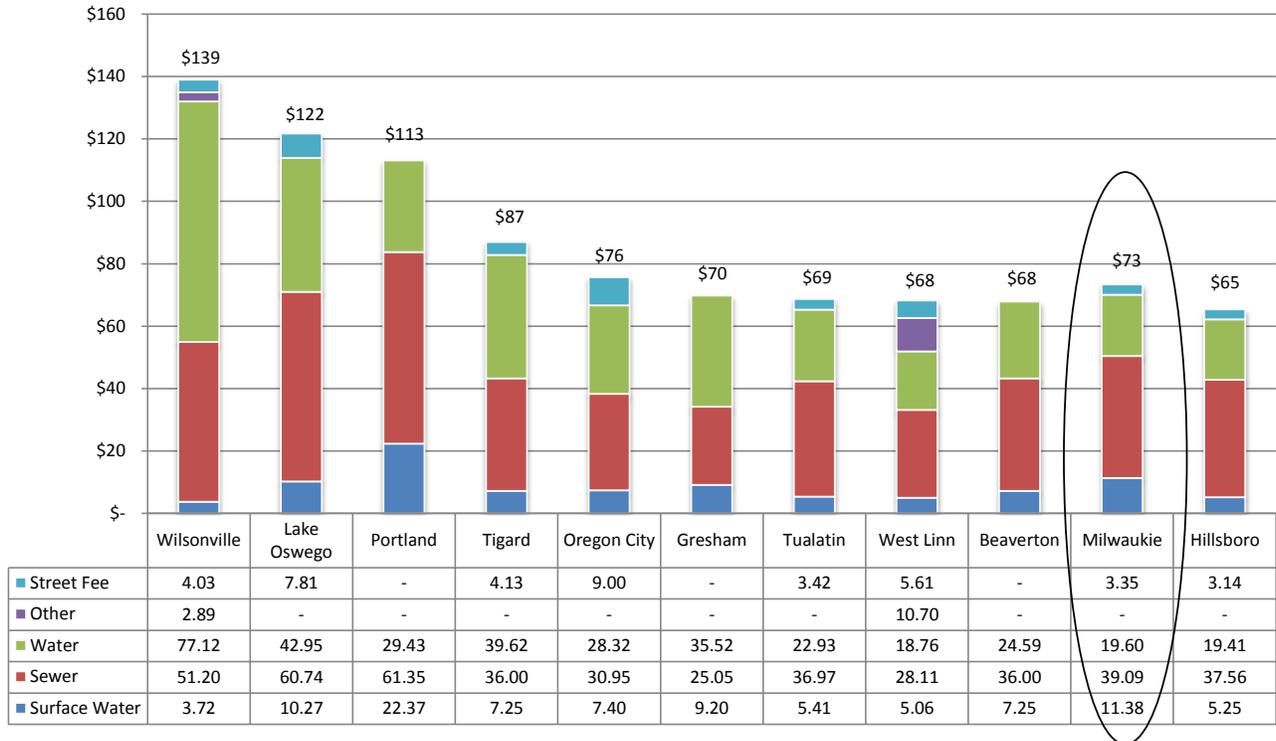
	<u>Fee</u>
Water:	
Service and Equipment	
Connect Service 5/8" or 3/4" Residential Service	\$ 2,460
Connect Service 1"	2,547
Connect Service 1 1/2"	2,923
Connect Service 2"	3,067
Equipment	
3/4" Meter	208
1" Meter	301
1 1/2" Meter	510
2" Meter	625
Hydrant Meter Deposit (Refundable less water usage)	2,000
Miscellaneous	
Delinquent Account—Past Due Notice	5
Delinquent Account—Notice of Termination	5
Shut-off/Turn-on	30
After-hours Restoration of Service (reduced from \$120 by authorization of City Manager on 3/11/11)	80
(Monday-Friday 5:00-8:00 p.m.; Saturday and Sunday 8:00 a.m.-5:00 p.m.)	
(Monday-Friday 3:00-8:00 p.m.; Saturday and Sunday 8:00 a.m.-8:00 p.m.)	
Information Research	\$44/hr.
Reimbursement District Fee	To be determined by scope of project

2.3 Penalties~~[1]~~ (each day that a violation exists is a separate offense)

Low income utility rate violation (Ord. #1424, adopted 1979)	up to \$200
Water, wastewater, or storm system regulation violation (Ord. #1418, adopted 1978, Ord. #1548, adopted 1983, and Ord. #1755, adopted 1994)	\$25 to \$500
Sewer violation (Ord. #1548, adopted 1983)	maximum \$500
FOG violation (Ord. #1990, adopted 2008, Ord. #1985, adopted 2008, and Ord. #1972, adopted 2007)	maximum \$500

~~[1] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete information.~~

2.4. Comparison Graph of Average Utility Bills of Neighboring Cities (on a monthly basis)



This graph compares the average utility bills for the neighboring cities surrounding Milwaukie. As some cities bill monthly, some bill every two months, and some bill every three months, these amounts are converted to average monthly amounts so they are comparable to Milwaukie. Also, cities increase different rates at different times during they year; therefore, this graph is simply a picture in time reflecting the rates at the time that the survey was conducted. And finally, cities have different average water consumption amounts per household; so for the sake of this comparison, these rates are computed using an average 6ccfs of water used per month so as to be most comparable to Milwaukie's overall average. Below are Milwaukie's calculations:

	eff. July 1, 2011		eff. July 1, 2012		eff. July 1 2013			
	increased	avg bill	increased	avg bill	increased	avg bill		
Water Service Fee								
Base		\$ 4.50	17.1%	\$ 0.77	\$ 5.27	14.70%	\$ 0.77	\$ 6.04
Plus per 6ccf		12.24	17.1%	2.09	14.33	14.70%	2.11	16.44
<i>Avg water per house (6ccfs)</i>		16.74			19.60			22.48
Sewer Service Fee								
Base fee		11.15	7.0%	0.78	\$ 11.93	6%	0.72	12.65
Plus per 6ccf		25.38	7.0%	1.78	27.16	6%	1.63	28.79
<i>Avg sewer per house</i>		36.53			39.09			41.44
Storm Water Management Fee		10.64	7.0%	0.74	11.38	7%	0.80	12.18
Street Maintenance Fee		3.35	0%	-	3.35	0%		3.35
Average bill to homeowner		\$ - \$ 67.26		\$ 6.16	\$ 73.42		\$ 6.03	\$ 79.45

3. BUILDING

3.1 Residential Building Permits

A.

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

1. Permit

	Base Fee	Plus each additional \$100 of BV
\$1 to \$500	\$ 18.75	\$ -
\$501 to \$2,000	18.75	2.89
\$2,001 to \$25,000	62.10	11.54
\$25,001 to \$50,000	327.52	8.58
\$50,001 to \$100,000	542.02	5.77
Over \$100,000	830.52	4.88
Minimum permit fee	100.00	

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

	Fee
2. Initial Plan Review Fees	65% of the permit fee
3. Plan Review Fees Required/Requested by Changes, Additions, Revisions	75/hr. (1 hr. min.)
4. Third Party Plan Review Fee (for transfer of plan review to a third party)	10% of the permit fee (\$65 min.)
5. Residential Solar PV Installation	\$ 100.00

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

	Fee
Minimum Permit Fee	\$ 85.00
1. HVAC	
For the installation of:	
Air handling unit including ducts:	
Up to 10,000 cfm	24.00
Over 10,000 cfm	27.00
Air conditioning/heat pump (site plan required)	42.00
Alteration of existing HVAC system	19.50
Boiler/compressor	19.50
Install/relocate/replace furnace/burner including ductwork and vent:	
Up to 100,000 BTU/H	19.50
Over 100,000 BTU/H	23.00
Install/relocate/replace heaters (room, suspended, wall- or floor-mounted)	19.50
Vent for other than furnace	19.50

3. BUILDING (continued)

2. Environmental Exhaust and Ventilation

For the installation of:

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

3. Fuel Piping and Distribution

LPG-NG-Oil fuel piping:

Up to 4 outlets (includes gas tag)	23.00
Each additional outlet over 4	2.50

4. Other Listed Application or Equipment

Decorative fireplace or insert	37.00
Woodstove/pellet stove	49.00
For each appliance or piece of equipment regulated by the code but not classed in other appliance categories, for which no other fee is listed in this code, or for which there is an alteration or extension of an existing mechanical system	19.50

C. Plumbing Permits—Fees per current Plumbing Permit application

Minimum Permit Fee	Fee
	\$ 85.00

1. Total Bathrooms Per Dwelling

1 bath dwelling (includes 1 kitchen)	352.00
2 bath dwelling (includes 1 kitchen)	389.00
3 bath dwelling (includes 1 kitchen)	462.00
Additional bathroom/kitchen	184.00

Includes the first 100 ft. of water piping, sanitary and storm sewer lines, hose bibs, icemakers, under floor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.

