

WORK SESSION

AGENDA
WORK SESSION
MILWAUKIE CITY COUNCIL
FEBRUARY 17, 2009

MILWAUKIE CITY HALL

Second Floor Conference Room
10722 SE Main Street

A light dinner will be served.

WORK SESSION – 5:30 p.m.

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>	<u>Page #</u>
1.	5:30 p.m.	Milwaukie Arts Committee Update	Committee Members & Beth Ragel	
2.	5:50 p.m.	Sustainability Plan Discussion	JoAnn Herrigel & Paul Shirey	1
3.	6:15 p.m.	NE (Dual Interest Area) Sewer Extension Project Update	Kenny Asher, Gary Parkin, & Alex Campbell	21
4.	6:45 p.m.	Adjourn		

EXECUTIVE SESSION

Executive Session: The Milwaukie City Council may go into Executive Session pursuant to ORS 192.660(2). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

Public Notice

- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- For assistance/service per the Americans with Disabilities Act (ADA) please dial TDD (503) 786-7555.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.



To: Mayor and City Council

Through: Mike Swanson, City Manager

From: Kenneth Asher, Community Development and Public Works Director
JoAnn Herrigel, Community Services Director
Paul Shirey, Operations Director

Subject: Sustainability Plan Proposed for City of Milwaukie

Date: January 30, 2009 for February 17 City Council Work Session

Action Requested

No action is required. Staff will present an overview of the proposed Sustainable City Plan for the City of Milwaukie for discussion with Council.

History of Prior Actions and Discussions

September 2007:

Council Adopted Resolution 59-2007 Adopting the US Conference of Mayors
Climate Change Agreement

Background

Sustainability is defined generally as a method of using a resource so that the resource is not depleted or permanently damaged. Ensuring a more sustainable Milwaukie means working throughout the city, within municipal departments to start with and eventually out in the community with citizens, businesses and organizations to meet the needs of the present without compromising the ability of future generations to meet their own needs. It means coordinating efforts to use resources efficiently, reduce waste, prevent pollution and environmental impacts and more. It means taking into account our shared objectives for a healthy environment, quality of life and economic vitality.

Climate change is a glaring symptom of why doing business as usual is no longer sustainable. Local governments have the power to affect the main sources of pollution directly linked to climate change: energy use, transportation, and waste. Cities have an opportunity to lead by example and make changes that can help reduce the level of carbon spewed into the atmosphere. Cities control the day-to-day activities that determine the amount of energy used and waste generated by their community- from land use and zoning decisions to control over building codes and licenses, infrastructure investments, municipal service delivery and the management of schools, parks, and recreation areas. These are reasons that the City endorsed the US Conference of Mayors Climate Change Agreement in 2007.

The City Sustainability Team (S-Team) was convened in 2007 to pursue sustainable strategies that address reducing global warming pollutants and reducing the impacts of the City's actions on the environment. The Team includes: JoAnn Herrigel, Sarah Lander, Beth Ragel (Community Services), Andrea Villagrana (HR), Brett Kelper (Planning), Ulrike Neitch (Police), Esther Gartner (IST), Annette Quinn, Ernie Roeger and Willie Miller (Fleet and Facilities), Pat Salvione (Library), Gary Parkin (Engineering), Karin Gardner (Operations), Alicia Stoutenburg (CD) and Paul Shirey (Operations Director).

The City S-Team has met monthly for the past 18 months. Our main focus was the development of a Sustainable City Plan which would guide the City's efforts in reducing our "environmental footprint". The Team agreed that the scope of the City's Sustainability Plan should be somewhat modest, initially, to address actions the City employees and Council can take right away that would likely result in cost savings over time. Thus, the Plan focuses on internal City operations, City-owned facilities and the public fleet of vehicles it operates. The four main areas addressed in the Plan are: Waste Reduction, Procurement, Energy and Fossil Fuels, and Outreach/Education

The S-Team developed a specific set of near-term and longer-term goals for each action area and prioritized actions into specific milestone years of 1 (2010), 5 (2014), 10 (2014) and 20 (2029). Actions the City has already taken toward a more sustainable future are also described in each action area.

The primary goals for each action area include the following:

Waste Reduction: Reduce the amount of solid waste produced at City facilities and at public meeting hosted by the City

Energy and Fossil Fuel Consumption: Reduce energy use, fossil fuel consumption and greenhouse gas emissions related to the operation of City-owned facilities and public fleet of vehicles.

Procurement: Develop a purchasing plan to guide the City in obtaining the most resource efficient goods and service possible.

Outreach and Education: Foster continued support for the City's sustainability goals with regular communications to elected officials, all City employees and the general public, recognizing the efforts of City staff and allocating resources to support those efforts.

The S-Team will complete refinements of the plan over the next month and return to Council for formal adoption in March. Staff has already begun implementing some of the simpler actions and is excited to begin working on those actions which may have a larger impact on the City's impact on the environment.

Concurrence

The S-Team has reviewed the document and supports all actions it contains. The Community Development and Public Works Director, the Community Services Director and the Operations Director have been very involved in the development of the plan and review of the actions it proposes.

Fiscal Impact

Most actions in the plan will have a financial impact on the City's budget. The short and long term costs and benefits of all actions will be considered before implementation occurs. Costly actions will be reviewed by Council either through the budget process or through Council action at public meetings.

Work Load Impacts

No major increase in work load is expected to result from the actions proposed in this Plan. Rather, the plan will lead to doing City business in a more sustainable manner.

Alternatives

None. No action is requested.

Attachments

1. US Conference of Mayors Climate Change Agreement
2. Sustainability Plan



The U.S. Mayors Climate Protection Agreement

(As endorsed by the 73rd Annual U.S. Conference of Mayors meeting, Chicago, 2005)

- A. We urge the federal government and state governments to enact policies and programs to meet or beat the target of reducing global warming pollution levels to 7 percent below 1990 levels by 2012, including efforts to: reduce the United States' dependence on fossil fuels and accelerate the development of clean, economical energy resources and fuel-efficient technologies such as conservation, methane recovery for energy generation, waste to energy, wind and solar energy, fuel cells, efficient motor vehicles, and biofuels;
- B. We urge the U.S. Congress to pass bipartisan greenhouse gas reduction legislation that 1) includes clear timetables and emissions limits and 2) a flexible, market-based system of tradable allowances among emitting industries; and
- C. We will strive to meet or exceed Kyoto Protocol targets for reducing global warming pollution by taking actions in our own operations and communities such as:
 - 1. Inventory global warming emissions in City operations and in the community, set reduction targets and create an action plan.
 - 2. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;
 - 3. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
 - 4. Increase the use of clean, alternative energy by, for example, investing in "green tags", advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology;
 - 5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;
 - 6. Purchase only Energy Star equipment and appliances for City use;
 - 7. Practice and promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system;
 - 8. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
 - 9. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
 - 10. Increase recycling rates in City operations and in the community;
 - 11. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO₂; and
 - 12. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.



THE CITY OF MILWAUKIE SUSTAINABLE CITY PLAN

Final Draft

January 30, 2009

CITY OF MILWAUKIE SUSTAINABLE CITY PLAN

TABLE OF CONTENTS

I.	Milwaukie – A Commitment to Sustainability.....	1
II.	The Natural Step for Milwaukie.....	3
III.	Sustainable City Plan Areas of Action	4
	i. Waste Reduction.....	5
	ii. Energy and Fossil Fuel Consumption	8
	iii. Procurement.....	11
	iv. On-Going Commitment and Education.....	13

THE CITY OF MILWAUKIE SUSTAINABILITY COMMITTEE

The City of Milwaukie Sustainability Committee (or “S-Team”) is made up of volunteer City staff from a variety of departments and each City facility. The S-Team meets on a monthly basis, and also works in smaller Action Teams. The S-Team includes:

Karin Gardner
Esther Gartner
JoAnn Herrigel
Brett Kolver
Sarah Lander
Willie Miller
Annette Quinn

Beth Ragel
Michelle Rodriguez
Ernie Roeger
Pat Salvione
Paul Shirey
Alicia Stoutenburg

I. MILWAUKIE – A COMMITMENT TO SUSTAINABILITY

Sustainability is defined generally as the use of a resource so that the resource is not depleted or permanently damaged. Ensuring a more sustainable Milwaukie means working throughout the city, within municipal departments, and, eventually, out in the community with citizens, businesses and organizations to meet the needs of the present without compromising the ability of future generations to meet their own needs. It means coordinating efforts to use resources efficiently, reduce waste, prevent pollution and environmental impacts and more. It means taking into account our shared objectives for a healthy environment, quality of life and economic vitality.



Climate change is a glaring symptom of why doing business as usual is no longer sustainable. Local governments have the power to affect the main sources of pollution directly linked to climate change: energy use, transportation, and waste. Cities have an opportunity to lead by example and make changes that can help reduce the level of carbon released into the atmosphere. Cities control the day-to-day activities that determine the amount of energy used and waste generated by their community - from land use and zoning decisions to control over building codes and licenses, infrastructure investments, municipal service delivery and the management of schools, parks, and recreation areas. A widespread municipal acknowledgement of this municipal responsibility resulted in the development of the US Conference of Mayors Climate Change Agreement. In 2007, the Milwaukie City Council adopted this agreement and, with this document is establishing a plan for pursuing its goals.

The Milwaukie City staff has played an active role over the past ten years in identifying ways that the City can use its resources more

efficiently and act more sustainably. In 1996, the City was awarded grants from Metro and the Department of Environmental Quality to hire a Resource Efficiency Coordinator to complete evaluations of City-owned buildings and their resource use in the areas of solid waste, energy, water and fuel. Several efficiency measures were implemented at City facilities as a part of this effort. While a permanent staff committee would not be formed for several years, these efforts demonstrate the City's an early awareness and interest in action regarding sustainability.

In 2007, the City formed a Sustainability Team in order to enhance sustainable practices used by City employees at its facilities. One of the major tasks undertaken by this team was to develop and adopt a Sustainability Plan to guide the City's on-going activities. The Milwaukie Sustainable City Plan looks specifically at City-owned facilities and the public fleet of vehicles. The Plan will be expanded in 2009 and beyond to include actions that may be taken by City residents and business owners.

The following events illustrate the highlights of Milwaukie's more recent sustainability efforts:

- Spring 2007 – Milwaukie Sustainability Committee (the “S-Team”) formed. The team has members from a variety of City departments and meets on a monthly basis.
- July 2007 – Energy Trust of Oregon conducted energy audit of four City buildings.
- September 2007 – The Milwaukie City Council adopted the US Conference of Mayors Climate Protection Agreement.
- February 2008 – The City offered the first employee training session on the basic principles of sustainability.
- March 2008 – City employees dedicated a community garden in front of the Johnson Creek Building. Employees will continue to use the garden to grow organic produce and plan to donate produce to local shelters and retirement facilities.
- March 2008 – The City of Milwaukie became a member of the International Consortium of Local Environmental Initiatives. This organization is comprised of local government members actively working toward sustainable goals.
- Spring 2009 – The Sustainability Committee plans to submit the Milwaukie Sustainable City Plan to City Council for discussion and vote.
- Ongoing – City-owned facilities continued to use basic conservation principles in day to day operations - like using green cleaning products, using low energy light bulbs, recycling, etc.

II. THE NATURAL STEP FOR MILWAUKIE

The City of Milwaukie's Sustainable City Plan is founded on the principles of The Natural Step Framework (TNS). TNS is one of the best-known approaches to explaining sustainability and is based on principles describing how nature and societies use their resources. The Natural Step framework is intended to serve as a foundation, and recognizes the interconnections between resource use, the environment, and human needs. It also allows our community to use a common set of tools to address specific Milwaukie issues. The Milwaukie Sustainability Team recommends that the City of Milwaukie use the Natural Step as a general framework to introduce employees to the importance of sustainability.



The Oregon Natural Step network was formed to support Oregon business, governmental, and educational organizations. The framework encourages dialogue, consensus building, and systems-thinking (key processes of organizational learning) and creates the conditions for profound change to occur.

From a business perspective, The Natural Step framework enables organizations to intelligently, and profitably, integrate environmental considerations into strategic decisions and daily operations.

The Natural Step's Four System Conditions are summarized below. Organizations measure their actions against these conditions.

In a sustainable society:

1. Fossil fuels, metals, and other minerals cannot be extracted at a faster rate than they can be re-deposited.

Or, can the earth replace what we take?

2. Toxic substances must not be produced at a faster rate than they can be broken down in nature, and synthetic compounds that do not break down must be systematically eliminated.

Or, are we poisoning the earth, air or water?

3. We critically examine how we harvest renewable resources and adjust our consumption and land-use practices to fall well within the regenerative capacities of ecosystems.

Or, do we respect the biodiversity of plants and animals?

4. There must be a fair and efficient use of resources to meet human needs (locally and globally).

Or, are the choices we make fair and equitable?

The Plan focuses on City operations. The S-Team selected four important resource areas to concentrate City efforts on. Positive changes in these four areas will have a strong impact on the overall health and long-term sustainability of the Milwaukie community.

1. **WASTE REDUCTION**
Reduce the amount of solid waste produced at City facilities and at public meetings hosted by the City.
2. **ENERGY AND FOSSIL FUEL CONSUMPTION**
Reduce energy use, fossil fuel use and greenhouse gas emissions related to the operation of City-owned facilities and public fleet of vehicles.
3. **PROCUREMENT**
Develop a purchasing plan to guide the City in obtaining the most resource-efficient goods and services possible.
4. **ONGOING CITY COMMITMENT & EDUCATION**
Foster continued support for the Plan with regular communication to elected officials, all City employees and the general public recognizing the efforts of City staff and by allocating resources to support those efforts.

The team then developed specific activities within each action area. The group prioritized the selected activities into specific milestone target dates, with a beginning date of 2009; one year (2010); five years (2014), ten years (2019) and, in some cases twenty years (2029).

As mentioned above, the Plan focuses on actions to be taken specifically by the City, in and around City-owned facilities. The S-Team would like to expand this in the future and develop action areas to be addressed by other parts of the community (such as our residents and businesses).

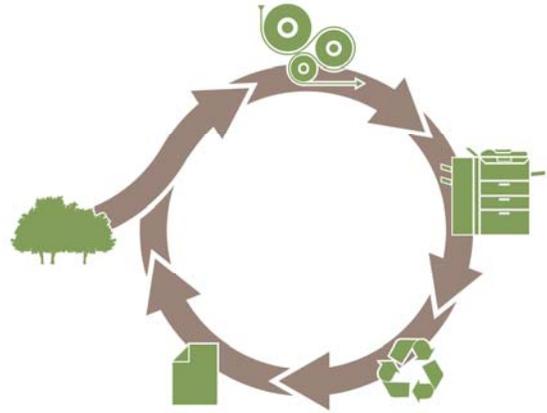


ACTION AREA - WASTE REDUCTION

The primary goal of this action area is to reduce waste generation and increase recycling within City facilities, thereby reducing the quantity of waste the City sends to the landfill.

Current State:

- Milwaukie City Council has reduced material consumption at its meetings. Pitchers of water have replaced individual water bottles and re-usable flatware has replaced disposable flatware.
- An inventory of all existing waste containers (number, size and collection frequency) has been conducted at all four City buildings.
- Waste audits were conducted at all four city buildings in March 2008 to determine what volume of trash was being disposed and to evaluate the general composition of waste in the containers.
- City has provided “side bins” (that attach to all garbage cans) for recyclable items to all employees at all City buildings where this collection method is appropriate. The “side bins” are hung on the side of existing trash containers at employee workstations. These have been provided at City Hall, the Library and JCB. (PSB declined use of the side bins but has central collection bins in all areas of the building).
- Fliers, describing what materials can be recycled at City buildings were distributed to all city employees.
- Internal and external collection containers at all four city buildings were evaluated and adjusted based on need and materials generated.
- Compost bins have been installed at City Hall and JCB for food scraps and other organic material.
- Ledding Library recycles used toner cartridges for the City of Milwaukie through Toner Ink.
- The Sustainability Committee is working with Information Technology to determine the best methods for introducing duplex printing at workstations throughout the City.



Milestones (Proposed Actions) – by 2010:

Decrease waste production by:

- Providing cloth towels near all kitchen facilities as an alternative to paper towels (coordinate washing).
- Providing reusable utensils and napkins for employee use at all facilities.
- Making available reusable shopping bags at all City facilities for City shopping.



Eliminate all recycled materials from the City’s regularly occurring waste stream:

- Educate employees regarding what is recyclable.
 - Put signs in central and break areas.
 - Conduct brown bag lunch training.
 - Distribute recycling flier regularly and post on intranet.
 - Encourage use of compost bins where available.
 - Conduct spot checks—show employees what they are throwing away.
- Educate employees on reducing paper use.
 - Print both sides when possible.
 - Reuse paper when possible (one sided copies for drafts).
 - Print only when necessary (and only what is needed).

Reduce Paper Consumption:

- Determine key paper uses (e.g. bulk mailings, bills) and develop ways to reduce paper use for these activities:
 - Establish electronic bill pay
 - Provide Pilot electronically
- Provide “single sided copy” bins near all printers.
- Encourage employees to re-use paper when possible.
- Default printers to duplex.

Performance Measures:

Perform Waste Audits at all City Buildings for one month each year.

Milestones (Targets) - By 2014

- Decrease waste production (as measured by reducing the capacity of solid waste containers by one size and/or reduce the frequency of waste removal services at each City building.)
- Eliminate all recyclable materials from the City's regularly occurring waste stream. (This does not include all waste generated by special City events, although recycling services will be made available at City events).
- Reduce recyclable paper generation (use) within the City to 50% of 2008 levels.



ACTION AREA – ENERGY AND FOSSIL FUEL CONSUMPTION

Goals:

The primary goals of this action area are to reduce the City's energy and fossil fuel consumption and thereby, its greenhouse gas emissions.

Current State:

- Energy Trust of Oregon conducted energy audit of four City buildings in July 2007.
- Signed Mayors' Climate Protection Agreement and joined Cities for Climate Protection Campaign; received tools to conduct greenhouse gas emissions inventory.
- High-efficiency pumps are specified when wastewater lift station pumps are replaced.
- New or upgraded water pump stations have high efficiency pumps and motors to meet future capacity in a more energy efficient manner.
- Lighting fixtures in most city facilities have been upgraded to T-8.
- City Fleet includes one hybrid gas/electric vehicle.
- Heating and Air Conditioning controls have been upgraded to operate more efficiently.
- A bike fleet program is in place for employees to travel between city facilities.



Milestones (Proposed Actions) – By 2010

Energy

Inventory greenhouse gas (GHG) emissions from City operations and develop emissions reduction action plan.

- Evaluate costs of purchasing renewable electric energy (wind, solar, thermal) for all city facilities.
- Identify energy efficiency standards for equipment, appliances, and vehicles and include environmentally preferable purchasing (EPP) policy and coordinate with Procurement Team.
- Evaluate areas to invest in energy efficient upgrades at all City-owned facilities.

- Identify and budget one building efficiency upgrade.
- Conduct feasibility analysis of installing solar panel at all facilities.

Fleet

Conduct a fleet needs assessment and develop a green fleets plan to increase vehicle MPG, reduce GHG, and improve overall maintenance and vehicle longevity.

- Pursue state grant to retrofit diesel fleet with emissions reduction equipment.
- Decrease fossil fuel consumption of City-owned fleet vehicles by 5% over next two years.
- Establish minimum emissions standard by vehicle class.
- Switch from B20 to B99 for most diesel vehicles, at minimum during summertime operations.
- Train City employees with driving responsibilities in more efficient driving and idling techniques.

Milestones (Targets) – By 2014

Energy

- Develop green building policy and adopt Leadership in Energy and Environmental Design (LEED) Silver as the standard for new City buildings and remodels.
- Reduce energy consumption of electricity (kWhs), natural gas (BTUs) and fossil fuels by 5% from 2006 levels.
- Reduce greenhouse gas emissions to 10% below 2007 levels, in keeping with the US Mayors' Climate Protection Agreement. (Greenhouse gas emissions will be measured by reduced emissions of gases such as carbon dioxide, methane, carbon fluorocarbons and related gases. The City will work with its utility partners to determine a baseline for existing facilities and a possible course of action.)
- 50% of energy consumed is from renewable resources (on-site and from electric utility).
- 25% of City fleet is fueled by alternative fuels/technology.

- Increase overall vehicle miles per gallon (MPG) by 10% across the entire fleet.
- New construction and major remodels of City-owned facilities meet or obtain LEED Silver certification.

Sustainable End Point Goals- By 2029

- Zero net increase of carbon and other greenhouse gas emissions (climate neutral).
- Energy sources are 100% renewable.

Performance Measures:

- Track annual facility and infrastructure energy use, by:
 - Total citywide use- buildings, facilities, and operations.
 - Report by facility, account number, and department.
 - Quantify renewable energy use.
 - Using
- Track annual fleet use by:
 - Vehicle miles traveled or vehicle hours operated.
 - Gallons of fuel used.
 - Type of fuel.
 - Vehicle type and fuel efficiency (MPG) ratings, and cost (operation and maintenance).
 - Track City building projects that meet or obtain LEED Silver certification.

ACTION AREA - PROCUREMENT

The primary goal of this action area is to create a City procurement system that includes environmental and social welfare considerations, as well as cost considerations.



Current State:

- Green Seal cleaning products purchased through Coastwide Labs, a local vendor, are used in all City buildings.
- Procured 100% post- consumer recycled copy paper through Multnomah County. Began a six month pilot program for testing paper at Johnson Creek Building, beginning September 2008.
- Began evaluating preferred vendors for office supplies with regard to sustainable practices and recycled products offered.
- Purchased Toyota Prius Hybrid for Johnson Creek Facility in summer of 2007
- The City's newsletter, The Pilot, is printed on Forrest Stewardship Certified (FSC) paper using soy inks at an FSC printing plant.

Milestones (Proposed Actions) – by 2010:

- Begin City-wide departmental audit to identify areas where sustainable purchase options are applicable.
- Develop procurement guidelines that establish a preferred procurement hierarchy.
- Train City employees responsible for purchasing to follow Procurement Guidelines.
- Develop and implement financial tracking system to track percentage of environmentally preferred purchases made per department.
- Begin shifting all City paper stock to stock which contains 30% post consumer waste, is acid free, FSC certified, and is printed with soy-based ink.

Milestones (Targets) – By 2014

- Increase the percentage of total materials and services purchased that meet environmentally preferred procurement program.
- Perform annual audits via financial tracking system of products purchased to ensure minimum sustainable percentage.

Sustainable End Point Goals – By 2029

- All products and services purchased consider environmental impact with regard to percentage of recycled materials, sustainable sources, reuse and/or recycling options, and socially responsible providers.
- Environmentally preferred (non-toxic) options replace all chemicals and materials used throughout City facilities.



ONGOING CITY COMMITMENT & EDUCATION

Goals:

The goal of this action area is to support the City's ongoing commitment to sustainability through comprehensive outreach to Milwaukie employees, our elected officials and the community regarding the City's sustainable actions and policies.

Current State:

- Provided a sustainable education training in February 2007 available to all employees.
- Hosted Master Recycler Plastics Roundup in October 2008.
- Became a member of the International Council for Local Environmental Initiatives (ICLEI.)
- Began Sustainability Corner in the City newsletter, The Pilot, featuring updates and information regarding the City's efforts toward sustainability as well as general educational information.

Milestones (Proposed Actions) – by 2010:

- Develop annual budget for needed resources to support the implementation of the Plan.
- Launch "Sustainability in Milwaukie" website on the City Intranet.
- Begin creating "Sustainability in Milwaukie" internet website for citizen and community use.
- Include updates, information, tips and book suggestions on intranet website for employees and internet website for citizens.

Milestones (Targets) – By 2014

- Provide regular brown-bag lunch classes for employees on sustainability topics.
- Host annual events such as Master Recycler Plastics Roundup, Earth Day events, etc.
- Establish City-wide policy for employee education, including new employee training requirements.



Sustainable End Point Goals – By 2029

- Fully integrate sustainability principles into all decisions and actions taken regarding City business and operations.



To: Mayor and City Council

**Through: Mike Swanson, City Manager
Kenneth Asher, Community Development and Public Works Director**

From: Gary Parkin, Engineering Director

Subject: NE (Dual Interest Area) Sewer Extension Project Update

Date: January 30, 2009 for the February 17, 2009 Work Session

Action Requested

None. This report is to update and inform the Council on the project.

History of Prior Actions and Discussions

February 3, 2009: Council approved a resolution authorizing the City Manager to enter into a contract with Century West Engineering for the engineering services needed to provide a sewer system to the Dual Interest Area "A".

December 2008: Council approved a loan agreement for the Clean Water State Revolving Fund (CWSRF) loan to fund the extension of wastewater sewer to the Dual Interest Area "A" (Resolution No. 94-2008).

October 2008: Council approved moving forward with the extension of wastewater sewer to the Dual Interest Area including; entering into an Intergovernmental Agreement (IGA) with Clackamas County for use of Century West Engineering services through a contract between Century West Engineering and Clackamas County; making application for a DEQ loan needed to accomplish the sewer extension; and moving forward with the public information needed for the project (Resolution 81-2008).

September 2008: Work session discussing the sewer extension project. Council requested additional information prior to acting.

May 2008: Work session to discuss the sewer extension project in light of City, County, State and intergovernmental requirements and policies. The lack of support of citizens in the area to annexation, but in support of receiving sewer service, most recently expressed at the March 20, 2008 open house, was noted. Staff presented information on relevant City and County policies, state law regarding annexation, and raised questions regarding service delivery and governance. Also in May 2008, the Clackamas County Board of Commissioners approves entering into a contract with Century West Engineering for the engineering services needed to advance the wastewater sewer extension for the County's portion of the wastewater sewer extension to the North Clackamas Revitalization Area (NCRA). Included in the contract is the City's portion of the preliminary engineering needed to qualify the City for the Clean Water State Revolving Fund (CWSRF) loan.

March 2008: Work session to discuss the need for, and timing of wastewater service to the unincorporated area adjacent to the northeastern border of the City. Working with Clackamas County, the City was beginning a public outreach effort to inform residents about the Dual Interest Area and determine public interest regarding connection to the City's public wastewater sewer system.

November 2002: Council directed the City Manager to sign a CDBG grant application to subsidize connection costs for low-income residents in the Dual Interest Area. This proposal assumed a City project to extend service to the unsewered unincorporated area.

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. In the northern Dual Interest Area (DIA), or DIA, the agreement states:

"The City shall assume a lead role in providing urbanizing services, whenever possible and according to adopted capital improvement programs."

Background

This report is to provide information about efforts to bring wastewater sewer service to the unincorporated area adjacent to the northeastern area of the City. As can be seen from the history of prior actions and discussions, the past year has seen a great deal of City action toward the objective. Keyed by the County's establishment of the North Clackamas Revitalization Area (NCRA), an urban renewal district encompassing the subject area, and as issues with the private septic systems in the area became more prevalent, long awaited plans for sewer extension were begun in earnest.

In cooperation with the County, application was made for a Clean Water State Revolving Fund (CWSRF) loan, a low rate loan program administered by the Oregon Department of Environmental Quality (DEQ). The City was successful in obtaining the loan, providing the funds needed to design and construct the sewer system.

OUTREACH

Also begun this past year was the community outreach to provide information to the residents and gather information about the community.

To date this effort has included:

- Five letters and a post card to all addresses in the project area providing various updates regarding upcoming project meetings, Milwaukie City Council meetings and summaries of actions that have resulted from those meetings.
- An Open House at Lewelling Elementary on March 20, 2008.
- A canvassing effort conducted on December 6, 2008, where staff members went door to door in the project area to deliver an informational packet and to discuss the project with residents.
 - The packet included an informational one-pager about the project, a self-stamped post card seeking the best way to continue communicating with them as the project progressed, and a contact information piece for requests for information.
 - Attachment 1 is a map showing some of the results of the canvassing and permit data gathered from county records.
- Based on information gathered from the canvassing effort, and information gathered from the some 20 post cards that were returned, more in-depth phone conversations have been held with staff and future meetings with small groups of residents has been discussed.

The second phase of outreach will focus on the particulars of the project's implementation and will include more public meetings, letters and direct contact with individual property owners.

DESIGN

Century West Engineering Corp, the firm engaged by the City for this project, is currently working on a topographic survey of the area and the land use action needed to site the pump station (through the county). Attachment 2 shows the preliminary design of the sewer system. The schedule for the engineering is:

Corp of Engineers/Dept of State Lands permit submission	- April 1, 2009
Easement descriptions provided	- April 1, 2009
90% plans to DEQ (for review)	- June 1, 2009
Easements required	- July 1, 2009

Completion of Plans and Specifications	- July 1, 2009
Corp of Engineers/Dept of State Lands permit obtained	- July 1, 2009

ANNEXATION

Properties must be contiguous to the City's boundaries before annexation can occur. In order to facilitate the annexation process when a property is ready to annex, staff proposes to annex the public rights-of-way in the project area in the near future. Because right-of-way is technically not owned by any single property owner, the City is empowered to initiate annexation of the public right-of-way by resolution.

City staff met with County staff to discuss various rights-of-way issues in the project area related to annexation, transference of jurisdiction, and street condition. The County is not opposed to annexation and is supportive of the City taking over jurisdiction and maintenance of the project area's rights-of-ways. Since annexation and transference of jurisdiction both require a resolution by the City Council, staff plans to undertake these actions together.

Annexation of the rights-of-way and individual properties within the project area will be handled by the Planning and Engineering Departments. Engineering and Ops staffs are working to determine the cost for the City to assume jurisdiction and maintenance of the rights-of-way. To address the cost issue, staff has compiled information on the condition of the streets in the area and is evaluating the implications of taking jurisdiction. The NCRA will help with street restoration costs. The sewer installation project will also provide some level of street reconstruction. Staff is also considering how to work with the Police Department to plan for law enforcement issues associated with annexed properties coming into the city sporadically.

FINANCE

The (CWSRF) loan will be repaid from the connection payments people make as they connect their properties to the sewer system. The NCRA has said it will provide some assistance, paying the System Development Charge (SDC) portion of the sewer connection payment, and a portion of the project reimbursement fee for each property. The NCRA will also fund a low income assistance program.

The reimbursement district that the City will recommend to City Council to ensure payment for the sewer system is under development. The cost to connect will be determined by dividing the entire project cost by the total number of property owners provided with sewer using a formula that accounts for property area and other service provision factors. The calculation will be similar to that used for past reimbursement districts that City has established, and the current model employed by the County. The

existing code allows for a five-year reimbursement period that can be extended for additional five year periods up to fifteen years. Staff plans to bring an amendment to the Council to redefine the reimbursement period to a 10-year period with allowance for an indefinite number of extensions (no defined expiration).

The City's reimbursement District will be established in accordance with the City's Municipal Code (chapter 13.30). An outline of the process is:

1. Preparation of the City Engineer's report establishing the area included, the actual or estimated improvement cost, and a methodology for spreading the cost to the properties in the area.
2. A public hearing within a reasonable time after the report is complete. This is an informational hearing since the formation of the reimbursement district does not result in an assessment or lien against property. If the reimbursement district is formed prior to construction of the improvement, a second public hearing will be held.
3. City Council will act by resolution on the recommendations in the City Engineer's report.
4. Notification of all property owners within the district.
5. The resolution establishing the district will be recorded with the office of the county recorder so as to provide notice to potential purchasers within the district.

Because the City's reimbursement district does not require payback until a property connects to the sewer, and that connection will not be demanded, determining the repayment of the loan can only be estimated. Assumptions need to be made as to when the connection payments will occur. Staff has developed a repayment schedule based on the scenario figured to be the most likely with some conservatism factored in. The attached figure (Attachment 3) shows the assumed loan repayment scenario. The scenario assumes that 25% of the properties will connect in the first year under a special 10-year payment plan for connections made in the first year.

Next steps for this project include continuing the public outreach, amending the reimbursement code to change the time period, preparing the city engineer's report for the reimbursement district, proceeding with the reimbursement district process, and finishing the construction plans with Century West.

Concurrence

Not Applicable, as no action is requested.

Fiscal Impact

Not Applicable, as no action is requested.

Work Load Impacts

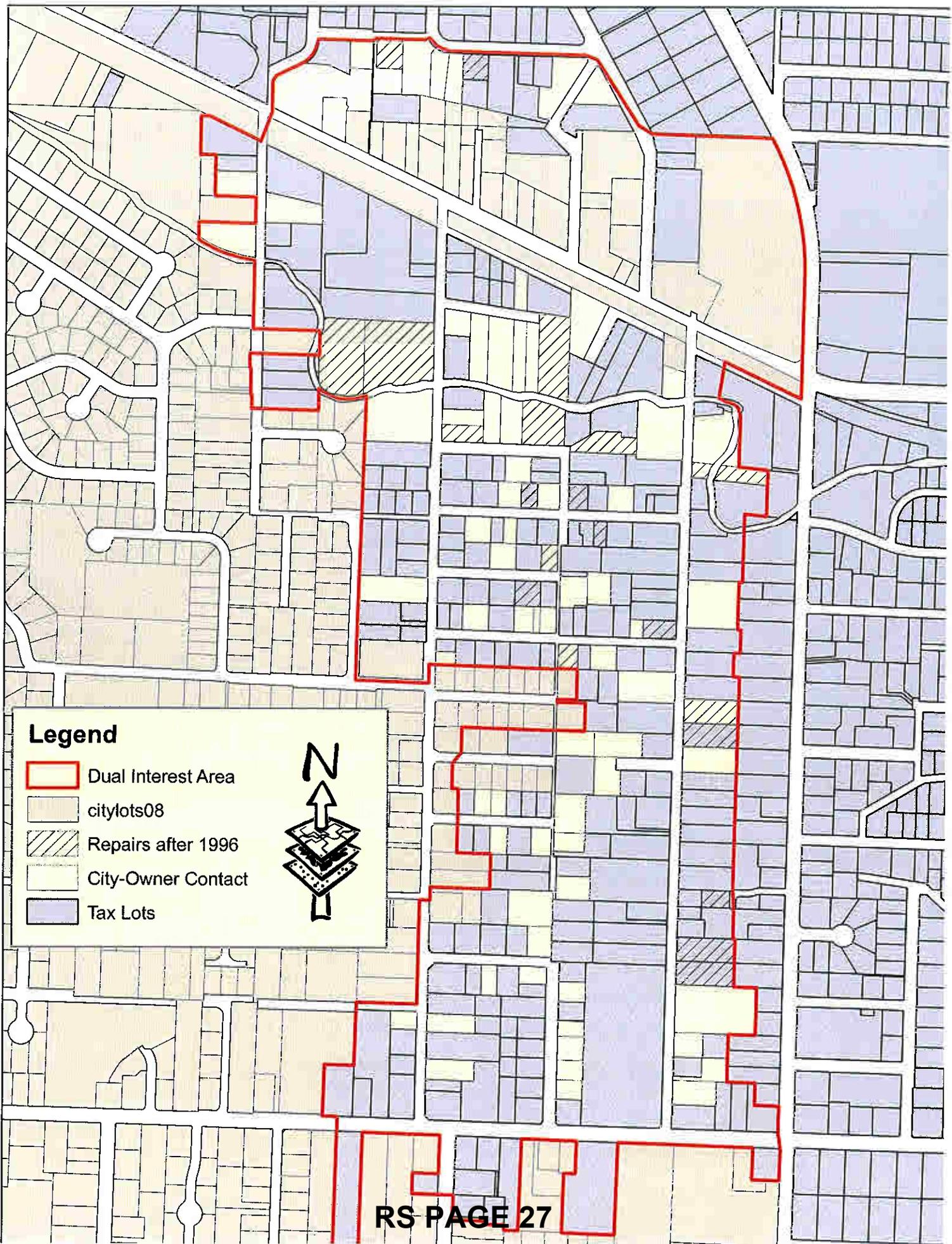
Not Applicable, as no action is requested.

Alternatives

Not Applicable, as no action is requested.

Attachments

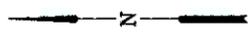
1. Map of area
2. Preliminary sewer plan
3. Loan repayment schedule



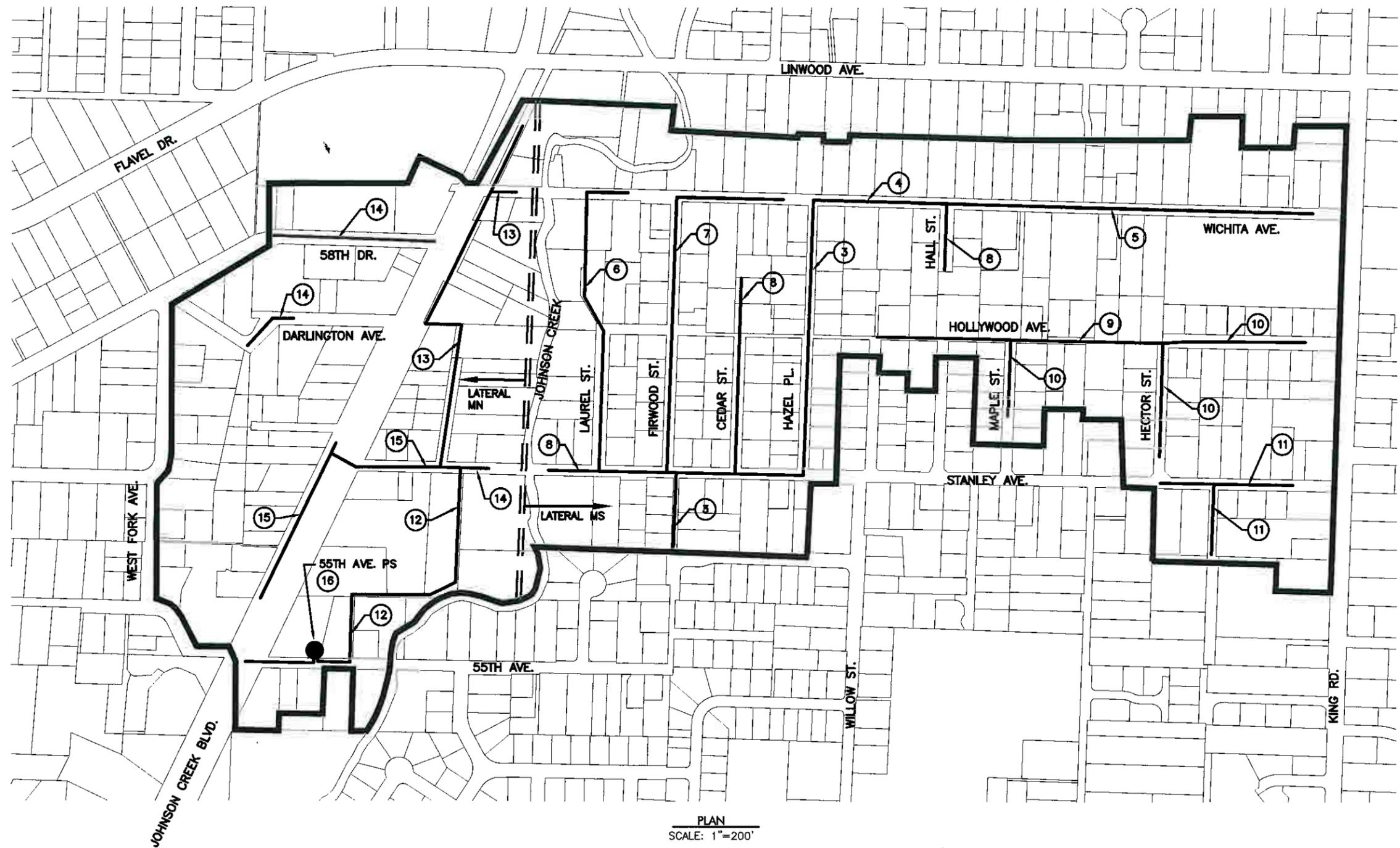
Legend

-  Dual Interest Area
-  citylots08
-  Repairs after 1996
-  City-Owner Contact
-  Tax Lots





LEGEND	
	LIMITS OF DUAL INTEREST AREA "A"
	PROPOSED SANITARY SEWER LAYOUT
	PROPOSED PUMP STATION
	SHEET NUMBER



PLAN
SCALE: 1"=200'



