

Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

REVISED AGENDA

SEPTEMBER 17, 2024

(Revised September 13, 2024)

Council will hold this meeting in-person and by video conference. The public may come to City Hall, join the Zoom webinar, or watch 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-379>.
Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov.

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

Page #

- 1. **CALL TO ORDER** (6:30 p.m.)
 - A. **Pledge of Allegiance**
 - B. **Native Lands Acknowledgment**

- 2. **ANNOUNCEMENTS** (6:31 p.m.) **2**

- 3. **PROCLAMATIONS AND AWARDS**
 - A. **Outstanding Milwaukie High School (MHS) Student – Award** (6:35 p.m.) **4**
Presenter: Kim Kellogg, MHS Principal
 - B. **Latinx and Hispanic Heritage Month – Proclamation** (6:50 p.m.) **7**
Staff: Gabriela Santoyo Gutierrez, Equity & Inclusion Coordinator
 - C. **Mid-Autumn Festival – Proclamation** (6:55 p.m.) **8**
Presenter: Thao Thu, Vietnamese Community of Oregon
 - D. **Constitution Week – Proclamation** (7:00 p.m.) **8**
Presenters: Nancy McCrary, Daughters of the American Revolution

- 4. **SPECIAL REPORTS**
 - A. **Clackamas County Water Environment Services (WES) – Annual Report** (7:05 p.m.) **10**
Presenters: Greg Geist, WES Director
 - B. **Clackamas County Community Advisory Board (CAB) – Report** (7:25 p.m.) **33**
Presenters: Adam Khosroabadi, City Councilor

- 5. **COMMUNITY COMMENTS** (8:00 p.m.) **63**
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 at 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** (8:05 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.
- | | |
|---|---|
| <p>A. Approval of Council Meeting Minutes of:</p> <p>1. August 6, 2024, work session,</p> <p>2. August 6, 2024, regular session,</p> <p>3. August 12, 2024, site visit,</p> <p>4. August 20, 2024, work session, and</p> <p>5. August 20, 2024, regular session. (removed)</p> <p>B. Authorization of an Intergovernmental Agreement (IGA) for the First Fish Herons Artworks – Resolution</p> <p>C. Adoption of Bee City USA Commitments – Resolution</p> <p>D. Authorization of an IGA for the Stanley Avenue Project (removed)</p> <p>E. Authorization of a Cost-of-Living Adjustment (COLA) for Management and Non-Represented Employees – Motion (removed)</p> <p>F. Authorization of an Increased Project Authorization Amount for the Washington Street Area Improvements Project – Resolution (added)</p> <p>G. Authorization of an Increased Project Authorization Amount for the Stanley Reservoir Project – Resolution (removed)</p> | <p>67</p> <p>77</p> <p>89</p> <p>95</p> <p>98</p> |
|---|---|
7. **BUSINESS ITEMS**
- A. **None Scheduled.**
8. **PUBLIC HEARINGS**
- A. **None Scheduled.**
9. **COUNCIL REPORTS** (8:10 p.m.)
10. **ADJOURNMENT** (8:30 p.m.)

Milwaukie Redevelopment Commission (MRC) Meeting.

After the regular session Council will meet as the MRC. For information about that meeting visit <https://www.milwaukieoregon.gov/bc-rc/redevelopment-commission-0>.

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

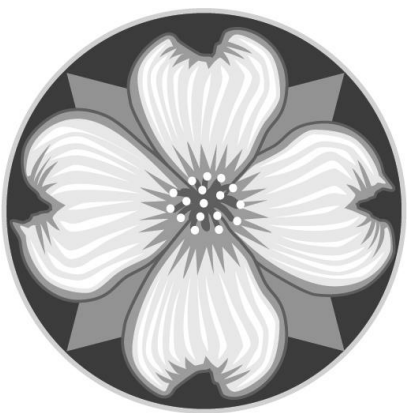
The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation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

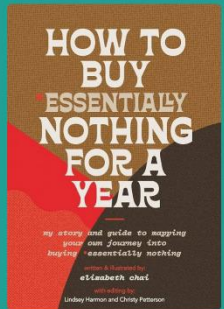
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Announcements



Mayor's Announcements – September 17, 2024

- **Washington-Monroe Street Greenway – Public comment for “east segment” closes Sep. 20**
 - View the current designs and provide feedback online until Sep. 20
 - Visit engage.milwaukieoregon.gov
- **Milwaukie Leadership Academy – Registration is open for class of 2024-25**
 - Learn how the city works!
 - Evening sessions once per month Oct. 2024 through Jun. 2025 with exception of Dec.
 - Learn more and register to participate at milwaukieoregon.gov/leadershipacademy.
- **Historic City Hall Sculpture Garden – Call for sculptures – Apply by Sep. 20**
 - Arts Committee is seeking 3 new sculptures
 - Chosen sculptures to be part of 2-year cycle in historic city hall building at 10722 SE Main St.
 - Application available at milwaukieoregon.gov/arts-committee
- **Elk Rock Island Volunteer Restoration Event – Sat., Sep. 21 (9:30 AM – 12 PM)**
 - Volunteers will help remove invasive plants while picking up litter.
 - Meet at 19th and Sparrow at 9:30 AM
- **Ledding Library Fall Authors Series – Sep. 22 & 28 and Oct. 2, 16, & 23**
 - Next event features Elizabeth Chai– Sun., Sep. 22 (2 PM)
 - Brought to you by Friends of the Ledding Library
 - Ledding Library Community Room, 10660 SE 21st Ave.
- **First Friday – Oct. 4 (5 - 8 PM)**
 - Downtown Milwaukie
 - Learn more at firstfridaymilwaukie.com
- **LEARN MORE AT WWW.MILWAUKIEOREGON.GOV OR CALL 503-786-7555**



ELIZABETH CHAI

SUNDAY SEPTEMBER 22 2:00PM



Mayor's Announcements – September 17, 2024



**Register to Vote
in Oregon
by October 15!**

www.oregonvotes.gov

Ledding Library
Presents

BALLET PAPALOTL

SATURDAY,
OCTOBER 12
AT 2PM



City Hall Council Chambers
10501 SE Main St.



Milwaukie Community Events Fund – Inaugural Recipients!

“Own Voices” Discussion Series



Three evenings in
October and November

Featuring guided discussions of
works on disability visibility,
undocumented Americans,
and Tribal Histories

Dia de los Muertos Celebration

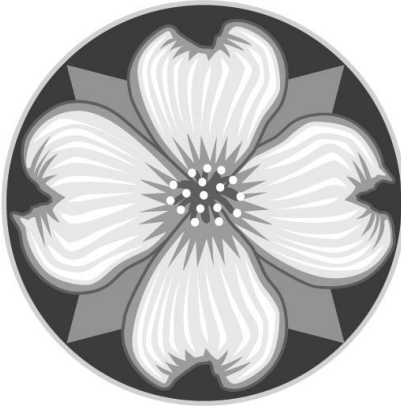


November 1 and 2

Featuring traditions from
Mexico, Peru, and the US such
as free food, decorations, and
entertainment

Today is the day
Election Day in six weeks
Register to vote

Share your Milwaukie Haiku!
Email yours to bateyl@milwaukieoregon.gov



RS Agenda Item

3

Proclamations & Awards

Guadalupe Barrera

RS 3. A. 9/17/24
Presentation



Lupe has a 3.9 GPA

Working toward an Honors Diploma

Earned his State of Oregon Biliteracy Seal

Taking classes at SSC

- Working with Children & Youth
- Business Management 2
- Accounting I

MHS Classes

- Elementary Mentor
- Peer Tutor
- AP Biology
- AP Spanish
- AP Literature & Composition
- Pre-Calculus





- Lupe has consistently demonstrated outstanding dedication and involvement within our school community.
- Lupe is a driving force behind the success of our student union's fundraisers.
- His leadership and communication skills have been instrumental in fostering a deeper understanding and appreciation of what Ascension represents.
- Lupe Barrera exemplifies the qualities of a Student of the Month through his unwavering dedication, leadership, and positive impact on our school community.



~Valentina Galindo

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 Latin communities provide to our city, region, and country every day, and

WHEREAS Hispanic and Latino, Latina, and Latinx 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 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 Hispanic and Latin communities.

NOW, THEREFORE, I, Lisa Batey, 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, 2024**, 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 **17th day of September 2024**.

Lisa Batey, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

CONSIDERANDO que cada año, los Estados Unidos observa el Mes Nacional de la Herencia Hispana celebrando la cultura, la herencia, y las innumerables contribuciones de aquellos cuyos antepasados se extiende a España, México, el Caribe, América Central, y América del Sur, y

CONSIDERANDO que el Mes Nacional de la Herencia Hispana comenzó como una observación de una semana declarada en 1968 y creció hasta convertirse en una celebración de un mes en 1988 y ahora se celebra del 15 de septiembre al 15 de octubre cada año, y

CONSIDERANDO que el 15 de septiembre es una fecha significativa porque marca el aniversario de la independencia de los países latinoamericanos de Costa Rica, El Salvador, Guatemala, Honduras y Nicaragua. Además, México y Chile celebran sus días de independencia el 16 y 18 de septiembre, respectivamente, y

CONSIDERANDO que celebramos el Mes de la Herencia Hispana para mostrar nuestra gratitud por los logros, la inspiración, y el servicio que nuestras comunidades hispanas y latinas ofrecen todos los días a nuestra ciudad, región, y país, y

CONSIDERANDO que las personas hispanas, latinos, latinas, y latinx ayudan a impulsar nuestra economía de pequeñas empresas como trabajadores, dueños de empresas y empresarios; enriquecen nuestro ambiente académico como maestros, profesores, e ingenieros; también participan en el buen gobierno y en el mejoramiento de nuestra sociedad; asumen roles de liderazgo en el movimiento laboral y garantizan nuestra salud y nuestra comunidad como enfermeras, médicos, cuidadores, y trabajadores de cuidado niños, y

CONSIDERANDO que esta ciudad desea reconocer el mes que comienza el 15 de septiembre y termina el 15 de octubre como una oportunidad para reflexionar sobre las enormes contribuciones, celebrar la cultura, las tradiciones y la diversidad, y apoyar a las comunidades hispana y latina.

AHORA, POR LO TANTO, yo, Lisa Batey, alcaldesa de la ciudad de Milwaukie, una corporación municipal en el condado de Clackamas, en el estado de Oregon, proclamo

por la presente que del 15 de septiembre al 15 de octubre de 2024 será el **MES DE LA HERENCIA HISPANA** en Milwaukie.

EN TESTIMONIO, y con el consentimiento del Concejo Municipal de Milwaukie, firmo el presente el 17 de **septiembre de 2024**.

Lisa Batey, Mayor

ATTEST:

Scott Stauffer, City Recorder

PROCLAMATION

WHEREAS after the end of the Vietnam War in 1975, the first Vietnamese immigrants came to the City of Milwaukie in the State of Oregon in search of opportunity and freedom, bringing Vietnamese customs and traditions which have been passed down through generations; and

WHEREAS the Vietnamese American community has made substantial contributions to cultural, religious, political, and business life throughout the State of Oregon, including in the City of Milwaukie; and

WHEREAS many Vietnamese Americans and other Asian families in the community will joyfully celebrate the Mid-Autumn Festival, also known as the Moon Festival and the festival for children. The Vietnamese Community of Oregon will celebrate with special foods and activities under the full moon, on Saturday, September 21st.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim the **SEPTEMBER 24-30, 2023**, to be **VIETNAMESE AMERICAN MID-AUTUMN FESTIVAL CELEBRATION DAYS**, a time for celebrating our Vietnamese neighbors and their contributions to our community.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 17th day of **September 2024**.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder

RS 3. C. 9/17/24
Presentation

Mid-Autumn Festival

Vietnamese
Community of
Oregon



Mid-Autumn Festival



Mid-Autumn Festival



Mid-Autumn Festival

2024 Event Details

September 21, 2024

1pm to 5pm

Clackamas High School



PROCLAMATION

WHEREAS We the People of the United States, in Order to form a More Perfect Union, Establish Justice, Insure Domestic Tranquility, provide for the Common Defense, Promote the General Welfare, and Secure the Blessings of Liberty to Ourselves and Our Posterity, did Ordain and Establish a Constitution for the United States of America on September 17, 1787, and

WHEREAS today marks the two-hundred thirty-seventh anniversary of the adoption of the Constitution by a convention of the States, and

WHEREAS the Constitution, as the foundation upon which our democracy is based, stands as a testament to the tenacity of Americans throughout history to maintain their liberties, freedoms and inalienable rights, and

WHEREAS exercising our ability to vote is a right, a responsibility, celebration, and also a way of protecting our constitutional rights.

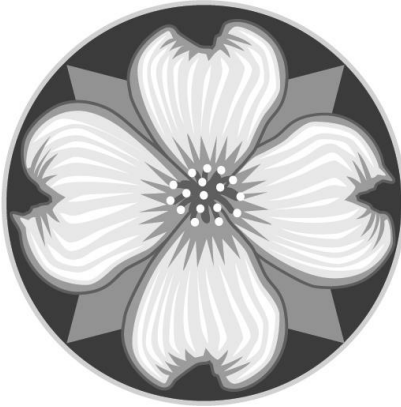
NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **SEPTEMBER 17th through 23rd, 2024**, as **CONSTITUTION WEEK** in the City of Milwaukie and do commend its observance by all citizens.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this **17th** day of **September 2024**.

Lisa Batey, Mayor

ATTEST:

Scott Stauffer, City Recorder



RS Agenda Item

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Special Reports



CLACKAMAS
WATER
ENVIRONMENT
SERVICES

Annual Report



Vision & Mission

VISION

Be a collaborative partner in building a resilient clean water future where all people benefit, and rivers thrive.

MISSION

Clackamas Water Environment Services (WES) produces clean water, protects water quality and recovers renewable resources. We do this by providing wastewater services, stormwater management, and environmental education.

It's our job to protect public health and support the vitality of our communities, natural environment, and economy.