2. Additions, Alterations, and Repairs (per fixture)	18.00
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3. Utilities per 100 feet	65.00
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Catch basin	28.00
Drywells each	28.00
Footing drain (per 100 lin. ft.)	56.00
Rain drain connector	28.00
Manholes each	56.00

4. Interior Piping (per 100 lin. ft.)	65.00
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3. BUILDING (continued)

5. Stand-alone Fire Suppression Systems (requires a backflow device installed by licensed plumbing contractor or persons exempt from licensina)

0 sq. ft. to 2,000 sq. ft.	94.50
2,001 sq. ft. to 3,600 sq. ft.	141.75
3,601 sq. ft. to 7,200 sq. ft.	177.50
\$7,201 sq. ft. and greater	330.75

6. Multipurpose or Continuous Loop Fire Suppression Systems

0 sq. ft. to 2,000 sq. ft.	94.50
2,001 sq. ft. to 3,600 sq. ft.	141.75
3,601 sq. ft. to 7,200 sq. ft.	177.50
\$7,201 sq. ft. and greater	330.75

D. Other Inspections and Fees

	<u>Fee per hour</u>
Minimum Inspection Fee	\$ 85.00
1. Inspections outside of normal business hours	
(Must be preapproved by applicant)	98/hr. (2 hr. min.)
2. Inspections for which no fee is specifically indicated	68.00
(Must be preapproved by applicant)	
3. Re-inspection fee	60.00
4. Replacement sheets	23.00
5. Investigation fee	Amount of subject permit fee

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

	<u>Fee</u>
1. Installation permit	\$ 445.00
2. Earthquake-resistant bracing	135.00
3. Re-inspection	135.00
4. Statewide code development, training and monitoring fee (in addition to all other manufactured dwelling fees and charges)	30.00

3. BUILDING (continued)

3.2 Commercial/Industrial Building Permits

A.

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

1. Permit Fee

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$500	\$ 18.75	\$ -
\$501 to \$2,000	18.75	2.89
\$2,001 to \$25,000	62.10	11.54
\$25,001 to \$50,000	327.52	8.58
\$50,001 to \$100,000	542.02	5.77
Over \$100,000	830.52	4.88
Minimum permit fee	100.00	

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

	<u>Fee</u>
2. Initial Plan Review Fees	65% of the permit fee
3. Plan Review Fees Required/Requested by Changes, Additions, Revisions	75/hr. (1 hr. min.)
4. Fire and Life Safety Plan Review Fee (commercial only)	40% of structural permit fee
(Based on valuation of total improvements or \$50.00/hr. to review a Fire and Life Safety Master Plan)	
(Hourly charge must be approved by Applicant)	
5. Seismic Site Hazard Report Review	1% of total structural and mechanical fees

B. **Mechanical Permits**—Valuation shall be calculated on the value of the equipment and installation costs.

1. Use this section for commercial installation, replacement or relocation of non-portable mechanical equipment or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.

1. Permit Fee:

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
\$1 to \$6,500	\$ 85.00	\$ -
\$6,501 to \$10,000	85.00	1.73
\$10,001 to \$100,000	145.50	10.50
Over \$100,000	1,090.50	7.25
Minimum permit fee	85.00	

3. BUILDING (continued)

2. Plan review fee		25% of mechanical permit fee
3. Plan Review Fees Required/Requested by Changes, Additions, Revisions		75/hr. (1 hr. min.)
C. Plumbing Permits		Fee
1. Additions, Alterations, and Repairs (per fixture)	\$	18.00
2. Utilities per 100 feet		65.00
Catch basin		28.00
Drywells each		28.00
Footing drain (per 100 lin. ft.)		28.00
Rain drain connector		28.00
Manholes each		28.00
3. Interior Piping (per 100 lin. ft.)		65.00
4. Initial Plan Review Fees		30% of the Plumbing permit fees
5. Plan Review Fees Required/Requested by Changes, Additions, Revisions		75/hr. (1 hr. min.)
6. Minimum permit fee		85.00
7. Medical Gas Permits: Valuation shall be calculated on the value of the equipment and installation costs.		

Medical Gas Permit Fees:

	Base Fee	Plus each additional \$100 of BV
\$1 to \$6,500	\$ 85.00	\$ -
\$6,501 to \$10,000	85.00	1.73
\$10,001 to \$100,000	145.50	10.50
Over \$100,000	1,090.50	7.25
Minimum permit fee	85.00	

3. BUILDING (continued)

	Fee
D. Other Inspections and Fees	
Minimum Inspection Fee	\$ 85.00
1. Inspections outside of normal business hours	
(Must be preapproved by applicant)	98/hr. (2 hr min.)
2. Inspections for which no fee is specifically indicated	75.00
(Must be preapproved by applicant)	
3. Re-inspection fee	60.00
4. Replacement sheets	23.00
5. Investigation fee	Amount of subject permit fee
6. Temporary Certificate of Occupancy	180.00
7. Change of use/occupancy	300.00
E. Deferred Submittal Fee (in addition to project plan review fee)	
(OAR 918-050-0170)	\$250 + 10% of deferred item permit fee per deferred submittal (minimum \$300)
F. Phased Permit Fee (in addition to project plan review fee)	
(OAR 918-050-0160)	\$250 + 10% of total project permit fee per phase (minimum \$300, not to exceed \$1,500 per phase)

3. BUILDING (continued)

3.3 Permit Related Fees

A.	A State surcharge shall be collected in an amount as required by State law.	
B.	Building Moving/Demolition Permits	
	2,000 sq. ft. or less	\$ 85.00
	Each additional 1,000 sq. ft.	300.00
	Plan Review Fee	65% of the permit fee
C.	Prefabricated Structures	(Per current permit fees)
D.	Temporary Structures	(Per current permit fees)
E.	Manufactured Dwelling Parks and Mobile Home Parks	Per current State of Oregon permit fee
	(OAR. Division 650. Table 1) plus 30%	
F.	Recreational Parks and Organizational Camps	Per current State of Oregon permit fee
	(OAR. Division 650. Table 1) plus 30%	
G.	Miscellaneous Building Valuations	
	1. Retaining Walls	Fee
	To 8 ft. high, including footing	<hr/> \$254/lin. ft.
	Over 8 ft. high	276/lin. ft.
	2. Fences	
	Over 6 ft. to 8 ft. high	15/lin. ft.
	3. Concrete Slabs on Grade Foundations —For house moves, modular buildings, pole buildings, etc.	
	Plain concrete:	
	4-in. slab	3/sq. ft.
	5-in. slab	3.10/sq. ft.
	6-in. slab	3.25/sq. ft.
	Reinforced concrete	Add 1.15/sq. ft.
	4. Crawl Space Foundations	
	For house moves, modular, etc.	7.50/sq. ft.
	5. Accessory Buildings	
	With floor slab	55/sq. ft.
	Without floor slab	28/sq. ft.

3. BUILDING (continued)

6. Pole Buildings

Up to and including 14-ft. eave height	32/sq. ft.
Over 14-ft. eave height	45/sq. ft.

For insulation:

Roof—add	0.35/sq. ft.
Slab—add	0.35/sq. ft.
Wall—add	0.35/sq. ft.
For slabs on grade	see section G. 3. for fees

7. Swimming Pools (pool only/deck extra)

Concrete or unite	70/sq. ft.
Plastic below ground	45/sq. ft.

3.4 In-Fill and Grading

A. In-Fill and Grading Permit Fees

	<u>Fee</u>
1-50 cubic yards	\$ 100.00
51 to 100 cubic yards	150.00
101 to 1,000 cubic yards	200.00
1,001 to 10,000 cubic yards	250.00
10,001 cubic yards or more	Total hourly cost*

*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

B. In-Fill and Grading Plan Review Fees

1-50 cubic yards	100.00
51 to 100 cubic yards	150.00
101 to 1,000 cubic yards	200.00
1,001 to 10,000 cubic yards	250.00
10,001 cubic yards or more	Total hourly cost*

*Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved

C. Other Inspections and Fees

1. Inspections outside normal business hours

75/hr. (2 hr.min.)

2. Re-inspection fee

75/hr.

3. Inspections for which no fee is specifically indicated

75/hr.

3. BUILDING (continued)

3.5 Penalties

	<u>Fee</u>
Penalties ^[1] (each day that a violation exists is a separate offense)	
Violation of vacant building standards (Ord. #1464, adopted 1980)	up to \$300
Interference with fire control device (Ord. #1515, adopted 1982)	up to \$750
Swimming pool barrier violation (Ord. #1430, adopted 1979)	up to \$100 per week ^[2]
Building relocation violation (Ord. #1952, adopted 2005)	not less than \$1,000
Failure to comply with stop work order (Ord. #1881, adopted 2000)	up to \$1,000
Any violation of Title 15 for which a specific penalty has not been expressly provided (Ord. #2011, adopted 2010)	up to \$1,000

3.6 Specialty Code Penalty (2)

A. Penalty

Violation of various Specialty Codes (building, plumbing, mechanical, electrical) (Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010)	up to \$1,000 per day, (max. \$5,000)
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B. Fee

Appeal of Specialty Code violation (Ord. #2011, adopted 2010)	250.00
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~~[1] All violations of the Municipal Code (except Specialty Code penalty) are additionally subject to the abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete information.~~

~~(2) [2]~~ Each week that this violation exists is a separate offense.

4. BUSINESS REGISTRATION

4.1 Fees and charges

	<u>Fee</u>
Standard base fee	\$ 110
New business commencing between July 1 and December 31	55
Change in business ownership fee	10
Fee for each FTE	5
Temporary Business (2 weeks or less)	25
Duplicate receipt	10
Delinquent Registration	\$10% of base fee each calendar month and fraction thereof

4.2 Penalties (each day that a violation exists is a separate offense)

Violation of business registration requirements (Ord. #1863, adopted 1999, and Ord. #1349, adopted 1976)	up to \$200
Failure to secure motor vehicle fuel sales permit (Ord. #1970, adopted 2007)	200% penalty on tax owed
Failure to file monthly motor vehicle fuel sales report (Ord. #1970, adopted 2007)	\$50
Late payment of motor vehicle fuel sales tax (Ord. #1970, adopted 2007) (depending upon length of delinquency)	1% or 10% of tax
Violation of "Milwaukie Junk Dealers, Secondhand Dealers, Pawnbrokers and Transient Merchants Ordinance" (Ord. #1552, adopted 1983)	up to \$300

Metro Business License versus City Business License or Both?:

Instead of getting separate business licenses within each Portland-area city that you conduct business in, you can get a single license from Metro to construct, alter and repair structures in 20 cities that have licensing requirements in the metropolitan area. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. The Metro license allows contractors or landscapers to operate in 20 cities surrounding Portland having licensing requirements in the metropolitan area, excluding Portland. Exception: if your principal place of business is inside the City of Milwaukie, the business is required to apply for a City of Milwaukie Business Registration in addition to the Metro License.

