



Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

REVISED AGENDA**OCTOBER 4, 2022**

(Revised September 30, 2022)

Council will hold this meeting in-person and through video conference. The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. **For Zoom login** visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-333>.

To participate in this meeting by phone dial 1-253-215-8782 and enter Webinar ID 831 8669 0512 and Passcode: 023745. To raise hand by phone dial *9.

Written comments may be delivered to City Hall or emailed to 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. **Domestic Violence Awareness Month – Proclamation** (6:05 p.m.) 4
Presenter: Luke Strait, Police Chief

 - B. **Indigenous Peoples Day – Proclamation** (6:10 p.m.) 5
Presenter: Jon Hennington, Equity Program Manager

 - C. **Hispanic Heritage Month – Proclamation** (6:15 p.m.) 6
Presenter: Jon Hennington, Equity Program Manager

 - D. **Energy Efficiency Day – Proclamation** (6:20 p.m.) 7
Presenter: Mark Gamba, Mayor

4. **SPECIAL REPORTS**
 - A. **City Manager Updates – Report** (6:25 p.m.)
Staff: Ann Ober, City Manager

5. **COMMUNITY COMMENTS** (6:35 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), or in person to city staff.**

6. **CONSENT AGENDA** (6:40 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:** 10
 1. **September 6, 2022, work session, and**
 2. **September 6, 2022, regular session.**
 - ~~B. **Authorization of an Agreement with the North Clackamas Watersheds Council for Kellogg Dam Removal Funding** (removed from the agenda)~~
 - C. **Approval of an Oregon Liquor Control Commission Application for Ohana Hawaiian Café, 10608 SE Main St. – Limited Off-Premises Sales** 21
7. **BUSINESS ITEMS**
 - A. **New City Hall Update – Report** (6:45 p.m.) 23
 Staff: Kelly Brooks, Assistant City Manager
 - B. **Equity Goal Update – Report** (7:00 p.m.) 29
 Staff: Jon Hennington, Equity Program Manager
8. **PUBLIC HEARINGS**
 - A. **None Scheduled.**
9. **COUNCIL REPORTS** (7:30 p.m.)
10. **ADJOURNMENT** (7:35 p.m.)

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

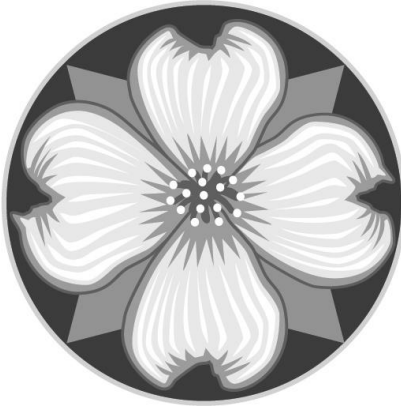
The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation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

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

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

Executive Sessions

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



RS Agenda Item

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Announcements

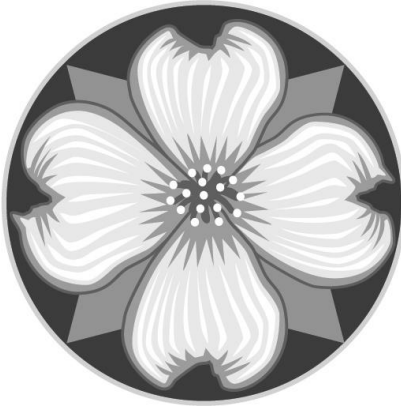


Mayor's Announcements – October 4, 2022

- **Confederated Tribes of Grand Ronde: History & Demonstrations – Wed., Oct. 5 (6 PM)**
 - October Ledding Library Lecture Series presents Chris Rempel, a cultural education specialist for the Confederated Tribes of Grand Ronde and a special address from City Councilor Adam Khosroabadi
 - In person at the Ledding Library, 10660 SE 21st Ave., watch live on Zoom, or watch the recording later.
- **Housing Needs Survey – Join the conversation through Oct. 17**
 - Your input will help the city develop strategies to address our housing needs.
 - Join the conversation at engage.milwaukieoregon.gov
- **Park Planning Meetings in October – Balfour, Bowman-Brae, and Scott Parks**
 - All meetings held at Ledding Library (10660 SE 21st Ave.). Presentation portion of each available via Zoom with prior registration.
 - All meetings and surveys are final opportunity to provide feedback before the plans are finalized.
 - Scott Park – Thu., Oct. 6 (6-8 PM)
 - Balfour Park – Thu., Oct. 13 (6-8 PM)
 - Bowman-Brae Park – Mon., Oct. 17 (6-8 PM)
 - Surveys available at engage.milwaukieoregon.gov from Oct. 6 through Oct. 19.
- **Arbor Day Celebration – Sat., Oct. 22 (9 AM – 3 PM)**
 - Friends of Trees Planting (Register for a tree or sign up to volunteer) – 9 AM to 1 PM
 - PGE Electric Tool Exchange and All Electric Tiny Home – 11 AM to 1 PM
 - Milwaukie Arbor Day Celebration (Ceremonial tree planting, free trees, donuts, and crafts) – 1 PM to 3 PM
 - Tree planting is citywide. All other events take place across Main St. from City Hall (10722 SE Main St.)

RS2

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



RS Agenda Item

3

Proclamations & Awards

PROCLAMATION

WHEREAS domestic violence is a tragic and serious crime that affects millions of Americans of all races, ages, gender, and income levels, and

WHEREAS the repercussions of domestic violence can threaten our communities daily, and trauma related to domestic violence may result in long-term adverse effects on survivors' physical and mental health and well-being, and

WHEREAS domestic violence costs this nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity, and

WHEREAS during the month of October, domestic violence advocacy organizations, victim-serving professionals, system-partners, communities, and allies come together to unify and support those working to end violence, support survivors, raise community awareness of the devastating effects of domestic violence, honor, and support those that have survived, and mourn those we have lost.

NOW, THEREFORE, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **OCTOBER 2022** to be **DOMESTIC VIOLENCE AWARENESS MONTH** and recommend that all Milwaukie community members work toward the elimination of violence in all forms.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of October 2022.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

WHEREAS the City of Milwaukie recognizes that the Indigenous Peoples of the lands known as the Americas have lived on these lands since time immemorial, and

WHEREAS this city wishes to honor the fact that the community of Milwaukie is built upon the traditional homelands of the Clackamas Peoples and affirms the legal rights of the nine federally recognized tribal nations in the State of Oregon and all Indigenous Peoples everywhere, and

WHEREAS Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native Nations to the United Nations sponsored International Conference on Discrimination Against Indigenous populations in the Americas, and

WHEREAS this city is committed to protecting and advocating for justice, human rights, and the dignity of all people who live, work, and visit our community, and to supporting the principles contained in the United Nations Declaration on the Rights of Indigenous Peoples endorsed by the United States on December 16, 2010, and

WHEREAS the Declaration recognizes the right of Indigenous Peoples "to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information," and places an obligation on states to "take effective measures, in consultation and cooperation with the Indigenous Peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among Indigenous Peoples and all other segments of society," and

WHEREAS this city wishes to recognize the second Monday in October as Indigenous Peoples' Day as an opportunity to reflect on the ongoing struggles of Indigenous Peoples of this land, to celebrate the thriving cultures and values of the Indigenous Peoples of our region, and to stand with Indigenous Peoples everywhere.

NOW, THEREFORE, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **October 10, 2022**, to be **INDIGENOUS PEOPLES DAY** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of **October 2022**.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

WHEREAS each year, the United States observes National Hispanic Heritage Month by celebrating the culture, heritage, and countless contributions of those whose ancestry extends to Spain, Mexico, the Caribbean, Central America, and South America, and

WHEREAS National Hispanic Heritage Month began as a week-long observation declared in 1968 and grew to a month-long celebration in 1988 and is now celebrated from September 15th through October 15th each year, and

WHEREAS September 15 is a significant date because it marks the anniversary of independence for the Latin American countries of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16 and 18, respectively, and

WHEREAS we celebrate Hispanic Heritage Month to show our gratitude for the achievements, inspiration, and service our Hispanic and Latino community provide to our city, region, and country every day, and

WHEREAS Hispanic and Latino individuals help drive our small business economy as workers, business owners, and entrepreneurs; enrich our academic environment as teachers, professors, and engineers; participate in the good governance and betterment of our society; take leading roles in the Labor Movement and ensure our health and community as nurses, doctors, caretakers, and childcare workers, and

WHEREAS the culture and traditions of Latin American and Hispanic families are deeply woven into the fabric of our community and country, and

WHEREAS this city wishes to recognize the month beginning September 15 and ending October 15 as an opportunity to reflect on enormous contributions, celebrate the culture, traditions and diversity, and to stand with the Latino and Hispanic community.

NOW, THEREFORE, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **September 15 – October 15, 2022**, to be **HISPANIC HERITAGE MONTH** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of **October 2022**.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

WHEREAS each year, the United States observes National Hispanic Heritage Month by celebrating the culture, heritage, and countless contributions of those whose ancestry extends to the Caribbean, Central American, Mexico, South America, and Spain.

WHEREAS National Hispanic Heritage Month began as a week-long observation declared in 1968 and grew to a month-long celebration in 1988 and is now celebrated from September 15th through October 15th each year, and

WHEREAS September 15 is a significant date because it marks the anniversary of independence for the Latin American countries of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16 and 18, respectively, and

WHEREAS we celebrate Hispanic Heritage Month to show our gratitude for the achievements, inspiration, and service our Hispanic and Latino community provide to our city, region and country every day, and

WHEREAS Hispanic and Latino individuals help drive our small business economy as workers, business owners, and entrepreneurs; enrich our academic environment as teachers, professors, and engineers; participate in the good governance and betterment of our society; take leading roles in the Labor Movement and ensure our health and community as nurses, doctors, caretakers, and childcare workers, and

WHEREAS the culture and traditions of Latin American and Hispanic families are deeply woven into the fabric of our community and country, and

WHEREAS this city wishes to recognize the month beginning September 15 and ending October 15 as an opportunity to reflect on enormous contributions, celebrate the culture, traditions and diversity, and to stand with the Latino and Hispanic community.

NOW, THEREFORE, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **September 15 – October 15, 2022**, to be **HISPANIC HERITAGE MONTH** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of **October 2022**.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

WHEREAS energy efficiency is the cheapest, quickest, and cleanest way to meet Milwaukie's and Oregon's energy needs, avoid dangerous pollution, and reduce utility bills for residents and businesses in our community, and

WHEREAS implementing energy efficiency and other clean energy policies and programs can help boost economic opportunities and job creation while continuing to move Milwaukie toward a completely sustainable future, and

WHEREAS smarter energy use reduces the amount of electricity and fuels needed to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and warm our climate, and

WHEREAS energy efficiency makes our homes and workspaces healthier, safer, and more comfortable, and

WHEREAS cutting energy waste saves U.S. households billions of dollars on their utility bills every year, up to \$500 per household from appliance efficiency standards alone, and

WHEREAS improved energy codes for homes and commercial buildings can also significantly reduce utility costs and create new jobs, and Milwaukie supports increasing the minimum levels of efficiency for new buildings through adoption of the REACH code or the model 2021 International Energy Conservation Code (IECC), and

WHEREAS the residents of Milwaukie have access to, and can benefit from, participation in the residential energy efficiency program offered by Energy Trust of Oregon, and

WHEREAS from 2002 to 2019 over 7,000 residents and 789 businesses have together saved 417 million kilowatt-hours, and

WHEREAS saving said electricity through efficiency also saved Milwaukie residents, schools, and businesses over 34 million dollars on their utility bills and helped those utilities to avoid emitting 25,000 tons of carbon dioxide, and

WHEREAS the City of Milwaukie is currently engaged in the Energy Trust Strategic Energy Management offering, which identifies and implements low and no-cost behavioral and operational opportunities to acquire additional energy savings in city facilities, including at the Ledding Library, City Hall, and the Public Safety Building, and

WHEREAS a nationwide network of energy efficiency groups and partners has designated the first Wednesday in October as national annual Energy Efficiency Day; and

WHEREAS together we can continue to contribute to the city’s sustainability efforts by learning more about energy efficiency and practicing smarter energy use in our daily lives.

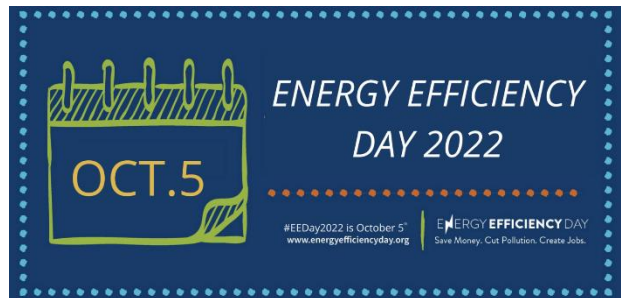
NOW, THEREFORE I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim October 5, 2021, to be **ENERGY EFFICIENCY DAY** in Milwaukie and do hereby urge all community members to join the city in supporting our shared clean energy goals to better move toward more energy efficiency now and in the future.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of October 2022.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder



PROCLAMATION

WHEREAS energy efficiency is the cheapest, quickest, and cleanest way to meet Milwaukie's and Oregon's energy needs, avoid dangerous pollution, and reduce utility bills for residents and businesses in our community, and

WHEREAS implementing energy efficiency and other clean energy policies and programs can help boost economic opportunities and job creation while continuing to move Milwaukie toward a completely sustainable future, and

WHEREAS smarter energy use reduces the amount of electricity and fuels needed to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and warm our climate, and

WHEREAS energy efficiency makes our homes and workspaces healthier, safer, and more comfortable, and

WHEREAS cutting energy waste saves U.S. households billions of dollars on their utility bills every year, up to \$500 per household from appliance efficiency standards alone, and

WHEREAS improved energy codes for homes and commercial buildings can also significantly reduce utility costs and create new jobs, and Milwaukie supports increasing the minimum levels of efficiency for new buildings through adoption of dramatically improved building codes or the model 2021 International Energy Conservation Code (IECC), and

WHEREAS the residents of Milwaukie have access to, and can benefit from, participation in the residential energy efficiency program offered by Energy Trust of Oregon, and

WHEREAS from 2002 to 2021 over 7,308 residents and 837 businesses have together saved 475 million kilowatt-hours, and

WHEREAS saving said electricity through efficiency also saved Milwaukie residents, schools, and businesses over 34 million dollars on their utility bills and helped those utilities to avoid emitting 25,000 tons of carbon dioxide, and

WHEREAS the City of Milwaukie is currently engaged in the Energy Trust Strategic Energy Management offering, which identifies and implements low and no-cost behavioral and operational opportunities to acquire additional energy savings in city facilities, including at the Ledding Library, City Hall, and the Public Safety Building, and

WHEREAS a nationwide network of energy efficiency groups and partners has designated the first Wednesday in October as national annual Energy Efficiency Day; and

WHEREAS together we can continue to contribute to the city’s sustainability efforts by learning more about energy efficiency and practicing smarter energy use in our daily lives.