Focus Areas



*Protecting
Public Health*



*Investment in
Our People*



*Stewardship of
Healthy Waterways*



*Responsive
Customer Service*



*Fiscal
Responsibility*



*Water Resource
Recovery*

RS12

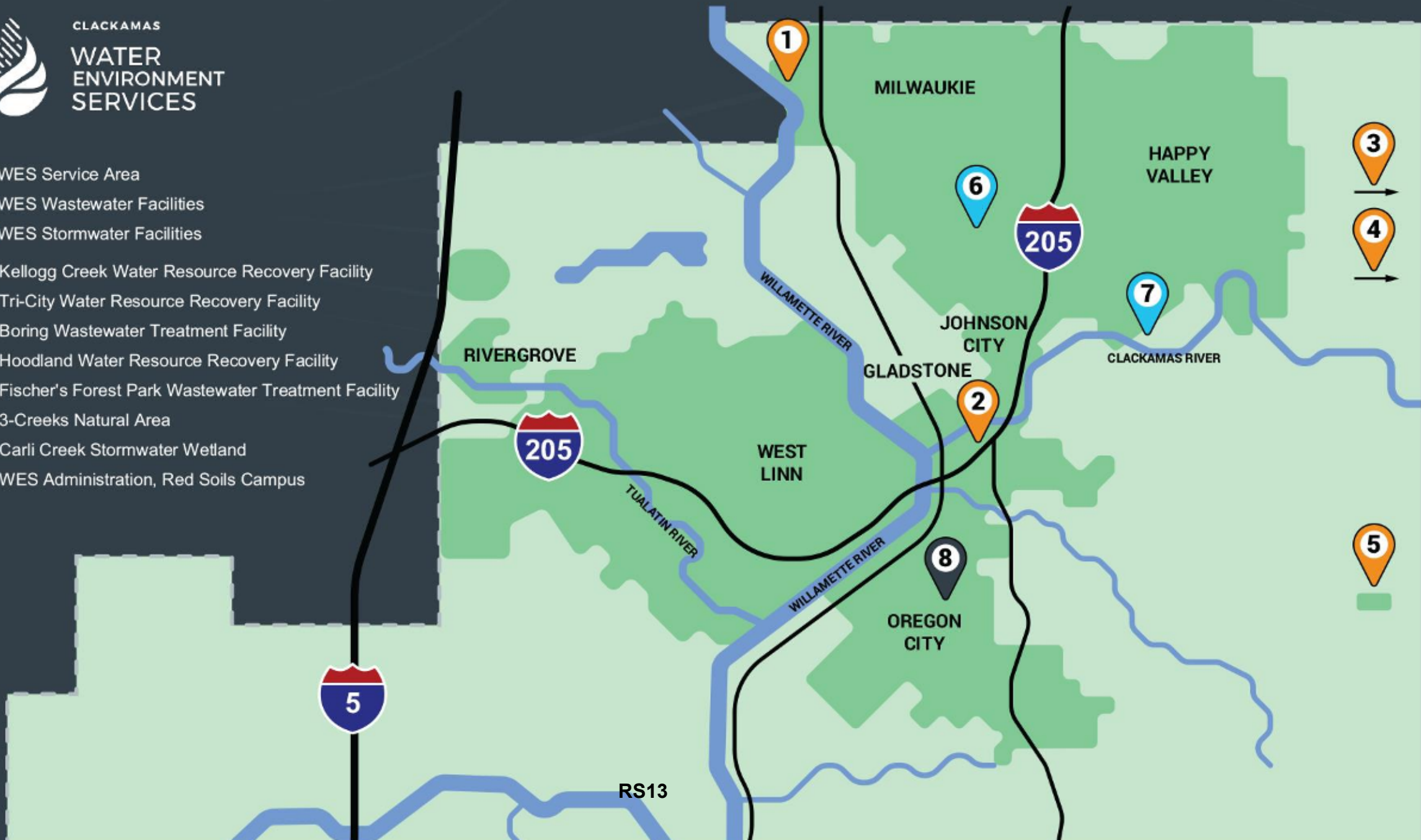




CLACKAMAS
WATER
ENVIRONMENT
SERVICES

- WES Service Area
- WES Wastewater Facilities
- WES Stormwater Facilities

- 1 Kellogg Creek Water Resource Recovery Facility
- 2 Tri-City Water Resource Recovery Facility
- 3 Boring Wastewater Treatment Facility
- 4 Hoodland Water Resource Recovery Facility
- 5 Fischer's Forest Park Wastewater Treatment Facility
- 6 3-Creeks Natural Area
- 7 Carli Creek Stormwater Wetland
- 8 WES Administration, Red Soils Campus



Who we are



5 Water Resource Recovery Facilities



7 Billion gallons per year cleaned



194k Estimated population served



23 Pump Stations



Who we are



358 Miles of sanitary sewer pipes



\$288,905,817 budget



19,001 Surface water catch basins/manholes



Our Leaders

Commissioners and Advisory Committee



Planning for the Future

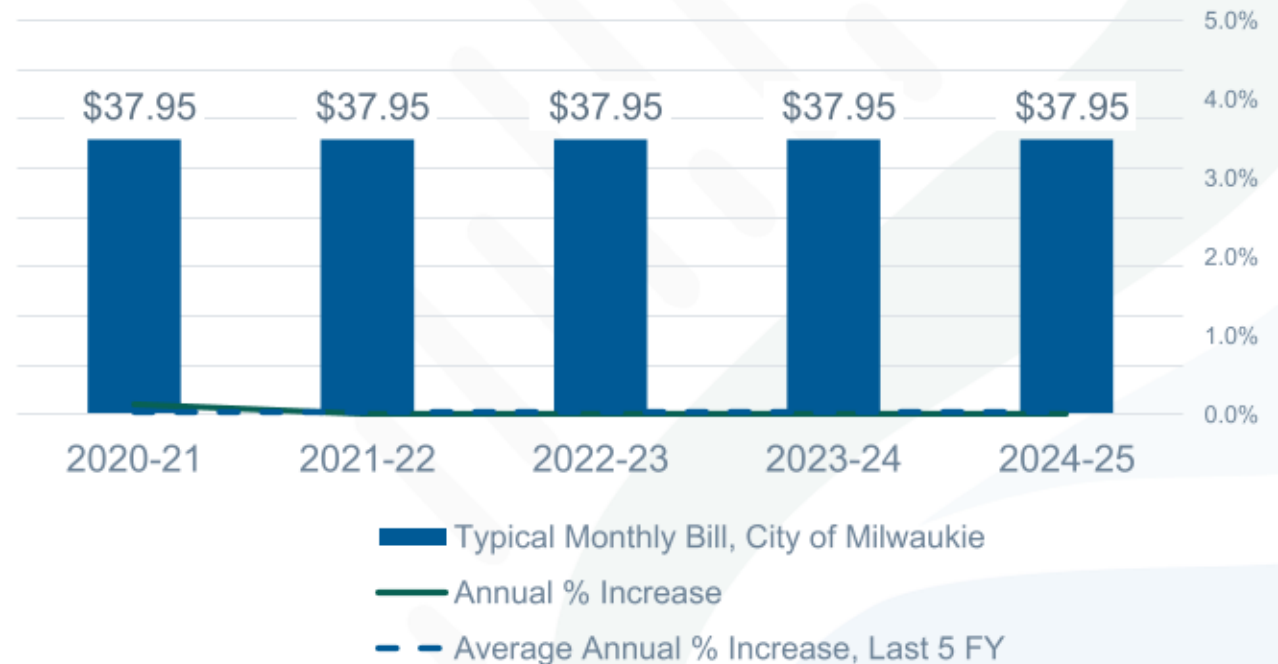
CIP is based on thoughtful planning



Commitment to reasonable and predictable rates

- There was no rate increase for customers in the City of Milwaukie in 2024/25

Milwaukie Monthly Rate History



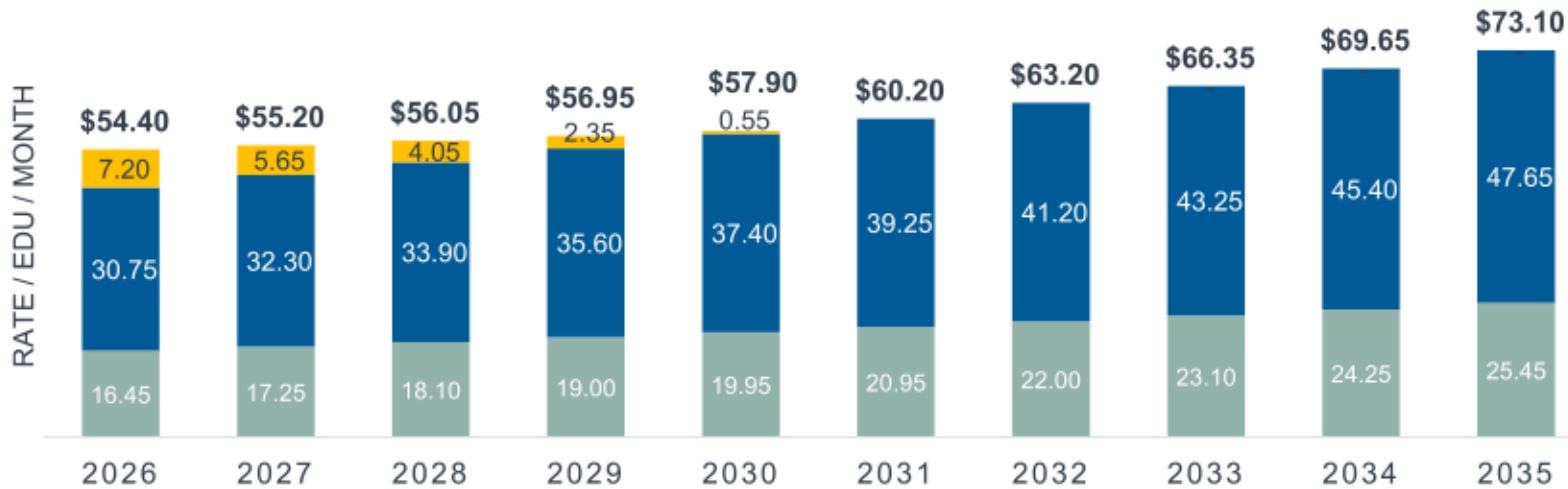
Financial Stewardship

Managing your rate payer dollars

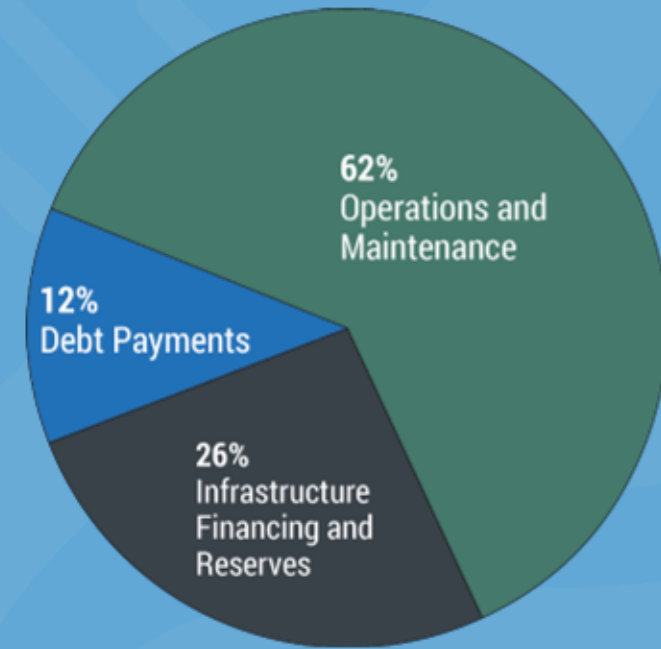
Forecast of Monthly Rates

10-Year Sewer Rate

■ Local collection fee
 ■ Wastewater treatment fee
 ■ Legacy Debt service fee

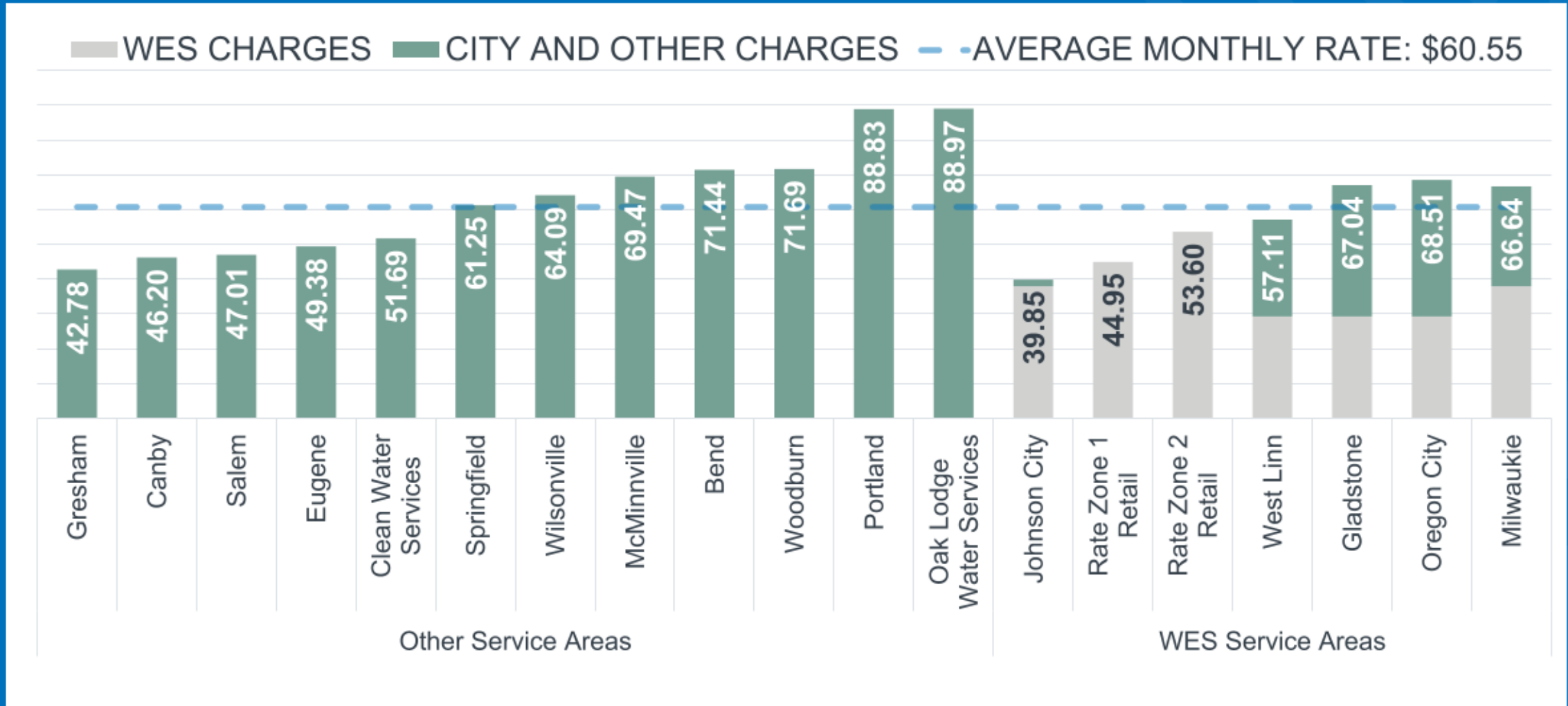


RZ1 Wholesale	\$ 30.75	\$ 32.30	\$ 33.90	\$ 35.60	\$ 37.40	\$ 39.25	\$ 41.20	\$ 43.25	\$ 45.40	\$ 47.65
RZ1 Retail	47.20	49.55	52.00	54.60	57.35	60.20	63.20	66.35	69.65	73.10
RZ2 Wholesale	37.95	37.95	37.95	37.95	37.95	39.25	41.20	43.25	45.40	47.65
RZ2 Retail	54.40	55.20	56.05	56.95	57.90	60.20	63.20	66.35	69.65	73.10



How WES' rates compare to other service providers

Monthly Sewer Rate Survey, FY 2024-25



Sewer rates in the above chart are based on rates for single family dwellings; in those cities where consumption charges apply, totals are calculated based on a monthly consumption of 7 CCF. City and other charges includes ROW fees, where applicable.