For Metro applications, contact Metro at 503-797-1710 or visit their website at: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=24216>.

5. CODE ENFORCEMENT

5.1 Penalties [3] (each day that a violation exists is a separate offense)

	<u>Fee</u>
General penalty (applies to any Municipal Code violation where no other penalty is specified) (Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986)	\$150 to \$500
Third or subsequent violation (applies to any Municipal Code violation) (Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986)	\$1,000
Nuisance violation (Ord. #1503, adopted 1981, and Ord. #1028, adopted 1964)	maximum \$500
Shopping cart retrieval programmatic violation (Ord. #1980, adopted 2008)	maximum \$500
Noise control violation (Ord. #1528, adopted 1982)	maximum \$500
Adult business code violation (Ord. #1533, adopted 1982)	maximum \$500
Public urination or defecation (Ord. #1953, adopted 2005)	up to \$750
Curfew violation (Ord. #1503, adopted 1981, and Ord. #995, adopted 1963)	up to \$300
Failure to retrieve shopping cart within 72 hours (Ord. #1980, adopted 2008)	\$50
Solid waste regulation/un-franchised violation (Ord. #1955, adopted 2005)	up to \$100
Abatement (applies to any Municipal Code violation citation) (Ord. #1998, adopted 2009, Ord. #1758, adopted 1994, and Ord. #1659, adopted 1989)	\$50

[3] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations.

6. ENGINEERING

6.1 Inspections and Permits

	<u>Fee</u>
Right-of-Way Inspection Permit	\$ 150
Right-of-Way Use Permit	30
Street Opening Inspection Fee	85
Right-of-way/Street Opening Re-inspection (beyond standard of 2 for R-O-W and 1 for street opening)	85
Sewer Dye Test	100
Subdivision Const. Inspect. (Street/Sewer/Water/Storm Sewer)	5.5% of Total Const. Cost (min. \$500)
Public Impvts. Const. Inspection (Comml./Ind./Misc. Dev.)	5.5% of Total Const. Cost (min. \$500)
Street Opening Deposit \$1,500 (Performance bond amount at discretion of City Engineer)	\$25 per square foot, \$1,500 minimum
(Performance bond amount at discretion of City Engineer)	\$50 per square foot, \$3,000 minimum
Street Opening Deposit (Streets under 5-Year Moratorium) (Performance bond amount at discretion of City Engineer)	\$250/month per antenna per utility pole
Right-of-Way Usage for Wireless Communication Facility	\$200 + \$65/hr. staff time + \$1,000 deposit
Moving Buildings	

6.2 Tree Removal

	<u>Fee</u>
Tree Removal Permit	\$ 150

6.3 Materials (Engineering)

	<u>Fee</u>
Public Works Standards	\$ 30
Sewer TV Inspection Tape	25
Electronic Drawings	
Paper—all sizes	5
Other format	7
(plus \$45/hr for additional work)	
Reproduction charges	1
(\$0.10 for additional pages)	

6. ENGINEERING (continued)

6.4 Printed and Electronic Maps (GIS)

Standard selection of GIS maps

	<u>Fee</u>
Full Sheet (34" x 44")	\$ 45
1/2 Sheet (22" x 34")	35
1/4 Sheet (17" x 22")	25
1/8 Sheet (11" x 17")	15

Electronic file (via electronic mail in PDF, JPG, GIF or TIF formats)	15
Electronic file (for mailed media, which includes postage, handling and media charges)	22

Aerial maps

Full Sheet (34" x 44")	50
1/2 Sheet (22" x 34")	40
1/4 Sheet (17" x 22")	30
1/8 Sheet (11" x 17")	20

Electronic file (via electronic mail in PDF, JPG, GIF or TIF formats)	15
Electronic file (for mailed media, which includes postage, handling and media charges)	22

Custom maps:

Flat charge per hour plus cost of materials	55
Electronic file (for mailed media, which includes postage, handling and media charges)	7

6.5 Erosion Control

	<u>Fee</u>
Erosion Prevention and Sediment Control Planning and Design Manual (CD)	\$ 10

Minimum Charge for Clearing/Construction*	75
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Minimum charge applies if:

Over 500 sq. ft. of disturbed soil	
Not in or around a sensitive area (NR Zone, wetlands, conservancies, and streams)	
Value of structure/remodel doesn't exceed \$20,000	
Clearing/Construction for Single-Family Residential	380
Rate if certified in erosion control**	225
Clearing/Construction for Multifamily Residential	490
Rate if certified in erosion control**	335
(additional \$40 per 1/2 acre over 1 acre)	
Clearing/Construction for Subdivision/Commercial/Industrial	623
Rate if certified in erosion control**	467
(additional \$40 per 1/2 acre over 1 acre)	
Additional Site Visit (due to code enforcement)	65

*Erosion control certification discount does not apply

**Certification requires 4 hours of training in erosion control every 2 years

6. ENGINEERING (continued)

6.6 Penalties~~[4]~~ (each day that a violation exists is a separate offense)

Violation of capital improvement regulations (Ord. #1707, adopted 1991)	up to \$500
Basketball hoop regulation violation (Ord. #1503, adopted 1981, and Ord. #1405, adopted 1978)	up to \$250
Vegetation too low in the right-of-way (Ord. #1999, adopted 2009)	up to \$100
Clear vision violation (Ord. #1679, adopted 1990)	up to \$250
Failure to repair sidewalk (Ord. #1697, adopted 1991)	up to \$250
Sidewalk bench violation (Ord. #1503, adopted 1981, and Ord. #1289, adopted 1974)	up to \$100
Failure to remove street bench after permit termination (Ord. #1289, adopted 1974)	\$25
Flood hazard violation (Ord. #1983, adopted 2008, and Ord. #1899, adopted 2002)	up to \$1,000
Access management violation (Ord. #2004 adopted 2009)	up to \$250
Right-of-way encroachment (Ord. #2004 adopted 2009, and Ord. #1866 adopted 2000)	up to \$250
Erosion control violation (Ord. #1899 adopted 2002)	up to \$300

~~[4] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete information.~~

7. LIBRARY

7.1 Photocopies:

	<u>Per Item</u>
Black and White	\$ 0.10
Color	0.90
Microfilm Copies	0.10

7.2 Overdue Fine:

	<u>Per Day</u>	<u>Maximum</u>
Adult	\$ 0.25	\$ 3.00
Juvenile	0.10	1.00

7.3 Lost or damaged items:

	<u>Per Item</u>
Barcode	\$ 1.00
Book Jacket	0.90
Barcode and Book Jacket	0.90
Audiobook Cassette or CD	0.90
Audiobook and CD-ROM case	0.90
Juvenile Kit—Plastic Bag	0.90
Missing Pages and Booklets	Refer to Librarian
Lost Item	Actual Retail Cost
Damaged Material	Replacement Cost
Lost Library Card	\$1

7.4 Replacement Media Cases:

	<u>Per Item</u>
Cover sheet	\$ 1.00
Video Box	1.00
DVD Case	1.00
CD Case	2.00
CD and CD-ROM booklets	3.00

7.5 Miscellaneous

	<u>Per Item</u>
Public Computer Printing (first 5 free)	\$ 0.10
	<u>Per year</u>
Non-District citizen library use	\$ 95.00

8. MISCELLANEOUS

8.1 Photocopies	Current	Per Item
Assisted:		
Black and White	\$	0.30
Color		1.00
Unassisted:		
Black and White	0.05	0.10
Color	0.75	0.90
8.2 Other Copying/Service		Per Item
Audio tape	\$	10.00
Video tape		20.00
Transcription (per hour)		30.00
Electronic files on CD-ROM		5.00
(Includes \$2 for postage & handling. Additional research charges may apply.)		
8.3 Photographs		Per Page
Color photos on photo quality paper	\$	3.00
Color photos on standard copy paper		1.00
8.4 Financial Reports		Fee
Annual Adopted Budget	\$	45.00
Comprehensive Annual Financial Report		45.00
Capital Improvement Plan		45.00
8.5 Miscellaneous		Fee
Returned Check Charge	\$	30.00
Lien Search		27.00
Temporary Event/Block Party		Actual Cost
Postage and Handling		\$2 plus postage
8.6 Telecommunications		Fee
Registration fee	\$	36.00
Franchise review deposit		5,000.00
Community Service Use—Wireless Communication Facility (see PLANNING fees)		
Right-of-Way Usage for Wireless Communication Facility (see ENGINEERING fees)		

9. MUNICIPAL COURT

9.1 Fees and Charges

	Fee
Payment Plan Installment Fee	\$ 25
Failure to Appear Fee	25
Reinstatement Fee	15
Suspension Packet Fee	12
Returned Check Fee	30
Boot Release Fee	45
Seat Belt Class Fee	50

9.2 Penalties

	Presumptive Fine	Special Zone Fine ¹	Minimum Fine	Maximum Fine
Class A	\$ 435	\$ 870	\$ 220	\$ 2,000
Class B	260	520	130	1,000
Class C	160	320	80	500
Class D	110	220	60	250

¹ Special Zones include highway work Zones, school zones and safety corridors

10. PARKING

10.1 Parking Permit Fees

	<u>Fee</u>
Monthly Permit	\$ 20

10.2 Parking Bail Schedule

(Res. #46-2009, adopted 2009)