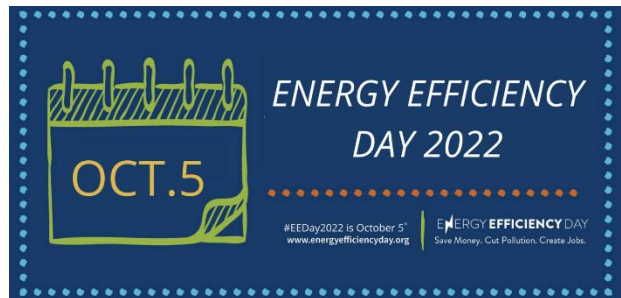
NOW, THEREFORE I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim October 5, 2021, to be **ENERGY EFFICIENCY DAY** in Milwaukie and do hereby urge all community members to join the city in supporting our shared clean energy goals to better move toward more energy efficiency now and in the future.

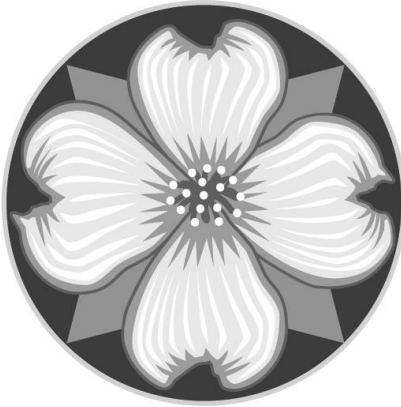
IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of October 2022.

Mark Gamba, Mayor

ATTEST:

Scott Stauffer, City Recorder





RS Agenda Item

6

Consent Agenda

COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

SEPTEMBER 6, 2022

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

Staff Present: Kelly Brooks, Assistant City Manager
Justin Gericke, City Attorney
Jordan Imlah, Communications Program Manager
Nicole Madigan, Deputy City Recorder
Ann Ober, City Manager
Mary Quinn, Court Clerk
Scott Stauffer, City Recorder

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

1. Court Amnesty Program – Annual Report

Stauffer provide a brief history of the program and explained how the program operated. **Stauffer** and **Quinn** presented a comparison of the 2021 and 2022 amnesty programs noting that 2022 saw fewer participants for a couple of reasons, one being fewer tickets issued, and mentioned the different methods used to notify potential participants of the program. **Stauffer** provided the court's amnesty plan for 2023 that included going out for a request for proposal (RFP) for a new collection agency as the contract for the current collection agency was set to expire.

Mayor Gamba asked what was included in the amnesty fine paid by the defendant and **Quinn** responded that half of the current balance due at collections, which included interest and fees, is what participants pay. **Stauffer** emphasized that the amnesty program is a good program, but it may be more beneficial to not run the program in 2023. The group discussed the frequency of the program and whether to add an option in the RFP for the collection agency to share in the workload of the amnesty program.

Mayor Gamba and **Stauffer** commented on what the next steps would be for the court's RFP process and **Stauffer** concluded that the court would likely pause the amnesty program for 2023.

2. Board and Committee (BC) Recruitment – Annual Report

Stauffer explained how staff supports the BCs and BC staff liaisons and reported that the first annual BC recruitment had occurred in spring 2022. **Stauffer** provided details on how many applicants had applied, how many interviews were completed, and how many applicants were appointed and listed as alternates during the annual interviews.

The group discussed the use of Spark Hire in the interview process and plans to improve that process.

Stauffer presented plans for the 2023 annual BC recruitment process that included a single application deadline, ways to improve Spark Hire for applicants and interviewers, advertising earlier throughout Milwaukie and getting BCs to create outreach materials.

Councilor Batey and **Council President Hyzy** commented on how applicants can engage in meetings and with BC members prior to applying and interviewing to learn more about the BCs applicants may be interested in.

Mayor Gamba, Council President Hyzy, and Stauffer discussed what happens when there are no applicants for a vacant BC seat at the end of the application process.

Mayor Gamba, Madigan, and Stauffer discussed how the annual recruitment timeline affects recruitment events like the Milwaukie Farmers Market and ideas on how to work within the timeline and possibly extend the recruitment period to allow for engagement at the Milwaukie Farmers Market.

Councilor Batey expressed interest in conducting Zoom interviews over two days instead of one and **Council President Hyzy** noted circumstances that affected the 2022 Zoom interviews that left Council shorthanded. **Stauffer** mentioned with all applicants participating in a Spark Hire interview first, less applicants would be interviewed on Zoom. The group discussed changes to the Spark Hire interview questions that would give panelists a better idea of who the applicant is and where their best fit on a BC might be.

Madigan presented the results from the BC recruitment participant survey that was sent to all interviewed applicants. **Stauffer** noted that the BC recruitment advertising postcard also promoted recruitment for the neighborhood district associations (NDAs). **Madigan** shared additional survey results that included recruiting with other community groups such as parent teacher associations (PTAs), providing better guidance on using Spark Hire and to incorporate an option for Spark Hire interviewees to ask questions prior to interviewing, and to provide technical/educational resources on what kind of skills or background are useful for each BC. **Council President Hyzy** commented on the number of those who completed the survey.

Stauffer concluded that while there were learning opportunities from the 2022 annual recruitment process, it was an overall success in the number of recruitments and alternates. **Stauffer** noted what BCs had current vacancies.

3. Arts Committee – Annual Report

Imlah provided introductions and **Samantha Swindler**, Arts Committee Chair, reported on the committee's goals for 2022.

Swindler and **Imlah** provided background information on the mural that was placed on the Chapel Theatre building.

Swindler reported on how successful the third year of the community Porchfest concerts had been, and that business sponsorship had alleviated the small expenses associated with producing Porchfest. **Swindler** expressed hope for the future of Porchfest that it may generate funds for the committee to use for other projects.

Swindler and **Imlah** shared how local small business, Elle Cree, provided a Pride paint by numbers mural for the community to paint during the city's Pride event. It was noted the mural would be on display at city hall.

Swindler and **Imlah** reported that the Arts Committee was accepting applications for three sculptures for the sculpture garden. **Mayor Gamba** asked how the sculpture garden would be affected once city hall moved. **Imlah** responded there had only been preliminary discussions that included keeping the garden where it was, obtaining permanent sculptures and placing them around town, and placing sculptures in areas such as the Kronberg Park. **Swindler** added that the future of the garden could depend on what the old city hall would be used for.

Swindler and **Imlah** shared details about the 110-foot-long mural honoring the Indigenous people of Milwaukie that was being painted on the west side of the post office, that a video about the project would be posted to the Arts Committee's Facebook page later that evening, and a dedication ceremony was scheduled for the end of September. The group discussed an anti-graffiti layer that would be added to the mural once completed.

The group discussed plans for upcoming murals at the Milwaukie Community Center and Cha! Cha! Cha! restaurant.

Swindler stated that the Arts Committee had a new member that was assisting the committee in obtaining grants and that the committee plans on maintaining and obtaining sponsorships with local businesses for future projects.

The group discussed upcoming projects that included the scarecrow contest, discussions on including Milwaukie in the Portland Winter Lights Festival, Porchfest 2023, and plans for the city to have a Bing cherry sculpture that would be part of a New Year's Eve event where a Bing cherry would drop to ring in the new year.

Swindler asked Council to adjust the Arts Committee's mural budget to rename and expand the fund's definition to include other forms of permanent public art and for an opportunity to be included in the allocation of the budget for the committee to produce events. **Councilor Nicodemus** asked if the committee would work with spending budget funds with the Equity Steering Committee (ESC) and **Swindler** said yes.

Council President Hyzy thanked the Arts Committee for their contributions to the community.

Councilor Batey shared an interaction with a community member who was pleased with the city's murals.

Swindler mentioned that the Arts Committee would be at the Sustainability Fair in September hosting a creative craft booth and they were looking for volunteers to assist.

Mayor Gamba acknowledged the importance of the Arts Committee's role in the community and noted that the committee should work towards increasing their budget. **Swindler** added that grants would be used for larger projects, but additional funds would be helpful for smaller events costs.

4. Adjourn

Mayor Gamba announced that after the meeting Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Mayor Gamba adjourned the meeting at 5:11 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

SEPTEMBER 6, 2022

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

Staff Present: Kelly Brooks, Assistant City Manager Peter Passarelli, Public Works Director
Justin Gericke, City Attorney Natalie Rogers, Climate & Natural Resources Manager
Ann Ober, City Manager Scott Stauffer, City Recorder

Mayor Gamba called the meeting to order at 6:02 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Gamba announced upcoming activities, including a Milwaukie Poetry Society reading, the Milwaukie Sustainability Fair, a playground design presentation, an author conversation event, and a city managers open door session. **Councilor Batey** noted a fundraiser at Mike's Drive-In in support of the Milwaukie Parks Foundation.

3. PROCLAMATIONS AND AWARDS**A. American Legion Day – Proclamation**

Mike Wilson, American Legion Post 180 Past Commander, remarked on the post's work in the community on behalf of veterans. Council thanked Post 180 for their work and **Mayor Gamba** proclaimed September 16 to be American Legion Day.

B. Constitution Week – Proclamation

Phyllis Hines, Susannah Lee Barlow Chapter Daughters of the American Revolution (DAR), remarked on the importance of recognizing the Constitution. **Mayor Gamba** proclaimed September 16 to 22 to be Constitution Week.

C. ~~Preparedness Month Proclamation~~ (moved to September 20, 2022, agenda)

4. SPECIAL REPORTS

A. None Scheduled.

5. COMMUNITY COMMENTS

Mayor Gamba reviewed the public comment procedures and **Ober** reported that there was no follow-up report from the August 16 community comments.

Paul Lisac, co-owner of Lisac's Fireplace and Stoves, noted that 2022 was the Lisac family's 100th year of doing business in Milwaukie and asked if the city would consider reading an anniversary proclamation. It was noted that staff would follow-up with Lisac.

Pat Stauss, Milwaukie resident, expressed frustration about the city's response to inquiries about code violations reported on the Stauss' property, observing that other properties in the city were in violation of the same code issues. **Mayor Gamba** and **Stauss** remarked on city efforts to find a solution to the Stauss' code violation issues.

6. CONSENT AGENDA

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

A. City Council Meeting Minutes:

- 1. August 2, 2022, Work Session,**
- 2. August 2, 2022, Regular Session, and**
- 3. August 9, 2022, study session.** (removed from the agenda)

B. Resolution 61-2022: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Arts Committee.

C. Resolution 62-2022: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing the purchase of a five-yard dump truck with snow accessories.

D. Resolution 63-2022: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing the city manager to sign the State of Oregon Seismic Rehabilitation Grant Program (SRGP) Grant Agreement.

Motion passed with the following vote: Councilors Khosroabadi, Batey, Nicodemus, and Hyzy and Mayor Gamba voting "aye." [5:0]

7. BUSINESS ITEMS

A. New Building Energy and Climate – Resolutions (3)

Mayor Gamba reviewed the city's climate goals, which included reducing the carbon impact of buildings, and explained that the proposed resolutions were meant to begin the process of reducing the use of natural gas (methane) by banning it in city-owned buildings, existing buildings, and future buildings. **Gamba** explained that two invited presenters would speak first and then Council would take public comment.

Scott Ongley, co-owner of Lisac's Fireplace and Stoves, opposed the resolutions, reviewed Lisac's history selling natural gas appliances, and remarked that the power grid was not prepared for all-electric buildings and that banning natural gas without further education and time to develop climate-friendly solutions was a bad idea. **Ongley** believed most Milwaukians did not support a natural gas ban, commented on the need for natural gas during power outages, and noted that newer gas appliances were more efficient. **Mayor Gamba** asked about air flow safety in natural gas fireplaces and **Ongley** commented on safety improvements made to fireplaces in recent years.

Ongley discussed differences between gas and electric stoves and suggested that banning natural gas appliances would not result in much of a climate benefit and would cause energy and financial problems for Milwaukie residents. **Ongley** suggested that nuclear energy was the safest and cleanest form of energy and that regulating energy sources was not the purview of cities.

Mayor Gamba remarked that the resolutions did not propose taking away natural gas from existing buildings. **Ongley** observed that if natural gas were used less the utility company could decide it was not worth it to service an area, which would result in natural gas not being an option for certain areas.

Melanie Plaut, retired medical doctor, presented information about the negative health and climate impacts of methane (natural) gas; noting that the use of methane increases greenhouse gas (GHG) emissions, gas-related explosions, indoor air pollution, childhood asthma, depression, and Alzheimer's disease. **Plaut** suggested that research had shown that low-income homes were more at-risk of natural gas pollution, that natural gas appliances were harmful even when not being used and noted that several professional medical associations supported gas bans. **Plaut** concluded by reviewing recommendations for how to use natural gas appliances safely if they could not be replaced and encouraged Council to ban the use of natural gas.

Mayor Gamba reviewed the public comment procedures.

Zachary Turner, Climate Control Heating, Ventilation, and Air Conditioning (HVAC) estimator, remarked on the advantages of electric heating systems and electrifying buildings, and urged Council to adopt the resolutions. **Councilor Batey** and **Turner** remarked on the installation and use of mini-splits and heat pumps.

Ben Stevenson, Sunrise Movement PDX representative, urged Council to adopt the resolutions and remarked on the health and climate benefits of banning natural gas.

Alma Pinto, Milwaukie resident and climate justice associate with the Community Energy Project, commented on the impact of natural gas on the health and finances of low-income and Black, Indigenous, and People of Color (BIPOC) residents and encouraged Council to adopt the resolutions.

Bob Jenks, Oregon Citizens Utility Board (CUB) executive director, commented on the end-user's cost of the state's subsidization of expanding the natural gas system.

Eric Freed, Milwaukie resident, suggested utility companies were keeping all levels of government from addressing climate change and urged Council to adopt the resolutions.

Elijah Cetas, Milwaukie resident, remarked on life as a low-income renter using natural gas appliances and the need to invest in aging utility infrastructure.

Jonny Kocher, Rocky Mountain Institute (RMI) senior associate, commented on a Milwaukie utility cost analysis that found using natural gas appliances cost customers more than using electric appliances and encouraged Council to adopt the resolutions.

Matt Bokar, Salazar Architects senior associate, supported Council adopting the resolutions and commented on Salazar Associate's work to electrify building projects.

Greer Ryan, Climate Solutions representative, commented on the negative health impacts of using natural gas and the need to ban natural gas now so the city would be eligible for federal funding to electrify utility infrastructure. **Council President Hyzy** and **Ryan** remarked on when federal funds may be available for local use.

Mayor Gamba recessed the meeting at 7:46 p.m. and reconvened at 7:53 p.m.

Josie Moberg, Breach Collective climate justice legal fellow, supported Council adopting the resolutions and remarked on the urgency of addressing climate change.

John Weigant, Gresham resident, supported Council adopting the resolutions and commented on society's future reliance on electricity and not fossil fuels.

Rob Reynolds, Milwaukie resident, asked Council to pause its consideration of the resolutions for 120-days to conduct more research and community outreach on the issue, and suggested the city had other issues to address before a natural gas ban.

Brad Reed, Milwaukie resident, supported Council adopting the resolutions and commented on the health reasons to move away from the use of fossil fuels.

Jacob Sherman, Milwaukie resident, supported the intent of the resolutions and asked Council to conduct additional public outreach before acting on the resolutions.

Lisac commented on the ability of gas appliances to function as a heat source during power outages and the inability of heat pumps to work in cold weather. **Councilor Batey** and **Lisac** noted newer gas fireplaces use batteries to power the ignition switch. **Mayor Gamba** and **Lisac** remarked on the size of a space a gas fireplace can heat.

Councilor Khosroabadi asked about an electric heat pump's ability to function in cold weather and **Turner** reported that heat pumps can work in the cold weather seen in Oregon. **Lisac** and **Turner** noted that heat pumps do not work without electricity and **Lisac** remarked on the importance of having a gas fireplace as a backup heat source.

Beth Doglio, former Washington state legislator, remarked on the importance of local governments addressing climate change by promoting the electrification of buildings.

Anne Pernick, SAFE cities community manager at Stand.earth, encouraged Council to adopt the resolutions to address the negative health impacts of using natural gas.

Katie Mercer, Portland resident, suggested natural gas companies were trying to sell a hazardous product and encouraged Council to adopt the resolutions.

Laura Stevens, unincorporated Clackamas County resident, supported the resolutions and remarked on the negative health effects of natural gas and wildfire pollution.

Brian Stewart, Electrify Now! co-founder, commented on the rising costs of using fossil fuels versus electricity, and encouraged Council to adopt the proposed resolutions.

Patty Hine, 350 Eugene president, supported the resolutions and commented on the electrification policies being considered by the City of Eugene.

Kasra Shokart, Milwaukie resident, supported the resolutions and remarked on the importance of stopping the use of fossil fuels.

Dylan Plummer, Sierra Club senior campaign representative, supported the resolutions and commented on the Sierra Club's work to encourage pro-electrification policies.

Mayor Gamba noted written comments on the resolutions had been submitted since the meeting started. It was Council consensus to move to discussion and not stop the meeting to review the comments.

Mayor Gamba read the text of the resolution directing that city-owned buildings be electrified into the record, noting changes to the resolution text that had been proposed by Council President Hyzy.

Councilor Nicodemus supported the electrification of appliances and buildings but was concerned about the lack of public process and community engagement to develop the resolutions, particularly among the Black, Indigenous, and People of Color (BIPOC) community. **Mayor Gamba** and **Nicodemus** remarked on the timing of adopting the resolutions and the need to engage the community about a natural gas ban.

Councilor Batey agreed with those who had suggested that the city should consider the issue more before adopting the resolutions but believed the resolution providing direction regarding city-owned buildings and new construction would not need as much community engagement.

Councilor Batey suggested the resolutions should be revised before being adopted and observed that an energy efficiency report issued for the city several years ago had identified natural gas use a vulnerability. **Batey** remarked that Plaut's presentation had raised concerns about residential use of natural gas and NW Natural Gas' lack of transparency in identifying gas leaks in homes and construction sites.

Councilor Nicodemus reiterated concern about the lack of BIPOC representation in the comments received. **Mayor Gamba** agreed with Nicodemus and observed that the lack of diversity in community engagement was true for most topics the city addressed.

Councilor Khosroabadi expressed concern about what happens during storms when the power goes out. **Mayor Gamba** stated that electric batteries and microgrids were the solution. **Khosroabadi** and **Gamba** commented that with or without gas appliances, there would be no heat without electricity. **Khosroabadi** agreed it was important to engage more people in drafting the resolutions and was concerned about new buildings including gas appliances.

Mayor Gamba and **Council President Hyzy** commented that current residents could end up living in new housing, but most residents of new housing do not live in the city.

Council President Hyzy asked staff for feedback on the potential workload impacts of the resolution directing that city-owned buildings be electrified. **Rogers, Passarelli,** and **Ober** discussed the process of identifying and funding energy efficiency projects at city facilities and what projects would be reprioritized to give staff time to complete electrification projects by the 2025 deadline identified in the resolution. **Ober** recommended that staff analyze energy efficiency and electrification work to be done at city facilities before Council adopt the resolution.

The group commented on the potential financial impacts of requiring all-electric and energy efficiency work be done at city facilities that are part of ongoing request for proposal (RFP) processes. They noted that electrification requirements could be factored into future projects and that it would be hard to add such requirements to ongoing projects, which may also require budget adjustments to cover project costs.

The group remarked on the energy efficiency standards being sought for the Coho Point at Kellogg Creek development project.

Ober reiterated that Council give staff time to analyze the impact of requiring city-owned buildings be electrified. **Passarelli** remarked on city facilities that would have to be retrofitted with electric systems. **Council President Hyzy** wanted ongoing projects to proceed and not slowed down by new requirements. **Hyzy** proposed that the resolutions be tabled to allow staff time to analyze the impact of electrifying city buildings and future construction projects. **Ober** believed staff could report back in a few weeks.

The group discussed what information staff would work on getting for the next Council discussion on building energy efficiency and noted how raising the minimum project cost amount threshold that triggered an electrification requirement from \$50,000 to \$200,000 would keep smaller projects from being subject to the new requirements. They also noted that any analysis of project costs would be hard to confirm due to the unusual and unpredictable costs of materials and construction during the last two years.

Council President Hyzy suggested the work to revise the resolutions could be an opportunity to engage under-represented communities. **Ober** noted there were equity groups who could help with project estimates.

Mayor Gamba recessed the meeting at 9:41 p.m. and reconvened at 9:45 p.m.

Ober noted that agenda item 7. B. Climate Fee Policy would be moved to the September 20 regular session agenda.

Mayor Gamba read the resolution related to the electrification of existing buildings into the record. Staff believed the resolution aligned with work staff was already undertaking.

Council President Hyzy noted Eugene's process for considering electrification and that staff had suggested the resolutions would create additional workload but would also align with work already being done. **Hyzy** reiterated a request for an analysis of what electrification and a robust community engagement effort would mean for staff. **Rogers** and **Passarelli** reviewed electrification, engagement, and equity work the city was already doing and what projects may require a consultant.

Council President Hyzy underscored the importance of equity work on city projects and was concerned that there would not be enough time or resources to do it in a way that ensures BIPOC community members participate. The group acknowledged the self-driven workload of the city's Equity Steering Committee (ESC) and the equity work being done by city staff on other projects.

Mayor Gamba asked what in the resolution regarding the electrification of existing buildings needed to change to not add to staff workload. **Ober** believed staff needed time to determine what the price of adding electrification projects would be.

Councilor Batey suggested the resolution's requirement that staff identify a plan to decarbonize existing buildings would be a big lift. **Ober** and **Rogers** remarked on what factors staff would look at in determining a cost impact for Council.

Council President Hyzy observed that the proposed electrification work may amount to it being a Council goal that the community would need to identify as a goal. **Mayor Gamba** remarked that the city's community visioning process had served the purpose of identifying what work the city should undertake to achieve climate action goals.

Council President Hyzy and **Ober** remarked that prioritizing electrification work would mean that other projects would be less of a priority.

Councilor Khosroabadi suggested the electrification work could be a way to refocus the city's ongoing Climate Action Plan (CAP) work to include the transportation system's carbon impact. **Ober** and **Khosroabadi** discussed the resolutions' deadlines for achieving electrification work and what work would need to be done to achieve those deadlines. **Council President Hyzy** suggested that adding electrification and other work to the CAP could be part of the planned five-year update of the plan. **Rogers** and **Hyzy** noted the feasibility of waiting for pending state legislation and litigation regarding decarbonization and natural gas to play out before updating the plan.

Council President Hyzy suggested the resolutions were not the only way to achieve the desired electrification outcomes and noted the need to give staff time to evaluate the proposed actions. **Mayor Gamba** remarked that there were only two ways to address the climate impacts of methane – stop using it or replace it with something else, neither of which Gamba believed the gas utility companies were interested in. **Hyzy** agreed with

Gamba and expressed concern that the community had not had time to weigh-in. **Gamba** and **Hyzy** commented on whether imposing a natural gas ban on future buildings would have a cost for the city.

Mayor Gamba read the text of the resolution regarding the electrification of future buildings, noted the upcoming franchise negotiations with NW Natural Gas, and suggested that it did not cost the city anything to ban the installation of new gas lines.

Councilor Batey believed there would not be much staff time required to implement a natural gas ban for new residential buildings. **Ober** and **Rogers** commented on how the city could approach a natural gas ban in new residential buildings, noting legal and legislative paths that had led to little results in other states.

Council President Hyzy asked for information about staff workload to implement the resolutions and **Ober** summarized steps staff would take to identify the workload. **Hyzy** believed the work being done in Eugene was different than what would need to be done in Milwaukie and expressed concern that NW Natural Gas may place a measure on the ballot in Milwaukie in 2023 that would remove the city's ability to regulate electricity and natural gas lines. **Hyzy** was concerned that the city had not done the community education work necessary to explain why banning natural gas was important. **Batey** believed the groups who had commented on the resolutions would lead the effort to defeat any NW Natural Gas measure.

Councilor Khosroabadi and **Ober** noted the cost and staff time that had been required to conduct a survey about the parks measure and **Khosroabadi** suggested the city commission a similar survey for natural gas. **Mayor Gamba** and **Khosroabadi** remarked on the feasibility of conducting a survey on an unknown natural gas measure.

Ober and **Mayor Gamba** summarized that Council had provided enough feedback for staff to analyze the resolutions and provide feedback to Council in November.

Councilor Batey encouraged those who had submitted comments to pay attention to the Clackamas County Housing Authority's Hillside Park redevelopment project as it would be the largest housing project to be built in the city.

Mayor Gamba noted that Pernick, who had commented, was a national organizer for electrification work. **Ober** noted that staff would reach out to another national electrification advocate in the coming weeks.

B. Climate Fee Policy Discussion (moved to September 20, 2022, regular session)

C. Parks Levy Ballot Measure Referral – Update

Gericke reported that the parks levy ballot measure title challenge period, referred to voters by Council, had ended without a challenge being filed, and explained that the next step would be to submit the final ballot title language to elections officials.

Council President Hyzy believed the city lacked clarity on the issue and needed more time to explain it to the public. **Hyzy** and **Councilors Nicodemus, Khosroabadi,** and **Batey** suggested the ballot measure be withdrawn until 2023 to give the city more time to explain why the city should leave North Clackamas Parks and Recreation District (NCPRD) and to see whether the district referred its own ballot measure to voters.

Staff summarized that Council wanted the ballot measure to be withdrawn and asked Council to withdraw the measure by motion and vote.

It was moved by Councilor Batey and seconded by Councilor Nicodemus to withdraw the previously adopted resolution referring a parks levy ballot measure to the voters. Motion passed with the following vote: Councilors Khosroabadi, Batey, Nicodemus, and Hyzy and Mayor Gamba voting “aye.” [5:0]

D. Council Parks Goal – Discussion

Councilor Batey reviewed Council’s last goals discussion that had resulted in two goals being adopted and suggested the time was right to add a third parks goal.

Council President Hyzy agreed that parks needed to be made a Council goal for the rest of 2022. **Councilor Batey** and **Ober** did not believe a timeline needed to be set for goals as the next Council could change them at any time.

Councilor Khosroabadi asked why the housing goal had been removed in 2021. **Councilor Batey** and **Council President Hyzy** explained that most of Council had felt the housing work the city could do was finished or underway. The group noted that the city did not play a role in administering housing funding and social support services and that the new Council would revisit the goals in 2023.

It was moved by Council President Hyzy and seconded by Councilor Khosroabadi to extend the meeting until 11:15 p.m. Motion passed with the following vote: Councilors Khosroabadi, Batey, Nicodemus, and Hyzy and Mayor Gamba voting “aye.” [5:0]

Mayor Gamba commented that adopting a goal for a few months did not seem worth it. **Ober** noted the budgetary impact of an issue being made a Council goal. **Council President Hyzy** suggested that putting something on a ballot and continuing to work on parks elevated it to a Council goal. **Councilor Batey** did not believe a Council goal had to be a multi-year project and could have value as a short duration statement.

It was noted that there was a 4:1 majority of Council in support of adding parks as a Council goal for the remainder of calendar year 2022.

Ober noted that Councilor Batey and Council President Hyzy would draft a goal adoption resolution for Council to consider at the September 20 regular session.

8. PUBLIC HEARING

A. None Scheduled.

9. COUNCIL REPORTS

Ober reported that Councilor Khosroabadi was interested in being the Council liaison to the Clackamas County Water Environment Services (WES) advisory body and that Council would consider appointing Khosroabadi to the role at a future meeting.

10. ADJOURNMENT

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

Mayor Gamba adjourned the meeting at 10:59 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder



MILWAUKIE POLICE DEPARTMENT

Memorandum

To: Mayor Gamba and Milwaukie City Council

From: Luke Strait, Police Chief *Luke Strait*

Through: Ann Ober, City Manager

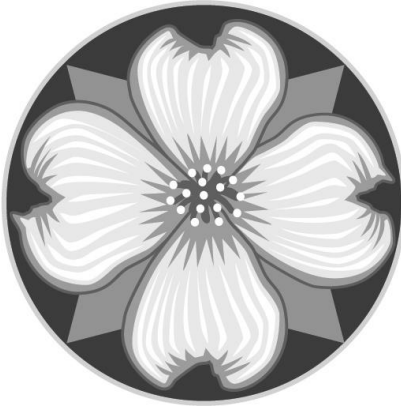
Date: September 26, 2022

Re: OLCC Application – Ohana Hawaiian Café – 10608 SE Main St.

Action requested:

It is respectfully requested the council approve the OLCC application for Ohana Hawaiian Café located at 10608 SE Main St. 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

Date Written: Sept. 23, 2022

Reviewed: Scott Stauffer, City Recorder, and
Mandy Byrd, Development Project Manager

From: Kelly Brooks, Assistant City Manager

Subject: **New City Hall Update**

ACTION REQUESTED

Council is asked to receive an update on the new city hall located at 10501 SE Main Street.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[June 4, 2019](#): Council directed staff to explore funding options for the acquisition of 10501 SE Main Street, hire a real estate broker to negotiate the purchase, and initiate appraisals on city owned properties (the Pond House and Bertman House) to help fund the potential acquisition.

[June 18, 2019](#): Council authorized staff to move investigate the building acquisition and develop a financing strategy for a potential purchase.

[July 16, 2019](#): Council approved [Resolution 49-2019](#) authorizing the city manager to negotiate terms for the possible acquisition of 10501 SE Main Street for use as a new city hall.

[August 27, 2019](#): Council approved [Resolution 57-2019](#) authorizing a purchase and sale agreement (PSA) for the acquisition of 10501 SE Main Street to use as a new city hall.

[December 17, 2019](#): Council authorized [Resolution 75-2019](#) authorizing the city manager to waive general conditions and Council waiver approval and delegation of authority to the city manager to finalize lease negotiations, waive the leaseback condition and execute a lease with the seller to remove all contingences from the PSA for the acquisition of 10501 SE Main Street for use as a new city hall.

[February 18, 2020](#): Council supported placing council chambers and public facing operations on the third floor. Council also asked staff to include an improved entrance and stairs in the new design of the building.

[January 4, 2022](#): Council met with staff to confirm basic elements of the project including placement of council chambers and a public facing front counter on the third floor.

[March 15, 2022](#): Council met with staff to receive updated schedule and project management information.

[June 21, 2022](#): Council provided direction the preferred layout of the future council chambers.

[July 19, 2022](#): Staff updated council on the revised chambers layout.

ACTIONS TAKEN SINCE LAST UPDATE

- Design development completed.
- Contracts for low voltage, architectural elements and exterior signage were secured and work was initiated.
- Contract initiated with county to extend fiber from old city hall.
- Specific project goals for the front counter were adopted by the project steering team to further guide design and inform internal conversations regarding operations.

SCHEDULE OF UPCOMING ACTIONS

- October 13, 2022: Invitation to Bid on General Construction Contract.
- November 18, 2022: Notice of Intent to Award.
- Target Move in Date: October 1, 2023.

BACKGROUND

In April 2019, the city was presented with the opportunity to purchase the building located at 10501 SE Main Street. Staff explored the opportunity in response to the city’s documented need for additional workspace and need to consolidate public facing operations to best serve the public.

The project includes the following major elements and goals:

- Consolidated Front Counter Design and Operations
- Council / Municipal Court Chambers
- Creation of Public Spaces / Accessibility: community room, wayfinding, and inclusive design

ANALYSIS / DESIGN UPDATE

The project bid will have a base project with multiple alternates. The following chart shows floor by floor what is included in base project and what would be considered alternate. After bids are received, the city will compare costs for various elements and determine what can be constructed within budget.

| Floor | Base | Alternate |
|-----------------------|--|---|
| Basement | | - Updated locker rooms |
| 1 st | -ADA improvements to restroom (includes changing table) -Community room ceiling demo and finish work. -Backlit glass wall on stairwell (rendering attached) -Wayfinding | -Sink and counter in community room. |
| 2 nd Floor | -Furniture modifications | -Repaint to match |
| 3 rd Floor | -Council chambers with new dais -New front desk and work-spaces | - Chamber room divider - Bathroom conversion |
| Exterior | -Signage -Flag poles -Secure bike parking | |

BUDGET IMPACTS

The city hall fund includes \$1,975,000 for design and construction of this project.

WORKLOAD IMPACTS

The city manager, city attorney, administrative services director, community development director, and public works director will be working together to facilitate tenant improvements.

COORDINATION, CONCURRENCE, OR DISSENT

All departments that will either move to the building, or be responsible for elements of the project, were involved in design.

ATTACHMENTS

1. 9/26/22 Email Update Regarding Stairs

Attachment 7. A. 1.

From: [Kelly Brooks](#)
To: [City Council](#)
Cc: [Mandy Byrd](#)
Subject: New City Hall - Stairwell Update
Date: Monday, September 26, 2022 3:11:00 PM
Attachments: [Light Wall Images \(1\).pdf](#)
[image005.png](#)
[image006.png](#)

Hello all,

I will be coming to City Council on October 4th to give you an update on the new city hall building renovation project. As you know, one of our primary goals for the project has been to make the building more open and welcoming to the public. To that end, council asked that staff pursue replacing the stairwell walls in the lobby with glass on the ground floor to help open up the space and encourage visitors to travel to the 3rd floor where our public services will be housed.

Unfortunately, I have received a report from our structural engineer that makes it clear we cannot proceed with a retrofit of the stairwell wall without triggering extensive modifications that are far beyond the scope of this, or any future, project.

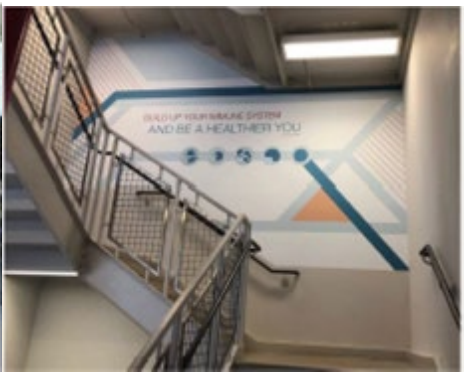
While I'm happy to provide the structural report to any of you who might be interested, the short version is that the wall in question is a shear wall that is integral to the stability of the building. Penetrations of this wall, at any scale, compromise almost every aspect of the structure of the building. In other words, I absolutely cannot punch a hole in it. What I can do, however, is keep working to make the space inviting.

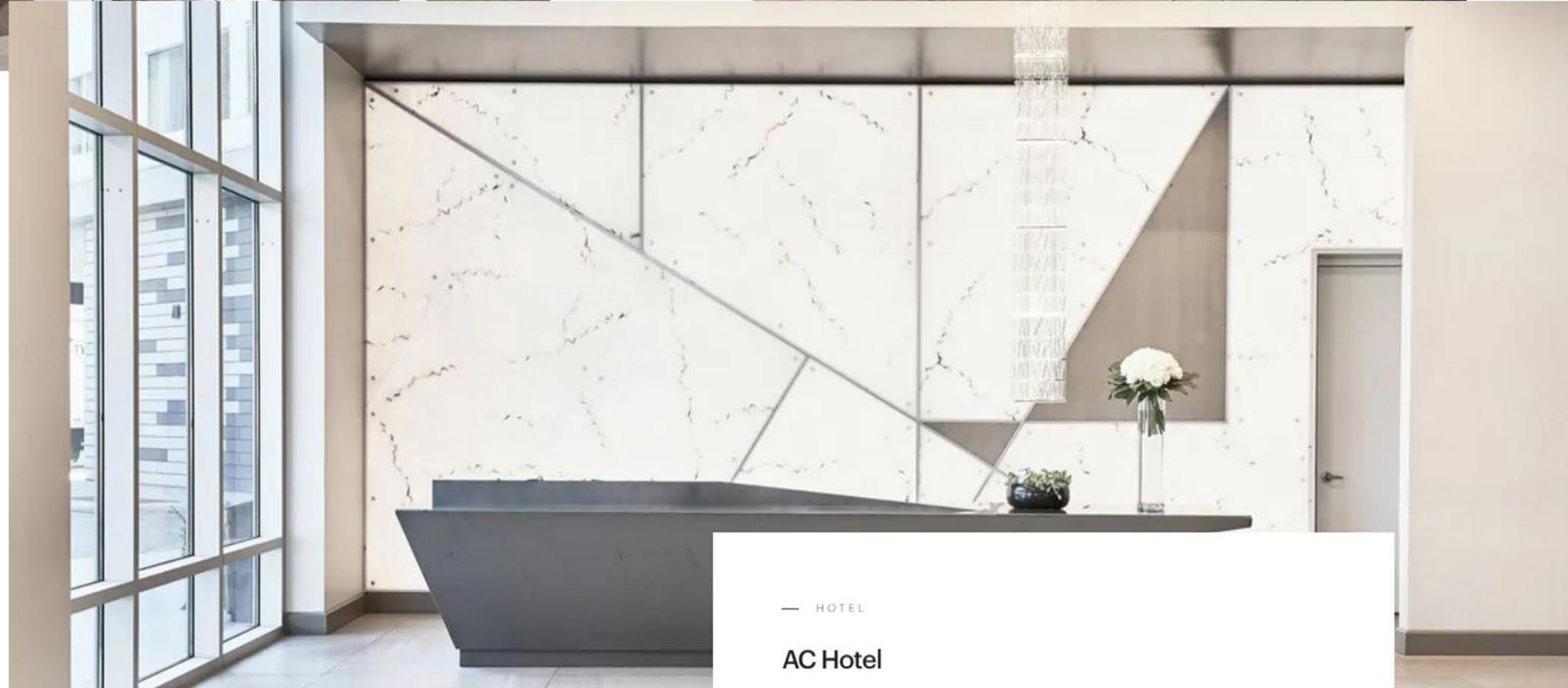
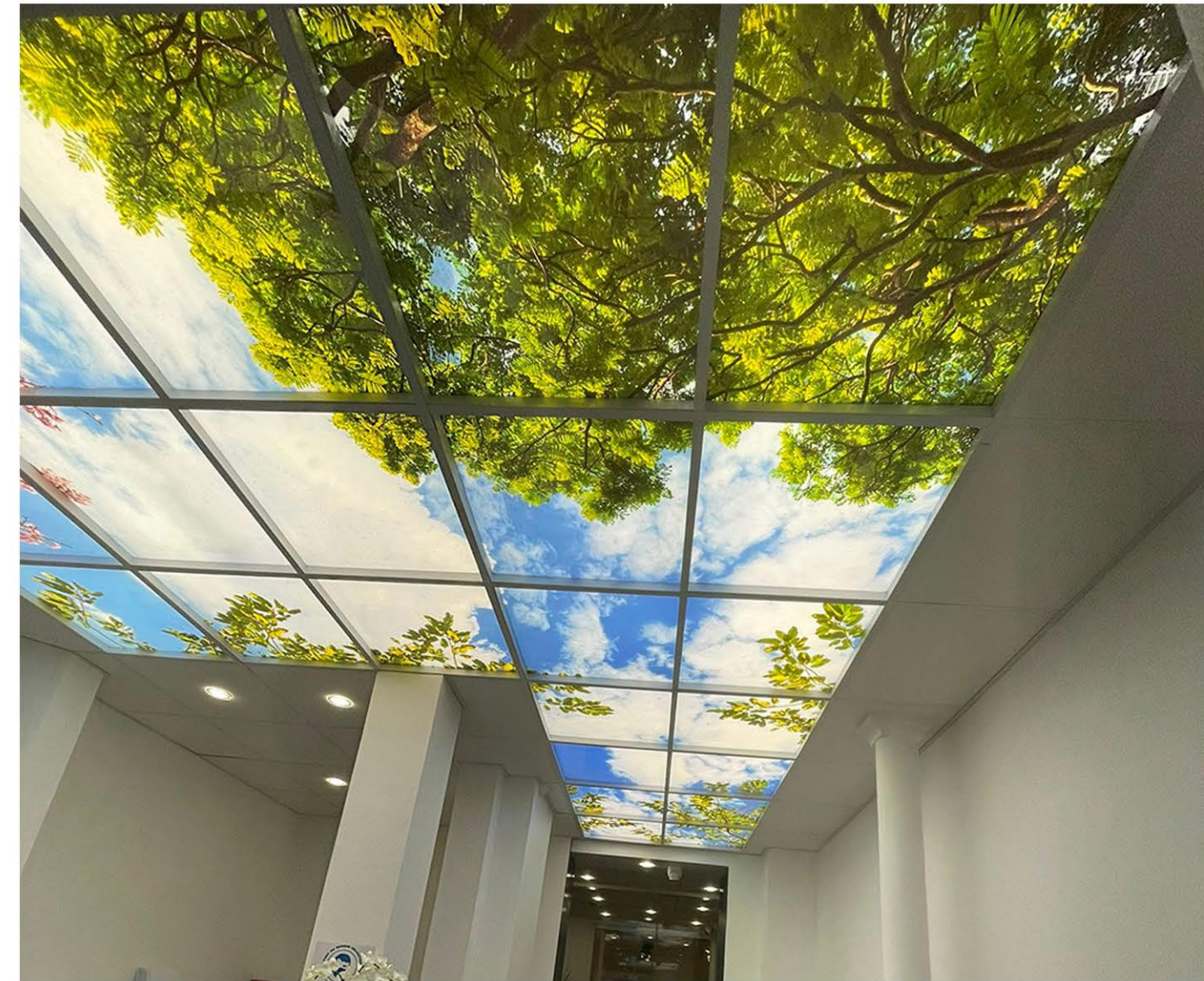
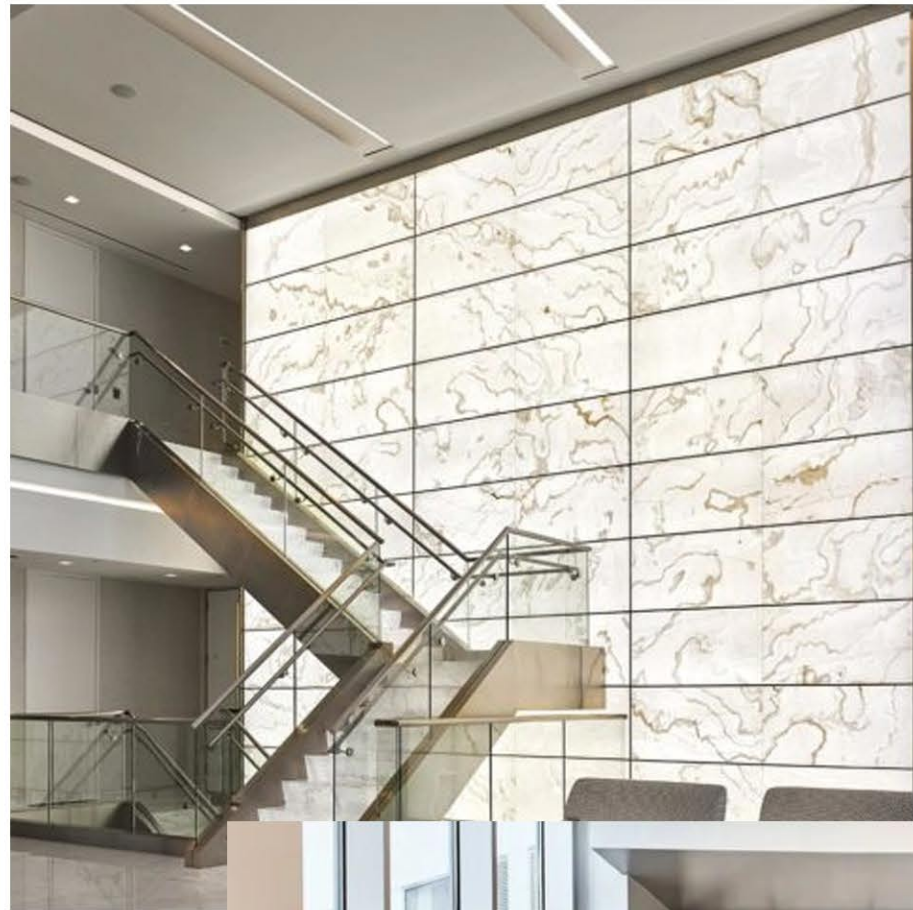
Our revised strategy, is to install a backlit glass wall in the front lobby (and likely on the 3rd floor as well) to brighten the space and give the illusion of openness (see attachment). We will also be doing all we can with paint and graphics inside the stairwell (see below) to make those spaces inviting as well.

I'll talk to you more about all of this on the 4th but also wanted you all to have a chance to speak with me offline before the meeting if you would like more information on the structural findings. If you have concerns or questions please feel free to reach out directly and I would be glad to answer them.

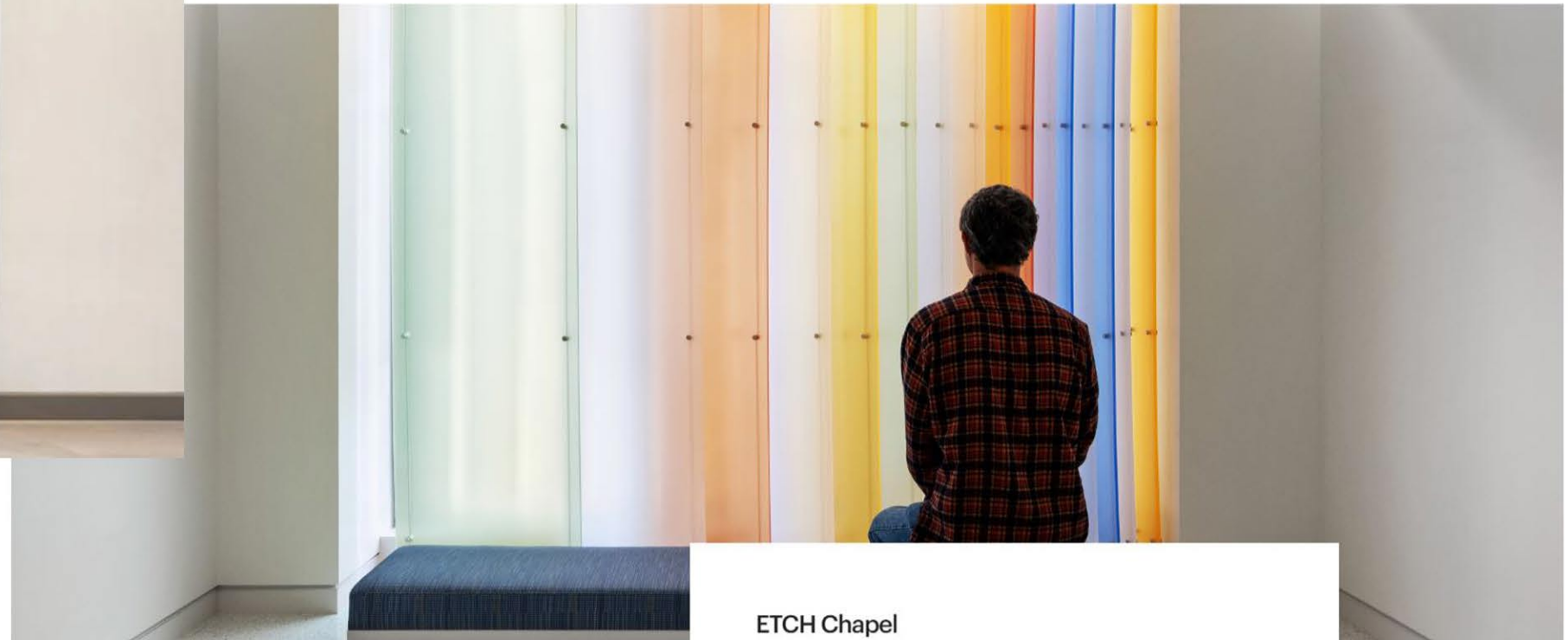
KELLY BROOKS

Assistant City Manager
she • her • hers
503.752-2130
City of Milwaukie
10722 SE Main St • Milwaukie, OR 97222

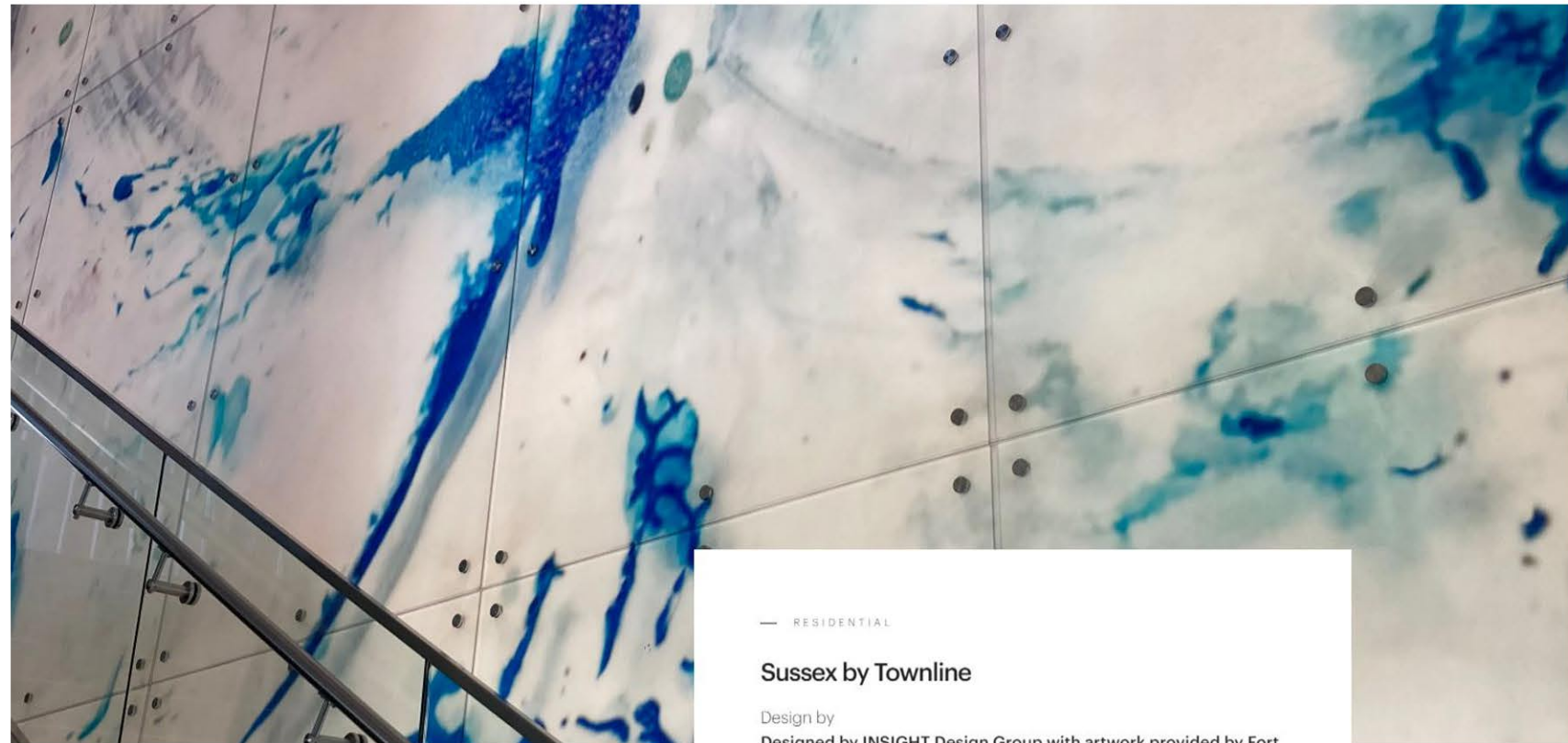




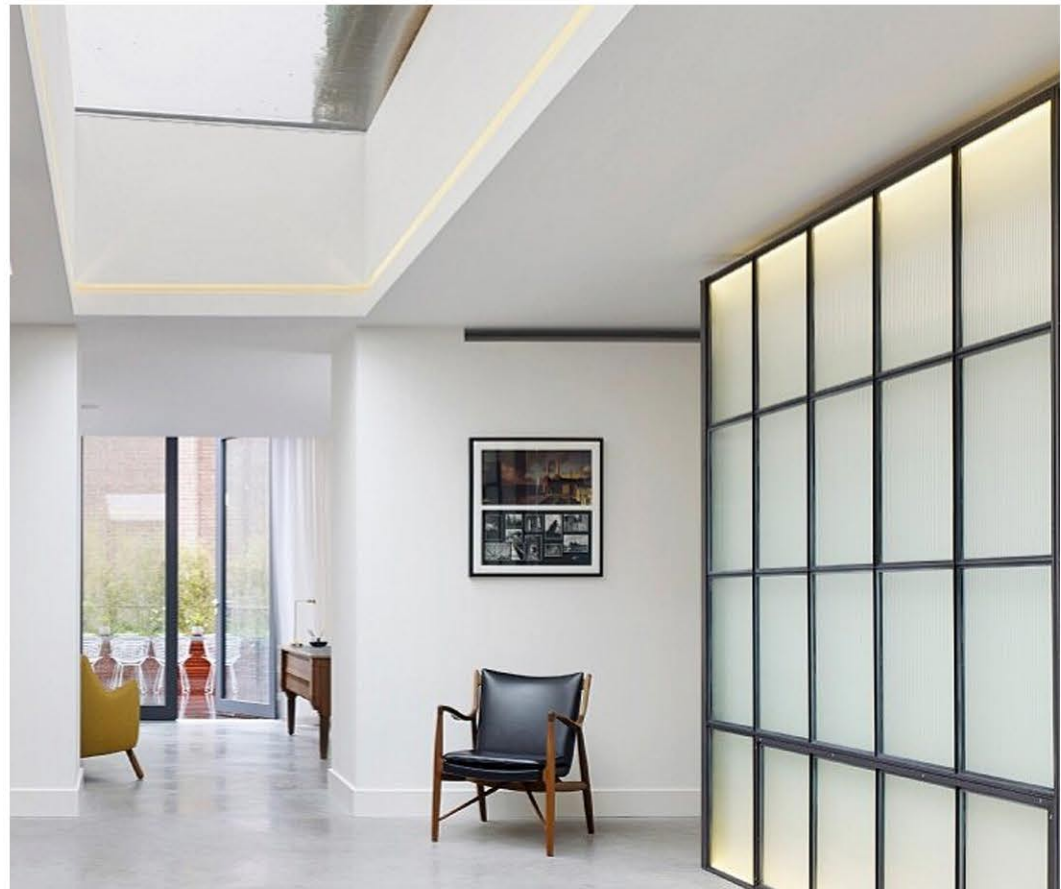
— HOTEL
AC Hotel



ETCH Chapel



— RESIDENTIAL
Sussex by Townline
Design by
Designed by INSIGHT Design Group with artwork provided by Fort



ALTERNATE STAIRWELL IDEA

INSTALL BACK-LIT WALL OUTSIDE OF STRUCTURAL STAIRWELL WALL TO INCREASE CURIOSITY AND CREATE AN INVITING EXPERIENCE WITH RELATED WAYFINDING AESTHETICS AT FIRST AND THIRD PUBLIC SPACE LEVELS

RS 7. A. 10/4/22 Presentation

New City Hall Council Chambers

October 4, 2022

Kelly Brooks, Assistant City Manager

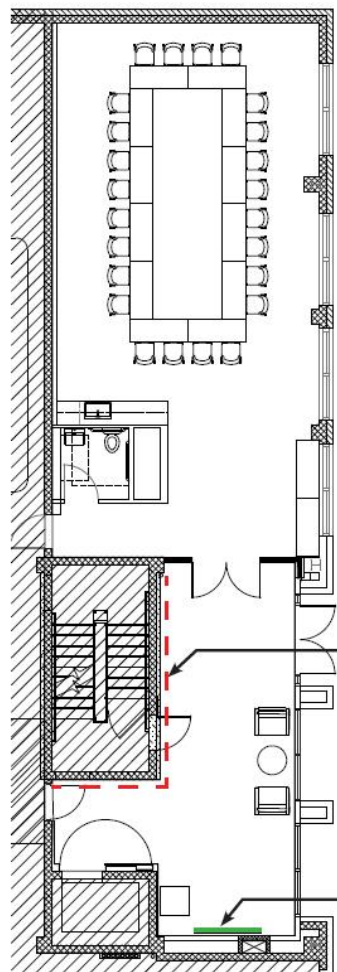
Scott Stauffer, City Recorder



GC Contract Schedule

- 10/14 Bid Advertisement
- 11/22 Notice of Intent to Award
- 12/6 or 12/20





FEEDBACK

- Remove wood ceiling and slate flooring/walls from lobby. Provide new lighting. Create lighter/more inviting experience for visitors and staff.
- New flooring/finishes to assist with accessible design and wayfinding.
- Update restroom to meet ADA. Add changing table and signage as required.
- Replace carpet/flooring and base throughout new community room.
- Raise lowered ceiling to match ACT to extent possible
- Explore ways to make stairwell more engaging and welcoming to visitors.
- Coordinate with commissioned art size/ location/details.

EXPLORING FEASIBILITY/ COST OF OPENING FIRE STAIR WITH GLAZING/ RATED STOREFRONT (BY OTHERS)

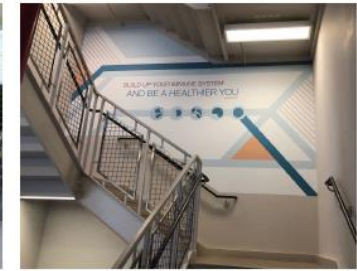
DIGITAL/ LARGE WAYFINDING LOCATION

FIRST FLOOR

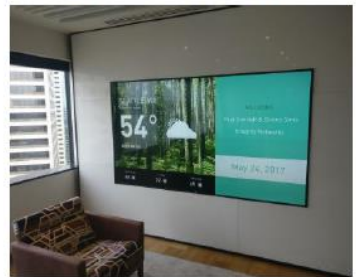
FIRE STAIR GLAZING



STAIR GRAPHICS/WAYFINDING



DIGITAL / ACCESSIBLE WAYFINDING



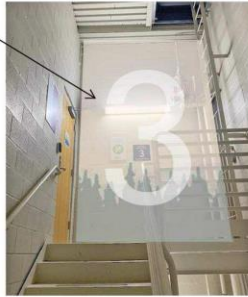
WALL PROTECTION



Stairwell / Light Wall

LEVEL 3 STAIRWELL

painted wall graphic
reference to level 1 wall
treatment



inspiration image
3-Form installation
(see Technical page)



full lite fire
rated door

film on door or left clear for
maximum visibility

3-Form Chroma
hundreds of color options
sheet sizes up to 48"x120"
available for customization



etching options at Varia?

Think of as providing a blank
canvas

Varia - best compatibility with
artist for custom design

3-Form back-lit wall (built
independent of fire rated stairwell
walls) - approx 6" deep, panels
with any custom graphic -
example tree line/sky from
Milwaukie Oregon website

diagonal seams to
accentuate upward
movement

etching options at fire
rated glazing in door

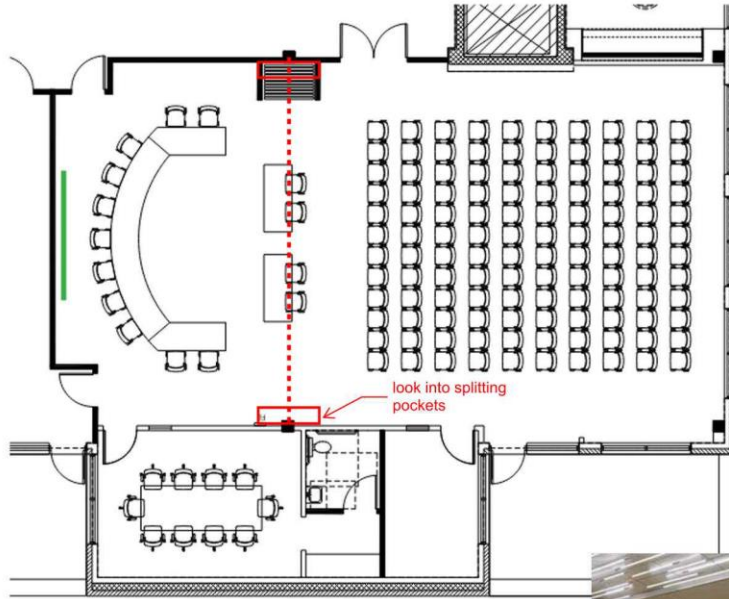
LEVEL 1 LOBBY WALL

note materials and installation for bid documents
and coordinate on exact profile/design

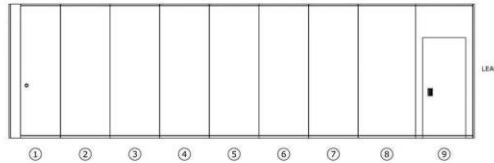
9/29/2022

SCHEME C





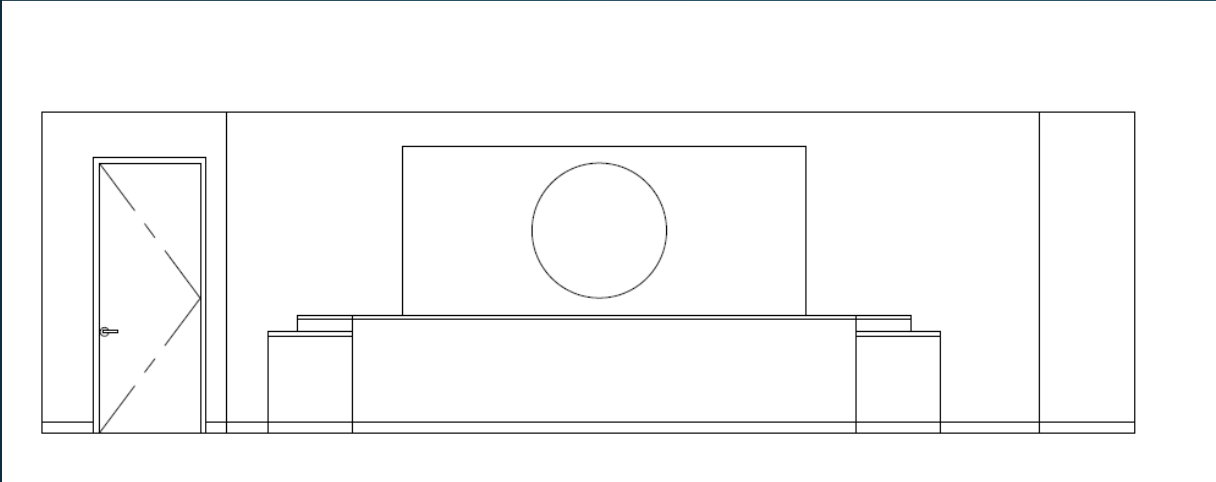
- New Dais
- Ballistic Material
- Community Gallery Space



9/29/2022

MODERNFOLD WALL AT CHAMBERS

Council Dais



Council Chambers Examples



Exterior Signage



Questions?

Kelly Brooks, Assistant City Manager

brooksk@milwaukieoregon.gov

Scott Stauffer, City Recorder

stauffers@milwaukieoregon.gov



COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

From: Jon Hennington, Equity Program Manger

Subject: **Council Goal Update: Equity, Justice, & Inclusion**

Date Written: Sep. 1, 2022

ACTION REQUESTED

Council is asked to receive an update on the equity, inclusion, and justice goal.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[July 14, 2020](#): Council discussed a proposed resolution in support of diversity, equity, and inclusion (DEI) and the Black, Indigenous, and People of Color (BIPOC) community crafted by Mayor Gamba and Councilor Hyzy.

[August 18, 2020](#): Council approved a resolution changing its goals to include one focused on equity, inclusion, and justice.

[July 13, 2021](#): Council received an update on the equity, inclusion, and justice goal.

[August 3, 2021](#): Council adopted an ordinance creating an Equity Steering Committee (ESC).

[December 21, 2021](#): Council received an update on the equity, inclusion, and justice goal.

[May 10, 2022](#): Council received an update on the equity, inclusion, and justice goal.

ANALYSIS**Inclusion and Belonging Study/Diversity, Equity and Inclusion (DEI) Plan**

Since the adoption of Council's equity, inclusion, and justice goal in August 2020, there has been a great deal of progress in increasing staff and community awareness and understanding of this work. Now that the ESC is up and running, staff is now turning attention towards bringing together members of staff and the ESC in partnership with a consultant to begin shaping a framework for making more equitable decisions and taking more equitable actions in both the short- and long-term.

The City of Milwaukie has contracted with Keen Independent Research to conduct a comprehensive inclusion and belonging study to assess the state of equity in how the city serves the public and how we operate as an employer. This study will culminate in the development of a diversity, equity, and inclusion plan to help shape the city's ongoing efforts.

Keen Independent Research is assessing city employment and contracting practices, facilitating internal and external discussions on diversity and inclusion, and evaluating service delivery from an equity perspective. Keen Independent will be seeking input from city employees, residents, and other stakeholders through:

- Interviews;
- Focus groups;
- Surveys;

- Virtual workshops;
- Virtual town hall meetings; and
- Other avenues.

Keen Independent Research is an equity research and consulting firm that has performed similar work for public organizations in Oregon and across the country. David Keen and Annette Humm Keen are directing this assignment. Dr. Nicole Yates is leading key research elements.

The study began in July 2022 and will be completed in April 2023.

BUDGET IMPACT

No additional budgetary impacts are anticipated at this time.

WORKLOAD IMPACT

The city's equity, inclusion, and justice program has been, and will continue to be, a significant undertaking. Throughout the study period there will be requests to staff for documents related to the city's current and past practices. The research team and staff are coordinating to minimize study impacts on city operations.

CLIMATE IMPACT

None.

STAFF RECOMMENDATION

None.

ATTACHMENTS

1. DEI Plan Fact Sheet.



- Research
- Analysis
- Strategy
- Implementation

701 N. 1st St.
Phoenix AZ 85004
■
(303) 385-8515

100 Fillmore St., 5th Fl.
Denver CO 80206
■
keenindependent.com

City of Milwaukie, Oregon DEI Fact Sheet

The City of Milwaukie has made equity, inclusion and justice a priority in how it serves the public and operates as an employer. The city engaged Keen Independent Research to develop a Diversity, Equity and Inclusion (DEI) Plan to advance these efforts.

Keen Independent Research is assessing city employment and contracting practices, facilitating internal and external discussions on diversity and inclusion, and evaluating service delivery from an equity perspective. Keen Independent is seeking input from city employees, local residents and other stakeholders through:

- Interviews;
- Focus groups;
- Surveys;
- Virtual workshops;
- Virtual town hall meetings; and
- Other avenues.

Study Team

Keen Independent Research is an equity research and consulting firm that has performed similar work for public organizations in Oregon and across the country. David Keen and Annette Humm Keen are directing this assignment. Dr. Nicole Yates is leading key research elements.

Schedule

The study began in July 2022 and will be completed in April 2023.

How to Get Involved

- Study hotline: 503-482-8386
- Study email: cityofmilwaukieoregondei2022@keenindependent.com
- Study website: <https://keenindependent.com/MilwaukieDEI2022/>
- Mail: Dr. Nicole Yates, Consultant
Keen Independent Research
701 N. 1st Street, Phoenix AZ 85004
- Other contact: Jon Hennington, City of Milwaukie Equity Program Manager
(503) 786-7564
henningtonj@milwaukieoregon.gov

Introduction to City of Milwaukie DEI Study



Presented by:

Annette Humm Keen, Principal
Nicole Yates, PhD, Consultant

Keen Independent Research LLC

100 Fillmore St., 5th Floor
Denver CO 80206

701 N. 1st St., 2nd Floor
Phoenix AZ 85004

303-385-8515

303-522-7298 (mobile)

dkeen@keenindependent.com

www.keenindependent.com

October 4, 2022



Presentation overview



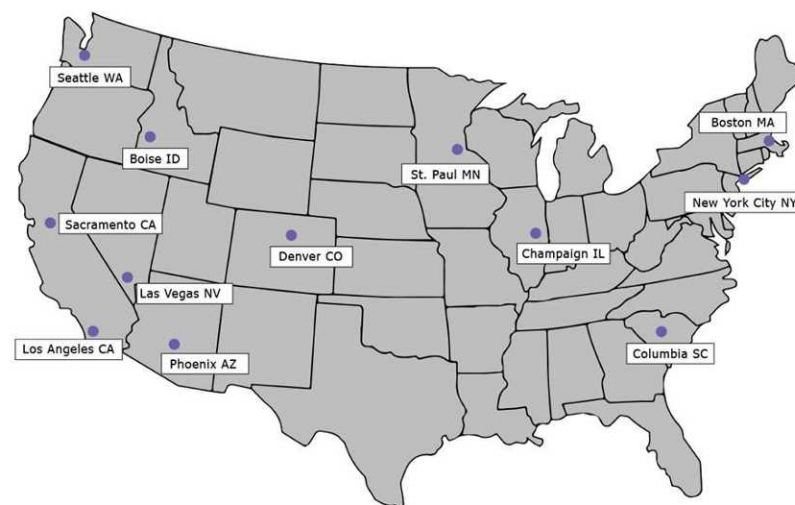
1. Introduction to the study team
2. DEI philosophy
3. Study overview
4. Study tasks
5. Timeline
6. Next steps

Keen Independent Research



Who we are

- 24-person equity and economic research firm with staff across the country
- Substantial experience with DEI
- Experience working with municipalities
- Experience working in Oregon



**KEEN
INDEPENDENT
RESEARCH**

Core project team



Dave Keen, Principal
dkeen@keenindependent.com



Annette Humm Keen, Principal
hummkeen@keenindependent.com

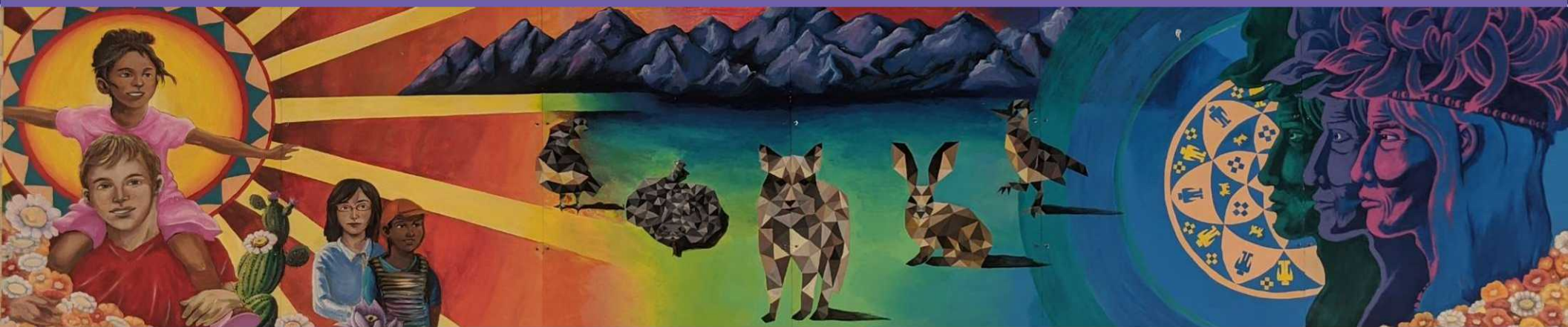


Blanca Monter, Senior Consultant
blanca.monter@keenindependent.com



Dr. Nicole Yates, Consultant
nicole.yates@keenindependent.com

DEI philosophy: Many dimensions of diversity and equity



- Race
- Ethnicity
- Gender
- Immigration status
- Sexual identity
- Communication style
- Sexual orientation
- Age
- Physical and mental ability
- Religious affiliation
- Lived experience
- More

Study overview



Major goals of the study:

- Work with City stakeholders to develop an evidence-based DEI Plan that builds on existing progress the City has already made
- Guide the City in terms of *what* services it performs and *how* it performs them to better reflect equity

Methodology:

- Ongoing meetings with City leadership and other stakeholders
- Review of existing plans and data
- DEI survey
- Interviews and focus groups with staff
- Virtual workshop for community input



Study tasks

1. Project management and communications
2. Current plans and activities
3. Workforce processes and outcomes
4. Procurement and public grant processes and outcomes
5. Community needs and City services
6. Internal and external discussion of results
7. Conclusions, recommendations and creation of DEI plan
8. Reports and presentations

1. Project management and communications

- Kick-off meetings (Equity Steering Committee, Equity Committee, Management Team)
 - Introduce study
 - Invite questions/comments
- Monthly virtual project meetings with Equity Program Manager and City Manager
- Internal and community communications
 - Coordinate formal announcement of the study
 - Creation of a study website, hotline and email address

2. Current plans and activities

- Review current City Council priorities, the City's strategic plan and any other long-range plans
 - Document review
 - Meeting with appropriate staff
- Request background information critical to understanding past DEI efforts and how the City sets priorities

3. Workforce processes and outcomes

- Research on the diversity of the regional workforce
 - Benchmarks for City hiring based on Census data
- Compilation and review of City hiring, training, past employee surveys, internal complaints, other workforce policies and practices
- Interviews with HR and other staff
 - Strategies for recruiting and retaining diverse staff
- Workforce analysis
- City-wide DEI employee survey
- Virtual workshops with employees and public
 - Online asynchronous focus group

4. Procurement and public grants processes and outcomes

- Research on the diversity of businesses in the city and firms owned by people living in the city
 - Estimate share of local businesses owned by historically marginalized groups
- Compilation and review of City procurement policies and practices
 - Assessment of efforts to reach out to diverse vendors
- Review of past complaints related to procurement
- Interviews with procurement staff
 - Help identify barriers to participation
- Virtual workshop with contractors, vendors and other groups

5. Community needs and City services

- Research on diversity of residents in the city and people working for employers in the city
- Compilation and review of City methods to determine community needs and allocate resources
- Review of processes for members of the public to file complaints about services
- Interviews/focus groups with staff about services planning and delivery, processes for restricting certain activities
- Virtual workshop with the public

6. Internal and external discussion of results

- Work with City leadership throughout the duration of the project
 - Input on key issues to be examined
 - Sounding Board for Tasks 2 – 5
 - Regular updates as they emerge
- Additional meetings with Equity Steering Committee and Equity Committee
- Virtual briefings to City Council
- Virtual town hall meeting
 - Summary of results
 - Preliminary recommendations and solicitation of feedback

7. Conclusions, recommendations and creation of DEI Plan

- Overview of diversity of the community
- Assessment of strengths and opportunities for current City policies and practices as they affect equity in employment, procurement and services provided to the community
- Identification of greatest areas of need for equity-focused action
- Recommendations for changes to policies, procedures and practices as well as new systems to better embed DEI efforts into City processes
- Actions to manage these efforts in the future

8. Reports and presentations

- Public-facing DEI Plan
- More detailed report describing methodology, results and recommendations
 - In-person presentations to the City Council and the public

Project timeline

| Study tasks | 2022 | | | | | | 2023 | | | |
|--|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|
| | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr |
| 1. Project management and communications | Active | | | | | | | | | |
| 2. Current plans and activities | Active | | | | | | | | | |
| 3. Workforce processes and outcomes | Active | | | | | | | | | |
| 4. Procurement and public grant processes and outcomes | | | Active | | | | | | | |
| 5. Community needs and City services | | | Active | | | | | | | |
| 6. Internal and external discussion of results | | | | | Active | | | | | |
| 7. Conclusions, recommendations and creation of DEI plan | | | | | | | Active | | | |
| 8. Reports and presentations | | | | | | | | | Active | |

Next steps

Procurement process analysis

- Interviews with procurement staff
- Virtual workshop with contractors who work with the City

Internal DEI culture assessment

- Employee engagement survey
- Virtual workshop with City employees

Public engagement

- Review of City processes for determining services
- Virtual workshop with members of the public

Questions?

Resolution

**RS 7. 10/4/22
Presentation**

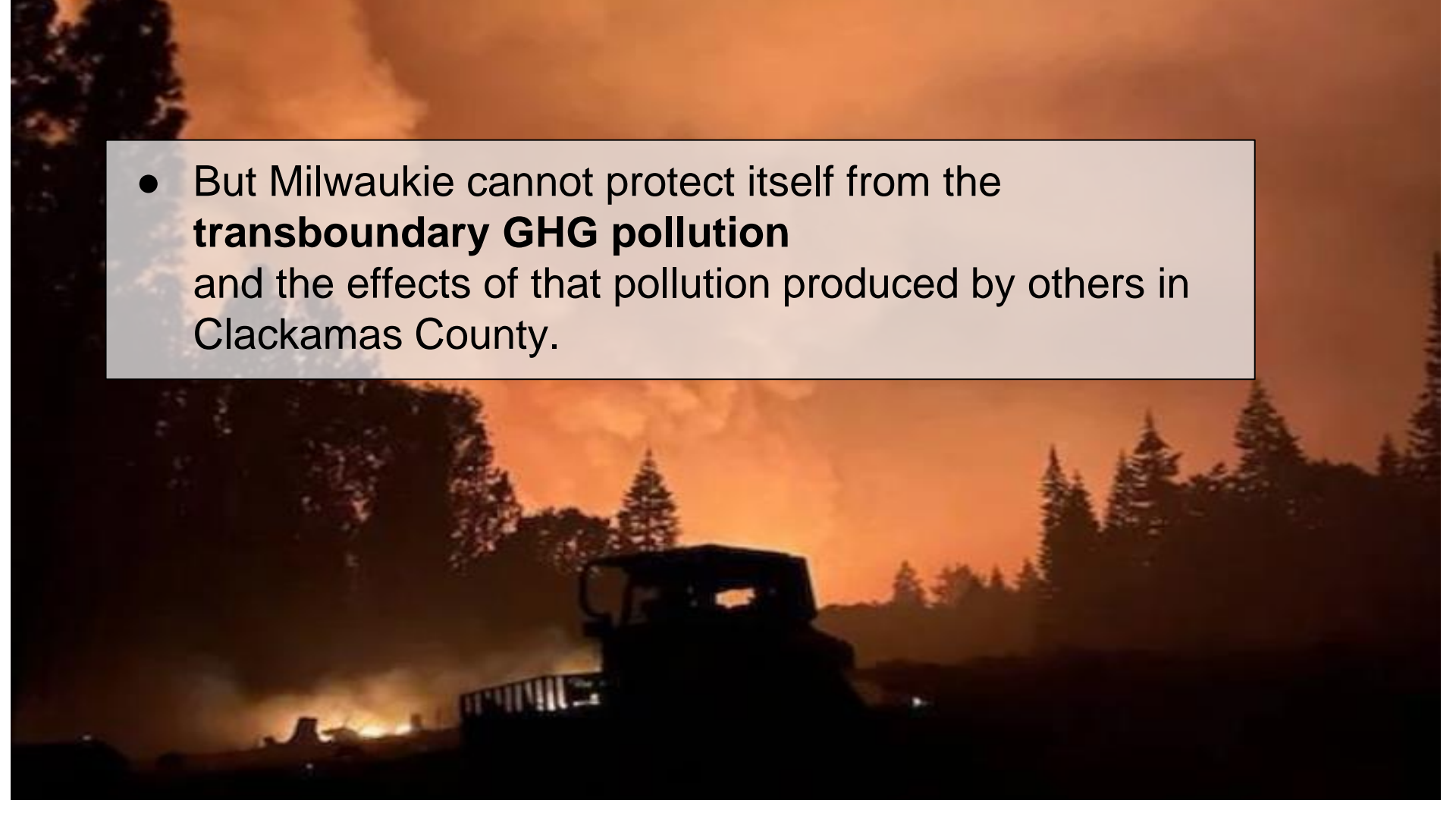
**(added to the
agenda 10/4/22)**

- Requesting that all Clackamas County elected officials and jurisdictions take meaningful climate action.
- Specifically, that they establish quantitative greenhouse gas (GHG) emissions baselines and GHG emissions reduction targets with an accelerated compliance timeline.

Milwaukie Community Climate Action Plan



- 
- An aerial photograph of Milwaukie, Oregon, showing a mix of residential and commercial buildings, a bridge over a river, and green hills in the background. A semi-transparent white box with a black border is overlaid on the image, containing a bullet point.
- Milwaukie is the only entity in Clackamas County that has taken meaningful climate action.

- 
- But Milwaukie cannot protect itself from the **transboundary GHG pollution** and the effects of that pollution produced by others in Clackamas County.

STATE GHG REDUCTION TARGETS

| STATE | Population | 2030 GHG Reduction Target | 2050 GHG Reduction Target |
|------------|------------|---|---|
| California | 39,237,836 | 40% below 1990 levels by 2030 [leg] | 80% below 1990 levels by 2050 [leg] |
| Washington | 7,738,692 | 45% below 1990 levels by 2030 [leg] | 95% below 1990 levels by 2050 [leg] |
| Oregon | 4,246,155 | 10% below 1990 levels by 2020 [leg] 45% below 1990 levels by 2030 [EO] | 75% below 1990 levels by 2050 [leg] 80% below 1990 levels by 2050 [EO] |

Non-Clackamas County Cities GHG REDUCTION TARGETS

| CITY | Population | 2030 GHG Reduction Target | 2050 GHG Reduction Target |
|-----------|------------|---------------------------|---------------------------|
| Ashland | 21,607 | 50% | 100% |
| Beaverton | 98,216 | | 100% |
| Bend | 102,059 | 40% | 70% |
| Corvallis | 59,864 | 57% | 75% |
| Eugene | 175,096 | 64% | 80% |
| Gresham | 113,103 | | 80% |
| Portland | 641,162 | 40% | 80% |

Clackamas County Cities GHG REDUCTION TARGETS

| CITY | Population | 2030 GHG Reduction Target | 2050 GHG Reduction Target |
|------------------|---------------|---------------------------|---------------------------|
| Lake Oswego | 40,411 | | |
| Oregon City | 37,411 | | |
| West Linn | 27,103 | | |
| Wilsonville | 26,519 | | |
| Milwaukie | 20,946 | 35% | 100% |
| Happy Valley | 25,679 | | |
| Canby | 18,138 | | |
| Gladstone | 11,987 | | |
| Estacada | 4,688 | | |
| Johnson City | 533 | | |

LAKE OSWEGO Sustainability & Climate Action Plan (May 2020):

- “As part of the scoping for [our plan], the option to undertake another, more recent GHG Emissions Inventory was considered. These valuable tools are a **quantitative** way to measure progress on mitigating inputs to climate change.
- However, cities and counties are relying more and more on **qualitative** emissions reduction goal setting, focusing less on measuring gases and more on setting targets that have an emissions benefit.” p.7.
- “Instead of setting quantitative targets, [our plan] is a series of achievable actions and goals that will have benefits both in climate mitigation and adaptation” p. 8.
- The county task force will have a new inventory by 2021 that includes LO. We will incorporate that and we **may** adjust our targets. p. 8.

OREGON CITY 2022

- Goal 8.1: Develop a Climate Action Plan
- “Staff will work with a consultant to create a Climate Action Plan focusing on actions the City can take to decrease the environmental footprint of City facilities and operations.”

WEST LINN Sustainable Strategic Plan (2015, updated 2021):

- Our plan “is built around proven frameworks for implementing sustainable community practices.” p. 9.
- We can extrapolate emissions from Lake Oswego or Metro.
- No GHG emissions baseline and no emissions reduction targets.

WILSONVILLE

June 1, 2022



City of Wilsonville
@WilsonvilleOR



Wilsonville is developing a climate action strategy in alignment with Clackamas County's Climate Action Plan.

Clackamas County officials want to hear from Wilsonville residents and businesses. Take a survey, learn more about the plan at:

clackamas.us/sustainability...



COUNTY GHG REDUCTION TARGETS

| COUNTY | Population | 2030 GHG Reduction Target | 2050 GHG Reduction Target |
|-------------------|------------|--|---------------------------|
| Multnomah County | 803,377 | 50% | 100% |
| Washington County | 600,811 | GHG baseline established. Working on targets. | |
| Clackamas County | 442,537 | Sent to taskforce. | |

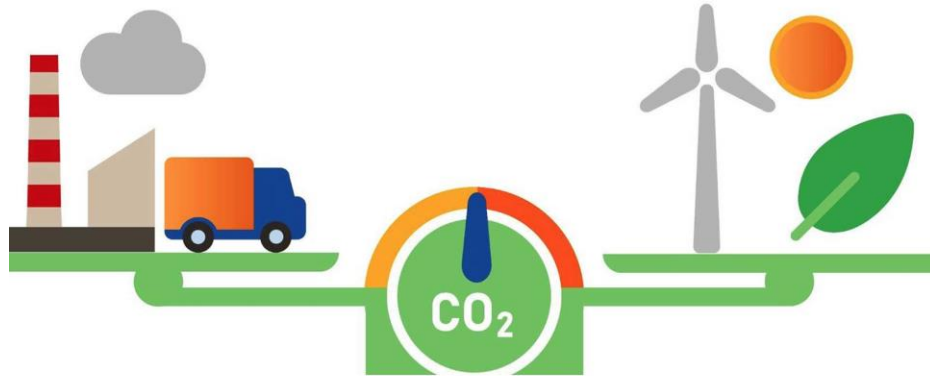
CLACKAMAS COUNTY CLIMATE ACTION PLAN

GOAL:

- a plan to adopt a plan by 2023
- that plan will have a goal of Carbon Neutrality by 2050

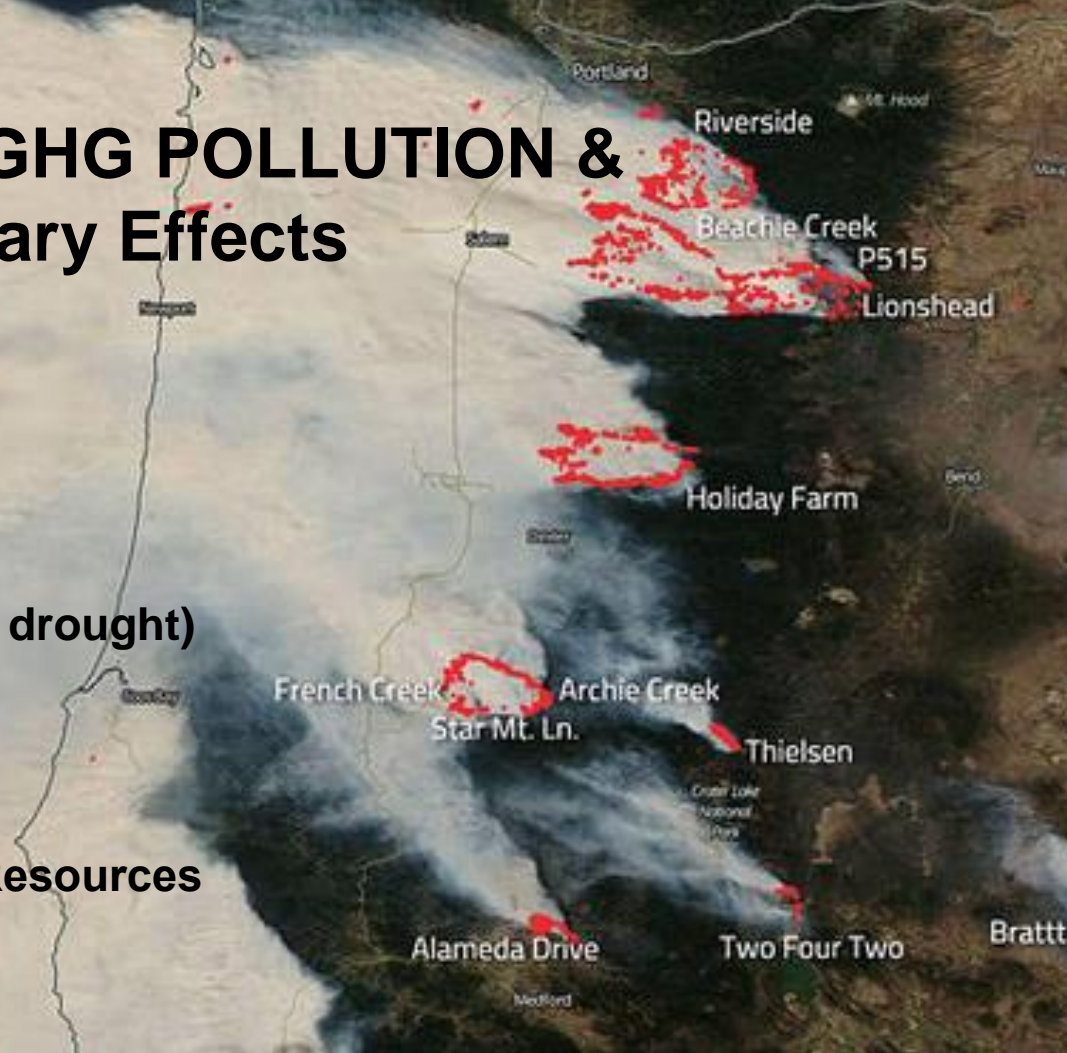
Industry-crafted terms: CARBON NEUTRAL NET ZERO

Without quantitative emissions baseline and emissions target, a plan is meaningless. We can't stop climate change until we stop polluting.



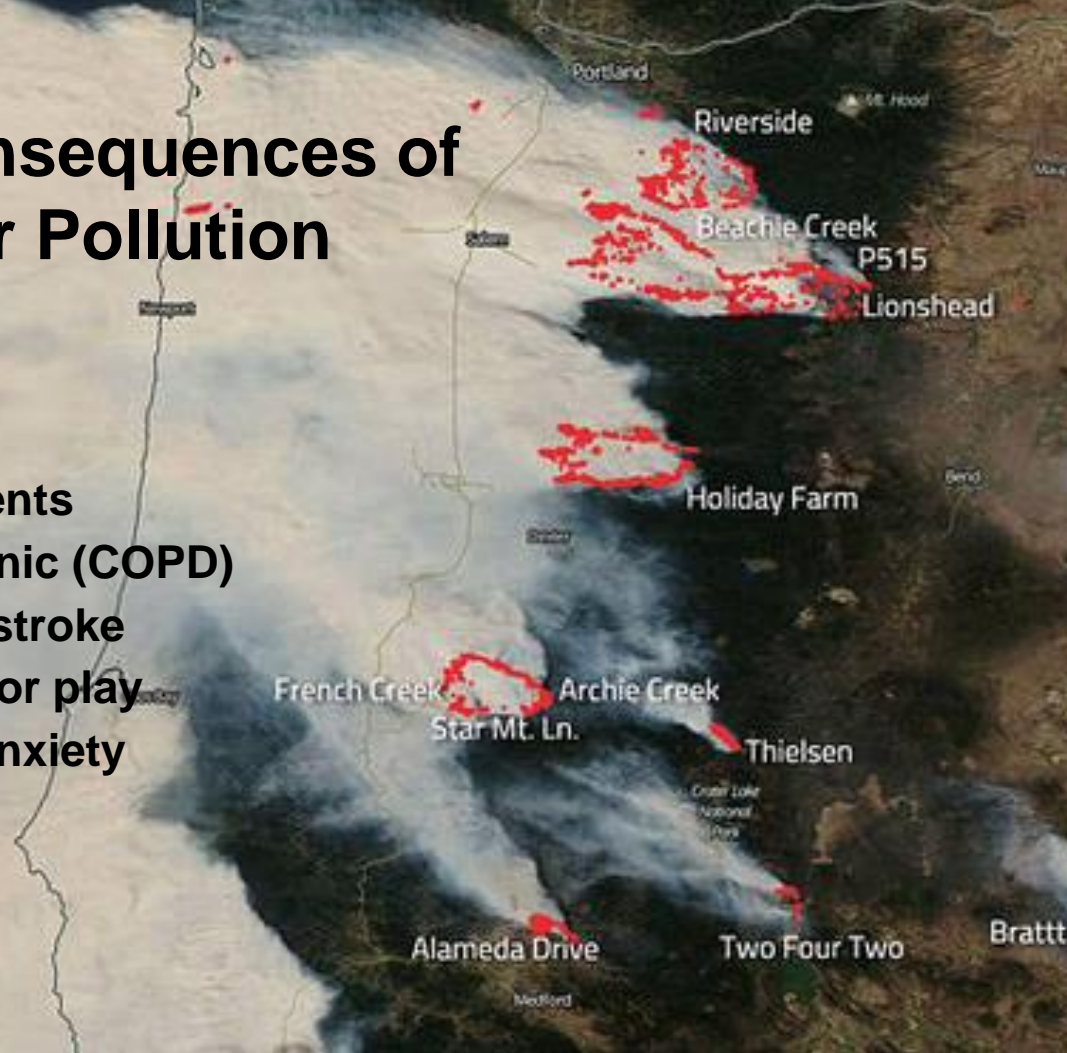
TRANSBOUNDARY GHG POLLUTION & Transboundary Effects

- Forest Fires
- Harmful Air Quality
- Heat
- Decresed Snowpack
- Early Snowmelt (leading to drought)
- Drought
- Flooding
- Loss of Biodiversity
- Loss of Oregon's Natural Resources



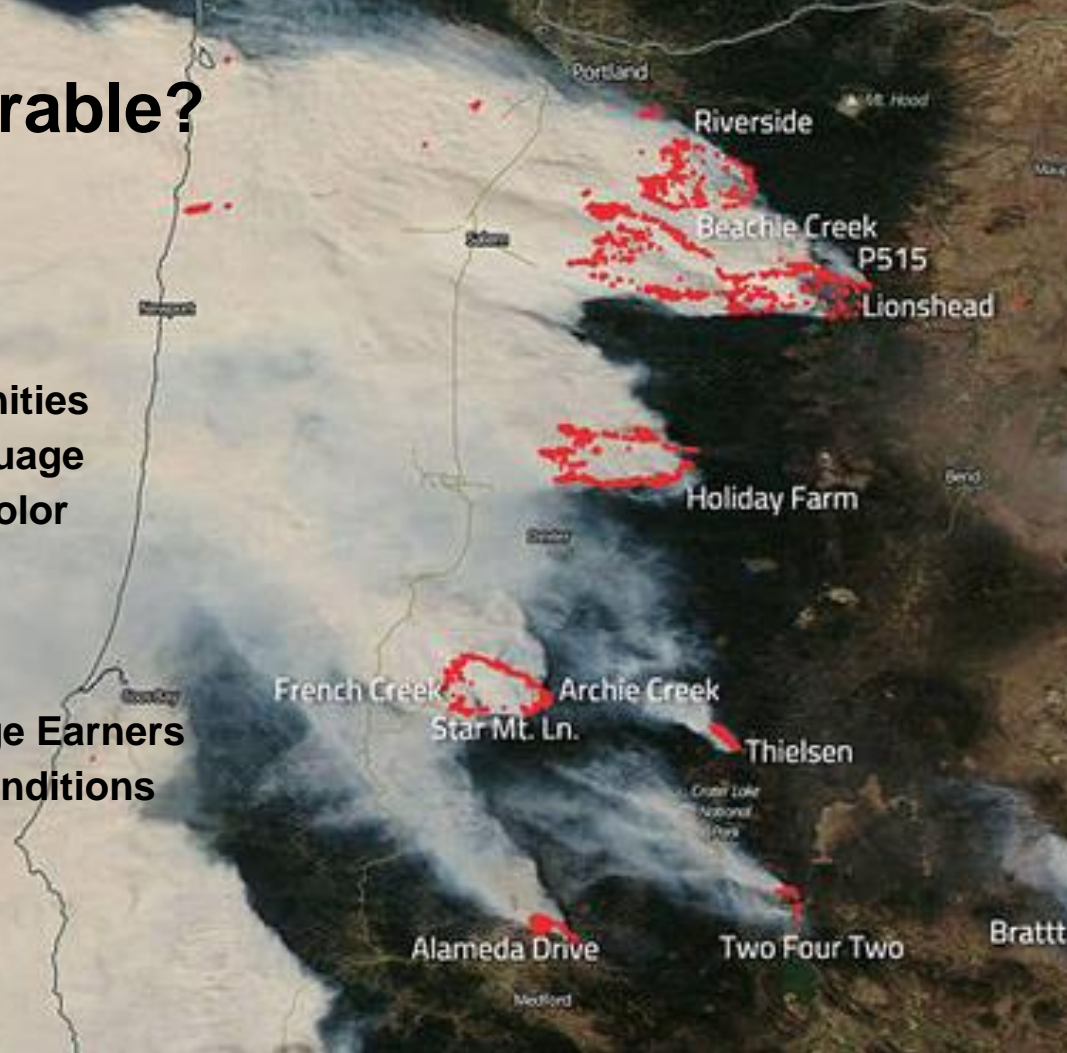
PUBLIC HEALTH Consequences of Particulate Matter Pollution

- **Premature death**
- **Increased ER visits**
- **Increased respiratory ailments**
Acute (asthma) & chronic (COPD)
- **Increased heart disease & stroke**
- **Children deprived of outdoor play**
Obesity, depression, anxiety
- **Increased Obesity**
- **Increased Lung Cancer**
- **Increased Stress**



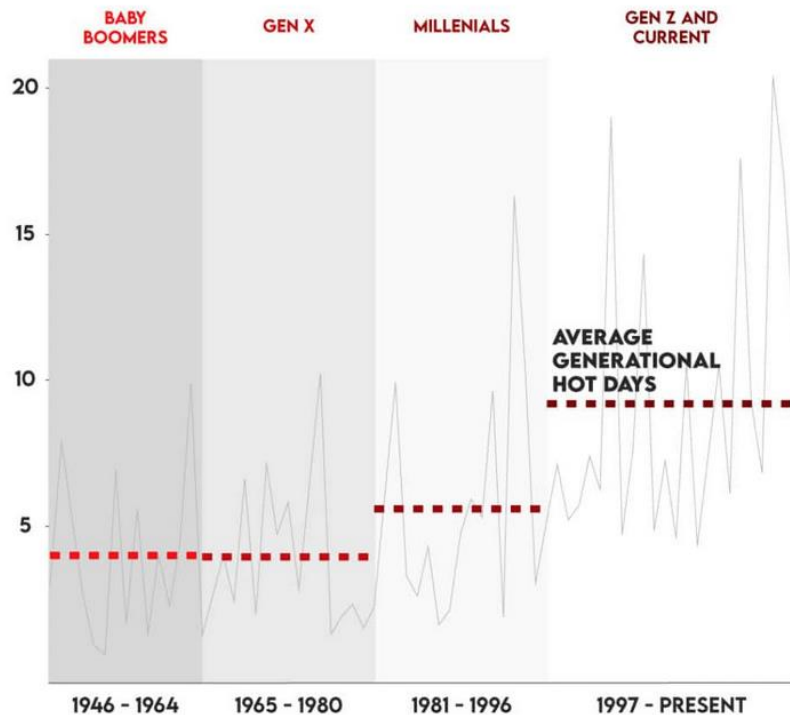
Who is Vulnerable?

- Seniors
- Children
- Low Income Folks
- Folks in Marginalized Communities
- Folks with English as 2d Language
- Indigenous Folks & Folks of Color
- Single Moms
- Folks with Disabilities
- Houseless Folks
- Unemployed Folks & Low Wage Earners
- Folks with Chronic Medical Conditions
- Folks with Mental Illness
- The Uninsured
- Rural Folks



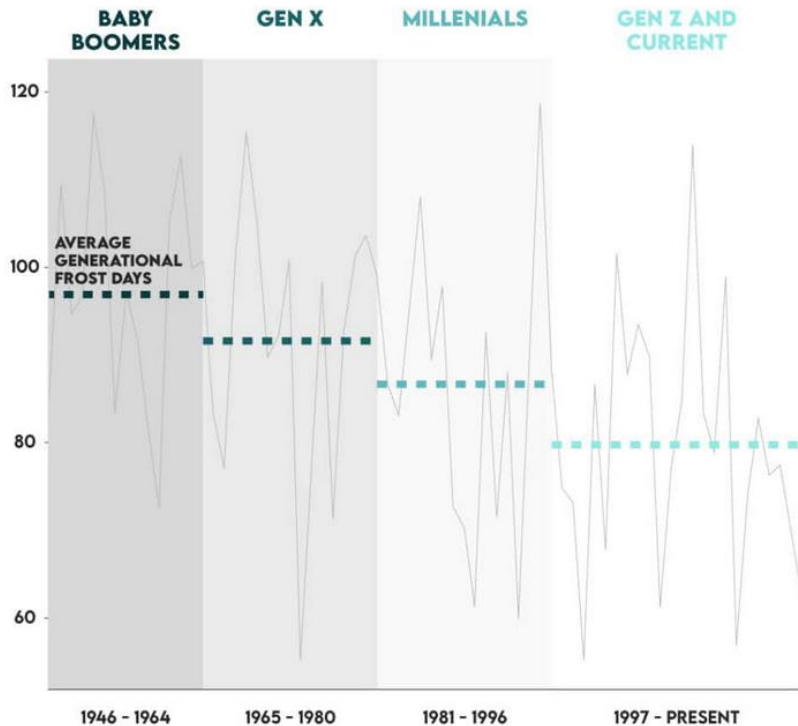
SHIFTING BASELINE

SHIFTING BASELINES: YEARLY HOT DAYS



SHIFTING BASELINE

SHIFTING BASELINES: YEARLY FROST DAYS



SHIFTING BASELINE

Florida Fishing Charter Catch Size

1957



2007



Shifting baseline syndrome: seen dramatically in the reduction of catch size of Florida fishing charters over 50 years

Resolution

- Requesting that all Clackamas County elected officials and jurisdictions take meaningful climate action.
- Specifically, that they establish quantitative greenhouse gas (GHG) emissions baselines and GHG emissions reduction targets with an accelerated compliance timeline.

