



**Work Session**

**WS**

**Milwaukie City Council**

## COUNCIL WORK SESSION

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

## AGENDA

JANUARY 17, 2023

**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-work-session-316>.

**To participate in this meeting by phone** dial 1-253-215-8782 and enter Webinar ID 897 1299 8920 and Passcode: 331507. 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 may take limited verbal comments.

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

Page #

1. **Winter Events Debrief and 2023 Events Preview – Discussion** (4:00 p.m.) 5  
Staff: Dan Harris, Events & Emergency Management Coordinator
2. **North Clackamas Watersheds Council (NCWC) – Annual Report** (4:30 p.m.)  
Presenter: Neil Schulman, NCWC Executive Director
3. **Adjourn** (5:00 p.m.)

### Executive Session

After the work session Council will meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

### 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.



# CITY OF MILWAUKIE

## Memorandum

**To:** City Council  
**From:** Joseph Briglio, Community Development Director  
**CC:** Ann Ober, City Manager  
**Date:** January 17, 2023  
**Re:** Community Development Department Update

Community Development/Economic Development/Housing	Planning	Building
<ul style="list-style-type: none"><li>▪ Housing Update</li><li>▪ City Hall</li><li>▪ Economic Development</li></ul>	<ul style="list-style-type: none"><li>▪ Comprehensive Plan Implementation</li><li>▪ Planning Commission</li><li>▪ Design and Landmarks Committee</li><li>▪ Land Use/Development Review</li></ul>	<ul style="list-style-type: none"><li>▪ December in review</li></ul>

### COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/HOUSING

#### Housing Update

- Sparrow Site - The city purchased the parcel ("main property") at the northeast corner of SE Sparrow Street and the Trolley Trail from TriMet for the purpose of land banking to support affordable housing several years ago. More recently, staff received a Metro Brownfields grant to support due diligence for the acquisition of 12302 SE 26<sup>th</sup> Avenue ("auxiliary property") from TriMet in order to help rectify access constraints to the main property. The due diligence period is now complete, which clears the way for acquiring the property. Staff changes have delayed some of this work; however, Community Development is anticipating closing on the 12302 SE 26<sup>th</sup> property within the next few weeks and moving forward with an RFQ/RFP process sometime thereafter.
- Coho Point – The Developer requested a 12-month extension of the Disposition and Development Agreement (DDA) due diligence period because of extenuating circumstances involving supply chain and subcontractor timing issues related to the COVID-19 pandemic. The due diligence period was extended to Dec. 31, 2022. Staff approved a second due diligence period extension for an additional three months (March 31, 2023) to allow the Developer the ability to provide an update to the City Council and determine the appropriate timeline for completing the due diligence period. The Developer is slated to discuss with the city council later in February.

- Construction Excise Tax (CET) Program - The CET Program was established by the city council in 2017 and codified within chapter 3.60 (Affordable Housing Construction Excise Tax) of the municipal code. The CET levy's a one percent tax on any development over \$100,000 in construction value. In example, a property owner who is building an addition that has an assessed construction value of \$100,000 would have to pay \$1,000 in CET to the city. As development continues throughout the city, the CET fund increases in proportionality.

The city recently released its inaugural competitive bid process for CET funds through a formal Request for Proposals (RFP). The RFP prioritized both workforce and affordable housing with a preference for the greatest number of income-restricted units for the longest duration. It further prioritized projects that offered deeply affordable (30% AML) units designed to transition people out of homelessness, provide supportive services on-site, prevent displacement, involve community land trusts, provide first-time homebuyer education, serve historically underserved communities (i.e. BIPOC), and serve other high priority special needs populations as outlined in the Milwaukie Housing Affordability Strategy (MHAS). Lastly, since the city lacks the resources to manage income-restricted units and qualify tenants on an on-going basis, it was imperative that each proposal guaranteed continuing income-verification administration and unit restriction management for at least a 30-year term.