	<u>Fee</u>
Abandoned Vehicle	\$ 50
Angle Parking	15
Bicycle Lane	20
Blocking Driveway	50
Block Rule	25
Bus Zone	20
Double Parking	20
During Prohibited Times	50
Emergency/Safety Zone	50
Fire Hydrant	50
Five or More Unpaid Violations	50
Handicapped Zone	250
Loading Zone	20
No Parking Zone/Prohibited	50
On Crosswalk/Sidewalk	35
Over 1 Ft. from Curb	15
Over Space Line	15
Overtime Parking	25
Overtime Parking 5 or more	30
Permit Only Parking	30
Taxi Zone	20
Tow Away Zone	50
Traffic Hazard	50
Trucks—2 Hr. Limit	50
Wrong Side of Street	15

If bail is not posted by the court date the fine will be doubled

(Ord. #2005, adopted 2009, Ord. #1997, adopted 2009, Ord. #1728, adopted 1993, and Ord. #1361, adopted 1977)

~~[1] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete information.~~

11. PLANNING

11.1 Land Use Standard Applications

The following standard fees apply to all land use applications[1] not listed below. Some applications may require additional fees as described below under Additional Application Fees:

	<u>Current</u>	<u>Fee</u>
Type I Administrative Review	\$ 150	\$ 200
Type II Administrative Review	900	1,000
Type III Quasi-Judicial Review	1,700	2,000
Type IV Quasi-Judicial Review	3,500	5,000
Type V Legislative Review	3,500	5,000

11.2 Other Land Use Applications

	<u>Current</u>	<u>Fee</u>
Community Service Use—Minor Modification (Type I)	25	\$ 50
Historic Resource Designation (Type IV)		150
Minor Land Partition (Type II)		2,000

Natural Resource (Res. #77-2011, adopted 8/16/11, effective 9/15/11)

Boundary Verification (Type I)		-
Construction Management Plan (Type I)		-
Natural Resource Management Plan (Type I)		-
Tree Removal Request (Type I)		-
Tree Removal Request (Type III)		500

All Other Type I, II, or III applications

Per Standard
Application Fees
(listed above)

(Fees waived for applications that meet all 3 of the following criteria: (1) the application involves only a habitat conservation area (HCA) and not a water quality resource (WQR), (2) the property is used for residential purposes, and (3) the current owner was the owner prior to September 15, 2011, the effective date of Ordinance #2036, pursuant to Resolution #77-2011.)

Planned Development—Preliminary Plan Review (Type III)		4,400
Planned Development—Final Plan Review (Type IV)		5,700
Property Line Adjustment (Type I)		650
Subdivision—Preliminary Plat Review (Type III)		\$4,400 + \$100 per lot over 4 lots
Temporary Structure (Type I)		50

11.3 Annexations

	<u>Current</u>	<u>Fee</u>
Annexation (Expedited)	\$	150
Annexation (Non expedited: No Zone Change or Comp Plan Amendment)		150
Annexation (Non expedited: Zone Change only)		500
Annexation (Non expedited: Zone Change and Comp Plan Amendment)		3,500

11. PLANNING (continued)

11.4 Appeals

	<u>Fee</u>
Appeal to Planning Commission	\$ 500
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	
Appeal to City Council	1,000
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	

11.5 Additional Application Fees

The following fees apply in addition to Land Use Application fees:

	<u>Fee</u>
Measure 56 Notice (for Zoning Map or Text Amendment)	Actual Cost (\$1 per affected property, \$35 minimum)
Reserve deposit	500
Technical Report Review:	
Scope of Work Preparation	Actual Cost[1]
Reserve deposit	1,000

[1] For a complete list of land use application types, see Milwaukie Municipal Code Table 19.901.

[2] Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project. See more information under Deposit Information.

Review of Technical Report	Actual Cost[1]
Reserve deposit:	
Traffic	2,500
Natural Resources (Res. #77-2011, adopted 8/16/11, effective 9/15/11)	2,000
All others	1,000

11.6 Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

11. PLANNING (continued)

11.7 Discounts for Land Use Applications

Two or more applications (no discount for most expensive application)	25%
(This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.)	
Senior citizens	10% discount
(Seniors must be at least 65 years of age, and must be the property owner. May get Senior or Low income discount)	
Low income citizens	25% discount
(Low-income citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.)	
NDA-sponsored land use applications related to parks	Fees waived

11.8 Early Assistance

	<u>Fee</u>
Pre-application Meeting (\$50 applied to subsequent land use application fee)	\$ 100
(Applies to optional meetings attended by a maximum of 2 City staff. No written notes provided.)	
Pre-application Conference (\$100 applied to subsequent land use application fee)	200
(Applies to required or optional meetings that require 3 or more City staff. Written summary notes provided 2 weeks after meeting.)	
Pre-application Conference—Transportation Facilities Review	100
(Additional meeting required to discuss Transportation Impact Study.)	
Design Review Consultation with Design and Landmarks Committee	800

11.9 Special Requests

	<u>Fee</u>
Planning Commission Approval for Bee Colonies	\$ 500
Property Value Reduction Claims (pertaining to Measures 37 or 49)	1,515
(Fee will be refunded if applicant prevails. If claim is denied, additional money may be required to cover contract-attorney or appraiser costs, as determined by City Manager.)	
Significant Modification of Complete Land Use Application	500
Reschedule of Public Hearing at Applicant's Request (when re-notification required)	500
Temporary Occupancy Request	100
Time Extension of Previously Granted Land Use Approval (Title 17 only)	50
Zoning Confirmation (General)	50
Zoning Confirmation (DMV Permit, LUCS)	25
(waived for LUCS for emergency sewer connection)	

11. PLANNING (continued)

11.10 Permit Review and Inspections

	<u>Fee</u>
Building Permit Review and Inspections (Minor; e.g., Demolition, Erosion Control, etc.)	\$ 25
Building Permit Review and Inspections (Major)	200
Additional Planning Inspection Fee	50
Modifications to Building Permit during Review (Fee applies to site plan revisions generated by applicant, not those required by staff during review process.)	100
Sign Permit Review (per sign)	100
Sign Permit Review (Daily Display or "sandwich board" sign)	150
Tree Permit (major pruning or removal of trees in the public right-of-way)	80

11.11 Materials

	<u>Fee</u>
Zoning Ordinance	\$ 25
Comprehensive Plan	15
Many materials are available online for free at: http://www.ci.milwaukie.or.us/planning/planning-documents-ordinances-plans-and-guidelines . Contact Planning staff for additional information.	

11.12 Comprehensive Plan or Zoning Ordinance Map:

	<u>Fee</u>
11x17 handout (Black & White)	No charge
11x17 handout (Color)	\$ 2
GIS maps full sheet (e.g., Zoning Map) (See Engineering for other sizes)	45

11.13 Comprehensive Plan ancillary documents: (most not available online)

	<u>Fee</u>
Ardenwald Park Master Plan	\$ 2
Downtown and Riverfront Land Use Framework Plan	25
Elk Rock Island Natural Area Management Plan	8
Furnberg Park Master Plan	5
Homewood Park Master Plan	1
Johnson Creek Resources Management Plan	15
Lake Road Multimodal Plan	8
Lewelling Community Park Master Plan	1

11. PLANNING (continued)

Comprehensive Plan ancillary documents: (most not available online) (contd.)

	<u>Fee</u>
North Clackamas PFP	25
Town Center Master Plan	15
Scott Park Master Plan	2
Spring Park Master Plan	5
Springwater Corridor Master Plan	8
Transportation System Plan:	
Full Document	49
Executive Summary	15
CD	4
Water Tower Park Master Plan	2
Wichita Park Master Plan	2
Vision Statement (one page)	No charge
Sign Ordinance	5
Land Division Ordinance	5
Downtown Design Guidelines (Black & White/Color)	\$10/\$35
Downtown and Riverfront Public Area Requirements	15
Other informational handouts (10 pages or less)	No charge
Other informational handouts (over 10 pages)	At cost
11.14	
Penalties (each day that a violation exists is a separate offense)	
Violation of Sign Ordinance (Title 14) (Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993)	up to \$100
Unpermitted tree cutting in the public right-of-way (Title 16) (Ord. #1836, adopted 1998)	\$150 to 500
Violation of Land Division Ordinance (Title 17) (Ord. #1907, adopted 2002)	200
Violation of Zoning Ordinance (Title 19) (Ord. #2025, adopted 2011)	up to \$200

[1] Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project. See more information under Deposit Information.