RS20



Rate Affordability and Customer Assistance Programs

EPA Affordability Metric

- Household economic burden

WES FY 2024-25 Projected LQRI



Goal: Maintain a fair and equitable rate structure that fully recovers revenue requirements and promotes affordability.

Initiative: Annually maintain a mid-range or low impact rating for total annual cost of wastewater service relative to lowest quintile household income.

WES Low-Income Discount Program

- 50% reduction for Sewer services
- Discount is passed through to partner Cities

Goal: Increase awareness of, and access to, customer assistance programs that align with best practices and community values.

Initiative: By 2025, update the low income discount program.



Major Sewer Capital Projects

Project	FY 2024-25 Budget	Estimated Total Cost	Current Status
Tri-City Outfall Project	\$ 30.0 M	\$ 66.5 M	Construction in progress; ongoing through December 2025.
Willamette Pump Station and Force Main	\$ 9.2 M	\$ 30.5 M	Construction of the portion of the Force Main on the I-205 bridge is anticipated to be completed in FY25. Design of the Pump Station and remaining Force Main to connect to the bridge is in progress
Intertie 2 Pump Station and Force Main	\$ 8.0 M	\$ 25.0 M	The Force Main will begin construction in Fall 2024 and the Pump Station will be out to bid in early 2025.
Tri-City WRRF Primary Clarifier Rehabilitation	\$ 5.0 M	\$ 16.8 M	Two of the six primary clarifier basins will be rehabilitated Summer 2024.
Clackamas Area Interceptor Improvement Project	\$ 3.4 M	\$ 46.1 M	Design of the entire CAIIP underway. Construction will be phased over several different construction projects, with the Middle Interceptor being the priority.
Multiple Pump Station Upgrades	\$ 2.4 M	\$ 9.6 M	Gladstone Pump Station is under construction now.
Boring Upgrades	\$ 2.0 M	\$ 10.0 M	Upgrades have been completed at 6 of our stations. Gladstone Pump Station upgrades are under construction now. We have completed design on 6 additional pump station upgrades and those will be constructed in 2025/2026

RS22



Kellogg Creek WRRF Improvements

Facility Operations



RS23



Recommended Kellogg Creek WRRF Improvements

Facility Operations



RS24



Kellogg Creek WRRF Administration Bldg.

Facility Operations



RS25



Our Shared Collection System

The Inflow and Infiltration Reduction Program (I/I)

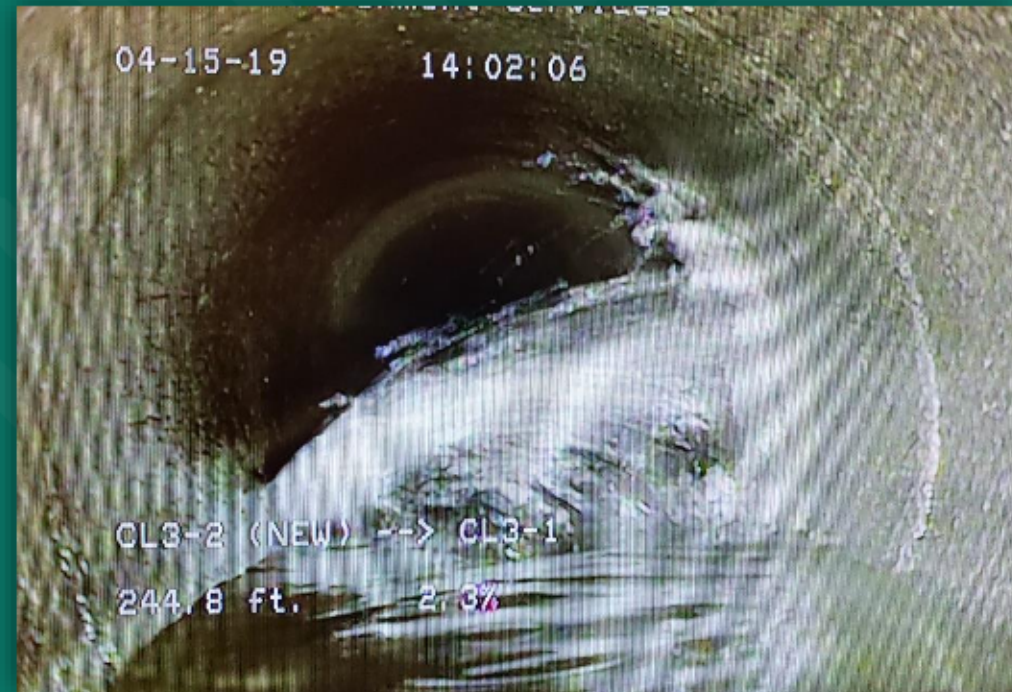
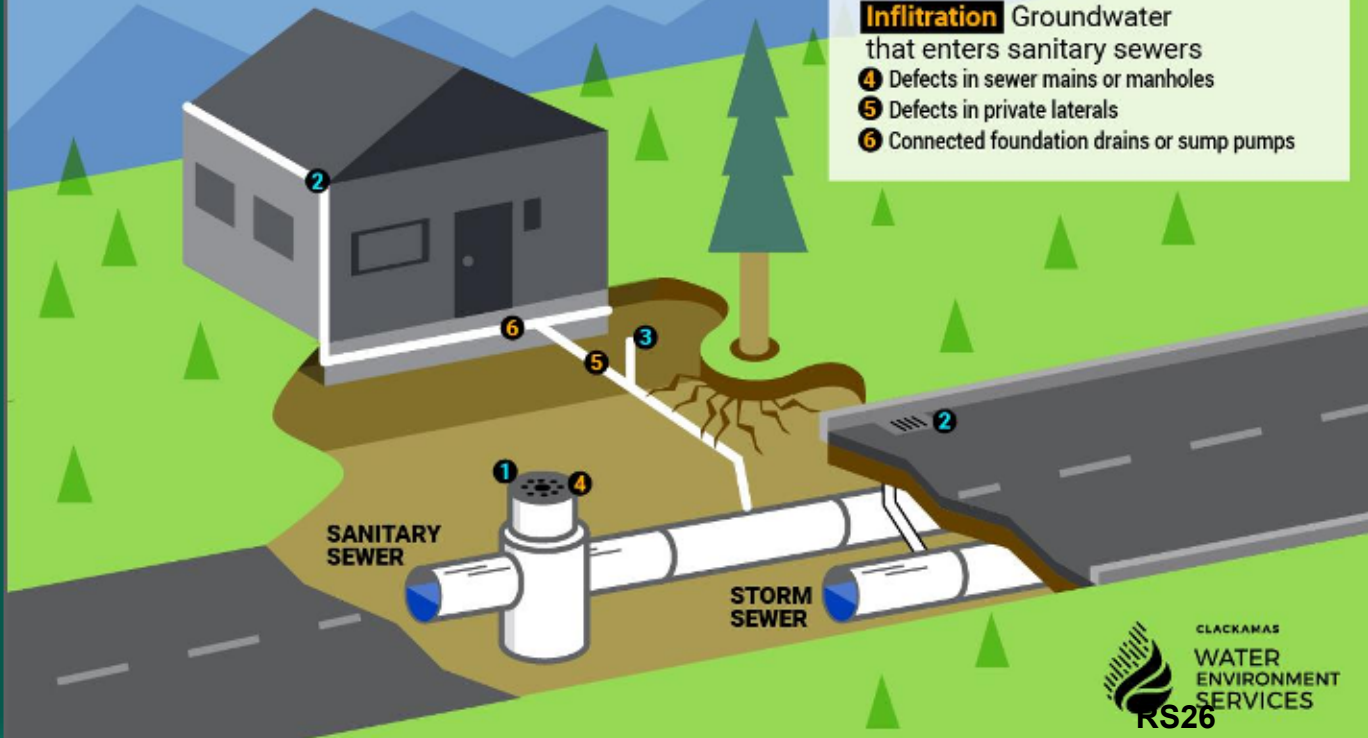
Inflow and Infiltration 101

Inflow Surface water that flows into sanitary sewers

- 1 Rain water or stream flow into manholes
- 2 Catch basins, or area and roof drains connected to sanitary sewer lines
- 3 Missing cleanout caps

Infiltration Groundwater that enters sanitary sewers

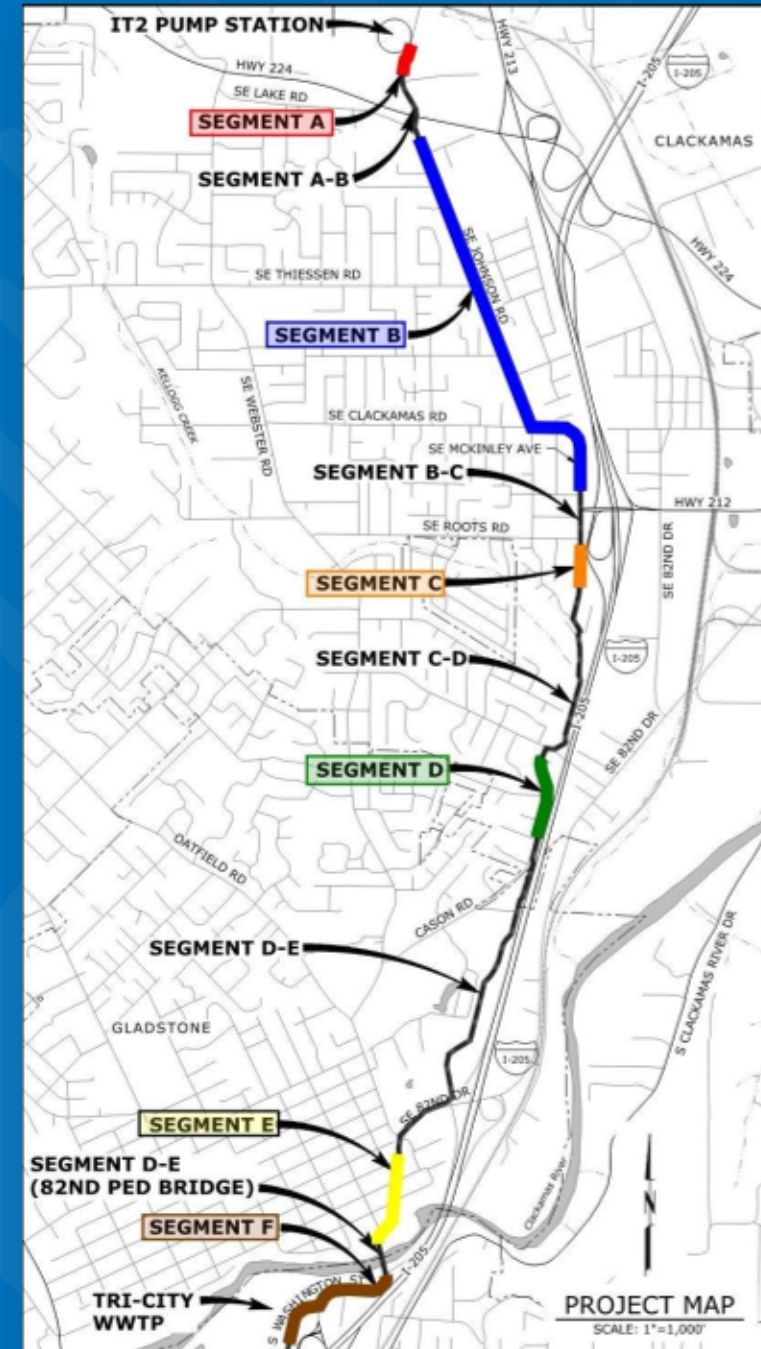
- 4 Defects in sewer mains or manholes
- 5 Defects in private laterals
- 6 Connected foundation drains or sump pumps



Building a Clean Water Future

Intertie Pump Station Expansion & 30 in Force Main

- Design is completed
- Force Main out for bid - Spring 2024
- Pump Station out for bid - Fall 2024
- Construction will continue into Fall 2026



Building a Clean Water Future

Tri-City Outfall Project



Our Commitment to Watershed Health

The 3-Creeks Natural Area Floodplain Enhancement Project



Our Commitment to Watershed Health

The 3-Creeks Natural Area Floodplain Enhancement Project

- Linwood Neighborhood District Association
- Bob's Red Mill
- Clackamas Community College
- Clackamas Partnership
- Confederated Tribes of the Grand Ronde
- North Clackamas Parks & Recreation District
- Trackers Earth and Trackers Earth Forest School
- Lower Columbia Estuary Partnership
- Ecology in Classrooms & Outdoors
- Clackamas Web Academy
- North Clackamas Watershed Council
- Unite Oregon



Partnering with Milwaukie

Watershed Protection in Action!