The selection committee scored the Hillside Park Phase I project highest; however, it also felt that the Milwaukie Courtyard Housing Project warranted some award amount as well due to its rare land trust model and ownership niche. Therefore, Hillside Park Phase I was awarded \$1.7M (requested \$2M) and the Milwaukie Courtyard Housing Project with \$300K (requested \$600K). The Notice of Intent to Award is attached, as well as the selection committee scoring sheets. Staff is currently working on drafting grant award agreements and will bring them to council for final approval

### **Historic City Hall**

- After a formal solicitation and bid process, the city hall evaluation committee selected Henry Point Development as the next owner of the historic building and repurpose it to a commercial project that includes a bakery, coffee shop, restaurant, brewery, and non-profit/community space.
- City staff and representatives from Henry Point Development are currently working through the negotiation process, which will result in the creation of a disposition and development agreement (DDA). The DDA will serve as the roadmap for preparing city hall for its next intended use and ensuring that the historic façade, among other conditions, are compulsory.

### **Economic Development**

- Staff continues to connect and build relationships with local businesses. The goal is to develop relationships and understand how the city can best serve our business community.
- Tenant Improvements continue at Milwaukie Marketplace with Planet Fitness recently coming online. Construction should continue through spring and summer for the New Seasons space with an anticipated opening for fall.
- In order to address new state wastewater requirements for food cart pods, staff has been working on improving the site with sewer and grease traps. Without these upgrades, the

food carts would no longer be allowed to operate at Milwaukie Station. The construction is slated to occur later this winter in order to impact the vendors as little as possible.

## **PLANNING**

### **Comprehensive Plan Implementation**

- The recently adopted code amendments that consolidated all of the high-density residential zones and updated and clarified certain uses will be effective on January 19<sup>th</sup>.
- Planning and Economic Development staff will be meeting with the consultant team later this month to begin work on the Neighborhood Hubs implementation project, starting with a project kick off meeting. Staff will be providing updates to the NDAs, Planning Commission, and City Council during the project once the project schedule and milestones are identified.
- Planning and Engineering staff selected a consultant for the Transportation Systems Plan in May of 2022. A process was conducted throughout the fall to select a Transportation Systems Plan Advisory Committee; special attention was given to ensure inclusive geographic representation within the city and to recruiting members that historically have been excluded from transportation planning processes. The scope of work is currently being reviewed by the State and Planning hopes to kick off the TSP update in the Spring of 2023.

### **Planning Commission**

- CU-2022-006: A public hearing for a Type III application for a vacation rental at 11611 SE 33<sup>rd</sup> Ave was held on January 10. The applicant requested to use the single detached dwelling as a vacation rental. The Planning Commission continued the hearing to January 24 at the request of a neighbor to the proposed vacation rental. The applicant agreed to meet with neighbors to answer questions in advance of the continued hearing.
- VR-2022-001: A Type III application for variances to street-side and rear yard setbacks has been submitted in conjunction with a proposed addition to the existing single-family house at 2807 SE Sherrett St. The application is in review for completeness.
- ZA-2023-001: A Type V application for a package of "housekeeping" code amendments. The Planning Commission held a work session to discuss the amendments on January 10<sup>th</sup>. A public hearing has been scheduled for February 14<sup>th</sup>. The 30-day notice and code commentary will be posted on January 12<sup>th</sup>.
- ZA-2022-003: A Type V code amendment application to refresh the downtown design review code, including repeal of the external Downtown Design Guidelines document. On October 25, 2022, the Planning Commission opened a public hearing on the proposed amendments and continued it to January 24, 2023, to further discuss the possibility of establishing a public art requirement.
- ZA-2022-005: A Type V code amendment application is scheduled for an initial public hearing with Planning Commission on February 14<sup>th</sup>, 2022. As directed by City Council on August 16<sup>th</sup>, 2022, the code amendments remove minimum vehicle parking quantity requirements for all uses citywide and adopt new standards for large surface parking lots. These changes are being proposed to comply with new Oregon's new transportation planning administrative rules which were adopted through the Climate Friendly Equitable Communities rulemaking process in May of 2022.

### **Design and Landmarks Committee**

- The DLC last met in August 2022 to finalize the proposed amendments to the downtown design review code and has been on a hiatus since then. The group added two new members (Juli Garvey and Ryan Lowther) through the City's regular recruitment process in 2022; they join continuing members Cynthia Schuster (Chair), Tracy Orvis (Vice Chair), and Mary Neustadter. The DLC is tentatively scheduled to reconvene on February 6.