~~[2] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete information.~~

12. POLICE

12.1 Permits/Licenses

	<u>Current</u>	<u>Fee</u>
Adult Business		\$ 372
Alarm Permit—Residential (seniors 60+ exempt from fee requirement)		15
Alarm Permit—Business		21
Gun Background Check		21
Liquor License (Original Application)		108
Liquor License (Name or other change)		83
Liquor License (Renewal Application)		36
Liquor License (Temporary License)		\$10/day per type of alcohol: beer, wine, or distilled spirits

12.2 Police Reports

	<u>Fee</u>
Dispatch Tape Copy	\$ 26
Video Tape Copy	31
Police Report	15
Copy of Field Contact Report (FCR card)	5
Photo CD	15
(Additional research charges may apply for unusual/complex requests)	

12.3 Police Services

	<u>Fee</u>
False Alarm Response (first three)	No charge
False Alarm Response (each alarm after third)	\$ 160
Vehicle Impound	50 75
Fingerprinting	10
Loud Party Response—first response	Warning
Loud Party Response—second response and/or each subsequent response in 24-hr. period	50
Fire and Emergency Services fee (Ord. #1764, adopted 1994)	Actual cost
Penalties[1] (each day that a violation exists is a separate offense)	

12.4 Penalties

	<u>Fee</u>
Traffic violation penalty (Ord. #1922, adopted 2003)	at least 50% of maximum under Oregon Statute
(Ord. #1922, adopted 2003)	
Weapon discharge violation (Ord. #1515, adopted 1982)	up to \$750
Public consumption of alcohol (Ord. #1746, adopted 1993)	up to \$250
Failure to pay Fire and Emergency Services fee (Ord. #1767, adopted 1994, and Ord. #1764, adopted 1994)	up to \$300
Security alarm violation (Ord. #1568, adopted 1984)	maximum \$500

12.5 Fee

	<u>Fee</u>
Traffic citation fee (Ord. #1900, adopted 2002)	\$10 (in addition to penalty)

~~[1] All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the Code Enforcement section for complete~~

13. SYSTEM DEVELOPMENT CHARGES & CONSTRUCTION EXCISE TAXES

SDC fees for water, stormwater and transportation shall be indexed for inflation annually using the Engineering-News Record Construction Cost Index for Seattle. Resolution 40-2007

	Fee			TOTAL	
	Reimbursement	Improvement	Administration		
13.1 Transportation System Development Charge					
Trip generation rates for each land use type are derived from the Institute of Transportation (ITE) report Trip Generation (7th Edition, 2003). Trip rates are expressed as vehicle trips entering and leaving a property during the p.m. peak travel period.					
Transportation SDC (per trip)	\$ 80	\$ 1,596	\$	\$ 1,676	
	77.11	1,534.19		1,611.30	
13.2 Stormwater System Development Charge					
Stormwater unit is equal to 2,706 square feet of impervious surface on the property. Each single-family residential property is 1 Stormwater unit.					
Stormwater SDC:	286	813	85	1184	
	275.06	781.92	81.39	1,138.37	
13.3 Wastewater System Development Charge					
A wastewater unit is equal to 16 fixture units derived from Table 7-3 of the Oregon Plumbing Specialty Code. Each residential dwelling unit is 1 wastewater unit.					
Wastewater SDC:	327.00	566.00	-	893.00	
13.4 Water System Development Charge					
	Meter Size	Reimbursement	Improvement	Administration	TOTAL
	5/8"x3/4"	\$ 527	\$ 438	\$ 74	\$ 1,039
	3/4"x3/4"	791	657	111	1,559
	1"	1,318	1,096	185	2,599
	1.5"	2,636	2,191	370	5,197
	2"	4,217	3,506	591	8,314
	3"	8,434	7,011	1,183	16,628
	4"	13,178	10,955	1,848	25,981
	6"	26,357	21,910	3,696	51,963
	8"	42,171	35,057	5,914	83,142
	10"	60,620	50,394	8,502	119,516
	12"	118,605	98,596	16,634	233,835

13.4 Water System Development Charge

Meter Size	Reimbursement	Improvement	Administration	TOTAL
5/8"x3/4"	\$ 506.86	\$ 421.35	\$ 71.08	\$ 999.30
3/4"x3/4"	760.29	632.03	106.63	1,498.94
1"	1,267.15	1,053.38	177.71	2,498.24
1.5"	2,534.29	2,106.76	355.42	4,996.48
2"	4,054.87	3,370.82	568.67	7,994.36
3"	8,109.74	6,741.64	1,137.34	15,988.72
4"	12,671.47	10,533.81	1,777.10	24,982.38
6"	25,342.95	21,067.61	3,554.19	49,964.75
8"	40,548.71	33,708.18	5,686.71	79,943.60
10"	58,288.78	48,455.51	8,174.65	114,918.93
12"	114,043.26	94,804.25	15,993.87	224,841.38

13. SYSTEM DEVELOPMENT CHARGES & CONSTRUCTION EXCISE TAXES (contd.)

13.5 Parks and Recreation System Development Charge

Collected for the North Clackamas Parks and Recreation District (adopted Clackamas Board of County Commissioners, Ordinance 09-2007, Oct. 25, 2007)

Parks and Recreation SDC:

- Single-Family Residential
- Multifamily Residential
- Nonresidential

* Number of employees calculated according to type of business and building square feet

See: <http://www.clackamas.us/transportation/planning/sdc.htm#psdc>

Fee

\$3,985 per dwelling unit
 \$3,608 per dwelling unit
 \$60 per employee*

13.6 School Construction Excise Tax

Collected for North Clackamas School District (adopted North Clackamas School District, December 6, 2007)

School Construction Excise Tax:

- Residential
- Commercial

*Total commercial fee capped at \$25,000 per project. Private schools, public improvements, low-income (HUD) housing, hospitals, religious facilities, and agricultural buildings are exempt.

Construction under 1,000 square feet exempted.

Fee

\$1 per square foot
 \$0.50 per square foot*

13.7 Metro Construction Excise Tax

Collected for Metro (adopted Metro Council, Ordinance 06-1115, March 23, 2006, effective July 1, 2006; extended Metro Council, Ordinance 09-1220, June 11, 2009)

Metro Construction Excise Tax

*Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for development of affordable housing units and permits issued to 501(c)(3) nonprofit organizations for other projects aimed at serving low-income populations. Permits for construction valued at more than \$10 million will be assessed a flat \$12,000 fee (0.12 percent of \$10 million).

\$0.12 per \$100 of permit value

RECYCLING

~~Down to Earth Day~~

~~CURRENT~~

Automobile Load	\$2
Station Wagon	\$2
Small Pickup	\$5
Standard Pickup	\$6
Large Truck	\$8
Small Trailer	\$5
Large Trailer	\$6
Unmounted Tires (each)	\$1.50
Residual Solid Waste Permit Registration	\$100
Residual Solid Waste Tonnage Fee	\$2.80/ton

ATTACHMENT 3

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MILWAUKIE, OREGON, REVISING FEES AND CHARGES AS SHOWN
IN ATTACHMENT A AND UPDATING THE MASTER FEE SCHEDULE
OF THE CITY OF MILWAUKIE.**

WHEREAS, it is the policy of the City of Milwaukie to maximize the use of serve and user charges for services that can be identified and where costs are directly related to the level of service provided; and

WHEREAS, the City Manager shall periodically cause a review of City fees and charges to recover costs of providing City services, products and regulations and recommend adjustments to the City Council; and

WHEREAS, Milwaukie advisory boards, commission, and committees periodically provide recommended adjustments to the fees and charges levied in providing City services, products and regulations; and

WHEREAS, the City Manager has caused a review of all City fees and charges, has received guidance from advisory boards, commissions, and committees, and has determined the cost for such fees and charges;

NOW, THEREFORE, BE IT RESOLVED that the City of Milwaukie Master Fee Schedule, included as Attachment A to this resolution, is hereby adopted.

Introduced and adopted by the City Council on June __, 2012.

This resolution is effective on June __, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

6.

OTHER BUSINESS



Agenda Item: 6.A.
Meeting Date: 6/5/12

To: Mayor and City Council

Through: Bill Monahan, City Manager

**From: Casey Camors, Finance Director
Richard Seals, Finance Director**

Subject: Temporary Wastewater Rates

Date: May 24, 2012

ACTION REQUESTED

Adopt a temporary wastewater rate to support wastewater treatment service as defined in the City's service contract with Clackamas County Service District No. 1 (CCSD #1) until an expert rate analysis is completed, deliberated on, and adopted.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Since 1970, the City of Milwaukie has been a wholesale customer of CCSD#1 for the construction and operation of a treatment facility that is located within Milwaukie, the Kellogg Treatment Plant. Throughout the years, the City has been a wholesale customer under a series of agreements. For the past several years, the City and CCSD#1 have discussed potential terms for a long term agreement. The most recent understanding on the rates charged to Milwaukie expires on June 30, 2012. On May 15, 2012 the City Council adopted resolution 26-2012 approving a Memorandum of Understanding with CCSD #1 and authorizing the Mayor to sign the agreement, inclusive of a Service Agreement Term Sheet. A full wastewater service agreement will be developed based upon the Service Agreement Term Sheet.

On May 15, 2012, the City Council directed staff to explore a 43% increase to volume rates charged to residential and commercial wastewater customers as a temporary measure until the completion of an expert rate analysis to be concluded by December 31, 2012. This 43% increase was based on the following:

Current Monthly CCSD #1 EDU Count	8,870
Current Monthly CCSD #1 per EDU Rate	\$ 26.00
Total Current Monthly CCSD #1 Treatment Costs	\$ 230,620
New Monthly CCSD #1 EDU Count	10,939
New Monthly CCSD #1 per EDU Rate	\$ 30.25
Total New Monthly CCSD #1 Treatment Costs	\$ 330,905
Total Increase to Monthly CCSD #1 Treatment Costs	<u>43%</u>

BACKGROUND

Milwaukie has determined that treatment of its wastewater at the Kellogg Treatment Plant is the only viable option available. The Plant is located adjacent to the Island Station neighborhood as well as downtown. An improved plant is necessary to improve the relationship of the plant with the surrounding land uses. Within the negotiations, the parties took into account the need for a good neighbor policy as well as improved odor control at the plant. The Service Agreement Term Sheet contains provisions that address several terms including: rate and methodology, terms of the agreement, odor control, good neighbor policy as well as other issues of concern to the parties.

FISCAL IMPACTS

The rate outlined in the Memorandum of Understanding is \$30.25 per equivalent dwelling unit (EDU) per month equating to a treatment charge to the City of approximately \$4 million per year. Amounts dedicated to wastewater treatment with CCSD #1 in the current Proposed Budget (approximately \$3.1 million) are not sufficient to cover this cost and an interim measure is needed if the City is to avoid spending down Wastewater Fund reserves.