**“At WES, we all
serve different
functions, but we
fit together to solve
the clean water
puzzle”**

Greg Geist
WES Director



Clackamas County Community Needs Assessment

September 2023

The Impacts of Poverty in Clackamas County

Third most populous county in the state, Clackamas County is home to the end of the Oregon Trail, the Mount Hood Territory, 16 cities and numerous small communities spread across 1,883 square miles. Many of its more than 420,000 residents live in suburban communities with close ties to the Portland metro area core for employment. Others reside in rural communities and make their living from some of Oregon's richest farmland. With its urban areas, pristine forests, and agricultural centers, the county is one of the most geographically and economically diverse in the state.

Similar to other communities, Clackamas County was hit hard by the COVID-19 pandemic, experiencing financial distress, business closures, high unemployment (12.8% unemployment rate in the pandemic's early months) followed by workforce shortages. Schools closed, leaving families struggling to care for their children while they tried to work; businesses laid off workers; and residents dealt with unprecedented physical and mental health issues and reduced access to needed services. The county quickly mobilized services and distributed millions of dollars in COVID Relief funds to help its most vulnerable residents maintain housing, access food, and meet basic health needs as the pandemic progressed.

While the county and its residents are recovering from the effects of the pandemic, many residents and households are still struggling to achieve financial stability and facing uncertainty as state and federal relief programs end. Residents with low incomes daily deal with the conditions of poverty, including housing instability, hunger and food insecurity, lack of living wage job opportunities, transportation challenges, health stressors and lack of access to care, expensive childcare, and lack of resources to pursue educational opportunities.

Poverty touches all aspects of life, leaving low-income families struggling to remain safely housed, working low-wage jobs and moving frequently in search of affordable rents. When they can't make rent, some stay with family or friends, and when options run out, live in their cars. It is likely they can't afford enough healthy food either. This leaves them hungry and unable to fully concentrate at work or school. Without education or training, they are unable to increase their earning potential. Thus, the conditions of poverty perpetuate the cycle of poverty.

Ultimately, poverty is a web of impossible choices - choosing between feeding yourself or feeding your child; between paying for rent or paying for medicine; between letting your oldest child go to school or keeping them home to look after younger kids while you work - stressful choices that no one should have to make. And yet, many in our communities are facing these painful dilemmas. The Community Action Board is committed to disrupting the cycle of poverty and ensuring our community members are safe, healthy, and housed.

Poverty Defined and Measured

The generally accepted definition of poverty is the lack of economic means to meet basic human needs. Defining the scope and cost of basic human needs, however, is more difficult. Many safety net programs rely on the Federal Poverty Level (FPL) measure, (which was established in the 1960s) to determine who is economically challenged and in need of assistance. This measure captures only a fraction of the people in our communities who struggle daily to achieve and maintain self-sufficiency.

More recent research efforts have established alternative methods for determining a more accurate understanding of what it costs to live in specific geographic areas and who within those areas do not earn enough to meet their basic human needs. These include the Self-Sufficiency Standard and the Asset Limited, Income Constrained, Employed measures. The similarities in the findings of these two independent efforts suggest the need to look beyond the FPL when determining who is living in poverty.

Federal Poverty Level

<https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>

Many assistance programs establish eligibility based on a household’s income and family size. The tool most often used is the Federal Poverty Level (FPL). Created by the U.S. Department of Health and Human Services, the FPL was established in 1964 as a tool to determine if a family’s income was adequate to cover basic needs. ***It is based on the assumption that a family of three will spend one third of its income on food.*** The basic cost needed for food was established using the 1962 U.S. Department of Agriculture’s economy food plan and has been updated yearly for price changes based on the Consumer Price index. The FPL does not take into account changes in other costs of living, such as housing, transportation, taxes, childcare or medical care. Because FPL is not adjusted for differences in cost of living by area of the country (with the exception of Alaska and Hawaii), the FPL for Clackamas County is the same as that for rural areas in Oregon and large cities like New York City and San Francisco.

2023 Poverty Guidelines: 48 Contiguous States (all states except AK and HI)								
Household/ Family Size	25%	50%	70%	100%	125%	150%	175%	200%
1	\$3,645	\$7,290	\$10,935	\$14,580	\$18,225	\$21,870	\$25,515	\$29,160
2	\$4,930	\$9,860	\$14,790	\$18,720	\$24,650	\$29,580	\$34,510	\$39,440
3	\$6,215	\$12,430	\$18,645	\$24,860	\$31,075	\$37,290	\$43,505	\$49,720
4	\$7,500	\$15,000	\$22,500	\$30,000	\$37,500	\$45,000	\$52,500	\$60,000
5	\$8,785	\$17,570	\$26,355	\$35,140	\$43,925	\$52,710	\$61,495	\$70,280
6	\$10,070	\$20,140	\$30,210	\$40,280	\$50,350	\$60,420	\$70,490	\$80,560
7	\$11,355	\$22,710	\$34,065	\$45,420	\$56,775	\$68,130	\$79,485	\$90,840
8	\$12,640	\$25,280	\$37,920	\$50,560	\$63,200	\$75,840	\$88,480	\$101,120

[Aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines](https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines)

Median Family Income (MFI)

<https://www.portland.gov/phb/income-rent-and-utility-limits>

The Median Family Income (MFI) – also referred to as the area median income or AMI - divides the households in a specific area into two parts based on the midpoint of the area’s income distribution - one half of the households in the area have incomes below the median family income and one half of households have incomes above it. Data from the U.S. Census based American Community Survey is used for the calculations.

The U.S. Department of Housing and Urban Development (HUD) uses MFI to determine eligibility for many of its housing programs, including public housing, Continuum of Care programming, and various affordable housing programs. HUD develops its income limits annually based on MFI estimates and Fair Market Rent area definitions for each metropolitan area. Clackamas County is considered part of the Portland-Vancouver-Hillsboro, OR-WA metropolitan area.

As an example of its use, to qualify for energy assistance, a household must have an income at or below 60% of the area’s median or MFI. A two-person household in Clackamas County that earned an income of \$46,440 per year or less would qualify for energy assistance.

Median Income Percentages 2021 (effective 4/1/2021)

Household Size	30%	40%	45%	50%	55%	60%	65%	80%	100%	120%
1	\$20,300	\$27,080	\$30,465	\$33,850	\$37,235	\$40,620	\$44,005	\$54,150	\$67,830	\$81,396
2	\$23,200	\$30,960	\$34,830	\$38,700	\$42,570	\$46,440	\$50,310	\$61,900	\$77,520	\$93,024
3	\$26,100	\$34,840	\$39,195	\$43,550	\$47,905	\$52,260	\$56,615	\$69,650	\$87,210	\$104,652
4	\$29,000	\$38,680	\$43,515	\$48,350	\$53,185	\$58,020	\$62,855	\$77,350	\$96,900	\$116,280
5	\$31,350	\$41,800	\$47,025	\$52,250	\$57,475	\$62,700	\$67,925	\$83,550	\$104,652	\$125,582
6	\$35,580	\$44,880	\$50,490	\$56,100	\$61,710	\$67,320	\$72,930	\$89,750	\$112,404	\$134,885
7	\$40,120	\$48,000	\$54,000	\$60,000	\$66,000	\$72,000	\$78,000	\$95,950	\$120,156	\$144,187
8	\$44,660	\$51,080	\$57,465	\$63,850	\$70,235	\$76,620	\$83,005	\$102,150	\$127,908	\$153,490

Self-Sufficiency Standard

<https://selfsufficiencystandard.org/Oregon/>

The Self-Sufficiency Standard is a budget-based, living wage measure that defines the real cost of living for working families at a minimally adequate level. Initially developed as a performance measure for the goal of “self-sufficiency” in federal job training programs, it provided realistic and detailed data on what clients individually needed to be self-sufficient. An alternative to the FPL, it determines the amount of income required for working families to meet basic needs at a minimally adequate level, taking into account family composition, ages of children, and geographic differences in costs. Updated regularly by the Center for Women’s Welfare at the University of Washington, the Self-Sufficiency Standard considers the makeup of the family, its location and includes more accurate costs for:

- Housing
- Food
- Health care
- Child care
- Transportation
- Taxes

See Table on Page 5 for a Self-Sufficiency Standard breakdown of costs by family size.

For families with young children, the cost of housing and childcare combined make up the most substantial portion of the family’s budget. In Clackamas County, for a family with two adults, one infant and one preschooler, child care and housing account for 31% and 20% of the family’s budget respectively.

Food, which is estimated to be one-third of a households budget in the FPL measure, makes up just 8% of the budget for an adult and preschool aged child in the Self-Sufficiency Standard.

Clackamas County has the highest Self-Sufficiency Standard in Oregon.

FIGURE F. The Self-Sufficiency Standard for Oregon by Year for Select Counties

Two Adults, One Preschooler, and One School-age Child: 2008, 2011, 2014, 2017, 2020, and 2021



TABLE 3. The Self-Sufficiency Standard for Clackamas County, OR 2021

	Adult	Adult Preschooler	Adult Infant Preschooler	Adult Preschooler School-Age	Adult School-Age Teenager	2 Adults Infant	2 Adults Infant Preschooler	2 Adults Preschooler School-Age
MONTHLY COSTS								
Housing	\$1,366	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576
Child Care	\$0	\$1,070	\$2,365	\$1,821	\$751	\$1,296	\$2,365	\$1,821
Food	\$298	\$450	\$592	\$681	\$790	\$703	\$831	\$916
Transportation	\$311	\$319	\$319	\$319	\$319	\$614	\$614	\$614
Health Care (Net)	\$168	\$536	\$555	\$574	\$610	\$609	\$628	\$647
Premium	\$95	\$444	\$444	\$444	\$444	\$444	\$444	\$444
Out-of-Pocket	\$73	\$92	\$111	\$130	\$166	\$164	\$183	\$203
Miscellaneous	\$214	\$395	\$541	\$497	\$405	\$480	\$601	\$557
Taxes (Net)	\$636	\$819	\$1,132	\$913	\$559	\$1,047	\$1,123	\$1,001
Federal Income Taxes	\$217	\$408	\$737	\$584	\$390	\$475	\$644	\$572
Federal and Local Payroll Taxes	\$232	\$400	\$549	\$495	\$388	\$490	\$600	\$553
State Sales Taxes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Income Taxes	\$187	\$311	\$446	\$385	\$281	\$382	\$479	\$427
Federal Child Tax Credit (-)	\$0	(\$300)	(\$600)	(\$550)	(\$500)	(\$300)	(\$600)	(\$550)
SELF-SUFFICIENCY WAGE								
Hourly (per worker)	\$17.00	\$29.35	\$40.22	\$36.26	\$28.47	\$17.96	\$21.98	\$20.26
Monthly	\$2,992	\$5,165	\$7,079	\$6,381	\$5,010	\$6,323	\$7,738	\$7,132
Annual	\$35,908	\$61,984	\$84,950	\$76,577	\$60,118	\$75,876	\$92,856	\$85,586
Emergency Savings Fund (Monthly)	\$36	\$125	\$313	\$263	\$134	\$51	\$70	\$66
ANNUAL REFUNDABLE TAX CREDITS								
Federal & Oregon Earned Income Tax Credit (EITC)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal Child and Dependent Care Tax Credit (CDCTC)	\$0	\$4,000	\$8,000	\$8,000	\$4,000	\$4,000	\$8,000	\$8,000
Oregon Working Family Household and Dependent Care Credit (WFHDC)	\$0	\$0	\$0	\$0	\$361	\$0	\$0	\$0
Total Annual Resources	\$35,908	\$65,984	\$92,950	\$84,577	\$64,479	\$79,876	\$100,856	\$93,586

Asset Limited, Income Constrained, Employed (ALICE)

<https://www.unitedforalice.org/county-reports/oregon>

ALICE households earn more than the Federal Poverty Level, but less than the bare minimum cost of living for the county. In setting its minimum income needed to meet basic needs, ALICE includes the costs of housing, utilities, child care, food, transportation, health care and a basic smartphone plan. Like the Self-Sufficiency Standard, ALICE draws attention to households that earn more than the FPL, but not enough to afford the basic cost of living, highlighting the mismatch between low-paying jobs and the cost of survival. Similar to the Self-Sufficiency Standard, ALICE data is regularly updated to present an unbiased picture of financial hardship at local, state and national levels. The ALICE Household Survival Budget differs slightly from the Self-Sufficiency Standard, allotting more for housing, transportation, and food costs and less for child care and health care costs.

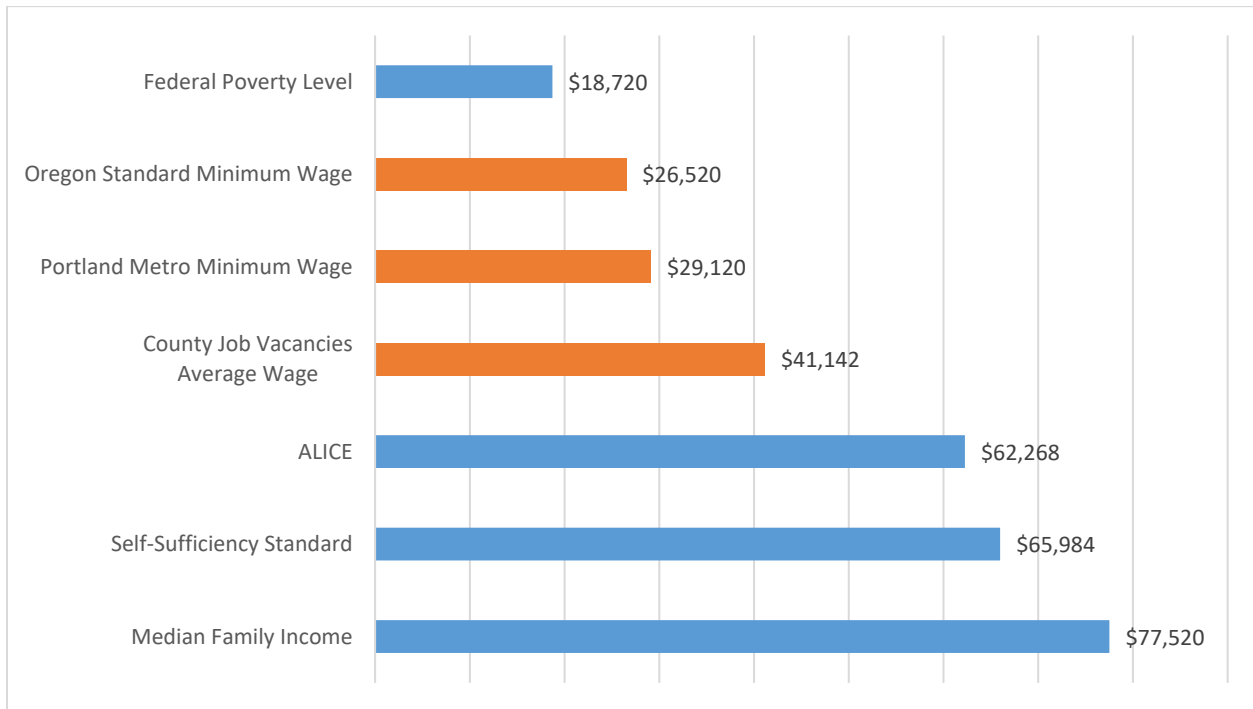
2021 ALICE Household Survival Budget

Monthly Costs and Credits	Single Adult	One Adult, One Child	One Adult, One In Child Care	Two Adults	Two Adults Two Children	Two Adults, Two In Child Care	Single Senior	Two Seniors
Housing - Rent	\$1,637	\$1,676	\$1,676	\$1,676	\$1,918	\$1,918	\$1,637	\$1,676
Housing - Utilities	\$154	\$239	\$239	\$239	\$292	\$292	\$154	\$239
Child Care	\$0	\$244	\$650	\$0	\$488	\$1,400	\$0	\$0
Food	\$484	\$820	\$736	\$887	\$1,446	\$1,318	\$446	\$818
Transportation	\$350	\$448	\$448	\$526	\$826	\$826	\$303	\$432
Health Care	\$146	\$460	\$460	\$460	\$808	\$808	\$517	\$1,035
Technology	\$75	\$75	\$75	\$110	\$110	\$110	\$75	\$110
Miscellaneous	\$285	\$396	\$428	\$390	\$589	\$667	\$313	\$431
Tax Payments	\$475	\$1,000	\$1,102	\$850	\$1,498	\$1,746	\$536	\$828
Tax Credits	\$0	(\$372)	(\$625)	\$0	(\$744)	(\$1,267)	\$0	\$0
Monthly Total	\$3,606	\$4,986	\$5,189	\$5,138	\$7,231	\$7,818	\$3,981	\$5,569
ANNUAL TOTAL	\$43,272	\$59,832	\$62,268	\$61,656	\$86,772	\$93,816	\$47,772	\$66,828
Hourly Wage	\$21.64	\$29.92	\$31.13	\$30.83	\$43.39	\$46.91	\$23.89	\$33.41

Bottom Line

Based on 2021 wage and cost of living data, an adult who worked full-time at a minimum wage job and who had one young child (2-person household) would have earned above the FPL. However, the household would likely have made well below what it needed to meet basic needs based on ALICE and Self-Sufficiency Standard measures. ***To meet the base Self-Sufficiency Standard, the adult earning Portland Metro minimum wage would have needed to work 91 hours per week.***

Income Level based on 2021 Wages and One Adult/One Preschooler Household



Who is Poor In Clackamas County?

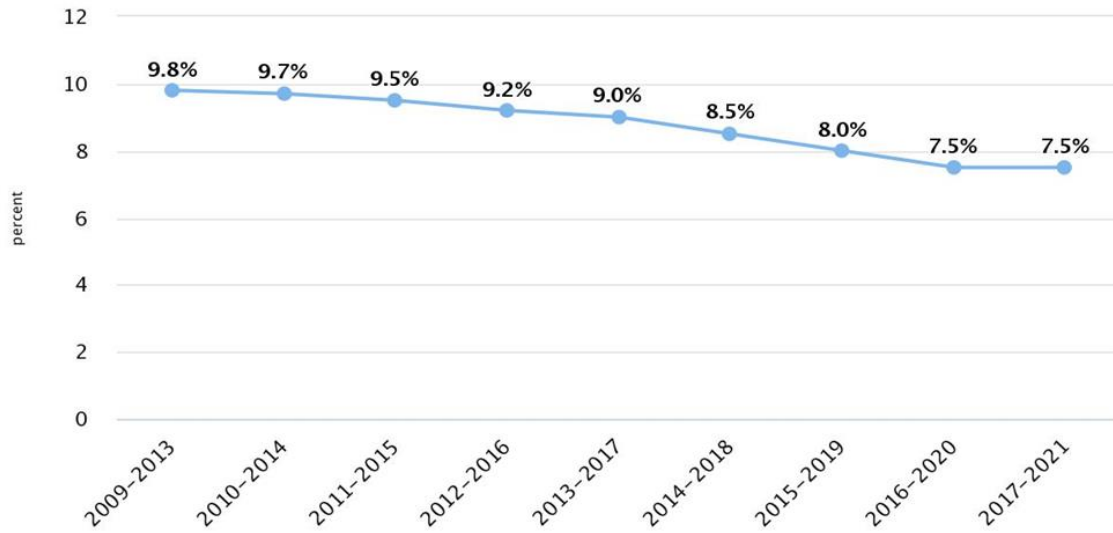
About **7.5%** of Clackamas County **residents** and **8.4%** of county **households** live on incomes **less than the Federal Poverty Level**. This equates to **31,168 people** and **13,646 households** living in poverty in the county, according to the American Community Survey 5-year estimates 2017-2021. Almost half (**47%**) of those living in poverty are considered to be in extreme poverty – **earning less than 50%** of the Federal Poverty Level.

Another **30% or 47,904 households** live on incomes **below the ALICE threshold**. The majority of these households make too much money to qualify for safety net programs like supplemental food benefits, yet they struggle to pay for their basic needs.

Overall, **61,550 households (38%)** in the county lack the resources to live on the 2021 ALICE Household Survival Budget.

As the graphs directly below show, poverty in the county in 2021 appears to have declined. While the COVID-19 pandemic brought employment shifts, health struggles, and school/business closures in 2021, it also spurred unprecedented public assistance through pandemic relief efforts, which buoyed the economic status of struggling families. In 2019, 70,310 households in Clackamas County were below the ALICE threshold; by 2021 that number had changed to 61,550. As communities recover from the pandemic and relief spending ends, it is anticipated that the number of households below the ALICE threshold will increase.

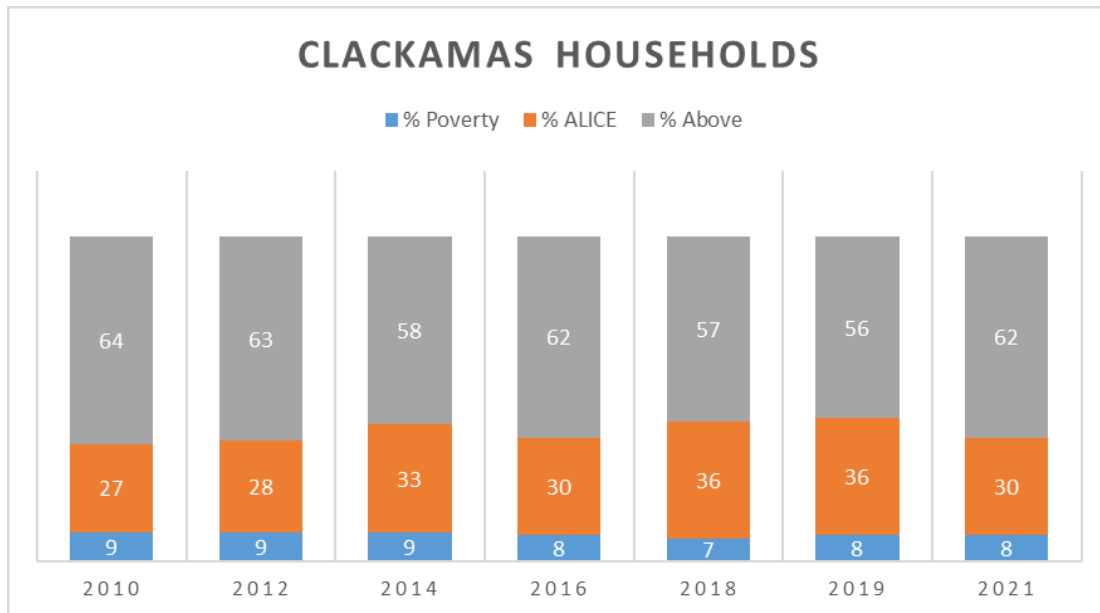
People Living Below Poverty Level
County: Clackamas



Source: American Community Survey 5-Year (2017-2021)

2021 Clackamas County Households – by FPL, Below ALICE and Above ALICE

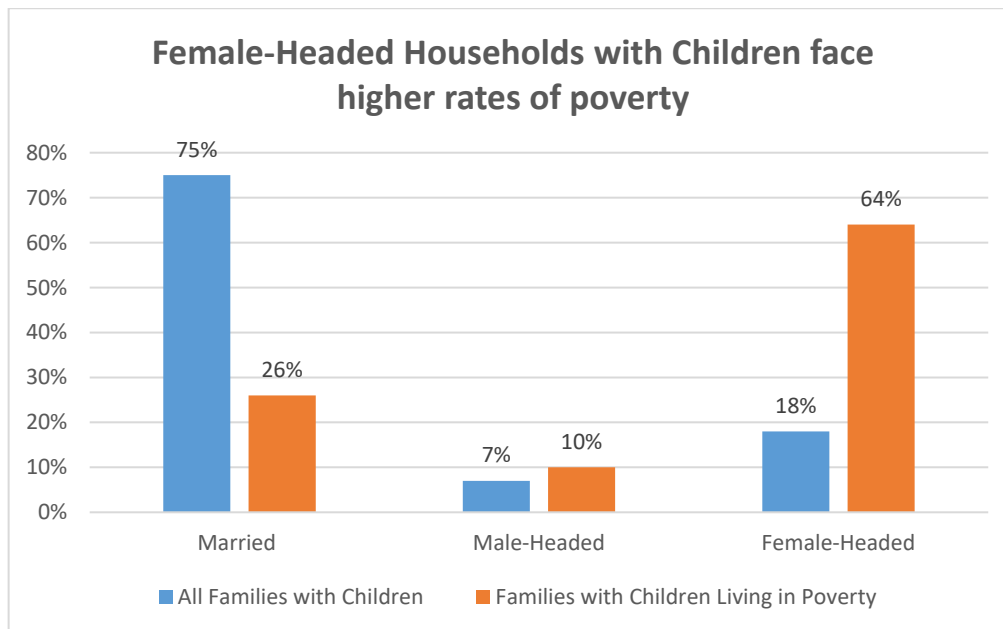
<https://www.unitedforalice.org/county-reports/oregon>



Poverty and Gender

Women in Clackamas County earn significantly less than men and are disproportionately experiencing the conditions of poverty. Based on American County Survey 5-year estimates (2017-2021), the median annual earnings for county residents age 16 years and over with earned income was \$45, 541. However, males achieved a median annual earnings of \$53,928 compared to \$39,110 for females.

Single female-headed households are significantly more likely to live in poverty than other household types. While **female householders with children** under 18 years of age make up **18% of families** with children in the county, they **make up 64% of families with children living in poverty**. This compares to married families who make up 76% of the families with children, but just 26% of families with children living in poverty.

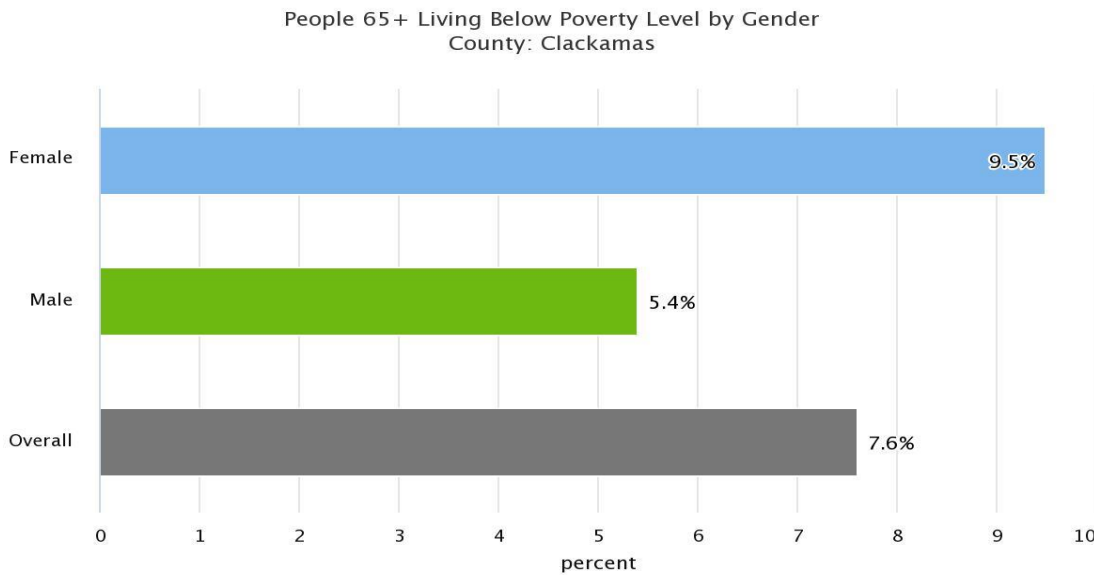


Based on ALICE data, single adult with children households are also most likely to struggle to meet the ALICE Threshold.

Group	% Below ALICE Threshold
Single or Cohabiting (no children)	38%
Married (with children)	15%
Single-Female-Headed (with children)	75%
Single-Male-Headed (with children)	58%

<https://www.unitedforalice.org/county-reports/oregon>

The income disparity based on gender continues with older adults. Overall 7.6% of **adults 65 years and older lived in poverty (FPL)** in 2021, with **9.5% of women** and **5.4% of men** in this age group experiencing poverty.

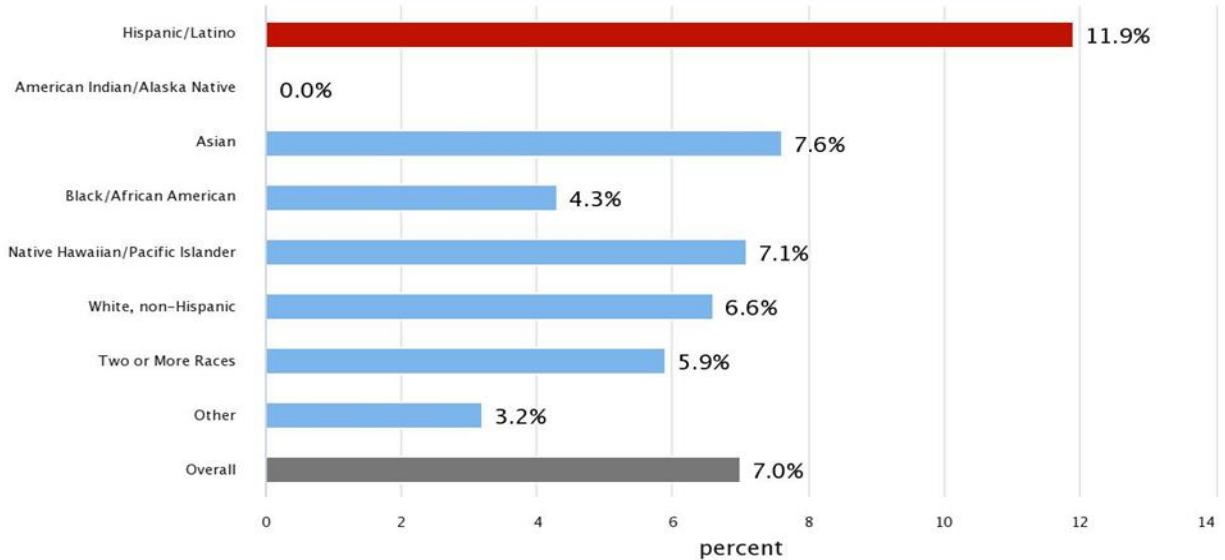


www.blueprintclackamas.com

Poverty and Ethnicity/Race

Based on 2021 American Community Survey 5-year estimates, 20% of the population identified as a race/ethnicity other than White alone, non-Hispanic. This subpopulation made up **23% of the residents living in poverty**. Disparities by race and ethnicity exist on several levels. First, children identifying as Hispanic/Latino(a, x) are significantly more likely to be living in poverty based on FPL, with 11.9% living in poverty compared to 7% of all children in the county.

Children Living Below Poverty Level by Race/Ethnicity
County: Clackamas

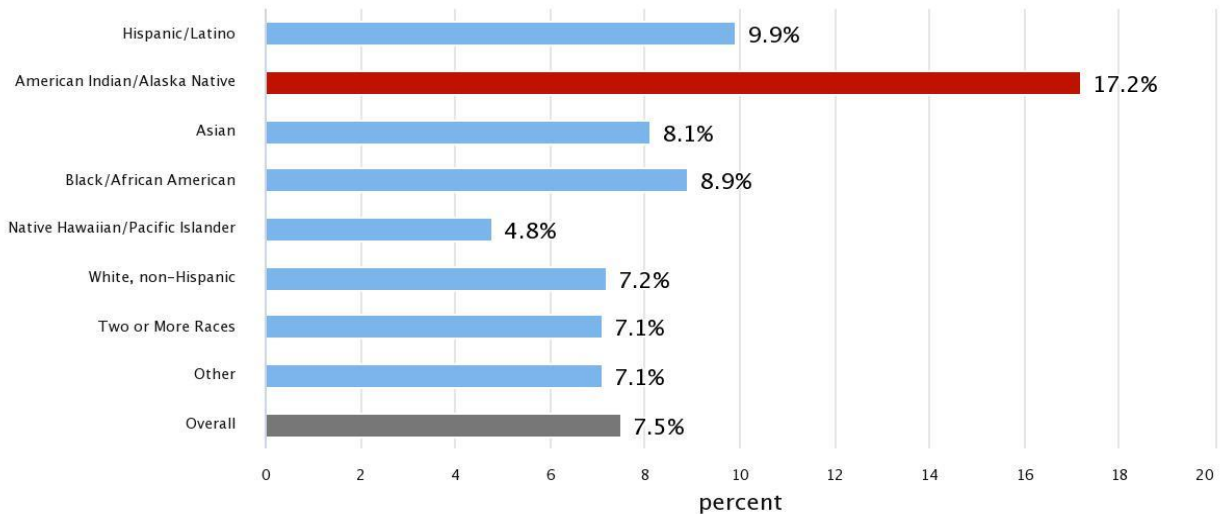


Source: American Community Survey 5-Year (2017-2021)



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Overall, residents identifying as **American Indian/Alaska Native** are much more likely to live in poverty, with **17.2% living in poverty** compared to the overall county rate of 7.5%. Further, **53.7%** of American Indian/Alaska Native county residents **age 65 years or older** living below the Federal Poverty Level.

People Living Below Poverty Level by Race/Ethnicity
County: Clackamas

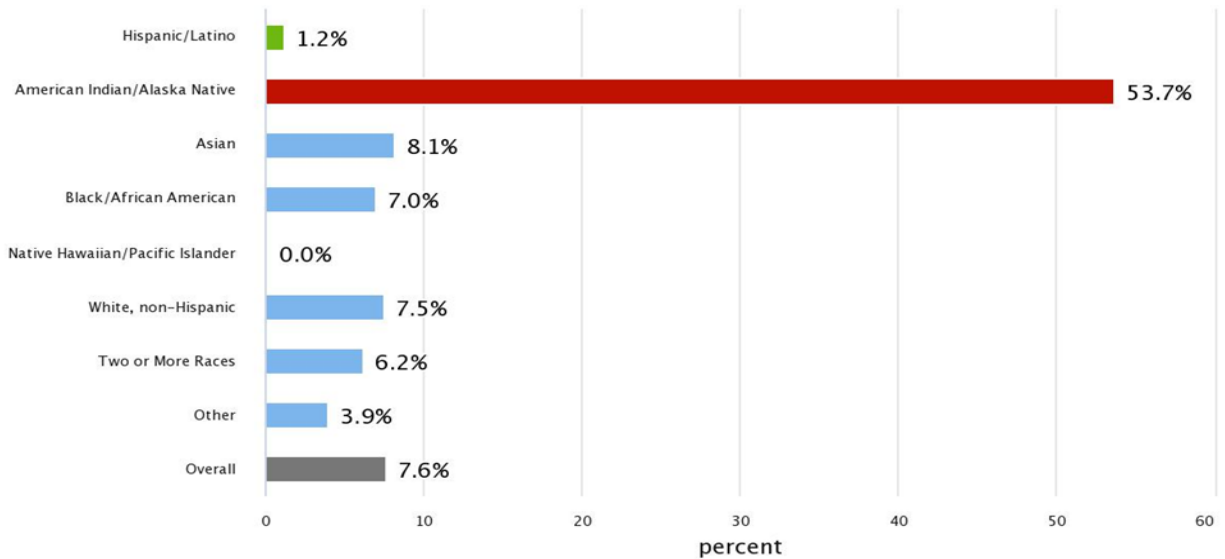


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 Significantly worse than the overall value
 No significant difference with the overall value

Source: American Community Survey 5-Year (2017-2021)

People 65+ Living Below Poverty Level by Race/Ethnicity
County: Clackamas



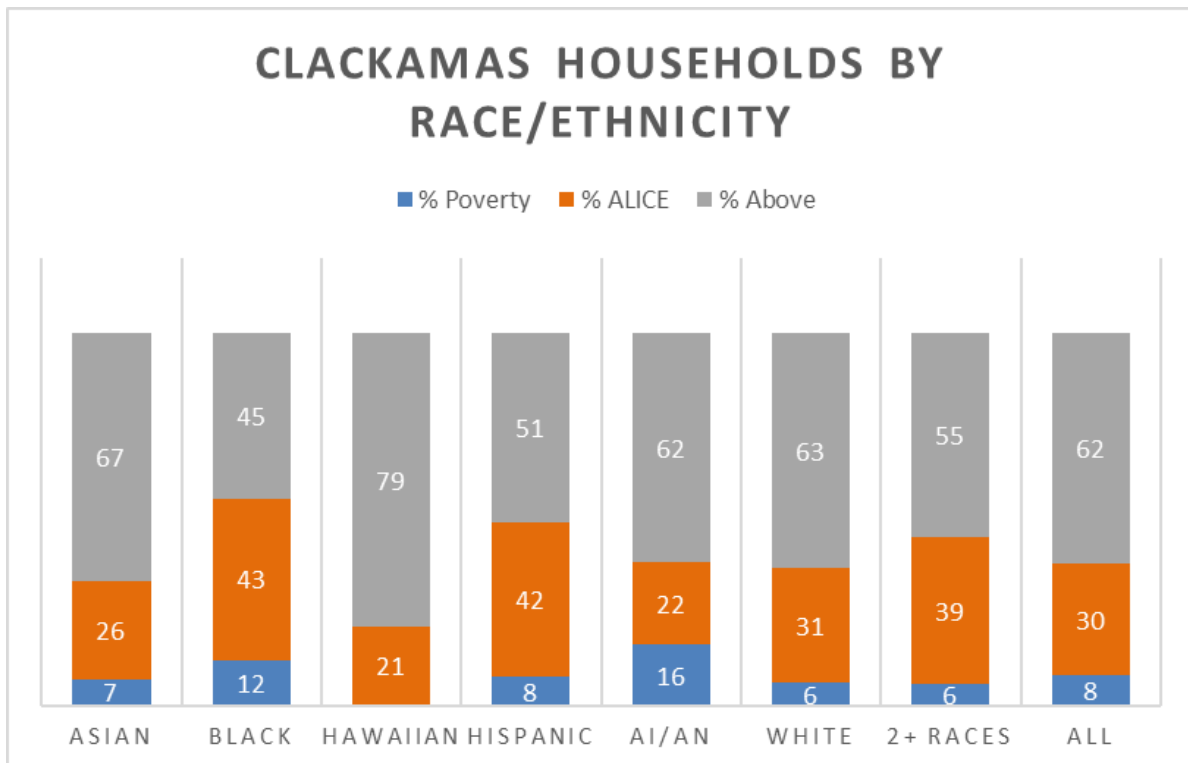
Source: American Community Survey 5-Year (2017-2021)

www.blueprintclackamas.com

At the household level, households with **Black** and/or **Hispanic/Latino(a, x)** members have the highest rates of living on income **below the ALICE survival budget threshold**.

Number of Households by Type by Race/Ethnicity, Clackamas County, Oregon, 2021

<https://www.unitedforalice.org/county-reports/oregon>



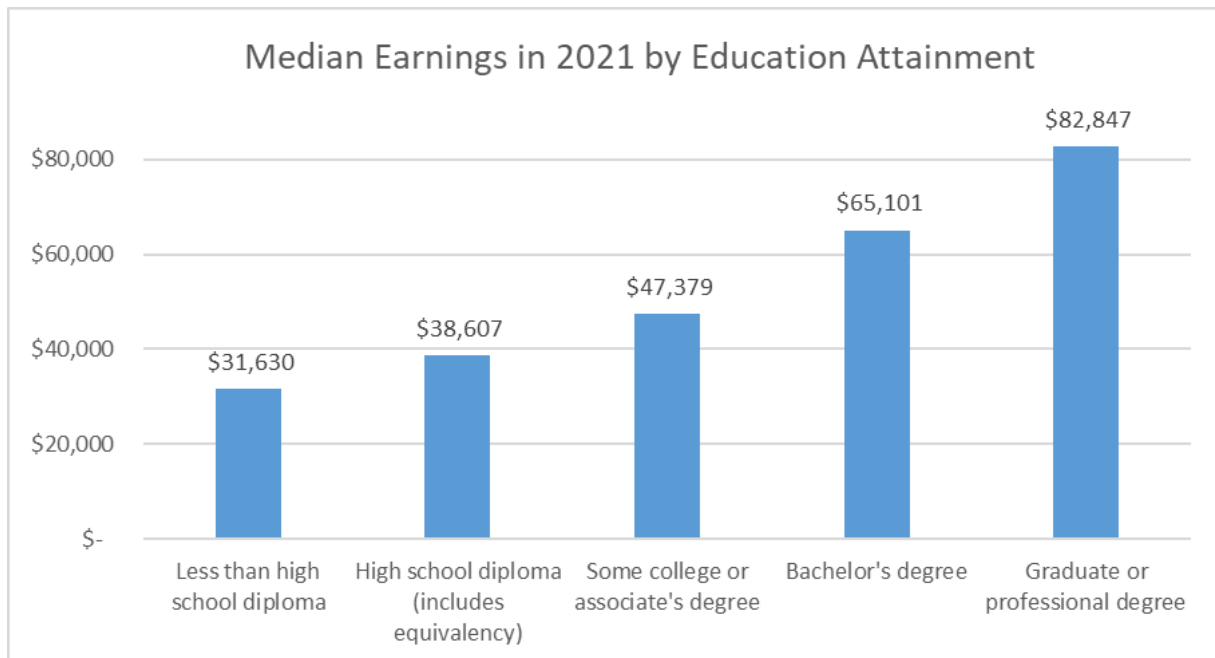
Poverty and Disability Status

In Clackamas County, **11.8%** or **49,265 residents** are living with **at least one disability**. These residents are more than twice as likely to have incomes **at or below the poverty level** compared to residents who have no disability (**17%** versus **6.2%** respectively).

Further, many residents living with a disability have limited opportunities to increase their income. In 2021, of the residents **16 years or older who had a disability, 26.9% were employed**, compared to 66.5% of residents 16 years or older who had no disability. The **median annual income** was significantly different base on disability status - **\$27,157** for people living with a disability and **\$45,841** for those with no disability.

Poverty and Education

County residents with lower levels of educational attainment are more likely to have difficulty meeting their basic needs. The chart below shows the **2021 median annual income** of **Clackamas County residents 25 years and older** who earned income in the previous 12 months based on education level. (American Community Survey 5-Year Estimates 2017-2021). Based on **ALICE** data, in 2021 a single adult survival budget required **\$43,272** annual earnings. This indicates that **at least half of the residents 25 years and older with less than a bachelor's degree are not earning enough to cover their basic expenses**.



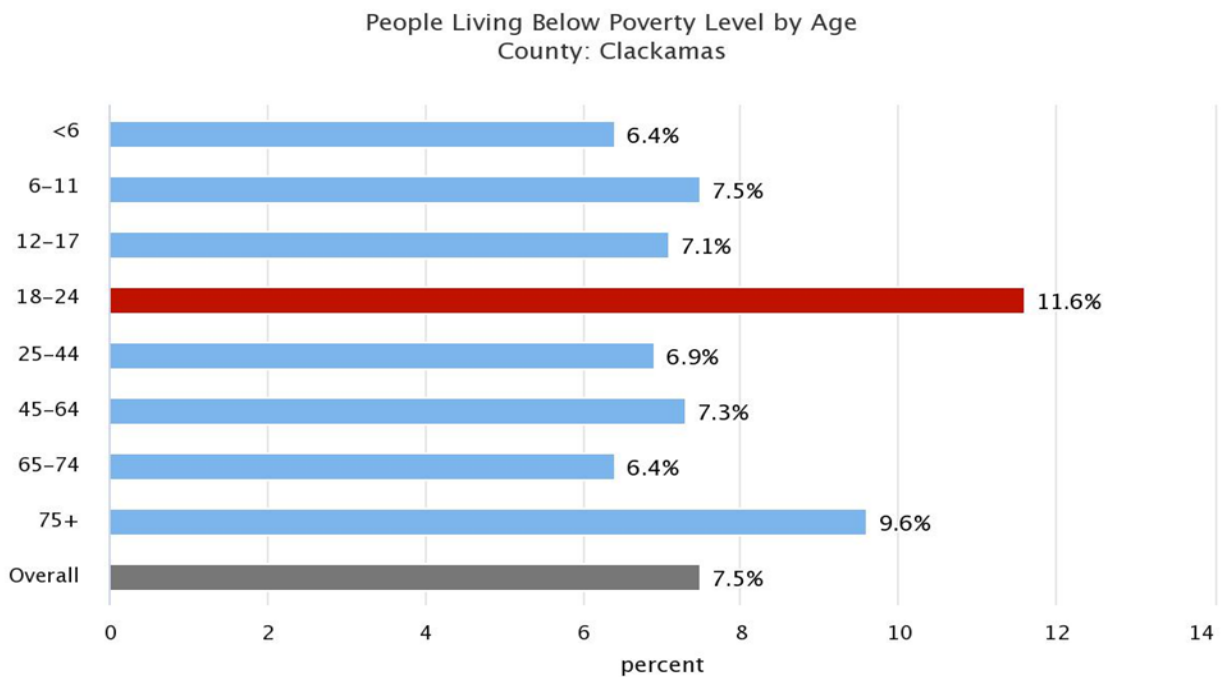
Only **39%** of Clackamas County residents 25 years and older hold a bachelor's degree or higher.

Poverty and Age

Young adults, age 18 to 24 years, are the age group with the highest rate of poverty in Clackamas County at **11.6%**, followed by adults age **75 years and higher at 9.6%**. This is mirrored in the data for households struggling to earn the ALICE budget by age of head householder as seen below.

HOUSEHOLD TYPE		AGE OF HOUSEHOLDER	
Group		% Below ALICE Threshold	
Under 25		75%	
25 to 44 Years		39%	
45 to 64 Years		40%	
Seniors (65+)		50%	

<https://www.unitedforalice.org/county-reports/oregon>



Source: American Community Survey 5-Year (2017-2021)

www.blueprintclackamas.com

These two age groups that bookend an adult’s typical earning years, face unique challenges in achieving financial self-sufficiency. **Young adults** are completing their high school education, potentially seeking higher education opportunities that increase in cost each year, and navigating a **job market that primarily offers low-wage service jobs** for workers with high school diplomas. In 2021, the top three occupations with vacancies in the county were health

care support (\$16.68/hr), transportation and material moving (\$18.22/hr), and food preparation and serving related (\$14.97/hr) – all offering wages below the county average of \$19.78/hr for all job vacancies. (State of Oregon Employment Department).

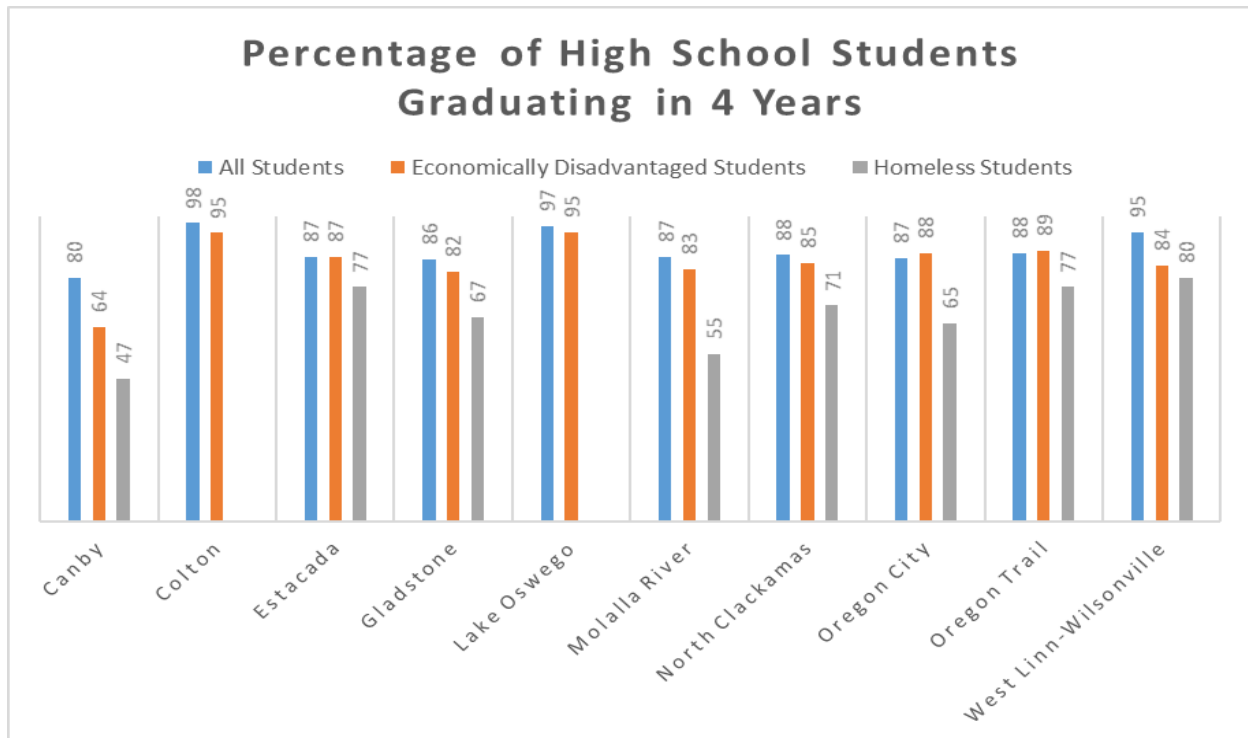
While more than half (64%) of job vacancies in Clackamas in 2021 required no education beyond high school, the average wage for those positions were well below those that required postsecondary education.

Clackamas County Job Vacancies by Required Education Level, 2021

Required Education Level	Vacancies	Average Hourly Wage	Full-time Positions	Permanent Positions	Require Previous Experience	Difficult to Fill
All Education Levels	10,088	\$19.78	76%	96%	52%	72%
No Requirement	3,173	\$17.61	82%	95%	36%	76%
High School Diploma	3,299	\$18.25	81%	99%	66%	78%
Postsecondary or Other Certification	2,461	\$25.53	63%	95%	62%	69%
Bachelor's or Advanced Degree	267	\$25.27	66%	100%	100%	90%
Unknown	888	\$15.28	77%	91%	20%	35%

State of Oregon Employment Department. "Help Wanted in Clackamas County: Results from the 2021 Job Vacancy Survey." (qualityinfo.org)

Not all young adults will have graduated from high school by the time they turn 18 years old. Students who qualify for free and/or reduced lunch - who are considered to be economically disadvantaged students - had lower rates of graduating high school in the traditional four-year period in school year 2021-22, as demonstrated in the chart below showing graduation rates by school district. Students experiencing homelessness were even less likely to graduate on time.



2021-22 At A Glance School District Profiles <https://www.ode.state.or.us/data/reportcard/reports.aspx>
*Colton and Lake Oswego homeless student populations were too small to report without compromising student confidentiality.

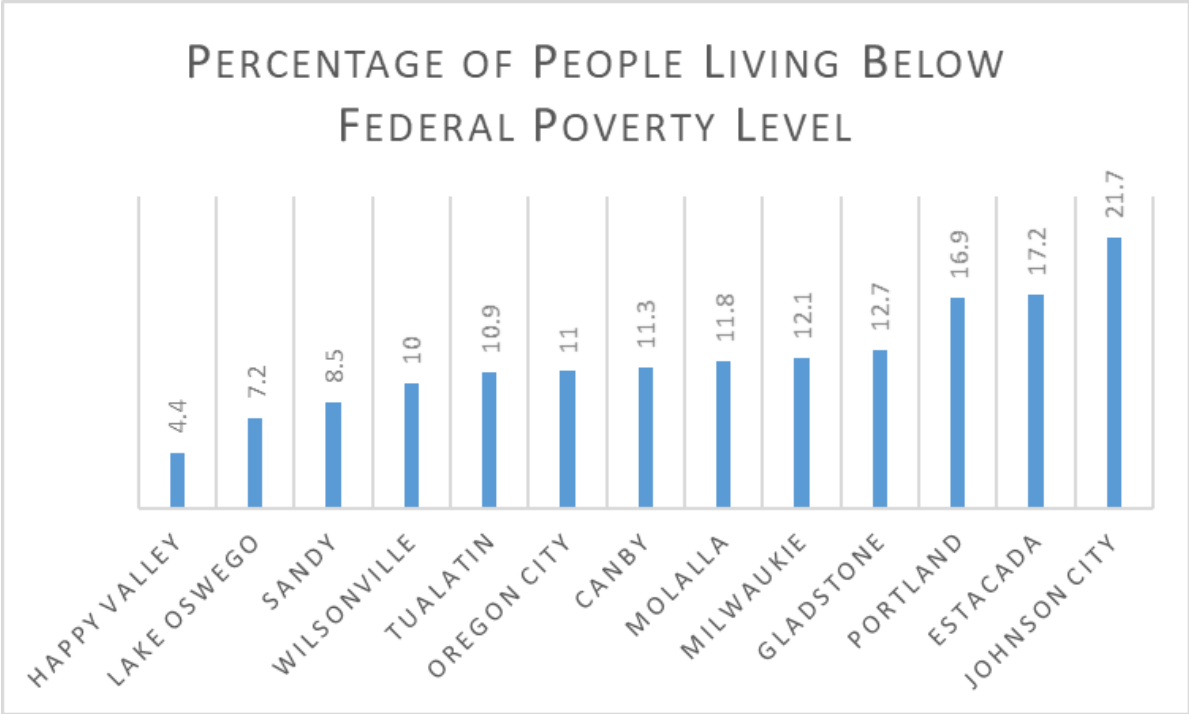
The second age group most vulnerable to poverty, **adults 75 years and older** are living on fixed incomes, experiencing increased health care costs, and having difficulty handling the daily tasks of living and maintaining a safe home. Based on American Community Survey 5-year estimates 2017-2021, **30.5%** of Clackamas residents 65 years and older **had at least one disability**; **39.1% lived alone**, and **17.6%** were **employed**. Of those who own their own home, **31%** were paying **more than 30% of their income on housing costs**. For those who rent, **67.5%** were paying **more than 30% on housing costs**. While **88.7%** received **Social Security income**, only **60.1%** had **additional income from a private source** like a pension or retirement savings.

Poverty and Geography

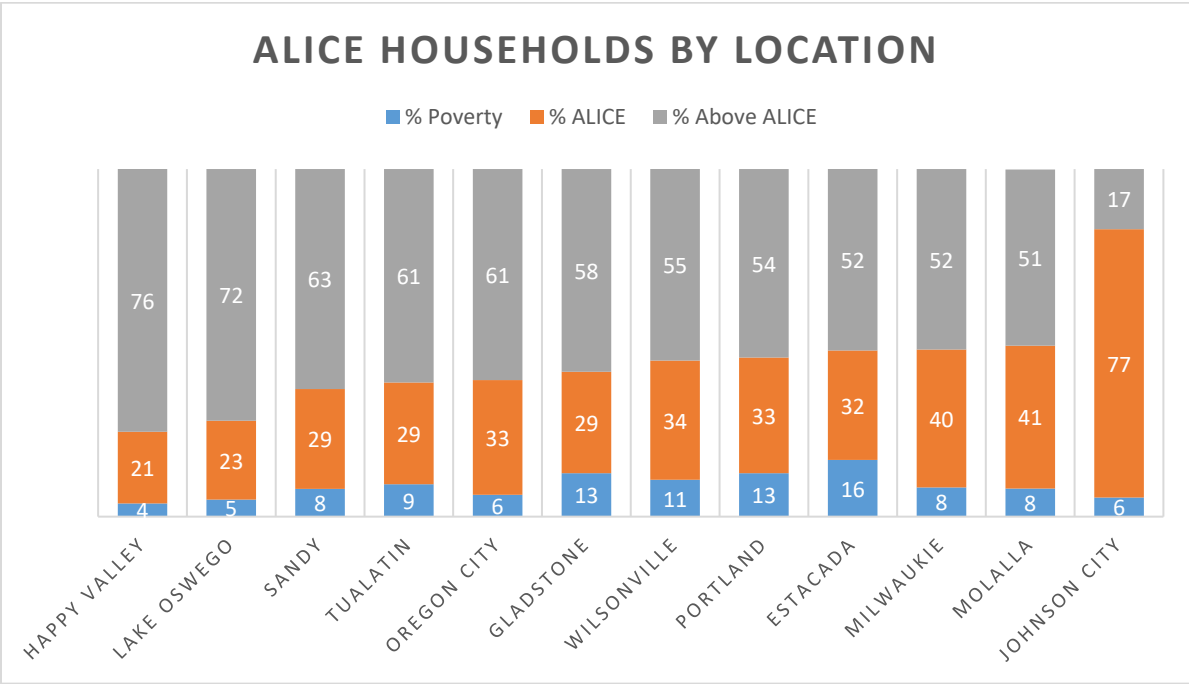
Clackamas County is home to some of the wealthiest Oregonians and some of the poorest, based on tax filings. Clackamas County had the highest average adjusted gross income (AGI) of all counties in Oregon in Tax Year 2020 at \$93,938. This compares to an AGI of \$79,447 in Multnomah County, \$84,321 in Washington County, and \$69,365 for Oregon overall.