### **Land Use/Development Review<sup>1</sup>**

- EXT-2022-001: A Type II application for another two-year extension of the land use approval for the Bonaventure Senior Housing development at 5801 SE Kellogg Creek Dr (primary file #CU-2018-003). The original approval would have expired on March 15, 2021 but was extended to March 15, 2023. The request is for an additional two years to obtain all necessary permits and re-start construction (by March 2025), with two more years to finish the whole project (by March 2027). Upon being deemed complete, the application will be referred for comment and public notice will be sent to properties within 300 ft.

<sup>1</sup> Only land use applications requiring public notice are listed.

## **BUILDING**

- As of January 3, 2023, Patrick McLeod

<b>Permit data for</b>	<b>Dec</b>	<b>FY to Date:</b>
New single-family houses:	2	5
New ADU's	0	0
New Solar	8	38
Res. additions/alterations	1	10
Commercial new	0	2
Commercial Alterations	2	42
Demo's	3	6
Total Number of Permits issued:		125
Total Number of Inspections:		195
Total Number of active permits:		1013

**COUNCIL STAFF REPORT**

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

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

**From:** Dan Harris, Events and Emergency Management Coordinator

**Subject:** **Winter Events Debrief and 2023 Events Preview**

**Date Written:** Jan. 3, 2023

**ACTION REQUESTED**

Council is asked to receive an update on the 2022 winter events season and provide feedback on the upcoming 2023 events calendar.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[September 20, 2022:](#) Council discussed Carefree Sunday 2022 and began to discuss plans for Carefree Sunday 2023. Councilors were generally supportive of moving the event from August to May but asked for additional consideration of the proposed shorter course.

[December 3, 2022:](#) The city hosted the annual Umbrella Parade and Tree Lighting in downtown Milwaukie. This marked the first time food was served at the event since 2019. The parade drew several hundred Milwaukians into downtown and featured performances from two local high school bands among other attractions.

[December 17, 2022:](#) Milwaukie's Winter Solstice Celebration returned to Milwaukie Bay Park. The event was made possible through a partnership with the Lewelling Neighborhood District Association (NDA) and Beer Store Milwaukie. Approximately 2,000 community members attended the event over the course of its three-hour run time.

**ANALYSIS**

The city produces a lively events calendar throughout the year, consisting of city-hosted events and community events supported by the city in various ways. To continue to host events that best serve the needs of the Milwaukie community, it is necessary to evaluate the success of past events and to prioritize future events.

**2022 Umbrella Parade and Tree Lighting**

The Umbrella Parade and Tree Lighting occurred on the evening of December 3, 2022. The city's traditional partners returned to support the event this year, including the Milwaukie Community Emergency Response Team (CERT), American Legion Post 180, the Rotary Club of Milwaukie, the Milwaukie High School/Milwaukie Academy of Arts Marching Band, the Milwaukie Arts Committee, and Bob's Red Mill. New partners, namely the Rex Putnam High School Kingsmen Thunder Drumline and Clackamas Fire District 1 (CFD1), also joined. Additional support was provided by Casa de Tamales which prepared individual portions of flan for the event at a sharply discounted rate.

The event was a success. The parade was livelier than it has been in years with two separate bands playing to keep participants' spirits high and multiple public safety vehicles adding their

lights to the spectacle. Refreshments arrived on time and on budget, and the tree lit completely on the first try.

The future form of this event is uncertain. With city hall moving, it is unclear exactly what shape the Umbrella Parade and Tree Lighting will take in future years. The city is committed to continuing this beloved Milwaukie tradition in some form following the move.

Separate from the parade itself, the city attempted to organize an online umbrella decorating activity in which community members were invited to decorate a line drawing of an umbrella and submit a short paragraph on their family's winter traditions. No one submitted an entry.

### **2022 Winter Solstice Celebration**

The city's Winter Solstice Celebration returned with all the joy and ceremony of 2019. The combined Christmas Ships of the Columbia and the Willamette rivers sailed by twice, pausing the second time to make several loops in Milwaukie Bay. Refreshments were provided by the Lewelling NDA and Beer Store Milwaukie. Milwaukie CERT helped to ensure safe crossings of McLoughlin Blvd for the approximately 2,000 attendees who gathered around ten fires in the park and boat ramp parking lot to observe the ships.

The event was successful overall. The event was smaller than past years, but also more appropriately sized for the venue. By collecting the wood into a single pile away from the fires and shutting down the sale of food and alcohol when the event ended at 7:30 p.m., the city was able to discourage attendees from lingering afterward.

The city intends to host the event again in 2023 in something like its current form but will be coordinating with the Oregon Department of Transportation (ODOT) to better support the large number of pedestrians crossing McLoughlin Blvd during the event.

### **2023 Events Forecast**

The city plans to continue its usual array of signature events in 2023 with an Earth Day event in the spring and an Arbor Day event in the fall. These events are organized by the city's natural resources team under public works with support from the strategic engagement team.

The biggest open question for the year remains the fate of Carefree Sunday. So far, no sponsors have been contracted. If the city is to hold to its proposed date, Sunday, May 21, it will need to have sponsors recruited by March 31. The city's contracted consultant has quoted a price of approximately \$15,500 to complete a reduced (two mile) event course. This means that the city will either need to identify approximately \$22,000 to complete the event with a consultant or \$15,000 to complete the event without one, not including the additional staff time spent recruiting volunteers.

### **BUDGET IMPACT**

The city has budgeted sufficient funds to complete all signature events except for Carefree Sunday. If outside funding, in the form of grants and sponsorships, can be secured or if the event is canceled, there are no anticipated budget impacts.

### **WORKLOAD IMPACT**

If Carefree Sunday moves forward without a consultant, significant staff time will need to be diverted into organizing the event. Otherwise, there are no anticipated workload impacts beyond those already accounted for.



**CLIMATE IMPACT**

City staff will remain conscientious of climate impact when organizing events. The Earth Day and Arbor Day events provide an educational opportunity to inform residents of city projects and community-based organizations whose work aligns with the Climate Action Plan (CAP) and encourages environmental conservation through community and household activism.

**COORDINATION, CONCURRENCE, OR DISSENT**

Events are planned in coordination with several internal departments and external organizations. Where appropriate, community members are also consulted in planning. Stakeholders are consulted on a variety of topics to ensure each event is implemented properly.

**STAFF RECOMMENDATION**

Council is asked to provide feedback on the information provided in this report.

**ATTACHMENTS**

None.

# Winter Events Review & 2023 Events Preview

Dan Harris  
Events & Emergency  
Management Coordinator  
[events@milwaukieoregon.gov](mailto:events@milwaukieoregon.gov)



# OVERVIEW

1. Umbrella Parade & Tree Lighting
2. Solstice
3. 2023 Events Calendar







# Umbrella Parade & Tree Lighting

- December 3, 2022 – Main Street
- Citywide Staff Effort + Community
- Roughly 1,000 People in Attendance
- Lively Parade
- Return of Food



# Winter Solstice

- December 17, 2022 – Milwaukie Bay Park
- Special Thank You to CERT, Beer Store Milwaukie, Lewelling NDA
- Approximately 2,000 Attendees
- Fire Sculptures
- Event Ended on Time





# 2023 Events Calendar

---





# Events Forecast

---

- Earth Day – April 2023
- Carefree Sunday – May 21, 2023?
- Arbor Day – Fall 2023
- Umbrella Parade – December 2, 2023
- Solstice Celebration – December 16, 2023



**QUESTIONS OR  
COMMENTS?**





# Winter Events Review & 2023 Events Preview

Dan Harris  
Events & Emergency  
Management Coordinator  
[events@milwaukieoregon.gov](mailto:events@milwaukieoregon.gov)



# Partnership Update

1/17/23

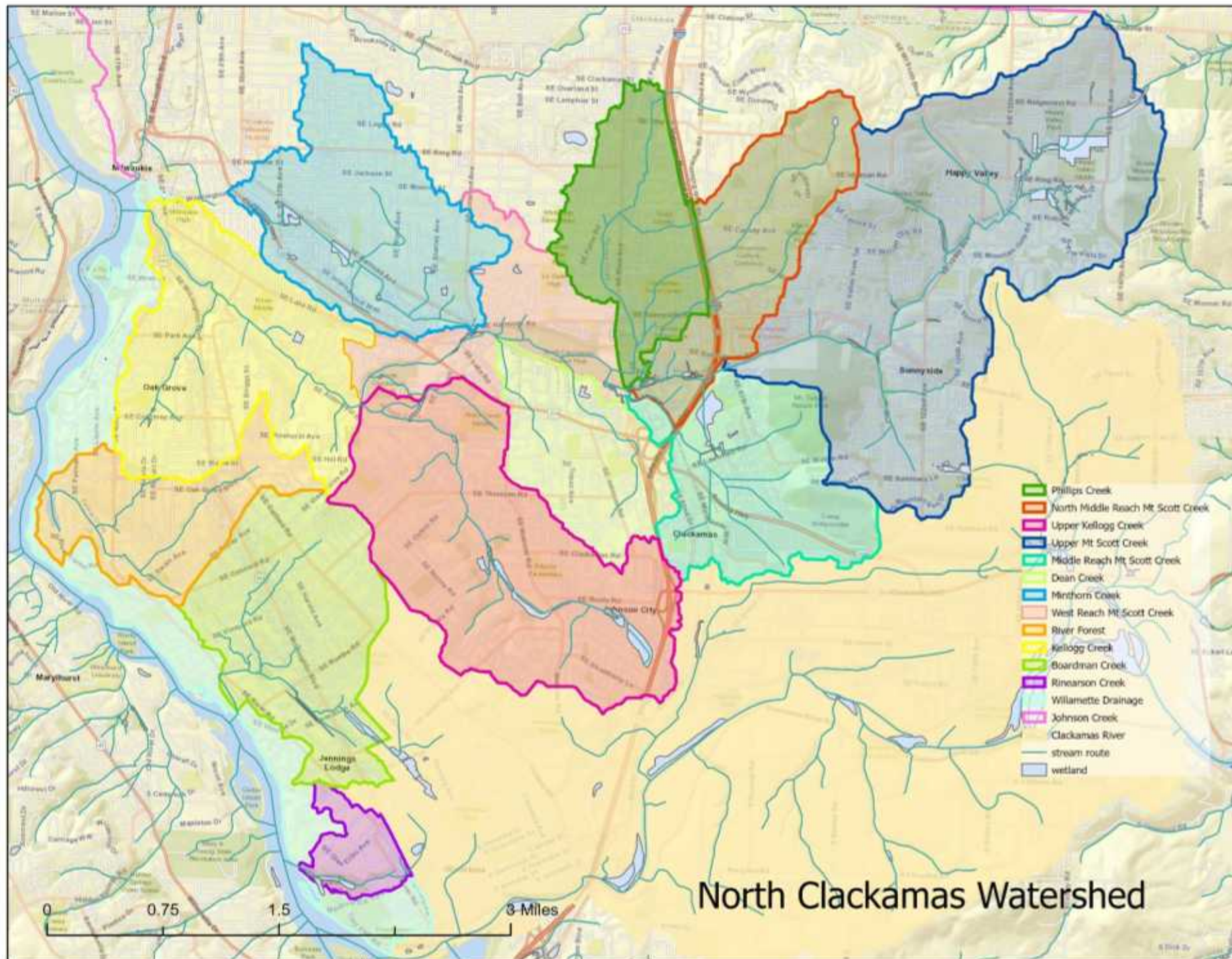
Neil Schulman  
Executive Director





# Topics

1. Kellogg Creek Restoration & Community Enhancement Project
2. Watershed Action Plan Priorities in Milwaukie
3. Natural Areas



North Clackamas Watershed



# Kellogg Creek Restoration & Community Enhancement Project



- \$15M from NOAA Fisheries
- Largest grant in NOAA Fisheries history
- City objective since at least 1999
- 2008 ARRA
- Multiple project benefits
- Partnerships





# Benefits

- Fix the #1 ODOT-owned fish passage barrier in Oregon
- Improve water quality
- Replace earthquake vulnerable bridge
- Restore a stream downtown
- Create trail undercrossing between downtown, light rail, Kronberg/Dogwood, Trolley Trail & Milwaukie Bay
- Create a new 14-acre natural area
- Improve floodplain function
- Engage the community in an equity focus area
- Build on strong community support
- Create a showcase & generational project

# CDS Funds (City) & IIJA Fish Passage Funds (American Rivers) funds Phases 1-3

## PHASE 1: Initiation and Feasibility

Sponsor: NCWC (Local, State, CDS Funds)



April - December 2022

- TAC convened
- CDS Fund Approval
- Phase 2 Funding Apps submitted
- Select preferred restoration alt
- Complete Conceptual Restoration Project Plan
- Leadership Team approval of Draft Project Management Plan

January 2023 - December 2024

- Project element integration/NEPA scoping
- 30/Prelim Plan Development +TAC Review
- Preliminary agency consultation and permit pathway confirmed
- 60/Advanced Plan + TAC review
- Permit applications submitted
- Construction Funding Apps submitted
- Final Plans + TAC review



## PHASE 2:

Design + Permitting  
Integrated Project Elements

Sponsor: AR (NOAA Fish Passage Funds)

- Design of all elements
- Permitting
- Community Engagement
- Procurement
- Beginning of construction activities



## PHASE 3: Procurement and Initial Construction Activities

Sponsor: AR (NOAA Fish Passage Funds)



### January 2026 - December 2027

- Bridge traffic control
- Sediment and water control
- Bridge footprint work (Demolition, foundation pouring, channel restoration through dam site)
- Broader Footprint: Upper channel/floodplain restoration and bridge work
- Revegetation and >OHWM elements
- As-built surveys
- Substantial Completion approved
- Effectiveness Monitoring Plan Finalized/Services Procured

### January 2025 - December 2025

- Final funding award notifications
- Permit authorizations/approvals confirmed
- Bid Package with funding and permit requirements integrated
- Construction management procurement
- Construction Funding Grant Agreements Executed
- Bid Advertisement, Bid, Award
- Submittal Approvals
- Mobilization and staging
- Begin sediment/water/fish mngt for In-water work period)



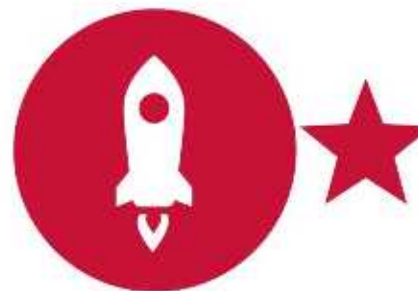
## PHASE 4: Demolition and In-Water Work

## PHASE 5:

### Post-Project

### Effectiveness Monitoring and Adaptive Management/Maintenance

Bridge O&M: ODOT  
Floodplain and Channel Adaptive Mngt: City, NCWC,  
NCPRD



### 2028 - 2038

- 10 years restoration effectiveness monitoring
- Adaptive management or maintenance
- Outreach and educational programs

# Next Steps

- CDS in place including agreement with Council
- Alternatives at February TAC Meeting
- Preferred Alternative in April
- Cooperative Agreement between partners, City/AR funding
- Geotech, Sediment
- Showcase project





# Funding for Final Construction

- IIJA:
  - National Culvert Removal, Replacement & Restoration Grants (OHA)
  - RAISE grants (US DOT)
  - Other IIJA & IRA (USFWS, FEMA, NOAA Fisheries, etc.)
- ODOT & State
- Metro

# City Leadership Is Essential

Council, Staff Leadership, Multiple Depts.

- Owns most of lakebed
- Interdepartmental coordination
  - Public Works
  - City Engineer
  - Natural Resources
  - Planning
  - Stormwater
  - Parks
  - Government relations
- Gov't Relations: w/ ODOT, Metro, American Rivers, DEQ, DSL, NOAA, ODFW
- Funding Agreements
- Final construction fundraising
- Early action on City infrastructure inc. sewer pipe that runs through impoundment
  - Currently clogged, presents risk
  - CIP inclusion
- Public championing & visible leadership



# Watershed Action Plan

## Priorities for Milwaukie

1. Kellogg Dam
2. Address pre-1993 stormwater infrastructure
3. More riparian shade
4. Elk Rock Island



## North Clackamas Watersheds Action Plan 2022-2032

Prepared for North Clackamas Watersheds Council & Partners  
by Samera Group, LLC & GeoEngineers  
July 2022

Supported by:



OAK LODGE  
WATER SERVICES



and Customers participating in  
PGE's Green Future<sup>SM</sup> program through the PGE Salmon Habitat Support Fund



# Natural Areas

## Elk Rock Island Natural Area Management Plan

Adopted by  
City of Milwaukie  
January 17, 1995

Prepared by  
Portland Parks and Recreation  
in cooperation with  
City of Milwaukie  
North Clackamas Parks and Recreation District  
Friends of Elk Rock Island Natural Area





# Questions?



neil@ncwatersheds.org  
503-550-9282  
ncwatersheds.org