Increasing each volume charge by 43% as directed, will result in the following wastewater rates:

Volume Rates per CCF	Low-Income		
	Residential*	Residential*	Commercial
Current Rate - FY 2012	\$ 4.23	\$ 2.12	\$ 5.49
Proposed Rate - FY 2013	\$ 4.53	\$ 2.27	\$ 5.87
Proposed Temporary Rate	\$ 6.47	\$ 3.24	\$ 8.40
Ave. Customer Utility Bill Increase (over FY 2013 Rate)**	\$ 11.68	\$ 5.85	\$ 101.04

* Residential volume charge is determined by the average monthly water usage from December to March.

**It is estimated that an average residential customer uses 6 ccfs per month (winter average) and an average commercial customer uses 40 ccfs per month.

This 43% increase is expected to yield approximately \$1.5 million in additional revenues to cover the increased treatment costs.

WORK LOAD IMPACTS

Staff will apply the updated volume rates to the utility system accounts and generate billing statements for the first utility bills for the period beginning July 1, 2012.

ALTERNATIVES

There are a number of alternatives that Council could consider. If no interim measure is taken, the Wastewater Fund reserve could be spent down until a new rate structure is identified, deliberated on and adopted; however this would significantly deplete this Fund's reserve, reducing the ability to fund maintenance, operations and future capital projects.

Council could consider a lower rate increase that will still contribute to the increased wastewater treatment costs. For example, it is estimated that a 30% increase in the wastewater volume charge for all classes of customers will be sufficient to compensate for the increased costs from wastewater treatment (\$600,000 for six months).

Rates assessed to low-income residential customers who are eligible for reduced rates under MMC section 13.2.010 are currently set at 50% of the standard residential rate. The Council could waive this 43% increase for this class of customer or implement a different percentage increase to soften the effect.

ATTACHMENTS

1. Temporary Wastewater Rate Resolution

ATTACHMENT 1

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
ADOPTING A TEMPORARY WASTEWATER RATE TO SUPPORT
WASTEWATER TREATMENT SERVICE AS DEFINED IN THE CITY'S SERVICE
CONTRACT WITH CLACKAMAS COUNTY SERVICE DISTRICT NO. 1.**

WHEREAS, the City of Milwaukie has been a wholesale customer of Clackamas County Service District #1 (CCSD #1) for the provision of wastewater treatment at the Kellogg Treatment Plant since construction took place in the 1970's; and

WHEREAS, the City and CCSD #1 have developed a Service Agreement Term Sheet that outlines an agreement between the parties that will be the basis for creation of a full wastewater service agreement; and

WHEREAS, the City and CCSD #1 have developed a Memorandum of Understanding that the District shall provide wastewater treatment services to the City and the City shall pay the District for such services consistent with the terms and conditions of the Service Agreement Term Sheet.

WHEREAS, the treatment rate outlined in the Memorandum of Understanding is \$30.25 per equivalent dwelling unit (EDU) per month equating to a treatment charge to the City of approximately \$4 million per year, a service charge the City has not fully budgeted for indicating the need for an interim measure; and

WHEREAS, the City of Milwaukie must maintain revenue in the Wastewater Fund sufficient for necessary capital improvement, maintenance projects, minimum working capital and inflation factors; and

WHEREAS, Milwaukie Municipal Code Section 13.12.070(A) authorizes the City Council to establish sewer service charges by resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council that wastewater rates established by Resolution 61-2011 by amended as follows:

A wastewater residential volume rate of \$6.47 per ccf based on water use, a low income volume rate of \$3.24 per ccf for residential low-income utility customers eligible for reduced rates under MMC section 13.2.010 and a commercial volume rate of \$8.40 per ccf (each 100 cubic feet of water used) is hereby adopted. These rates will remain in effect until a new wastewater rate structure is identified and adopted. Average household water use shall be the most up-to-date winter average water use as measured for each household over four winter season billing cycles (four months). (A typical household uses 6 ccfs of water per month. This amounts to \$11.68 per month increase for a typical residential customer in Milwaukie).

Introduced and adopted by the City Council on June __, 2012.

This resolution is effective on June __, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



Agenda Item: 6.B.
Meeting Date: 6/5/12

COUNCIL AGENDA ITEM SUMMARY

Issue/Agenda Title: Adoption of a resolution to create a working map that reflects the inclusion of the annexed residents north of King Road in the Dual Interest Area A (DIA A) into the Lewelling Neighborhood District Association.

Prepared By: Beth Ragel
Dept. Head Approval: JoAnn Herrigel
City Mgr. Approval: Bill Monahan

ISSUE BEFORE THE COUNCIL

A resolution which creates a working map of the neighborhood district association boundaries and incorporates annexed residents of the DIA A into the Lewelling Neighborhood District Association.

STAFF RECOMMENDATION

Staff recommends adopting a resolution to create a working map of the neighborhood district association boundaries and incorporate annexed residents of the DIA A into the Lewelling Neighborhood District Association.

KEY FACTS & INFORMATION SUMMARY

A survey of annexed DIA A residents indicated that the majority would like to join the Lewelling NDA. Staff sent a notice to the residents regarding this proposed resolution and hearing.

OTHER ALTERNATIVES CONSIDERED

Assisting the DIA A annexed residents with starting their own new Milwaukie NDA.

CITY COUNCIL GOALS

Council has a goal to cultivate avenues of two-way communication with our citizens. Incorporating the annexed residents of the DIA A into the Lewelling NDA will enhance their ability to interact and communicate with City staff and Council.

ATTACHMENT LIST

Resolution with proposed NDA Boundary Working Map

FISCAL NOTES

n/a



To: Mayor and City Council

Through: Bill Monahan, City Manager
JoAnn Herrigel, Community Services Director
Katie Mangle, Planning Director

From: Beth Ragel, Community Services Program Coordinator

Subject: The adoption of a working map that reflects the inclusion of the annexed residents north of King Road in the Dual Interest Area A (DIA A) into the Lewelling Neighborhood District Association

Date: June 5, 2012

ACTION REQUESTED

Adoption of a resolution to create a working map that reflects the inclusion of the annexed residents north of King Road in the Dual Interest Area A (DIA A) into the Lewelling Neighborhood District Association (NDA).

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

March 8, 2012: Community Services staff provided Council with the results of a survey done to the annexed residents of the Dual Interest Area A (DIA A) regarding neighborhood membership. The majority of annexed residents surveyed indicated a desire to be included in the Lewelling NDA. City Council directed staff to bring a resolution changing the Neighborhood District Association (NDA) Boundary Map to reflect the inclusion of the annexed residents north of King Road in the DIA A into the Lewelling NDA.

February, 2012: A survey was sent to the residents of the seventy-five annexed properties in the DIA A to determine if they preferred to join the Lewelling NDA or start a new Milwaukie NDA. The majority of respondents indicated a desire to be included in the Lewelling NDA.

December 20, 2011: City Council directed Community Services staff to conduct outreach to the annexed residents within the DIA A to determine their preferences regarding neighborhood affiliation.

March 2010: Council adopted a resolution to extend Milwaukie’s sewer system to an area northeast of the City within the “Dual Interest Area A” (DIA A). As of February 2012, seventy-five (75) properties out of the total two hundred and sixty-one (261) DIA A properties had annexed into the City. The seventy-five properties have not yet been formally included in any Milwaukie Neighborhood District Association (NDA). These residents are without a formal neighborhood organization representing them.

BACKGROUND

In March 2010, Council adopted a resolution to extend Milwaukie’s sewer system to an area northeast of the City within the “Dual Interest Area A” (DIA A). As of February 2012, seventy-five (75) properties out of the total two hundred and sixty-one (261) DIA A properties had annexed into the City. The seventy-five properties now in the City can no longer participate in the County’s Community Planning Organization (CPO) and have not yet been formally included in any Milwaukie Neighborhood District Association (NDA). These residents are without a formal neighborhood organization representing them.

On December 20, 2011 City Council directed Community Services staff to conduct outreach to the annexed residents within the DIA A to determine their preferences regarding neighborhood affiliation. In February, 2012 a letter was sent to these seventy-five residents summarizing their two options—to either join the Lewelling NDA or start a new Milwaukie NDA. The letter included a postage paid postcard inside for residents to return. The majority of respondents indicated a desire to be included in the Lewelling NDA. In March, 2012 staff presented these results to Council and Council directed staff to return with a resolution creating a working map that reflects the inclusion of the annexed residents north of King Road in the DIA A into Lewelling.

In May, 2012 staff sent a second letter to each annexed DIA A resident summarizing the results of the postcard survey and notifying them that staff would be presenting a resolution to City Council on June 5, 2012 to incorporate them in the Lewelling NDA. Information on how they could provide comment was included.

CONCURRENCE

This has been reviewed by Community Services and Planning for concurrence.

FISCAL IMPACTS

N/A

WORK LOAD IMPACTS

N/A

ALTERNATIVES

N/A

ATTACHMENTS

1. Resolution with proposed NDA Boundary Working Map

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CREATING A WORKING MAP OF THE NEIGHBORHOOD DISTRICT BOUNDARIES WHICH INCLUDES ANNEXED RESIDENTS OF THE DUAL INTEREST AREA A IN THE LEWELLING NEIGHBORHOOD DISTRICT ASSOCIATION.