VERIFY SCALES
BAR IS ONE INCH ON ORIGINAL DRAWING.
0" = 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

NO.	DATE	BY	APPR	REVISIONS

CENTURY WEST
ENGINEERING CORPORATION
6650 S.W. Redwood Lane, Suite 350
Portland, Oregon 97224
503-419-2130 phone • 503-639-2710 fax
www.centurywest.com

DESIGNED BY: SLK
DRAWN BY: SLK
CHECKED BY: RW
SCALE: AS SHOWN
DATE: NOVEMBER 2008
PROJECT NO: 40748026.01

**NORTH CLACKAMAS REVITALIZATION AREA
DUAL INTEREST AREA "A"**

LEGEND AND SHEET LAYOUT

DRAWING NO. G1
SHEET NO. 2 OF 16

RS PAGE 28

Assumed Loan Repayment Schedule

Year	Percentage Connecting	Homes	Interest Rate Charged	Payment Amount per Homeowner	Amount Collected From Property Owners (Bank \$1200 up-front)	Payment Out to DEQ	(Shortfall) or Excess	Interest Generated on Fund Balance	DEQ Loan Repayment Fund Balance
1	25%	73	1.00	\$ 1,204.00	\$ 411,892.00	\$ 250,000.00	\$ 161,892.00	\$ 3,237.84	\$ 165,129.84
2	2%	6	1.05	\$ 12,642.00	\$ 168,138.60	\$ 250,000.00	\$ (81,861.40)	\$ 1,665.37	\$ 84,933.81
3	2%	6	1.10	\$ 13,274.10	\$ 176,545.53	\$ 250,000.00	\$ (73,454.47)	\$ 229.59	\$ 11,708.93
4	4%	12	1.15	\$ 13,876.10	\$ 267,808.73	\$ 250,000.00	\$ 17,808.73	\$ 590.35	\$ 30,108.01
5	2%	6	1.20	\$ 14,478.10	\$ 192,558.73	\$ 250,000.00	\$ (57,441.27)	\$ -	\$ (27,333.26)
6	4%	12	1.25	\$ 15,080.10	\$ 291,045.93	\$ 250,000.00	\$ 41,045.93	\$ 274.25	\$ 13,986.92
7	2%	6	1.30	\$ 15,682.10	\$ 208,571.93	\$ 250,000.00	\$ (41,428.07)	\$ -	\$ (27,441.15)
8	4%	12	1.35	\$ 16,284.10	\$ 314,283.13	\$ 250,000.00	\$ 64,283.13	\$ 736.84	\$ 37,578.82
9	2%	6	1.40	\$ 16,886.10	\$ 224,585.13	\$ 250,000.00	\$ (25,414.87)	\$ 243.28	\$ 12,407.23
10	4%	12	1.45	\$ 17,488.10	\$ 337,520.33	\$ 250,000.00	\$ 87,520.33	\$ 1,998.55	\$ 101,926.11
11	2%	6	1.50	\$ 18,090.10	\$ 108,540.60	\$ 250,000.00	\$ (141,459.40)	\$ -	\$ (39,533.29)
12	4%	12	1.55	\$ 18,692.10	\$ 224,305.20	\$ 250,000.00	\$ (25,694.80)	\$ -	\$ (65,228.09)
13	2%	6	1.60	\$ 19,294.10	\$ 115,764.60	\$ 250,000.00	\$ (134,235.40)	\$ -	\$ (199,463.49)
14	4%	12	1.65	\$ 19,896.10	\$ 238,753.20	\$ 250,000.00	\$ (11,246.80)	\$ -	\$ (210,710.29)
15	2%	6	1.70	\$ 20,498.10	\$ 122,988.60	\$ 250,000.00	\$ (127,011.40)	\$ -	\$ (337,721.69)
16	4%	12	1.75	\$ 21,100.10	\$ 253,201.20	\$ 250,000.00	\$ 3,201.20	\$ -	\$ (334,520.49)
17	2%	6	1.80	\$ 21,702.10	\$ 130,212.60	\$ 250,000.00	\$ (119,787.40)	\$ -	\$ (454,307.89)
18	2%	6	1.85	\$ 22,304.10	\$ 133,824.60	\$ 250,000.00	\$ (116,175.40)	\$ -	\$ (570,483.29)
19	2%	6	1.90	\$ 22,906.10	\$ 137,436.60	\$ 250,000.00	\$ (112,563.40)	\$ -	\$ (683,046.69)
20	2%	6	1.95	\$ 23,508.10	\$ 141,048.60	\$ 250,000.00	\$ (108,951.40)	\$ -	\$ (791,998.09)
21	2%	6	2.00	\$ 24,110.10	\$ 144,660.60	\$ 45,000.00	\$ 99,660.60	\$ -	\$ (692,337.49)
22	1%	3	2.05	\$ 24,712.10	\$ 74,136.30		\$ 74,136.30	\$ -	\$ (618,201.19)
23	1%	3	2.10	\$ 25,314.10	\$ 75,942.30		\$ 75,942.30	\$ -	\$ (542,258.89)
24	1%	3	2.15	\$ 25,916.10	\$ 77,748.30		\$ 77,748.30	\$ -	\$ (464,510.59)
25	1%	3	2.20	\$ 26,518.10	\$ 79,554.30		\$ 79,554.30	\$ -	\$ (384,956.29)
26	1%	3	2.25	\$ 27,120.10	\$ 81,360.30		\$ 81,360.30	\$ -	\$ (303,595.99)
27	1%	3	2.30	\$ 27,722.10	\$ 83,166.30		\$ 83,166.30	\$ -	\$ (220,429.69)
28	1%	3	2.35	\$ 28,324.10	\$ 84,972.30		\$ 84,972.30	\$ -	\$ (135,457.39)
29	1%	3	2.40	\$ 28,926.10	\$ 86,778.30		\$ 86,778.30	\$ -	\$ (48,679.09)
30	1%	3	2.45	\$ 29,528.10	\$ 88,584.30		\$ 88,584.30	\$ 798.10	\$ 40,703.32
Total	90%	262			\$ 5,075,929	\$ 5,045,000			