



**Regular Session**

**RS**

**Milwaukie City Council**

**COUNCIL REGULAR SESSION**

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**AGENDA**

SEPTEMBER 20, 2022

**Council will hold this meeting in-person and through video conference.** The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. **For Zoom login** visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-332>.

**To participate in this meeting by phone** dial 1-253-215-8782 and enter Webinar ID 841 6722 7661 and Passcode: 097479. To raise hand by phone dial \*9.

**Written comments** may be delivered to City Hall or emailed to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov). Council will take verbal comments.

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

**Page #**

1. **CALL TO ORDER** (6:00 p.m.)
  - A. **Pledge of Allegiance**
  - B. **Native Lands Acknowledgment**
  
2. **ANNOUNCEMENTS** (6:01 p.m.) **2**
  
3. **PROCLAMATIONS AND AWARDS**
  - A. **Outstanding Milwaukie High School (MHS) Student – Award** (6:05 p.m.)  
Presenter: Kim Kellogg, MHS Principal
  
  - B. **MHS Update – Report** (6:25 p.m.)  
Presenter: Kim Kellogg, MHS Principal
  
  - C. **National Preparedness Month – Proclamation** (6:35 p.m.) **4**  
Presenter: Lisa Batey, City Councilor
  
4. **SPECIAL REPORTS**
  - A. **None Scheduled.**
  
5. **COMMUNITY COMMENTS** (6:40 p.m.)

To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov)), or in person to city staff.**

- 6. CONSENT AGENDA (6:45 p.m.)**  
 Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.
- A. Approval of Council Meeting Minutes of: 6**
    - 1. August 9, 2022, study session,
    - 2. August 16, 2022, work session, and
    - 3. August 16, 2022, regular session.
  - B. A Legal Description Update of the Harlow Road Public Street Right-of-Way (ROW) Vacated in Milwaukie Bay Park – Resolution 18**
  - C. Authorization of the Purchase of Police Vehicles – Resolution 23**
- 7. BUSINESS ITEMS**
- A. Council Parks Goal Adoption – Resolution (6:50 p.m.) 27**  
 Presenters: Lisa Batey, City Councilor, and  
 Kathy Hyzy, Council President
  - B. Capital Projects Update - Report (7:00 p.m.) 29**  
 Staff: Steve Adams, City Engineer, and  
 Jennifer Garbely, Assistant City Engineer
  - C. Climate Fee Policy – Discussion (7:30 p.m.) 33**  
 Staff: Peter Passarelli, Public Works Director, and  
 Natalie Rogers, Climate & Natural Resources Manager
- 8. PUBLIC HEARINGS**
- A. None Scheduled.**
- 9. COUNCIL REPORTS (8:30 p.m.)**
- 10. ADJOURNMENT (8:35 p.m.)**

**Milwaukie Redevelopment Commission (MRC) Meeting**

After the regular session Council will meet as the MRC. For information about that meeting visit <https://www.milwaukieoregon.gov/bc-rc/redevelopment-commission-10>.

**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](mailto:ocr@milwaukieoregon.gov) or phone at 503-786-7502. To request Spanish language translation services email [espanol@milwaukieoregon.gov](mailto: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](mailto:ocr@milwaukieoregon.gov) o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a [espanol@milwaukieoregon.gov](mailto: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.





**RS Agenda Item**

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# **Announcements**



# Mayor's Announcements – September 20, 2022

- **Playground Design Presentation – Thursday, September 22 (5:30-6:30 PM)**
  - Learn about playground design safety and play concepts such as nature-based, inclusive, and sensory-based
  - Use this knowledge to provide informed feedback during park planning processes
  - Presentation will be done virtually using Zoom
- **A Conversation with Kate Birdsall – Thursday, September 22 (6:30-7:30 PM)**
  - Kate is the author of the memoir *In Between* and stars in the 2022 film *Strictly for the Birds*
  - Ledding Library, 10660 SE 21<sup>st</sup> Ave.
- **South Downtown Mural Dedication – Saturday, September 24 (11 AM – 12:30 PM)**
  - Help welcome the city's newest public mural, created by Kanani Miyamoto, with a dedication featuring brief remarks and refreshments
  - Post Office building at 11222 SE Main St.
- **City Manager Open Door Session – Tuesday, September 27 (9-10 AM)**
  - Ask questions, raise concerns, or just find out more about what the city is doing
  - No sign-up is necessary. First-come first-served.
  - Sessions limited to 15 minutes to accommodate as many sessions as possible
  - Sessions take place at City Hall (Council Chambers), 10722 SE Main St.
- **Confederated Tribes of Grand Ronde: History & Demonstrations – Wednesday, Oct. 5 (6 PM)**
  - October Ledding Library Lecture Series presents Chris Rempel, a cultural education specialist for the Confederated Tribes of Grand Ronde and a special address from City Councilor Adam Khosroabadi
  - In person at the Ledding Library, 10660 SE 21<sup>st</sup> Ave., watch live on Zoom, or watch the recording later.

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• **LEARN MORE AT [WWW.MILWAUKIEOREGON.GOV](http://WWW.MILWAUKIEOREGON.GOV) OR CALL 503-786-7555**



**RS Agenda Item**

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# **Proclamations & Awards**

**RS 3. A. 9/20/22  
Presentation**

SEPTEMBER

# STUDENT OF THE MONTH

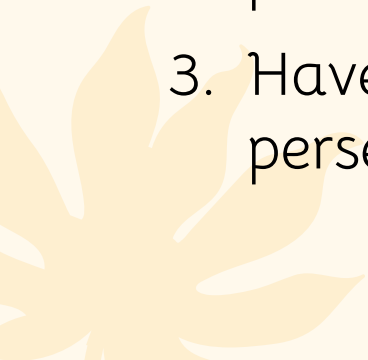


## CRITERIA FOR STUDENT OF THE MONTH



We are looking for students that:

1. Contribute to and/or made an impact on their community.
2. Strive for excellence in their academics, activities and or passion area.
3. Have overcome an obstacle and are showing perseverance and growth.



# ANNELISE CRONK



## Student Background


- 12 Grade
- GPA: 4.0
- Co-President of NHS
- Co-President ASB
- Founder Community Force
  - Get students excited about making their community a better place.

## 3-Sport Athlete

- Soccer
- Basketball
- Track

Employment: Aerie





Anneliese is such a responsible young lady. She is always willing to help out. She's always been a team player, kind and oh so hard working even from a very young age.


**-MRS. CANIZARES**

I've known Annelise for a couple of years as a member of National Honor Society. She emerged as a leader from the start. She's extremely motivated to serve her community and organize events for others to help out. We're all fortunate to have such a motivated student leader at MHS!

~ RICHARD ALVES

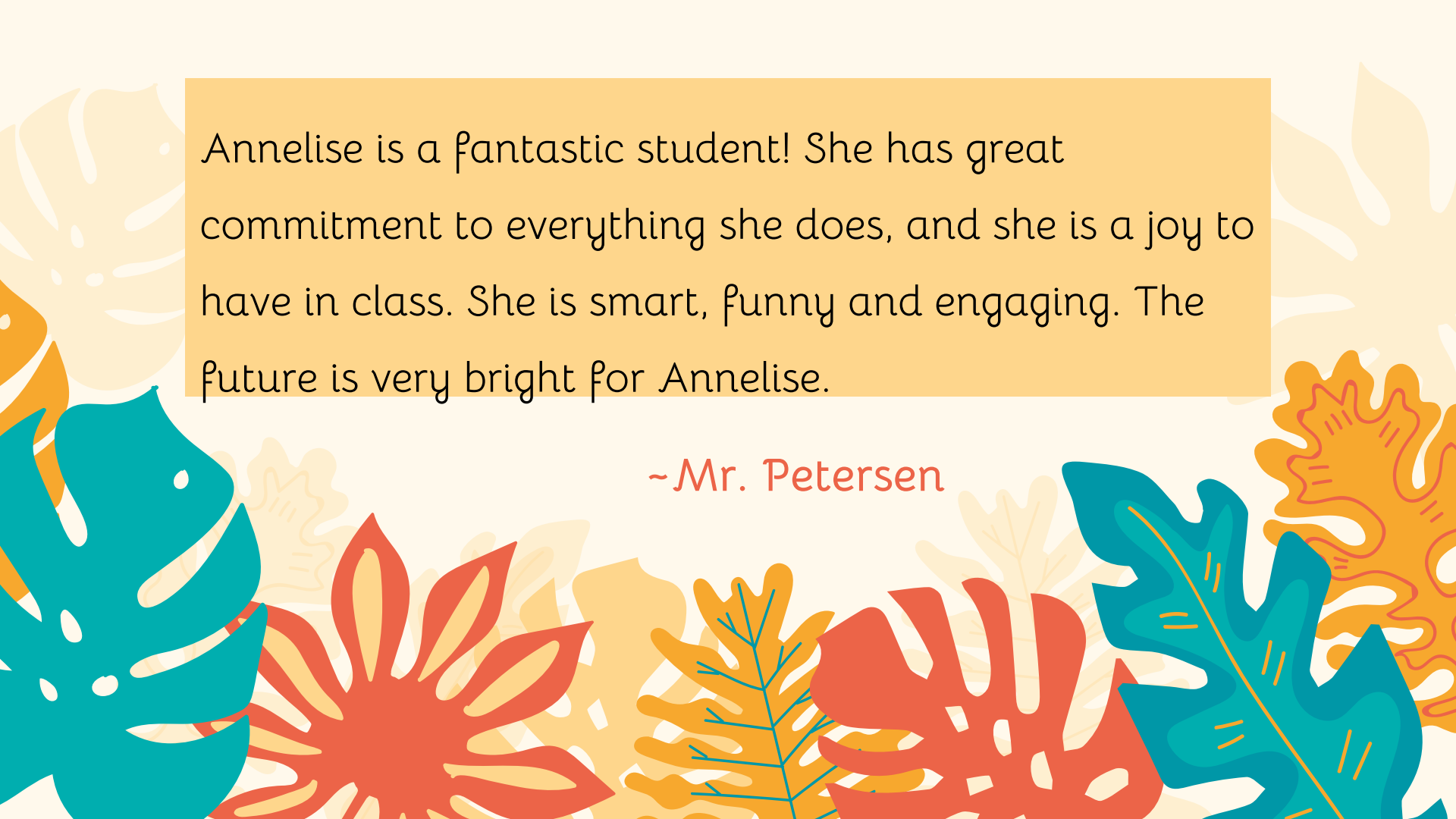







Annelise earned the Excellence in Biology Award last year for her consistent and quality work in AP Biology. She would regularly contact me outside of class time to get feedback on her work and always took advantage of making improvements to her assignments. I appreciated her commitment to her academics and her contributions to the class.

~MS. MATTHEWS



Annelise is a fantastic student! She has great commitment to everything she does, and she is a joy to have in class. She is smart, funny and engaging. The future is very bright for Annelise.

~Mr. Petersen




Annelise is one of those students who sees something and gets it done, she has a great talent for overcoming challenges, staying positive, and caring about others enough to sacrifice her time and energy making things better. She is just as good of a student as she is a person, and she represents us well. She is a true Mustang and she definitely deserves Student of the Month recognition!

~MR. SCHAEFFER




# THE PARKING LOT PROJECT

1. Anneliese and I met in the spring of 2021-22.
  2. She described a project idea for seniors and to incorporate the larger Milwaukie Community.
  3. She did a presentation for our facilities Department. [Presentation Link](#)
  4. Approved by Superintendent James
- 



## LOGISTICS

1. Secured funding for the paint
  2. Created communication to students
  3. [Created a submission form](#)
  4. Secured food & Snacks for event
- 

# PARKING LOT PAINTING



# School Information

Current enrollment is 1283

- MAA 324
- MHS 959



2019-2020

**MHS/MAA**

- On Time graduation **MHS 85%**
- On Time graduation **MAA 87%**
- State Average - **80%**

Student Centered

Relationships  
Core Values

Future -Ready

Equity, Diversity & Inclusion

SIP Goals

9th Grade  
Teams

Student  
Engagement

Equitable  
Grading

AP

Academic  
Rigor

Collaborative  
Instructional  
Practices

Consistency &  
Communication

EOS

On  
Track

School-Wide  
Systems

Parent &  
Student  
Voice



## PROCLAMATION

**WHEREAS** the month of September is recognized by emergency responders and public safety agencies nationwide as a time to actively promote emergency preparedness in our communities through planned activities, events, and public awareness campaigns, and

**WHEREAS** the theme of this year’s National Preparedness Month is “A Lasting Legacy,” recognizes the importance of creating plans to respond to natural disasters to be better prepared to protect ourselves and our communities against both immediate crises and their residual effects, and

**WHEREAS** emergency preparedness is the responsibility of everyone, and all are urged work together to ensure that individuals, families, neighborhoods, businesses, and communities are prepared for disasters and emergencies of any type, and

**WHEREAS** investing in personal and community preparedness can reduce injuries, fatalities, and economic devastation in our community and in our nation, and

**WHEREAS**, during September, the City of Milwaukie urge residents to prepare themselves for emergencies by assembling an emergency “go kit” including three days of water, medications and other emergency supplies, by enrolling in communication platforms to receive emergency alerts, and by learning about regional and statewide evacuation procedures, which you can find at [www.clackamasfire.com](http://www.clackamasfire.com) and [www.oregon.gov/oem](http://www.oregon.gov/oem).