WHEREAS, the Neighborhood District Association (NDA) program and boundaries developed by the City (Res. 5-1994 and Res. 6-1994) provides for and supports citizen input into the land use planning process as outlined in Milwaukie's Comprehensive Plan; and

WHEREAS, annexed residents in the recently sewered area to the northeast of the City boundary, known as the Dual Interest Area A (DIA A), can no longer participate in the County's Community Planning Organization and are not yet part of any Milwaukie Neighborhood District Association; and

WHEREAS, the Lewelling NDA voted on March 14, 2011 to welcome the annexed residents of the DIA A north of King Road into their Neighborhood District Association; and

WHEREAS, the majority of annexed residents responding to a survey sent in February, 2012 indicated a desire to join the Lewelling NDA;

NOW, THEREFORE, BE IT RESOLVED that

DISTRICT BOUNDARY ADOPTION: A working map of the City's Neighborhood District Association boundaries is created as reflected in Exhibit A.

Introduced and adopted by the City Council on June 5, 2012.

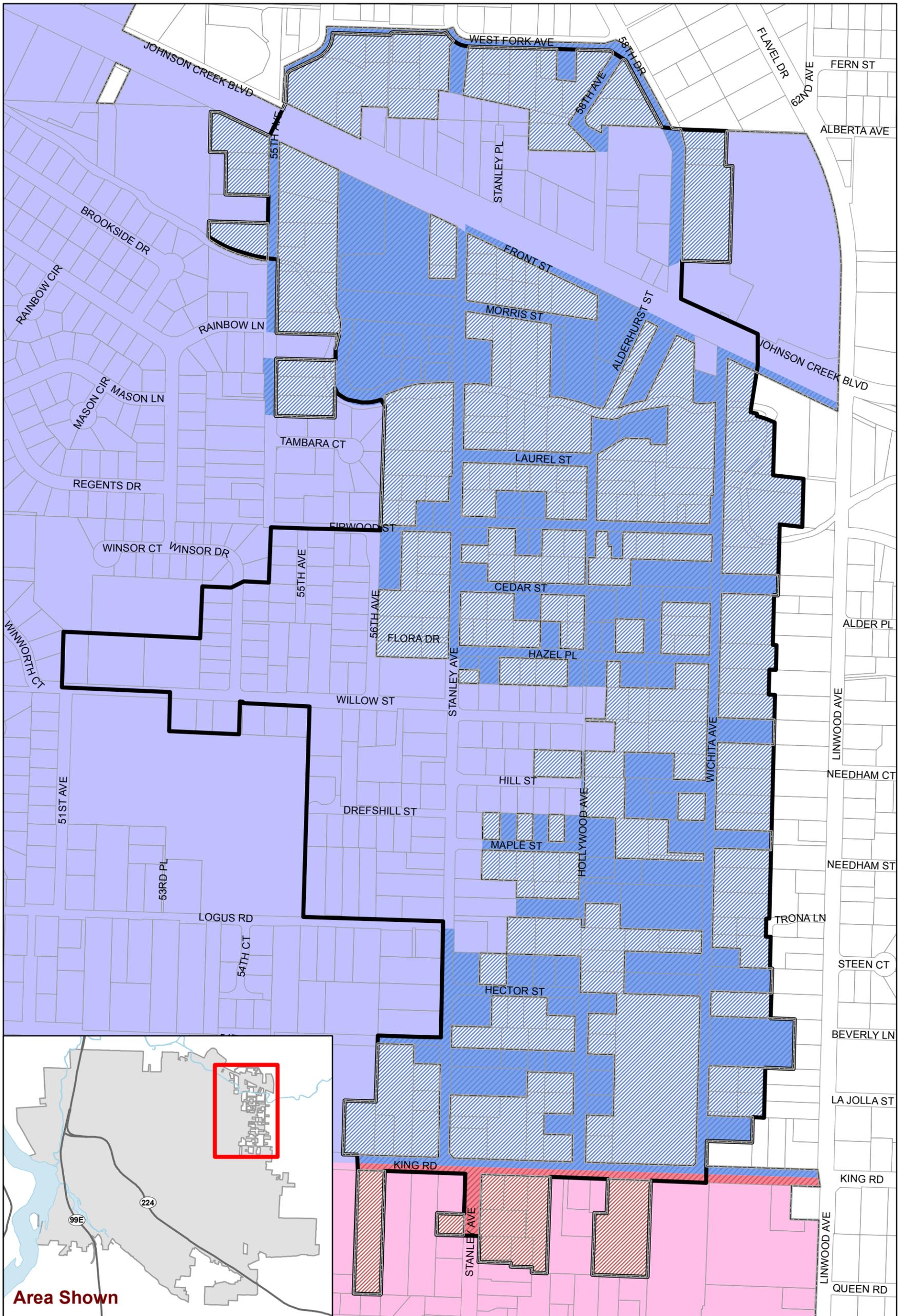
This resolution is effective immediately.

ATTEST:

Jeremy Ferguson, Mayor
APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



Area Shown

- Current City Boundary
- Dual Interest Area A
- Tax Lots

- Current NDAs**
- Hector Campbell
 - Lewelling
 - Linwood

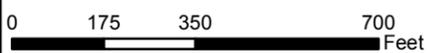
- Proposed NDAs**
- Lewelling annexations
 - Linwood annexations
 - Future Lewelling (not yet annexed)
 - Future Linwood (not yet annexed)

Data Sources: City of Milwaukee GIS
Metro Data Resource Center

Last Updated: 5/22/2012
File Location: M:\all_projects\Map_requests\stage\nda_nda.mxd

The information depicted on this map is for general reference only. The City of Milwaukee cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated.

GIS Coordinator, City of Milwaukee
6101 SE Johnson Creek Blvd.
Milwaukee, OR 97206





Agenda Item: 6.C.
Meeting Date: 6/5/2012

COUNCIL AGENDA ITEM SUMMARY

Issue/Agenda Title: Commitment of Local Matching Funds for the Kellogg Bike/Ped Bridge

Prepared By: Kenneth Asher, Director of Community Development and Public Works
Dept. Head Approval: Kenneth Asher, Director of Community Development and Public Works

City Manager Approval: William Monahan

Reviewed by City Manager: 5/25/2012

ISSUES BEFORE THE COUNCIL

Staff is requesting Council approval for commitment of local matching funds for the Kellogg Bike/Ped Bridge.

STAFF RECOMMENDATION

Staff is requesting Council to authorize by resolution a commitment of \$206,000 of local funds as match for an ODOT Transportation Enhancement grant that would fund the bike/ped bridge over Kellogg Lake.

KEY FACTS & INFORMATION SUMMARY

For many years, the city of Milwaukie has sought to better connect Island Station and other communities south of town with the downtown. With the coming light rail project and the downtown Milwaukie station, the need and opportunity to make this connection has never been more urgent. TriMet and the city have collaborated on several grants to fund this critical connection, but grant funding has not yet been awarded.

On April 25, ODOT issued a notice to interested parties announcing that the Oregon Bicycle and Pedestrian Program and Transportation Enhancement Program is accepting project proposals from tax funded agencies, The program will award \$20 million statewide for projects that benefit the multi-modal transportation system, the community, individual users, and the environment.

The Kellogg Bike/Ped bridge, with its immediate connections to the Trolley Trail and light rail system, along with its proximity to Milwaukie's bike system and the Springwater Trail, continues to be a strong candidate for this funding. City staff is working with TriMet staff and ODOT to prepare a Notice of Intent (NOI) to apply, and application that has the best possible chance of succeeding this time.

OTHER ALTERNATIVES CONSIDERED

Council can elect to change the amount of the matching funds requested, which would make the NOI more or less competitive, depending on the modification. Council can shift the funds from the Transportation SDC fund to the general fund, as was the case last October. The decision as to the source of the funding is not essential at this time. It's the council's commitment to provide local match that really matters. Council can elect to defer the decision until after ODOT reviews the NOI, however this would likely lower the city's chances of successfully competing for the award.

CITY COUNCIL GOALS

N/A

ATTACHMENT LIST

1. Staff memo on SDC funding entitled "Potential Use of Transportation System Development Charges for the Kellogg Bike/Pedestrian Bridge"
2. Resolution

FISCAL NOTES

The effect of the action will be to reallocate \$206,000 from the contingency line item in the Transportation SDC Fund to a new line item called Kellogg Bike/Ped Bridge. This action will leave a balance of about \$100,000 in the Transportation SDC account.



To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Kenneth Asher, Director of Community Development and Public Works

Date: May 25, 2012 for the June 5 Regular Session

Subject: Commitment of Local Matching Funds for the Kellogg Bike/Ped Bridge

ACTION REQUESTED

Authorize by resolution a commitment of \$206,000 of local funds as match for an ODOT Transportation Enhancement grant that would fund the bike/ped bridge over Kellogg Lake.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

October 2011: City Council approved applying for an ODOT Transportation Enhancement grant for the project using \$206,000 of local funding.

BACKGROUND

For many years, the City of Milwaukie has sought to better connect Island Station and other communities south of the City with downtown Milwaukie. With the coming light rail project and the downtown Milwaukie station, the need and opportunity to make this connection has never been more urgent. Land use approval of the light rail bridge over Kellogg Lake was issued by the City with the condition that TriMet seek funding to complete a bike/ped bridge over Kellogg Lake as part of the light rail project. The light rail bridge over the lake has been designed to carry a bike/ped structure underneath the light rail deck. TriMet and the City have collaborated on several grants to fund this critical connection, but grant funding has not yet been awarded.

On April 25, ODOT issued a notice to interested parties announcing that the Oregon Bicycle and Pedestrian Program and Transportation Enhancement Program are accepting project proposals from tax funded agencies, ODOT offices, or private entities

or non-profits in partnership with public agencies. The program will award \$20 million statewide for projects that benefit the multi-modal transportation system, the community, individual users, and the environment.

