

**Regular Session**

**RS**

**Milwaukie City Council**

**COUNCIL REGULAR SESSION**

**AGENDA**

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

JUNE 20, 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-regular-session-351>.

**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. **None Scheduled.**
  
4. **SPECIAL REPORTS**
  - A. **None Scheduled.**
  
5. **COMMUNITY COMMENTS** (6:05 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** (6:10 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:** **4**
    1. **May 16, 2023, regular session, and**
    2. **June 5, 2023, site visit.**
  - B. **Appointments to City Boards and Committees – Resolution** **9**
  - C. **Authorization of an Intergovernmental Agreement (IGA) for the Transportation System Plan (TSP) Update – Resolution** **13**
  - D. **Authorization of a Contract for Merchant Card Services – Resolution** **17**
  - E. **Approval of an Oregon Liquor and Cannabis Commission Application for Kori's Café, 10675 SE 42<sup>nd</sup> Avenue – Full On-Premises Sales** **20**

**Agenda Note:** after the consent agenda, Council will recess the regular session to meet as the Milwaukie Redevelopment Commission (MRC); Council will reconvene after the MRC meeting. For information about the MRC meeting visit <https://www.milwaukieoregon.gov/bc-rc/redevelopment-commission-13>.

**7. BUSINESS ITEMS**

**A. Annexation of 9214 SE 55<sup>th</sup> Avenue – Ordinance (6:30 p.m.)** **22**  
Staff: Brett Kelper, Senior Planner

**B. Clean Energy Update – Report (6:35 p.m.)**  
Presenters: Kristen Sheeran, Portland General Electric (PGE), and  
Representatives of the Citizens Utility Board (CUB)

**C. Climate Action Overview – Report (7:20 p.m.)** **47**  
Staff: Peter Passarelli, Public Works Director, and  
Natalie Rogers, Climate & Natural Resources Manager

**8. PUBLIC HEARINGS**

**A. None Scheduled.**

**9. COUNCIL REPORTS**

**10. ADJOURNMENT (8:55 p.m.)**

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

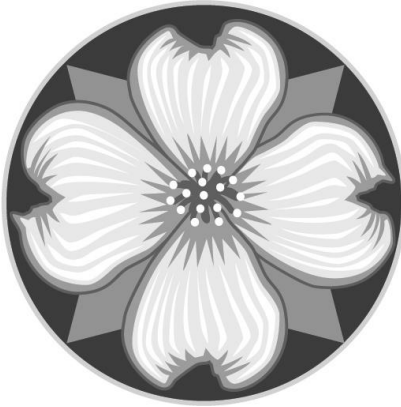
The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) or phone at 503-786-7502. To request 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**



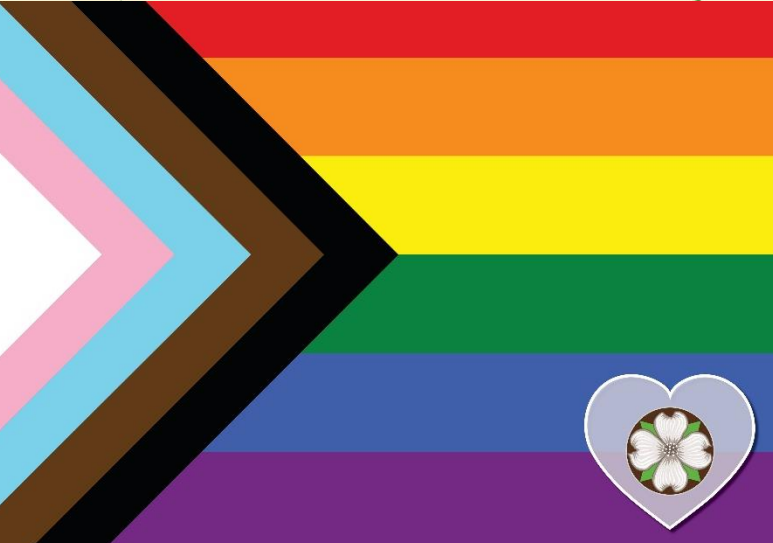


Milwaukie High School  
Asian American and  
Pacific Islanders Club



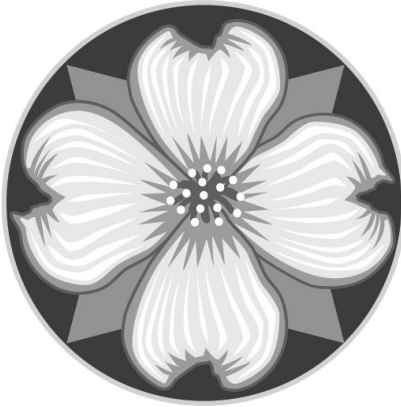
# POLYNESIAN DANCE

THURSDAY, JUNE 22 AT 10:30AM



# Mayor's Announcements – June 20, 2023

- **Polynesian Dance – Thursday, June 22 (10:30 AM)**
  - Performance by the Milwaukie High School Asian American and Pacific Islander Club
  - Scott Park (Next to Ledding Library), 10660 SE 21<sup>st</sup> Ave.
- **Feed the Hungry, Inc. Concert Featuring Tom Grant – Thursday, June 22 (5:30 PM)**
  - Evening concert featuring Tom Grant, world renowned pianist
  - No fee to attend, but donations are greatly appreciated and benefit Feed the Hungry, Inc., a local non-profit providing hot, healthy meals to those in need for the past 31 years.
  - St. John the Evangelist Episcopal Church, 2036 SE Jefferson St.
- **Pride Celebration – Saturday, June 24 (10 AM – 12 PM)**
  - Community-led gathering to celebrate Pride month with food, activities, and booths
  - Scott Park (Next to Ledding Library), 10660 SE 21<sup>st</sup> Ave.
- **Youth Bike Safety Day – Saturday, June 24 (11 AM – 2 PM)**
  - Stop by any time for free bicycle safety activities including safety skills course, helmet giveaways for the first 50 youth, bike maintenance checks, and a bike decorating station.
  - Event is for all school-age kids and their families.
  - Sponsored by Clackamas County Safe Routes to School and the Street Trust.
  - Clackamas Community College Harmony Campus, 7738 SE Harmony Rd.
- **Nathalia – Monday, June 26 (10:30 AM)**
  - Columbian born singer-songwriter Nathalia will perform bilingual catchy melodies, heartfelt lyrics, and musical stories.
  - Scott Park (Next to Ledding Library), 10660 SE 21<sup>st</sup> Ave.
- **LEARN MORE AT [WWW.MILWAUKIEOREGON.GOV](http://WWW.MILWAUKIEOREGON.GOV) OR CALL 503-786-7555**



**RS Agenda Item**

**6**

# **Consent Agenda**

**COUNCIL REGULAR SESSION**

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

2381<sup>st</sup> Meeting**MINUTES**

MAY 16, 2023

**Council Present:** Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and  
Council President Desi Nicodemus, and Mayor Lisa Batey

**Staff Present:** Joseph Briglio, Community Development Director      Peter Passarelli, Public Works Director  
Justin Gericke, City Attorney      Scott Stauffer, City Recorder  
Ann Ober, City Manager      Laura Weigel, Planning Manager

**Mayor Batey** called the meeting to order at 6:10 p.m.

**1. CALL TO ORDER****A. Pledge of Allegiance.****B. Native Lands Acknowledgment.****2. ANNOUNCEMENTS**

**Mayor Batey** announced an upcoming city manager open door session, a Milwaukie Pioneer Cemetery clean-up event, and annual plant and book sales. **Council President Nicodemus** announced a Juneteenth event and **Stauffer** noted that ballots for the May 16 election were due by 8 p.m. **Ober** and **Batey** provided details on Pride events.

**3. PROCLAMATIONS AND AWARDS****A. Outstanding Milwaukie High School (MHS) Student – Awards**

**Kim Kellogg**, MHS Principal, introduced Elizabeth Oakes and Jonathan Mendoza and Council congratulated them on their academic and extra-curricular activities.

**B. Dogwood Day – Proclamation**

**Stauffer**, **Greg Hemer**, Milwaukie Historical Society, and **Phyllis Hines**, Susannah Lee Barlow Chapter Daughter of the American Revolution, introduced the proclamation, remarked on the importance of celebrating the city's incorporation day known as Dogwood Day, and announced the winners of the annual #milwaukiedogwood Instagram photo contest. The historical society presented a happy birthday video to the city. **Mayor Batey** proclaimed May 21, 2023, to be Dogwood Day.

**C. Historic Preservation Month – Proclamation**

**Mayor Batey**, **Hemer**, and architectural historian **Leesa Gratreak** introduced the proclamation, noted ongoing preservation projects and programs, and remarked on the importance of preserving historic structures. **Mayor Batey** proclaimed May to be Historic Preservation Month.

**D. Armed Forces Week – Proclamation**

**Councilors Massey and Khosroabadi** introduced the proclamation and remarked on the importance of recognizing those who served in the armed forces. **Stauffer** noted the city's work with American Legion Post 180 and the Corporate Diffie Fund for Veterans. **Mayor Batey** proclaimed May 13-20, 2023, to be Armed Forces Week.

## **E. Public Works Week – Proclamation**

**Passarelli** introduced the proclamation and remarked on the importance of public works. **Mayor Batey** proclaimed May 21-27, 2023, to be Public Works Week.

## **4. SPECIAL REPORTS**

**A. None Scheduled.**

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the public comment procedures, and it was noted that no audience member wished to address Council.

## **6. CONSENT AGENDA**

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

**A. City Council Meeting Minutes:**

- 1. April 11, 2023, study session,**
- 2. April 18, 2023, work session, and**
- 3. April 18, 2023, regular session.**

**Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** recessed the meeting at 7:35 p.m. and reconvened at 7:45 p.m.

## **7. BUSINESS ITEMS**

**A. Housing Production Strategies (HPS) – Discussion**

**Briglio, Weigel, and Beth Goodman** with ECONorthwest reviewed the HPS and Housing Capacity Analysis (HCA) process. **Goodman** discussed changes to the HPS since the last Council report, how the HPS builds on the Milwaukie Housing Affordability Strategy (MHAS), and ways the city could fund and implement HPS actions.

**Councilor Khosroabadi, Goodman, and Briglio** commented on the legality of implementing a vacant second home tax.

**Councilor Massey** asked about the city’s ability to navigate required and optional HPS strategies. **Goodman, Weigel, Briglio, and Ober** commented on the limits of city staffing capacity, suggested the HPS was an aspirational document to be implemented over time, and noted the housing work Milwaukie had already done. The group commented on how the city partners with the state to implement housing goals.

**Councilor Khosroabadi** hoped the city could make progress on HPS goals in the next two to six years. **Briglio, Goodman, and Ober** noted state involvement in the HPS.

**Mayor Batey** and **Goodman** noted the HPS was not proposing the creation of a new urban renewal district and the group commented on whether the city should implement a transient lodging tax.

**Mayor Batey** discussed median family income (MFI) data in the HPS. **Goodman** and **Briglio** explained that the 120% MFI incentive was based on the city’s construction excise tax (CET) policies.

**Mayor Batey** suggested the demographic data in the HPS should call out ethnic groups. **Ober**, **Mayor Batey**, and **Councilor Stavenjord** remarked on how Council's support for changes to the HPS should be noted and how HPS adjacent policy discussions should be conducted. **Briglio** and **Goodman** noted where the demographic data in the HPS had come from. **Council President Nicodemus** asked for time to consider the demographic questions raised by Mayor Batey.

**Mayor Batey** suggested the HPS needed further definition of generational groups and asked about the HPS' density recommendations. **Goodman** noted that the HPS referred to density information in the HCA. **Weigel** noted that the HCA was moving on a tight timeline for approval through the Planning Commission.

**Council President Nicodemus** proposed, and Council agreed, to cancel the scheduled executive session that was to follow the regular session.

It was noted that Council would finish HPS questions before moving to HCA questions.

The group commented on when the city would revisit the population density analysis and what it would cost to revisit it now.

**Mayor Batey** asked about using CET funds to backfill system development charge (SDC) funds for accessory dwelling units (ADUs) and housing. **Ober** and **Weigel** explained it could be possible with a policy or code change.

**Councilor Stavenjord** and **Briglio** noted the proposed policy discussions listed as actions in the HPS were options the city could pursue and were not required. The group discussed how to word policy actions to be clearer.

**Mayor Batey** asked about language in the HCA related to permitted ADUs, suggesting that the document was not clear on what time periods it was referring to. **Weigel**, **Councilor Stavenjord**, and **Goodman** explained how the HCA used data from different time periods.

**Mayor Batey** asked what a single attached unit was and **Goodman** and **Weigel** explained those are town houses and were different from duplexes or triplexes.

The group discussed whether the city should focus on home ownership as a policy goal.

**Weigel** noted the HPS would be back for Council consideration on June 6.

## **8. PUBLIC HEARING**

### **A. None Scheduled.**

## **9. COUNCIL REPORTS**

### **A. Legislative and Regional Issues – Discussion**

**Stauffer** provided an update on legislation the city had been tracking and the group discussed the status of bills.

**Ober** noted the need for Council to send a letter regarding the Regional Transportation Plan (RTP) to request the prioritization of city projects. The group noted the city's Capital Improvement Plan (CIP) list would be used for the letter and there was Council consensus for the mayor to sign the RTP letter.

## **10. ADJOURNMENT**

**It was moved by Council President Nicodemus and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** adjourned the meeting at 9:31 p.m.

Respectfully submitted,

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Scott Stauffer, City Recorder

**COUNCIL SITE VISIT**

Seven Acres Apartments, 10999 SE 37<sup>th</sup> Avenue  
([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

JUNE 5, 2023

**Council Present:** Councilors Adam Khosroabadi and Robert Massey, Council President Desi Nicodemus, and Mayor Lisa Batey

**Council Absent:** Councilor Rebecca Stavenjord

**Staff Present:** Joseph Briglio, Community Development Director    Emma Sagor, Assistant City Manager  
Ann Ober, City Manager

Members of Council and staff participated in a site visit starting at 4:05 p.m. The group toured the Seven Acres Apartments. The tour ended at 5:23 p.m. and Council took no actions.

Respectfully submitted,

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Ann Ober, City Manager



**COUNCIL STAFF REPORT**

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

**Reviewed:** Scott Stauffer, City Recorder

**From:** Nicole Madigan, Deputy City Recorder

**Subject:** **Appointments to City Boards and Committees**

**Date Written:** June 5, 2023

**ACTION REQUESTED**

As outlined in the Milwaukee Municipal Code (MMC), Council is asked to consider approving a resolution making appointments and reappointments to city boards and committees (BCs).

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

February to April 2023: the city conducted the second annual BC recruitment process. A total of 36 applications were received.

April to May 2023: all applicants were invited to participate in Spark Hire video interviews and some applicants were asked to participate in follow-up Zoom interviews.

**ANALYSIS**

Authority to fill city BC vacancies is granted to the Mayor and Council by Section 26 of the City Charter. To fill vacant positions, members of Council, and appropriate staff liaisons and BC chairs, conduct interviews from applications received by the city. The interview panel makes appointment recommendations to Council, which considers and typically approves recommendations through the regular session consent agenda. Appointed individuals serve for a term length determined by the MMC. Upon the completion of a term, if the individual is eligible, they may be reappointed by Council to serve another term.

BC appointments are made when a term has expired or when a position has been vacated. BC terms expire on June 30, but appointments are also made as needed to fill vacancies. Some BCs have positions nominated by neighborhood district associations (NDAs) instead of by an interview panel. NDA-nominated appointments are noted if applicable; there are no NDA-nominated appointments in this round of appointments.

In the winter and spring of 2023, the city undertook its second annual BC recruitment and interview process. 36 applications were received, and all were invited to participate in the Spark Hire video interviews with just a few participating in the follow up Zoom interview round. The individuals recommended for appointment have been nominated by interview panels consisting of members of Council, the staff liaisons, and BC representatives.

All BC positions are term limited, meaning there is a limit to the number of times that members can be re-appointed. None of the individuals recommended for appointment have served on city BCs in the last two years and are therefore eligible for reappointment in the future. **Two** of the nominated individuals would be appointed “zero” terms that have already been started by other individuals; zero terms are noted with an \*.



## BUDGET, CLIMATE, & WORKLOAD IMPACTS

There are no fiscal, climate, or workload impacts associated with the recommended actions.

## COORDINATION, CONCURRENCE, OR DISSENT

The office of the city recorder worked with BC staff liaisons, BC chairs, and members of Council to interview and nominate the following individuals.

## STAFF RECOMMENDATION

Staff recommends making the following appointments:

**Arts Committee:** two-year terms, limit of three consecutive terms.

Position	Name	Term Start Date	Term End Date
3	Whitney Lyons	7/1/2023	6/30/2025
9	Hamid Shibata Bennett*	7/1/2023	6/30/2024

**Audit Committee:** two-year terms, limit of three consecutive terms.

Position	Name	Term Start Date	Term End Date
1	Mack Golos	7/1/2023	6/30/2025

**Budget Committee:** four-year terms, limit of two consecutive terms.

Position	Name	Term Start Date	Term End Date
1	William Johnson	7/1/2023	6/30/2027
4	Sofie Sherman Burton	7/1/2023	6/30/2027

**Park and Recreation Board (PARB):** two-year terms, limit of three consecutive terms.

Position	Name	Term Start Date	Term End Date
2	Max Penneck	7/1/2023	6/30/2025

**Planning Commission:** four-year terms, limit of two consecutive terms.

Position	Name	Term Start Date	Term End Date
1	Will Mulhern	7/1/2023	6/30/2027

**Public Safety Advisory Committee (PSAC):** two-year terms, limit of three consecutive terms.

Position	Name	Term Start Date	Term End Date
4	David Enciso*	7/1/2023	6/30/2024

**Tree Board:** three-year terms, limit of three consecutive terms.

Position	Name	Term Start Date	Term End Date
4	Ashley Lookerhouse*	7/1/2023	6/30/2025
6	Camden McKone	7/1/2023	6/30/2026

## ALTERNATIVES

Council could decline to make the recommended appointments, which would result in vacancies on the noted boards and committees.

## ATTACHMENTS

1. Resolution

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
MAKING APPOINTMENTS TO CITY BOARDS AND COMMITTEES.**

WHEREAS Milwaukie Charter Section 26 authorizes the mayor, with the consent of the Council, to make appointments to boards and committees (BCs), and

WHEREAS several BC positions are currently vacant or will be vacant as of June 30, and

WHEREAS the city conducted a second annual BC recruitment and interview process which resulted in interview panels consistent of Council members, staff liaisons, and BC members, nominating the individuals named below to fill BC positions, and

WHEREAS staff recommends the following qualified individuals be reappointed.

**Arts Committee:**

Position	Name	Term Start Date	Term End Date
3	Whitney Lyons	7/1/2023	6/30/2025
9	Hamid Shibata Bennett	7/1/2023	6/30/2024

**Audit Committee:**

Position	Name	Term Start Date	Term End Date
1	Mack Golos	7/1/2023	6/30/2025

**Budget Committee:**

Position	Name	Term Start Date	Term End Date
1	William Johnson	7/1/2023	6/30/2027
4	Sofie Sherman Burton	7/1/2023	6/30/2027

**Park and Recreation Board (PARB):**

Position	Name	Term Start Date	Term End Date
2	Max Penneck	7/1/2023	6/30/2025

**Planning Commission:**

Position	Name	Term Start Date	Term End Date
1	Will Mulhern	7/1/2023	6/30/2027

**Public Safety Advisory Committee (PSAC):**

Position	Name	Term Start Date	Term End Date
4	David Enciso	7/1/2023	6/30/2024

**Tree Board:**

Position	Name	Term Start Date	Term End Date
4	Ashley Lookenhouse	7/1/2023	6/30/2025
6	Camden McKone	7/1/2023	6/30/2026

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the individuals named in this resolution are appointed to the identified boards and committees of the City of Milwaukie for the term dates noted.

Introduced and adopted by the City Council on **June 6, 2023**.

This resolution is effective immediately.

ATTEST:

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Lisa M. Batey, Mayor

APPROVED AS TO FORM:

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Nicole M. Madigan, Deputy City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
**Reviewed:** Ann Ober, City Manager,  
Joseph Briglio, Community Development Director, and  
Steve Adams, City Engineer  
**From:** Laura Weigel, Planning Manager  
**Subject:** **IGA with ODOT for Transportation System Plan Assistance**

**Date Written:** June 8, 2023

**ACTION REQUESTED**

Council is asked to adopt a resolution authorizing an intergovernmental agreement (IGA) with the Oregon Department of Transportation (ODOT) to update the city's Transportation System Plan (TSP) through an in-kind grant award from the transportation and growth management program.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[June 15, 2021](#): Council adopted a resolution requesting funding assistance from ODOT to update the city's TSP.

September 24, 2021: The city was notified of an award for ODOT funding assistance for the TSP update.

[August 2, 2022](#): Staff proposed the composition and structure of the TSP Advisory Committee (TSPAC), and Council directed staff to recruit and interview committee members.

[December 6, 2022](#): Council appointed the TSPAC.

**BACKGROUND****The TSP**

The TSP is the city's long-term plan for transportation improvements and includes goals and policies that guide improvements to the system over a 20-year horizon. It also identifies projects that can be implemented through the city's Capital Improvement Plan (CIP), development review, or grant funding.

The last major update to the TSP was in 2007. While parts of the TSP have been updated, much of the plan remains out-of-date and not informed by the 2020 Comprehensive Plan update, the 2018 Climate Action Plan, the extension of light rail to the city, and the city's current level of development.

A big step towards building transportation projects identified in the TSP was the development of the Safe Access for Everyone (SAFE) program, which is the city's program to improve safety for people walking, biking, and more. SAFE calls for upgrading the city's network of connections, such as sidewalks, ramps, and crossings, to fill network gaps, replace portions that do not meet Americans with Disabilities Act (ADA) standards, and remove barriers for people to get where they need to go safely. SAFE's goal is to build 27.9 miles of sidewalk and/or paths

and 900 ADA ramps. Over eight miles of sidewalk and/or multi-use paths and 316 ADA ramps have been added since the program began.

From a state perspective, the TSP fulfills the requirements of Statewide Planning Goal 12 (Transportation), which is largely implemented through the state's Transportation Planning Rule (TPR). The TPR specifies what must be included in local planning efforts for transportation, and what must be addressed and included in a transportation system plan.

New requirements in the TPR were issued earlier this year as a result Governor Kate Brown 2020 [Executive Order 20-4](#) directing various state agencies and commissions to take action to reduce and regulate greenhouse gas emissions to address equity. Recognizing that past planning processes and policies have harmed underserved populations (and that these populations are often most exposed to risks associated with climate pollution), cities and counties are required to center the voices and interests of underserved populations in the transportation planning process. The city must demonstrate through the newly required Equity Analysis component of the TSP how it engaged members of underserved populations in the TSP update, which is where the consultant We All Rise will be especially valuable. Jurisdictions are also required to prioritize transportation investments based on new criteria. The new criteria require that jurisdictions prioritize transportation projects that reduce per-capita vehicle-miles-traveled, lead to more walkable communities, promote safety, and improve transportation outcomes for underserved populations. Specifically, the TSP must:

- Assess, document, acknowledge, and address where past policies and effects of climate change have harmed and are likely to perpetuate harm to underserved populations.
- Assess, document, acknowledge, and address where current and past racism has harmed and continues to harm underserved populations.
- Recognize where and how intersectional discrimination compounds disadvantages.

These new state requirements reflect Council goals to mitigate climate change and Council's commitment to the pursuit of making Milwaukie entirely equitable.

### **BUDGET IMPACTS**

The city is responsible for an in-kind cash match of \$100,000 which has been accounted for in the CIP.

### **CLIMATE IMPACTS**

The transportation sector is the second largest sector of emissions in the city according to the 2016 greenhouse gas inventory. Internal combustion engine vehicles for passenger travel, fleet, freight, and other commercial uses contribute to increased carbon emissions as well as poor air quality. The promotion and planning for equitable low-emission transportation such as public transportation, and alternative transportation including pedestrian and bike systems, as well as electric vehicles and associated charging infrastructure is essential in reducing Milwaukie's community carbon emissions. Specific actions for transportation emissions reductions can be found in the land use and transportation, and the vehicles and fuels actions sections in the CAP and may be applicable to the TSP.

### **WORKLOAD IMPACTS**

The TSP update project has been identified as part of the planning and engineering department work plans for several years and has been accounted for accordingly.

**COORDINATION, CONCURRENCE, OR DISSENT**

Updating the TSP will be well-coordinated between planning, engineering and public works and will include many meetings and communication between city staff, jurisdictional partners, and community members.

**ALTERNATIVES**

None.

**ATTACHMENTS**

1. Resolution

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF MILWAUKIE, OREGON, AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT) TO UPDATE THE CITY'S TRANSPORTATION SYSTEM PLAN.**

**WHEREAS** the Transportation and Growth Management (TGM) Program is a joint program of Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD); and

**WHEREAS** the TGM Program provides grants for local governments to better integrate transportation and land use planning and develop new ways to manage growth to achieve compact pedestrian, bicycle, and transit friendly urban development; and

**WHEREAS** the City Council has prioritized updating the city's existing Transportation System Plan (TSP) to be consistent with the 2040 Community Vision, 2020 Comprehensive Plan, and Climate Action Plan, and the city was awarded a grant through the TGM Program to complete these updates; and

**WHEREAS** the TSP updates will address the community's emerging needs, preferences, and goals specifically related to transportation, and address goals and policies identified in the Comprehensive Plan as they relate to transportation, including equity, climate change, housing, urban design, and economic development; and

**WHEREAS** ODOT is responsible for contracting with the consulting firm to perform services in connection with the TSP updates; and

**WHEREAS** the city will provide an in-kind cash match of \$100,000 towards the consulting services and coordinate administration of the project with ODOT.

**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 sign the intergovernmental agreement with ODOT for TSP updates.

Introduced and adopted by the City Council on **June 20, 2023**.

This resolution is effective immediately.

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Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

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Nicole M. Madigan, Deputy City Recorder

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Justin D. Gericke, City Attorney

**COUNCIL STAFF REPORT**

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

**Date Written:** June 9, 2023

**Reviewed:** Kelli Tucker, Accounting & Contracts Specialist, and  
Toby LaFrance, Finance Director

**From:** Michael Osborne, Assistant Finance Director

**Subject:** **Contract Authorization for Merchant Card Payment Services**

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**ACTION REQUESTED**

Council is asked to authorize the city manager to execute a contract with Tyler Technologies for merchant card payment services.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

City has contracted with OpenEdge for merchant card payment services since 2017.

[September 15, 2020](#): staff recommended that Council authorize a sole source contract with OpenEdge for merchant card payment services. The recommendation was due to the city's financial software, Tyler Technologies, informing staff that it was ending support for all processor solutions except OpenEdge. Council expressed concern with the city having only one option and asked staff to come back after further research had been completed.

September 24, 2020: staff reported back to Council detailing how credit card transactions work and why OpenEdge was the only choice. The options were limited due to security concerns, receiving real-time data, and integrating with the city's existing software platform. Council adopted [Resolution 63-2020](#) authorizing the execution of a contract with OpenEdge for merchant card payment services for a three-year term.

**ANALYSIS**

The current contract with OpenEdge expires in August. Since the last contract was executed, Tyler has developed its own product for processing merchant card payments, Tyler Payments, giving the city another choice for processing credit card transactions. Staff has met several times with Tyler to discuss their new product, the benefits of real-time data, and its integration within Tyler's current financial software used by the city.

While Tyler still offers OpenEdge and supports the card processor with its software platform, there is a risk that in the near future Tyler will end that relationship and focus solely on their own product. This was the scenario a few years back when Tyler ended their support of three other card processors.

Staff contacted the cities of Lake Oswego and West Linn, as both agencies use Tyler as a financial software system. Lake Oswego is planning to move to Tyler Payments in January 2024, and West Linn is exploring their options but expect to go with Tyler Payments as well.



With two options now available to the city, OpenEdge can no longer be considered a sole source procurement; nor can a competitive bid process be followed as only two providers can meet the requirements of the city. Therefore, staff recommends entering into a contract to add the Tyler Payments card processing module to its existing software platform with Tyler Technologies. This added product is an extension of the existing software platform and compliant with procurement.

Additionally, Tyler Payments has the ability to accept eChecks, which is a feature the city could add as an alternative payment method, which would potentially reduce transaction fees.

**BUDGET IMPACT**

The anticipated cost of moving the merchant card service contract to Tyler is estimated to cost an additional \$5,000 per year.

**WORKLOAD IMPACT**

None.

**CLIMATE IMPACT**

None.

**COORDINATION, CONCURRENCE, OR DISSENT**

None.

**STAFF RECOMMENDATION**

Staff recommends that Council authorize the city manager to sign a contract with Tyler Technologies for the merchant card payment solution, Tyler Payments.

**ALTERNATIVES**

Council could decline to authorize the contract and direct staff to proceed with a non-integrated option. This option will require an extended term with OpenEdge while staff explores options and workload capacity for a manual process.

**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 EXECUTION OF A CONTRACT WITH TYLER PAYMENTS FOR MERCHANT CARD PAYMENT SERVICES.**

**WHEREAS** the city offers debit and credit card payments for services including, but not limited to, court fines, utilities, parking, and library fines; and

**WHEREAS** the city is committed to providing its customers a secure payment solution that is compliant with Payment Card Industry Security Standards (PCI DSS); and

**WHEREAS** staff met with Tyler Technologies about adding a new card processing module, Tyler Payments, to the city’s current system for the purpose of accepting merchant card payments, and

**WHEREAS** staff concluded that entering a contract with Tyler Payments would be in the city’s best interest based on the ability to receive real time data and integrate with the city’s existing accounting software, provided by Tyler Technologies; and

**WHEREAS** the procurement of Tyler Payments is compliant with the city’s public contracting rules as this service is an added module to the city’s existing agreement.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager, or designee, is authorized to execute a three-year contract with Tyler Technologies for PCI DSS-compliant card payment processing services, and the finance director or designee is authorized to administer any necessary subsequent documents.

Introduced and adopted by the City Council on **June 20, 2023**.

This resolution is effective immediately.

\_\_\_\_\_  
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Nicole M. Madigan, Deputy City Recorder

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



MILWAUKIE POLICE DEPARTMENT

Memorandum

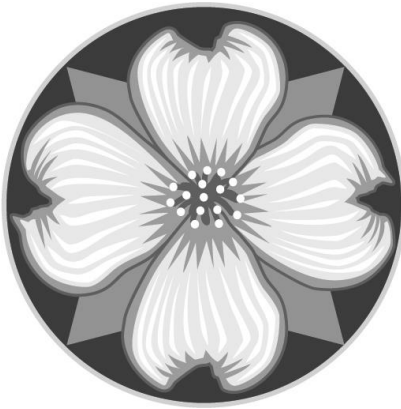
**To:** Mayor Batey and Milwaukie City Council  
**From:** Luke Strait, Police Chief *LS*  
**Through:** Ann Ober, City Manager  
**Date:** May 30, 2023  
**Re:** OLCC Application – Kori’s Café – 10675 SE 42<sup>nd</sup> Ave

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Action requested:

It is respectfully requested the council approve the OLCC application for Kori’s Café located at 10675 SE 42<sup>nd</sup> Ave. Milwaukie, OR 97222.

We have conducted a background check and find no reason to deny the request for the liquor license.



**RS Agenda Item**

**7**

**Business Items**

**COUNCIL STAFF REPORT**

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

**Reviewed:** Joseph Briglio, Community Development Director, and  
Laura Weigel, Planning Manager

**From:** Brett Kelper, Senior Planner

**Subject:** **Annexation of Property at 9214 SE 55<sup>th</sup> Ave**

**Date Written:** June 8, 2023

**ACTION REQUESTED**

Council is asked to approve application A-2023-003, an annexation petition, and adopt the attached ordinance and associated findings in support of approval (Attachment 1). Approval of this application would result in the following actions:

- Annexation into the city of 9214 SE 55<sup>th</sup> Ave (Tax Lot 1S2E30AC00700), the “annexation property.”
- Application of a moderate density residential (MD) Comprehensive Plan land use designation and a moderate density residential (R-MD) zoning designation to the annexation property.
- Amendments to the city’s Comprehensive Plan land use map and zoning map to reflect the city’s new boundary and the annexation property’s new land use and zoning designations.
- Withdrawal of the annexation property from the following urban service districts:
  - Clackamas County Service District for Enhanced Law Enforcement
  - Clackamas County Service District #5 for Street Lights

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**July 1990:** Clackamas County Order No 90-726 established an urban growth management agreement (UGMA) in which the city and county agreed to coordinate the future delivery of services to the unincorporated areas of north Clackamas County. With respect to Dual Interest Area “A,” the agreement states: “The city shall assume a lead role in providing urbanizing services.”

**January 2010:** Council annexed the rights-of-way (ROW) in the Northeast Sewer Extension (NESE) project area making all properties in this area contiguous to the city limits and eligible for annexation (Ordinance #2010).

**June 2010:** Council approved the first annexation of property in the NESE project area (Ordinance #2016, land use file #A-10-01). Since then, Council has approved the annexation of approximately 170 additional properties in the NESE area. To date, there are approximately 89 properties within the NESE project area that have not yet annexed.

**April 2023:** The primary property owner at 9214 SE 55<sup>th</sup> Ave approached the city’s community development department about connecting to city sewer in conjunction with selling the

property. She was informed of the need to annex and given the expedited annexation application packet.

## ANALYSIS

### Proposal

The applicants, Maria Loper and Thomas Garrison, have applied to annex the 28,525-sq-ft (0.65-acre) site to the city. The annexation property is undeveloped. It has residential Clackamas County land use and zoning designations and will receive equivalent residential city land use and zoning designations upon annexation.

### Site and Vicinity

The annexation property is within the city's UGMA area and is contiguous to the existing city limits along the public right-of-way (ROW) of 55<sup>th</sup> Avenue to the west and where adjacent to neighboring properties to the east (see Figure 1). The annexation property is undeveloped and was previously part of the adjacent property to the south, which is developed with a single-unit house. The surrounding area consists primarily of other single-unit detached residential dwellings, with a large industrial property adjacent to the east.

### Annexation Petition

The petition is being processed as an expedited annexation. Under the expedited process, a city land use and zoning designation is automatically applied to the annexation property upon annexation. Any property that is within the UGMA area and contiguous to the city boundary may apply for an expedited annexation so long as all property owners of the area to be annexed and at least 50% of registered voters within the area to be annexed consent to the annexation. Clackamas County has certified that these thresholds are met for the annexation property.

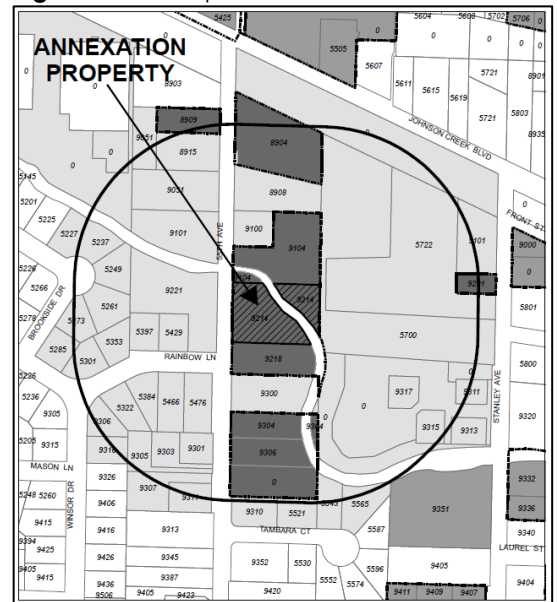
As set forth in Milwaukie Municipal Code (MMC) Table 19.1104.1.E, the expedited annexation process automatically assigns city land use and zoning designations to the annexation property based on the existing Clackamas County land use and zoning designations. The existing county Comprehensive Plan land use designation for the annexation property is low density residential (LDR), which corresponds to the city's moderate density (MD) Comprehensive Plan designation upon annexation. The current county zoning designation for the annexation property is urban low-density residential R-7, which corresponds to a city zoning designation of moderate density residential (R-MD) upon annexation.

Pursuant to city, regional, and state regulations on expedited annexations, all necessary parties, interested persons, and residents and property owners within 400 feet of the site were notified of these proceedings under MMC 19.1103.4.1.C. A public hearing is not required for an expedited annexation; however, Council must adopt an ordinance to implement the annexation.

### Annexation Approval Criteria

The annexation application is subject to Milwaukie Comprehensive Plan Section 12 Urban Growth Management, Oregon Revised Statutes (ORS) Chapter 222 City Boundary Changes,

Figure 1. Site Map



Metro Code Chapter 3.09 Local Government Boundary Changes, and MMC Chapter 19.1100 Annexations and Boundary Changes.

Expedited annexations must meet the approval criteria of MMC 19.1102.3. Compliance with the applicable criteria is detailed in Attachment 1 (Exhibit A, Findings).

### **Utilities, Service Providers, and Service Districts**

The city is authorized by ORS 222.120(5) to withdraw the annexation property from non-city service providers and districts upon annexation to the city. This allows for a more unified and efficient delivery of urban services to the newly annexed property and is in keeping with the city's Comprehensive Plan policies relating to annexation.

- Wastewater: The annexation property is within the city's sewer service area and can be served by an extension of the city's 8-inch sewer line currently accessible in 55<sup>th</sup> Avenue.
- Water: Both the city and Clackamas River Water (CRW) have existing water lines in 55<sup>th</sup> Avenue that are accessible to the annexation property. Pursuant to the city's intergovernmental agreement (IGA) with CRW, water service will be provided by CRW and the annexation property will not be withdrawn from this district at this time.
- Storm: The annexation property is not connected to a public stormwater system. Treatment and management of on-site stormwater will be required when new development occurs.
- Fire: The annexation property is currently served by Clackamas Fire District #1 and will continue to be served by this fire district upon annexation since the entire city is within this district.
- Police: The annexation property is currently served by the Clackamas County Sheriff's Office and is within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The city has its own police department, and this department can adequately serve the site. To avoid duplication of services, the site will be withdrawn from this district upon annexation to the city.
- Street Lights: As of July 1, 2011, an IGA between the city and Clackamas County Service District No. 5 for Street Lights (the "district") transferred operational responsibility to the city for the street lights and street light payments in the city's NESE project area. The annexation property will be withdrawn from the district upon annexation to the city.
- Other Services: Community development, public works, planning, building, engineering, code enforcement, and other municipal services are available through the city and will be available to the site upon annexation. The annexation property will continue to receive services and remain within the boundaries of certain regional and county service providers, such as TriMet, North Clackamas School District, Vector Control District, and North Clackamas Parks and Recreation District.

### **BUDGET IMPACTS**

This annexation will have minimal fiscal impact on the city. As with most annexations of residential properties, the costs of providing governmental services will likely be offset by the collection of property taxes. According to Clackamas County Assessor data, the total current assessed value of the annexation property is \$134,646. Based on the latest information available (from the Clackamas County Rate Book for 2022), total property tax collection of approximately

\$2,887 is anticipated for the annexation property; the city will be provided with approximately \$624 of this total.

### **WORKLOAD IMPACTS**

For most city services, workload impacts from the annexation itself will be minimal and will likely include, but are not limited to, utility billing, provision of general governmental services, and the setting up and maintenance of property records.

### **CLIMATE IMPACTS**

The annexation will result in some impact to the climate, as the property is currently undeveloped but will likely be developed with at least a single-unit dwelling in the near term.

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

All city departments, necessary parties, interested persons, and residents and property owners within 400 feet of the annexation property were notified of these proceedings as required by city, regional, and state regulations. The Lewelling Neighborhood District Association (NDA) also received notice of the annexation petition and the Council meeting.

The city did not receive comments from any necessary parties with objections to the proposed annexation.

### **STAFF RECOMMENDATION**

Approve the application and adopt the ordinance and findings in support of approval.

### **ALTERNATIVES**

Council has two decision-making options:

1. Approve the application and adopt the ordinance and findings in support of approval.
2. Deny the application and adopt findings in support of denial.

### **ATTACHMENTS**

1. Annexation Ordinance
  - Exhibit A. Findings in Support of Approval
  - Exhibit B. Legal Description and Annexation Map
2. Annexation Site Map
3. Applicant's Annexation Application



**COUNCIL ORDINANCE No.**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 1S2E30AC02400 AND LOCATED AT 9214 SE 55<sup>TH</sup> AVE INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE (FILE #A-2023-003).**

**WHEREAS** the territory proposed for annexation is contiguous to the city's boundary and is within the city's urban growth management area (UGMA); and

**WHEREAS** the requirements of the Oregon Revised Statutes (ORS) for initiation of the annexation were met by providing written consent from a majority of electors and all owners of land within the territory proposed for annexation; and

**WHEREAS** the territory proposed for annexation lies within the territory of the Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District #5 for Street Lights; and

**WHEREAS** the annexation and withdrawals are not contested by any necessary party; and

**WHEREAS** the annexation will promote the timely, orderly, and economic provision of public facilities and services; and

**WHEREAS** Table 19.1104.1.E of the Milwaukie Municipal Code (MMC) provides for the automatic application of city zoning and comprehensive plan land use designations; and

**WHEREAS** the city conducted a public meeting and mailed notice of the public meeting as required by law; and

**WHEREAS** the city prepared and made available an annexation report that addressed all applicable criteria, and, upon consideration of such report, the City Council favors annexation of the tract of land and withdrawal from all applicable districts based on findings and conclusions attached as Exhibit A.

**Now, Therefore, the City of Milwaukie does ordain as follows:**

Section 1. The Findings in Support of Approval attached as Exhibit A are adopted.

Section 2. The tract of land described and depicted in Exhibit B is annexed to the City of Milwaukie.

Section 3. The tract of land annexed by this ordinance and described in Section 2 is withdrawn from the Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District #5 for Street Lights.

Section 4. The tract of land annexed by this ordinance and described in Section 2 is assigned a Comprehensive Plan land use designation of moderate density residential (MD) and a municipal code zoning designation of moderate density residential R-MD.

Section 5. The city will immediately file a copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.030, ORS 222.005, and ORS 222.177. The annexation and withdrawal will become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Read the first time on \_\_\_\_\_ and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

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Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

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Nicole M. Madigan, Deputy City Recorder

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Justin D. Gericke, City Attorney

## EXHIBIT A

### FINDINGS IN SUPPORT OF APPROVAL

Based on the staff report for the annexation of 9214 SE 55<sup>th</sup> Ave, the “annexation property,” the Milwaukie City Council finds:

1. The annexation property consists of one tax lot comprising 0.65 acres (tax lot 1S2E30AC02400). The annexation property is contiguous to the existing city limits along the public right-of-way (ROW) of 55<sup>th</sup> Avenue to the west and where adjacent to neighboring properties to the east. The annexation property is within the regional urban growth boundary and also within the city’s urban growth management area (UGMA).  
  
The annexation property is undeveloped and was previously part of the adjacent property to the south, which is developed with a single-unit detached dwelling. The surrounding area consists primarily of other single-unit detached dwellings, with a large industrial property adjacent to the east.
2. The current owners of the annexation property seek annexation to the city to access city services, namely sewer service.
3. The annexation petition was initiated by consent of all owners of land on May 1, 2023, with an application for annexation submitted to the city on May 2, 2023. It meets the requirements for initiation set forth in ORS 222.125, Metro Code Section 3.09.040, and Milwaukie Municipal Code (MMC) Subsections 19.1104.1.A.3 and 19.1102.2.C.
4. The annexation petition was processed and public notice was provided in accordance with ORS Section 222.125, Metro Code Section 3.09.045, and MMC 19.1104. The annexation petition is being processed as an expedited annexation at the request of the property owner. It meets the expedited annexation procedural requirements set forth in MMC Section 19.1104.
5. The expedited annexation process provides for automatic application of city comprehensive plan land use and zoning designations to the annexation property based on their existing comprehensive plan land use and zoning designations in the county, which are urban low density residential (LDR) and residential R-7, respectively. Pursuant to MMC Table 19.1104.1.E, the automatic city comprehensive plan land use and zoning designations for the annexation property are both moderate density residential, MD and R-MD, respectively.
6. The applicable city approval criteria for expedited annexations are contained in MMC 19.1102.3. They are listed below with findings in italics.
  - A. The subject site must be located within the city’s urban growth boundary (UGB);  
*The annexation property is within the regional UGB and within the city’s UGMA.*
  - B. The subject site must be contiguous to the existing city limits;  
*The annexation property is contiguous to the existing city limits along the public ROW of 55<sup>th</sup> Avenue to the west and where adjacent to neighboring properties to the east.*

- C. The requirements of Oregon Revised Statutes for initiation of the annexation process must be met;

*Maria Loper and Thomas Garrison, the current property owners, consented to the annexation by signing the petition. There are currently no registered voters for the annexation property. As submitted, the annexation petition meets the Oregon Revised Statutes requirements for initiation pursuant to the "Consent of All Owners of Land" initiation method, which requires consent by all property owners and a majority of the electors, if any, residing in the annexation territory.*

- D. The proposal must be consistent with Milwaukie Comprehensive Plan policies;

*Section 12 of the comprehensive plan contains the city's annexation policies. Applicable annexation policies include: (1) prioritizing annexation of properties that are surrounded by land within the incorporated city limits and (2) requiring annexation in order to receive a city service. With annexation, the city will take over urban service provision for the property. City services to be provided include wastewater collection, stormwater management, police protection, and general governmental services. As proposed, the annexation is consistent with Milwaukie Comprehensive Plan policies.*

- E. The proposal must comply with the criteria of Metro Code Sections 3.09.045(d) and, if applicable, (e).

*The annexation proposal is consistent with applicable Metro code sections for expedited annexations as detailed in Finding 7.*

- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

*The annexation would add new territory within the city limits, and the new territory must be designated on both the zoning map and the comprehensive plan map for land use. These additions effectively constitute amendments to the zoning and comprehensive plan land use maps.*

The approval criteria for zoning map amendments and comprehensive plan amendments are provided in MMC 19.902.6.B and 19.902.4.B, respectively. Collectively, the criteria address issues such as compatibility with the surrounding area, being in the public interest and satisfying the public need, adequacy of public facilities, consistency with transportation system capacity, consistency with goals and policies of the Milwaukie Comprehensive Plan and relevant Metro plans and policies, and consistency with relevant State statutes and administrative rules.

*MMC Table 19.1104.1.E establishes automatic zoning map and comprehensive plan land use map designations for expedited annexations. If a proposed designation is consistent with the table, it is consistent with the various applicable plans and policies.*

*In the case of the proposed annexation, the annexation property will assume the zoning and comprehensive plan designations provided in MMC Table 19.1104.1.E, which are R-MD and moderate density residential, respectively. The approval criteria for both proposed amendments are effectively met.*

7. Prior to approving an expedited annexation, the city must apply the provisions contained in Section 3.09.045.D of the Metro Code. They are listed below with findings in italics.

A. Find that the change is consistent with expressly applicable provisions in:

(1) Any applicable urban service agreement adopted pursuant to ORS 195.065;

*There is one applicable urban service agreement adopted pursuant to ORS 195 in the area of the proposed annexation (see Finding 8, Street lights). The City has an UGMA agreement with Clackamas County that states that the City will take the lead in providing urban services in the area of the proposed annexation. The proposed annexation is in keeping with the city's policy of encouraging properties within the UGMA to annex to the city.*

*The City has an intergovernmental agreement with Clackamas Water Environment Services (WES) regarding wholesale rates for wastewater treatment, but that agreement does not address issues related to annexations.*

(2) Any applicable annexation plan adopted pursuant to ORS 195.205;

*There are no applicable annexation plans adopted pursuant to ORS 195 in the area of the proposed annexation.*

(3) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;

*There are no applicable cooperative planning agreements adopted pursuant to ORS 195 in the area of the proposed annexation.*

(4) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

*Clackamas County completed a North Clackamas Urban Area Public Facilities Plan in 1989 in compliance with Goal 11 of the Land Conservation and Development Commission for coordination of adequate public facilities and services. The city subsequently adopted this plan as an ancillary comprehensive plan document. The plan contains four elements:*

- Sanitary Sewerage Services*
- Storm Drainage*
- Transportation Element*
- Water Systems*

*The proposed annexation is consistent with the four elements of this plan as follows:*

*Wastewater: The City is the identified sewer service provider in the area of the proposed annexation and maintains a public sewer system that can adequately serve the annexation property via an 8-inch sewer line accessible in 55<sup>th</sup> Avenue.*

*Storm: The annexation property is not connected to a public storm water system. Treatment and management of on-site storm water will be required when new development occurs.*

*Transportation: Access is provided to the annexation property via the public ROW of 55<sup>th</sup>*

*Avenue, a neighborhood route maintained by the city. The City may require public street improvements along the annexation property's frontage when new development occurs.*

*Water: Clackamas River Water (CRW) is the identified water service provider in this plan. However, the City's more recent UGMA agreement with the county identifies the City as the lead urban service provider in the area of the proposed annexation. The City's water service master plan for all of the territory within its UGMA addresses the need to prepare for future demand and coordinate service provision changes with CRW. As per the City's intergovernmental agreement (IGA) with CRW, CRW will continue to provide water service to the annexation property through its existing water line in 55<sup>th</sup> Avenue.*

(5) Any applicable comprehensive plan.

*The proposed annexation is consistent with the Milwaukie Comprehensive Plan, which is more fully described on the previous pages. The Clackamas County Comprehensive Plan contains no specific language regarding city annexations. The comprehensive plans, however, contain the city-county UGMA agreement, which identifies the area of the proposed annexation as being within the city's UGMA. The UGMA agreement requires that the City notify the County of proposed annexations, which the City has done. The agreement also calls for City assumption of jurisdiction of local streets that are adjacent to newly annexed areas. The City has already annexed and taken jurisdiction of the public ROW in 55<sup>th</sup> Avenue adjacent to the annexation property.*

B. Consider whether the boundary change would:

(1) Promote the timely, orderly, and economic provision of public facilities and services;

*With annexation, the City will be the primary urban service provider in the area of the proposed annexation, and the annexation will facilitate the timely, orderly, and economic provision of urban services to the annexation properties.*

*The City has public sewer service in this area in 55<sup>th</sup> Avenue.*

(2) Affect the quality and quantity of urban services; and

*The annexation property consists of one undeveloped tax lot. Annexation of the site is not expected to affect the quality or quantity of urban services in this area, given the surrounding level of urban development and the existing level of urban service provision in this area.*

(3) Eliminate or avoid unnecessary duplication of facilities and services.

*Upon annexation, the annexation property will be served by the Milwaukie Police Department. In order to avoid duplication of law enforcement services, the site will be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement upon annexation.*

8. The City is authorized by ORS Section 222.120(5) to withdraw annexed territory from non-City service providers and districts upon annexation of the territory to the city. This allows

for more unified and efficient delivery of urban services to newly annexed properties and is in keeping with the City's comprehensive plan policies relating to annexation.

Wastewater: *The annexation property is within the City's sewer service area and can be served by the City's 8-inch sewer line accessible in 55<sup>th</sup> Avenue.*

Water: *Both the city and Clackamas River Water (CRW) have existing water lines in 55th Avenue that are accessible to the annexation property. Pursuant to the City's IGA with CRW, water service will continue to be provided by CRW and the annexation property will not be withdrawn from this district at this time.*

Storm: *The annexation property is not connected to a public storm water system. Treatment and management of on-site storm water will be required when new development occurs.*

Fire: *The annexation property is currently served by Clackamas Fire District #1 and will continue to be served by this fire district upon annexation, since the entire city is within this district.*

Police: *The annexation property is currently served by the Clackamas County Sheriff's Department and is within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The City has its own police department, and this department can adequately serve the site. In order to avoid duplication of services, the site will be withdrawn from this district upon annexation to the city.*

Street Lights: *As of July 1, 2011, an intergovernmental agreement between the City and Clackamas County Service District No. 5 for Street Lights (the "District") transferred operational responsibility to the City for the street lights and street light payments in the City's northeast sewer extension project area. The annexation property will be withdrawn from the District upon annexation to the city.*

Other Services: *Community development, public works, planning, building, engineering, code enforcement, and other municipal services are available through the City and will be available to the site upon annexation. The annexation property will continue to receive services and remain within the boundaries of certain regional and county service providers, such as TriMet, North Clackamas School District, Vector Control District, and North Clackamas Parks and Recreation District.*

**Exhibit B**

Annexation to the City Of Milwaukie  
LEGAL DESCRIPTION  
(revised June 5, 2023)

Milwaukie Annexation File No. A-2023-003

Property Address: 9214 SE 55<sup>th</sup> Ave, Milwaukie OR 97222

Tax Lot Description: 1S2E30AC02400

Legal Description: Part of Lot 5, GIBSON'S SUBDIVISION OF TRACTS NUMBERED 10, 11, 12, 13, AND THE WEST 480 FT OF TRACTS NUMBERED 1 AND 2 OF THE LOGUS TRACTS, Plat No. 216, located in the Northeast one quarter of Section 30, Township 1 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Lot 5; thence South 00°45'30" East, on the East line of said Lot 5, 151.52 feet to a point; thence, North 89°59'17" West parallel with the South line of said Lot 5, 219.89 feet to the West line of said Lot 5; thence, North 00°45'53" West on said West line, 151.52 feet to the Northwest corner thereof; thence, on the North line of said Lot 5, South 89°59'18" East 219.90 feet to the point of beginning.



1" = 100'

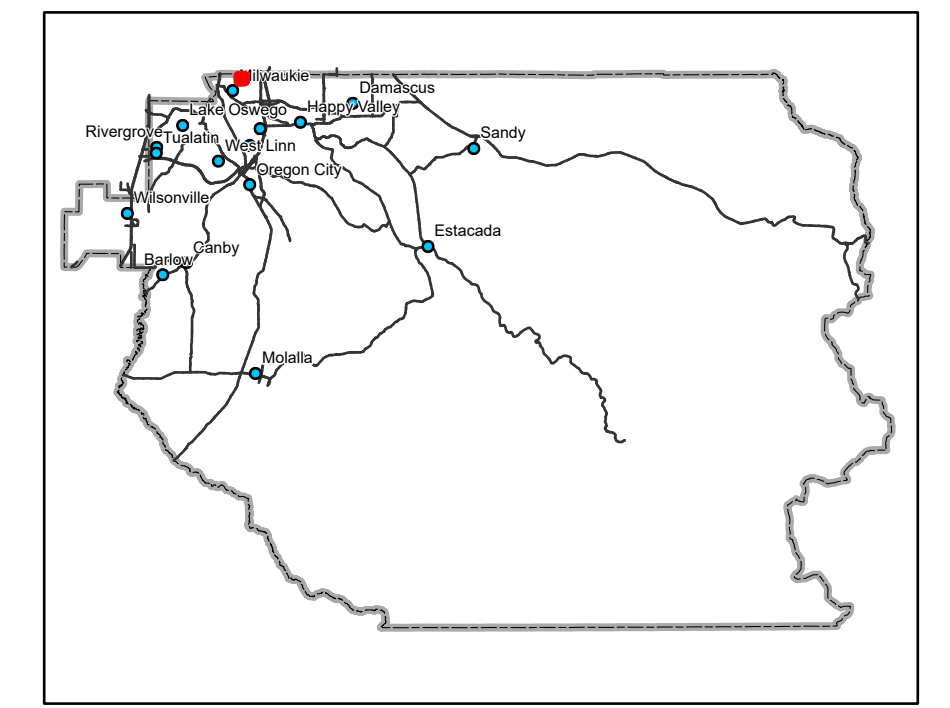
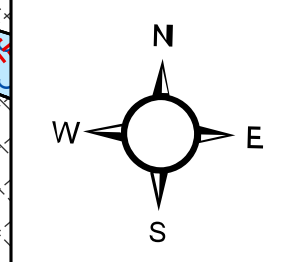
D. L. C.  
HECTOR CAMPBELL NO. 41  
GEORGE WILLS NO. 42

Cancelled

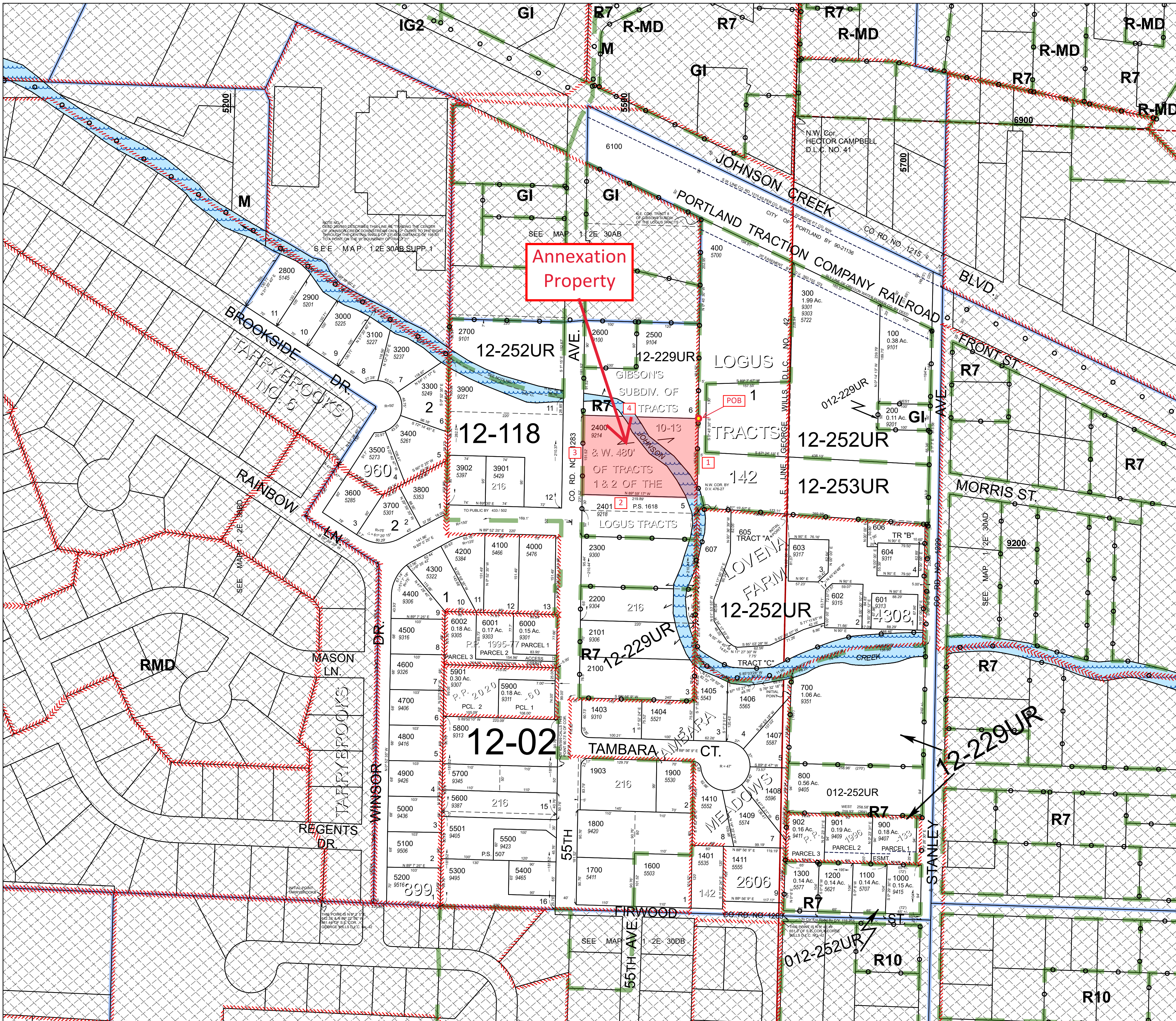
- 1400
- 1402
- 1500
- 2000
- 2001
- 2090
- 5601
- 1902
- 5701
- 500
- 600
- 400
- 1901
- 5900
- 5900
- 5901

**Key**  
 POB = Point of Beginning (NE corner of Lot 5)  
 1 = South 00°45'30" East, 151.52 ft  
 2 = North 89°59'17" West, 219.89 ft  
 3 = North 00°45'53" West, 151.52 ft  
 4 = South 89°59'18" East, 219.90 ft

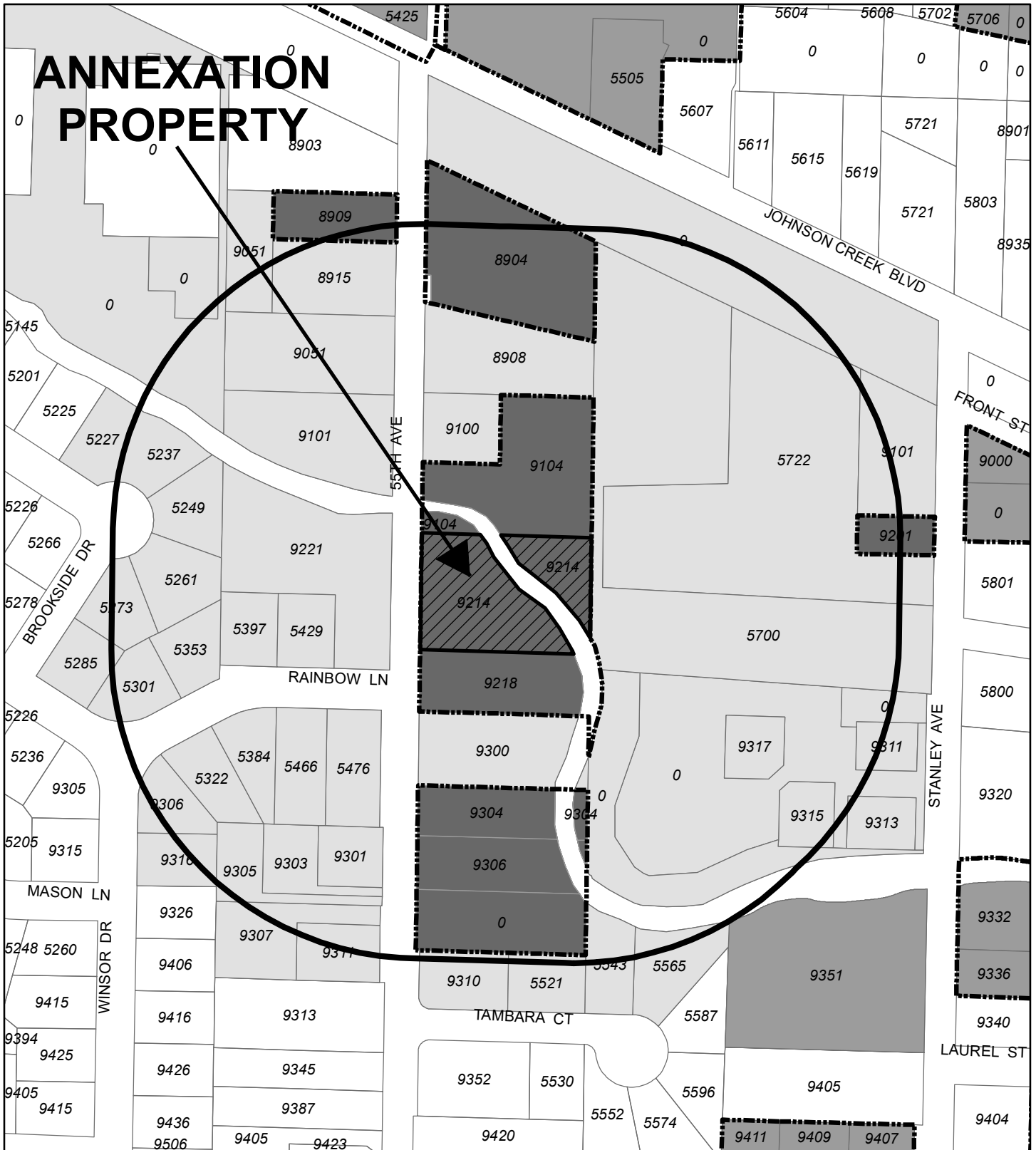
- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT  
PURPOSES ONLY














**Site Map**  
**9214 SE 55th Ave**  
**(Tax ID = 1S2E30AC, lot 2400)**  
**File #A-2023-003**



RS35

**Legend**

-  A-2023-003 site
-  400-ft public notice boundary
-  City Limit
-  Properties receiving notice (Milwaukie)
-  Properties receiving notice (unincorporated)
-  Other tax lots (Milwaukie)
-  Other tax lots (unincorporated)



MILWAUKIE PLANNING  
6101 SE Johnson Creek Blvd  
Milwaukie OR 97206  
503.786.7630  
planning@milwaukie.gov  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT

RECEIVED

MAY 2 2023

# Expedited Annexation Application

File # A-2023-003

### RESPONSIBLE PARTIES:

<b>APPLICANT</b> (owner or other eligible applicant): <u>Maria Loper</u>	
Mailing address: <u>14020 SE Schroeder Ave</u>	Zip: <u>97267</u>
Phone(s): <u>970-376-6777</u>	Email: <u>maria.loper@gmail.com</u>
<b>APPLICANT'S REPRESENTATIVE</b> (if different than above):	
Mailing address:	Zip:
Phone(s):	Email:

### SITE INFORMATION:

Address(es): <u>9214 SE 55th Ave 97206</u>	Map & Tax Lot(s): <u>12E30AC02400</u>
Existing County zoning: ... <u>R7</u>	Proposed City zoning: <u>R-MD</u> Property size: <u>.65</u> ...
Existing County land use designation: ...	Proposed City land use designation:

### PROPOSAL (describe briefly):

Annexation of vacant land for a new home with sewer connection

### LIST OF ALL CURRENT UTILITY PROVIDERS:

Check all that apply (do not list water or sewer service providers)

<b>Cable, internet, and/or phone:</b>	<input type="checkbox"/> Comcast	<input checked="" type="checkbox"/> CenturyLink
<b>Energy:</b>	<input checked="" type="checkbox"/> PGE	<input checked="" type="checkbox"/> NW Natural Gas
<b>Garbage hauler:</b>	<input type="checkbox"/> Waste Management	<input checked="" type="checkbox"/> Hoodview Disposal and Recycling
	<input type="checkbox"/> Wichita Sanitary	<input type="checkbox"/> Oak Grove Disposal <input type="checkbox"/> Clackamas Garbage
<input type="checkbox"/> Other (please list):		

### SIGNATURE:

**ATTEST:** I am the property owner, or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. I have attached all owners' and voters' authorizations to submit this application. I understand that uses or structures that were not legally established in the County are not made legal upon annexation to the City. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by:  Date: 5/2/2023

CONTINUED ON REVERSE

RESET

**THIS SECTION FOR OFFICE USE ONLY:**

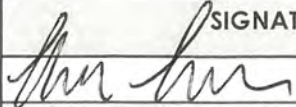
File #: <i>A-2023-003</i> Fee: \$ <i>150.</i> Receipt #: Recd. by:	Date stamp:
Associated application file #'s:	RECEIVED MAY 2 2023 CITY OF MILWAUKIE PLANNING DEPARTMENT
Neighborhood District Association(s):	
Notes (include discount if any):	

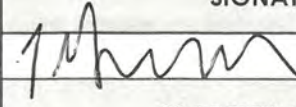


## PETITION SIGNERS

NOTE: This petition may be signed by qualified persons even though they may not know their property description or voter precinct number.

\*PO = Property Owner    RV = Registered Voter    OV = Owner and Registered Voter

SIGNATURE 	PRINTED NAME Maria Lopez	I AM A:*			DATE 5/1/23
		PO	RV	OV	
PROPERTY ADDRESS 9214 SE 55 <sup>th</sup> Ave 97206	PROPERTY DESCRIPTION				VOTER PRECINCT # 420
	TOWNSHIP 15	RANGE 2E	¼ SEC. 30 AC	LOT #(S) 2400	

SIGNATURE 	PRINTED NAME THOMAS GARRISON	I AM A:*			DATE 05/1/2023
		PO	RV	OV	
PROPERTY ADDRESS 9214 SE 55 <sup>th</sup> Ave 97206	PROPERTY DESCRIPTION				VOTER PRECINCT # 420
	TOWNSHIP 15	RANGE 2E	¼ SEC. 30 AC	LOT #(S) 2400	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	



**EXHIBIT "A"**  
Legal Description

PARCEL I:

Part of Lot 5, GIBSON'S SUBDIVISION OF TRACTS NUMBERED 10,11,12,13 AND THE WEST 480 FT. OF TRACTS NUMBERED 1 AND 2 OF THE LOGUS TRACTS, located in the Northeasterly one quarter of Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Lot 5; thence South 00°45'30" East, on the East line of said Lot 5, 151.52 feet to a point; thence, North 89°59'17" West parallel with the South line of said Lot 5, 219.89 feet to the West line of said Lot 5; thence, North 00°45'53" West on said West line, 151.52 feet to the Northwest corner thereof; thence, on the North line of said Lot 5, South 89°59'18" East 219.90 feet to the point of beginning.

PARCEL II:

A part of Lots 4 and 5, GIBSON'S SUBDIVISION OF TRACTS NUMBERED 10,11,12,13 AND THE WEST 480 FT. OF TRACTS NUMBERED 1 AND 2 OF THE LOGUS TRACTS, located in the Northeasterly one quarter of Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Lot 5; thence North 00°45'30" West, on the East line of said Lot 5, 30.00 feet to a point; thence North 89°59'18" West, parallel with the South line of said Lot 5, 219.89 feet to the East line of said Lot 5; thence South 00°45'53" East, on the West line of said Lot 5, and Lot 4, 80.00 feet to the South line of the North 50.00 feet of said Lot 4; thence South 89°59'18" East on said South line, 219.88 feet to a point on the East line of said Lot 4; thence, North 00°45'30" West on the East line of said Lot 5, 50.00 feet to the point of beginning.





**CERTIFICATION OF PROPERTY OWNERSHIP OF  
100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners<sup>1</sup> (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

Name JOSHUA BOLL

Title GIS CARTOGRAPHER II

Department ASSESSMENT & TAX

County of CLACKAMAS

Date 5/2/23



<sup>1</sup> Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

## CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the territory included within the attached petition (located on Assessor's Map 12E30AC) has been checked by me. It is a true and exact description of the territory under consideration and corresponds to the attached map indicating the territory under consideration.

Name JOSHUA BOLL

Title GIS CARTOGRAPHER II

Department ASSESSMENT & TAX

County of CLACKAMAS

Date 5/2/23



## CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.



Name Mea Anders *mf*  
Title Elections Specialist  
Department Elections / Clerk  
County of Clackamas  
Date 2023-05-02

## NOTICE LIST

(This form is NOT the petition)

LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS AND REGISTERED VOTERS IN THE TERRITORY PROPOSED FOR ANNEXATION.

	Name of Owner/Voter	Mailing Street Address	Property Address
		Mailing City/State/Zip	Property Description <small>(township, range, ¼ section, and tax lot)</small>
1	Mariz Lopez	14020 SE Schroeder Ave.	9214 SE 55 <sup>th</sup> Ave
		Portland, OR 97267	1S2E30AC02400
2	Thomas Garrison	P.O. Box 14843	9214 SE 55 <sup>th</sup> Ave
		Portland, OR 97293	1S2E30AC02400
3			
4			
5			
6			
7			
8			
9			
10			

# EXPEDITED ANNEXATION CODE EXCERPTS

## MILWAUKIE MUNICIPAL CODE SECTIONS

---

### 19.1104.1 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
- 5. Approval criteria for annexations are found in subsection 19.1102.3.

**19.1102.3 Annexation Approval Criteria.** The city council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria.

- A. The subject site must be located within the city urban growth boundary;
- B. The subject site must be contiguous to the existing city limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie comprehensive plan policies;
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).
- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

## METRO CODE SECTIONS

---

### 3.09.050 Hearing & Decision Requirements for Decisions Other Than Expedited Decisions.

- (d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.

## MILWAUKIE COMPREHENSIVE PLAN

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### Chapter 6: City Growth and Governmental Relationships; City Growth Element

Goal Statement: To identify the City's future planning and service area, establish the respective responsibilities for reviewing and coordinating land use regulations and actions within the area, and determine the most cost-effective means to provide the full range of urban services within the area.

#### Applicant Response

The proposal meets the applicable requirements listed above.

X \_\_\_\_\_

(Applicant's Signature)



# Milwaukie City Council Meeting PGE's Clean Energy Plan

Kristen Sheeran Ph.D., Senior Director of Sustainability Strategy  
and Resource Planning

June 20, 2023



# PGE at a glance

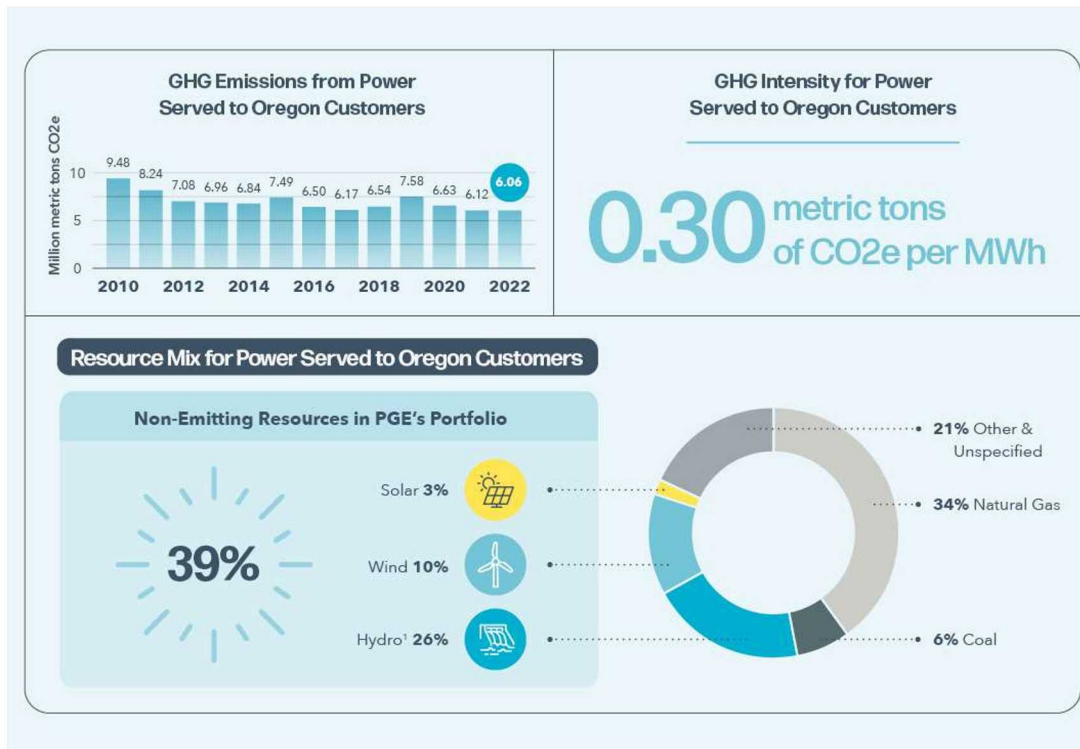
## Quick facts

- Vertically integrated electric utility encompassing generation, transmission and distribution
- Serving more than 900,000 retail customers within a service area of approximately 1.9 million residents
- Roughly half of Oregon's population lives within PGE service area, encompassing 51 incorporated cities entirely within the State of Oregon
- Roughly two-thirds of Oregon's commercial and industrial activity occurs in PGE service area



# 2022 PGE emissions & targets

Emissions are already 25% below HB 2021 target baseline level\*



## Emissions targets & goals

### HB 2021 Targets:

- 80% reduction below baseline for retail sales by 2030
- 90% reduction below baseline for retail sales by 2035
- 100% reduction below baseline for retail sales by 2040

### Voluntary Target:

- Net zero emissions company-wide by 2040

\*Baseline = 8.1 MMTCO2e as established by ODEQ based on average of 2010-2012 PGE reported emissions. Based on energy served to retail customers within the State of Oregon, as required by Oregon Department of Environmental Quality (ODEQ). Some or all the renewable energy attributes associated with PGE's Basic Service Mix may be sold, claimed, or not acquired.  
1. This includes power purchased from Bonneville Power Administration

All 2022 emissions data is preliminary and subject to change as internal review procedures are performed. Certain emissions information is subject to review and approval by the ODEQ and Environmental Protection Agency.



# Oregon HB 2021: 100% clean electricity



## Policy applicability

Investor-owned utilities (IOUs) – PGE and Pacific Power  
Electric Service Suppliers (ESSs)  
Idaho Power and consumer owner utilities are excluded from the bill



## Technology neutral

Based on absolute emissions as reported to ODEQ  
All decarbonization tools in play  
Avoids choosing winners and losers among technologies and allows utilities to integrate new technologies as they mature



## Customer affordability

Cost cap on compliance costs  
Utility investments will continue to be examined by the Commission for prudence  
Federal tax incentives will mitigate resource costs



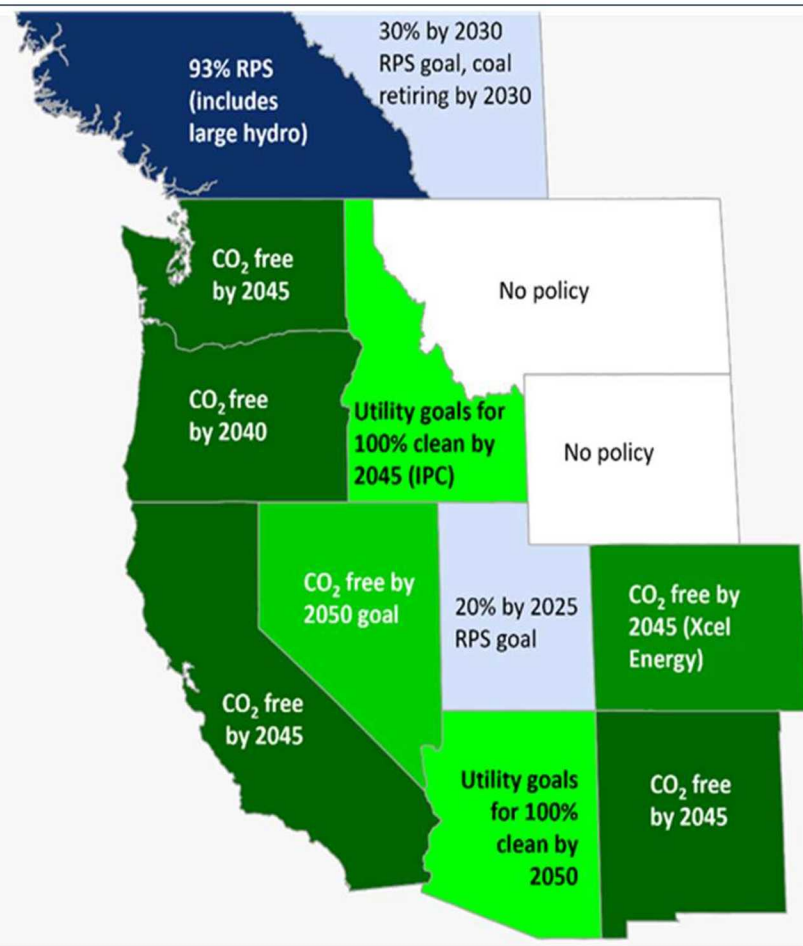
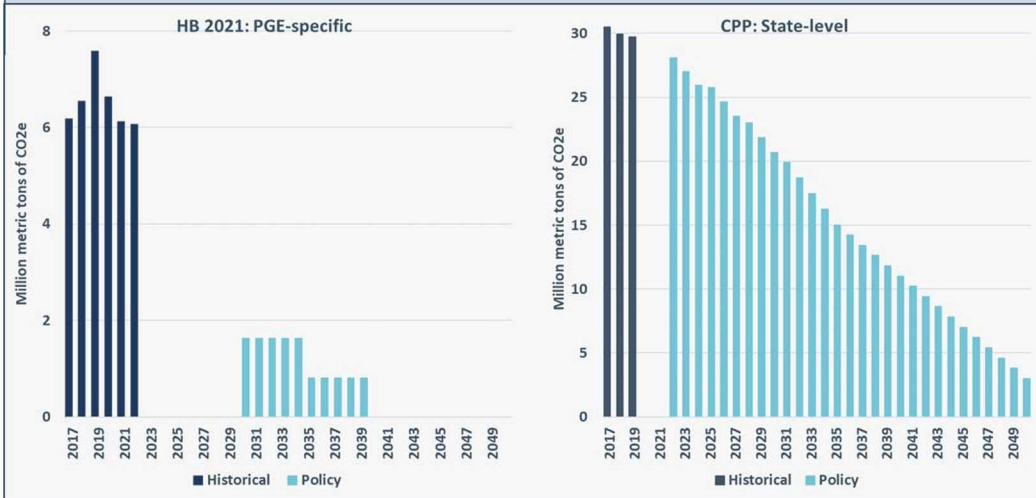
## System reliability

Temporary reliability pause if unforeseen resource variability impacts a utility's ability to meet the targets  
GHG emissions reduction activities are integrated into long-term planning with Commission oversight

# Decarbonizing during highly dynamic period of change

Federal, state, and regional decarbonization efforts pose significant challenges:

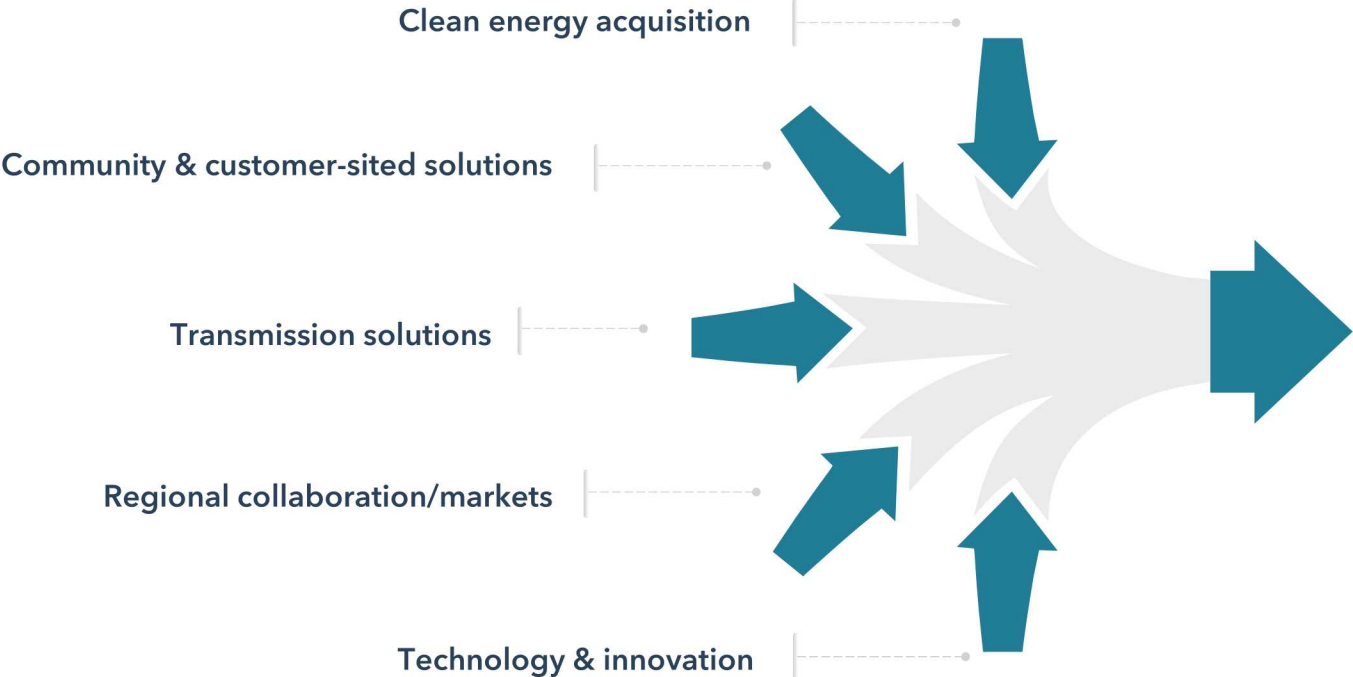
- Forecasting load
- Resource competition
- Supply chain and labor market dynamics
- Transmission constraints
- Resource adequacy
- Predicting rate of technology development and costs



# PGE's path to 2030 strategy

Our decarbonization strategy is multi-faceted to support reliable and affordable power

## Enabling strategies



## GHG reductions

- 1 Acquire sufficient non-emitting energy & capacity to replace fossil fuel generation/purchase
- 2 Systematically reduce fossil fuel generation / purchase for retail service
- 3 Actively work with customers to manage their energy wallet, maintain affordability

# Community-based renewable energy (CBRE)

Renewable energy system that connect to distribution or transmission systems

- Typically, < than 20MW
- Provide direct community benefits (resilience, bill savings, etc) through community ownership or community benefits agreement.
- Evolution of growing interest in small scale renewables and non-wire grid solutions.

**RFP for CBREs to be issued later this year.**



Beaverton Public Safety Center Microgrid



# Key Takeaways: Clean Energy Plan

---

2030 emissions targets can be met by technologies and resources that are currently known and commercially available. Pathways to 2040 will require further development of non-emitting resources to meet the region's energy and capacity needs.

---

PGE forecasts a significant renewable energy need of >3000MW by 2030.

---

Achieving emissions targets reliably and affordably requires access to a wider geographic diversity of resources and the transmission solutions to access them

---

Transmission constraints drive a greater role for customer-sited resources, including demand response, energy efficiency and community-based renewable energy

---

PGE's natural gas plants will continue to play a role in helping meet our resource adequacy needs during the clean energy transition.

---

If we can access federal, state, and local funding opportunities to support decarbonization on our system we can mitigate customer price pressure during the transition.

---

PGE's success will require continued collaboration with our customers, communities, and stakeholders and with a wide range of leaders at all levels of government.

# Questions?





Oregon Citizens'  
Utility Board

# Clean Energy Plan updates City of Milwaukie 6/20/23

Jennifer Hill-Hart

Oregon CUB

[www.oregoncub.org](http://www.oregoncub.org)

# Overview

- HB 2021
- PUC HB 2021 investigations
- Emissions Reduction Status
- Keeping rates affordable
- PGE's IRP & CEP
- Opportunities for engagement
- The role of electrification





# HB 2021 – 100% Clean Electricity law

- Oregon's electric utility clean energy law, did two big things.
  - It set the most aggressive clean energy standard in the country. Requiring utilities to reduce emissions by 80% by 2030 and 100% by 2040.
  - It reimagined the utility planning process to bring in community voices concerns and priorities, with a particular emphasis on environmental justice communities, which include communities of color and communities with low incomes.
- Applies to Oregon's two investor-owned electric utilities, Portland General Electric and PacifiCorp.
- The Oregon Public Utility Commission (PUC) will acknowledge a clean energy plan if it finds that it is consistent with the emissions' reduction requirements and in the public interest.



# HB 2021 – Emissions Reduction Requirements

- Emissions reduction requirements: The law uses an accounting framework that already exists at the Oregon Department of Environmental Quality (“DEQ”) and, under current DEQ rules. If the “underlying generating resource” is renewable, it will have zero carbon emissions in its DEQ accounting.
- These utilities can meet these emissions goals by using renewable energy or through energy conservation, utility-wide scale, or community level.



# HB 2021 - “Public Interest” requirement

- Public interest is defined as:
  - (a) Any reduction of greenhouse gas emissions that is expected through the plan, and any related environmental or health benefits;
  - (b) The economic and technical feasibility of the plan;
  - (c) The effect of the plan on the reliability and resiliency of the electric system;
  - (d) Availability of federal incentives;
  - (e) Costs and risks to the customers; and
  - (f) Any other relevant factors as determined by the commission.





# HB 2021 – Community Engagement

- HB 2021 implementation must “be done in a manner that minimizes burdens for environmental justice communities.”
  - “Environmental justice communities”: communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth and persons with disabilities.
- Community Benefits Impact Advisory Groups representative of environmental justice and low-income communities.
  - Biennial report assessing community benefits and impacts, including actions taken to increase energy resilience (ex, renewable energy, grid investments, storage, social and economic benefits).
  - Advise on equitable implementation of distribution plan and best practices for decreasing energy burden and disconnections.



# Oregon Public Utility Commission's HB 2021 Investigations

- UM 2225 (CEP filings) - Utility Clean Energy Plans are expected to be filed with the utility's planning document, the Integrated Resource Plan (IRP)
- UM 2273 (contested case) - Public investigation docket to determine what PUC expects in a utility CEP and how commission should consider whether to acknowledge plan, including:
  - How should "public interest" policy statement be considered?
  - What should the process for utility demonstrations of "continual progress" on CEPs look like?
- PGE's CEP/IRP (LC 80) provides public opportunities to comment on plans (next is July 20, 2023).
- New emphasis on accessibility of PUC dockets -- are community members not regularly involved in utility regulation world able to understand the planning process and meaningfully participate.





# Emissions Reduction Status

- HB 2021 consistent with the coal to clean law - Oregon utilities stop serving customers with coal by 2030.
- PGE closed the Boardman coal plant, its largest generating plant, and PacifiCorp has stopped burning coal at Naughton 3. PGE's reported emissions as of January this year were 26% below the baseline and PacifiCorp's was 9% below the baseline.
- Boardman was the easiest coal plant to deal with because it primarily served Oregon customers. Getting out of other coal plants is harder because we must work with other states and utilities.
- Closing coal plants has added costs to rates. Accelerating depreciation and update decommissioning add costs to rates. These are necessary steps in transitioning to a clean future. These are not large increases, but they are increases.



# Keeping rates affordable

- Need to manage rates to make transition affordable.
- Both PGE and PAC have raised rates by more than 20% over the last 2 years and both are set for additional double-digit rate increases this year.
- Increases are from increased power costs, Ukraine war impact on gas prices, general inflation, and supply chain difficulties. Also include costs to meet HB 2021, repairing damage from wildfires and wildfire mitigation. And all the other demands on their systems: EVs, storage, resiliency, new renewables, new QFs, new low-income programs, microgrids and everything else.
- Energy efficiency should be prioritized - lowers bills and reduces emissions. Right now, the federal government is offering tax credits and rebates on insulation, doors, windows, heat pumps, heat pump water heaters and dryers, and even convection stoves.





# PGE's IRP & CEP – Plan for compliance

- PGE's plan focuses on acquiring wind, solar, battery storage facilities, while placing limits on natural gas generation for load, and closing PGE's only coal plant, Colstrip before 2030.
- 1634 MW of new wind built by 2030, current wind capacity is 1116 MW capacity – 146 % increase in wind farm capacity by 2030
- 1166 MW of new solar built by 2030, current solar capacity is 832 MW capacity – 140 % increase in wind farm capacity by 2030
- 632 MW of Battery built by 2030, current battery capacity is ~40 MW capacity. – 1580% increase in battery capacity
- Community Based Renewable Energy - 155 MW capacity in 2026 – Most of this is expected to be solar, and these capacity numbers are not included in the solar numbers above.





# PGE's IRP & CEP – Community Based Renewable Energy

- Community Based Renewable Energy resources (CBREs) are a new for everyone – HB 2021 states CBREs can include one or more renewable energy system that can be combined with other resiliency measures including microgrids and storage systems, but investments must provide a direct benefit to the community.
- PGE is planning on procuring the equivalent of 7 small scale solar power plants of community-based renewables.
- PGE is proposing to move past least cost least risk in utility planning and including community benefits as a non-price score for evaluating community renewable projects. This resource will evolve overtime as communities give input on this.
- Community advocates would like broader engagement with environmental justice communities from the initial stages of a utility development of its CEP. And that those community-based renewable resources come from an understanding of what the individual communities' need most.



# PGE's IRP & CEP – CUB initial thoughts

- Risks of transmission delays
- Closing Colstrip - Carbon reductions can be immediately done by not using Colstrip. Colstrip is co-owned with other utilities in the NW, which make PGE's path from moving away from the facility not straight forward.
- Investing in customer-sided opportunities, like energy efficiency and demand response may need greater emphasis and can provide value to Milwaukee residents. We would like to see this option revisited more closely.
- Federal funding incentives and Justice40 initiative – requires 40% of benefits passed on to disadvantaged communities. Need more discussion. This is another reason we believe community engagement and buy-in is critical at all stages of CEP development and implementation.





# Opportunities for Engagement

- Ways to engage at the PUC:  
<https://www.oregon.gov/puc/news-events/Pages/Get-Involved.aspx>
- LC 80, PGE's IRP & CEP:  
<https://apps.puc.state.or.us/edockets/DocketNoLayout.asp?DocketID=23636>
- UM 2273, PUC investigation into HB 2021 implementation issues:  
<https://apps.puc.state.or.us/edockets/DocketNoLayout.asp?DocketID=23609>



# The role of electrification

- Gas utilities must reduce emissions by 50% by 2035 and 90% by 2050 – about 3% per year and eliminate 100% from new customers. There are two ways to do this with current technology:
  - Renewable natural gas (RNG), and
  - Reducing demand for fossil natural gas.
- Decarbonizing with RNG will be difficult and if even possible, will be expensive
  - Landfills, wastewater treatment plants and factory farms (cheaper)
  - Gasification of biomass (more expensive)
  - There is not enough RNG on the market – you cannot go out and buy large quantities of RNG. RNG will require large amounts of investment.



# The role of electrification

- Alternative is to reduce demand for gas -- expanding the gas network is not in the interest of existing gas customers, for two main reasons:
  - New customers mean more emissions that must be eliminated under the Climate Protection Program and that the cost of that is really expensive; and
  - Adding gas service to new buildings increases the cost of service to existing customers and adds additional risk to customers in the future. Every new building is connected to the gas system with a pipe that has a 58-year useful life. It is 2023, 58 years from now is 2081. It is not clear what role the gas system will play in 2051, let alone 2081.
  - Customers who are unable to switch away from gas service in the future, including low-income households and renters could be particularly hard hit by future costs of the gas system. CUB supports Milwaukee's efforts to stop expanding gas system and appreciates their leadership.





# The role of electrification

- Electrification is the best way to reduce natural gas emissions.
  - The first place we should electrify is new buildings. Electrifying new buildings doesn't just reduce demand for gas, but it avoids capital investment in expanding the gas system.
  - Electrification in existing buildings - Heat pumps are incredibly efficient. My gas furnace is 96% efficient, meaning that 96% of the energy content of the gas is being converted to heat. But a heat pump is 250 to 300% efficient.
  - Federal tax credits: up to \$2000 available today. Later this year there will be rebates available for low- and moderate-income households. These rebates can be up to \$8000 and can be used with the tax credits.



# Contact information

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## COUNCIL STAFF REPORT

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

**Date Written:** June 8, 2023

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

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

**Subject:** **Climate Action Update**

### **ACTION REQUESTED**

Council is asked to receive an update on the city’s climate action work and provide direction to staff if needed.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[August 9, 2022:](#) Council received an update on the Portland General Electric (PGE) green tariff, greenhouse gas (GHG) inventory, and the city’s Climate Action Plan (CAP) and urban forest programming

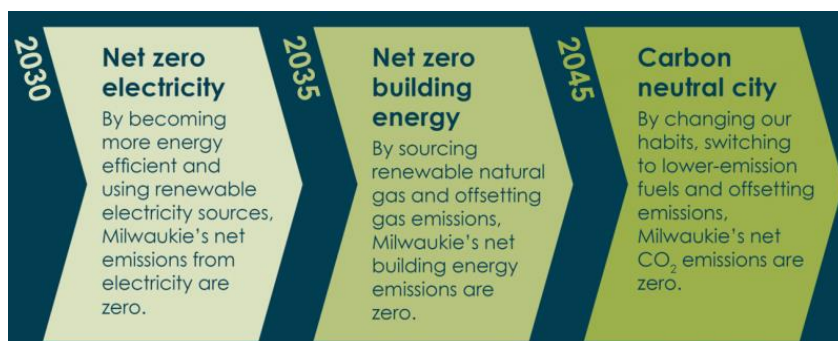
[November 1, 2022:](#) Council continued public testimony and discussion on proposed decarbonization resolutions.

[December 6, 2022:](#) Council continued public testimony and discussion on the proposed decarbonization resolutions and adopted resolutions regarding city-owned buildings and residential new construction resolutions.

[February 7, 2023:](#) Staff presented an update on electric vehicle (EV) infrastructure projects.

### **ANALYSIS**

In 2017, community members and Council engaged in the development of the Milwaukee Community Vision and Action Plan, which included specific goals and actions focused on the planet, environment, and sustainability. In 2017, Council also adopted “climate change action” as a Council goal, calling for the creation of a strategy document to direct city-led climate action efforts. The creation of the Milwaukee CAP followed in 2018 after a [community engagement process](#) and was unanimously adopted by Council. Council has made climate action a city goal for four years, directing additional funding and staff resources specifically targeted at reaching the climate goals outlined in the CAP.



*Above: Milwaukee's current accelerated climate goals.*

Researchers across scientific and economic sectors continue to report on the increasing threat of climate change and the need for more aggressive carbon reduction targets to minimize the worst effects. In January 2020, Council adopted a resolution that declared a



climate emergency. The Milwaukie climate emergency declaration restated the city’s commitment to climate action and accelerated the climate goals adopted in the CAP by five years.

For the last four years, Milwaukie has been implementing city-led climate actions to educate and inspire climate-friendly behaviors, incorporate city climate policy into city-wide policy making and processes, mitigate the Milwaukie community’s contributions to climate change, and ensure future climate resiliency through adaptation strategies and infrastructure. Staff keep council and community informed on climate work through online and in-person engagement and regular council presentations on climate-related topics such as electrical grid regulation and renewable energy credits.

### Action-level Updates

Milwaukie’s CAP contains 53 city-led actions to reach the adopted climate goals. A detailed [overview of each action](#) was created in the CAP development process and is available online for review. Of the 53 actions in the CAP, the city has started implementation of 40 actions, and completed seven actions.

*Below: CAP Action Implementation Table*

CAP ACTION TOPIC	TOTAL TOPIC ACTIONS	NOT STARTED	IMPLEMENTING	COMPLETED	COMPLETED + ONGOING
BUILDING ENERGY AND EFFICIENCY	10	-	9	-	1*
VEHICLES AND FUELS	9	1	7	1	-
LAND USE AND TRANSPORTATION	14	1	10	2	1
MATERIALS USE, PURCHASING AND RECOVERY	7	2	4	-	1
NATURAL RESOURCES	9	2	6	-	1
PUBLIC HEALTH AND EMERGENCY PREPAREDNESS	5	1	4	-	-

\* Building Energy and Efficiency action related to energy scoring and disclosure has been reported as separate action statuses for residential (completed ongoing) and commercial (implementing) due to difference in programming requirements.

Milwaukie has been extremely successful in its implementation of the CAP and the incorporation of climate actions into city processes and operations. Part of the city’s implementation success is due to:

- Establishing a network of regional local government staff to share ideas and feedback on right-sizing programs.
- Leveraging existing utility, state, and non-profit programs for community member incentives.
- Identifying incentives for customers or community partners that leverage administrative processes or staff time.
- Prioritizing high emission reduction actions, even if less visible to the community.
- Allowing flexibility in program design and implementation.

## **Upcoming Prioritized Projects**

The following projects related to building energy and transportation are being prioritized for implementation in the coming year to capitalize on regional interest and emission reduction potential in the community.

### **Green Future Impact:**

In early 2019, the city advocated for the development of PGE's Green Future Impact (GFI) renewable energy product. Large customers subscribed to GFI would sign a long-term contract to purchase power from newly constructed renewable generation facilities located on PGE's electrical grid, rather than using credits from out of state wind and solar farms that don't contribute electricity to PGE's grid. This product better matched community climate goals and was projected to be at a lower premium cost compared to the existing renewable products. Other cities and large customers shared similar interests in this new product, and less than five minutes after PGE opened the sign-up window, PGE maxed out the available subscriptions. Fortunately, Milwaukie secured a spot in the first subscription pool.

After four years of regulatory hoops and facility development, the GFI Pachwaywit Fields project went online in May 2023, making Milwaukie's operational electricity use for buildings and electric vehicles fueled by 100% Oregon solar.

Milwaukie's participation in GFI for operations avoids 1,377 metric tons of carbon dioxide emissions. EPA tools show that this equates to the emissions from approximately 173 average US residential homes' energy use, amount of carbon captured in 22,772 tree seedlings grown for 10 years, or the emissions of 297 passenger vehicles on the road for a year. Milwaukie is accomplishing this at a significant cost savings, saving over \$700 per month, or roughly \$8,500 a year, by participating in GFI. The subscription rates for GFI are about 75% cheaper than the previous subscribed renewable product while supporting local renewable infrastructure development.

*Next Steps:* Staff will continue to communicate product updates and achievements to Council and the Community.

### **Community Green Tariff**

Starting in 2019, Milwaukie explored a potential new renewable energy product for investor-owned utilities like PGE to offer the community a more climate friendly option.

The voluntary product would work as an opt-out model instead of an opt-in to minimize the extensive outreach program required for opt-in products and incorporate community goals into PGEs customer processes. This new community renewable product would allow cities to influence product infrastructure selection, incorporate demand side and community programming into the product, access cheaper renewable energy through economies of scale and reduced risk for investors, and still allow for personal choice by the customer. An initial PGE survey of 380 Milwaukie customers indicated customer support for the overall concept of community-specific renewable products (full survey and PGE presentation [available online](#)).

City staff has prioritized this project because it uses our existing utility relationships and has the potential to close the emission gap in reaching Milwaukie's 2030 goal. The city and PGE made

progress on product design and rate modeling in 2019 and 2020, but the potential for Oregon Public Utility Commission (PUC) delay and uncertainty around program models led to a pause in the product design in 2020 to wait for guiding legislation in the 2021 session. Milwaukie rallied other communities to advocate for the legislation, which was ultimately passed by the Oregon State Legislature.

*Next steps:* Milwaukie is now working with regional cities, PGE, and the PUC to clarify the process and review draft language submitted by PGE in winter 2022. Staff have prioritized the creation of a streamlined, affordability-focused product for Milwaukie with minimal administrative resources required from the city. Staff expect further work with PUC, regional jurisdictions, and PGE over the coming spring and summer and hope to have amended tariff language to submit to the PUC approval consideration by fall/winter 2023.

### **Resolution to Electrify City-Owned Buildings**

After numerous discussions in fall and winter of 2022 on the impacts of natural gas use in buildings, Council adopted a resolution to electrify city-owned buildings through strategic replacements of aging or failing natural gas infrastructure in city-owned buildings with electric options. Building electrification is also triggered when significant city-owned building investments occur. In addition, the resolution calls for the completion of a feasibility study for city-owned building electrification.

*Next Steps:* Staff are working to secure a contract for a feasibility and electrification assessment and report for city-owned buildings. Staff will complete this task by June 2024.

### **Resolution to Decarbonize Residential New-Construction**

Regional conversations about phasing out emission-intensive fossil fuels and the public health impacts of natural gas on indoor air quality have intensified. With Oregon's state-mandated building code effectively preempting local jurisdictions from modifying building code standards based on community interests, Oregon cities have historically had limited ability to influence the fuel use from buildings through building design. Recently, cities have been exploring the concept of preventing new connections to natural gas infrastructure rather than influencing the design of the building, avoiding building code preemption. The City of Eugene has been leading this work in Oregon, passing a resolution in 2022 to create a ban on gas hookups in new low-rise residential buildings. On February 6, 2023, Eugene City Council passed an [ordinance](#) prohibiting fossil fuel infrastructure in new low-rise residential buildings.

In December 2022, the Milwaukie City Council adopted its own resolution requiring the decarbonization of residential new construction. The resolution directs city staff to develop code language to implement a ban on new connections to fossil fuel infrastructure for new residential housing and begin community conversations to explore future options to reduce fossil fuel use in commercial and industrial buildings.

Recent events have impacted the timeline and feasibility of a local natural gas ban. NW Natural has funded a referendum campaign to overturn the ordinance enacted by Eugene, which will be on the ballot in November 2023. In April 2023, the United States Court of Appeals for the Ninth Circuit ruled that an ordinance enacted by Berkeley, California that prohibited natural gas in new residential and commercial buildings was preempted by the federal Energy Policy and Conservation Act. Because the Ninth Circuit includes Oregon, the City of Eugene ordinance, which was modeled on Berkeley's ordinance, would likely be overturned in court if challenged.

*Next steps:* City staff are monitoring the local and regional response to the federal court decision. Staff are exploring potential incentive pathways and programs to assist in meeting the city's building emission reduction goals.

### **EV Infrastructure**

As discussed in the February presentation to Council on the city's EV infrastructure strategy, multiple chargers for public and/or operational use are being installed across the city, including:

- Public Level 2 charger installation at the Johnson Creek Boulevard (JCB) campus, Public Safety Building (PSB), and the Ledding Library.
- Level 2 charger for city fleet vehicles at the new city hall.
- PGE installed and managed on-pole chargers at a variety of locations around Milwaukie.

*Next Steps:* Staff are exploring additional funding opportunities to increase the number of city-owned and managed chargers, and staff are working with PGE on the variety of charging projects in the community. The Level 2 charger installations at city buildings should be complete by July 2024. PGE has shared that the on-pole chargers should be live in summer 2023.

### **BUDGET IMPACT**

Staff are working within their existing resource capacity to manage the prioritized projects and programs along with the variety of other climate actions currently in implementation. Staff are pursuing grant opportunities for future installations and programs. Any additional outreach, education, legal fees, and program administration beyond the current prioritized and ongoing projects will require additional funding and staff resources.

### **WORKLOAD IMPACT**

The workload for development of a community green tariff product and city-owned building feasibility study will be included in existing staff workplans. Additional work required for community engagement and code development for natural gas bans may exceed staff capacity and will be prioritized alongside the other projects and programs associated with actions in the climate action plan.

### **CLIMATE IMPACT**

Projects and programs are prioritized by staff by their emission and community co-benefits. The above priority projects could have significant emission reduction potential in the building and transportation sectors. Implementation of the 53 actions in the CAP will have significant community benefits for mitigation and resiliency against climate change in the community.

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

Staff are continuing to coordinate with a variety of internal staff, utilities, regional community stakeholders, and other jurisdictions on the implementation of the CAP and the above energy and transportation projects.

### **STAFF RECOMMENDATION**

Staff recommends that Council receive the update and provide direction to staff if needed.

### **ALTERNATIVES**

None.

## **ATTACHMENTS**

1. 2023 Climate Update Report





CITY OF MILWAUKIE

# Climate Action Plan

## Update Report

March 2023

RS53





## MILWAUKIE CLIMATE ACTION UPDATE REPORT 2023

**Prepared by:**

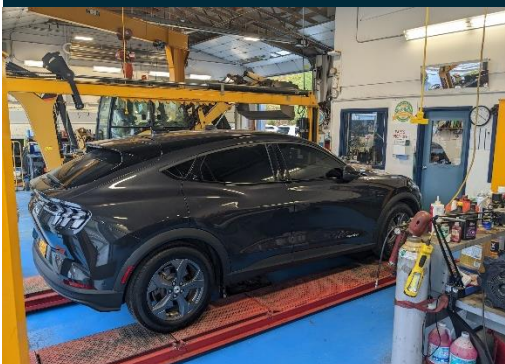
Natalie Rogers,  
Climate and Natural Resources Manager

Peter Passarelli,  
Public Works Director

[LEARN MORE AT MILWAUKIECLIMATEACTION.COM](https://www.milwaukieclimateaction.com)



 CITY OF MILWAUKIE  
Milwaukie Community  
Climate Action Plan



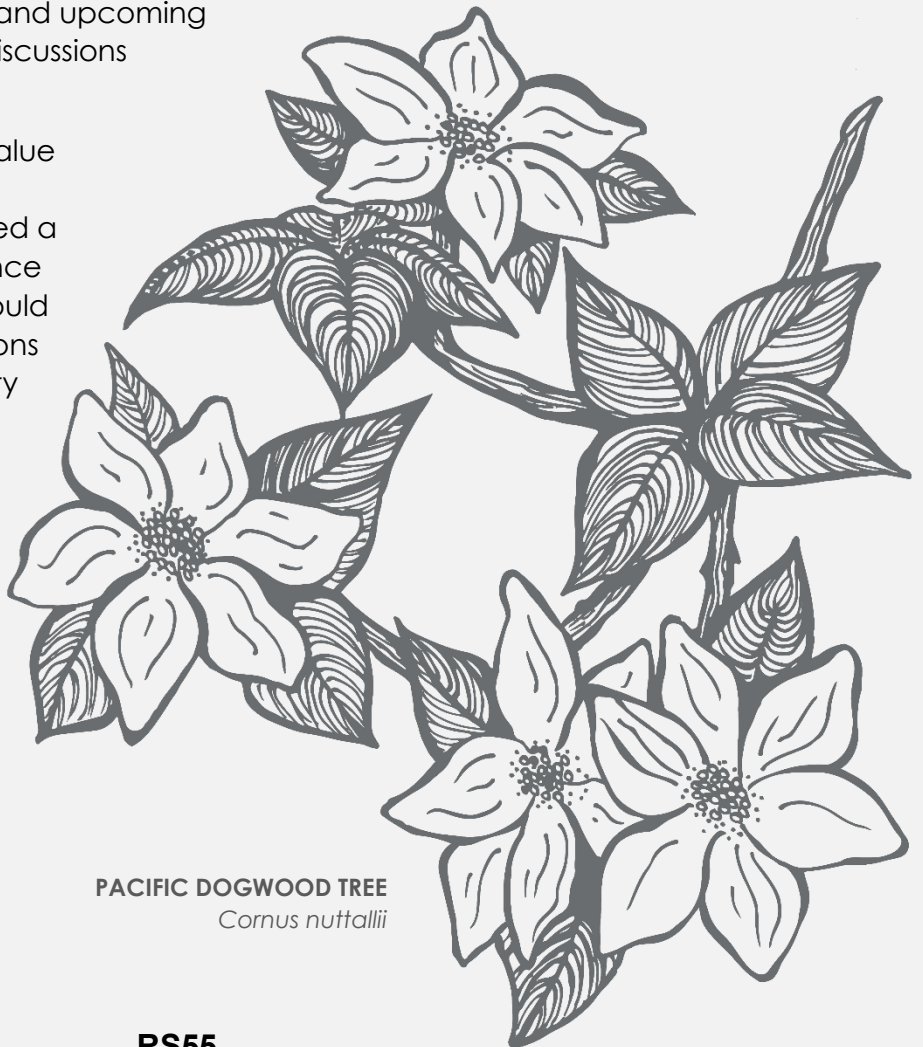
# INTRODUCTION

In 2017, the City of Milwaukie adopted a community vision for the year 2040, imaging a future where Milwaukie would be '*delightfully livable, entirely equitable, and completely sustainable*'. The following year, Milwaukie adopted the Climate Action Plan (CAP), a roadmap for helping the community mitigate and adapt to the effects of climate change. This comprehensive city-led strategy identified 53 city-led actions to help Milwaukie achieve its climate goals and become completely carbon neutral by 2045.

In the years since the CAP adoption, Milwaukie has built a small climate program to implement the actions in the plan and achieve the city's climate goals for carbon emission reduction and expansion of the city's tree canopy. By right-sizing programs and strengthening relationships and collaboration with community and utility partners in Milwaukie, the city has become a regional leader in climate action and a role model for other small jurisdictions around the nation tackling climate change in their local communities.

This 2023 CAP update provides an overview of Milwaukie's developing climate program, recent greenhouse gas emission inventory, and implementation of the adopted city-led actions to reduce community emissions and prepare Milwaukie for a changing climate. The update also features completed and upcoming climate projects, along with current discussions about program funding and priorities.

Climate action has become a core value within Milwaukie's city operations and policies, and the city has accomplished a significant amount in the short time since the adoption of the CAP. This work would not be possible without the contributions of Milwaukie's elected and community leadership, residents, and businesses.



PACIFIC DOGWOOD TREE  
*Cornus nuttallii*



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# 2023 CAP UPDATE EXECUTIVE SUMMARY

Since adoption of the CAP in 2018, Milwaukie has created its own small climate program to achieve its adopted climate goals for carbon emissions and canopy coverage. By right-sizing programs and collaborating with community and utility partners in Milwaukie, the city has become a regional leader in climate action and a role model for other small jurisdictions tackling climate change.

This 2023 CAP update provides an overview of Milwaukie's developing climate program, recent GHG emission inventory, and city-led actions to reduce community emissions and prepare Milwaukie for a changing climate. The 2023 CAP update also features completed and upcoming climate projects and current discussions about program funding and priorities.

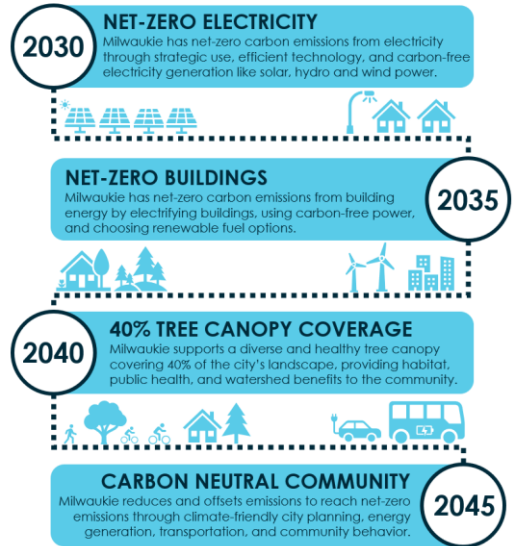
## MILWAUKIE'S EMISSION PROFILE IS CHANGING OVER TIME

GHG inventories show community emissions by main emission sources, including building energy, transportation, waste processing, refrigerants and imported goods. Comparing the recent 2020 GHG inventory to the 2016 GHG inventory, the most notable changes were a decrease in building energy emissions and an increase in transportation emissions. Considering these emission changes, Milwaukie needs to continue its work to decarbonize buildings while increasing efforts to promote emission free transportation through electric vehicles and charging infrastructure, bike and pedestrian infrastructure, and public transportation.

## MILWAUKIE HAS INCORPORATED CLIMATE ACTION INTO CITY PROCESSES AND POLICY

From city code to vehicle purchasing, considerations of climate impact are made in city processes and operations to help meet the city's adopted climate goals. Adopted strategy documents like the 2020 Comprehensive Plan, natural hazard mitigation plans (2019, 2024 pending) and utility system plans reference climate and urban forestry policies, and further institutionalize the city's commitment to climate action. In addition, new internal processes like including a statement of climate impact in city staff reports and tree accounting in city improvement projects ensure staff consider climate and urban forest impacts in all city-led initiatives.

### MILWAUKIE'S CLIMATE ACTION GOALS



### 2020 GHG INVENTORY TAKEAWAYS



**Transportation emissions increased by roughly 20%**, becoming largest emission source in community



**Building energy emissions decreased by 25%** thanks to lower energy use and more renewable resources

### CLIMATE POLICIES AND CONSIDERATIONS IN CITY PLANS

#### Adopted Plans:

- Urban Forest Management Plan
- Natural Hazard Mitigation Plan
- Comprehensive Plan
- Water Utility System Plan

#### Upcoming Plans:

- Stormwater System Plan
- Transportation System Plan

## CLIMATE STAFF ENGAGE THE COMMUNITY ON PROJECTS AND PROGRAMS RELATED TO CLIMATE

Since adoption of the CAP, the city has engaged the community on a variety of programs and initiatives related to climate action. Climate engagement included in-person outreach at community events like the Home Energy Score community forum, tabling at farmers markets for climate goal awareness and tree code information, presenting to community groups, and offering sustainability tours.

Staff have created and shared outreach materials, like postcards, t-shirts, and mailers. The city has promoted climate actions through new websites and webtools, news and podcast interviews, and a variety of other printed and online media. More work is needed to expand the city's translated and culturally specific outreach materials for climate to ensure equitable engagement and educational opportunities.



## UPCOMING CLIMATE PROJECTS INCLUDE A DISCUSSION ON CONTINUED CLIMATE FUNDING

Ongoing discussions in Milwaukie about climate-related projects include conversations about natural gas bans for new residential development, development of new carbon-free electricity products that align with city goals, and promotion of electric vehicles and charger installations in the community. Each of these projects are complex and involve collaborating with local utilities, community members, and city leadership. This work will need to be prioritized along with the ongoing implementation of Milwaukie's 53 city-led actions as staff reach capacity on time and resources dedicated to climate efforts in the city. To address the upcoming resource gap and a possible change to City Council's goals, the city is exploring a new climate funding mechanism to generate revenue for the implementation of climate-related programming associated with the CAP. Climate fund discussions were paused in late 2022 and will restart in spring 2023 with the new City Council.





## CAP ACTION IMPLEMENTATION OVERVIEW

Of the 53 city-led actions in the CAP, the city has started implementing 40 actions and has completed 8 actions. City staff prioritized actions that could make impactful emission reductions while being cost and resource efficient. The city collaborated with a variety of stakeholders on implementation of climate actions including utility partners, community-based organizations, advocacy groups, and regional policy makers.

### BUILDING ENERGY AND EFFICIENCY

The city has focused on energy-related emission reduction and has partnered with local electric utility Portland General Electric (PGE) to achieve community decarbonization goals for electricity, promote electrification, and explore new demand-side programs. Key building energy and efficiency highlights include:

- Subscription for 100% carbon-free Oregon solar electricity for city facilities and operations through PGE's Green Future Impact product.
- Adoption and implementation of a residential home energy score program.
- Adoption of a resolution to develop city code to ban new fossil fuel infrastructure connections for residential development.
- Ongoing development of a new city-aligned renewable electricity product focused on affordable utility-scale solar development.
- Coordination with PGE for multiple electrification events and Climate Collaborative educational campaigns
- Advocacy for regional legislation for building and utility-scale decarbonization, including the adopted Clean Energy for All Act (HB 2021) that requires electric utilities to decarbonize their energy mix by 2040.



### VEHICLES AND FUELS

The city continues to electrify city vehicles and operations and promotes electric vehicles (EVs) and charging infrastructure through local projects, policy updates and regional advocacy. With transportation becoming the largest emission sector in Milwaukie, EV initiatives will be key in meeting local climate goals. Key vehicle and fuels highlights include:

- Purchase of 12 EV and plug-in hybrid vehicles for city operations with continued fleet transition efforts
- Adoption of renewable diesel use for city operations
- Advocacy for regional EV legislation, including a goal for 90% of Oregon vehicle sales to be zero-emission vehicles by 2035
- Installation of electric vehicle chargers across city facilities through local utility and business partnerships, including installation of Electric Avenue fast chargers, three new public chargers at city buildings, and additional city fleet chargers for city operations
- Development and adoption of electric vehicle ready code requirements for parking lots including incentives for charger installations



## LAND USE AND TRANSPORTATION

Executive Order 20-04 pushed state departments to reach Oregon carbon emission goals, including the Department of Land Conservation and Development (DLCD). DLCD's Climate Friendly Equitable Community rulemaking set new development and land use standards for cities like Milwaukie to implement climate-forward development code. Combined with climate and energy policies outlined in the 2020 Comprehensive Plan, Milwaukie has been updating land use code to reflect the CAP goals and incorporating emission reduction strategies into city planning for development and transportation. Upcoming projects like the Transportation System Plan update will be significant in the implementation of CAP actions. Key land use and transportation highlights include:



- Adoption of the 2020 Comprehensive plan with numerous climate and energy policies
- Incorporation of DLCD climate rulemaking into city code, including incentives and code structure to enhance climate benefits
- Update of housing code to include more housing types to increase denser development along with new tree code to balance urban forest goals
- Continued project completion of the Safe Access for Everyone pedestrian and bikeway improvement projects
- Ongoing revisions of Public Works standards and development code for low impact development practices including stormwater and flood storage considerations

## MATERIALS USE, PURCHASING AND RECOVERY

In the implementation of these actions, the city has focused primarily on the topics of construction and food waste reduction. The city contracts with Clackamas County Sustainability and Solid Waste to perform city-wide outreach and education on these topics, including recent Metro food waste collection requirements for food serving businesses and industries. The city also implements a variety of internal policies and procedures to use low-impact materials and development best practices. Key materials use, purchasing and recovery highlights include:

- Partnership with Clackamas County to share of food waste reduction outreach and educational materials, including information on upcoming food waste recovery requirements
- Promotion of composting systems by using mulch in city projects and transporting vegetative debris collected in city operations to composting facilities rather than landfills.
- Use of low impact materials like pavers and permeable concrete in city projects to showcase feasibility and study larger application.



## NATURAL RESOURCES

After the adoption of the CAP, Milwaukie staff and the community Tree Board developed the Urban Forest Management plan outlining strategies to plant, protect and promote trees in Milwaukie. Milwaukie's urban forest program has since expanded to increase awareness and policies for the preservation and planting of trees. From updates and development of new tree code to increased engagement at Arbor Day events and collaboration with community partners and non-profits, Milwaukie has emphasized the importance of trees and watershed health in the city to maximize the multitude of benefits healthy and functional natural resources provide the community. Key natural resources highlights include:



- Awarded Oregon Tree City of the Year in 2020 for city urban forestry efforts
- Recurrent Tree City USA and Tree City Growth Awards for the continued implementation and development of urban forest programming in Milwaukie
- Updated the Public Tree code and adoption of a new private residential tree code for the protection and expansion of urban canopy in the city
- Created new online and printed tools and resources for Milwaukie urban forestry, including educational and tree code handouts, tree care information, and construction protection guides
- Developed a canopy analytics tool with local experts to assess socioeconomic data and canopy distribution (Branch Out Milwaukie tool)
- Aligned the natural resources staff in Milwaukie under Climate and Natural Resources Manager for optimized CAP action implementation and natural resources preservation
- Expanded stormwater programming and development requirements to meet state and local water quality and watershed health goals
- Completed the Water Supply Well Capture Zone Delineation report (2020) to ensure water quality monitoring at well sites in Milwaukie

## PUBLIC HEALTH AND PREPAREDNESS

As the city sees increased impacts from climate change such as wildfire smoke, drought, heat waves, and extreme storms, the adaptation actions involved in the public health and preparedness topics become more relevant and important than ever. As the city coordinates with county and regional emergency agencies for community preparedness, city staff are assessing infrastructure for resiliency and planning for future natural hazards. More work is needed for this topic as the effects of climate change are increasingly felt in the Milwaukie region. Key public health and preparedness highlights include:



- Promotion of Ledding Library as a daytime heating and cooling shelter
- Updated the Natural Hazard Mitigation Plan in 2019 and currently developing a 2023/2024 update with climate change considerations
- Advocated for more efficient building codes which would include systems for more effective air purification
- Implementing tree canopy expansion efforts to provide public health benefits during extreme heat events and improve air quality



# 2020 GHG INVENTORY SUMMARY

In 2017, Milwaukie conducted a [GHG gas inventory](#) to inform its development of Milwaukie's first CAP in 2018 using community and regional data from 2016. The inventory noted that Milwaukie as a community generated 262,574 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e) of local, sector-based emissions. For scale, this quantity of emissions is equivalent to the carbon sequestered annually by 300,000 acres of average U.S. Forest – a land area about 200 times the size of the City of Milwaukie.

In early 2022, an update to Milwaukie GHG inventory was conducted using datasets from 2020. The 2022 GHG Inventory report suggested Milwaukie generated 264,870 MT CO<sub>2</sub>e<sup>1</sup> of local emissions, about 12.9 MT CO<sub>2</sub>e per person, a slight decrease from 2016.

Milwaukie's local emissions<sup>2</sup> match regional cities and statewide emissions with most emissions coming from transportation, including gasoline and diesel used by vehicles to transport people and goods, as well as building energy through combustion of natural gas and electricity use to power buildings. Relatively small sources of emissions come from refrigerant usage and waste disposal.

**In the 2020 GHG Inventory Report, Milwaukie's building energy related emissions decreased by roughly 25% while transportation related emission increased in the city by about 20%. Moving forward, the city should continue its efforts to decrease building emissions and expand its efforts to address increasing transportation emissions in the community.**

## GHG INVENTORY REPORT HIGHLIGHTS

### LOCAL COMMUNITY EMISSIONS DECREASED BY ~ 5%

Local community emissions:

2020: 264,870 MT CO<sub>2</sub>e

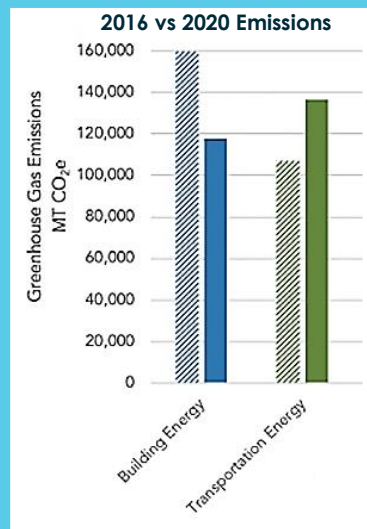
2016: 277,384 MT CO<sub>2</sub>e\*

\* Updated 2016 GHG inventory value

### THINGS TO CONSIDER:

- The city needs to address transportation emissions by prioritizing or increasing number of transportation climate actions
- GHG inventories are assumption-based estimates and should be used as additional guidance in emission reduction strategies
- Community behavior in response to the COVID-19 pandemic may influence results
- Updates to ODOT's data increased 2016 transportation emission estimates

### TRANSPORTATION NOW CITY'S LARGEST EMISSION SECTOR



### BUILDING ENERGY EMISSIONS DECREASED BY 25%

19% decrease in electricity use

38% decrease in natural gas use

Voluntary renewable products offset:

~15.3% of 2020 electricity emissions

~4% of 2020 natural gas emissions



### TRANSPORTATION EMISSIONS INCREASED BY ~20%

52% of all local community emissions

92% of transportation CO<sub>2</sub>e from gas

Local gas purchases increased in 2020

EV emissions included in Building Energy

2020 GHG Inventory available online at: [milwaukieclimateaction.com](http://milwaukieclimateaction.com)

<sup>1</sup> Metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e) is the conventional unit for reporting greenhouse gas emissions.

<sup>2</sup> Local emissions inventories (or sector-based inventories, in official terms) include emissions within the City's boundaries from energy use by homes, businesses, and vehicles as well as emissions from landfilling solid waste and wastewater treatment. It also includes emissions associated with energy consumed within the geographic boundary but not emissions from imported goods or services.

## SECTOR BASED EMISSIONS IN MILWAUKIE

Transportation made up the largest category of local emissions in 2020, representing more than half of the local emissions. These emissions total roughly 137,000 MT CO<sub>2</sub>e. Nearly half of all the fossil fuel emissions attributable to Milwaukee are from gasoline (126,000 MT CO<sub>2</sub>e), almost exclusively for on road use. Diesel emissions (11,000 MT CO<sub>2</sub>e) make up the rest of the transportation category.

Building energy emissions include electricity and natural gas and make up the second largest source of local emissions at nearly 118,000 MT CO<sub>2</sub>e. Emissions from the generation of electricity (the coal and natural gas burned in power plants) make up the largest share at 85,000 MT CO<sub>2</sub>e, and emissions from natural gas make up the remaining 33,000 MT CO<sub>2</sub>e. These emissions also make up roughly half of all the fossil fuel emissions attributable to Milwaukee

Community refrigerants are fluid chemical compounds used in the refrigeration cycles of air conditioning systems and heat pumps where in most cases they undergo a repeated phase transition from a liquid to a gas and back again. These chemicals can be potent greenhouse gases. Refrigerant use in Milwaukee makes up roughly 3% or 9,000 MT CO<sub>2</sub>e. This category also includes industrial processes that emit greenhouse gases, but such industrial processes are negligible in Milwaukee. Waste, including wastewater processing and solid waste disposal is the smallest emission category with 1,500 MT CO<sub>2</sub>e.

## WHAT IS MEASURED IN A GREENHOUSE GAS INVENTORY?

**GHG inventories use scientific data and community statistics to estimate and track emissions from local activities and processes over time.**

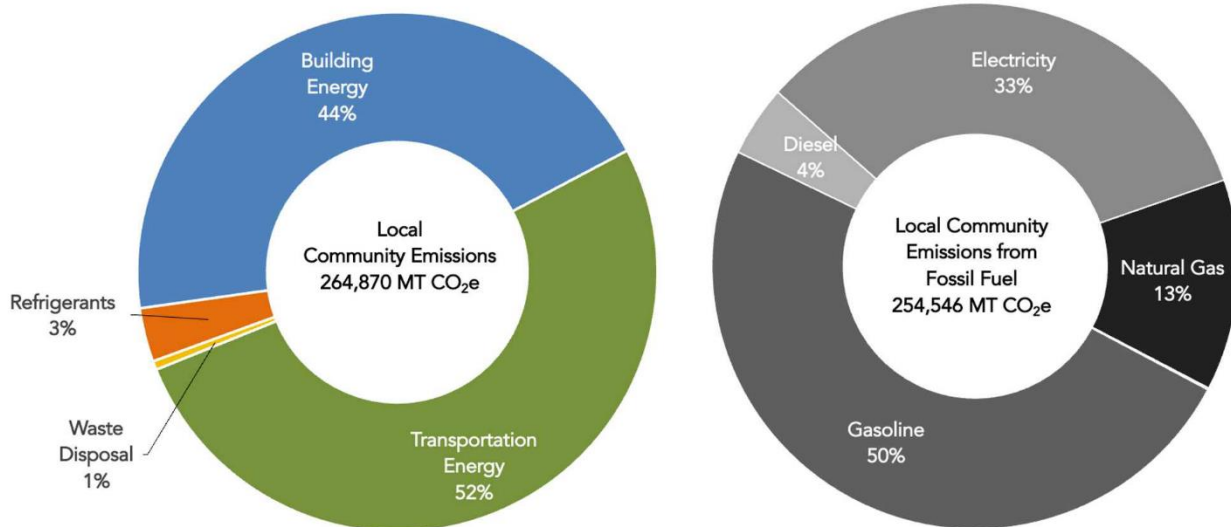
**GHGs** are gases that collect in the atmosphere and prevent heat energy from leaving.

**GHG emissions** are a measurement of the amount of a GHG released over time into the atmosphere. To make reporting and comparing emission sources easier, emissions are reported as CO<sub>2</sub> equivalents (CO<sub>2</sub>e), meaning the amount of CO<sub>2</sub> with an equal climate impact.

**Sector-based emissions** measure GHGs from big community emission sources like transportation, building energy, landfills, and waste systems.

**Community consumption emissions** are GHGs from goods that are manufactured out of the community and are shipped in for consumption.

Below: 2020 GHG Inventory breakdown by sector (left) and fossil fuel (right). The electricity fossil fuel use is primarily from natural gas used to generate electricity in power plants.



# CLIMATE CHANGE IMPACTS IN MILWAUKIE

The effects of climate change are impacting the Milwaukie community and testing the resiliency and adaptability of the community, infrastructure, and ecosystem. Recent community experiences have showcased the impacts Milwaukie will and are facing due to climate change.

Climate studies led by Oregon State's Oregon Climate Change Research Institute (OCCRI) and Oregon Health Authority can inform the community on changes to expect in the Milwaukie and Willamette Valley area. While the region may be less vulnerable some climate change-related impacts, Milwaukie and Oregon will still experience significant changes locally including increased heat, wildfire, and storm events. In addition, without strong action from all nations, many parts of the world could become uninhabitable due to sea level rise, flooding, unlivable temperatures, drought, or loss of drinking water supply and cascading effects to food production.

**Heat**




Summers are getting hotter and by 2100 temperatures could rise as much as 10-13 °F in the summer.

**Impacts:**

- Human health risk
- Physical activity and recreation
- Natural resources

**Example:** Increased temperatures and duration lead to greater rates of death in vulnerable populations and increased rates of violent crime

**Flood, Drought & Winter Storms**



Increased storm intensity leads to more flooding and landslide risk. Also precipitation will fall as rain rather than snow reducing water flows and supply.

**Impacts:**

- Landslide risk
- Ice storm frequency
- Drinking water supply
- Food insecurity
- Fish habitat
- Decreased hydro generation

**Example:** Greater variability in our weather patterns and more rain vs. snow will impact our everyday lives -- energy, economy, agriculture, and recreation

**Wildfire**



Wildfire is unlikely to be a direct threat to Milwaukie residents but fires in the region, similar to the summer fires in 2017 are anticipated to increase and impact residents.

**Impacts:**

- Air and water quality
- Property loss and displacement
- Occupational risk

**Example:** By 2080, median annual forest areas burned will be four times the median annual area of 1916-2007.

Sources: OCCRI, Oregon Health Authority and National Climate Assessment

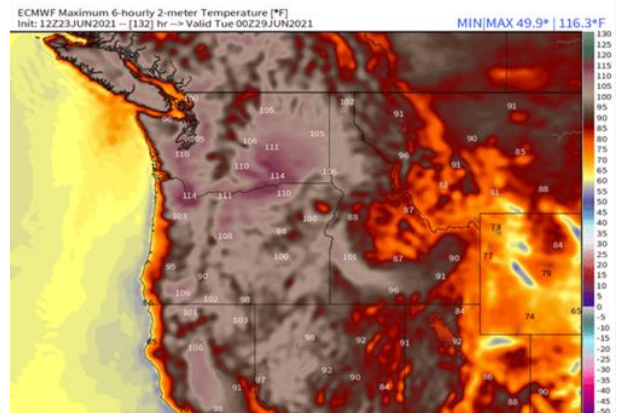
The resilient attributes of the Pacific Northwest area compared to other regions could lead to significant climate refugee influxes in Pacific Northwest communities, including Milwaukie.

## HEAT IMPACTS

Summer temperatures are expected to rise through the century. Since the adoption of the CAP in 2018, The Pacific Northwest has experienced several summer events that may summers in the future. The most extreme of those events was the June 2021 heat dome.

### Pacific Northwest Heat Dome of June 2021

The June 2021 heat wave which later was became identified as the heat dome stalled over the Pacific Northwest for several days in late June 2021, overwhelming the region with extreme temperatures that broke all-time records. During the last week of June 2021, an exceptional heat wave with no precedent in the modern observational record occurred across Oregon and the Pacific Northwest (Bercos-Hickey et al. 2022, Neal et al. 2022, Thompson et al. 2022, Vescio and Bair 2022, Philip et al. in press). The all-time high temperature records at multiple weather stations were



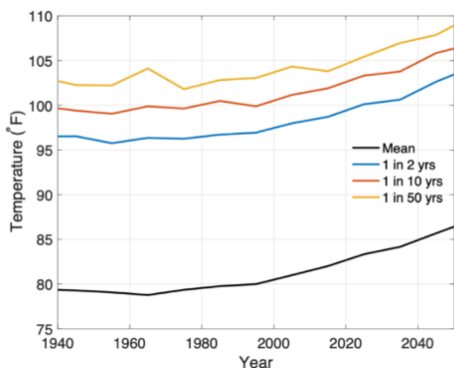
broken by several degrees. Portland's previous record of 107°F broke on 26 June (108°F), 27 June (112°F), and 28 June (116°F). Hundreds of people in the region died due to the extreme heat.

Nighttime temperatures were also extremely warm during this event, although records for warm nights were broken by smaller margins at most major weather stations (for example, 75°F at Portland, breaking the previous record of 74°F).

Research from the University of California at Los Angeles (UCLA) suggest that the heat dome event was a highly improbable 1-10,000-year event. Which begs the question, was the heat dome a result of climate change? A recent study estimated that this heat wave was about two degrees Fahrenheit warmer than it would have been without human influence on the climate (Bercos-Hickey et al. 2022), consistent with the increase in mean temperature. Thompson et al. (2022) estimated that a heat wave of similar magnitude will recur about once in six years by the end of the twenty-first century if concentrations of greenhouse gases do not decrease.

### Long Term Trend – Hotter Summers

In Portland during the twentieth century, 100°F temperatures occurred about once every 10 years. By 2025, they are likely to occur about once every two years. Most recently temperatures exceeded 100°F 5 times in 2022, five times in 2021 and two times in 2020. The increasing temperatures are problematic because Oregonians are less likely than residents of most other states to have air conditioners in their homes, leaving residents more vulnerable to high heat. The warmer temperatures have also resulted in the Oregon Occupational Safety and Health Administration (OSHA) adopting new regulations on workplace heat exposure in May 2022.



Left: Daily maximum temperature during July and August in Portland, Oregon, as simulated by the CESM1 Large Ensemble (a 35-member set of global climate models) from 1940–2050, assuming a relatively high emissions scenario (RCP 8.5). Black line, mean high temperature; colored lines, temperatures that occur once every 2 (blue), 10 (red), and 50 years (yellow). Values are based on simulated temperatures over 10 years. A bias correction was applied to yield a mean 1990–2020 high temperature that matched observations (81°F).

Source: Sixth Oregon Climate Impact Assessment, Oregon Climate Change Research Institute

### Vegetation Impacts of the Heat Dome Event

Immediately after the heat dome event there were numerous reports of widespread foliage scorch and leaf drop in multiple tree species in forests on the west side of the Oregon Coast Range and Cascade Range following the event. Western hemlock (*Tsuga heterophylla*) and western red cedar (*Thuja plicata*) seem to have been affected most strongly, but Douglas-fir (*Pseudotsuga menziesii*) and various alder (*Alnus*) and maple (*Acer*) were also impacted, and recent analyses have suggested the Douglas Fir population has undergone a mass mortality event in Oregon and Washington due to a combination of drought and extreme heat.

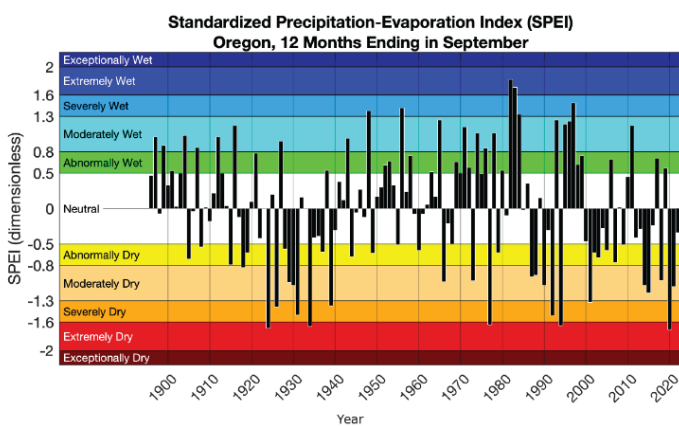
### PRECIPITATION AND DROUGHT

One of the most significant changes we are already experiencing is a change in historical precipitation patterns. Milwaukie has seen predominantly rain during winters, but the winter snow in the Cascades serves as storage for our rivers, streams, and groundwater. The reduction in snowfall means that in the summer months, our rivers and streams will not have the same quantities of flowing water from the



melting snow. This lower volume of water means pressures on our drinking water supply, agricultural irrigation, habitat for fish species like salmon and trout, water supply to power hydroelectric electricity, and some favorite water recreations such as boating, fishing, and rafting.

Since 2000, Oregon's precipitation has been below the 100-year average 14 times. Most of Oregon has been in a multiple-year drought, with 2020 being the most severe drought in Oregon history. Years with average or above average precipitation still showed impacts of climate change, with warming temperatures reducing the amount of precipitation falling as snow and stored in snowpack. Lower volumes of snowpack can have significant impacts on drinking water in the region, as many communities rely on slowly melting snow to keep surface drinking water sources cool and consistent. As the impacts of Oregon's droughts becomes more severe each year, vegetation and ecosystems, surface water supplies, water quality, and groundwater recharge rates are impacted, influencing the livability and ecosystem functionality of Oregon communities.

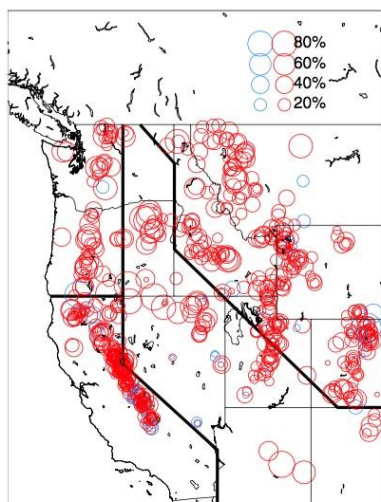


**Left: Measure of Oregon Drought Intensity over Time.**

Time series of the Standardized Precipitation-Evapotranspiration Index (SPEI) for each water year since 1896 for the state of Oregon. SPEI is a measure of drought intensity and is calculated using data on how much precipitation fell (rain, snow, etc.) as well as how fast water would evaporate from surfaces and waterbodies, considering the average temperature and wind. During water year 2020, the 12-month SPEI in Oregon was at its lowest value since 1896, making the 2020 drought more severe than any other drought in Oregon's recorded history, including the dustbowl events in the 1930's (white arrow).

Source: Data from the PRISM Climate Group accessed via the West Wide Drought Tracker, [wrcc.dri.edu/wwdt/time](http://wrcc.dri.edu/wwdt/time), with the following selections: Oregon, SPEI, 1895–2022, September 12-month; accessed 5 December 2022. Sixth Oregon Climate Impact Assessment, Oregon Climate Change Research Institute.

**Below: Western State Snowpack Declines from 1955 to 2016 (CIRC)**



This figure shows the average snow declines across the American West, calculated by the Climate Impact Research Consortium (CIRC). Each circle represents a U.S. Department of Agriculture or California Department of Water Resources site with at least 40 years of snowpack measurements. What's being measured is snow water equivalent (SWE), or the amount of water you would get if you melted a given amount of snow. Red circles represent decreases in SWE. Blue circles represent increases. The size of any given circle denotes by how much SWE has either decreased or increased. Over 90% of snow monitoring sites with long records in the American West show declines (Mote et al. 2018).

Source: <https://pnwcirc.org/science/hydrology>. This Image is licensed under Creative Commons Attribution 4.0 International (CC BY 4.0).



## REGIONAL WILDFIRE RISK

The Portland metro region is fairly safe from direct burning due to wildfires, although the urban wildland interface (cities close to the boundaries of agricultural and natural resources land) is susceptible. In the past few years, however, we have experienced more wildfire in the Pacific Northwest, a condition that will increase over the next few decades.

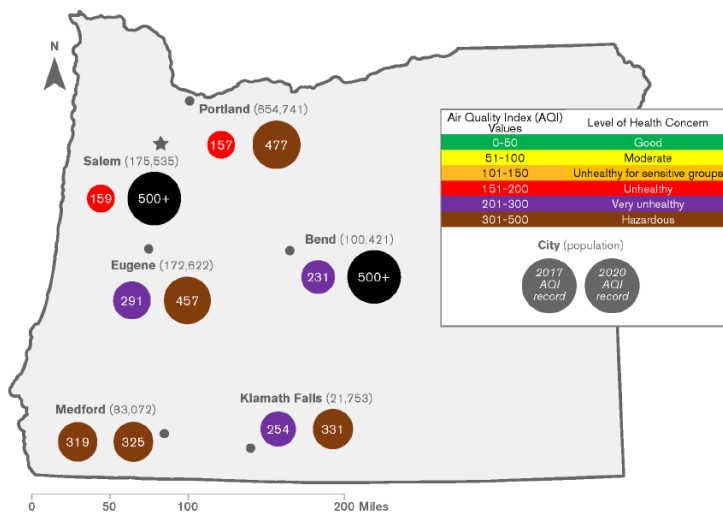
### The September 2020 Wildfires

Fresh in the region's memory are the September 2020 Wildfires. The wildfires that started on September 7<sup>th</sup>, eventually burned almost 1,500 mi<sup>2</sup>), mostly forested, including more than 11 percent of the Oregon Cascade Range.



The area burned in the western Cascade Range in 2020 equaled or surpassed that in any other year for which records are reliable (Abatzoglou et al. 2021c, Reilly et al. 2022). One of the strongest and driest easterly winds recorded since 1948, combined with vegetation that desiccated over the unusually hot and dry preceding weeks, drove the rapid growth of the fires (Abatzoglou et al. 2021c, Mass et al. 2021, Evers et al. 2022). The fire weather, as measured by a combination of heat, aridity, and wind that is consistent with expansion of wildfire, was more extreme over large areas of western Oregon than recorded since 1979 (Hawkins et al. 2022).

The main wildlife risk to Milwaukie residents will primarily be air quality impacts as surrounding regions burn during the summer months. The adjacent figure provides a comparison of the Air Quality Index records set in 2017 and 2020 because of the fires. In the summer of 2017, the metro area suffered when winds brought smoke from more than 100 fires in British Columbia along with multiple Oregon and Washington fires, including the Eagle Creek Fire in the Columbia Gorge National Scenic Area.



**Figure 1.** Air Quality Index (daily PM<sub>2.5</sub> and other health-related pollutants) records set in 2017 (left circle) and 2020 (right circle) in Oregon's six largest population centers.

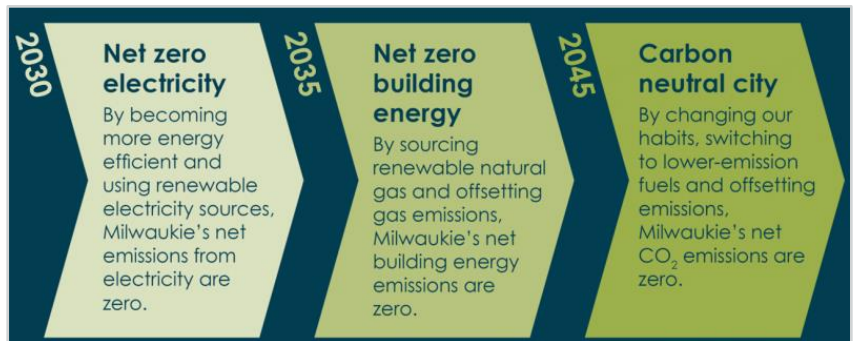
# COMMITTING TO CITY-LED CLIMATE ACTION

## MILWAUKIE TAKES ON CLIMATE CHANGE

Facing the threat of climate change, the Milwaukie community and city leadership formalized the city's commitment to climate action through the creation of the CAP, the city's first climate strategy document, and new city climate programming.

In 2017, community members and council engaged in the development of the **Milwaukie Community Vision and Action Plan** which included specific goals and actions focused on the planet, environment, and sustainability. In 2017 Milwaukie City Council also adopted 'climate change action' as a council goal, calling for the creation of a strategy document to direct city-led climate action efforts.

The **2018 CAP** was created shortly after through a **community engagement process** and unanimous adoption by city council. For the last four years, City Council has made climate action a city goal, directing council goal funding and staff resources towards reaching the climate goals outlined in the CAP.



## ACCELERATING ACTION

Researchers across scientific and economic sectors continue to report on the increasing threat of climate change and the need for more aggressive carbon reduction targets to minimize the worst effects. In January 2020, City Council adopted a **resolution to declare a climate emergency**. This emergency declaration restated the city's commitment to climate action and accelerated the adopted climate goals by five years (shown above).

For the last four years, Milwaukie has implemented the CAP city-led climate actions to educate and inspire climate-friendly behaviors, institutionalize city climate policy, mitigate the Milwaukie community's contributions to climate change and ensure future resiliency through adaptation strategies and infrastructure.

Above: Milwaukie's current accelerated climate goals

Below: Participants and local leadership at the Milwaukie Climate Action Summit (2018)



# CLIMATE ACTION IN CITY PLANNING

Since the adoption of the Climate Action Plan, Milwaukie has been institutionalizing climate action in city operations and incorporating the adopted climate goals or strategies into city code, city programs, policies, and procedures.

A key element of this work is ensuring core city strategy documents address climate change and local climate goals in their analysis and recommendations. Since adoption of the CAP, the following plans and changes to City Code have included considerations to local climate action:

- Urban Forest Management Plan (2019)
- Natural Hazard Mitigation Plan (2019)
- Comprehensive Plan (2020)
- Water Utility Master Plan (2022)
- Wastewater Utility Master Plan (2022)
- Biennial City Budgets
- Transportation System Plan (starting 2023)
- Stormwater Master Plan (starting 2023)
- Land use and development code updates

Additional areas of climate institutionalization into city policy making and processes include:

- Climate legislation updates to City Council
- Climate impact statements required on staff reports to City Council
- Quarterly City Council updates and study sessions on climate goal related topics such as electrical grid regulation and renewable energy credits
- Discussions with departments and staff on city climate goals and project incorporation
- Consideration of low impact development and practices in city improvement projects
- Consideration of consumption emissions in city purchases and sourcing

Introduction  
Land Use Categories  
Community & Culture  
**Stewardship & Resiliency**  
Complete Neighborhoods  
Economic Development & Growth  
Transportation  
Glossary  
Appendices  
Ancillary Documents

## 6 CLIMATE CHANGE & ENERGY GOALS & POLICIES

**OVERARCHING SECTION GOAL**  
Promote energy efficiency and mitigate the anticipated impacts of climate change in Milwaukie through the use of efficient land use patterns, multimodal transportation options, wise infrastructure investments, and increased community outreach and education as outlined in the City's Climate Action Plan.

**GOAL 6.1 - BUILT ENVIRONMENT**  
Create a built environment that prioritizes energy efficiency and climate resiliency and seamlessly integrates the natural environment.

**POLICY 6.1.1** Encourage the use of innovative design and building materials that increase energy efficiency and natural resource conservation, and minimize negative environmental impacts of building development and operation.

**POLICY 6.1.2** Provide flexibility in development standards and permitted uses for projects that address climate change and energy conservation through strategies identified in the Climate Action Plan and/or best available science.

**POLICY 6.1.3** Advocate at the local, state, and federal level for building codes that increase energy conservation and facilitate emission reductions, and be a model for implementing these higher standards.

**POLICY 6.1.4** Develop standards and guidelines that contribute to a 40% citywide tree canopy.

**The role of tree canopy in combating climate change**  
Tree canopy is the layer of leaves, branches, and stems of trees that cover the ground when a tree is viewed from above. Milwaukie's goal for its urban forest is to achieve 40% canopy coverage citywide by 2040. Expanding the city's urban forest can help capture CO2 in our atmosphere, conserve energy, provide shade, capture stormwater runoff, and curb the impacts of flooding.



# COMMUNITY ENGAGEMENT

In Milwaukie's climate programming, staff have attempted a variety of engagement tactics to increase program awareness, receive feedback, and engage the community. There are still gaps in community familiarity of city climate and urban forest programs and goals. There are also limited translated resources for climate and urban forest outreach. Ideally, the city could explore more frequent climate engagement efforts as well as focused audience engagement, but staff capacity limits these options until programs can be reprioritized to accommodate the work.

## OUTREACH AND EDUCATION MATERIALS

- City newsletter articles
- CAP executive summary and household/business strategies (Spanish translation available)
- CAP posters and brochures
- Tree care informational handouts
- Tree code informational handouts
- Brochures for vegetation codes
- Yard signs with project information
- Car magnets for city vehicles
- Program-specific handouts
- Climate action postcards
- Urban forest t-shirts
- Direct mailings
- Banners

## LOCAL AND COMMUNITY LEADERSHIP

- Regular city council presentations and study sessions
- Staff facilitation and participation in Parks and Recreation Board and Tree Board monthly meetings
- Program presentations at neighborhood district association (NDA) meetings
- Networking with local business owners

## YOUTH ENGAGEMENT

- Presentations for Clackamas School District clubs and classes
- Presentations for local colleges
- Kids arts and learning activities at city events
- Climate reading challenge for kids







City-hosted sustainability tour for local non-profit in downtown Milwaukie, featuring urban forest, stormwater and climate topics



Earth Day 2022 event at Willow Place Natural Area



Pumpkin painting with tree giveaway at 2022 Arbor Day

## PGE and the city of Milwaukie: Combating climate change

City and PGE staff featured in a video interview with KGW Hello Rose City on city's climate and urban forest efforts



SPONSORED BY: PORTLAND GENERAL ELECTRIC

COMBATING CLIMATE CHANGE

hello!  
ROSE CITY



Mayor Gamba presenting at Clackamas Climate Coalition with

## PRESENTATIONS AND EVENTS

- Earth Day restoration events
- Arbor Day Celebrations
- Milwaukie Farmers Market Tabling
- Greenspace restoration events
- Tabling at other City events
- Hosted community forums and program informational events
- Sustainability walks and tours
- Presentations at regional conferences
- Home Energy Score expert panels and community forum
- Two Electric Tool Exchange events

## ONLINE AND MEDIA ENGAGEMENT EFFORTS

- City social media posts
- Climate Action Week Facebook event
- Virtual community presentations
- Website development for climate action and urban forest resources
- Climate GIS storymap
- Educational videos for city YouTube channel
- Interviews for local newspapers
- Interviews with TV news stations
- Coordination of news channel PSAs for water quality coalitions
- Podcast interviews
- Email blasts to residents
- Online surveys
- Engage Milwaukie project pages

## REGIONAL COLLABORATION

- Participation in multi-organizational and government workgroups
- Informational presentations for regional jurisdictions and community groups
- Networking with regional climate, urban forest, and environmental justice nonprofits
- Coordinated multi-jurisdictional outreach materials and

# FUNDING MILWAUKIE'S CLIMATE WORK

## EXISTING FUNDING STRUCTURE

Since adoption of climate as a goal in 2017, climate action has been renewed annually as a Council and city priority. In 2018, Council directed the city to allocate funds towards the creation of the CAP and the implementation of its programs. After adoption of the CAP in 2018, the public works department hired the city's first dedicated climate staff person to implement the strategies and actions in the CAP.

Identifying program overlap and potential opportunities to better implement the natural resource CAP goals, the city expanded the original climate position to include management of the city's natural resources team and related green infrastructure and watershed health programming. The climate and natural resources manager will continue to work under the public works director to develop and manage the city's climate and natural resource programming and initiatives.

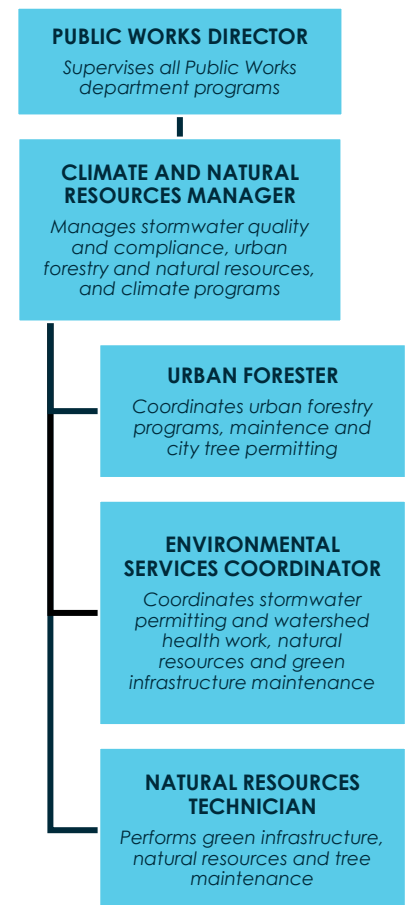
Milwaukie's combined two-year budget for both climate and natural resources work is approximately \$1.2 million dollars. Of that budget, \$420,000 per biennium (\$210,000 per year) is directly focused on the City's Climate programs and is funded through a combination of general funds (60%) and utility funds (40%). This budget provides for personnel expenses for the Climate and Natural Resources Manager and Urban Forester (\$160,000 per year), as well as program costs for outreach and education (\$50k per year). These program costs have primarily been used for contracting consultants to perform community analysis (including GHG inventories, carbon calculators, and climate fund structure options).

The remaining budget is broken down with approximately \$406,000 towards stormwater quality and compliance and \$377,000 towards urban forestry work focusing on public tree programs and education, and tree permit administration.

## CURRENT PROGRAM RESOURCE CONSTRAINTS

As seen by the variety and number of actions in the CAP, it is no small lift to offer the breadth of programs and incentives required to reach community carbon neutrality. For each action, staff has had to build an entire program or partnership. In some cases, the city has not had the time or capacity to initiate that work.

With over 53 actions listed in the plan to implement, city staff have reached a threshold where starting work on additional actions in the CAP or expanding community outreach and education initiatives is beyond current capacity. Any additional work would require procurement of additional resources or the elimination of ongoing actions to free up capacity. Since staff have already prioritized CAP actions with the greatest emission reduction benefits or community co-benefits, eliminating existing programs and projects may lead to greater gaps in reaching Milwaukie's adopted climate goals.



## EXPLORING LONG-TERM CLIMATE FUNDING

When City Council adopted climate as a goal in 2022, they directed staff to explore potential options for funding Milwaukie's future climate programming. Working with consultants, staff facilitated a City Council discussion exploring a variety of funding mechanisms that could help address resource gaps and continue Milwaukie's climate programming. City Council directed staff to proceed in developing a funding framework that considered land use and associated greenhouse gas (GHG) emissions to reflect a property's relative contribution to community emissions from energy and transportation perspectives. After several discussions with City Council, it was decided to defer further discussion of climate funding until the newly elected members are in office.

In 2023, staff will present City Council with a funding structure for Milwaukie's climate programming and provide a recommended timeline for additional engagement, depending on City Council's interest.



## CLIMATE FUND ACTION TIMELINE





# CAP ACTION-LEVEL UPDATES 2018-2022

Milwaukie's Climate Action Plan contains 53 city-led actions to reach the adopted carbon goals. A detailed [overview of each action](#) was created in the CAP development process and available online for review. Overall, Milwaukie has been extremely successful in its implementation of the CAP and institutionalization of climate actions into city processes and operations. Of the 53 city-led actions outlined in the CAP, **40 actions are in a stage of implementation, and seven actions have been completed or completed with ongoing management** (some actions split for status updates, see action status summary table).

Part of the success in implementation is due to:

- Establishing a network of regional small government staff and leadership to share ideas and feedback on right-sizing programs
- Leveraging existing utility, state, and non-profit programs for community member incentives
- Identifying incentives for customers or community partners that leverage administrative processes or staff time
- Prioritizing high emission reduction actions, even if they're less visible to the community
- Allowing flexibility in program design and implementation

**CITY OF MILWAUKIE CLIMATE ACTION PLAN**  
 53 CITY-LED ACTIONS TO ACHIEVE  
 NET-ZERO CARBON EMISSIONS FROM ELECTRICITY BY 2030 NET-ZERO CARBON EMISSIONS FROM BUILDING FUELS BY 2035  
 A CARBON-NEUTRAL COMMUNITY BY 2045

BUILDING ENERGY AND EFFICIENCY	VEHICLES AND FUELS	LAND USE AND TRANSPORTATION	PUBLIC HEALTH AND PREPAREDNESS	NATURAL RESOURCES	MATERIALS USE, PURCHASING AND RECOVERY
<p><b>MITIGATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Work with Portland General Electric (PGE) to become "net zero" from electricity by 2030</li> <li>Engage NW Natural to develop strategy for becoming "net zero" from natural gas by 2035</li> <li>Adopt a commercial and residential building energy score program based on the City of Portland's program</li> <li>Develop micro-grids and energy storage systems in conjunction with purchasing carbon-free power</li> <li>Work with PGE to implement demand-response programs</li> <li>Advocate for more energy efficient state building codes</li> <li>Incentivize property owners to encourage multifamily housing energy efficiency upgrades</li> <li>Develop a community solar project</li> </ul> <p><b>ADAPTATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Implement solar, battery storage, and micro-grids for resilience in weather events</li> </ul>	<p><b>MITIGATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Incentivize workplace electric vehicle charging stations in parking lots</li> <li>Support outreach efforts to encourage shift to electric vehicles</li> <li>Create a program to install electric vehicle charging infrastructure at multi-family housing complexes</li> <li>Convert diesel-powered heavy fleet vehicles to low-carbon fuels</li> <li>Optimize the city's light duty fleet and replace the least efficient vehicles with more efficient vehicles</li> <li>Work with Clatsop County, Tillamook and Multco to develop micro-transit from park-and-ride or light rail station to local destinations</li> </ul> <p><b>ADAPTATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Review the location of the fleet yard and fuel storage to examine flood vulnerability. Look at fuel movement during flood conditions and diversify fuel sources to prepare for climate event-related import challenges</li> <li>Implement intergovernmental agreements or MOUs with other agencies for fleet support in emergencies (e.g. large-scale debris removal)</li> </ul>	<p><b>MITIGATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Implement the Safe Access for Everyone street and sidewalk improvement program to expand bike and pedestrian access</li> <li>Partner with Metro and Tillamook to increase transit service, particularly to underserved employment areas</li> <li>Implement a transportation Management Agency (TMA) with area partners</li> <li>Implement "electric vehicle ready" zoning regulations for commercial buildings and multifamily housing</li> <li>Incentivize employees to encourage active transportation and transit</li> <li>Continue to promote the purchase of sidewalk credits in areas outside of pedestrian centers and redirect funds to areas needing this infrastructure</li> <li>Promote "neighborhood hubs" through Comprehensive Plan policies</li> <li>Implement parking pricing in downtown</li> <li>Implement variable system development charges to encourage accessory dwelling unit development</li> <li>Lower parking ratios near high capacity corridors</li> </ul>	<p><b>ADAPTATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Work with the Federal Emergency Management Agency (FEMA) to update flood plain maps</li> <li>Work with partners to support community outreach about how to reduce fire and flood risk</li> <li>Plan for cooling and air quality relief centers</li> <li>Promote more sophisticated home air filtration systems</li> <li>Develop public-facing flood and fire risk zone maps and implement signage on streets to raise awareness</li> </ul> <p><b>LAND USE AND TRANSPORTATION</b></p> <p><b>ADAPTATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Update flood plain maps with local group coordination and funding</li> <li>Provide incentives to increase flood storage capacity</li> <li>Reclaim riparian areas for flood storage for safety and property protection</li> <li>Plan for future employment land considering flood risk and natural resources</li> </ul>	<p><b>ADAPTATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Work with the Tree Board to develop a tree planting program focused on shielding low income neighborhoods from heat</li> <li>Review intergovernmental water agreements for supply security</li> <li>Identify sewer and waterways vulnerable to flooding</li> <li>Adopt code to require on-site stormwater storage and water filtration before release that meets future conditions</li> <li>Update stormwater masterplan</li> <li>De-pave areas where possible to encourage stormwater filtration</li> <li>Introduce more monitoring stations to protect drinking water wells</li> <li>Develop a potable/drinkable water re-use plan</li> </ul> <p><b>SEQUESTRATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Increase tree canopy coverage to 40% by 2040</li> </ul>	<p><b>MITIGATION ACTIONS</b></p> <ul style="list-style-type: none"> <li>Require deconstruction of existing properties or delayed demolition periods</li> <li>Promote the repair of equipment and materials and buy used and durable before purchasing new</li> <li>Provide education and outreach to avoid edible food waste</li> <li>Use less impactful pavement alternatives when paving streets and sidewalks</li> <li>Promote existing food waste composting services</li> <li>Use mulch and compost in landscaping</li> <li>Showcase materials management practices with a demonstration project</li> </ul> <p><b>BRINGING CLIMATE ACTION TO MILWAUKIE</b></p> <p>OUTREACH AND EDUCATION          ADVOCACY          POLICY</p> <p>INDIVIDUAL + ORGANIZATIONAL + INSTITUTIONAL</p>



## ACTION STATUS LISTING:

The following action-level updates are presented by strategy area (building energy, natural resources, etc.) and will include a brief topic overview and review of significant regional updates if applicable that may affect the actions within that section. The action status of each action are listed as:

**NOT STARTED:** No work directly on or related to this action has been performed to date.

**IMPLEMENTING:** City is investing resources and attention to the action, including monitoring, engaging in regional conversations, promoting existing resources, planning, or managing active projects or programs.

**COMPLETED:** The main deliverable of this action has been accomplished. No more city work is expected.

**COMPLETED - ONGOING:** The main deliverable of this action has been accomplished but requires continued maintenance or program management.

## ACTION STATUS SUMMARY TABLE

CAP ACTION TOPIC	TOTAL TOPIC ACTIONS	NOT STARTED	IMPLEMENTING	COMPLETED	COMPLETED + ONGOING
BUILDING ENERGY AND EFFICIENCY	10	-	9	-	1*
VEHICLES AND FUELS	9	1	7	1	-
LAND USE AND TRANSPORTATION	14	1	10	2	1
MATERIALS USE, PURCHASING AND RECOVERY	7	2	4	-	1
NATURAL RESOURCES	9	2	6	-	1
PUBLIC HEALTH AND EMERGENCY PREPAREDNESS	5	1	4	-	-

\* Building Energy and Efficiency action related to energy scoring and disclosure has been reported as separate action statuses for residential (completed ongoing) and commercial (implementing) due to difference in programming requirements.

# BUILDING ENERGY AND EFFICIENCY

Building energy is one the largest sectors of emissions in Milwaukie, comprising 44% of Milwaukie's 2020 local emissions. This is a decline from the 2016 GHG inventory due to progression in decarbonization efforts at the utility and state scale along with city initiatives like the actions listed below. The building energy sector encompasses the emissions from the use of fuels and energy sources to operate equipment, run lights and technology, and power heating and cooling systems. The building energy CAP actions address the carbon intensity of the energy source (electricity, methane, and other fuels) as well as the energy efficiency of the building and assets used and are a staff priority due to the significance of the emission reduction potential.



## REGIONAL UPDATES

### EXECUTIVE ORDER 20-04 / CLIMATE PROTECTION PROGRAM

In 2020, Governor Brown signed [Executive Order 20-04](#), an administrative order with a wide scope to reduce GHG emissions in Oregon by at least 80 percent below 1990 levels by 2050. To address these emission targets, Oregon departments including the Department of Environmental Quality (DEQ) were tasked with implementing initiatives in their authorities. In 2021, Oregon DEQ presented the state's new [Climate Protection Program](#). This program establishes emission caps for large emitters in the state and lowers the caps over time until emission targets are met. NW Natural and other gas utilities will be subject to these requirements.

### HB 2021, HB 2475 AND HB 2842 CLEAN ENERGY AND EFFICIENCY RELATED LEGISLATION

In 2021, Milwaukie staff and other stakeholders contributed to the drafting and adoption of Oregon [HB 2021](#). This clean energy legislation established new mandates for electricity providers to decarbonize their grid mix in Oregon to 80% by 2030, 90% in 2035 and 100% by 2040. It included additional requirements for environmental justice in utility processes, resiliency investment opportunities, and outlined structural foundations for new community renewable products (see Action BE1). Additional legislative packages passed in 2021 with impacts on energy and buildings included a bill to address low income rate protection ([HB 2475](#)) and a bill dedicating funding to home weatherization programs ([HB 2842](#))

## KEY PROJECT HIGHLIGHTS

### GREEN FUTURE IMPACT

In 2019, Milwaukie advocated for the development of a new PGE renewable power product called Green Future Impact (GFI). The product offered customers with larger energy use to sign a 10- or 15-year contract with PGE to purchase renewable power from a new development to be sited in Oregon. Milwaukie was eager to participate for its operational electricity use as its existing renewable product purchase through PGE used an offset-like mechanism that didn't meet Milwaukie's goal for 100% of its energy supply to be carbon-free. After the tariff passed in 2019, the GFI product was designed and advertised a new renewable facility to be built in Oregon and connected to PGE's grid. This would satisfy the cities adopted goals with estimated lower subscription rates.

The day of the subscription release, Milwaukie and other large customers across PGE's territory sent in their requests for participation. The product maxed out its available subscriptions within minutes, and Milwaukie succeeded in getting a spot for its operational load. In 2020, Council signed a 15-year contract to subscribe to 100% of Milwaukie's operational power through GFI. In 2023, after some regulatory delays, the new solar development named 'Pachwáywit Fields' will go online.

The new GFI product was offered at a rate almost a quarter of the cost of previous PGE renewable offerings. Milwaukie will save over \$700 per month through program participation, or roughly \$8,500 a year compared to its previous renewable subscription. The city will see savings of 1,377 metric tons of CO<sub>2</sub> and will now be powering its facilities, streetlights, and electric vehicles with 100% carbon-free power.

**Next steps:** Milwaukie has already executed the contract with PGE for GFI. Staff will need to monitor the city's operational power use to ensure the city purchases enough to balance its use.

### COMMUNITY GREEN TARIFF

Starting in 2019, Milwaukie explored a potential new renewable energy product for investor-owned utilities like Portland General Electric (PGE) to offer the community a more climate friendly option.

The product would require customers to choose to opt-out instead of opting in to participate, avoiding the extensive outreach program required for opt-in products and incorporating community goals into PGE's customer processes. This new community renewable product would allow cities to influence where the energy comes from, incorporate new technology and community programs into the product, access cheaper energy sources through economies of scale and reduced risk for investors, and still allow for personal choice by the customer. An initial PGE survey of 380 Milwaukie customers indicated customer support for the overall concept of community-specific renewable products (full survey and PGE presentation [available online](#)).

#### RENEWABLE ENERGY:

Energy or fuel types that are created with 'renewable' resources. This can include solar and wind energy, but also biomass energy from burning wood which produces carbon emissions. Large hydropower is not considered renewable.

#### CARBON-FREE ENERGY:

Energy or fuel types that are created with no carbon emissions and consumed with no carbon emissions. This can include large hydropower but excludes biomass and biofuels due to their emissions when burned.

City staff has prioritized this project because it uses our existing utility relationships and has the potential to close the gap in reaching Milwaukie’s 2030 emission reduction goal. The city and PGE made progress on product design and cost modeling in 2019 and 2020, but the potential for Oregon Public Utility Commission (PUC) delay and uncertainty around program structure led to a pause in the product design in 2020 to wait for guiding legislation in the 2021 session. Milwaukie rallied other communities to advocate for the legislation, which was ultimately passed by the Oregon Legislature.

**Next steps:** Milwaukie is now working with regional cities, PGE, and the PUC to clarify the development and approval process and review draft language submitted by PGE at the end of 2022. In the coming years, staff will need to review and revise the proposals and develop a plan to engage the community on the potential product design and supported cost. As timelines are constantly shifting for this project, staff will create a plan for action once the product development and adoption process is clarified with the PUC.

**RESOLUTION TO ELECTRIFY CITY-OWNED BUILDINGS**

Through 2022, City Council held discussions regarding the climate impacts of natural gas as an energy source. A Council-led discussion, staff did not become involved until late 2022 when Council discussed the possibility of transitioning from fossil fuel infrastructure and the electrification of buildings in the community to meet the CAP’s 2035 net-zero building energy goal. City Council directed staff to develop requirements for replacing aging or failing natural gas infrastructure in city-owned buildings with electric options and requiring building electrification when significant city-owned building investments occur.



In December 2022, staff presented City Council with a proposed resolution to accomplish these efforts and City Council voted to adopt the resolution to advance the decarbonization of city buildings. The resolution establishes electrification requirements and retrofits for city-owned or city-financed buildings. The resolution requires that a feasibility study for Milwaukie’s buildings be performed and made replacement of inoperable fossil fuel systems with electric options effective immediately. The requirement for existing and operable fossil fuel system replacement with large city building investments or renovations would begin on July 1, 2024. The resolution also outlines exemption opportunities and flexibility to account for project and financial feasibility and consideration of alternatives to maximize emission reduction.

**Next steps:** Staff will prepare the feasibility study required by the resolution based on the timeline below.

**CITY-OWNED BUILDING DECARBONIZATION TIMELINE**





# RESOLUTION TO DECARBONIZE RESIDENTIAL NEW-CONSTRUCTION

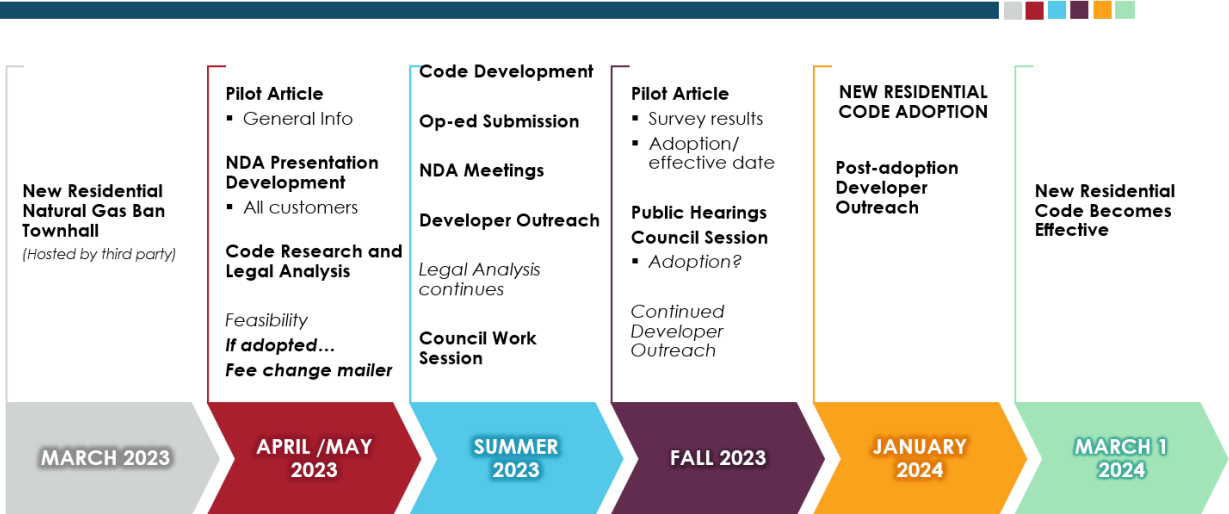
The use of and continued reliance on natural gas and other fossil fuels contributes to community emissions. As technology advances, building electrification becomes more efficient and cost effective, and when electrified buildings are powered with carbon-free electricity, the building sector is decarbonized. This will be essential to reach Milwaukie’s net-zero building emission by 2035 goal. Regional conversations about phasing out emission-intensive fossil fuels and the public health impacts of natural gas on indoor air quality have also intensified. With Oregon’s state-mandated building code effectively preempting local jurisdictions from modifying building code standards based on community interests, Oregon cities have historically had limited ability to influence the fuel use from buildings through building design including electrification requirements.

Cities have also been discussing the option of preventing new connections to natural gas infrastructure rather than influencing the design of the building, with the City of Eugene being the first in Oregon to develop resolutions attempting to implement this approach and adopting local code banning new connections to fossil fuel infrastructure in low-rise residential development in 2023.

In December 2022, the City Council adopted its own resolution requiring the decarbonization of residential new construction. The resolution impacts new developments of residential housing. The resolution directs city staff to develop code language to implement the ban on new connections to fossil fuel infrastructure for new residential housing and begin community conversations to explore future options to reduce fossil fuel use in commercial and industrial buildings.

**Next steps:** Should the City Council continue this goal and prioritize this over other policy items, or should it pass a climate fee, city staff will begin this work in 2023, starting with outreach and engagement and draft code development. This will require third-party outreach assistance and Council outreach efforts. Potential legal challenges to the code will mean further resource investment into this project.

## NATURAL GAS RESOLUTIONS – NEW RESIDENTIAL CODE TIMELINE



## BUILDING ENERGY AND EFFICIENCY ACTIONS

### WORK WITH PGE TO BECOME “NET ZERO” FROM ELECTRICITY BY 2030

#### ACTION STATUS: IMPLEMENTING

Milwaukie staff work extensively with PGE and energy stakeholders to reduce electricity emissions and promote electrification. Current legislation and renewable energy products and programs bring Milwaukie closer to the 2030 goal but do not meet the city's more aggressive climate timelines. More PGE and City collaboration is needed to increase renewable energy options and address customer-side infrastructure and behavior changes required to reach the 2030 carbon free electricity goal.

#### IMPLEMENTATION SUMMARY:

From 2018 to 2022, Milwaukie has been building its relationship with PGE staff and coordinating on efforts to move the city towards its adopted 2030 goal. Formalized through an adopted Memorandum of Understanding in 2020, City staff and PGE coordinate on strategic outreach, like the Climate Collaborative campaign, a multi-stakeholder effort to increase awareness of the city's climate goal through online climate pledges and coordinated events and volunteerism, as well as specific events and programs to expand renewable energy and electrification.

Milwaukie is often piloting new programs with PGE due to this relationship: the Climate Collaborative, Electric Tool Exchange (gas power equipment swap), Smart Grid Test Bed (Demand response programming), Electric Avenue chargers, and utility on-pole charging have all been piloted in Milwaukie before other communities. This brings previously unavailable opportunities and incentives to the Milwaukie community and reduces barriers for PGE program research and learnings.

The city has coordinated discussions with council and stakeholders to clarify Milwaukie's carbon goals and further define the carbon-free energy requirements needed to reach them. Milwaukie continues to lead PGE and regional stakeholders to accomplish more carbon-reduction efforts that align with this city goals.



Sharing PGE and Dark Horse Comic's Climate Keepers' educational comic at the Milwaukie Farmers Market



PGE and Milwaukie staff demonstrate battery tools at the Electric Tool Exchange



Waverly Greens Apartments in Milwaukie receives almost \$100k in PGE and ETO incentives for largest residential solar array in PGE territory (400-kW)

## IMPLEMENTATION HIGHLIGHTS:

### Ongoing city implementation:

- Coordination of ongoing joint PGE/Milwaukie outreach events and tabling efforts at city events and farmers markets
- Participation in the Energy Trust of Oregon Strategic Energy Management Program for city facility energy efficiency
- Development of new community green tariff for Milwaukie-customized renewable energy product
- Implementation of the adopted a resolution to electrify city-owned buildings and development of a feasibility assessment
- Implementation of the adopted resolution to decarbonize residential new development including extensive intensive community engagement around code development for residential development and feasibility analysis of commercial and industrial development
- Exploration of including electrification and renewable program incentives in Home Energy Score reportcards
- Participation in upcoming reviews of PGE's Clean Energy Plan in response to state decarbonization mandates
- Continuation of PGE/City monthly meetings to coordinate projects and initiatives
- Updating of the created city climate website with program resources, plans to update with local, state, and federal electrification incentives



### Completed work:

- Contracted for 100% carbon free electricity for city operations through Green Future Impact with cost and carbon emission savings
- Held a recurring a regional workgroup for government staff focused on upcoming energy policies
- Hosted the PGE Smart Grid Test Bed, including a Milwaukie-specific community engagement coordinator located at city facilities
- Promoted solar energy in Milwaukie, with the community reaching the adopted 2.2 MW by 2021 solar goals through numerous residential and commercial installations
- Updated downtown streetlights to LED adaptive lighting units
- Completed construction of Ledding Library with solar array and participation in Energy Trust of Oregon's Path to Net Zero program
- Installation of Electric Avenue PGE EV chargers
- Assisted in the development and advocacy for the successful passage of significant climate and energy legislation, including the HB 2021 100% Clean Energy for All Act
- Coordinated with PGE on the design of the [Community Climate Collaborative](#) outreach campaign and implemented in separate campaigns in 2021 and 2022.
- Held two PGE Electric Tool Exchange events with significant community participation and tool turn in
- Created carbon accounting calculator to determine 'gap' in clean electricity to reach 2030 goal
- Included energy decarbonization policies in the 2020 Comprehensive Plan
- Hosted PGE's all-electric tiny home to demonstrate electrification technology



## ENGAGE NW NATURAL TO DEVELOP STRATEGY FOR BECOMING “NET ZERO” FROM NATURAL GAS BY 2035

### ACTION STATUS: IMPLEMENTING

#### CONCERNS AROUND NATURAL GAS AND ALTERNATIVE FUELS:

Methane gas, marketed as ‘natural gas’ is a primary contributor to community emissions through natural gas electricity generation, gas powered buildings and operations, and gas emitted from waste processing. When burned, natural gas produces several air pollutants impacting respiratory health. The [harmful indoor air quality impacts](#) of leaking or burned natural gas has led to numerous public health concerns around natural gas infrastructure in homes and businesses, particularly for vulnerable communities.

To lower net carbon emissions from gas use, governments and utilities are looking at investing in biofuel alternatives to fracked and drilled gas. Methane gas captured from agricultural, solid waste and wastewater utility systems can be reinjected into the pipeline and marketed as renewable natural gas (RNG) due to the ‘renewable’ nature of the feed stock. While RNG can have valuable uses and is viewed as having less net-emissions due to the utilization of existing waste streams, RNG has equivalent emissions when burned as fracked or drilled methane gas products. Offset programs offered by gas utilities (like NW Natural Gas’ Smart Energy program) typically fund the construction of anaerobic digesters on farms and wastewater processing plants to create RNG. The high cost of RNG projects combined with the low production output reduces the feasibility for use of RNG to replace current community gas consumption. As another fuel alternative option, industries have been exploring thermal gasification processes that create methane synthetic fuels through conversion of biomass like wood pulp and solid waste, as well as power-to-gas options for the creation of hydrogen through electricity and water.

In ODOE’s [2018 Biogas and Renewable Natural Gas Inventory](#), ODOE identifies the gross potential for RNG production in Oregon when using anaerobic digestion technology is enough to meet about 4.6 percent of Oregon’s total yearly use of natural gas. Using thermal gasification technology could increase this to about 17.5 percent of Oregon’s total yearly use of natural gas. To date, only [one thermal gasification plant](#) in Nevada has successfully produced synthetic crude oil from waste and is currently in the process of expanding operations to commercial scale for aviation fuels. While new locations for additional facilities are being identified across the nation, the industry [faces pushback](#) from environmental justice and community advocates due to air quality concerns. A thermal gasification plant being constructed in Oregon for the conversion of reclaimed woody debris may be [facing foreclosure](#) before operations have started. To address the feasibility challenges highlighted in recent [U.S. DOE workshops](#) on thermal gasification, US DOE has directed [significant funding](#) to research and project assistance for the biofuel industry.

#### WHY TRANSITION AWAY FROM NATURAL GAS?

Natural gas is methane gas, which emits carbon emissions and harmful pollutants when combusted for heat and energy. The use of natural gas inside increases public health risks for vulnerable communities and continues community reliance on carbon-intensive fuel sources. As electric utilities transition to 100% carbon-free electricity by 2040, reducing natural gas use and electrifying buildings and technology where possible will lead to large reductions in community emissions and positive community health benefits.



### **IMPLEMENTATION SUMMARY:**

Since the adoption of the CAP, the city and NW Natural Gas have discussed the programs and strategies that NW Natural currently or intends to offer customers to reduce the emissions they generate from burning methane gas. As Milwaukie and other climate-forward communities identify emissions sources with existing opportunities for reduction, electrification of the building sector with carbon-free electricity is repeatedly highlighted as low hanging fruit with significant emission savings. While staff City staff primarily focus program attentions on furthering electrification and carbon-free energy, outreach materials and community resources contain information on NW Natural's offset programs.

In the coming years, the city will focus more climate program resources on addressing natural gas through implementation of the two recently adopted resolutions addressing city building electrification and natural gas in new residential development. In this work, the city will have the opportunity to hold focused conversations with NW Natural and the community to discuss the challenges of building electrification for commercial and industrial buildings and identify areas of potential collaboration that meet Milwaukie's climate goals.

### **IMPLEMENTATION HIGHLIGHTS:**

- Held multiple council presentations and public discussions on natural gas infrastructure and community carbon, resiliency, and public health impacts
- Adoption of resolution to ban new connections to fossil fuel infrastructure for residential development
- Adoption of resolution to require the systematic electrification of city-owned buildings
- Shared NW Natural's carbon offset programs in outreach materials and resident resources
- Participation in the Energy Trust of Oregon Strategic Energy Management Program for city facility energy efficiency
- Upcoming implementation of the adopted resolution to decarbonize residential new development including extensive intensive community engagement around code development for residential development and feasibility analysis of commercial and industrial development
- Included energy infrastructure language in the 2020 Comprehensive Plan which would support green hydrogen opportunities in the city

## ADOPT A COMMERCIAL AND RESIDENTIAL BUILDING ENERGY SCORE PROGRAM BASED OFF OF CITY OF PORTLAND'S PROGRAM

### ACTION STATUS:

**RESIDENTIAL - COMPLETED/ONGOING**  
**COMMERCIAL - IMPLEMENTING**

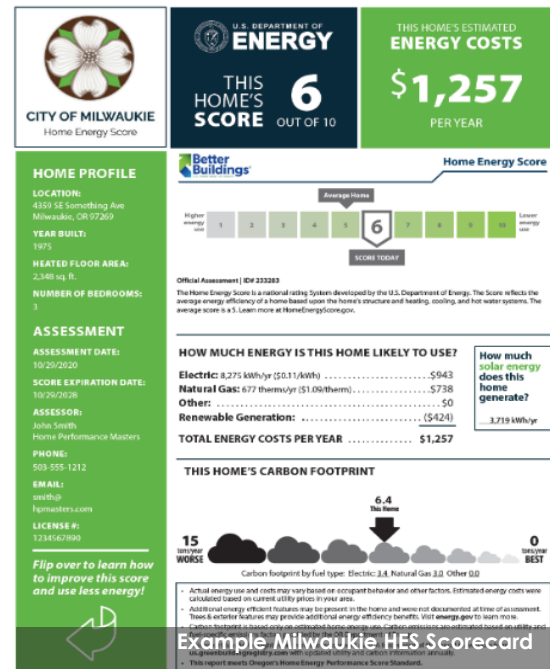
### Residential Program Development:

In 2019, the city began development a residential building energy scoring and disclosure program through US Department of Energy's Home Energy Score methodology and modeled after Portland's existing program. In this program, home assets and structures are scored from 1 (higher energy use) to 10 (lower energy use) and efficiency recommendations are provided with the best return on investment. Milwaukie partnered with Oregon Department of Energy (ODOE) and Earth Advantage for program development assistance and access to resources like Earth Advantage's [US Green Building Registry](#).

Staff informed the community through stakeholder conversations and community learning opportunities including a community forum and online webinar. In January 2020, city council passed an ordinance to adopt [Residential Energy Performance Rating and Disclosure](#) language into city code (MMC 16.40) with program implementation beginning October 2020. Milwaukie partnered with Community Energy Project, a local environmental justice non-profit with building energy programming and assistance, to perform no cost HES assessments for qualified milwaukie residents.

After adoption, Milwaukie created a [Home Energy Score resource portal](#) on the city website. Milwaukie climate staff performed monitoring and initial enforcement of the program as well as post-adoption outreach and education with real estate industry stakeholders and assessors. Monitoring and enforcement of the program reduced in late 2021 and 2022 due to unexpected home sale timelines outpacing monitoring capacity and eventual prioritization of other CAP programs. Staff are revisiting the monitoring process for 2023 enforcement.

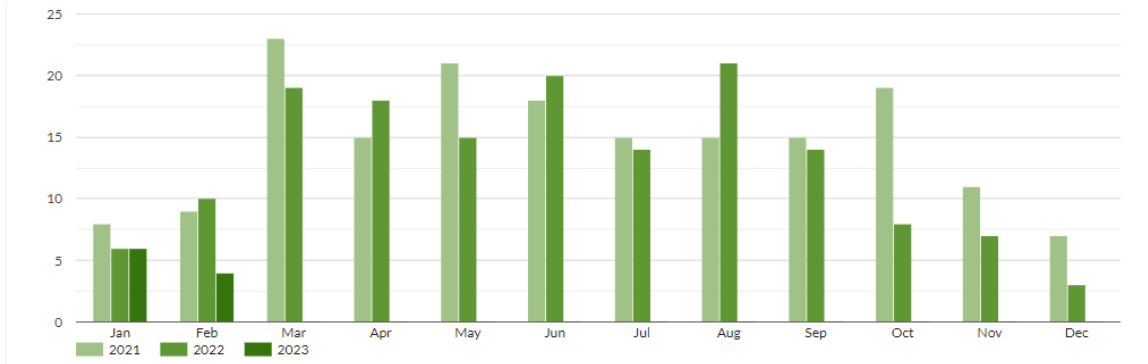
Since adoption, the U.S. Green Building Registry has recorded 379 Milwaukie HES Scores. The average existing home energy score is 4.3 out of 10, but if HES scorecard recommended efficiency improvements are made, this could increase to an average score of 7.1. If all scored homes made the recommended improvements there would be an average of \$336 annual energy cost savings, or \$500 for homes scored HES 4 or below.



Milwaukie HES Scorecard (example)

### Milwaukie Home Energy Scores by Year (2021 – 2023)

Source: US Green Building Registry



#### Commercial Program Development:

Staff have engaged with Portland commercial building staff on program structure and learnings. Staff participate in regional workgroups to explore local commercial disclosure programs and stay up to date on existing program models. As Milwaukie's large commercial building inventory is low and few provide state-mandated reporting data, staff have not identified an existing working model for Milwaukie or committed resources to designing a program from scratch.

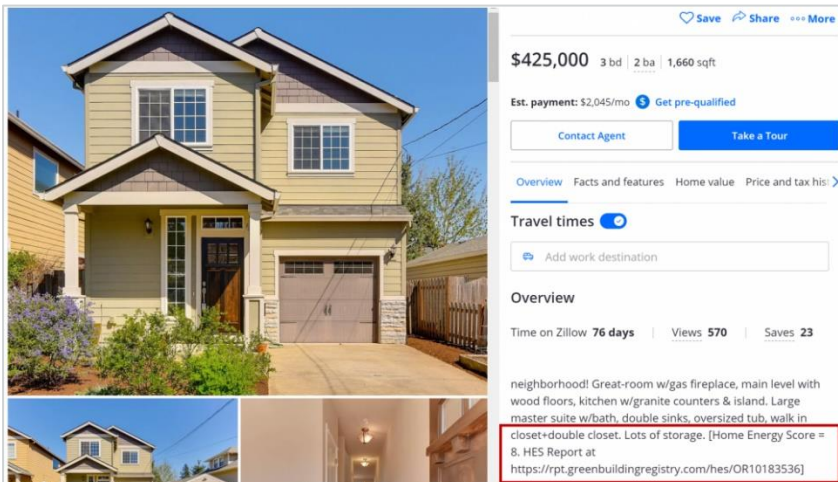
#### IMPLEMENTATION HIGHLIGHTS:

##### Ongoing:

- Outreach, monitoring and enforcement of HES program
- Evaluation of program workflow to reduce administrative resources for ongoing program management

##### Completed:

- Developed and adopted Residential Energy Performance Rating and Disclosure Code program framework, administrative procedures, and low income assistance program
- Held HES Community Forum with guest speakers from Oregon Department of Energy, City of Portland, and Earth Advantage to educate residents and provide opportunity for community to provide feedback and hosted two informational webinars about the Milwaukie Home Energy Score program



Left: Displaying a Home Energy Score on an online home listing advertisement

## DEVELOP MICRO-GRIDS AND ENERGY STORAGE SYSTEMS IN CONJUNCTION WITH PURCHASING RENEWABLE POWER

## IMPLEMENT SOLAR, BATTERY STORAGE, AND MICROGRIDS FOR RESILIENCE IN WEATHER EVENTS

### ACTION STATUS: IMPLEMENTING

Addressing both microgrid and resilience related actions, the city has explored microgrid, resilience hubs and grid infrastructure improvement projects with PGE and advocated for deployment in Milwaukie. During legislative processes, staff ensure inclusion of city projects into advocacy of potential utility and state initiatives.

### IMPLEMENTATION HIGHLIGHTS:

- Inclusion of resilience and storage projects into HB 2021 community green tariff program areas
- Identification of upcoming federal block grants for city facility energy resilience improvements
- Discussions with PGE on utility-specific grant opportunities

## WORK WITH PGE TO IMPLEMENT DEMAND RESPONSE PROGRAMS

### ACTION STATUS: IMPLEMENTING

PGE offers a wide array of demand response programs. These programs assist with balancing spikes in electricity demand at common times by incentivizing behaviors and technology that shifts energy use. PGE's Peak Time Rebate program alerts customers of expected high demand days, while Smart Thermostat and Smart Water heater programs allow the utility to slightly adjust temperatures or pre-heat or cool homes and water heaters distribute the demand over more hours.

In 2019, Milwaukie became a testbed city for PGE's Smart Grid Test Bed (SGTB) program. This pilot project selected substations in Milwaukie, Hillsboro, and Portland with diverse customer types to test demand response programs and technologies in and perform enhanced community outreach. Milwaukie hosted a PGE employed a Milwaukie-specific SGTB outreach staff person who worked out of the Johnson Creek Facility during program implementation. City staff coordinated outreach and events with the SGTB team and participated on SGTB community discussions, including PGE-led technical design and equity-focused workgroups.

The city and PGE continue to cross-promote information about demand response programs in the ongoing climate collaborative outreach campaigns and on the city's climate webpages.

### IMPLEMENTATION HIGHLIGHTS:

- One of three pilot cities in PGE Smart Grid Test Bed program
- Hosted PGE community-focused staff at city facility and assisted in design and feedback of demand response programs offered to the community
- Continued coordination on outreach and education of demand response incentive programs in city outreach and community engagement





## **ACTION: ADVOCATE FOR MORE ENERGY EFFICIENT STATE BUILDING CODES**

### **ACTION STATUS: IMPLEMENTING**

As Oregon preempts local governments from setting their own building code requirements, staff have participated in Building Codes Division (BCD) workgroups as made updates to the [Oregon Reach Code](#), a statewide option energy construction standard approved by BCD. Both the Residential and Commercial Reach Codes outline construction requirements that are more energy efficient than the state code while following state requirements of remaining fuel neutral in its requirements. Typically, the Reach Code is used as the next version of the base building code and forecasts coming changes in design requirements.

Recently, BCD has been working with building energy advocates, local governments and building sector stakeholders to develop the next version of the code and to address the emission reduction targets directed by EO 20-04. Milwaukie has participated in some technical discussions and supports building energy advocacy groups in their work to push for greater efficiency standards in the Reach Code.

In 2021, City staff and City leadership were significant advocates and conveners for the [HB 2398](#) Reach Code bill, which would allow local governments to adopt the Reach Code as the baseline building code for their jurisdiction. Milwaukie and other jurisdictions supported this bill for its building sector emission reduction benefits and continuation of regional consistency of code language. Unfortunately, the bill did not pass that legislative session.

### **IMPLEMENTATION HIGHLIGHTS:**

- Continued participation in Zero Energy Ready Oregon coalition for building decarbonization advocacy and policy making
- Submitted testimony for the HB 2398 Reach Code and advocated for support among regional city staff and policy makers

## **INCENTIVIZE PROPERTY OWNERS TO ENCOURAGE MULTIFAMILY HOUSING ENERGY EFFICIENCY UPGRADES**

### **ACTION STATUS: IMPLEMENTING**

Through Milwaukie's climate program implementation, the city has formed partnerships with a variety of energy and environmental justice organizations that offer incentives for multifamily housing energy efficiency improvements. PGE, Community Energy Project, Electrify Now, and Energy Trust of Oregon all have local incentives the city promotes in community outreach. While the city does not have its own incentive program yet, city staff have advocated for funding source inclusion in energy legislation and are monitoring upcoming federal grants for program funding opportunities.

### **IMPLEMENTATION HIGHLIGHTS:**

- Collaborated with non-profits and energy stakeholders to promote existing incentives for multifamily housing and explore potential partnerships pending future funding

## DEVELOP A COMMUNITY SOLAR PROJECT

### ACTION STATUS: IMPLEMENTING

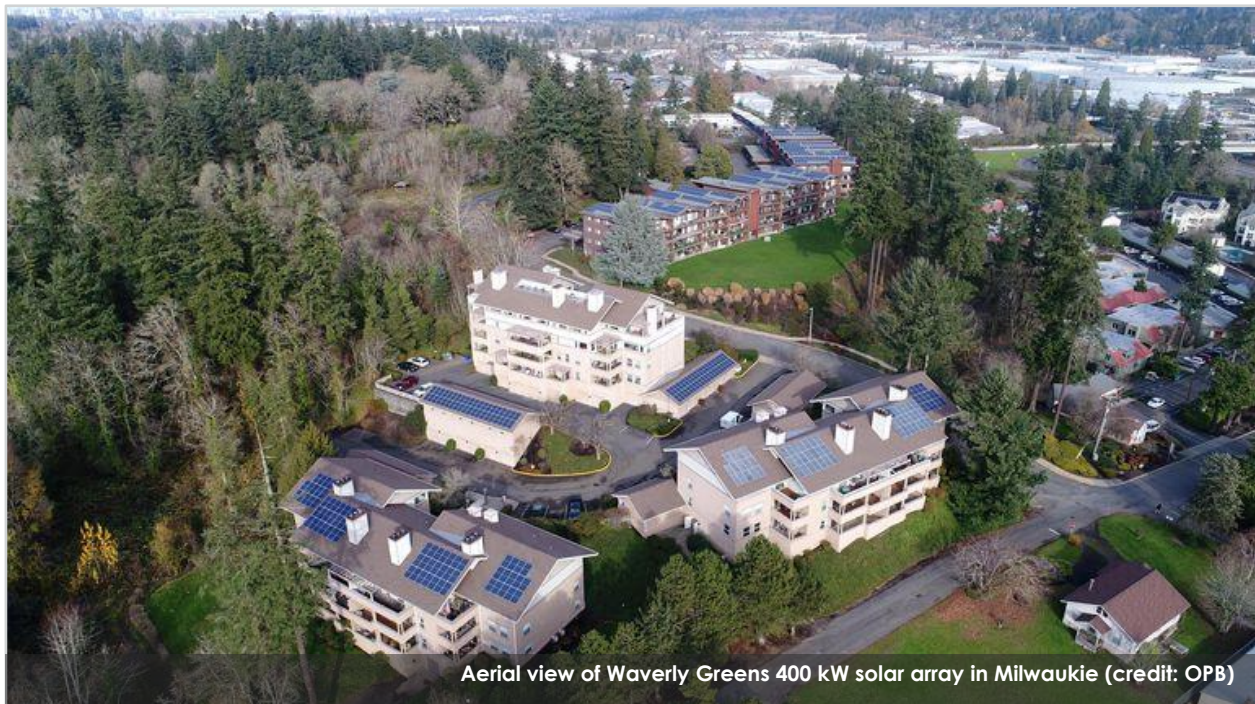
To explore community solar project feasibility, staff worked with the Bonneville Environmental Foundation (BEF) to perform an assessment of city facilities to see if hosting a solar facility could be done. BEF concluded that city roof space was not adequate for a community solar installation. The city is exploring additional ways to develop community solar for Milwaukie, including promoting regional community solar projects and programs through partnerships with Solarize Oregon, Energy Trust of Oregon, and regional solar developers. The city is also implementing utility-scale solar initiatives for the community through the community green tariff work with PGE and advocating for grid-wide decarbonization.

To reduce barriers to solar installation, staff prioritize processing of solar electrical permits in the queue. In 2017, Milwaukie held a well-received community bulk-buy solar program called Solarize Milwaukie. In 2019, staff worked with Energy Trust of Oregon and Solar Oregon to offer another year of a similar program, but unfortunately this work was cancelled in 2020 due to the pandemic. Milwaukie staff have performed outreach with local stakeholders to promote solar, including past presentations at Milwaukie-based solar walking tours.

As of 2022, Milwaukie has 2.3 MW of solar, and met the community goal of 2.2 MW by 2021. Local businesses like Bob's Red Mill, residential rooftop solar arrays, and multifamily arrays like Waverly Green Apartment's 400kw array ([the largest residential array in PGE territory when installed](#)) contributed to these values.

### IMPLEMENTATION HIGHLIGHTS:

- Performed assessment of city facilities for potential community solar projects
- Advocacy and development of utility-scale solar generation products, including work on HB 2021 and the developing community green tariff



## VEHICLES AND FUELS

The transportation emission sector is currently the largest emission sector in Milwaukie and Oregon. Climate actions related to vehicles attempt to influence the market for greater adoption of zero emission vehicles (ZEV), primarily electric vehicles (EVs) and plug-in hybrid vehicles (PHEV). The vehicles and fuels section addresses vehicle choice, charging infrastructure and fuels selection and resiliency.



## REGIONAL LEGISLATION

### EO 20-04 TRANSPORTATION IMPACTS

Executive Order No. 20-04 called for Oregon to reduce its GHG emissions to 45% of 1990 emissions by 2035 and at least 80% below 1990 levels by 2050. Its adoption led to the DEQ development of the Climate Protection Program (CPP) which increasingly caps emissions each year through private sector emission caps, resulting in a 90% decrease of emission levels by 2050. To address transportation emissions, EO 20-04 directed state agencies to:

- Strengthen Clean Fuels Program to reduce carbon intensity of transportation fuels by 25% by 2035 (DEQ)
- Implement statewide transportation electrification strategy (ODOT, ODOE)
- Enable electric utilities to increase investment in electrification (PUC)
- Prioritize transportation projects that reduce GHG (ODOT)
- State fleets transitioning to EVs, charging in public buildings (DAS)

### SB 1044 OREGON ZERO EMISSION VEHICLE TARGETS

In 2019, Governor Brown signed [SB 1044](#) into law, aligning state zero-emission vehicle goals with EO 20-04's statewide emission reduction targets and establishing ZEV targets for Oregon:

- At least 50,000 registered ZEVs on Oregon roads by the end of 2020
- At least 250,000 registered ZEVs on Oregon roads by 2025
- At least 25 percent of all registered vehicles and at least 50 percent of new vehicle sales will be ZEV by 2030
- ZEVs will represent 90 percent of annual new vehicle sales by 2035

### SB 1547 TRANSPORTATION ELECTRIFICATION PROGRAMS

While adopted in 2016 before the CAP development, SB 1547 continues to influence transportation electrification by formalizing the state's commitment to EVs and broadening Public Utility Commission (PUC) abilities to allow electric utilities to develop qualified EV charging infrastructure and EV related programming using rate payer dollars.



## HB 2007 AND CLEAN TRUCK RULES

In 2019 Oregon passed HB 2007 to phase out old diesel engines in qualified counties, and investment of environmental mitigation funds to support that transition. In 2021, DEQ built on this requirement with new administrative Clean Trucks Rules which adopts California's medium- and heavy-duty diesel engine standards for Oregon, including a one-time large fleet reporting requirement, a phased mandate for increasing zero emission vehicle sales (starting 2024 model year), and the Heavy Duty Low NOx Omnibus rules which require heavy duty vehicle manufacturers to comply with tougher Nitrous Oxide (NOx) emission standards, overhaul engine testing procedures and further extend engine warranties to ensure NOx emissions are reduced.

## EO 17-20 AND EO 17-21 EV ADOPTION STRATEGIES

In November 2017, Governor Kate Brown signed Executive Orders 17-20 and 17-21 with specific directives to state agencies to improve energy efficiency, boost electric vehicle adoption, and support actions to reduce greenhouse gas emissions in the state. While EO 17-20 includes EV strategies like EV Ready building code, the EO 17-21 focuses on accelerating adoption of zero-emission vehicles through regulation, charging infrastructure, fleet conversion, outreach, incentives, and private sector partnerships.

According to ODOE's 2021 Biennial Zero Emission Vehicle report, the state did not meet the EO 17-21 goal of 50,000 vehicles by 2020 (there were 38,482 registered ZEVs in 2020) and the state needs additional incentives, policies, and programs to meet the next targets

## KEY PROJECT HIGHLIGHTS

### ELECTRIC AVENUE

PGE's Electric Avenue charging stations provide accessible charging locations with both level 2 and level 3 charging capabilities to the public. The Milwaukie Electric Avenue was the second Electric Avenue charging infrastructure installation project performed by PGE, and showcased city and utility partnership on transportation electrification. The chargers are located on city property, but they are operated and maintained by PGE.

Milwaukie and PGE coordinated on a grand opening event to celebrate the completion of the project and increase EV awareness. The event was held at the charging station and featured food carts, speeches from City and PGE leadership, and a Forth Ride and Drive event where members of the community could test drive EVs around downtown Milwaukie.





## VEHICLES AND FUELS ACTIONS

### SUPPORT OUTREACH EFFORTS TO ENCOURAGE SHIFT TO ELECTRIC VEHICLES

#### ACTION STATUS: IMPLEMENTING

Milwaukie has been promoting EV adoption in the community through community outreach, policy, and regional advocacy. The city has partnered on and compiled information from transportation electrification advocates like Forth Mobility, Electrify Now and PGE for community events, presentations, outreach materials, and other strategies to increase both awareness and interest in the transition to electric vehicles. Events like the Electric Avenue grand opening showcased EV technology to city residents, and attendees were able to test drive EVs through Forth Mobility's Ride and Drive activity and experience EV technology themselves.

The city also performs outreach for EV technology by being an early adopter of EV and EV technology for city operations and by partnering on high visibility charging stations like Electric Avenue and recent PGE installation of on-pole charging stations in the right of way.

#### IMPLEMENTATION HIGHLIGHTS:

- Supported the installation of Electric Avenue in downtown Milwaukie including an Electric Avenue Grand Opening Event featuring Forth Mobility Ride and Drive Event
- Currently coordinating with PGE for the installation of new on-pole charging stations across the city to increase charger accessibility
- Promotion of regional transportation electrification incentives and organizations on EV and electrified transportation organization resources on city outreach materials



### CREATE A PROGRAM TO INSTALL ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AT MULTI-FAMILY HOUSING COMPLEXES

### INCENTIVIZE WORKPLACE ELECTRIC VEHICLE CHARGING STATIONS IN PARKING LOTS

#### ACTION STATUS: IMPLEMENTING

In late 2022, PGE and the city coordinated on an on-pole charging project to introduce utility pole chargers in neighborhoods around Milwaukie with high levels of multifamily charging and lower access to charging infrastructure. The city also made code updates to require EV Ready design for multifamily and commercial developments including a design incentive for developers for the installation of EV charging stations in parking lots. The Transportation System Plan update in 2023 will help guide future incentive programs and will help determine the best opportunities for EV charger installations.

#### IMPLEMENTATION HIGHLIGHTS:

- Coordination with PGE on on-pole chargers in neighborhoods with high multifamily housing
- Adoption of EV Ready code requirements with incentives for charger installations

## CONVERT DIESEL-POWERED HEAVY FLEET VEHICLES TO LOW-CARBON FUELS

### ACTION STATUS: IMPLEMENTING

The city switched its diesel fuel procurement to renewable diesel fuel. Renewable diesel (also referred to as "R99", reflecting the blend rate: 99% renewable with 1% fossil fuel diesel) is a drop-in fuel, meaning no vehicle modifications are required. R-99 is 99% less emitting than fossil diesel when measured at the tailpipe of a vehicle, and 50-75% less emitting than fossil diesel considering lifecycle GHG from production. The city is also in the process of electrifying medium to heavy duty fleet vehicles as available technology emerges. Currently the city has invested in electric asphalt warmer and is exploring electric street sweepers for city operations.

### IMPLEMENTATION HIGHLIGHTS:

- Transitioned to renewable diesel products instead of higher emission fossil diesel fuel
- Installed electric asphalt warmer for streets division

## OPTIMIZE THE CITY'S LIGHT DUTY FLEET AND REPLACE THE LEAST EFFICIENT VEHICLES WITH MORE EFFICIENT VEHICLES

### ACTION STATUS: IMPLEMENTING

The city currently has a fleet of 88 vehicles including light duty vehicles for administrative use, medium-duty vehicles with unique power, weight or tow specifications (including utility trucks and police pursuit vehicles) and heavy-duty vehicles for construction or utility operations. The city has purchased 12 EVs and plug-in hybrid vehicles (PHEV) for light and medium duty vehicle uses, including:

- 5 Nissan Leafs for administrative use across departments
- 2 Ford Lightnings and 1 Chrysler Pacifica PHEV for Public Works
- 1 Chrysler Pacifica PHEV for City Hall
- 1 Ford Mustang Mach-e, 1 Nissan Leaf, 1 Chrysler Pacifica PHEV and 1 Tesla Model 3 for the Police Department

The city has installed Level 2 EV chargers at city facilities for fleet charging and is currently working on a project to install three public EV chargers at city buildings. The new charger installation project was sponsored by Milwaukee Business Dave's Killer Bread with a \$110,000 donation. The chargers will be installed summer of 2023. In addition, a new LV2 charger will be installed at the new city hall building for operational use.

### IMPLEMENTATION HIGHLIGHTS:

- Purchase of 12 EVs or PHEVs for city vehicles
- Installation of 4 city level 2 chargers, 4 additional in 2023



## WORK WITH CLACKAMAS COUNTY, TRIMET AND METRO TO DEVELOP MICRO-TRANSIT FROM PARK-AND-RIDE OR LIGHT RAIL STATION TO LOCAL DESTINATIONS

### ACTION STATUS: NOT STARTED

Upcoming updates to the Transportation System Master plan will allow the city to coordinate with transportation management agencies and authorities on improvements to micro-transit and public transportation in the community.

## REVIEW THE LOCATION OF THE FLEET YARD AND FUEL STORAGE TO EXAMINE FLOOD VULNERABILITY. LOOK AT FUEL MOVEMENT DURING FLOOD CONDITIONS AND DIVERSIFY FUEL SOURCES TO PREPARE FOR CLIMATE EVENT-RELATED IMPORT CHALLENGES

### ACTION STATUS: IMPLEMENTING

The city's transition of fleet vehicles to EV vehicles led to the installation of a variety of EV chargers at city facilities, diversifying fuel options and fueling locations. Backup generators at key city facilities provides additional resiliency to fleet operations.

To address fuel e city decommissioned its underground fuel tank at the Johnson Creek campus in 2023 and switched to an above ground renewable diesel tank while utilizing local gas stations for gasoline fuel needs. The project will reduce risk of groundwater contamination during natural hazard events.

### IMPLEMENTATION HIGHLIGHTS:

- Decommissioned underground fuel tank at the Johnson Creek facility in 2023 and installed new above ground tank for renewable diesel fuels
- Continue to electrify fleet and install EV chargers at city facilities to diversify fueling capabilities and locations



## IMPLEMENT INTERGOVERNMENTAL AGREEMENTS OR MOU'S WITH OTHER AGENCIES FOR FLEET SUPPORT IN EMERGENCIES

### ACTION STATUS: COMPLETED

In 2018, the city signed the Managing Oregon Resources Efficiently Intergovernmental Agreement for use of resources between public agencies, and 2019, the city signed a Memorandum of Understanding (MOU) with the Oregon Water and Wastewater Response Network for a mutual aid agreement and support services.

## WORK WITH THE SCHOOL DISTRICT AND WASTE HAULERS ON FLEET TRANSITIONS

### ACTION STATUS: IMPLEMENTING

The city advocated for transportation electrification bills like SB 1044 which changes state administrative rules to allow Oregon schools to use public purpose charge funds for fleet audits and the purchase or lease of zero-emission vehicles and electric vehicle infrastructure. PGE grant programs promoted by the city including their [Drive Change Fund](#) support projects to electrify private and public transportation vehicles, including TriMet and school district buses. Staff have not held conversations with the school district to assist in project development.

### IMPLEMENTATION HIGHLIGHTS:

- Advocated for legislation which opens school district funding potential for fleet electrification.
- Promote existing PGE Drive Change grant funding programs



# LAND USE AND TRANSPORTATION

Actions in the land use and transportation topic address the emission impacts from landscape design and policy, particularly high intensity land uses like transportation networks, urban areas and agriculture. By establishing policy and code outlining the rules and regulations for the community, the city can influence property use, building design, and community features and site layout. This control is essential in protecting sensitive environmental resources and habitats for continued community ecosystem services.



## REGIONAL UPDATES

### Climate Friendly Equitable Communities Administrative Rulemaking

Milwaukie is in the process of incorporating new code requirements from Oregon Department of Land Conservation and Development (DLCD) that were developed in response to Governor Brown's Executive Order 20-04 to curb state emissions. To meet statewide emission reduction targets from the largest emission sectors, DLCD convened a Climate-Friendly and Equitable Communities workgroup to create new land use and development requirements for regions with populations over 50,000 people, including the Portland-Metro area. The rules were adopted by DLCD in July 2022 with deadlines for implementation in 2023 and 2024. Some examples of required changes to local code including:

- Removal of parking minimums for new developments in high-transit corridors.
- EV-Ready requirements for multi-family and multi-use development
- Expansion or creation of city tree code to meet connected tree canopy requirements for qualified developments constructing parking lots over one-quarter acre in size in all land use zones

## KEY PROJECT HIGHLIGHTS

### 2020 COMPREHENSIVE PLAN UPDATE

In 2020, Milwaukie engaged the community to update the city's **Comprehensive Plan**, a 20-year strategy document outlining goals and policies for the Milwaukie community. The Comprehensive Plan included numerous policies related to sustainable buildings, housing, and development design. Incorporated in the comprehensive plan was a new Climate and Energy policy section and reference to climate action and adaption strategies across policy topics.



## 2020 COMPREHENSIVE PLAN UPDATE (cont.)

Paired with environmental policies and goals addressing community resiliency, natural resource mitigation and protections, the update was a major step in Milwaukie's work to become a more sustainable city and align city code with the **2017 Milwaukie Community Vision and Action Plan** and adopted climate goals and strategies.

## COMPREHENSIVE PLAN IMPLEMENTATION

In 2021, planning staff began working on the first phase of code updates initiated by the 2020 Comprehensive Plan. The first phase focused on housing, parking, and tree code. Working with the Comprehensive Plan Implementation Committee, the city engaged community in a process to translate housing and parking policies in the Comprehensive Plan to code modifications. The project included mandated requirements from the new statewide housing bill **HB 2001**, adopted in 2019. The changes implemented in the phase 1 code update process expanded opportunities for denser housing and more housing types to address housing demand and affordability.

To balance community concerns about the loss of trees caused by expanded infill developments, the project included development of Milwaukie's first private tree code for private residential properties and development. The new tree code established robust standards for preserving, planting, and protecting trees during development.

Upcoming phases of Comprehensive Plan Implementation process include code reviews of the city's commercial zoning standards, natural resources and neighborhood hubs related codes. Updating the city's Transportation System Plan begins in 2023. Combined with a separate effort to evaluate Milwaukie's stormwater utility code and public works standards in 2023-2024, Milwaukie's upcoming code updates will improve climate impacts through sustainable design of neighborhoods and infrastructure.



# LAND USE AND TRANSPORTATION ACTIONS

## IMPLEMENT THE SAFE ACCESS FOR EVERYONE (SAFE) STREET AND SIDEWALK IMPROVEMENT PROGRAM TO EXPAND BIKE AND PEDESTRIAN ACCESS

### ACTION STATUS: IMPLEMENTING

Milwaukie is currently implementing the SAFE projects to expand bike and pedestrian access and infrastructure in the community. Through the SAFE program, Milwaukie's goal is to build 27.9 miles of sidewalk and 900 ADA ramps in the community. For more information on SAFE projects, including project numbers and timelines, visit the project website at [milwaukieoregon.gov/engineering/safe](http://milwaukieoregon.gov/engineering/safe).

### IMPLEMENTATION HIGHLIGHTS:

- Between 2019 and 2022, completed construction of pedestrian/bike infrastructure at:
  - Sellwood Street
  - Ardenwald Elementary School
  - 22nd Avenue & River Road
  - Kronberg Park Multi-Use Trail
  - 42nd Avenue/43rd Avenue
  - Linwood Avenue
  - Lake Road



## IMPLEMENT "ELECTRIC VEHICLE READY" ZONING REGULATIONS FOR COMMERCIAL BUILDINGS AND MULTIFAMILY HOUSING

### ACTION STATUS: COMPLETED

To comply with the mandated code changes from the Climate Friendly and Equitable Communities rulemaking, Milwaukie incorporated [EV Ready requirements for commercial and multifamily developments](#) into city code in November 2022, going above state mandates to incentivize installation of chargers. For commercial and industrial uses that provide off-street parking, at least 50% of the total number of parking spaces be EV Ready or at least 20% be EV ready with 5% of those parking spaces including an installed Level 2 or Level 3 EV charger. Multi-Unit and Mixed-Use Residential uses with five or more dwelling units where off-street parking spaces are provided, all (100%) of the parking spaces provided must be EV Ready or 40% of parking spaces provided must be EV ready and 10% of those parking spaces must include an installed Level 2 or Level 3 EV charger.

### IMPLEMENTATION HIGHLIGHTS:

- Adopted Ordinance 2221 Establishing EV Charging Infrastructure Requirements in November 2022 requiring EV Ready parking spaces and allowing incentives for installation of EV charging infrastructure

## PARTNER WITH METRO AND TRIMET TO INCREASE TRANSIT SERVICE, PARTICULARLY TO UNDERSERVED EMPLOYMENT AREAS

### IMPLEMENT A TRANSPORTATION MANAGEMENT AGENCY (TMA) WITH AREA PARTNERS

#### ACTION STATUS: IMPLEMENTING

In 2023 - 2024, Milwaukie will update its Transportation System Plan which will include collaboration and with local and regional transportation planning stakeholders. The above actions will be addressed in that work along with a variety of other system-level strategies to reduce transportation emissions through urban design. In 2022, staff engaged council and community to convene a TSP Advisory Committee for the project.

#### IMPLEMENTATION HIGHLIGHTS:

- Initiation of the TSP update and committee formation by planning staff in 2022

### IMPLEMENT PARKING PRICING IN DOWNTOWN

#### ACTION STATUS: IMPLEMENTING

The city acted to tie city-controlled parking pass rates to TriMet bus pass rates to encourage public transportation for commuters in the downtown corridor. In the upcoming Transportation System Plan (TSP) update process, Milwaukie will build on the 2018 adopted [Downtown Parking Management Strategy](#) and align 2020 Comprehensive Plan goals by exploring changes to parking pricing in the downtown corridor and make recommendations based on findings.

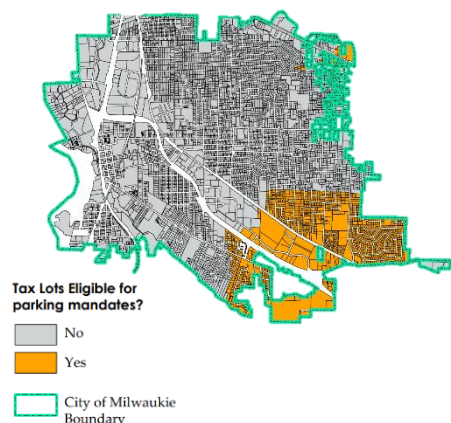
### ACTION: LOWER PARKING RATIOS NEAR HIGH-CAPACITY CORRIDORS

#### ACTION STATUS: IMPLEMENTING

For Milwaukie, the implementation of the Climate Friendly Equitable Community rulemaking required the city to choose between removing parking mandates citywide or removing parking mandates only near transit corridors. In Milwaukie, 80% of the city's tax lots are in a transit corridor and eligible for the parking mandates. A majority of council supported removing the mandates city wide. Completion of the code amendments for this work and adoption of the code are to be completed before July 2023.

#### IMPLEMENTATION HIGHLIGHTS:

- Planning staff presented code options to Council for code amendments to remove parking mandates for most or all the city to comply with CFEC rulemaking requirements.





## **CONTINUE TO PROMOTE THE PURCHASE OF SIDEWALK CREDITS IN AREAS OUTSIDE OF PEDESTRIAN CORRIDORS AND DREDIRECT FUNDS TO AREAS NEEDING THIS INFRASTRUCTURE**

### **ACTION STATUS: IMPLEMENTING**

City staff continue to discuss sidewalk credit opportunities with developers during land use pre-application and pre-construction meetings with planning and engineering staff.

## **ACTION: INCENTIVIZE EMPLOYERS TO ENCOURAGE ACTIVE TRANSPORTATION AND TRANSIT**

### **ACTION STATUS: NOT STARTED**

City staff have not started working on potential incentives for employers.

## **IMPLEMENT VARIABLE SYSTEM DEVELOPMENT CHARGES TO ENCOURAGE ACCESSORY DWELLING UNIT DEVELOPMENT**

### **ACTION STATUS: COMPLETED**

To further advance city goals of increasing housing supply in Milwaukie, Milwaukie initiated a temporary pilot program open to eligible applicants who were interested in offsetting the costs for building an accessory dwelling unit (ADU). On June 16, 2020, City Council approved a limited time waiver of all city-controlled system development charges (SDCs) up to a total \$23, 440 and a waiver of frontage improvements for up to ten ADUs, for a period of one year. In January 2021, the program funding had been fully allocated and no new applications have been accepted.

Additionally, the city adopted scaled wastewater system development charges (SDCs) based on residential structure footprints and is in the process for similar updates to the water utility SDCs.

### **IMPLEMENTATION HIGHLIGHTS:**

- In 2020, City Council adopted an ADU SDC waiver program managed by Milwaukie Community Development staff. All program funding was distributed, and the program concluded in 2021.
- Adopted scaled wastewater SDCs tied to residential structure footprint

## **UPDATE FLOOD PLAIN MAPS WITH LOCAL GROUP COORDINATION AND FUNDING**

## **PLAN FOR FUTURE EMPLOYMENT LAND CONSIDERING FLOOD RISK AND NATURAL RESOURCES**

### **ACTION STATUS: IMPLEMENTING**

In 2019, Clackamas County facilitated a conjoined jurisdictional effort to update FEMA-directed Natural Hazard Mitigation Plans which address risks of hazards like flooding, wildfire, air quality, and earthquakes. This work did not change the existing 2006 FEMA floodplain maps, but built

## **FLOODPLAIN AND FLOODRISK ACTION (cont.).**

local awareness around needed changes to reflect recent flooding events and precipitation models that account for climate change. The NHMP development allows the city to access FEMA fund dollars following natural hazard events.

An update to the 2019 NHMP is underway with planned adoption in 2023. In addition to this work, the Comprehensive Plan implementation process will include future phases of work to assess Milwaukie's natural resources and riparian areas.

### **IMPLEMENTATION HIGHLIGHTS:**

- Adopted 2019 Natural Hazard Mitigation Plan, with pending 2022 update.

## **RECLAIM RIPARIAN AREAS FOR FLOOD STORAGE FOR SAFETY AND PROPERTY PROTECTION**

### **ACTION STATUS: IMPLEMENTING**

The city has budgeted \$50,000 of stormwater utility funds for FEMA flood mitigation grant matching. The North Clackamas Watershed Council recently published a [Watershed Action Plan](#) which could assist in future strategies to perform these projects at the city level.

### **IMPLEMENTATION HIGHLIGHTS:**

- Budgeted \$50,000 for on-site flood retention projects for stormwater benefits

## **PROVIDE INCENTIVES TO INCREASE FLOOD STORAGE CAPACITY**

### **ACTION STATUS: IMPLEMENTING**

Stormwater systems include built infrastructure as well as constructed green infrastructure and natural waterways that collect and hold surface water. Some incentives are available for surface water retention through stormwater infrastructure credits in development processes. The city has started assessing local stormwater code for program implementation opportunities and updating the city's Stormwater System Plan which will explore strategies like incentives for acute and chronic surface water impacts and city-wide stormwater management. In 2022, the city completed its [Stormwater Management Plan](#) update reflecting on the surface water projects and actions taken in the city so far.

In 2022, the city adopted revisions to the existing stormwater code to clarify use of funds for nature-based infrastructure including natural flood retention and storage.

### **IMPLEMENTATION HIGHLIGHTS:**

- Submission of the 2022 Stormwater Management Plan by Public Works to DEQ outlining existing and future stormwater program needs
- Adoption of nature-based infrastructure code in stormwater utility municipal code

## PROMOTE “NEIGHBORHOOD HUBS” THROUGH COMPREHENSIVE PLAN POLICIES

### ACTION STATUS: COMPLETE - ONGOING

With the adoption of the 2020 Comprehensive Plan, the city included numerous policies related to the development and promotion of neighborhood hubs. In spring 2023, Milwaukie's Community Development department will begin a larger project to explore city code updates and develop new economic development programs with goals of increasing commercial businesses in identified neighborhood hub locations that are walkable. This upcoming work will include conversations with the general community as well as commercial and residential property owners on topics related to neighborhood hubs and programming.

### IMPLEMENTATION HIGHLIGHTS:

- Inclusion of neighborhood hubs policies into the adopted 2020 Comprehensive Plan
- Initiation of strategic planning efforts in 2023 to explore neighborhood hub creation and economic development programs for walkable commercial businesses

*Below: Excerpt from 2020 Comprehensive Plan outlining major neighborhood hub policies*

## 8 URBAN DESIGN & LAND USE GOALS & POLICIES

- **POLICY 8.1.4** Neighborhood Hubs (outside of NMU areas) Policies
  - a) Provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area.
  - b) Ensure that new development is compatible with the height, massing and building form allowed by zoning on adjacent residential properties. A hub development need not be identical to the height, massing or form of buildings allowed by nearby zoning for a finding of compatibility.
  - c) Ensure new development contributes to a pedestrian friendly environment along the property frontage.
  - d) Encourage development of multi-season outdoor seating areas and pedestrian plazas.
  - e) Provide for a high level of flexibility in design and incentives to accommodate a variety of start-ups, temporary uses and incremental expansions and explore innovative techniques for waiving or deferring full site development and parking requirements.
  - f) Provide a process to allow start-up and temporary uses that take advantage of incentives and deferral programs to make a smooth transition to status as a permanent use.

#### **What are Neighborhood Hubs?**

*Neighborhood Hubs are intended to provide neighborhood gathering places and locations where residents have relatively easy access to a variety of services or goods near their homes. Hubs are envisioned to vary in size and intensity.*

## MATERIALS USE, PURCHASING AND RECOVERY

Actions in this topic address the strategies and actions for reducing emissions related to the things community buys and uses, such as goods, food, and the major materials of regular life. These emissions are consumption driven, and strategies are focused on reducing, reusing, and recycling.



## REGIONAL UPDATES

### Metro Food Scraps Separation Policy

Implementation of a [regional food scraps separation requirement](#) begins March 2022 for many businesses within the Metro boundary. [Businesses generating more than one 60-gallon roll cart of food scraps per week and all food service businesses](#) will be required to separate their food scraps and keep them out of the landfill by composting, donation, or upstream prevention practices. Businesses are already required to recycle paper and plastic, metal, and glass containers. Businesses are separated into tiers of implementation with most large and medium sized businesses needing to comply by March or September 2023.

## MATERIALS USE, PURCHASING AND RECOVERY ACTIONS

### PROVIDE EDUCATION AND OUTREACH TO AVOID EDIBLE FOOD WASTE

### PROMOTE EXISTING FOOD WASTE COMPOSTING SERVICES

#### ACTION STATUS: IMPLEMENTING

Milwaukie partners with Clackamas County to perform food waste, recycling and solid waste outreach and education. City resources and outreach include information about Metro County programs like the Master Recycler program. The city and county remind the community about the ability to collect food scraps in yard debris through their local haulers. With the Upcoming Metro Food Scraps Separation Policy, extensive county outreach has been performed to ensure business are able to reach compliance by the set deadlines.



#### IMPLEMENTATION HIGHLIGHTS:

- Partnership with Clackamas County on solid waste outreach, including information about existing composting services and food waste reduction shared on city outreach platforms
- County outreach and implementation of the regional Metro food scraps separation policy for businesses going into effect in 2023



## USE LESS IMPACTFUL PAVEMENT ALTERNATIVES WHEN PAVING STREETS AND SIDEWALKS

### ACTION STATUS: IMPLEMENTING

Pervious pavement helps capture surface water and improve soils where precipitation lands, rather than moving it to other stormwater systems.

In constructing the downtown plaza in 2020, Milwaukie used surfaces on the pedestrian walkways that would allow infiltration of water between the stones.

For the first time in the city, Milwaukie installed pervious pavement as part of the Lake Road improvement project, completed in 2022. This demonstration project highlighted the feasibility of use of the design feature and will allow the city to monitor its functionality over time.

The Public Works construction standards now allow pervious concrete with approval in multiuse paths, and future updates will evaluate expansion of use for other construction types.



Permeable surface at downtown Milwaukie Adam's Street Connector

### IMPLEMENTATION HIGHLIGHTS:

- Inclusion of pervious pavement in PW standards for multiuse paths
- Construction of Milwaukie Downtown Plaza in 2020 featuring surfaces that allow for infiltration
- First installation of pervious pavement in Lake Road improvement project in 2022

## PROMOTE THE REPAIR OF EQUIPMENT AND MATERIALS AND BUY USED AND DURABLE BEFORE PURCHASING NEW

### ACTION STATUS: IMPLEMENTING

The city partners with Clackamas County of offering events and outreach related to wastestream reduction. Community organizations like Milwaukie Environmental Stewards Group promote and advertise additional solid waste outreach events, including a September 2022 Sustainability Fair in Milwaukie featuring repair activities.

In addition, the city engages in regional materials GHG reduction discussions with DEQ and employs best practices with facility and vehicle equipment to purchase used where possible. Examples include the purchase of used Nissan Leafs for city fleet vehicles and a 2022 purchase of a used woodchipper from Oregon City. The city is also reutilizing office furniture from the Advantis building purchase for the new City Hall.

### IMPLEMENTATION HIGHLIGHTS:

- Promotion of fix-it fairs and reuse events held in Milwaukie (2019, 2022)
- Purchase of used vehicles and equipment for city operations

## REQUIRE DECONSTRUCTION OF EXISTING PROPERTIES OR DELAYED DEMOLITION PERIODS

## SHOWCASE MATERIALS MANAGEMENT PRACTICES WITH A DEMONSTRATION PROJECT

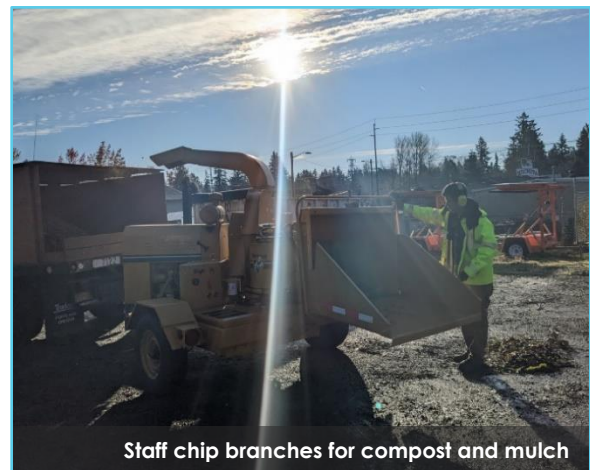
### ACTION STATUS: NOT STARTED

City staff have not started exploring deconstruction requirements or demonstration of materials management. Recent adoption of deconstruction policies in Lake Oswego could be an opportunity for future city implementation.

## USE MULCH AND COMPOST IN LANDSCAPING

### ACTION STATUS: COMPLETE / ONGOING

City urban forest projects and updated PW Standards include the required use of mulch for tree planting and other vegetated landscapes where applicable. The city's landscaping services use much for city facilities. The city's purchase of a used woodchipper will allow staff to reuse downed or removed trees for mulch and compost in landscaping on city facilities.



Staff chip branches for compost and mulch

# NATURAL RESOURCES

Actions in this topic address the strategies and actions for monitoring and utilizing the ecosystem benefits of natural areas and ecosystems. Actions in this section are primarily adaptation actions due to the many benefits that natural systems will provide in a changing climate, including:

- Capturing carbon emissions in trees and other vegetation to balance community emissions
- Slowing precipitation and helping with groundwater infiltration as the city experiences stronger storms
- Providing habitat and refuge for local wildlife
- Creating recreation spaces for community members
- Improving air quality and blocking pollutants from roadways and urbanization
- Cooling neighborhoods and the public by shading streets, sidewalks, and buildings
- Increasing flood retention and preventing erosion from increased storms with climate change



As cities increasingly add new concrete and asphalt through buildings, roads and community infrastructure, the *Urban Heat Island Effect* increases in intensity. The Urban Heat Island Effect is the disproportionate heating of urban areas compared to the greener lands around them. Dark surfaces like streets and roofs hold in heat and release it over the day and night, making the community hotter. Increasing vegetation and trees in the community is a community's main defense against the urban heat island effect, which if left unaddressed, can have deadly consequences. In the 2020 heat dome event, some areas of Northeast Portland with little to no canopy and high asphalt cover reached up to [180°F in temperature](#).

## PROJECT HIGHLIGHTS

### Residential Tree Code

In 2022, the city adopted its first private tree code to support canopy expansion in Milwaukie under the direction of the CAP and Urban Forest Management Plan 40% canopy by 2040 goal.

Following a public tree code update in 2020 and with the Comprehensive Plan Implementation process starting in 2021, the city started on the creation of a residential tree code that would protect trees during residential development and establish a permitting process for the protection of individual trees on residential private properties. The Milwaukie Tree Board and Public Works, including the climate and natural resources staff, led the initial development of code language to create standards for removal that were both flexible and clear and objective when needed.

**Milwaukie's new residential tree code is effective May 19, 2022**

Beginning May 19, trees on private property that are larger than 6" in diameter (or 18" in circumference) require a permit before removal. Permits are free for removal of unsafe, dead/dying or hazard trees. The city has hardship assistance available to help those residents unable to afford the required permits. Illegal tree removal will result in significant fines. For example, cutting down a 36" diameter tree without a permit would result in a \$14,000 fine.

**El nuevo código de árboles residenciales de Milwaukie toma efecto el 19 de mayo de 2022**

A partir del 19 de mayo, los árboles en propiedad privada que miden más de 6 pulgadas de diámetro (o 18 pulgadas de circunferencia) requieren un permiso antes de ser removidos. Los permisos son gratuitos para remover árboles inseguros, muertos/moribundos o peligrosos. La ciudad tiene ayuda financiera disponible para ayudar a los residentes que no puedan pagar los permisos requeridos. Remover árboles ilegalmente resultará en multas significativas. Por ejemplo, cortar un árbol de 36 pulgadas de diámetro sin un permiso resultará en una multa de \$14,000.

Visit [milwaukieoregon.gov/trees](http://milwaukieoregon.gov/trees) for more information.  
Visita [milwaukieoregon.gov/trees](http://milwaukieoregon.gov/trees) para obtener más información.

MILWAUKIE URBAN FOREST  
Creating the Growing Community



The code set up a structure for individual tree removals through Type 1 permits for qualified necessary tree removals (no cost) and Type 2 healthy tree removal permits where mitigation was possible (fee based on tree size). The code also outlined development standards and mitigation when subdividing land or constructing additional housing units. The residential development code focuses on preserving trees, planting trees, ensuring soil volume is appropriate for new plantings, and protecting trees during construction.

With these standards, preservation mitigation fees will be required if a developer removes trees past 30% canopy cover, and planting mitigation fees will be required if the developer chooses not to plant back to 40% canopy cover.

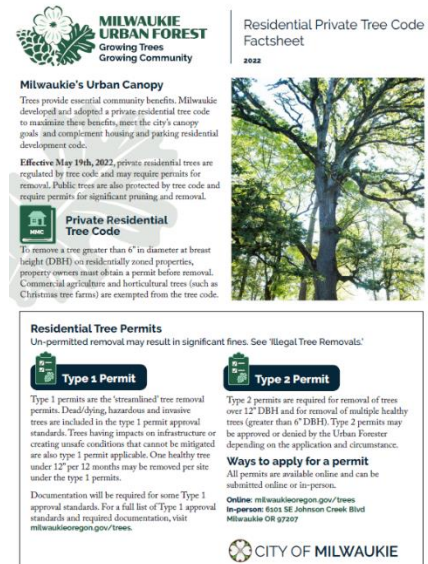
The code was adopted and went into effect in May 2022. City staff spent extensive time on outreach to the community to raise awareness and reduce illegal tree removals which now came at a hefty penalty. Since implementation, most permits submitted for removals have been Type 1 permits for necessary removals, with Type 2 permits primarily being for optional site construction where the tree could not be saved. While there has only been one development application completed so far, more applications are in the queue for upcoming review once the applicant collects the required tree information.

As part of the private tree code development, the city invested in the creation of outreach materials for its urban forest programming and the new tree code requirement. Materials included postcards, handouts, and other resources to help the community understand the new code. The city's Urban Forester processes permits and answers community questions, using the new materials to help community understand the code and city goals around urban canopy and tree protection.

### Public Tree Inventory Pilot

Contracting with Treecology, Milwaukie performed a Pilot Street Tree Inventory in 2021 to begin assessing the status of public street trees in the city. An inventory is the first step in understanding the composition, condition, and structure of Milwaukie's street trees. This pilot project inventoried areas of each neighborhood to collect inventory data for 1,325 trees and 691 vacant frontages that can accommodate around 1,270 trees. Sixty-four (64) unique genera were found, the most common was maple (Acer). The most prevalent condition was good (58%) followed by fair (37%). The trunk diameter distribution indicated a mature tree population with an adequate proportion of young and establishing trees.

City staff are now using this data to inform current and future planting projects as well as informing decisions on urban forest threats like invasive pests.





# NATURAL RESOURCES ACTIONS

## INCREASE TREE CANOPY COVERAGE TO 40% BY 2040

### ACTION STATUS: IMPLEMENTING

In the CAP, Milwaukie created a goal to increase the cities canopy, the area of treetops and branches, from the 2014 coverage of 26% to an average of 40% by 2040. American Forests, an urban forest research and advocacy think tank, released recommendations that all cities aim for 40% canopy cover to maximize the benefits of trees. Their new recommendations show that cities like Milwaukie located in historical temperate forests should aim for even higher canopy values.

Recent LiDAR Data which is collected by a plane flying overhead to collect landscape information below, shows that Milwaukie has not seen significant change in the canopy since 2014, with 2019 values showing about 26-27% canopy cover. That said, in the last few years the city has ramped up plantings which may not be appearing using aerial data collection rather than more accurate on the ground inventory assessments. Since 2019, the city has expanded its public tree code (2020) and adopted a new private tree code (2022) which will better protect existing trees and require the planting of new trees. These efforts, along with expanded outreach and collaboration, will hopefully influence an upward trend in canopy coverage on the next LiDAR data collection effort.

Over the last four years, the urban forest program has created and used new tree canopy analysis tools and site inspections to increase public plantings around the city. They've added efforts to integrate tree protection into city processes (like tree removal and investment accounting for city engineering projects) and institutionalize trees as valuable public infrastructure.

After the adoption of Milwaukie's climate program, the city's urban forest work started to include more outreach and education to the community to reach the city goal. Milwaukie holds an annual Arbor Day Celebration with community tree planting and tabling, bringing dozens of volunteers and hundreds of new trees to the community.

Staff are looking at potential partnerships with community groups to offer more tree pruning and care programs in the community to lessen the barriers and concerns that come with tree ownership. As the city explores ways to generate funds for climate programming, the inclusion private tree care assistance and planting programs should be considered to maximize the climate benefits of trees and help reach the 40% canopy goal.



Friends of Trees planting yard sign at 2022 Arbor Day event



Tree code outreach at Milwaukie Farmers Market



Honorary tree planting at Willow Place Natural Area

## IMPLEMENTATION HIGHLIGHTS:

- Awarded Oregon Tree City of the Year in 2020
- Achieved Tree City USA status 2017- 2022, with two Growth Awards for urban forest program expansion
- Creation of [Branch Out Milwaukie](#) for strategic tree planting
- Completion of a Public Tree Inventory Pilot
- Creation of Urban Forester position with specialized arborist training, and Natural Resources Technician position
- Creation of Urban Forest website and a suite of new informational materials, graphics and handouts for tree code awareness and urban forest outreach
- Creation and adoption of Urban Forest Management Plan (2019)
- Hosting of annual Arbor Day events and Earth Day events for planting and restoration in the community
- Creation of updated tree species list for PW Standards to promote climate adapted trees
- Development of new public tree code, emphasizing preservation of trees and developing programmatic permits and replanting requirements
- Development of private tree code for residential development and private tree removals
- Participation in regional workgroups including Connecting Canopy workgroup and Regional Habitat Connectivity Workgroups
- Collaboration with local watershed councils and non-profits for restoration projects and outreach alignment

## WORK WITH THE TREE BOARD TO DEVELOP A PLANTING PROGRAM FOCUED ON SHIELDING LOW INCOME NEIGHBORHOODS FROM HEAT

### ACTION STATUS: IMPLEMENTING

After adoption of the CAP, the city adopted the Urban Forest Management Plan which included strategies to plant, protect, and promote trees in Milwaukie. With the help of Tree Board, the UFMP addressed some of the ways for the city to make a positive impact on the most vulnerable communities and neighborhoods greatly impacted by climate change. The city has been coordinating planting events and including trees in street improvement projects to expand urban canopy and increase availability of low-cost planting options, but more work is needed to address the barriers of tree ownership.

In 2019, the city worked with Dr. Shandas from Portland State University to develop the [Branch Out Milwaukie](#) tool, a canopy analytics webtool that maps socioeconomic data and canopy data to show gaps in canopy coverage for vulnerable communities. The Public Tree Inventory Pilot also identified site-specific locations that would be ideal planting spots in the city. Before plantings occur, community engagement is required first so the city doesn't accidentally place burdens on low-income community members by street trees in front of their homes with the expectation of maintenance.



Friends of Trees at 2021 Arbor Day event

Staff are now coordinating with local environmental justice groups and urban forest advocacy groups like Blueprint Foundation, Friends of Trees, and 350PDX to explore potential policies and programs for future city implementation. Information about this work is brought back to monthly tree board meetings for follow up discussions.

**IMPLEMENTATION HIGHLIGHTS:**

- Creation of [Branch Out Milwaukie](#) for strategic tree planting using socioeconomic data to explore gaps in canopy equity
- Collaboration with local environmental justice groups to explore green jobs opportunities and community canopy incentives
- Hosting of tree planting events with low-cost trees and planting assistance

**REVIEW INTERGOVERNMENTAL WATER AGREEMENTS FOR SUPPLY SECURITY**

**ACTION STATUS: COMPLETED - ONGOING**

In 2019 the city signed an MOU with the Oregon Water and Wastewater Response Network addressing utility resiliency. In 2022, Milwaukie completed an update of the Water System Master Plan to address utility resiliency and supply security agreements. Milwaukie has agreements with Portland and Clackamas River Water and is working with Oak Lodge Water Services to evaluate options for a new intertie between both systems.

**ADJUST CODE TO REQUIRE ON-SITE STORAGE AND WATER FILTRATION BEFORE RELEASE THAT MEETS FUTURE CONDITIONS**

**ACTION STATUS: IMPLEMENTING**

In 2022, the city completed a stormwater management plan update which identified gaps in programming to meet new requirements of the city NPDES MS4 stormwater permit. In 2023 and 2024, the city will review stormwater code to align city design standards with these requirements and explore potential updates to the PW Standards to require additional stormwater storage on site.

The city has started the process of updates to the Stormwater System Plan which will highlight gaps in infrastructure to meet the increasing stormwater management needs of the community. This update will include collaboration with local environmental organizations including the watershed councils to include their analysis of watershed-level strategies for flood plain and riparian area management and watershed health.

**IMPLEMENTATION HIGHLIGHTS:**

- Completion of the Stormwater Management Plan update (2022) highlighting code updates for stormwater management to be implemented by 2024
- Initiation of Stormwater System Plan update (2023-2024)
- Partnership with local watershed councils on watershed level analysis and strategies for surface water and floodplain health

## UPDATE STORMWATER SYSTEM PLAN

### IDENTIFY SEWER AND WATERWAYS VULNERABLE TO FLOODING

#### ACTION STATUS: IMPLEMENTING

The city has completed the 2022 Wastewater Master Plan and started the process of updating the Stormwater System Plan which will identify existing infrastructure capacity for surface water management and potential infrastructure standards and investments for increased stormwater retention and flood management. Staff are working on developing the RFQ for the plan update and the identification and convening of regional stakeholders for participation in the update process.

#### IMPLEMENTATION HIGHLIGHTS:

- Initiation of Stormwater System Plan update (2023-2024)
- Identified wastewater infrastructure vulnerable to flooding in adopted Wastewater Master Plan (2022)

### DE-PAVE AREAS WHERE POSSIBLE TO ENCOURAGE STORMWATER INFILTRATION

#### ACTION STATUS: NOT STARTED

The city has not implemented any projects to de-pave areas for stormwater infiltration. The updated Stormwater System Plan and NCWC Watershed Action Plan will help highlight potential project areas for future work.

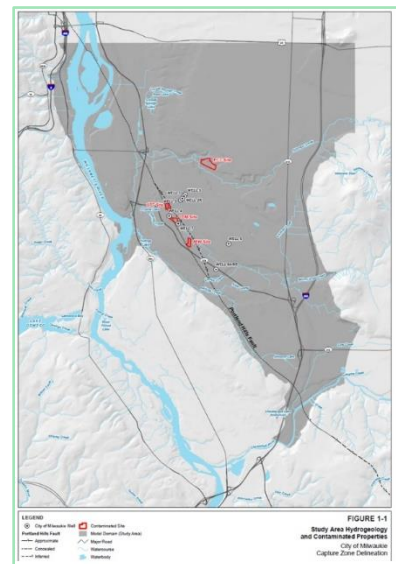
### INTRODUCE MORE MONITORING STATIONS TO PROTECT DRINKING WATER WELLS

#### ACTION STATUS: IMPLEMENTING

In 2019, the city conducted an evaluation of whether contaminated groundwater at three industrial sites could potentially reach the City's water supply wells. The Water Supply Well Capture Zone Delineations report consisted of two steps. First, summarize existing information about the nature and extent of groundwater contamination at each site. Second, delineate a capture zone for each City well, which is the three-dimensional volumetric portion of the aquifer that provides groundwater to the wells. By comparing the capture zones to the extent of groundwater an assessment could be made of the likelihood of contaminants reaching the City's water supply wells.

#### IMPLEMENTATION HIGHLIGHTS:

- Completion of the Water Supply Well Capture Zone Delineation report (published 2020)



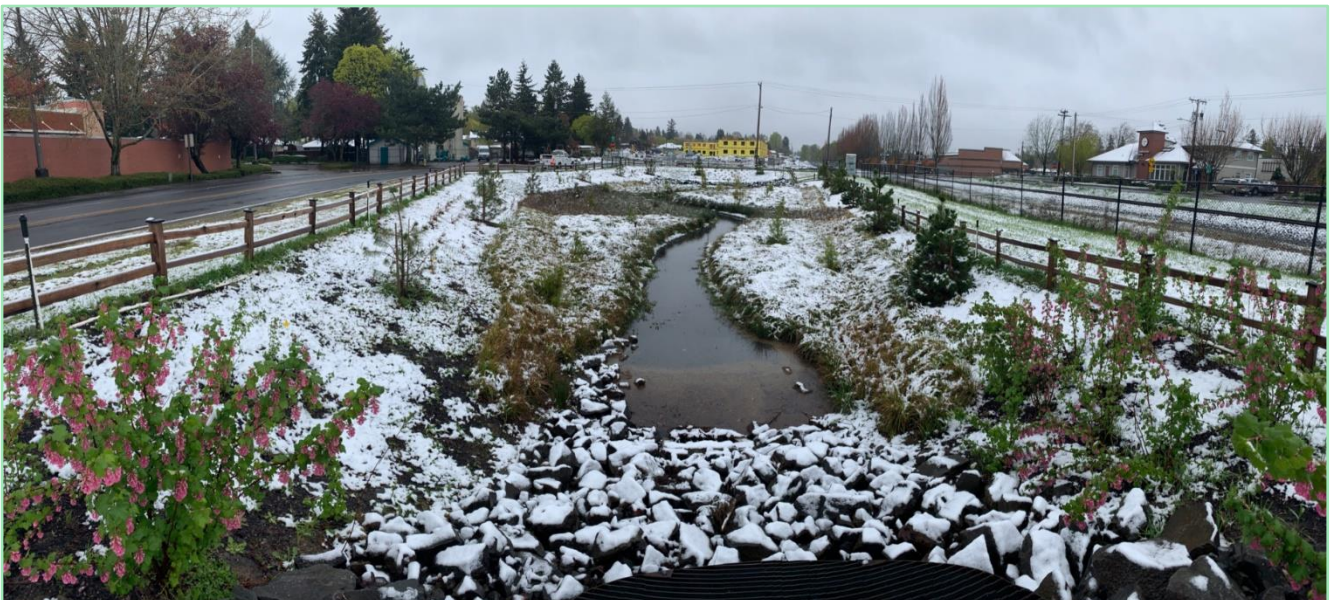


## DEVELOP A POTABLE/DRINKABLE WATER RE-USE PLAN

### ACTION STATUS: NOT STARTED

The city has not explored the development of a water re-use plan.

*Below: Stormwater facilities in Milwaukie used to capture, treat, and store street and surface water runoff*





Acute climate events resulting from climate change include heat waves, increase wildfires in our region, decreased air quality, flooding risk and more. By 2050, almost all of Oregon will experience high-risk levels of particulate air pollution from wildfires in the warmer months. Recent natural hazard events like the extreme heat event and wildfires in the region have increased awareness and need for preparedness. These acute events must be addressed through a planned, coordinated response—being proactive and setting processes in place now will help us adapt and respond quickly when the time comes.



## PROJECT HIGHLIGHTS

### Natural Hazards Mitigation Plan Update

Milwaukie and other jurisdictions in Clackamas County partnered on the 2019 Multi-jurisdictional Natural Hazards Mitigation Plan - a strategy document to address the risks of natural disasters and plan for ways to mitigate the greatest impacts and create a more resilient community. The plan identifies potential hazards for the region and priorities based on severity of impact, likeliness of occurrence, and regional preparedness. Having a plan created is a requirement for jurisdictions to receive funds from the Federal Emergency Management Agency (FEMA) after a natural disaster occurs. The funding can also help with a variety of projects to mitigate risks through infrastructure improvements.

The city is now working with the County to create the 2023 NHMP. In this version of the plan, the city is advocating for greater focus on urban impacts of hazards and climate change, including flooding impacts from utility system overflows, air quality and wildlife smoke, and extreme heat.

## PUBLIC HEALTH AND EMERGENCY PREPAREDNESS ACTIONS

### WORK WITH PARTNERS TO SUPPORT COMMUNITY OUTREACH ABOUT HOW TO REDUCE FIRE AND FLOOD RISK

#### ACTION STATUS: IMPLEMENTING

Through the NHMP update, regional agencies will strategize on ways to increase community awareness and preparedness from natural hazards events, including wildfires and flood. The city has also discussed wildfire preparedness with the local parks district to address wildfire threats and safety buffers for densely vegetated areas.

## WORK WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO UPDATE FLOOD PLAIN MAPS

### ACTION STATUS: NOT STARTED

FEMA has not started a process to re-evaluate flood plain maps for the Milwaukie area.

## DEVELOP PUBLIC FACING FLOOD AND FIRE RISK ZONE MAPS AND IMPLEMENT SIGNAGE ON STREETS TO RAISE AWARENESS

### ACTION STATUS: IMPLEMENTING

Milwaukie GIS staff created an online resource map to show current FEMA floodplains and the flood levels of the 1996 Willamette River flooding. Clackamas County Maps (CMap) also contains information on risk zones for properties in their jurisdiction.

## PLAN FOR COOLING AND AIR QUALITY RELIEF CENTERS

### ACTION STATUS: IMPLEMENTING

In recent years and through regional extreme storm and heat events, the need for safe refuge from excessive heat and cold has increased in priority for the community. Milwaukie and other Clackamas County jurisdictions shared information about local heat and cooling centers in their area, with Milwaukie holding a daytime cooling and warming center in the new Ledding Library during these events. As more extreme weather events occur, the city will need to strategize with community partners on the deployment of more 24/7 relief centers near key community centers and neighborhood hubs.



### IMPLEMENTATION HIGHLIGHTS:

- Use and advertisement of Ledding Library as a daytime cooling/warming center for community relief in extreme weather events

## PROMOTE MORE SOPHISTICATED HOME AIR FILTRATION SYSTEMS

### ACTION STATUS: IMPLEMENTING

Through Milwaukie's advocacy for more energy efficient buildings and local influence over building codes, staff have also advocated for building technologies that consider protection of indoor air quality from pollution, heat, and smoke. As buildings become more air sealed and efficient, filtration systems need to also improve to protect occupants from indoor air quality concerns.

Milwaukie also considered threats to indoor air quality from natural gas systems. In 2022, Council hosted public conversations on the public health impacts of gas combustion from stoves and gas-powered assets, leading to a resolution to ban new residential development connections to gas infrastructure for health and climate protection.



### IMPLEMENTATION HIGHLIGHTS:

- Advocacy for energy efficient technology in building codes, including filtration systems
- Adoption of resolution banning new gas connections for residential development



RS 7. C. 6/20/23  
Presentation

# Climate Goal Update

CAP and Priority Projects

6/20/23

Natalie Rogers

Climate and Natural Resources Manager



# CAP Update Overview

- Narrative of city implementation of CAP and priority climate projects
- Implementation influenced by:
  - Council priorities
  - Staff capacity
  - Regional opportunities
- Actions represent work across city operations, not all stakeholders
- Transportation emissions increased, now largest emission sector above Building Energy

## MILWAUKIE'S CLIMATE ACTION GOALS

2030

### NET-ZERO ELECTRICITY

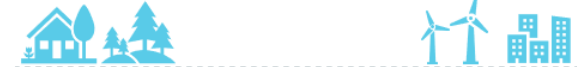
Milwaukee has net-zero carbon emissions from electricity through strategic use, efficient technology, and carbon-free electricity generation like solar, hydro and wind power.



### NET-ZERO BUILDINGS

Milwaukee has net-zero carbon emissions from building energy by electrifying buildings, using carbon-free power, and choosing renewable fuel options.

2035



2040

### 40% TREE CANOPY COVERAGE

Milwaukee supports a diverse and healthy tree canopy covering 40% of the city's landscape, providing habitat, public health, and watershed benefits to the community.



### CARBON NEUTRAL COMMUNITY

Milwaukee reduces and offsets emissions to reach net-zero emissions through climate-friendly city planning, energy generation, transportation, and community behavior.

2045



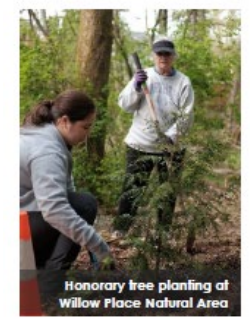
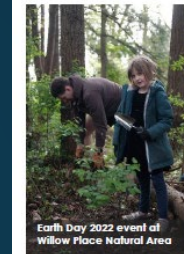
# CAP Action Status

CAP ACTION TOPIC	TOTAL TOPIC ACTIONS	NOT STARTED	IMPLEMENTING	COMPLETED	COMPLETED + ONGOING
BUILDING ENERGY AND EFFICIENCY	10	-	9	-	1*
VEHICLES AND FUELS	9	1	7	1	-
LAND USE AND TRANSPORTATION	14	1	10	2	1
MATERIALS USE, PURCHASING AND RECOVERY	7	2	4	-	1
NATURAL RESOURCES	9	2	6	-	1
PUBLIC HEALTH AND EMERGENCY PREPAREDNESS	5	1	4	-	-

13% (7/53) CAP actions not started

>88% (47/53) implemented

13% (7/53) CAP actions completed/ongoing



# Priority Project – Community Green Tariff

- Creating new opt-out PGE renewable energy product for residents and small businesses in Milwaukie
- Funds energy purchase, programs in Milwaukie
- Requires tariff (state financing rules) and participation agreement (utility/city agreement)

## **Current status:**

- Staff engaged in PUC workgroup, PGE and local gov conversations
- PGE developing language for ‘umbrella tariff’
- PUC and PGE balancing tariff development with HB2021 requirements
  - Waiting on next steps from PUC and PGE





# Priority Project – Building energy resolutions

## City-owned building electrification resolution:

- Resolution to require strategic electrification of city-owned buildings with large investment and building assets as they need replaced
- Staff proceeding with contract development for building electrification feasibility study (to be completed by June 30, 2024)

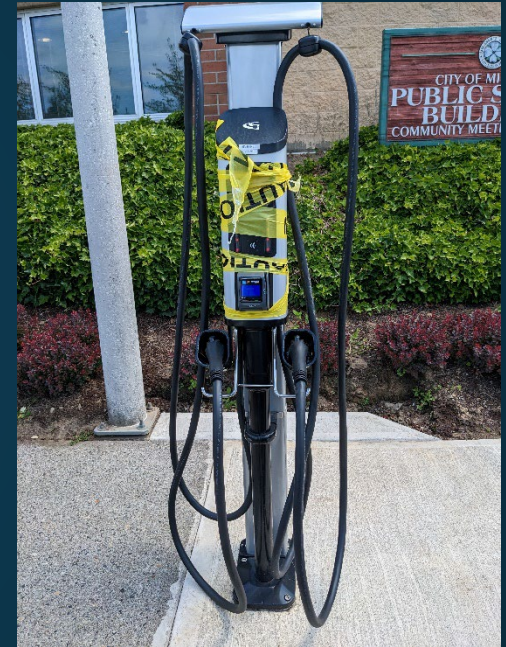
## Natural gas ban for new residential development resolution:

- Eugene ordinance passed in February 2023
- 9<sup>th</sup> Circuit Court decision
- Ashland, OR recently passed resolution
- City staff pausing in implementation until assurance of legal authority



# Priority Project – EV Charging Infrastructure

- For project background, revisit February 7th EV presentation to Council
- City-owned chargers to be online by end of July 2023
  - Public LV2 chargers at JCB, PSB, and LL
  - Operations LV2 for city fleet vehicles at new city hall
- PGE on-pole chargers in Milwaukie neighborhoods – summer 2023



# Questions?



6/20/23

Climate Update

# Contact Us



**Natalie Rogers**

Climate and Natural Resources Manager

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



6/20/23

Climate Update



**Scott Stauffer**

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**From:** Lenny Dee <lenny@onwardoregon.org>  
**Sent:** Thursday, June 15, 2023 12:59 PM  
**To:** OCR  
**Subject:** Methane Gas Ban

This Message originated outside your organization.

Hi,

Thank you for the ban on methane gas in new construction. We need to do all we can to respond to climate change.

Warmly,

Lenny Dee

Onward Oregon  
Your Oregon Information Source  
<https://onwardoregon.org/>

## Scott Stauffer

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**From:** Barbara Settles <bashinkas@yahoo.com>  
**Sent:** Thursday, June 15, 2023 12:59 PM  
**To:** OCR  
**Subject:** letting go of natural gas, which is an euphonistic way of describing burning fuel which causes destruction, in an unnatural way

**This Message originated outside your organization.**

---

Dear Council,

I do not live in Milwaukee but did once, and am now in Oregon where we citizens are working to rid ourselves and our entire landscape from using gas to power our lives.

Please do what you can to find solutions for folks on tight budgets, on people who love to cook in certain ways with gas, in communities that can make a difference, to insist that all new housing and working units be powered but not by gas. We in Ashland, Oregon are trying to consult with companies and energy gurus to convince the public that this is the only way to go, and we encourage you to do the same also in Milwaukee which is a model for many large cities in the midwest.

Thank you for working to enhance the community of Milwaukee and its neighbors.

Barb Settles  
Ashland, Oregon  
541 324 9981

## Scott Stauffer

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**From:** Howard Shapiro <howeird3@gmail.com>  
**Sent:** Thursday, June 15, 2023 1:23 PM  
**To:** OCR  
**Subject:** Banning methane producing appliances.

**This Message originated outside your organization.**

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We applaud the cities banning the construction of new housing with methane gas producing appliances. This should be a statewide policy for the health of all Oregonians!

Howard Shapiro  
2545 SW Terwilliger Blvd. Apt 1105  
Portland OR 97201

Sent from [Mail](#) for Windows

**Scott Stauffer**

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**From:** Kathy Pinsonault <kathypinsonault@gmail.com>  
**Sent:** Thursday, June 15, 2023 2:02 PM  
**To:** OCR  
**Subject:** Gas Installations

**This Message originated outside your organization.**

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We have gas and can't afford to change it in our home. I turn on the fan to try to eliminate the toxins. It has been easy to leave a burner on low and not see it until it is dark.

I was very thankful that someone actually investigated the repercussions on our health, let alone the repercussions to our planet and potential disasters in fracking and transporting.

I realize that we just can't eliminate it in a hurry but we can't start neutralizing the threat for others.

Thank you council for stepping up!

Kathleen Pinsonault  
Milwaukie, OR 97222



**From:** [Ann Littlewood](#)  
**To:** [OCR](#)  
**Subject:** Step up for climate!  
**Date:** Friday, June 16, 2023 3:51:14 PM

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**This Message originated outside your organization.**

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We've got fires, heat waves, and severe winter weather. Let's do our part to get this climate disaster under control. Please help lead the way! **This is the time for the City of Milwaukie to join other cities in Oregon by implementing concrete policies to decarbonize buildings.**

**The City must require that new buildings are all-electric and create a plan to transition all existing buildings to be all-electric, with an emphasis on supporting low-income, BIPOC and historically-marginalized communities in this transition. Milwaukie has already resolved to ensure new residential and city-owned buildings are all-electric, but must still develop and implement an enforceable policy to do so.**

**Please continue to commit to all-electric public buildings in our community, to creating policy pathways to all-electric new buildings community-wide, and to ensuring an affordable transition to all-electric buildings, with a focus on low-income, renter, and BIPOC communities.**

Thank you.

Ann Littlewood

We will probably be headed for another year of historic climate-fueled weather events – including fires, deadly heat waves, and severe winter weather – and in light of the IPCC’s most dire report yet about the state of the climate crisis, **NOW is the time for the City of Milwaukie to join other cities in Oregon by implementing concrete policies to decarbonize our buildings.**

To reach this goal, it is critical that the City require that all new buildings are all-electric and create a plan to transition all existing buildings to be all-electric, with an emphasis on supporting low-income, BIPOC and historically-marginalized communities in this transition. Milwaukie has already resolved to ensure new residential and city-owned buildings are all-electric, but must still develop and implement an enforceable policy to do so.

**Specifically, we hope the City Council will continue working toward 1) committing to all-electric public buildings in our community, 2) creating policy pathways to all-electric new buildings community-wide, and 3) ensuring an affordable transition to all-electric buildings, with a focus on low-income, renter, and BIPOC communities.**

Linda Kubes

re: City of Milwaukie All-Electric Building Policy

Mayor Batey and City Councilors,

As a grandparent and a lung cancer patient and in light of the most recent Intergovernmental Panel on Climate Change's (IPCC) most dire report, I am more concerned about the climate crisis, and the public health of our communities than ever. NOW is the time for the City of Milwaukie to join other cities in Oregon by implementing concrete policies to decarbonize buildings.

To reach its end, I strongly support the City's resolve to ensure new residential and city-owned buildings are all-electric, and I encourage the City to develop and implement enforceable policy to make this happen.

Accelerating the transition to all-electric homes and buildings is very important because burning gas in homes and buildings leads to indoor air pollution which can be harmful to human health and increase risk of deadly explosions and fires.

Because new electric heat pumps and induction stoves are extremely efficient, and Oregonians already rely on electricity for many of their energy needs, transitioning from gas to electricity, together with weatherization of structures, can actually decrease residential utility costs as well as improve public health and safety.

Please continue moving forward with policies to decarbonize building.

Thank you for your consideration,

Walt Mintkeski  
6815 SE 31st Ave, Portland, OR



June 19, 2023

Dear Mayor Batey, City Councilors, and City Manager Ober,

**Re: June 20, 2023 City Council Meeting, Agenda Item 7.C – Climate Action Overview**

We, the undersigned organizations, write to express our support for ambitious climate change and energy policy in the City of Milwaukie. Specifically, we support this Council and the City’s efforts to expeditiously implement the directive contained within Section 1 of the Council’s Resolution No. 81-2022:

“The city staff are directed to develop code changes or take other actions, as necessary, to achieve the following outcome: Fuel gas piping, defined as conveying hydrocarbon ‘fossil fuels’ including natural gas, propane, manufactured gas, liquefied petroleum gas or mixtures of these gases, is prohibited from connecting to any residential building after March 1, 2024.”<sup>1</sup>

This direction to City staff remains sound, and we believe that draft code language envisioned by the resolution should be developed without delay.

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<sup>1</sup> See *Milwaukie City Council Resolution No. 81-2022* (Dec. 6, 2022), [https://www.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/124274/r81-2022\\_bldgenergy-new.pdf](https://www.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/124274/r81-2022_bldgenergy-new.pdf)



In support of this, this letter first reviews the overwhelming factual case in favor of electrification. Electrification is a critical emissions reduction tool, and is superior to a so-called “decarbonized gas system” on emissions, economic, environmental, health, and safety grounds. The letter then addresses the Ninth Circuit Court of Appeals’ recent decision in *California Restaurant Association v. City of Berkeley*. Despite our objections to the holding in that case that the federal Energy Policy and Conservation Act (“EPCA”) preempts a straightforward prohibition of fossil fuel infrastructure within new buildings, enacted via changes to city codes (cf. building codes), we believe the majority’s opinion leaves ample room for achieving the December 6, 2022 resolution’s directives via other means.

### **1. Electrification of new residential construction is vastly superior to gas utility decarbonization plans, and is supported by all available, credible evidence**

Multiple studies from a plethora of sources all confirm that reducing greenhouse gas (“GHG”) emissions in buildings through electrification is more effective, cheaper, and is associated with fewer health and environmental concerns than reducing emissions via a so-called “decarbonized” gas system. We summarize this evidence as follows:

GHG emissions: Studies have shown that all-electric buildings have lower GHG emissions than gas buildings *even with the current energy mix provided by electric utilities*.<sup>2</sup> This is because, in essence, electric heat pumps are vastly more energy efficient than even the most efficient gas appliances, and electricity utilities already have a significant level of renewables penetration in their energy mix. A frequent refrain of NW Natural and other fossil fuel industry-aligned opponents of electrification has been that these policies only achieve marginal reductions. NW Natural in particular has honed in on an analysis conducted in Eugene to purport that emissions reductions from electrification of new buildings are marginal. On the contrary:

- (1) The analysis showed that there would be significant annual and cumulative GHG emissions reductions in the gas sector,<sup>3</sup> even under the study’s questionable assumptions.<sup>4</sup>

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<sup>2</sup> Rachel Golden and Carra Bottorff, *New Analysis: Heat Pumps Slow Climate Change in Every Corner of the Country* (Apr. 23, 2020),

<https://www.sierraclub.org/articles/2020/04/new-analysis-heat-pumps-slow-climate-change-every-corner-country>.

<sup>3</sup> Specifically, the City of Eugene’s Sustainability Manager, in a letter to the State Legislature clarifying the analysis’ findings, wrote that, based on the analysis, “a policy restricting new fossil fuel infrastructure in residential and commercial buildings would reduce forecasted natural gas emissions in 2037 by 13% compared to a 2017 – 2019 annual average baseline.”

Additionally, the Sustainability Manager noted that, according to the analysis, cumulative emissions savings would be 535,000 MT CO<sub>2</sub>e by 2050. See City of Eugene, *Letter to Joint Task Force on Resilient Efficient Buildings* (Dec. 12, 2022),

<https://olis.oregonlegislature.gov/liz/202111/Downloads/CommitteeMeetingDocument/258329>.

<sup>4</sup> Specifically, the analysis assumed that residential gas use in Eugene would increase at only 0.12% per year from 2022 onwards. The basis for such a low growth assumption is entirely unclear, as gas use in Eugene increased at a rate of 2.49% per year between 2010 and 2019; and as the total volume of gas supplied by NW Natural increased over the last two years

(2) A more recent and more relevant analysis conducted for the City of Eugene found that “Over the next 20 years significant cumulative emissions can be saved if electrification of homes is pursued instead of waiting for the Climate Protection Program requirements to achieve reductions in household gas use.”<sup>5</sup> That is, even when factoring in NW Natural’s required emissions reductions under the Climate Protection Program, electrification immediately results in lower emissions, and by 2050 cumulative emissions are only 20% of those of gas homes, on a per-household basis.<sup>6</sup>

It is worth emphasizing that even with a partially “dirty” mix of energy, new all-electric buildings (i.e., those installed with heat pump space and water heating) have fewer GHG emissions than buildings with gas appliances. Additionally, although Portland General Electric (“PGE”)’s energy mix is not as clean as that of the Eugene Water and Electricity Board (>90%), it is approaching the halfway mark (approximately 39%).<sup>7</sup> It is further worth noting that PGE has already achieved, in 2022, a 25% reduction in annual GHG emissions from its 2010-2012 baseline,<sup>8</sup> and that it is further required by HB 2021 to achieve 80% reductions from baseline by 2030 and 100% by 2040 – a more ambitious emissions reduction pathway than that required of NW Natural by the Climate Protection Program. In summary, while per-household emissions savings from electrification may be somewhat lower in Milwaukie than in Eugene, those emissions savings exist *today* and will only grow over time, even if NW Natural achieves its stated emissions reduction goals.<sup>9</sup>

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alone by 9.58%. Similarly, the analysis assumed that, contrary to local and State GHG emissions targets, Eugene’s emissions would grow by 1% annually in all other sectors in Eugene. Both assumptions had the effect of minimizing emissions savings from electrification.

<sup>5</sup> The Good Company, *City of Eugene community decarbonization by 2045 for existing residential, commercial, and industrial buildings energy use* (Oct. 26, 2022), 37,

[https://ompnetwork.s3-us-west-2.amazonaws.com/sites/134/documents/cc\\_agenda\\_packet\\_10-26-22\\_ws\\_post.pdf?naV3w.ERjy.uRjnMRuRI2kKkbo\\_c0IuI](https://ompnetwork.s3-us-west-2.amazonaws.com/sites/134/documents/cc_agenda_packet_10-26-22_ws_post.pdf?naV3w.ERjy.uRjnMRuRI2kKkbo_c0IuI).

<sup>6</sup> *Id.*, Figure 24.

<sup>7</sup> PGE, *Clean Energy Plan and Integrated Resource Plan 2023* (2023), 15,

[https://downloads.ctfassets.net/416ywc1laqmd/6B6HLox3jBzYLYXOBgskor5/db59c8b594a3c380b9d42e90ec9a35aa/2023\\_PGE\\_CEP-IRP.pdf](https://downloads.ctfassets.net/416ywc1laqmd/6B6HLox3jBzYLYXOBgskor5/db59c8b594a3c380b9d42e90ec9a35aa/2023_PGE_CEP-IRP.pdf).

<sup>8</sup> PGE, *PGE’s Path to Decarbonization Our 2023: Clean Energy Plan and Integrated Resource Plan* (2023),

[https://assets.ctfassets.net/416ywc1laqmd/1WCldfqPilFCqwDap3Xt6A/6331261d388594c8fc2e011a09fab666/2023\\_CEP-IRP\\_Fact\\_Sheet.pdf](https://assets.ctfassets.net/416ywc1laqmd/1WCldfqPilFCqwDap3Xt6A/6331261d388594c8fc2e011a09fab666/2023_CEP-IRP_Fact_Sheet.pdf).

<sup>9</sup> We further note here the truly paltry amount of renewables currently in NW Natural’s gas system. NW Natural’s two largest investment projects announced to-date – the Lexington and Dakota City Tyson Foods renewable natural gas (“RNG”) facilities – are touted to achieve emissions reductions of between 240,000 and 290,000 MMBtu of comparatively low-carbon RNG annually. This is only about 4% of the *growth* in gas supplied by NW Natural across its distribution system from 2021 to 2022 (6,756,200 MMBtu). Additionally, the physical gas from these facilities will never be delivered to Milwaukie, as NW Natural instead decouples the “Renewable Thermal Certificates” from the gas and applies those Certificates to its existing gas supplies. Consequently, new gas buildings in Milwaukie are and will continue to be supplied with virtually 100% fracked fossil gas, with NW Natural’s touted RNG investments merely functioning as an offsets scheme. See NW Natural, *NW Natural begins producing RNG at second Tyson Foods facility* (May 2, 2023),



Cost: All available evidence indicates that building new homes all-electric is cheaper than building them with gas, especially in Milwaukie’s relatively mild climate.<sup>10</sup> The simple reason for this is that building all-electric avoids the cost of a gas connection and meter, and avoids the need for a second appliance to provide space cooling (i.e. heat pumps provide effective heating and cooling in a single, ultra-efficient appliance).

Environment, health and safety: All-electric homes provide significant resiliency advantages in a warming climate. First, as mentioned above, heat pumps provide both heating *and cooling*, the latter of which is increasingly becoming essential in a warming climate with increasingly frequent and severe summer heatwaves.<sup>11</sup> Second, all-electric cooking appliances do not produce nitrogen oxides (NO<sub>x</sub>), benzene, and other chemicals associated *specifically* with gas stoves.<sup>12</sup> Importantly, none of the decarbonization technologies proposed by NW Natural – renewable natural gas (RNG),<sup>13</sup> hydrogen

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<https://ir.nwnaturalholdings.com/news/news-details/2023/NW-Natural-Begins-Producing-RNG-at-Second-Tyson-Foods-Facility/default.aspx> (providing RNG volumes for NW Natural’s two Tyson Foods investments); Coalition of Communities of Color et al., *Opening Testimony* (PUC Docket No. UG 435, Apr. 22, 2022), Coalition/100, Apter/18-19, <https://edocs.puc.state.or.us/efdocs/HTB/ug435htb16597.pdf> (describing NW Natural’s decoupling of RTCs); NW Natural, *Form 10-K* (Feb. 24, 2023), 9, <https://ir.nwnaturalholdings.com/financials/sec-filings/default.aspx> (including figures for NW Natural’s gas supply volumes for 2021 and 2022).

<sup>10</sup> See, e.g., RMI, *Letter to Eugene Mayor Lucy Vinis and City Councilors re: RMI Economic and Energy Analysis of Building Electrification in Eugene* (Apr. 7 2022), 1,

<https://drive.google.com/file/d/1M92YWhu3KrvBxC-sEF22VqSidMsPMA6k/view> (“Economic and emissions analysis shows that all-electric construction in the City of Eugene would both lower greenhouse gas emissions and reduce building construction and operation costs.”); Synapse Energy Economics, *Toward Net Zero Emissions from Oregon Buildings Emissions and Cost Analysis of Efficient Electrification Scenarios* (Jun. 23, 2022), <https://www.synapse-energy.com/sites/default/files/Net-Zero-Emissions-from-Oregon-Buildings-21-127.pdf>.

<sup>11</sup> Lacey Tan & Mohammad Hassan Fathollahzadeh, *Why Heat Pumps Are the Answer to Heat Waves* (RMI, Aug. 12, 2021), <https://rmi.org/why-heat-pumps-are-the-answer-to-heat-waves/>.

<sup>12</sup> See Liam McCabe, *Should You Ditch Your Gas Stove?* (The New York Times, Jan. 12, 2023), <https://www.nytimes.com/wirecutter/blog/dont-need-ditch-your-gas-stove-yet/>. See also Drew R. Michanowicz et al., *Home is Where the Pipeline Ends: Characterization of Volatile Organic Compounds Present in Natural Gas at the Point of the Residential End User* 56(14) *Environmental Science and Technology* 10258 (2022), <https://pubs.acs.org/doi/10.1021/acs.est.1c08298>; Harvard T. H. Chan School of Public Health, *Natural Gas Used in Homes Contains Hazardous Air Pollutants* (June 28, 2022), <https://www.hsph.harvard.edu/c-change/news/natural-gas-used-in-homes/>.

<sup>13</sup> RNG is methane gas produced from waste sources. For one critique (among many) of gas utilities’ plans for RNG development, see Laura Feinstein & Eric de Place, *The Four Fatal Flaws of Renewable Natural Gas* (Sightline Institute, Mar. 9, 2021), <https://www.sightline.org/2021/03/09/the-four-fatal-flaws-of-renewable-natural-gas/>.

blending,<sup>14</sup> and synthetic methane<sup>15</sup> – address the specific air quality issues concerned with gas stoves. In the case of hydrogen blending, evidence indicates this may in fact *increase* nitrogen dioxide (NO<sub>2</sub>) emissions.<sup>16</sup> Third, all-electric buildings avoid the known seismic and explosion risks associated with gas infrastructure.<sup>17</sup> Fourth, there are growing environmental and climate concerns associated with the cornerstone of NW Natural’s short-term emissions reduction strategy – RNG – due to the potential for a growing RNG market to incentivize more waste-intensive agricultural practices.<sup>18</sup>

In light of the above evidence, there is an overwhelming factual case for pursuing an electrification ordinance for new residential buildings.

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<sup>14</sup> Gas utilities, including NW Natural, propose to add hydrogen gas produced by electrolysis (using electricity to split water into oxygen and hydrogen) from renewable electricity into their gas distribution system in blends of up to 20% hydrogen (with the remaining 80% being methane). For a critique of this technology, see Physicians for Social Responsibility, *Hydrogen pipe dreams* (June 22, 2022), <https://psr.org/resources/hydrogen-pipe-dreams-why-burning-hydrogen-in-buildings-is-bad-for-climate-and-health/hydrogen-pipe-dreams/>.

<sup>15</sup> Synthetic methane or methanated hydrogen, in the renewables context, is the process of producing methane gas from hydrogen and “waste” carbon dioxide. Synthetic methane forms the majority of the renewables in NW Natural’s long term system decarbonization plans, according to its latest IRP. For a critique of the feasibility of NW Natural’s synthetic hydrogen procurement plans, see Green Energy Institute at Lewis & Clark Law School et al., *Opening Comments* (PUC Docket No. LC 79, Dec. 30, 2022), 22-34, <https://apps.puc.state.or.us/edockets/edocs.asp?FileType=HAC&FileName=lc79hac14421.pdf&DocketID=23476&numSequence=47>.

<sup>16</sup> Physicians for Social Responsibility, *Hydrogen pipe dreams* (June 22, 2022), <https://psr.org/resources/hydrogen-pipe-dreams-why-burning-hydrogen-in-buildings-is-bad-for-climate-and-health/hydrogen-pipe-dreams/>, citing Mehmet S. Celtek & Ali Pınarbaşı, *Investigations on Performance and Emission Characteristics of an Industrial Low Swirl Burner While Burning Natural Gas, Methane, Hydrogen-Enriched Natural Gas and Hydrogen as Fuels*, 43(2) International Journal of Hydrogen Energy 1194–1207 (2018), <https://doi.org/10.1016/j.ijhydene.2017.05.107>; Alistair C. Lewis, *Optimizing air quality co-benefits in a hydrogen economy: a case for hydrogen-specific standards for NOx emissions*, 1 Environ. Sci. Atmos. 201 (2021), <https://doi.org/10.1039/D1EA00037C>.

<sup>17</sup> Jan Rosenow, *Is heating homes with hydrogen all but a pipe dream? An evidence review*, 6(1) ScienceDirect P2225 (2022), [https://www.cell.com/joule/fulltext/S2542-4351\(22\)00416-0](https://www.cell.com/joule/fulltext/S2542-4351(22)00416-0). See also Accufacts Inc., *Report: Safety of Hydrogen Transportation by Gas Pipelines* (Nov. 28, 2022) (Finding, *inter alia*, that hydrogen-methane blending is effectively unsafe in existing gas distribution networks at *any* blending level, due to the high explosion and leakage risks associated with hydrogen’s particular chemical properties. The report also found that a 20% blend of hydrogen with methane results in only a 7% reduction in gas combustion emissions, and even fewer reductions if leakage is factored in.)

<sup>18</sup> See Adam Kotin et al., *Diversified Strategies for Reducing Methane Emissions from Dairy Operations* (California Climate & Agricultural Network, Oct. 2015), <https://calclimateag.org/wp-content/uploads/2015/11/Diversified-Strategies-for-Methane-in-Dairies-Oct.-2015.pdf> (finding that switching from liquid to dry waste management strategies in dairy farms would reduce methane production); Markus Lauer et al., *Making money from waste: The economic viability of producing biogas and biomethane in the Idaho dairy industry*, 222 Applied Energy 621 (2018), <https://www.sciencedirect.com/science/article/pii/S0306261918305695> (finding that economically producing biogas and biomethane from dairy farms requires >3,000 cows per farm).



## **2. There are viable, legally-defensible legal pathways to electrifying new residential construction**

The Ninth Circuit’s decision in *California Restaurant Association v. City of Berkeley* – and specifically its holding that the City of Berkeley’s prohibition on gas infrastructure within new buildings is preempted by the federal Energy Policy and Conservation Act – impedes implementation of local electrification policy at the local level in Oregon. Nevertheless, we believe the obstacles put in place by the decision are far from insurmountable, for the following reasons:

The Ninth Circuit’s decision may be overturned by *en banc* review: On May 31, the City of Berkeley filed its petition seeking *en banc* review by an 11-judge panel of the Ninth Circuit.<sup>19</sup> The City’s brief points out the many flaws and incoherencies in the Ninth Circuit’s ruling; the difficulties it presents for effective administration of EPCA going forward; and the ambiguities that exist around the Ninth Circuit’s interpretation of Supreme Court precedent regarding the presumption against preemption. The United States Department of Energy has also submitted an *amicus curiae* brief in support of the City of Berkeley.<sup>20</sup> In our view, the petition is likely to be granted, and *en banc* review is likely to reverse, or at least significantly alter or narrow, the original Ninth Circuit panel’s decision.

The decision likely does not apply to ordinances that regulate building emissions, especially if carefully crafted. Since air pollution is addressed at the federal level by the Clean Air Act, not EPCA, a regulation crafted as an air emissions standard should pass muster under the Ninth Circuit’s decision if considered carefully. The way such an ordinance would work is as follows. A building emissions ordinance would require a notice of construction if a building would emit or have the potential to emit (through the operation or installation of any appliance, equipment, or process) carbon dioxide, methane, and nitrogen oxides in a “covered building.” The ordinance would set limits on each of the pollutants. The City could make the ordinance applicable to a specified kind of “covered building” (e.g. the City could limit the ordinance’s application to residential buildings). Failure to comply with the ordinance would result in revocation of the certificate of occupancy and potentially lead to penalties. One optional addition to the ordinance, offering further legal certainty, would permit an owner to pay an emissions fee in lieu of meeting the building emissions limits. Details of such a fee would depend on how a local government seeks to consider and balance local administrative needs with desired benefits.

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<sup>19</sup> *California Restaurant Association v. City of Berkeley* (9th Cir., No. 21-16278), Defendant-Appellee City of Berkeley’s Petition for Rehearing *En Banc* (May 31, 2023),

<https://legal-planet.org/wp-content/uploads/2023/05/Berkeley-petition.pdf>.

<sup>20</sup> *California Restaurant Association v. City of Berkeley* (9th Cir., No. 21-16278), Brief for The United States as *Amicus Curiae* in Support of Petition for Rehearing (Jun. 12, 2023),

<https://legal-planet.org/wp-content/uploads/2023/06/DOE-amicus-ISO-Petition.pdf>.

The decision does not apply to electrification ordinances effectuated via changes to building codes: An important feature of the *City of Berkeley* decision is that its holding likely was limited to ordinances of this type that were effectuated via changes to city code, rather than via changes to building codes that comply with EPCA. This is because EPCA has an explicit carve-out to its preemption clause for building codes, provided that they comply with seven\* requirements.<sup>21</sup> As a result, the decision arguably left the ordinances that have been passed by changes to local building codes largely unaffected, so long as they comply with the seven requirements. One additional obligation in Oregon involves the statewide uniform building code.<sup>22</sup> Importantly, municipalities may apply to the Building Codes Division for a “local amendment” to the statewide uniform building code.<sup>23</sup> The local amendment application includes a further public process prior to submission to the Building Codes Division, which would provide a structured opportunity for community feedback and education around the benefits of electrification. The local amendment application further would allow the City to design an ordinance that includes, *inter alia*, consideration for different building types, appliances, and other construction standards.. If approved by the Building Codes Division, the local amendment would be extremely resilient to legal challenge (assuming it also complied with the aforementioned requirements under EPCA). If this City decides to pursue this option, then we recommend that the ordinance be written so that it can be easily modified to add requirements for commercial and industrial buildings at the City's earliest opportunity.

### 3. Conclusion

The undersigned organizations strongly support the City of Milwaukie to move quickly to develop and implement policy in line with the Council's December 6 Resolution to require that new construction in the City is not built with polluting methane gas, and instead takes full advantage of the clean, renewable electricity that is increasingly available in the State. The evidence summarized above overwhelmingly supports local governments promoting building electrification as sound climate mitigation and adaptation policy, and a prudent public health and safety measure. Other cities in Oregon are not waiting on the outcome of litigation to proceed with developing and implementing these policies,<sup>24</sup> and we strongly encourage you to do the same. The legal, technical and policy experts

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<sup>21</sup> 42 U.S. Code § 6297(f). See also the discussion in Amy Turner, *Ninth Circuit Holds Berkeley's Gas Ban Preempted by U.S. Energy Policy & Conservation Act* (Climate Law: A Sabin Center Blog, April 18, 2023), <https://blogs.law.columbia.edu/climatechange/2023/04/18/ninth-circuit-holds-berkeleys-gas-ban-preempted-by-u-s-energy-policy-conservation-act/>.

<sup>22</sup> ORS 455.040.

<sup>23</sup> ORS 455.040(1); OAR 918-020-0370.

<sup>24</sup> Gosia Wozniacka, *Ashland moves toward natural gas ban in new homes* (The Oregonian, Jun. 7, 2023), <https://www.oregonlive.com/environment/2023/06/ashland-moves-toward-natural-gas-ban-in-new-homes.html>.

within our coalition look forward to continuing to engage with City Council and Staff in the development of this policy.

Sincerely,

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Diane Hodiak, Executive Director, **350 Deschutes**

Patricia Hine, President, **350 Eugene**

Dineen O'Rourke, Campaign Manager, **350PDX**

Philip Carver, Co-coordinator, **350 Salem**

Danny Noonan, Climate and Energy Strategist, **Breach Collective**

Bethany Cotton, Conservation Director, **Cascadia Wildlands**

Nick Keenan & Karen Harrington, Renewable Energy & Legislative Committee Chairs, **Climate Reality Project Portland Chapter**

Greer Ryan, Oregon Clean Buildings Policy Manager, **Climate Solutions**

Alma Pinto, Climate Justice Associate, **Community Energy Project**

Wendy Woods, Co-founder, **Electrify Corvallis**

Brian Stewart, Co-Founder, **Electrify Now**

Linda Craig, Member Steering Committee, **Metro Climate Action Team (MCAT)**

**Orange Splot LLC**

Julia DeGraw, Coalition Director, **Oregon League of Conservation Voters**

Samantha Hernandez, Climate Justice Organizer, **Oregon Physicians for Social Responsibility**

Ariel Knox, Founder, **Oregonizers**

Jess Grady-Benson, Organizing Director, **Rogue Climate**

Anne Pernick, Senior Advisor, **SAFE Cities at Stand.earth**

Dylan Plummer, Senior Campaign Rep., **Sierra Club**

Ashley Haight, Manager, **ZERO Coalition**, and the following ZERO Coalition members: **Birdsmouth, BlueGreen Alliance, Bora Architecture & Interiors, Dream Home Building and Design, Earth Advantage, Harka Architecture, The Environmental Center, Fossil Free Eugene, Green Hammer, Multnomah County Office of Sustainability, NorthWest AeroBarrier, NW Energy Coalition, Opsis Architecture, Passive House Northwest, Salazar Architects, Scott Edwards Architecture, SERA Architects, City of Tigard, Walsh Construction**





June 20, 2023

Dear Mayor Batey and City Councilors,

Thank you for providing this opportunity to testify.

I am writing on behalf of the Climate Reality Project Portland Chapter. As an organization that seeks to catalyze solutions to the climate crisis by making equitable and urgent action a priority in every sector of society, and who's membership includes Milwaukie residents, we wholeheartedly support Milwaukie's efforts to expeditiously implement the Resolution to end new fuel gas piping connections to residential buildings. We cheer you on in your efforts to develop the draft code envisioned by the resolution without delay, and look forward to March 1 2024- from which day on every new home in Milwaukie will be healthier and less expensive to live in because it is all-electric, and there will be a plan for existing buildings to make the switch too.

Building electrification is the path of the future- for climate as well as for health, safety, *and* economic reasons. Even with the 9th circuit's initial concerning decision in the Berkeley case, there are solid legal paths to get there by regulating building emissions that affect health.

Nitrogen dioxide levels in homes with gas stoves are far higher than in homes with electric stoves - [50 percent to over 400 percent higher nitrogen dioxide levels](#) - increasing risk of heart failure and asthma- and kids in homes with gas stoves are [42 percent](#) more likely to suffer from asthma. The smaller and less well ventilated the home is, the greater the risk- which makes gas not only a public health issue but an environmental injustice that disproportionately harms low income folks and Black, Indigenous, and People of color.

It is important to note that switching from fossil gas to "bio" or "synthetic gas" does not reduce nitrogen dioxide levels or methane leakage. "Biogas" and "syngas" have the same

risk as fossil gas for [explosion and fire](#)– Over the past 3 years we have statistics for, 2016-2018, a gas pipeline incident kills someone, sends someone to the hospital, and/or caused a fire and/or explosion [once every 4 days nationwide](#).

It is clear that from a public health standpoint electric-only buildings are far superior to dual fuel. We all use electricity for lighting, internet, etc. Why add a second system for heating and/or cooking?

It used to be that gas heating was more efficient than electric resistance heaters, and people liked gas stoves better than electric coil stoves. But that's the technology of the past. Induction stoves are safer, cooler, easier to clean, and many [top chefs](#) say they provide more precision and cooking finesse than gas.

Also, all available evidence indicates that building new homes all-electric is cheaper than building them with gas.<sup>1</sup> Residents can rest assured that new, properly fitted quality heat pumps work well even in cold weather– people in [Maine are installing them without backup furnaces](#). And heating homes with heat pumps saves residents money on utility bills month after month after month.

Members of Climate Reality Portland who live in Milwaukie will benefit directly from improvements to indoor and outdoor air quality and public safety that comes from switching from gas to clean, efficient, electric solutions.

And all of us will benefit from the reduction in greenhouse gas emissions– compared to business as usual– that this policy will yield. With the climate crisis, it's true that no one person, no one town, or state will save us on its own– But each positive policy and successful project that leads the way is essential to our collective future. Your building electrification plan would be one of those shining lights.

Thank you,

Karen Harrington, Legislative Committee Chair  
Climate Reality Project, Portland Chapter

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<sup>1</sup> See, e.g., RMI, *Letter to Eugene Mayor Lucy Vinis and City Councilors re: RMI Economic and Energy Analysis of Building Electrification in Eugene* (Apr. 7 2022), 1, <https://drive.google.com/file/d/1M92YWhu3KrvBxC-sEF22VqSidMsPMA6k/view> (“Economic and emissions analysis shows that all-electric construction in the City of Eugene would both lower greenhouse gas emissions and reduce building construction and operation costs.”); Synapse Energy Economics, *Toward Net Zero Emissions from Oregon Buildings Emissions and Cost Analysis of Efficient Electrification Scenarios* (Jun. 23, 2022), <https://www.synapse-energy.com/sites/default/files/Net-Zero-Emissions-from-Oregon-Buildings-21-127.pdf>.

## About The Climate Reality Project

The Climate Reality Project, Portland Chapter is a local, volunteer-led group affiliated with the international non-profit The Climate Reality Project founded by climate leader and former US Vice President Al Gore, whose mission is to catalyze a global solution to the climate crisis by making urgent action a necessity across every sector of society. With a global movement more than 5 million strong and a grassroots network of trained Climate Reality Leader activists, we're spreading the truth about the climate crisis and building popular support for clean energy solutions.

For more information, visit the Portland Chapter at <https://climaterealitypdx.com/>, and the Climate Reality Project at [www.climaterealityproject.org](http://www.climaterealityproject.org) or on Twitter at @ClimateReality and FaceBook at [ClimateRealityPDX.com](https://www.facebook.com/ClimateRealityPDX.com).



## Comments to the City of Milwaukie regarding New Methane Infrastructure

June 20, 2023

Mayor Batey and City Councilors,

Thank you for providing this opportunity to testimony. My name is Dr. Pat DeLaquil, and I am an energy systems modeler and climate policy analyst. I have modelled and developed energy system decarbonization pathways in over a dozen countries, and organize with the Metro Climate Action Team. I am testifying today on behalf of my daughter and her family who are Milwaukie residents, but cannot be here tonight because of work and family commitments.

Climate impacts are increasingly more frequent and more severe, with Oregon communities threatened by extreme heat, drought, and wildfires which damage local economies and threaten public health and safety across the state. Our civilization has a rapidly narrowing window of opportunity to enable climate smart development.

This is why I strongly encourage the Milwaukie City Council to continue implementing provisions in its Climate Action Plan by 1) committing to all-electric public buildings in the city, 2) creating policy pathways to all-electric new buildings community-wide, and 3) ensuring an affordable transition to all-electric buildings, with a focus on low-income, renter, and BIPOC communities. The Oregon cities of Eugene and Ashland are also moving forward with similar measures, which are a growing movement nationwide.

Why is this an important movement? Because multiple reports from multiple agencies studying potential actions to mitigate climate change have identified four core strategies:

1. Achieving 100% clean electricity generation
2. Converting our transportation fleets to electric vehicles
3. Converting our buildings, and industry where feasible, to electricity, and
4. Developing carbon-free fuels for long-term storage, reliability and hard to electrify applications.

These reports cover studies at the global, regional and national levels, and were developed by organizations, such as the Intergovernmental Panel on Climate Change<sup>1</sup>, the International Energy Agency<sup>2</sup>, the Center for Strategic and International Studies<sup>3</sup>, and even people like Bill Gates.<sup>4</sup> All of these studies included gas decarbonization options, but they were not selected as the part of the least-cost, least-risk decarbonization strategy.

So, if a climate-safe future does not utilize methane gas for buildings and most industry, then the first action of a forward-looking governmental body should be to stop all investment in new methane using infrastructure. Recently, the Oregon Public Utilities Commission chose not to acknowledge the long-term strategy proposed by Northwest Natural in their current Integrated Resource Plan. The Commission identified many ways in which the Company's proposed approach had not been demonstrated to be either a least-cost or a least-risk strategy.

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<sup>1</sup> Sixth Assessment Report: Working Group III: Mitigation of Climate Change - Summary for Policymakers, 2022

<sup>2</sup> [Net Zero by 2050 – Analysis - IEA](#)

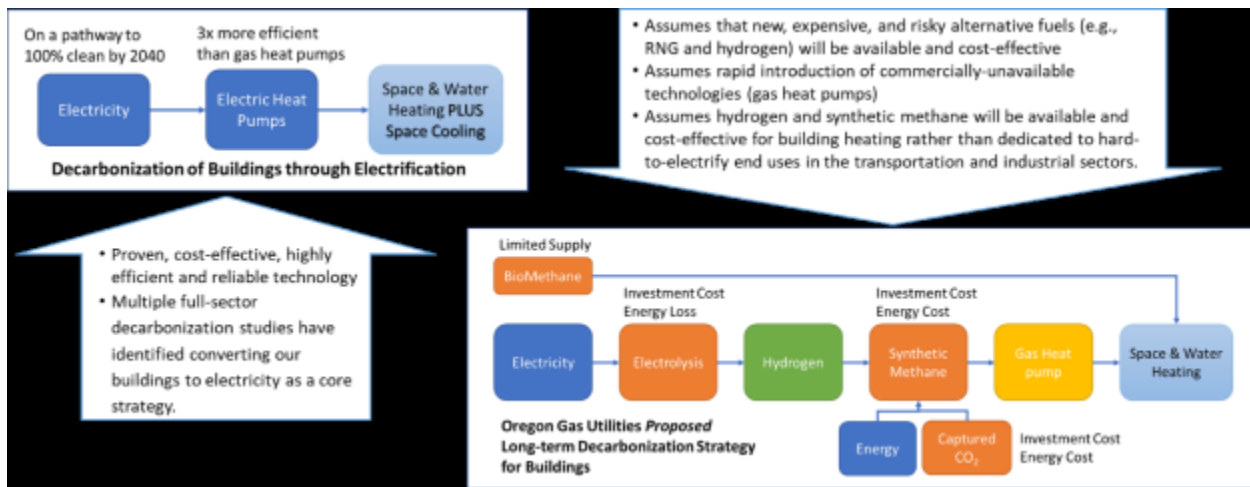
<sup>3</sup> <https://www.csis.org/analysis/climate-solutions-series-deep-decarbonization-pathways>

<sup>4</sup> How to Avoid a Climate Disaster, Bill Gates, Knopf, 2021, p154.





In my written testimony, I have a figure that illustrates the fundamental reasons why a gas decarbonization strategy for the residential and commercial buildings can never be cost-effective compared to direct electrification. Currently, there are commercially proven and cost-effective technologies for generating clean electricity and for converting that clean electricity into heating and cooling for buildings. The gas decarbonization strategy proposes to take that same electricity and decompose it into hydrogen and then recombine it with captured CO<sub>2</sub> to make a synthetic methane that is much less efficient in providing space and water heating compared to the electrification pathway, which also provides space cooling. This approach is not a low cost, low risk strategy.



I applaud the Milwaukie City Council for considering this action and I encourage you to work cooperatively with the cities of Eugene, Ashland and other new comers to develop the strongest and most equitable measures in spite of opposition from the gas utilities.

Thank you for the opportunity to provide comments.

Dr. Pat DeLaquil  
DecisionWare Group LLC  
Gresham, OR

Hello-

Thank you for this opportunity to submit written testimony in support of the City taking action to transition natural gas out of buildings. My name is Matt Bokar. I'm an architect, volunteer and resident of Portland.

Over my career in affordable multifamily housing, I have seen both the quickening impacts of climate change disproportionately impact marginalized communities as well as the positive impact that codes and regulations can have on softening those impacts. Through my volunteering with Central City Concern, the AIAO, and the ZERO Coalition, I'm excited about how electrification can directly help to decarbonize the built environment and positively impact the people each of these organizations serves.

I support the Council taking action to reduce the greatest amount of emissions for the least cost and I believe that we must act collectively to transition off fossil fuels while prioritizing our region's most marginalized communities. Having worked in a wide variety of Oregon and California communities, I believe that Oregon will inevitably transition to all-electric buildings and the City of Milwaukie has a unique opportunity to be an example for how to transition quickly, effectively and equitably.

The State of Oregon and Portland Metro have experienced recent historic climate-driven weather events - including fires, heat waves and severe winter weather – and the City of Milwaukie should join other cities in Oregon by implementing tangible policies to decarbonize buildings. I applaud Milwaukie for already resolving to ensure new residential and City-owned buildings are all-electric and encourage the City to now implement an enforceable policy.

-Matt Bokar  
440-915-4621

Mayor Batey and City Councilors, thank you for providing this opportunity for testimony.

My name is Dr. Ann Turner. I am a member of Oregon Physicians for Social Responsibility's Healthy Climate Action Team. OPSR is a statewide organization of health professionals focused on education and advocacy for societal and policy change that protects human health at the local, state, national, and international level. As a physician, I am concerned about the health and safety impacts of climate change as a result of burning fossil fuels including so-called "natural gas," methane, in homes and buildings. There is no question that climate change is the single greatest threat to global public health.

**My story:** Almost two years ago, we experienced the heat dome. The day before the heat dome, my partner had a total knee replacement. How would extreme heat impact her recovery? Fortunately, we had heat pump that also works as an air conditioner. When it was installed twelve years ago, we laughed when we were told that we also had an air conditioner. Who needs air conditioning in Oregon? How much has changed in these last twelve years! We were lucky.

At least 159 Oregonians died in the 2021 heat dome according to the CDC. Heat kills. (<https://ghhin.org/heat-and-health/>) Heat kills through heat exhaustion and heat stroke, and exacerbation of pre-existing conditions. Excess heat is associated with adverse impacts on pregnancy. Indirect effects of heat are associated with a rise in homicides, accidents, including accidents at work, and drownings. Excessive heat worsens mental health conditions, increasing interpersonal violence, depression, anxiety, substance abuse and suicide. Heat-related illnesses, including death, disproportionately impact low income and BIPOC communities.

This summer portends to be the warmest on record. We are truly at the tipping point of climate disaster. We must stop burning fossil fuels, including burning methane in our homes. Homes and buildings cause about one third of the state's climate pollution, the second largest source after transportation.

Oregon is fortunate to have an abundance of clean, low-cost electricity. By 2040, the electrical grid will be run on 100% renewable energy sources. Moving from gas to electric appliances is critical for our climate, reducing the average household's climate footprint by 50%--the equivalent of giving up your gasoline-powered car. Heat pumps, heat pump water heaters and induction stoves are much, much more energy efficient than gas appliances, up to 300% more efficient. Household energy bills are generally lower in all-electric homes.

Milwaukie has already resolved to ensure new residential and city-owned buildings are all-electric, but must still develop and implement an enforceable policy to do so, one that ensures an affordable transition for low income, renter and BIPOC communities. As a concerned physician and member of Oregon Physicians for Social Responsibility, I urge you to pass policies to electrify the City of Milwaukie and lead the state on climate action.

Thank you for the opportunity to comment.

Ann Turner, MD  
Member, Oregon Physicians for Social Responsibility  
Portland 97211



Hi there -

I am watching the meeting over zoom but am not going to be able to stay on for the comment section for the energy plan. I am including the remarks that I was hoping to make via zoom below. Thank you for taking the time to share them.

Mayor Batey and City Councilors, thank you for providing this opportunity for testimony. My name is Kayley Harrington and I am a resident of Milwaukie as of Friday, June 16, 2023. I imagine I am your newest constituent! I am so pleased to call Milwaukie home and proud that my new city has been a leader in Oregon on climate action: declaring a climate emergency in 2020 and developing an aggressive and comprehensive Climate Action Plan with the goal of a carbon neutral city by 2045! Thank you!

Oregonians are aware of the devastation climate change has caused, continues to cause, in our state. Wildfires, drought, poor air quality, and extreme and erratic weather have taken their toll. My niece was born on June 23, 2021 in Portland and came home in 116 degree heat. It was scary as newborns cannot control their body temperature as older children and adults can. Her family was lucky as their power stayed on and they have air conditioning. Many during that heat dome event were not as lucky.

Homes built with no gas infrastructure will be more affordable, healthier, and safer for residents. They will reduce emissions that contribute to climate change. Our homes are the second largest contributor to heat trapping emissions, right behind transportation. Passing a city ordinance banning gas infrastructure in new homes will help ensure that Milwaukie meets its goal of carbon neutrality by 2045!

Thank you for the opportunity to testify and for your positive consideration of making new residential homes all electric!

Thank you,  
Kayley Harrington

June 19, 2023

Dear Milwaukie City Council Members:

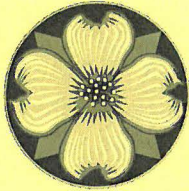
Just a brief note to applaud your efforts to ban future methane gas installations in new construction. We are all worried about climate change in our county, state and country, but struggle to know how we can make a difference. We recycle, watch our water use, and drive less, but these actions, while important, do not always tackle things on a larger scale. Your action does!

Though I live just outside the city limits, I can only hope that your decisions might encourage other cities, and even Clackamas County, to consider a bold step like this.

Sincerely,

A handwritten signature in cursive script that reads "Janet Putnam". The signature is written in dark ink and is positioned above the printed name.

Janet Putnam



**CITY OF MILWAUKIE  
CITY COUNCIL**

10722 SE Main Street  
P) 503-786-7502  
F) 503-653-2444  
ocr@milwaukieoregon.gov

# Speaker Card

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

**Name:** Laura Rost **Address:** 4547 SE Jackson St, Milwaukie  
**Organization:** North Clackamas Watersheds Council **Phone:** 541.292.2581  
**Meeting Date:** 6/20/2023 **Email:** Laura.Rost@gmail.com  
**Topic:** Climate Action Overview Report

**Agenda Item You Wish to Speak to:**

#5 Community Comments

**Note:** Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: C. climate Overview

#8 Public Hearing, Topic: \_\_\_\_\_

**You are Speaking...**

in Support

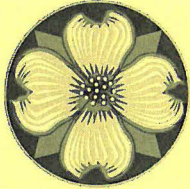
in Opposition

from a Neutral Position

to ask a Question

**Comments:**





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CITY COUNCIL

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Name: ANNE PERNICK Address: 4630 SE MITCHELL ST, PORTLAND, OR 97206  
Organization: SAFE CITIES AT STAND.EARTH Phone: 541-390-8516  
Email: anne@stand,earth

Meeting Date: 6/20/23 Topic: \_\_\_\_\_

### Agenda Item You Wish to Speak to:

### You are Speaking...

~~#5 Community Comments~~

in Support

**Note:** Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

in Opposition

#7 Other Business, Topic: C- Climate Overview

from a Neutral Position

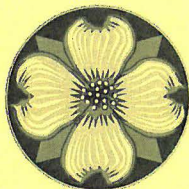
#8 Public Hearing, Topic: \_\_\_\_\_

to ask a Question

### Comments:

*Speaking in support of Milwaukie's continued leadership in building electrification.*





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# Speaker Card

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**Name:** PAT DE LAQUIL

Organization:

**Address:** 155 SE 16th Ct, Gresham

**Phone:** 202 494-8836

**Email:** pdelaguil@gmail.com

**Meeting Date:** 6/20/2023

**Topic:** Climate Action Plan

**Agenda Item You Wish to Speak to:**

#5 Community Comments

**Note:** Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: Climate Action Plan C.

#8 Public Hearing, Topic: \_\_\_\_\_

**You are Speaking...**

in Support

in Opposition

from a Neutral Position

to ask a Question

**Comments:**

## Nicole Madigan

---

**From:** OCR  
**Sent:** Tuesday, June 20, 2023 6:49 PM  
**To:** 'Bea'  
**Cc:** OCR  
**Subject:** RE: Speaking at Meeting

Times are approximate and that is the scheduled time for the presentation to start.

### Nicole Madigan

Deputy City Recorder  
she • her • hers  
T. 503.786.7551  
City of Milwaukie  
10722 SE Main St • Milwaukie, OR 97222

---

**From:** Bea <[bealperkins@gmail.com](mailto:bealperkins@gmail.com)>  
**Sent:** Tuesday, June 20, 2023 6:45 PM  
**To:** OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>  
**Subject:** Re: Speaking at Meeting

**This Message originated outside your organization.**

---

Please update me if the time to speak changes (from 7:20 to another time).

Thank you!

On Tue, Jun 20, 2023 at 6:12 PM Bea <[bealperkins@gmail.com](mailto:bealperkins@gmail.com)> wrote:

Thank you!

I will rejoin the meeting then, I appreciate your assistance!

On Tue, Jun 20, 2023 at 6:09 PM OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)> wrote:

The climate overview topic (7. C.) will be later this evening scheduled for 7:20 p.m.

### Nicole Madigan

Deputy City Recorder  
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T. 503.786.7551  
City of Milwaukie  
10722 SE Main St • Milwaukie, OR 97222

---

**From:** Bea <[bealperkins@gmail.com](mailto:bealperkins@gmail.com)>  
**Sent:** Tuesday, June 20, 2023 6:07 PM  
**To:** OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>  
**Subject:** Re: Speaking at Meeting

**This Message originated outside your organization.**

---

I will be joining through Zoom!

I will be speaking about climate action, electrification, and decarbonization.

On Tue, Jun 20, 2023 at 6:05 PM OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)> wrote:

Thank you Beatrice. What topic will be commenting on? Are you joining via zoom?

## Nicole Madigan

Deputy City Recorder

she • her • hers

T. 503.786.7551

City of Milwaukie

10722 SE Main St • Milwaukie, OR 97222

---

**From:** Bea <[bealperkins@gmail.com](mailto:bealperkins@gmail.com)>  
**Sent:** Tuesday, June 20, 2023 6:04 PM  
**To:** OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>  
**Subject:** Speaking at Meeting

**This Message originated outside your organization.**

---

Hello!

I'd like to speak at today's meeting.

Thank you!

Beatrice Perkins

--

Rex Putnam High School  
She/her

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## Nicole Madigan

---

**From:** Danny Noonan <danny@breachcollective.org>  
**Sent:** Tuesday, June 20, 2023 6:08 PM  
**To:** OCR  
**Subject:** Re: June 20 City Council Meeting Regular Session – Intention to give public comment

**This Message originated outside your organization.**

---

Dear Nicole,

Yes in that case I would like to comment on 7.C. Thank you. I'm currently participating in the meeting via Zoom.

Thank you,

**Danny Noonan** (he/him)  
Climate and Energy Strategist  
[danny@breachcollective.org](mailto:danny@breachcollective.org)



On Tue, Jun 20, 2023 at 6:06 PM OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)> wrote:

Hello Danny,

I included your written comment in the 7. C. section, if you are commenting on the information covered in that topic I would suggest that is the one you comment on.

## Nicole Madigan

Deputy City Recorder

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10722 SE Main St • Milwaukie, OR 97222

---

**From:** Danny Noonan <[danny@breachcollective.org](mailto:danny@breachcollective.org)>  
**Sent:** Tuesday, June 20, 2023 6:04 PM

To: OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>

Subject: June 20 City Council Meeting Regular Session – Intention to give public comment

**This Message originated outside your organization.**

---

Hello,

I wish to give public comment during the City Council meeting this evening, on the topic of building electrification policy (supplementing the coalition letter I sent yesterday).

I am not sure if my comments are more appropriate for the Community Comments or Business Items (specifically 7.C) portion. Please advise.

Thanks, kind regards,

**Danny Noonan** (he/him)

Climate and Energy Strategist

[danny@breachcollective.org](mailto:danny@breachcollective.org)



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## Nicole Madigan

---

**From:** Helena Birecki <pilates.helena@gmail.com>  
**Sent:** Tuesday, June 20, 2023 6:56 PM  
**To:** OCR  
**Subject:** Re: requesting to comment at tonight's City Council meeting

**This Message originated outside your organization.**

---

Thank you!

On Tue, Jun 20, 2023 at 6:53 PM OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)> wrote:

I would agree. The electrification of city buildings is addressed in our staff's 7. C. Climate Action Overview.

## Nicole Madigan

Deputy City Recorder

she • her • hers

T. 503.786.7551

City of Milwaukie

10722 SE Main St • Milwaukie, OR 97222

---

**From:** Helena Birecki <[pilates.helena@gmail.com](mailto:pilates.helena@gmail.com)>  
**Sent:** Tuesday, June 20, 2023 6:51 PM  
**To:** OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>  
**Subject:** Re: requesting to comment at tonight's City Council meeting

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---

Hi Nicole,

To clarify, I believe that would fit under item 7C --Climate Action Overview. Is that correct?

Thank you,  
Helena

On Tue, Jun 20, 2023 at 6:09 PM Helena Birecki <[pilates.helena@gmail.com](mailto:pilates.helena@gmail.com)> wrote:

Hi Nicole,

I am commenting in support of the goal of ending gas fuel pipeline connections and building electrification in Milwaukie

Thank you,  
Helena

On Tue, Jun 20, 2023 at 6:07 PM OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)> wrote:

Hello Helena,

What topic are you commenting on?

## Nicole Madigan

Deputy City Recorder

she • her • hers

T. 503.786.7551

City of Milwaukie

10722 SE Main St • Milwaukie, OR 97222

---

**From:** Helena Birecki <[pilates.helena@gmail.com](mailto:pilates.helena@gmail.com)>

**Sent:** Tuesday, June 20, 2023 6:05 PM

**To:** OCR <[OCR@milwaukieoregon.gov](mailto:OCR@milwaukieoregon.gov)>

**Subject:** requesting to comment at tonight's City Council meeting

**This Message originated outside your organization.**

---

Hello, I would like to comment at tonight's City Council meeting. I am joined by zoom. My name is Helena Birecki and I am commenting on behalf of Climate Reality Project Portland Chapter



Thank you.

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## Nicole Madigan

---

**From:** Josie Moberg <josie@breachcollective.org>  
**Sent:** Tuesday, June 20, 2023 6:09 PM  
**To:** OCR  
**Subject:** Public Comment this evening

**This Message originated outside your organization.**

---

Hello,

I just wanted to let you know that I'm hoping to testify this evening regarding business item 7.C.

Thank you!

Best,

Josie

--

**Josie Moberg (she/they)**  
**Climate Justice Movement Legal Fellow**



## Nicole Madigan

---

**From:** OCR  
**Sent:** Tuesday, June 20, 2023 6:41 PM  
**To:** 'Melanie Plaut'  
**Cc:** OCR  
**Subject:** RE: Testify 6/20

Thank you Melanie, I see you on Zoom and will add you to the list.

### Nicole Madigan

Deputy City Recorder  
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City of Milwaukie  
10722 SE Main St • Milwaukie, OR 97222

---

**From:** Melanie Plaut <melanie.plaut@gmail.com>  
**Sent:** Tuesday, June 20, 2023 6:40 PM  
**To:** OCR <OCR@milwaukieoregon.gov>  
**Subject:** Testify 6/20

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---

I plan to testify about climate/electrification.  
thanks.