**NOW, THEREFORE**, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **SEPTEMBER 2022** to be **NATIONAL PREPAREDNESS MONTH** in Milwaukie.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 20<sup>th</sup> day of September 2022.

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Mark Gamba, Mayor

ATTEST:

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Scott Stauffer, City Recorder





**RS Agenda Item**

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**Community Comments**

**Scott Stauffer**

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**From:** Greg Hemer <greghemermilw@gmail.com>  
**Sent:** Monday, September 19, 2022 5:03 PM  
**To:** \_City Council; Ann Ober; OCR  
**Cc:** Elizabeth Start; Terri Geier Brindell; Pamela Denham; milwaukie environmental  
**Subject:** Sustainability success

Dear City Council....

We, Milwaukie Environmental Stewards Group (MESG), first would like to thank the majority of our elected leaders for attending our Sustainability Fair on Saturday Sept. 17th.

It was a huge success....we estimate that over 750 people, maybe almost 1,000 attended the fair. Most vendors stated how wonderful it was to be around like minded people and how their commitment to sustainability was focused upon. Our patrons were proud that Milwaukie held such an event and how inspiring it was to learn what little an individual could do to create sustainability in their daily lives.

Our wonderful supporters and vendors made the day special, especially DJ Horchata, Naphtali (who gave away free food), James Recycling, Exceed Enterprises, Bob's Red Mill, Elle Cree, Metro, Clackamas County, our local NDA's Linwood, Lake Road, Historic Milwaukie, and Island Station, Celebrate Milwaukie Inc, Rotary of Milwaukie, Cha Cha Cha's, Ardenwald, Hector Campbell NDA's, and Hemer's Helping Hands.

A special thank you to Dan Harris, Jordan Imlah, Jason Wachs, and David Aschenbrenner for taking care of our parking lot needs.

MESG started out as a small organization dedicated to banning the plastic bag...some of you may remember the difficulty in persuading the City to adopt this policy....MESG then moved ahead with the Styrofoam Collection Site at Exceed Enterprises which now removes 3 truckloads (12'x24') a week from the landfills to Agilyx for reuse...Now, today, MESG with the Sustainability Fair has proven that Milwaukie residents are proud to be sustainable.

As one of our Climate Action Goals is to educate and inform our residents on sustainability, it took our organization to create one of the best events this year.

I also want to recognize my partners, Terri Geier-Brindell, Pan Denham, and Liz Start...all of them are a lot smarter than me and much more dedicated to the cause than any other normal resident.....their passion, belief, and commitment to our planet and our children's future is second to none.

It is MESG hope and true belief that small organizations with partnership and support will make great strides in every day lives of our residents. As a true proven leader in creating change, we hope, in the future, with our City's inspiring message of Climate Action, that you will embrace our organization, work with us, and become part of the change movement.

Together we are strong, creating change, amplifying minds, and inspiring generations to be better and more sustainable residents inside our City.

Thank you once again for helping MESG be the leaders and creators of creating actionable results in Climate Action. We look forward to our partnership with the Sustainability Dept. in the future.

Thank you again

--

Greg "Frank" Hemer  
5822 SE Harrison St.  
Milwaukie, OR 97222  
971-202-6100



**RS Agenda Item**

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# **Consent Agenda**

**COUNCIL STUDY SESSION**

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

August 9, 2022

**Council Present:** Councilors Adam Khosroabadi, Lisa Batey, Desi Nicodemus, Council President Kathy Hyzy, and Mayor Mark Gamba

**Staff Present:** Justin Gericke, City Attorney  
Galen Hoshovsky, Natural Resources Technician I  
Nicole Madigan, Deputy City Recorder  
Ann Ober, City Manager

Natalie Rogers, Climate and Natural Resources Manager  
Peter Passarelli, Public Works Director  
Scott Stauffer, City Recorder  
Courtney Wilson, Urban Forester

**Mayor Gamba** called the meeting to order at 5:19 p.m.

**1. Climate Goal Update - Discussion**

**Rogers** and **Passarelli** provided an overview of the topics that would be presented. **Rogers** reviewed the city's updated climate goals and noted the added goal of a 40% increased tree canopy by 2040. **Rogers** presented key points from the greenhouse gas (GHG) inventory conducted by the consulting firm Good Company, that used data from 2020. Building energy emissions were down, which showed the climate work the city had conducted was paying off, but transportation and community consumption emissions were up. **Rogers** reminded the group that 2020 was an unusual year and therefore the data may not be reflective of what has and will occur in 2022/2023.

The group discussed where transportation data is collected, the impact of home deliveries on transportation emissions, and the Linwood Ave Safe Access For Everyone (SAFE) project and it's connection to parents driving their children to school.

**Rogers** presented the results of the sector-based emissions and the group discussed natural gas collection and the sources for consumption and burning of fossil fuel emissions. The group discussed how local impacts can be made, large power consumers ability to use direct access to source their electricity, what programs Milwaukie has in place, and new programs Portland General Electric (PGE) is working on.

**Rogers** presented the comparison of emissions from the 2016 and 2020 GHG inventories. It was noted that consumption emissions are hard for the city to address and that is why community-based organizations have taken the lead on educating community members. Staff hopes to make consumption emission education a city led process. **Passarelli** and **Rogers** noted how the city had worked to lead by example on transportation emission reduction noting acquisition of new electric vehicles (EVs) and 100% renewable diesel for use in other fleet vehicles. **Rogers** commented on emissions related to construction and the group discussed EVs and rebates.

**Rogers** presented a sample of the upcoming 2020 Climate Action Plan (CAP) update. **Rogers**, **Passarelli**, and **Councilor Khosroabadi** discussed the newer home energy score (HES) program. **Rogers** shared how the city's climate action work has been recognized by and inspired other communities. **Rogers** presented upcoming climate collaborative events in 2022 and **Council President Hyzy** commented on the release of an energy an electricity comic book for kids.

**Wilson** presented with **Rogers** on how the city's new tree permit program had been utilized so far, they mentioned the types of calls and conversations that were occurring with urban forest department staff, reported that testing was occurring with the new permit system, provided information on how the community could submit permits and ask questions in person, and how staff are working on pre-development applications.

**Rogers** and **Wilson** presented outreach materials, where they can be found, where diameter-at-breast-height (DBH) measurement tape can be rented and noted that more technical information is available. The group discussed other outreach ideas.

## **2. Parks Update - Discussion**

**Ober** reminded Council of the discussion during the May 10, 2022, special session where Council directed staff to review options for creating a parks department and what legal path the city had to leave the North Clackamas Parks and Recreation District (NCPRD).

**Ober** provided an overview of the topics that would be presented and shared about how Milwaukie had experienced an 18% increase in new housing units in 8 years and presented a list of development projects that ranged from the last five years to 2025. **Council President Hyzy** clarified that 400 of the 600 units at the Clackamas County Housing Authority's Hillside Manor and Park development would be new. **Ober** stated that the increase in housing units shows how the city is being underserved by parks and **Passarelli** added that the numbers do not include new single-family homes.

**Ober** shared how NCPRD had been formed in 1990, that the city did not annex in like other districts and had been operating under an intergovernmental agreement (IGA) since 1990 with 2020's city-NCPRD IGA being the fifth iteration. The IGA dictates how the city functions with NCPRD and in 2008 and 2020 language was included that laid out how the city could leave the district by using Oregon Revised Statute (ORS) 222.524. With Council's direction to investigate the legal departure options, staff had started looking into ORS 222.524 and followed the procedure outlined in the IGA that states the city and NCPRD would need to meet through mediation if the two were in conflict. City staff sent a letter to NCPRD to confirm if using ORS 222.524 would lead to conflict and NCPRD said the city would need to use ORS 198 to leave. ORS 198 places the decision to leave the district in the hands of the Clackamas Board of County Commissioners, which serves as the NCPRD Board, instead of the City Council. **Ober** reported that the city and NCPRD had met in mediation and could not come to agreement.

**Mayor Gamba, Ober,** and **Councilor Khosroabadi** discussed why NCPRD may have wanted to make changes to the IGA and that one of the reasons why NCPRD is concerned with the city using ORS 222.524 is that the district fears other entities will try to leave using that ORS, but it was noted that the city is the only agency that has not annexed in and has this stipulation.

**Ober** and **Gericke** explained the validation process. **Gericke** and **Councilor Batey** discussed the validation timeline.

**Ober** presented a third option for leaving the district – the possible reformation of NCPRD in May 2023. **Ober** stated that should Council decide to continue down the current path a decision would also need to be made on how the parks department would be funded.

**Gericke** informed Council that while the validation process was underway, NCPRD had responded to the petition but had also requested another session of mediation to discuss a letter the city submitted of how the city and NCPRD could work together if the city

departed the district. The second round of mediation should be scheduled for the end of August. **Ober** clarified that the letter is not about how the city would leave, but how it would partner with NCPRD if Milwaukie had its own parks department. The goal is to make sure NCPRD can continue providing programming to all county residents and continue to allow Milwaukie's residents access to NCPRD services.

**Ober** presented an option for funding a Milwaukie parks department with a voter approved levy that could be placed on the November ballot. If the city left the district, the city would collect the same funds currently paid to NCPRD. Voters would not see a change in cost, the only change would be that the funds would go to the city. The proposed levy would be for five-years. **Ober** presented the positives and negative of using a levy.

The group discussed other funding options, different ways to collect park fees, how other cities collect parks fees, the positive and negatives of using levies versus flat fees, and if the city would have to wait the full five years before bringing a request to increase the levy back on the ballot.

**Ober** stated that the city does most of its own funding for parks development and that leaving NCPRD and/or going out for a levy would not affect park projects already in development. **Ober** shared different ways the city has procured funding for parks development and discussed how funds from urban renewal and the general fund had been allocated for parks in the past.

**Ober** stated that the city's growth affects the collection of parks system development charges (SDCs). **Council President Hyzy** asked **Ober** to define SDCs and **Ober** explained that SDCs are a one-time fee paid by a developer that contributes to a system that existing residents have been paying into. More development brings in more people which increases the need for more parks. **Ober** explained that usually parks cannot be solely funded by SDCs, but Milwaukie had built and funded parks from different funding sources. **Ober** presented the growth of SDCs since 2011 and noted the major increase in collection of SDC fees in 2022, just under \$1.1 million. If the city had its own parks department it could control where and how those funds were spent. **Ober** noted that conservative projections of SDCs collected over the next couple of years show a significant amount potentially coming in due to ongoing or upcoming development projects in Milwaukie. **Mayor Gamba** commented on the SDC revenue trend.

The group discussed the 2018 resolution approved by Council that supported the elimination of fund zones which would allow NCPRD to use SDCs from Milwaukie outside of the city. They noted that NCPRD had not yet eliminated the fund zones but were moving to do so now, that staff had alerted NCPRD that Council may feel differently now, and how with the city's growth and the social changes brought on by the pandemic that outdoor gathering spaces became more important than ever.

**Ober** confirmed that Council would like to bring the levy and SDC resolution to the next regular session on August 16. Staff would move forward with the parks department concept provided in the report and will present more details in September.

**Gericke** advised Council they would receive an email with the packet from the April 2018 meeting when the SDC resolution was approved. **Gericke** stated the NCPRD SDC resolution was approved on consent and paired with a study from NCPRD. **Councilor Batey** did not recall the resolution.

The group discussed **Ober's** report and next steps.

## **2. Adjourn**

**Mayor Gamba** adjourned the meeting at 7:41 p.m.

Respectfully submitted,

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Nicole Madigan, Deputy City Recorder



## COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## MINUTES

AUGUST 16, 2022

**Council Present:** Councilors Adam Khosroabadi, Lisa Batey, Desi Nicodemus, Council President Kathy Hyzy, and Mayor Mark Gamba

**Staff Present:**

Joseph Briglio, Community Development Director	Ann Ober, City Manager
Kelly Brooks, Assistant City Manager	Peter Passarelli, Public Works Director
Ryan Dyar, Assistant Planner	Natalie Rogers, Climate & Natural Resources Manager
Justin Gericke, City Attorney	Scott Stauffer, City Recorder
Adam Heroux, Associate Planner	Sam Vandagriff, Building Official
Brett Kelter, Senior Planner	Laura Weigel, Planning Manager
Vera Kolias, Senior Planner	

**Mayor Gamba** called the meeting to order at 4:02 p.m.

**Mayor Gamba** advised that Councilor Batey was joining the meeting on Zoom.

### 1. Electric Vehicle (EV) Charging Stations – Discussion

**Kelver** presented two new state requirements that established new rules for EV charging infrastructure and explained that the city needed to incorporate at least the minimal requirements. **Kelver** clarified that the first state requirement, included in Oregon House Bill (HB) 2180, was already addressed in the city's current code, but the Climate Friendly and Equitable Communities (CFEC) requirement went beyond HB 2180 and needed to be implemented in the Milwaukie Municipal Code (MMC) by March 31, 2023. **Kelver** noted the CFEC rules do not apply to new commercial buildings.

**Kelver** explained the differences in charging levels for EVs, pointed out that the state requirements focus on level two charging, and provided definitions on what the state requires when referring to EV capable versus EV ready or EV installed. HB 2180 does allow jurisdictions to go beyond the state building code. **Mayor Gamba, Kelver,** and **Vandagriff** discussed having conversations with the state building code division and staff at the City of Portland about requiring more parking spaces with EV chargers.

It was noted that Councilor Nicodemus joined the meeting via Zoom at 4:11 p.m.

**Councilor Batey, Mayor Gamba,** and **Council President Hyzy** noted that current EV chargers had been installed voluntarily as they were not required by code.

The group discussed possible percentage requirements for new parking spaces to be level two capable, what types of buildings fell within those requirements, compliance options, and incentives.

**Mayor Gamba** stated the goal was to get charging stations installed.

**Heroux** noted that homeowners are three times more likely to own EVs because 80% of charging occurs at home and renters often lack the ability to charge at home. The new requirements would likely not have a significant impact on the cost of housing rent, but it will likely increase the EV access for renters which will help reduce transit pollution with more EVs on the road.

**Heroux** presented sections of the climate action plan that reference EVs.

**Kelver** asked for Council's direction on what percentage of EV capable spaces they would like to include in the code, whether 100% of parking spaces should be enforced on smaller lots, and how staff should proceed if Council would like to offer incentives.

**Councilor Khosroabadi** and **Mayor Gamba** noted that the requirement was for EV capable, not EV ready. **Council President Hyzy** and **Mayor Gamba** supported 100% of parking spaces being EV capable including smaller lots and would like to see a simple incentive.

The group discussed potential barriers and solutions for requiring new developments to have EV chargers installed, variances, other possible incentive combinations, and developments that utilize mechanical parking.

**Councilor Batey** did not see a need to exceed the minimum 40% of parking spaces to be EV capable unless using it to incentivize the installation of EV chargers, and **Batey** and **Heroux** discussed preferential placement for EV parking stalls. **Batey** suggested that EV charging station incentives could be included with other upcoming code discussions such as high-density zones and neighborhood hubs.

**Kelver**, **Mayor Gamba**, and **Councilor Khosroabadi** discussed percentage requirements and incentives for industrial developments and how having a place to charge at work could increase the number of EV drivers.

**Kelver** recapped that Council is supportive of going beyond the minimum 40% to requiring 100% of parking spaces be EV capable unless 10% of spaces have an EV charger installed then the requirement would drop to 50% and noted that further research was needed as to how the requirements would work for mechanical parking.

The group discussed whether it was worth it to investigate situations that may trigger a variance, Portland General Electric (PGE) incentivizes for developers to install charging infrastructure and consider reaching out to existing developments to assist with education on how chargers can be installed and whether the city should incentivize that.

**Kelver** presented a project timeline and confirmed that Council wanted staff to move forward as outlined.

## **2. Climate Friendly Equitable Communities (CFEC) – Discussion**

**Weigel** introduced **Dyar** as a new assistant planner. **Dyar** provided an overview, noted all upcoming requirements that had been set in motion by Governor Kate Brown's Executive Order #20-04, highlighted the key points of the order, and noted that most of the changes would be addressed by the city's upcoming Transpiration System Plan (TSP) update process. **Mayor Gamba**, **Council President Hyzy** and **Dyar** discussed the requirement for minimum/maximum for building height.

**Dyar** presented the three divisions of amended CFEC rules. The housing rule would be primarily addressed by the city's housing capacity analysis (HCA) and the housing production strategy (HPS), most required rules would apply to communities outside of the Metro region. The transportation planning rule was the focus of the report and the third rule related to amending greenhouse gas reduction (GHG) targets.

**Dyar** explained there would be process changes to the TSP which included engagement requirements for underserved populations and focuses on safety and equity. New components included an equity analysis which would be completed by

documenting the engagement process, new requirements that focused on transportation networks specifically pedestrian network for crossings. **Weigel** added that the equity analysis had slowed the TSP timeline down as it had not been done before.

**Dyar** explained that the transportation planning rule included land-use regulations and would need to be coordinated by promoting pedestrian friendly and connected neighborhoods which were currently included in the zoning code. Staff would complete an analysis during the TSP update; however, **Dyar** did not expect drastic changes to the code would be proposed.

The group discussed the new parking reforms that must be adopted by June 2023, whether the city could require underutilized private parking lots to share their parking, when and where parking studies had been conducted around the city, the conversion of underutilized parking to other uses and for other modes of transportation such as bus stops and bicycle parking, new requirements for mitigating heat and how that may look, and the two options for parking mandates one of which must be adopted.

**Weigel** asked for Council direction on whether the city should consider removing parking mandates citywide or focus on maintaining some mandates on just 30% of the city and noted that maintaining the mandates would be difficult for staff and applicants to interpret. The group discussed whether it was worth maintaining mandates for the 30% of the city called out in the staff report, if regulations could be tailored for a specific area like International Way, and how to address and solve existing parking concerns.

It was noted that Councilor Nicodemus left the meeting at 5:35 p.m.

### **3. Adjourn**

**Mayor Gamba** announced that after the meeting Council would 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.

**Mayor Gamba** adjourned the meeting at 5:38 p.m.

Respectfully submitted,

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Nicole Madigan, Deputy City Recorder

**COUNCIL REGULAR SESSION**

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

AUGUST 16, 2022

**Council Present:** Councilors Adam Khosroabadi, Lisa Batey, Desi Nicodemus, Council President Kathy Hyzy, and Mayor Mark Gamba

**Staff Present:** Steve Adams, City Engineer  
Kelly Brooks, Assistant City Manager  
Justin Gericke, City Attorney  
Adam Moore, Parks Development Coordinator  
Ann Ober, City Manager

Peter Passarelli, Public Works Director  
Natalie Rogers, Climate & Natural  
Resources Manager  
Scott Stauffer, City Recorder

**Mayor Gamba** called the meeting to order at 6:25 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Mayor Gamba** noted that Councilor Batey was participating in the meeting via Zoom and Councilor Nicodemus would join the meeting via Zoom soon.

**Mayor Gamba** announced upcoming activities, including a neighborhood concert, a Scott Park survey, a Johnson Creek clean-up event, and the 9K for K9 fundraiser walk.

**3. PROCLAMATIONS AND AWARDS**

**A. None Scheduled.**

**4. SPECIAL REPORTS****A. Youth Advocacy and Empowerment Summer Camp – Report**

**Isna Waqas** and **Jaime Zentner** with Clackamas County Public Health provided an overview of the youth advocacy program which worked to reduce teen smoking. They noted recently adopted legislation and local laws meant to stop vaping and the sale of e-cigarettes. **Waqas** discussed types of tobacco products, how they are marketed to young people, and their negative health impacts.

Youth advocacy members **Brittany Flores**, **Danica Glazier**, and **Sophia Thai** remarked on the negative health effects of youth smoking and vaping and explained how they worked to bring attention to the problem. The group discussed what inspired the youth advocacy members to be involved in anti-smoking activities and what city, county, and state governments have done and could do to discourage the sale of smoking and vaping products.

**Councilor Batey**, **Zentner**, and **Councilor Khosroabadi** noted that butane was often for sale next to vaping products and was used in some smoking products.

The group briefly noted what actions the state and city could take to enhance tobacco sale restrictions and Council thanked the youth advocacy members for presenting.

## **B. City Manager Updates – Report**

**Ober** reported that Councilor Khosroabadi had agreed to be Council's liaison to Clackamas Fire District #1 (CFD1) and it was Council consensus for Councilor Khosroabadi to represent Council to the first district.

## **5. COMMUNITY COMMENTS**

**Mayor Gamba** reviewed the public comment procedures and **Ober** reported that there was no follow-up report from the August 2 community comments. No community members wished to speak to Council.

## **6. CONSENT AGENDA**

It was moved by Councilor Khosroabadi and seconded by Council President Hyzy to approve the Consent Agenda as presented.

### **A. City Council Meeting Minutes:**

1. July 19, 2022, Work Session, and
2. July 19, 2022, Regular Session.

**B. Resolution 58-2022: A resolution of the City Council of the City of Milwaukie, Oregon, making appointments to city boards and committees.**

**C. An Oregon Liquor Control Commission (OLCC) Application for The Office, 10598 SE 32<sup>nd</sup> Avenue – Change of Owner.**

Motion passed with the following vote: Councilors Khosroabadi, Batey, and Hyzy and Mayor Gamba voting “aye,” with Councilor Nicodemus absent. [4:0]

## **7. BUSINESS ITEMS**

### **A. Parks Levy Ballot Measure Referral – Resolution**

**Ober** explained that Council was asked to consider adopting a resolution that would refer a parks levy ballot measure to voters at the November 8, 2022, general election.

**Council President Hyzy** asked Gericke to ensure that the ballot measure language was accurate, and **Ober** reported that staff had been working on the language.

It was noted that Councilor Nicodemus joined the meeting via Zoom at 6:59 p.m.

**Councilor Batey** noted Council had discussed the levy at the August 9 study session.

**Mayor Gamba** announced that Council would take public comment on the levy.

**Gary Klein**, Milwaukie resident and long-time parks volunteer, expressed support for Council referring a park levy to the voters. **Mayor Gamba** asked if Klein knew why the city had joined the North Clackamas Parks and Recreation District (NCPRD) in the early 1990s and **Klein** did not know why the city had joined.

**Rebecca Stavenjord**, Milwaukie resident, remarked on the importance of parks for families and communities, suggested the city didn't see a good return of the fees collected for parks, and expressed support for Council referring a park levy to voters.

**Stauffer** noted that the city had received written comments on the parks levy.

**Lisa Gunion-Rinker**, Milwaukie resident and long-time parks volunteer, was frustrated with the delay in completing Milwaukie Bay Park, thanked state legislators for securing funding for several parks, and encouraged Council to refer the levy to voters.

**Mayor Gamba, Gunion-Rinker, and Council President Hyzy** noted that the levy would maintain NCPRD's current tax rate of 54 cents per \$1,000 in property taxes, which may not be sufficient to operate parks at a level desired by the community. They noted the potential negative impact for Milwaukie parks if a NCPRD-proposed change in how parks SDC funds are spent should occur. **Ober** explained that the city would use the funds generated by the levy to start a new parks department and develop a parks system master plan with community input to identify deferred maintenance projects.

**Mayor Gamba** observed that other parks districts had higher tax rates and suggested that the proposed levy would underfund a new parks department. **Councilor Batey** agreed with Gamba and believed the city would need to increase the parks tax rate after the initial five-year levy period during which a parks system master plan could be developed to identify what the right tax rate should be. **Council President Hyzy** agreed with Batey and suggested the community needed time to weigh-in on what a parks system needed to have before a permanent tax rate was set.

**Mayor Gamba** asked how much time staff had spent on the parks levy since May and **Ober** estimated that several hundred hours of staff time had been spent on the levy. **Gamba** and **Ober** commented that leaving the parks district would require a significant amount of staff time. The group remarked on which city projects would lose staff attention due to parks related work and they noted the funding and staff workload impact of a project being designated as a Council goal. They also noted that in recent months the Kellogg Dam removal project had required more staff time.

**It was moved by Council President Hyzy and seconded by Councilor Khosroabadi to approve the resolution calling for an election in the City of Milwaukie on November 8, 2022, to submit to city voters the establishment of a five-year parks and recreation local option levy in place of the North Clackamas Parks and Recreation tax.**

**Mayor Gamba** expressed support for improving the city's parks and relationship with NCPRD and believed that the proposed parks levy tax rate was too low. **Gamba** noted all the projects staff were working on and would vote no on the proposed parks levy.

**Motion passed with the following vote: Councilors Khosroabadi, Batey, Nicodemus, and Hyzy voting "aye," and Mayor Gamba voting "no." [4:1]**

**Resolution 59-2022:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CALLING FOR AN ELECTION IN THE CITY OF MILWAUKIE ON NOVEMBER 8, 2022, TO SUBMIT TO CITY VOTERS THE ESTABLISHMENT OF A FIVE-YEAR PARKS AND RECREATION LOCAL OPTION LEVY IN PLACE OF THE NORTH CLACKAMAS PARKS AND RECREATION TAX.**

**B. Parks System Development Charges (SDCs) – Resolution**

**Ober** explained that in 2018 Council adopted a resolution supporting NCPRD's request to comingle parks system development charge (SDC) revenue into a single district-wide fund instead of the current geographic zone-based funds. Council was asked to adopt a new resolution rescinding that support as the city would now prefer that the SDC revenue zone funds be maintained.

The group noted that Council had discussed the issue at the August 9 study session and that the city-NCPRD relationship had changed since 2018.



It was moved by Councilor Khosroabadi and seconded by Council President Hyzy to approve the resolution rescinding support for eliminating zones within the North Clackamas Parks and Recreation District for the purposes of system development charge fund distribution. Motion passed with the following vote: Councilors Khosroabadi, Batey, Nicodemus, and Hyzy and Mayor Gamba voting “aye.” [5:0]

**Resolution 60-2022:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, RECINDING SUPPORT FOR ELIMINATING ZONES WITHIN THE NORTH CLACKAMAS PARKS AND RECREATION DISTRICT FOR THE PURPOSES OF SYSTEM DEVELOPMENT CHARGE FUND DISTRIBUTION.**

It was noted that Councilor Nicodemus left the meeting at 7:39 p.m.

**D. Main Street Trees and Sidewalks – Update** (moved up the agenda)

**Adams** provided an update on the development of street tree infrastructure on Main Street that would not damage the sidewalk. **Adams** addressed previously noted concerns about cost and spacing of the proposed silva cell facility and noted the environmental benefits that silva cells could provide by cleaning runoff water.

**Mayor Gamba, Adams, and Passarelli** remarked on the cost of building silva cells and sidewalks throughout downtown in the hope that the city would not have to revisit the issue again soon. It was estimated that installing silva cells, planting new trees, and repairing sidewalks could cost between \$30,000 to \$40,000 per block.

**Councilor Batey** asked if the proposal was to remedy a one-block issue or to make it the city’s new standard for downtown streets. **Adams** suggested that if the infrastructure proved successful it could become the city’s standard throughout downtown.

**Council President Hyzy** was hesitant to have the city take complete financial responsibility for installing silva cells throughout downtown and hoped a cost sharing formula could be developed between the city and downtown property owners. **Adams** believed property owners would be willing to work with the city to co-fund these projects.

**Councilor Khosroabadi** wondered if the city could develop a program to help small businesses fund such infrastructure work.

**Brooks** summarized that Council was asked to weigh-in on the proposed silva cell facilities because of how prominent Main Street trees are and suggested that Council would be asked to consider related policy decisions in the future. **Mayor Gamba** agreed and acknowledged that Main Street trees and damaged sidewalks had been an issue for the city for a long time. It was Council consensus that staff should proceed with the proposed Main Street silva cell design for trees and sidewalks as outlined.

**Mayor Gamba** recessed the meeting at 8:00 p.m. and reconvened at 8:04 p.m.

**C. North Clackamas Watersheds Council (NCWC) Cooperative Study Agreement – Discussion** (moved down the agenda)

**Brooks** provided an update on the work to secure federal funding to support the removal of the Kellogg Creek Dam, noting how the city would act as a financial agent for the federal money received to-date and may be received in the future.

**Brooks** explained that the city and NCWC would work with American Rivers, a nonprofit organization that supports work to clean-up rivers, to seek \$15 million from federal infrastructure funding for the Kellogg Creek Dam removal project. **Brooks** was optimistic that the project would receive federal funding and noted that Council would receive additional updates as the work to secure federal funds progressed.

**Mayor Gamba** and **Brooks** observed that the last project cost estimate was \$22 million or \$26 million, less than was being sought from the federal government. They remarked on how additional funding could be secured, including from the state culvert program funding. **Brooks** believed a \$15 million federal investment would reduce the risk of the project not happening and would encourage other programs investing in the project.

**Council President Hyzy** and **Brooks** commented on the staff time required to support the project and the timeline for receiving federal funding if it is awarded.

The group expressed appreciation for Brooks and Mayor Gamba's work in getting the project to this point.

## **8. PUBLIC HEARING**

**A. None Scheduled.**

## **9. COUNCIL REPORTS**

**None.**

## **10. ADJOURNMENT**

**It was moved by Councilor Khosroabadi and seconded by Council President Hyzy to adjourn the Regular Session. Motion passed with the following vote: Councilors Khosroabadi, Batey, and Hyzy and Mayor Gamba voting "aye." [4:0]**

**Mayor Gamba** adjourned the meeting at 8:26 p.m.

Respectfully submitted,

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Scott Stauffer, City Recorder



**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Reviewed:** Kelly Brooks, Assistant City Manager

**From:** Brett Kelper, Associate Planner

**Subject:** **Revised Legal Description for Public Right-of-Way (ROW) Vacation in Milwaukie Bay Park**

**Date Written:** Sept. 16, 2022

**ACTION REQUESTED**

Council is asked to approve a resolution revising the legal description for the Harlow Road public right-of-way (ROW) that was vacated within Milwaukie Bay Park in August 2020 (see Figure 1). (See Attachment 1.)

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**March 10, 2020:** Council received an update on Milwaukie Bay Park from the North Clackamas Parks and Recreation District (NCPRD), including an alert to Council of the agency’s intention to apply for grant funding to support the project. The successful award of those funds prompted the need to address some issues related to ROW designation and ownership. Grant fund providers want to ensure that park property will not revert to a non-park use at some future point.

**July 21, 2020:** Council adopted Resolution 53-2020 initiating the vacation process for Harlow Road.

**August 18, 2020:** Council adopted Resolution 59-2020 authorizing the proposed vacation.

**ANALYSIS**

Harlow Road, which was previously referenced on Clackamas County tax maps as County Road No. 208, was located just west of McLoughlin Boulevard across from the western terminus of Jefferson Street. As part of the effort to secure the funding necessary to renovate and improve Milwaukie Bay Park, Council passed Resolution 59-2020 to vacate the Harlow Road ROW

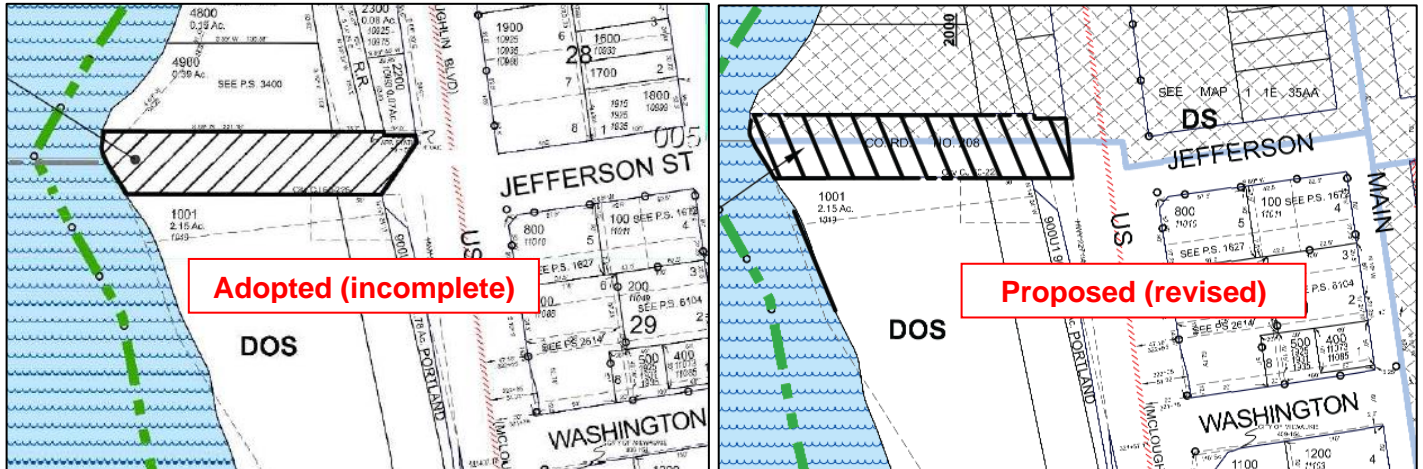
**Figure 1.** Existing Harlow Road ROW in Milwaukie Bay Park (red shaded area)



within the park. Although the adopted legal description of the vacated ROW was accurate, the accompanying graphic inadvertently excluded a small portion of the vacated area.

NCPRD and city staff have consulted with surveyors to confirm that the narrative legal description can stand sufficiently on its own. However, staff have determined that it would be prudent to update the original adopted graphic to avoid future questions about whether all of the underlying park land is irrevocably committed to park use, which could impact grant funding for park improvements. The proposal is for Council to adopt a new resolution that does not replace R59-2020 but simply notes the updated graphic attached to the legal description of the vacated ROW. Figure 2 shows both the adopted and proposed revised graphics.

**Figure 2.** Vacated ROW graphics—image on left was adopted but is inaccurate, image on right is proposed replacement



### **BUDGET IMPACTS**

The proposed update presents no significant costs to complete.

### **WORKLOAD IMPACTS**

The proposed update presents minimal impacts to staff workload.

### **CLIMATE IMPACT**

The proposed update would not have any direct impact on climate, as the action is a formality related to funding for park redevelopment and will not affect any planned improvements.

### **COORDINATION, CONCURRENCE, OR DISSENT**

Planning staff has coordinated with the city attorney on this issue, as well as with the city manager’s office and NCPRD. All parties concur with the proposed action.

### **STAFF RECOMMENDATION**

Staff recommends that Council adopt the proposed resolution.

### **ALTERNATIVES**

Council could decline to update the graphic reference, which may result in complications with grant funding for improvements within a small portion of the former Harlow Road ROW in the park, which would reduce flexibility and potentially create budget challenges for the overall Milwaukie Bay Park project.

### **ATTACHMENTS**

1. Resolution updating the graphic reference in legal description for Harlow Road vacation  
Exhibit A. Legal description and map of area to be vacated

**AFTER RECORDING RETURN TO:**  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT  
6101 SE JOHNSON CREEK BLVD  
MILWAUKIE, OR 97206

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, UPDATING THE LEGAL DESCRIPTION OF THE HARLOW ROAD PUBLIC STREET RIGHT-OF-WAY VACATED WITHIN MILWAUKIE BAY PARK BY RESOLUTION 59-2020.**

**WHEREAS** part of the land that constitutes the current area of Milwaukie Bay Park included public right-of-way designated as Harlow Road, also referenced as County Road No. 208, located just west of McLoughlin Boulevard (Highway 99E) and across McLoughlin Boulevard from the western terminus of Jefferson Street, and

**WHEREAS** the Milwaukie City Council accepted jurisdiction over Harlow Road in September 1957 with Resolution 18-1957, having received the road from the Clackamas County Court with Court Order Number 5524, and

**WHEREAS** the City of Milwaukie is working with the North Clackamas Parks and Recreation District (NCPRD) to complete the next phase of improvements to Milwaukie Bay Park in 2021, and recently secured grant funding for the project that requires public street right-of-way to be dedicated to park purposes, and

**WHEREAS** the city followed the provisions of Oregon Revised Statutes (ORS) Chapter 271 and initiated the vacation of the sixty-foot-wide public right-of-way of Harlow Road within Milwaukie Bay Park on their own motion pursuant to ORS 271.130, and

**WHEREAS** the City Council adopted Resolution 59-2020 to authorize the vacation of the Harlow Road right-of-way, with an exhibit depicting the vacated area that included an incomplete graphic.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the graphic accompanying the legal description of the Harlow Road right-of-way within Milwaukie Bay Park that was vacated as per Resolution 59-2020 is hereby revised as depicted in Exhibit A.

Introduced and adopted by the City Council on **September 20, 2022**.

The resolution is effective immediately.

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Mark F. Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney



*CMT SURVEYING AND CONSULTING INC.*

JULY 23, 2020

PROJECT NO 500-934


LEGAL DESCRIPTION

A DEDICATED PUBLIC RIGHT-OF-WAY IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SE JEFFERSON STREET (AKA SE HARLOW ROAD AND COUNTY ROAD NO. 208) FROM SE MCLOUGHLIN BLVD. WEST TO THE CITY LIMITS LINE AT THE MEANDER OF THE WILLAMETTE RIVER.

CONTAINING 22,583 SQUARE FEET, MORE OR LESS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
SEPTEMBER 11, 2018  
DAVID ROEGER  
86811

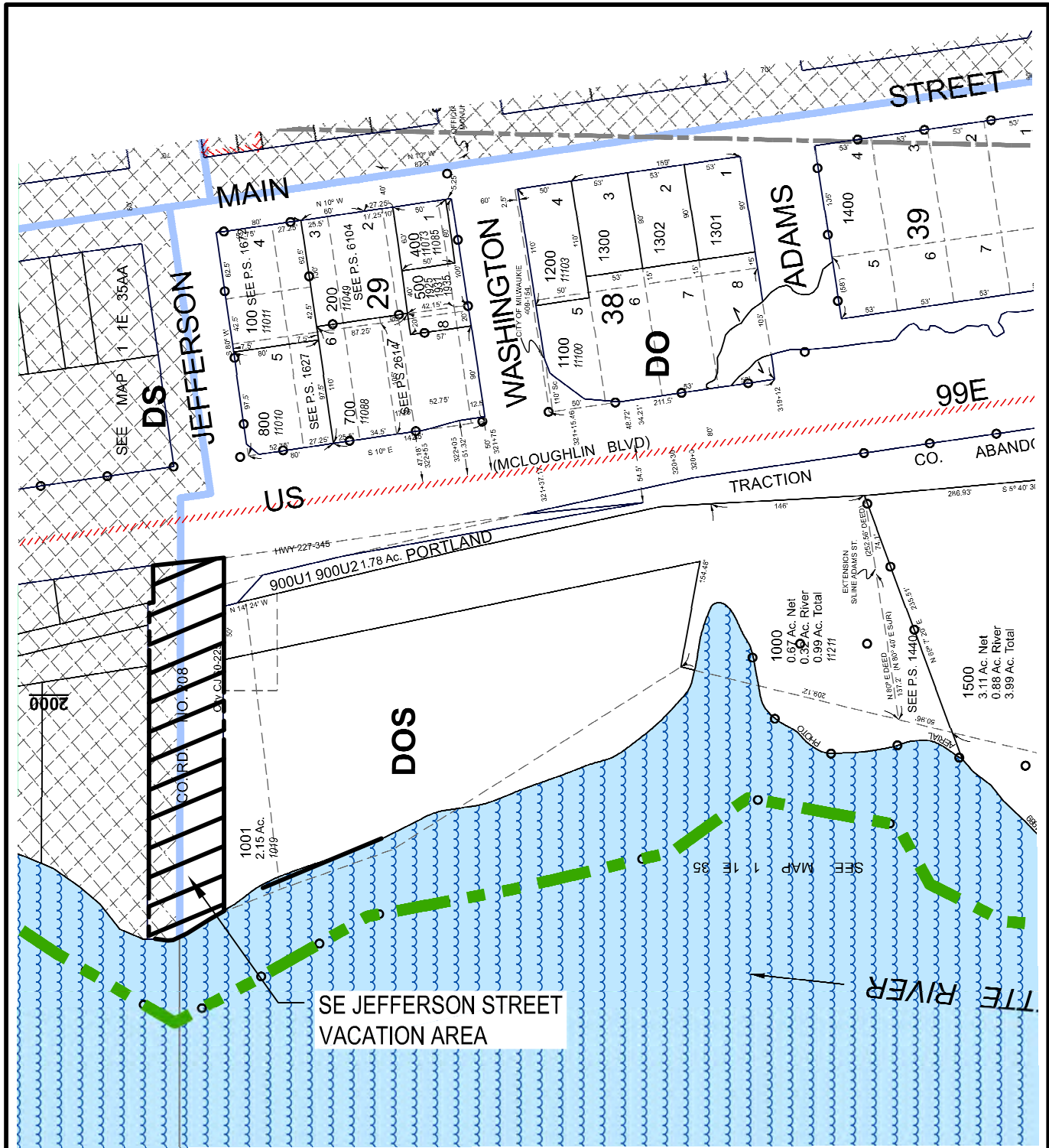
EXPIRES DECEMBER 31, 2020

20330 SE Highway 212 \* Damascus, OR 97089

[T] 503.850.4672 \* [F] 503.850.4590

C:\Users\Paul\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\B3F07601\Legal Description for ROW  
Vacation - Jefferson St.docx





**Otak**

808 SW 3rd Ave., Ste. 800  
 Portland, Oregon 97204  
 Phone: (503) 287-6825  
 www.otak.com  
 project: 18809

NOT TO SCALE



**EXHIBIT**

RIGHT OF WAY VACATION  
 IN THE NORTHEAST QUARTER OF SECTION 35,  
 TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
 CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Date Written:** Sept. 2, 2022

**Reviewed:** Vic Foley, Fleet Lead Mechanic

**From:** Captain Ryan Burdick

**Subject: Vehicle Purchases: 3 Dodge Durango police vehicles**

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**ACTION REQUESTED**

Council is asked to authorize the city manager to approve the purchase of three replacement police vehicles in the amount of \$126,547.14, with each vehicle costing \$42,182.38.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

2011-2012: The city purchased one each of a 2011 Chevy Tahoe , 2012 Chevy Tahoe, and 2013 Dodge Charger for police department purposes.

[June 7, 2022](#): Council adopted the Biennial Budget for 2023-2024, which included funding to replace three police vehicles per year.

**ANALYSIS**

The city currently owns three police vehicles that are scheduled for replacement in the current biennial budget - a 2011 Chevy Tahoe (unit 67) used by Sergeants in patrol capacity; a 2012 Chevy Tahoe (unit 66) used by the designated K9 officer; and a 2013 Dodge Charger (unit 71) used by patrol officers. The three vehicles are scheduled to be decommissioned based on mileage and expected maintenance costs.

The fleet department recommends patrol vehicles be replaced at four years or 80,000 miles, whichever comes later. The current mileage on these three vehicles is 128,700, 93,700 and 99,500, respectively.

Unit 66 as the designated K9 vehicle is also a critical piece of equipment with regard to K9 officer safety. Due to the temperature fluctuations safety impacts to the K9, the vehicles automated heating, ventilation, and air conditioning (HVAC) system must perform flawlessly during operation. As the vehicle ages this becomes less of a certainty.

The fleet department and police vehicle liaison sergeant completed significant research regarding the best vehicle platform for the department to use moving forward. The police department has successfully tested two Dodge Durangos in its patrol fleet since being put in service about two years ago and the results have been overwhelmingly positive.

Regarding the possibility of an electric vehicle (EV) as police patrol vehicle, there are several options being presented by vehicle manufacturers and being modified and improved each year. There will be additional improved models and options released in the coming years. Currently there are no EV vehicles that comprehensively fit the needs of the department's patrol division at this time. Staff expects EV vehicles will continue to be purchased for police fleet use and used more frequently by the department in the years ahead. In the last 12 months the department

has added a Tesla and a Ford Mach E electric vehicle to its fleet. The city fleet department agrees that neither of these vehicles would be well suited for marked patrol vehicles at this time. Considerations include size, accommodations toon-board mobile data computer and required emergency lights and electronics, adequate space in the front and back for large stocky people, range, charging speed, availability of charging options, and proven reliability in similar positions with similar departments. Staff is planning for the installation of additional EV charging stations at the Public Safety Building (PSB), but there are currently only two charging stations being shared by three (soon to be four) vehicles.

Staff will continue to evaluate specific options, suitability, and supply of hybrid and EVs prior to the purchase of vehicles each year.

### **BUDGET IMPACT**

The total purchase price is \$126,547.14, which is within the total budget of \$330,000 for this intended purpose. There will be additional upfitting equipment purchased for these three vehicles to be put into service as police vehicles.

### **WORKLOAD IMPACT**

Fleet staff will experience a reduction in general maintenance and labor on the decommissioned vehicles.

### **CLIMATE IMPACT**

The purchase of the new vehicles will have a neutral impact on climate. The 2023 Dodge Durango has an 18 city/ 25 highway federal Environmental Protection Agency (EPA) mile per gallon (mpg) estimate. A similar EPA mpg estimate is stated for the vehicles being replaced.

### **COORDINATION, CONCURRENCE, OR DISSENT**

Fleet staff provided research findings during the evaluation process and determined that the proposed vehicles were in line with the needs of the city. This same vehicle configuration is being selected by several other municipalities in the Portland metro area including Gladstone, Clackamas, and other area law enforcement agencies within the Portland metro area.

### **STAFF RECOMMENDATION**

Staff recommends that Council authorize the city manager to approve the purchase of three new 2023 Dodge Durangos in the amount of \$126,547.14.

### **ALTERNATIVES**

Council could decide to defer the purchase of these vehicles to next year

### **ATTACHMENTS**

1. Resolution



**COUNCIL RESOLUTION No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING THE PURCHASE OF THREE (3) POLICE VEHICLES.**

**WHEREAS** police vehicles are used to patrol the city, respond to emergency calls, assist with other agency calls in the area, and perform other city functions, and

**WHEREAS** the city’s current vehicles are over nine years old, and have been budgeted for replacement in the current biennial budget, and

**WHEREAS** in accordance with the city’s Public Contracting Rule 10.040, the city is authorized to purchase three Dodge Durango vehicles from Withnell Motor Company through the State of Oregon price agreement #1651.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager or their designee is authorized to approve the purchase of three 2023 Dodge Durango vehicles as a replacement for the existing vehicles used by the Milwaukie Police Department, in the amount of \$126,547.14.

Introduced and adopted by the City Council on **September 20, 2022.**

This resolution is effective immediately.

\_\_\_\_\_  
Mark F. Gamba, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Scott S. Stauffer, City Recorder

\_\_\_\_\_  
Justin D. Gericke, City Attorney





**RS Agenda Item**

**7**

**Business Items**

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING COUNCIL GOALS FOR THE REMAINDER OF 2022 AND THE START OF 2023.**

**WHEREAS** Council periodically establishes goals to guide its actions in carrying out the business of the city, and

**WHEREAS** Council considered and adopted two goals in September 2021, namely (1) climate change mitigation and resilience action, and (2) equity, justice, and inclusion, but did not select a third goal at that time, and

**WHEREAS** developments in the past year have made clear that addressing deficiencies in the construction, management, and maintenance of Milwaukie's parks is an important priority demanding significant staff time, as the city determines how best to serve the community's needs and desires from their park system.

**Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon,** that this city further commits to the difficult work of determining whether and under what terms to leave the North Clackamas Parks and Recreation District (NCPRD) and establish a city parks department; securing funding for that department; and engaging in a master planning process to identify community priorities for parks and recreation.

**Be it Further Resolved** that the city will complete this work by:

- Researching the best pathway to providing appropriate services for Milwaukie's parks,
- Continuing to design and construct already funded parks within Milwaukie over the next two years,
- In preparation for the advancement of potential future opportunities, researching and creating a plan for operations and maintenance, ongoing programming and parks services for Milwaukie parks to ensure continuity of service to Milwaukie residents and parks, including but not limited to drafting plans for the creation of a Milwaukie parks department,
- Considering placing a parks-related measure on the ballot in the Spring of 2023, and
- Conducting outreach to keep residents of Milwaukie informed of the process and issues moving forward.

**Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon,** that the City Council goals for the remainder of 2022 and the start of 2023 are:

- Climate Change Mitigation and Resilience Action,
- Equity, Justice, and Inclusion, and
- Improving Milwaukie's Parks System and Services

Introduced and adopted by the City Council on **September 20, 2022.**

This resolution is effective immediately.

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Mark F. Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING COUNCIL GOALS FOR THE REMAINDER OF 2022 AND THE START OF 2023.**

**WHEREAS** Council periodically establishes goals to guide its actions in carrying out the business of the city, and

**WHEREAS** Council considered and adopted two goals in September 2021, namely (1) climate change mitigation and resilience action, and (2) equity, justice, and inclusion, but did not select a third goal at that time, and

**WHEREAS** developments in the past year have made clear that addressing deficiencies in the construction, management, and maintenance of Milwaukie's parks is an important priority demanding significant staff time, as the city determines how best to serve the community's needs and desires from their park system.

**Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon,** that this city further commits to the difficult work of determining whether and under what terms to leave the North Clackamas Parks and Recreation District (NCPRD) and establish a city parks department; securing funding for that department; and engaging in a master planning process to identify community priorities for parks and recreation.

**Be it Further Resolved** that the city will complete this work by:

- Researching the best pathway to providing appropriate services for Milwaukie's parks,
- Continuing to design and construct already funded parks within Milwaukie over the next two years,
- In preparation for the advancement of potential future opportunities, researching and creating a plan for operations and maintenance, ongoing programming and parks services for Milwaukie parks to ensure continuity of service to Milwaukie residents and parks, including but not limited to drafting plans for the creation of a Milwaukie parks department,

**Be it Further Resolved,** that through this goal, the City Council commits to the following actions:

- -Prioritizing funding to ensure the completion of parks projects.
- Considering placing a parks-related measure on the ballot in the Spring of 2023, and
- Conducting outreach to keep residents of Milwaukie informed of the process and issues moving forward.

**Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon,** that the City Council goals for the remainder of 2022 and the start of 2023 are:

- Climate Change Mitigation and Resilience Action,
- Equity, Justice, and Inclusion, and
- Improving Milwaukie's Parks System and Services

Introduced and adopted by the City Council on **September 20, 2022.**

This resolution is effective immediately.

---

Mark F. Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Reviewed:** Kelly Brooks, Assistant City Manager

**From:** Steve Adams, City Engineer, and  
Jennifer Garbely, Assistant City Engineer

**Subject:** **Engineering Projects Update**

**Date Written:** Sep. 8, 2022

**ACTION REQUESTED**

This presentation is for informational purposes. No action is requested at this time.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[September 17, 2019](#): Staff provided Council an update on capital projects completed, in design, and planned for 2020.

[November 19, 2019](#): Staff provided Council an update on Safe Access for Everyone (SAFE) capital projects.

[May 5, 2020](#): Staff provided Council an update on capital projects under construction, in design, and anticipated to go out to bid in 2020.

[August 4, 2020](#): Staff provided Council an update on capital projects under construction, in design, and anticipated to go out to bid in 2020.

[November 17, 2020](#): Staff provided Council an update on capital projects under construction, in design, and anticipated to go out to bid in 2021.

[March 16, 2021](#): Staff provided Council an update on capital projects under construction, in design, and anticipated to go out to bid in 2021.

[December 7, 2021](#): Staff provided Council an update on capital projects under construction, in design, and anticipated to go out to bid in 2022.

**ANALYSIS**

The engineering department is working on the design and/or bidding of several projects that are primarily or partially funded through the Street Surface Maintenance Program (SSMP), SAFE, and utility funds:

- **Meek Storm Pipeline North:**

Union Pacific Railroad engineering and pipeline easements has approved the project. Currently working on the purchase agreement for the property near Balfour Street that is needed for construction of a proposed stormwater pond and the pipeline easement. The anticipated close date is January 2023. Assistant City Engineer Jennifer Garbely is the project manager.

- **43<sup>rd</sup> Avenue / Howe Street / 42<sup>nd</sup> Avenue SAFE/SSMP:**

The contractor, Tapini, is almost complete with a few punch list items and the landscaping. Next, we are planning a celebration of the project for October or early November. Associate Engineer Brandon Boutros is finalizing the completion.

- **SAFE/ SSMP FY21 (Home and Wood Avenues)**

The project is under construction. All cement treated base is complete on Wood and Home Avenues. Currently working on Home Avenue pouring concrete curbs and sidewalk to prepare for paving at the end of the month. City Engineer Steve Adams is the city project manager.

- **Monroe Street Greenway**

The city and the Oregon Department of Transportation (ODOT) have agreed to and executed an intergovernmental agreement (IGA); ODOT has requested the Federal Highways Administration release of the \$3.9 million Metro grant the city received. Once the funds are released, ODOT and the city will seek to hire a design consultant. Design is anticipated to begin in late 2022 for these sections.

In February 2022, ODOT started work on re-designing the Hwy 224 / Monroe Street intersection, which will change this from a fully signalized intersection to a bike/pedestrian signal. Vehicular traffic will be limited to right-in / right-out from Hwy 224 to Monroe Street.

Additionally, ODOT is working on an IGA to transfer approximately \$1.6 million to the city to cover the costs of tying in Monroe Street to the new Hwy 224 / Monroe Street intersection improvements discussed above. These state funds should cover cost for design and construction of improvements needed on Monroe Street from Campbell Street to 29<sup>th</sup> Avenue.

The segment of the Greenway adjacent to the Monroe Apartments (at Monroe & 37<sup>th</sup> Ave) will be constructed by the developer, who will be partially reimbursed by the city for their work. This segment should be completed in Spring 2023.

City Engineer Steve Adams is the city project manager.

- **2021 Wastewater Improvements**

The project includes replacement of old or high maintenance sanitary sewer mainlines at three locations: Kent Street, 37<sup>th</sup> Avenue, and Washington Street. This is an in-house design. Associate Engineer Brandon Boutros is the city designer and project manager.

- **Washington Street Area Improvements**

The project scope includes sidewalk improvements, street pavement improvements, repair to the existing stormwater, sanitary sewer, and water systems, and replacement of the Spring Creek Culvert under Washington Street. Our design consultant, AKS Engineering & Forestry is about to submit 60% design drawings for review. Additional project information is available on the project webpage on the city website. Civil Engineer Tessie Prentice is the city project manager.

- **Harvey Street Improvements**

This project has been reassigned due to staff turnover. The project will be designed out of house. The plan is to go out for a request for qualifications (RFQ) late fall 2022 or early winter 2023. Associate Engineer Brandon Boutros is the project manager.

- **Ardenwald North Improvements**

The project includes sidewalk improvements, street pavement improvements, and repair to the existing stormwater, sanitary sewer, and water systems west of 32<sup>nd</sup> Avenue along Van Water Street, Roswell Street, 28<sup>th</sup> Avenue, 29<sup>th</sup> Avenue, 30<sup>th</sup> Avenue, and 31<sup>st</sup> Avenue. The Ardenwald North Improvements 60% design was reviewed by public works and engineering staff. Civil Engineer Tessie Prentice is the city project manager and designer.

- **Up and coming projects**

- King Road SAFE Improvements
- Wavery Heights Sewer Repair

### **BUDGET IMPACTS**

The first round of bond funds has been spent or obligated, so to proceed with Washington Street Area Improvements, Ardenwald North Improvements, Harvey Street Improvements, and King Road Improvements the city will need to seek a second bond. Otherwise, the city will need to slow the construction program down.

### **CLIMATE IMPACTS**

Staff maintains pavement across the city in accordance with the goals outlined, and the funds collected, by the SSMP. The materials and equipment used in the construction of infrastructure contain embedded carbon and generate greenhouse gas emissions. To the extent possible, staff work with contractors to use more sustainable materials and methods such as warm mix asphalt and concrete with a percentage of the cement replaced by fly ash or ground slag. For streets that need to be fully rebuilt, full-depth reclamation will be used instead of complete removal and replacement. This change will save a significant amount of energy otherwise expended by trucking material to and from the construction site, with the added benefit of reducing landfill disposal and the amount of new rock required for a project. Through improved regular maintenance of city streets, the lifespan of city streets will be extended, which will reduce the need for larger and more resource intense repair projects that have greater climate impacts.

While some trees must be removed to provide the required area to construct a project, the goal is to always install more trees than are removed. When feasible, stormwater projects will now start to include the more natural, low-impact development facilities. These are smaller facilities spread more throughout a project that allow better retention, cleansing, and infiltration of stormwater runoff. Where feasible on sidewalk and pathway projects, more pervious asphalt and concrete surfaces will be installed to reduce stormwater runoff. With Capital Improvement Plan projects, language in the project specifications that limits idling time of construction vehicles will be included.



**WORKLOAD IMPACTS**

Currently the engineering department is not fully staffed and is looking for an additional engineer to join the team. This staffing shortage may result in some projects being administered out of house to keep them moving forward. The ability to send projects out of city administration may depend on budget impacts.

**COORDINATION, CONCURRENCE, OR DISSENT**

Engineering staff coordinated with public works, community development, finance, and the city manager's office on these projects through our capital projects chartering process to ensure interdepartmental coordination.

**STAFF RECOMMENDATION**

This report is informational only.

**ALTERNATIVES**

Not applicable.

**ATTACHMENTS**

None.



CITY OF MILWAUKIE

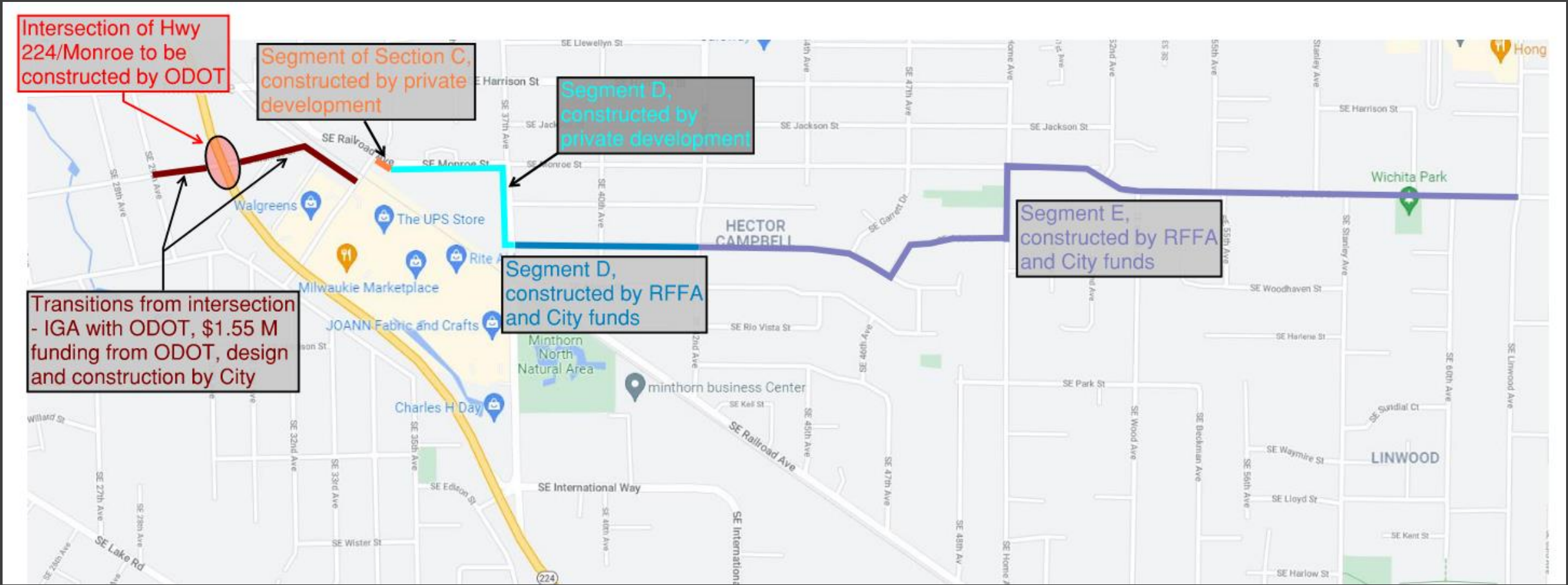
# CIP Project Updates

September 20, 2022

Steve Adams

Jennifer Garbely





# Monroe Street Greenway

- ODOT and the City have entered into an IGA to design/construct Segments D & E; ODOT has submitted a request to obligate the project engineering funds through FHWA; once the funds are in hand, we will advertise for a request for proposals from engineering design firms.
- Guardian Real Estate has begun construction of portions of Segments C & D with the Monroe Apartments development.
- Working with ODOT for an IGA to transfer \$1.55 M in Safety Leverage funding to Milwaukie for the city to design and construct the transitions on Monroe and Campbell east and west of the Hwy 224 intersection.
- ODOT initiated design meetings in February 2022 for their project on reconstruction of the Hwy 224/Monroe intersection.
- On Oak Street and Monroe Street west of 29<sup>th</sup> we will need to identify/locate additional funding.



# 2021 SAFE/SSMP Improvements

- Home
  - CTB complete
  - Curb installed
  - ADA ramps installed
  - Sewer work removed
- Wood
  - CTB complete
  - Base layer of asphalt
- Schedule
  - Paving end of September
  - Sidewalks & driveways October
  - Anticipate completion December 2022



# Meek North Phase

Received approval  
from the railroad  
from engineering and  
pipeline easement

Staff is moving  
forward working on  
an agreement and  
land use

Closing date is  
January 2023

Construct in 2023





## 42<sup>nd</sup>/43<sup>rd</sup> SAFE Improvements

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- Final completion end of September
- Celebration October or early November







# Ardenwald North Improvements

- Completed 60% design
- Shared roadway concept



# Washington Area Improvements

- Outsourced design
- Awarded to AKS
- Currently at 60% design





# Up Coming CIP Projects

## Harvey

- Outsourcing design (Fall RFQ)

## Wastewater Improvements 2021

- In design
- Out for construction this Winter

## King Road Improvements

- Outsourcing design (Fall RFQ)

## Waverly Heights Sewer Improvements

- Outsourcing design (Winter RFQ)

# Concerns



**Bond funds**



**Construction cost increases**

# Projects Impacted by Bonding

Might have enough to construction

- Ardenwald North

Design covered need construction

- Washington Area Improvements

Delayed

- King Road Improvements
- Harvey Street Improvements

# Thank you!

Questions?



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City Engineer

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Assistant City Engineer

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[GarbelyJ@milwaukieoregon.gov](mailto:GarbelyJ@milwaukieoregon.gov)

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Ann Ober, City Manager

**Date Written:** Sep. 9, 2022

**Reviewed:** Peter Passarelli, Public Works Director

**From:** Natalie Rogers, Climate & Natural Resource Manager

**Subject:** **Climate Financing - Continued Discussion**

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**ACTION REQUESTED**

Council is asked to provide guidance on proposed revenue requirements for a climate financing fee to support ongoing climate action work at the city and provide direction on proposed option(s).

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[May 2, 2017](#): Council adopts a resolution setting goals for the 2017-2018 biennium, including a climate change action goal calling for the creation of a climate action plan for the city.

[October 2, 2018](#): Council adopts the Milwaukie [Climate Action Plan](#) (CAP) which includes high-level carbon reduction goals and 53 city-led actions to mitigate emissions and adapt to a changing climate.

[January 21, 2020](#): Council adopts a resolution to declare a climate emergency and calls for the acceleration of the adopted CAP carbon reduction goals by 5-years for each goal.

[August 18, 2020](#): Council adopts the [2020 Comprehensive Plan](#), including policies related to climate and energy, and environmental policies focused on natural resources, surface water utilities, and trees in Milwaukie.

[July 20, 2021](#): Council discussed 2021 and 2022 goal setting, including continuing the climate action goal. As a component of the renewed climate goal, council discussed having staff focus on exploring long-term financing mechanisms to institutionalize climate work at the city.

[July 20, 2021](#): Council discussed 2021 and 2022 goal setting, including continuing the climate action goal. As a component of the renewed climate goal, council discussed having staff focus on exploring long-term financing mechanisms to institutionalize climate work at the city.

[September 21, 2021](#): Council adopts a resolution adopting the 2021 and 2022 council goals, including the renewed climate action goal.

[October 12, 2021](#): Staff presented an update on Milwaukie's to-date climate programming and relevant projects implemented to achieve the city's climate goals.

[July 19, 2022](#): Staff and consultants presented the initial options for climate and sustainability revenue generation to council for discussion and direction.



## **ANALYSIS**

Council adopted the city's first climate change action Council goal in 2017, calling for the creation of the CAP to address climate change in Milwaukie. Council has since adopted the CAP and a [climate emergency declaration](#), which work together to call for carbon-free electricity by 2030, zero-emissions from fossil fuels by 2035, and community carbon neutrality by 2045.

Over the last five years, staff have integrated climate action into ongoing city processes and educated staff and community members on climate impacts associated with municipal and community processes. Staff have also created and expanded city-led sustainability and carbon reduction programs and projects as directed by Council and the CAP, with the public works department leading that work. Staff continue to collaborate with local energy utilities, state agencies, and regional stakeholders to meet the adopted CAP goals and implement CAP actions associated with building energy and transportation emissions, natural resources, and community resiliency. This work aligns with policies adopted in the 2020 Comprehensive Plan, which includes specific climate and energy policies and environmental policies.

Through the most recent 2021/2022 Council goal adoption process, Council highlighted the ongoing importance of climate action and the need to institutionalize climate work into city processes rather than continue to adopt annual Council climate goals. Council directed staff to explore long-term funding strategies to support this work in future years.

### **Funding Goal**

Consultants at FCS Group worked with city staff to identify and evaluate potential revenue options for the administrative costs of performing the climate work outlined in the CAP. Three funding goal options have been created that would provide funding for a variety of climate actions. The three proposed options supply funding at the \$300,000, \$500,000, and \$750,000 level.

Each funding option includes portions of funds for staff resources (shifting existing positions out of utility dollars and/or new staff positions), and programmatic and administrative dollars for a variety of climate work, including but not limited to:

- climate policy, advocacy, and regulatory reform,
- climate and urban forest program development,
- partnership and regional collaboration,
- building electrification program development and assistance,
- alternative and electric transportation promotion and programs,
- energy efficiency supplemental programs and low-income assistance,
- development of community based and/or small-scale carbon free energy projects,
- development of carbon-free energy sources for city operations,
- city asset improvements for energy efficiency and/or climate resiliency,
- neighborhood resiliency projects,
- community engagement,
- natural resources programs,
- climate/natural resources regulatory compliance.

The larger funding options would allow for a more robust expansion of programming and community climate and natural resources work through a larger allocation of administrative

dollars and staff resources. Staff will present more detailed information on these options in a presentation at the September 6 Council meeting.

### **Funding Pathway**

Based on the previous discussion with Council on July 19, the primary funding pathway that staff is exploring is the Greenhouse Gas (GHG) Emissions Option, which reflects each customer's relative impact on GHG emissions from energy and transportation perspectives. Staff have worked with FCS to adjust the rate for each account type based on Council's feedback to consider adjustments to multifamily housing. Staff and FCS Group consultants will present the adjusted rate schedule for further discussion at the September 20 meeting.

### **BUDGET IMPACT**

Selection and implementation of one or more of the proposed options for revenue generation strategies could result in a significant increase in budget for climate programming and projects in Milwaukie.

### **WORKLOAD IMPACT**

Additional funding through the revenue options explored above could allow for better implementation of climate policies, programs and projects adopted as actions in the CAP but are currently without allocated resources. Implementation of these additional actions may increase potential workload of public works staff; however, increased funding could also allow staff flexibility to contract out for more efficient processes if needed, explore internships and stakeholder partnerships to reduce city-staff workload and build partnerships, and potentially fund collaborative processes with community-based organizations to manage programs in the community.

Finance department staff may have additional workload for the administration of the revenue strategy.

### **CLIMATE IMPACT**

Additional funds for the city's climate program would better align the city's ongoing climate work with the expectations outlined in the CAP. A budget increase could provide important resources to create or expand programming, which would lead to carbon emission reductions or better climate adaptation and resiliency benefits for the community.

### **COORDINATION, CONCURRENCE, OR DISSENT**

FCS Group and city staff are continuing to coordinate with community development, finance, public works utility divisions and the city manager to explore financial strategies for climate work and prepare engagement and input opportunities for the public on climate programming.

### **STAFF RECOMMENDATION**

Staff recommends that Council discuss potential revenue requirements and provide further feedback and direction to staff on preferred option.

### **ALTERNATIVES**

None.

### **ATTACHMENTS**

None.

# Climate Action Plan Funding Alternatives

RS 7. C. 9/20/22  
Presentation



CITY OF MILWAUKIE

## CLIMATE ACTION PLAN FUNDING FOLLOWUP CITY COUNCIL WORKSHOP

Peter Passarelli, Public Works Director  
Natalie Rogers, Climate and Natural Resources Manager  
Todd Chase, Principal, FCS GROUP  
Martin Chaw, Project Manager, FCS GROUP

September 20, 2022





# Agenda

- **Discuss current program and growth opportunities**
- **Outreach Timeline**
- **Recap Fee Options**
- **Review and Discuss Preferred Option**

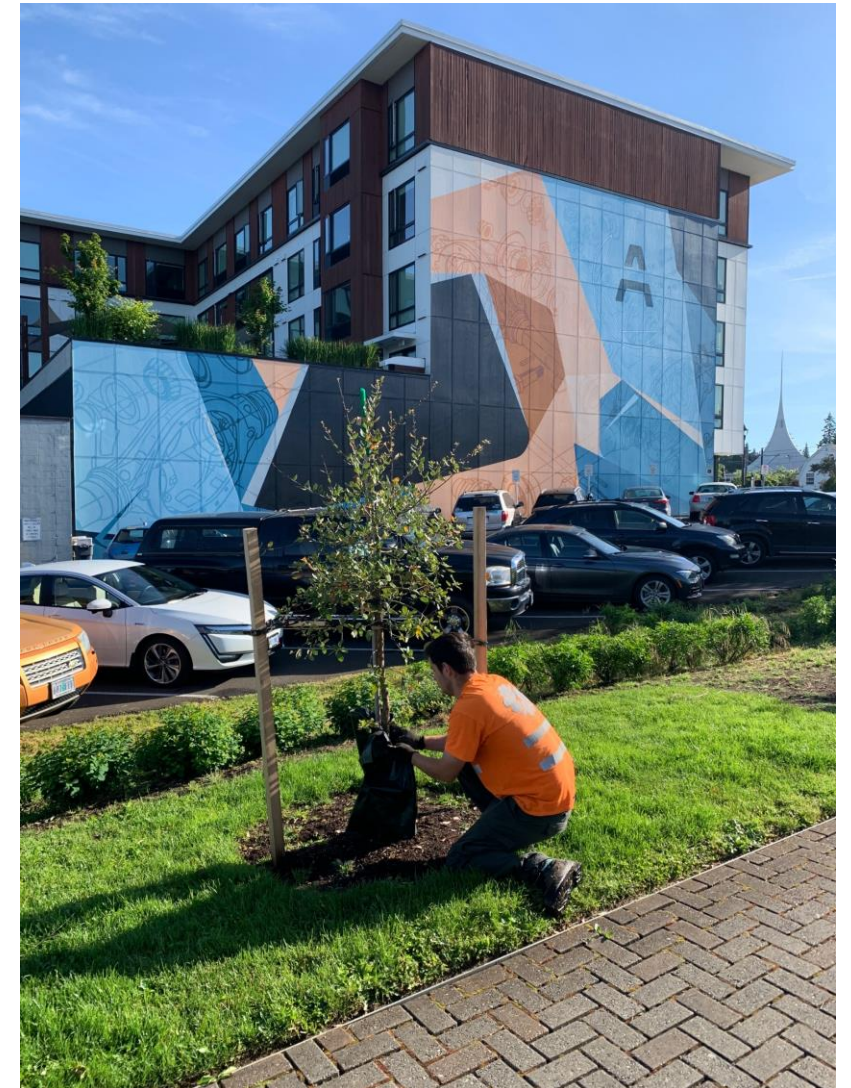
# Climate goal and CAP expectations



- **2017 Vision ‘ Delightfully livable, entirely equitable, and completely sustainable’**
- **2018 goal – adopt a Climate Action Plan (CAP) and implement actions**
- **53 strategic actions in CAP**
  - Some actions encompass multiple programs and sub-actions
- **Additional tasks for community outreach, education, and engagement**
- **Started with 1 FTE (climate action and sustainability coordinator) and \$50k annual budget**