The Kellogg Bike/Ped bridge, with its immediate connections to the Trolley Trail and light rail system, along with its proximity to Milwaukie's bike system and the Springwater Trail, continues to be a strong candidate for this funding. City staff is working with TriMet staff and ODOT to prepare a Notice of Intent (NOI) to apply. The application process is a two-stage affair, whereby only selected projects will be invited to apply for funding. Selected applications are due in December 2012 and awards will be announced in early 2013.

All proposals require a local match, which must be at least 10.27 percent of the total project cost. For the City's application to be competitive, the match commitment should be in place prior to the City's submittal of its Notice of Intent to apply, which is due on June 6.

In October 2011, the City was in a similar position under the same program. Staff recommended the programming of \$206,000 in Transportation SDC funds to fund the then required match component. Council ended up approving the local match, but identifying the general fund as the more appropriate source of funding. In the end, the City was unsuccessful in the grant round. Staff provided a memo to Council in October explaining its recommendation. That memo has been updated and is attached (Attachment 1). The Transportation SDC Fund is still recommended as the best source for these funds, should Council want to pursue the project.

This information was provided to the budget committee at its May 24 meeting. The Budget Committee heard the staff recommendation and made no objection to the inclusion of \$206,000 in the Transportation SDC budget.

CONCURRENCE

The project has received widespread support in prior grant cycles. Members of the Planning Commission are on record as strong advocates of the project and the allocation of local funds to support the grant application. Members of the Hector Campbell, Historic Milwaukie and Island Station neighborhoods have all spoken on behalf of the project. TriMet, which has provided extensive technical assistance on prior grant applications (and will do so again on this one), concurs with the action, recognizing its criticality in preparing a competitive project. The Budget Committee did not object to the addition of this funding to the biennial budget. The Planning, Engineering and Finance Departments concur as well. During the May 24 Budget Committee meeting Councilor Miller expressed that he would like to see Kronberg Park master planned as soon as possible, to take advantage of the possible placement of a new trail connecting the bridge to McLoughlin, should the project be funded.

FISCAL IMPACT

The effect of the action will be to reallocate \$206,000 from the contingency line item in the Transportation SDC Fund to a new line item called Kellogg Bike/Ped Bridge. This action will leave a balance of about \$100,000 in the Transportation SDC account. The

fund will build back up according to the level of development activity in Milwaukie in future years. The action will not reallocate any SDC funds currently programmed for other projects. The City is reviewing its methodology for the Transportation SDC charge, which is likely to increase in the coming year. This will allow the Fund to rebuild its contingency account more quickly.

WORK LOAD IMPACTS

Preparing the grant application will have minimal work load impacts because much of the preparation that went into the prior applications can be reused for this application (assuming the City is invited to apply). Should the grant be awarded, light rail project staff, Community Services staff, Community Development staff, Planning staff, Engineering staff and Operations staff will all have roles to play in the design and permitting of the structure, however these workload impacts can be accommodated within current staffing levels.

ALTERNATIVES

Council can elect to change the amount of the matching funds requested, which would make the NOI more or less competitive, depending on the modification. Council can shift the funds from the Transportation SDC fund to the general fund, as was the case last October. The decision as to the source of the funding is not essential at this time. It's the Council's commitment to provide local match that really matters. Council can elect to defer the decision until after ODOT reviews the NOI, however this would likely lower the City's chances of successfully competing for the award.

Staff recommends Council take the action as requested.

ATTACHMENTS

1. Staff memo on SDC funding entitled "Potential Use of Transportation System Development Charges for the Kellogg Bike/Pedestrian Bridge"
2. Resolution



Memorandum

To: Bill Monahan, City Manager

From: Kenny Asher, Community Development and Public Works Director
Gary Parkin, Engineering Director

Date: May 24, 2012

Re: Potential Use of Transportation System Development Charges for the Kellogg
Bike/Pedestrian Bridge

The most cost-effective and affordable approach to funding the Kellogg Bicycle and Pedestrian Bridge requires that the city apply for ODOT's Flexible Funds Grant Program. The first step in applying for the grant is the submittal of a notice of intent by June 6, 2012.. The project is estimated to cost \$2.4 million. The City match requirement is \$206,000. Staff will be working to update an application package that was submitted last fall and did not result in an award.

The City Council can direct staff to seek another funding source for this project at a future point in time.

The staff recommends pursuing the ODOT grant, which, if awarded, would enable the least expensive and least disruptive construction of the bike/ped bridge in 2012-13.

Completing the project in conjunction with the Light Rail project's construction of the Kellogg bridge is beneficial to the City in that there are risks and expenses associated with doing the project at a future date including:

- Having to re-do environmental permitting
- Cost escalation due to inflation
- Having to re-install the temporary work bridge that will be in place to construct the light rail bridge
- Having to replace the water quality and natural resource mitigation plantings installed with the light rail bridge

Staff is seeking council approval to program \$206,000 of Transportation SDC funds for this project. The project is identified in the Transportation System Plan (TSP), but would need to be added to the list of eligible SDC projects in our 2012 Transportation SDC update. The last

Transportation update was completed in 2004. The inclusion of this project and others from the adopted 2007 TSP, could result in a higher Transportation SDC charge.¹

Transportation SDCs are collected by the City in recognition that certain transportation projects will benefit future residents. Projects are eligible for SDC funding if they add capacity, enhance mobility, or reduce congestion. The SDC-eligible portion of a project's cost is that portion of the project's cost that remains after other revenue sources are charged, and after deducting costs associated with fixing pre-existing deficiencies in the system.

The Kellogg Bike/Ped Bridge project increases the city's transportation infrastructure and proposes construction in an area pedestrians will want to access; these factors will likely result in a net increase of Bike/Ped system users. The bridge also increases connectivity between points in the city, inviting further bicycle and pedestrian mobility citywide.

The City's Transportation SDC account currently has an unencumbered balance of about \$300,000. These are funds available to apply toward projects that are SDC-eligible and listed in the Capital Improvement Plan (CIP). The current list is as follows:

Stanley Avenue Sidewalks	\$4,300,000
King Road Improvements	\$500,000
Logus Road Street Improvements (Phase 2)	\$771,000
Railroad Avenue Multimodal Improvements	\$12,900,000
Monroe Street Multimodal Improvements	<u>\$1,630,000</u>
	\$20,101,000

One problem with the city's SDC account is that it currently only covers only 1.6 percent of the listed, eligible projects. Generally at least 10 percent local match is required on any given project. Hence these projects are noted in the CIP as projects needing an outside funding source and are typically not budgeted until and unless outside funding can be secured.

From the staff perspective, the utilization of SDC funds for the Kellogg project makes sense because, unlike the other projects, it is competitive for grant funding now. As a counter-example, the city submitted for an ODOT Pedestrian and Bicycle grant to fund the Monroe Bike Boulevard in 2010. Despite making a strong application, the project was not selected by the funding agency. The Kellogg Bike/Ped project might not be funded either, but because it is "construction-ready," it stands a good chance of being funded.

Funding the Kellogg pedestrian bridge would leave a balance of about \$100,000 in the Transportation SDC account. Over the past four years, the fund has collected \$47,000 (2007), \$267,000 (2008), \$42,000 (2009), \$12,000 (2010) and \$14,000 (2011). The proposed budget shows \$200,000 in contingency for FY 2013 and for FY 2014. The requested amount would be offset by a reduction in the contingency. The Transportation SDC fund balance will build back up depending on the level of development activity in Milwaukie in future years, and decisions by the council to expend SDC funding for other grants.

¹ Another project that will be added to the upcoming SDC list is the 17th Ave bikeway connection to the Springwater trail. That project is likely to receive outside funding (MTIP) and will need to identify match for FY 2013/14.

If council concurs, staff would include the \$206,000 in the Kellogg Bike/Ped bridge application, add the project to the Transportation SDC project list when the Street SDC report is updated in 2012, and add the project to the list of priority Transportation projects in the next version of the CIP.

ATTACHMENT 2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, COMMITTING \$206,000 IN LOCAL MATCHING FUNDS TOWARD AN ODOT GRANT FOR CONSTRUCTION OF THE KELLOGG BIKE/PED BRIDGE.

WHEREAS, the Portland-Milwaukie Light Rail project will construct a bridge for light rail over Kellogg Lake in 2012 and 2013; and

WHEREAS, the bridge structure and design anticipates the inclusion of a multi-use path that would connect bicyclists and pedestrians to downtown Milwaukie from Kronberg Park, Island Station and points south; and

WHEREAS, full funding for the bike/ped bridge is not included in the light rail project budget nor in the City's budget; and

WHEREAS, the Milwaukie Planning Commission approved the land use application for the Kellogg light rail bridge with a condition that TriMet seek funding for the bike/ped bridge and construct the multi-use bridge as part of the light rail bridge construction; and

WHEREAS, ODOT has issued notice of a grant to fund bicycle and pedestrian infrastructure under the agency's Transportation Enhancement/Bike-Ped program; and

WHEREAS, cities interested in applying for this grant must notify ODOT by June 6, 2012 through a Notice of Intent questionnaire; and

WHEREAS, to be eligible for the grant, applicants must commit local matching funds of at least 10.27 percent; and

WHEREAS, the Kellogg Bike/Ped Bridge project has been cost-estimated at approximately \$2 million and requires a local match component of \$206,000; and

NOW, THEREFORE, BE IT RESOLVED that the City of Milwaukie commits \$206,000 in local share matching funds for the Kellogg Bridge Bike/Ped project; and

BE IT FURTHER RESOLVED that such funds be budgeted in the biennial budget for fiscal year 2012-2014.

Introduced and adopted by the City Council on June 5, 2012.

This resolution is effective on June 5, 2012.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney