



Special Session

SPS

Milwaukie City Council

COUNCIL SPECIAL SESSION

Leading Library, 10660 SE 21st Avenue, Milwaukie Bay Park,
& Zoom Video Conference (www.milwaukieoregon.gov)

REVISED AGENDA

APRIL 12, 2022

(Revised April 11, 2022)

Council will hold this meeting in-person and through video conference. The public may attend the meeting at Milwaukie Bay Park the library or by joining the Zoom webinar. The meeting will not be recorded and or broadcast later.

To participate in this meeting by phone dial 1 253 215 8782 and enter Webinar ID 837 5111 0754 and Passcode: 107967. To raise hand by phone dial *9.

Written comments may be submitted by email to ocr@milwaukieoregon.gov. Council may take limited verbal comments. For Zoom webinar login The special session will not include a Zoom participation option, for more information about this meeting visit <https://www.milwaukieoregon.gov/citycouncil/city-council-special-session-31>.

Note: agenda item times are estimates and are subject to change.

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Study Session: before the special session Council will hold a study session. To view the study session agenda, visit <https://www.milwaukieoregon.gov/citycouncil/city-council-study-session-128>.

1. CALL TO ORDER (6:00 p.m.)

2. Sparrow Street Auxiliary TriMet Property Purchase – Resolution (6:05 p.m.) 1
(removed from the agenda, item will be rescheduled)

Staff: Joseph Briglio, Community Development Director, and
Mandy Byrd, Development Project Manager

3. Kellogg Creek Dam Visit with US Senator Jeff Merkley – Walking Tour (6:05 p.m.)

Council will participate in a walking tour of the dam with Senator Merkley and the North Clackamas Watersheds Council (NCWC). (Added to the agenda.)

4. ADJOURN (7:00 p.m.)

Executive Session

After the special session Council will meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(The executive session will be held via Zoom video conference)

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



**SPS 2.
4/12/22**

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COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Reviewed: Joseph Briglio, Community Development Director

From: Mandy Byrd, Development Project Manager

Subject: **TriMet Lot (Sparrow Auxiliary Site) Acquisition**

Date Written: Mar. 31, 2022

ACTION REQUESTED

Council is asked to delegate signing authority to the city manager to purchase the 0.30-acre site at 12302 SE 26th Ave (Tax Lot No. 11E36CC05100) (the "Sparrow Auxiliary Site") from the Tri-County Metropolitan Transportation District (TriMet) within the incorporated area of Milwaukie for the agreed amount of \$84,000.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[June 20, 2018:](#) Staff met with the Island Station Neighborhood District Association (NDA) to provide an in-person update of city plans to land bank property for the purpose of housing development opportunities.

[March 19, 2019:](#) Council delegated signing authority to the city manager to purchase the Sparrow Site from TriMet for \$33,287.

[February 18, 2020:](#) Council reviewed and provided input on development goals and received an update on the proposed project community engagement plan.

[January 19, 2021:](#) Council received an update on the Sparrow Site and reviewed project goals.

[March 16, 2021:](#) Council received an update on the Sparrow Site, the Site Access Study, and reviewed project goals.

[April 6, 2021:](#) Council received an update on the Sparrow Site, the Site Access Study, and reviewed project goals.

[May 18, 2021:](#) Council considered a resolution to approve the project goals for the TriMet Remnant Lot (Sparrow Site).

[June 1, 2021:](#) Council adopted a resolution to approve the project goals for the TriMet Remnant Lot (Sparrow Site).

[June 8, 2021:](#) Council held an executive session and received an update on the Sparrow Site, the results of the Site Access Study, and reviewed property acquisition options.

ANALYSIS

Under the direction of Council and the city manager, the community development director and development project manager have been taking steps to ready the Sparrow Site (lot 0300) for disposition and development. Staff is asking Council to consider approving the acquisition of an additional parcel, which is needed for right-of-way access improvements, as described below.

From April to June 2021, staff contracted with Harper Houf Peterson Righellis, Inc, a civil engineering firm, to conduct a Site Access Study comprised of survey work and conceptual design for access to the Sparrow Site from SE 26th Avenue, and a design for frontage improvements along SE Sparrow Street.

Findings from the 2021 Site Access Study indicate that existing conditions on 26th Avenue between Lark Street and Sparrow Street do not provide adequate access for development to occur at the Sparrow Site. Extension/expansion of the right-of-way is therefore required to provide access to any future proposed development. Two options were presented in the Site Access Study, both of which require acquisition of the Sparrow Auxiliary Site.

Staff proposes that the city purchase the Sparrow Auxiliary Site from TriMet prior to issuing a request for qualification (RFQ) to develop the main Sparrow Site. Purchase of the Sparrow Auxiliary Site will help “pave the way” for development because, regardless of which right-of-way option is ultimately pursued by the future developer/owner, expanding the 26th Avenue right-of-way across the western edge of the Sparrow Auxiliary Site will be required.

Next Steps

Upon Council approval of the Sparrow Auxiliary Site acquisition, staff will proceed with the following steps:

1. Update Phase I for the Sparrow Auxiliary Site
2. Purchase and sale agreement with TriMet for the Auxiliary Parcel
3. Surplus Hearing for the main Sparrow Site and the Sparrow Auxiliary Site
4. Release RFQ for both Sparrow properties

In summary, staff is asking Council to approve the acquisition of the Sparrow Auxiliary Site, which would alleviate some of the site constraints associated with the main Sparrow site, and further support development of the Sparrow project.

If Council directs staff to acquire the Sparrow Auxiliary Site from TriMet, staff will proceed with next steps in the disposition process: Council will be asked to declare both the Sparrow Site (lot 0300) and the Sparrow Auxiliary Site as surplus property in Summer 2022 and the city will issue a RFQ shortly thereafter.

If Council votes *not* to approve acquisition of the Sparrow Auxiliary Site, then its acquisition and the related ROW opportunity will be deferred to the development/developer of the future.

BUDGET IMPACT

The city will use budgeted general funds within the community development department budget to acquire the Sparrow Auxiliary Site. The Site Access Study determined that access to the site will require capital improvement resources.

WORKLOAD IMPACT

The city's community development director, development project manager, and housing and economic development associate have prioritized this project within their 2022 workplans.

CLIMATE IMPACT

Transportation emissions amount to 29% of Milwaukie's total community carbon footprint. Transit Oriented Development housing projects, like the Sparrow Site have the potential to mitigate transportation-related carbon emissions by promoting access to alternative and public transportation. Street and pedestrian improvements provided by the Safe Access for Everyone program that are a part of the project also mitigate greenhouse gas emissions through increased access to alternative transportation infrastructure.

Environmental remediation may improve the possibility of healthy vegetation on the site, which could align with city canopy goals if appropriate tree preservation and arboricultural construction practices are followed. The Sparrow Site development will help implement the city's Comprehensive Plan, which includes the city's climate action goals.

COORDINATION, CONCURRENCE, OR DISSENT

The city manager, assistant city manager, city attorney, community development director, and development project manager have coordinated on this effort and agree with staff's recommendation.

STAFF RECOMMENDATION

Staff recommends Council adopt the resolution directing staff to purchase the Sparrow Auxiliary Site because this decision will ultimately inform the next steps for the project, which include a surplus hearing, release of the RFQ, and disposition to a new owner for development.

ALTERNATIVES

Council could choose not to adopt the proposed resolution directing staff to acquire the Sparrow Auxiliary Site. This would defer access, street improvements, and ROW acquisition to a later date and/or to a developer of the future.

ATTACHMENTS

1. Resolution
2. Project Goals



CITY OF MILWAUKIE

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE PURCHASE OF THE SPARROW AUXILIARY SITE (TAX LOT NO. 11E36CC05100) FROM TRIMET AND DELEGATING SIGNING AUTHORITY TO THE CITY MANAGER TO COMPLETE THE PURCHASE.

WHEREAS the city purchased the Sparrow Site (Tax Lot No. 11E36CC00300) from TriMet in March 2019 for redevelopment targeted to help meet the city's affordable housing goals; and

WHEREAS the city developed project goals to be included in a request for qualifications (RFQ) for development of the Sparrow Site based on the city's affordable housing goals and the City Council's input; and

WHEREAS to accomplish the project goals through an RFQ for future development, the acquisition of an additional parcel (Sparrow Auxiliary Site) is needed for right-of-way access improvements; and,

WHEREAS the 0.30-acre site located 12302 SE 26th Avenue (Tax Lot No. 11E36CC05100) in the Island Station neighborhood was identified as surplus property by the Tri-county Metropolitan Transportation District of Oregon (TriMet) and offered to the City of Milwaukie for purchase, and

WHEREAS an acquisition price of \$84,000 has been established consistent with Federal Transportation Authority guidelines.

Now, Therefore, be it Resolved

Section 1: The Milwaukie City Council approves the purchase price of the Sparrow Auxiliary Site (Tax Lot No. 11E36CC05100).

Section 2: Upon completion of all necessary due diligence and closing documents acceptable in form by the City Attorney, the City Manager is authorized to take all appropriate steps to complete the land purchase including making payment to TriMet from the city's general fund.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Mark F. Gamba, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



CITY OF MILWAUKIE

Sparrow Site Project Goals

In January 2021, staff presented draft goals for the Sparrow Site and received feedback from Council. In April 2021, staff presented revised goals and information about affordable housing financing. In June 2021, Council adopted a resolution to approve the project goals for the Sparrow Site.

The city's preference is to work with a development team that can deliver on the following development goals set by Council:

1. **Affordable Housing.** Income restricted rental units or affordable homeownership opportunities that serve households earning 60% or less of AMI. Preference for a project that serves lower income and 0-30% households.
2. **Unit Size.** Preference for the project to include 2-bedroom and 3-bedroom units.
3. **Minority / Women Business Enterprise Contracting.** Preference for a development team that will make a good faith effort to use Minority / Women Business Enterprises (MWESB) in contracting.
4. **Preservation of Tree Canopy.** Project design that will minimize the impact of development on the tree canopy.
5. **Sustainable Design.** Project that uses sustainable and energy efficient design and construction methods.
6. **Affirmative outreach.** Development team that will create an affirmative outreach plan to provide information and attract eligible persons to live in the development from all racial, ethnic, and gender groups in the housing market area.
7. **City of Milwaukie Financing.** Project that minimizes the need for city financing while still delivering on project goals.
8. **Project Delivery.** Development team with experience in project delivery and that can begin construction as soon as practicable.