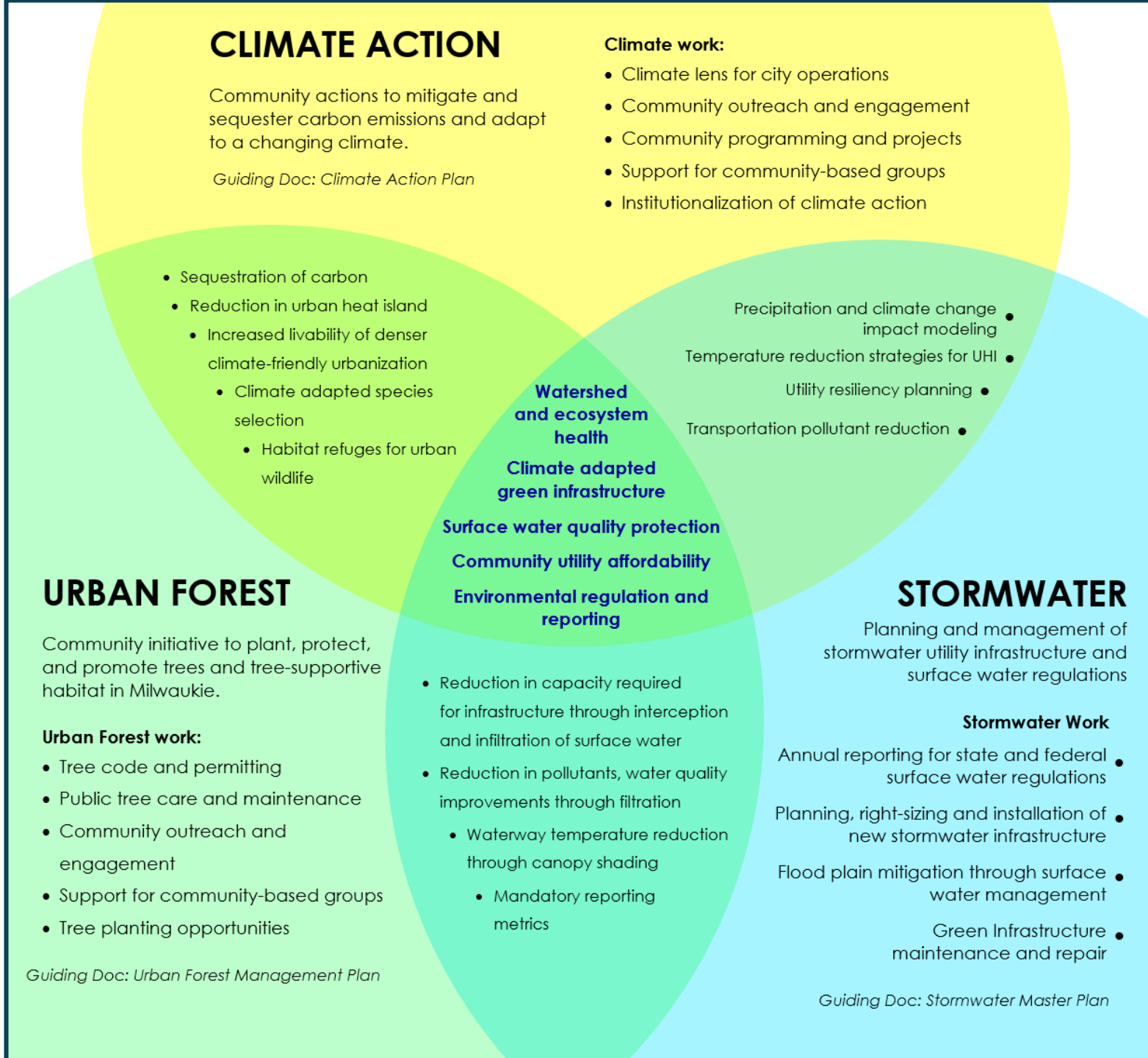
# Learnings from the years as a council goal...

- Dramatic increase in movement and opportunities around climate action program/policy at local, state and federal scale
- Milwaukie filled the need for a small community climate role model
- Climate overlap with existing city goals, services and projects
- Current work has reached a limit with existing resource avenue, and dedicated resources needed to continue or grow program
- Organizational efficiency in aligning environmental work at the city considering overlap of goals/strategies



Proposed climate fee  
**only funds the climate  
 action and urban forest  
 programs, staff and  
 policy work.**

Public stormwater work  
 remain funded by  
 utility dollars.



# What could be supported with a climate fund?

- Greater **climate policy, advocacy and regulatory reform**
- Expanded climate, urban forest and natural resources **programs administration, development, implementation and compliance**
- Advancement of **natural climate solutions and tree planting programs**
- Assistance to homeowners, landlords and businesses to fund **energy efficiency upgrades, building weatherization, electrification**, transportation assets or behaviors which have emission reduction.
- Expansion of city **transportation electrification** projects and city-owned electric vehicle charging stations.
- Increased advocacy and implementations of **emission reduction related regulations and building codes**.
- Development of **community solar** and small-scale carbon-free **energy projects**.
- Funding and facilitation for development of **energy efficiency asset** improvements and/or carbon-free **electricity sources for city operations**
- **Expanding, maintaining, and preserving the urban forest** and associated natural resources within the City at **higher services**;
- Staff to support **public education and outreach** related to climate and sustainability.
- Seed money for **neighborhood-scale projects** such as microgrids and energy storage to support resilience and renewable carbon-free energy development and deployment.
- Funding for **residential and commercial building electrification** program development.
- Additional **partnership and regional collaboration**.
- Adaptation, mitigation and sequestration **existing strategies** identified in current and future city climate, urban forest, natural resources, and comprehensive plans.



# Funding Scenarios

## \$300K Fund Goal

### Personnel Costs - \$205k

- Climate Action and Natural Resources Manager
- 0.5 Code Compliance

### Climate Policy and Programming: <\$95k

Urban Forest staff, policy, programming and incentive funding remains primarily in Stormwater

## \$500K Fund Goal

### Personnel Costs - \$315k

- Climate Action and Natural Resources Manager
- Urban Forester
- 0.5 Code Compliance

### Climate + Urban Forest Policy and Programming: <\$185k

Small program expansions or 1-3 small program additions for climate and urban forest (priority dependent)

## \$750K Fund Goal

### Personnel Costs - \$460k

- Climate Action and Natural Resources Manager
- Urban Forester
- 0.5 Code Compliance

### Climate + Urban Forest Policy and Programming: <\$435k

- Could be used for general operational dollars, consultants, legal fees, hard costs, incentives
- Based on prioritization, could be used for permanent or temporary staff

**'Business As Usual'**

**'Small Boost'**

**'Medium Boost'**

- 
- Transition of urban forest program from stormwater utility to climate fund
  - Increase of city-led projects, programming and incentives for climate + urban forest



# What could Milwaukie get with a medium boost?

## • Staff Resources

- Climate and Natural Resources Manager
- Urban Forester
- Seasonals/Interns/Consultant Assistance (priority dependent)
- *0.5 Code Compliance Officer*

## • Climate Programs

- More frequent formal reporting and updates to plans
- Energy modelling/auditing and Strategic Energy Management (SEM)
- HES for Renters, HES + weatherization low-income assistance expansion
- Outreach and Education for behavior, electrification
- Building Electrification Programming + Incentives
- Legal Assistance for energy policy
- Transportation programs and/or incentives

## • Urban Forest Programs

- Outreach and education expansion
- Community stewardship/volunteering programs
- Heritage tree programs
- Green jobs training/tree care trainings for youth/community/BIPOC partnerships
- Continued policy development for commercial lands
- Barrier analysis and engagement for tree planting/ownership
- Formalized tree planting program (property and restoration opportunities)
- GIS system support (Tree inventory, tracking, strategic planning, outreach)
- Existing canopy and gap analysis
- Greenspace programming for habitat, private lands



# Climate Fund Timeline



## 9/20 Council Session

- Fee structure
- Funding opportunities

## Outreach

1. *Community awareness of ongoing discussion*
  2. *What programs or services would the community want?*
- Materials creation
  - Scheduling

## Pilot Article

- General info
- Survey heads-up

## Stakeholder groups

- CUAB
- Business/Industry

## Survey (Res/Business)

- Postcard
- Engage Milwaukie
- Social media
- Arbor Day

## Pilot Article

- Upcoming public comment

## Utility Bill Stuffer

- All customers

## Survey (cont. if needed)

## Outreach

Engage Milwaukie

## 11/22 Council Session

- Adoption?

## Pilot Article

- Survey results
- Adoption/ effective date

## Utility Bill Stuffer

- All customers

## TBD Council Session

- Adoption?

## If adopted...

## Fee change mailer

## Climate Fee Implementation Jan 1 2023

## Pilot Article

- Adoption / effective date

## Utility Bill Stuffer

## Climate Fee Report

- 2023 Work Plan
- Progress Metric Establishment

SEPTEMBER '22

OCTOBER '22

NOVEMBER '22

DECEMBER '22

JANUARY 2023

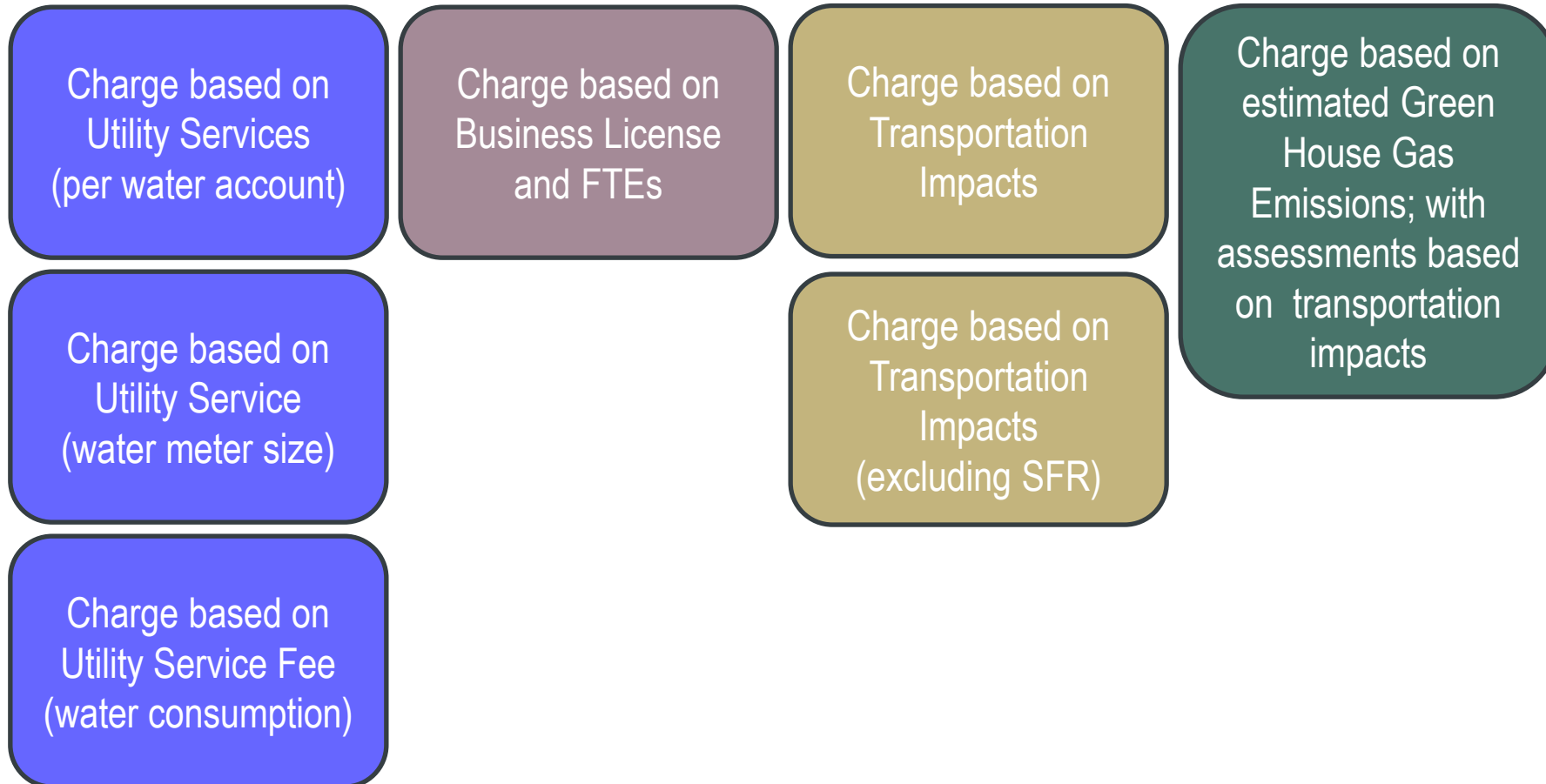
SPRING 2023





# Recap Funding Alternatives

## *Preferred Option*





## Preferred Option:

Charge based on estimated Green House Gas Emissions

### Monthly Charge Based on Estimated GHG Impacts (Using Surface Streets Maintenance Program Billing Data)

<i>Revenue Target (annual):</i>	<i>\$300,000</i>	<i>\$500,000</i>	<i>\$750,000</i>
<i>Monthly Charge</i>			
<i>Residential (per dwelling unit):</i>	<i>\$1.28</i>	<i>\$2.13</i>	<i>\$3.20</i>
<i>Multi-family Resid (per dwelling unit):</i>	<i>\$0.96</i>	<i>\$1.60</i>	<i>\$2.40</i>
<i>Services (per SSMP unit):</i>	<i>\$0.24</i>	<i>\$0.40</i>	<i>\$0.60</i>
<i>Retail (per SSMP unit):</i>	<i>\$0.13</i>	<i>\$0.21</i>	<i>\$0.32</i>
<i>Industrial (per SSMP unit):</i>	<i>\$2.99</i>	<i>\$4.99</i>	<i>\$7.48</i>

# Questions for Council



- What target fund revenue is Council wanting to choose?

**\$300k**

**'Business As Usual'**

**\$500k**

**'Small Boost'**

**\$750k**

**'Medium Boost'**



- Is council still wanting the GHG fee option using SSMP billing unit data?

# Thank you! Questions?

## FCS Group

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## City of Milwaukie

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