The county also had the largest range of average AGI among its cities, with a range of \$60,863 in Gladstone to \$180,106 in Lake Oswego. This large range skews the average county AGI and masks the level of income disparity across the county. The average AGI range for cities in Multnomah County is \$55,149 in Fairview to \$87,436 in Portland. (*Oregon Department of Revenue Returns by County, Other States, and City.* <http://www.oregon.gov/DOR/programs/gov-research/Pages/research-personal.aspx>)

The following chart demonstrates how poverty and financial instability varies across the county from the economically advantaged cities of Happy Valley and Lake Oswego to the economically challenged communities like Estacada and Johnson City.



The ALICE Households by Location chart below shows that while some areas may have close to average numbers of people living below FPL, they have much higher numbers of people who do not qualify for public assistance but are struggling to achieve the ALICE survival budget threshold income.



Key Demographic Factors by Location

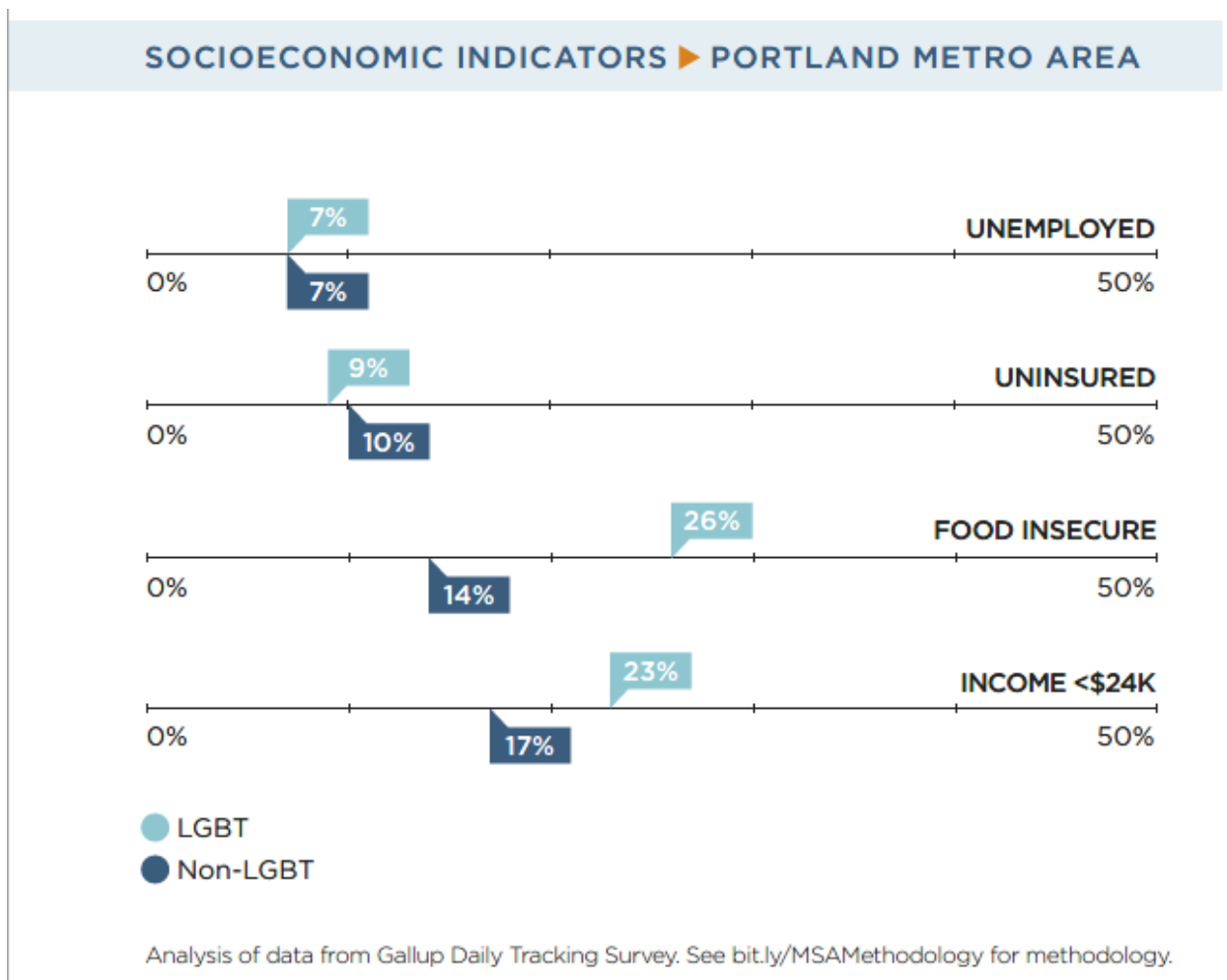
US Census QuickFacts 2021 (derived from multiple Census surveys) [census.gov/quickfacts](https://www.census.gov/quickfacts)

	Lake Oswego	Canby	Oregon City	Gladstone	Estacada	Milwaukie	Molalla
Population that identifies as a race/ethnicity other than White alone not Hispanic	22.3%	24.1%	12%	24.1%	7.7%	19.4%	11.2%
Language other than English spoken at home	13.8%	15%	8.5%	11.1%	2%	7.2%	6.7%
Single-parent household with children (% of all households with children)	12.4%	19.1%	12.1%	28.2%	6.9%	26.2%	11.2%
Per capita income	\$72,859	\$35,284	\$37,997	\$39,632	\$25,578	\$40,908	\$31,626
Persons with Bachelor's degree or higher (25 years+)	72.8%	28.7%	30.7%	26.1%	17%	38.7%	16.1%
Youth aged 16 to 19 years who are not enrolled in school and are not working.	0.1%	11.7%	12.7%	2.5%	14.1%	6.4%	7.3%
Adults with disability living in poverty	9%	29.6%	19.3%	41%	50.4%	28.3%	19%
Adults without health insurance (under 65 years)	5.8%	13%	10.4%	10.5%	11.4%	9.7%	13.2%
Owner-occupied housing rate	70.7%	67.2%	66.1%	63.1%	85.5%	59%	65.3
Renters spending 30% or more of household income on rent	49.4%	52.4%	49.9%	54.4%	43.7%	54.6%	52.4%
Households with a broadband Internet subscription	95.6%	87.1%	86%	92.7%	87.1%	88%	89.1%

Poverty and LGBTQIA+

While there is limited local/county level data related to sexual orientation, gender identity and assigned sex at birth populations, reports released by the State of Oregon Department of Human Services (ODHS), the Williams Institute, Oregon Health Authority and the Trevor Project indicate that Oregon residents identifying as members of LGBTQIA+ populations experience the conditions of poverty at a higher rate than their heterosexual and cis-gender peers.

According to the Williams Institute of the University of California Los Angeles, **6.1% of the Portland Metropolitan Area residents identify as lesbian, gay, bisexual and/or transgender (LGBT)**. As the chart below illustrates, the LGBT population is more likely to be food insecure and has a higher percentage living on low incomes.



As noted earlier in the assessment, older adults experience a higher rate of living at or below the FPL in Clackamas County and are likely to be living on fixed incomes with limited opportunities to increase income. Overall, about 50% of older adult households are below the ALICE threshold. A September 2021 report on the LGBTQ+ Older Adult Survey commissioned by the ODHS Office of Aging and People with Disabilities demonstrates that LGBTQ+ older adults

are especially vulnerable to financial instability. (Note: the sample size of transgender older adults was too small for data analysis).

The report states that **42% of LGB older adults** (55 years of age and older) in Oregon are **living at or below 200% of FPL**, compared to 36.6% of their heterosexual peers. This is despite the LGB survey sample having higher levels of education and comparable employment rates. LGB older adults are **more likely to live alone** (36.9% vs 28.5%). **One-third of LGBTQ+ study participants reported having difficulty paying bills and/or buying nutritious meals due to financial stability**, and nearly two-thirds reported that they are concerned about maintaining their current housing. Nearly **60% reported experiencing discrimination** within the previous year. The report estimates that about 3.4% of Oregonians aged 55 and older identify as lesbian, gay or bisexual, compared to the national estimate of 1.3-2%.

The age group with the highest level of members living at or below FPL is the 18 to 24 year olds. Results from the 2020 Oregon Student Health Survey produced by the Oregon Health Authority show that of the 1,420 **11th graders in Clackamas County** who completed the survey, **17% identified as LGB**, another **4.2% identified as something other than LGB or heterosexual**, and 5.6% reported being unsure of their sexual orientation.

According to the Trevor Project, a suicide prevention organization for LGBTQ young people, LGBTQ youth are overrepresented among young people experiencing homelessness and housing instability in the United States. In its 2021 National Survey of LGBTQ Youth, the Trevor Project found that **29% of LGBTQ youth** respondents reported **experiencing homelessness**, being kicked out or running away.

LGBTQ youth also experience higher rates of mental health conditions. The Trevor Project's 2022 National Survey on LGBTQ Youth Mental Health: Oregon) reports that **44% of LGBTQ youth** in Oregon seriously **considered suicide** and **14% attempted suicide** in the previous year; **73%** experienced symptoms of **anxiety** and **56%** experienced symptoms of **depression**. Survey results indicated that LGBTQ youth experienced multiple stressors, with **34% experiencing threat or harm** and **73% experiencing discrimination** based on sexual orientation or gender identity. Only **51% of survey respondents** stated that their **home** was an **LGBTQ-affirming space** and only **47%** identified their **school as LGBTQ-affirming**.

Theory of Change and Community Needs

A Theory of Change seeks to connect activities and interventions with achieving long-term goals. It works by "back casting," or starting with the long-term goals and working backward to identify the specific outcomes needed to achieve each goal.

Building upon the work of the Community Action Partnership of Oregon and regional partners, Clackamas County has adopted a Theory of Change model that describes the services and supports that are required to move people from crisis to stability to being equipped to exit poverty. The model includes the acknowledgement that for some, especially older adults and

persons with disabilities who rely on meager Social Security benefits, achieving a state of stability and reducing the amount of time spent in crisis may be the best achievable outcome. Exiting poverty is an unattainable goal.

Identified Needs

Job Opportunities

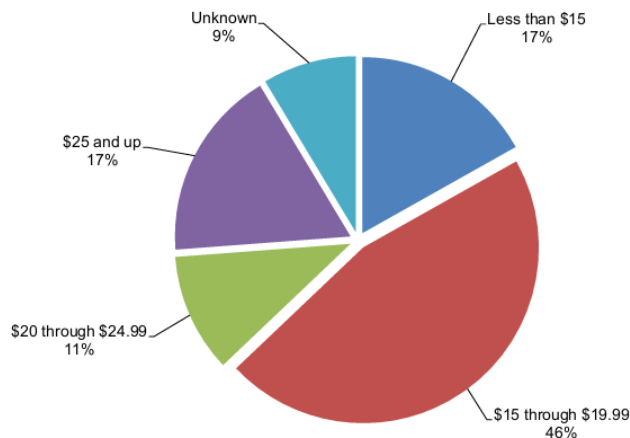
According to the respondents of the 2021 CCSSD Community Needs Survey, access to better job opportunities that provide a living wage is the number one factor that could improve their circumstances – 37% listed job opportunities in their top three areas for improvement.

Respondents stated the cost of living – especially related to housing, food, and healthcare – was increasing faster than their income.

The average wage of 2021 job vacancies in the county was \$19.78, well below what was needed to reach the ALICE household survival budget, and the top three most available job opportunities were offering wages well below the average (health care support at \$16.68/hr; transportation \$18.22/hr; and Food preparation at \$14.97/hr). This indicates that access to higher paying jobs is limited in Clackamas County. *(State of Oregon Employment Department)*

Almost half of the 2021 vacancies in Clackamas County paid starting wages of \$15 to \$19.99 per hour.

Clackamas County Job Vacancies by Hourly Wage, 2021



Without adequate household income, households are constantly struggling to pay for key basic needs – housing and related costs, food, and the transportation needed to work and complete daily errands.

Housing

The cost and availability of housing continues to be a major stressor for Clackamas County residents. According to the American Community Survey estimates, **54.5% of renters** and **31.1% of homeowners** with mortgages are spending more than 30% of their household income on

housing costs. **Renters 65 years and older are especially stressed**, with **67.5%** paying more than 30% of their household income on rent.

2021 CCSSD Community Needs Survey respondents identified stable housing as the second most common area that could improve their circumstances. Of the respondents who reported that their **household did not make enough money to make ends meet**, **66%** were **renting** their home and **30%** reported that it was **somewhat to very likely** that they would have to leave their home within the next year because of **eviction or foreclosure**.

When asked what prevents them from maintain stable housing, all respondents identified these top five reasons were

1. Lack of money/high cost of living
2. Lack of affordable housing options
3. Underemployment/unemployment
4. Mental/physical health condition
5. High housing related costs – taxes, utilities, home maintenance.

To afford a 1-bedroom apartment at the Clackamas County average rate as of August 2023, which is \$1,305:

- To afford this apartment while working **fulltime** and while paying **30% of income on housing**, the person needs an **hourly wage of \$25.09**.
- A person earning the standard minimum wage (\$14.20) must work **71 hours per week**

The average monthly rent for a one bedroom apartment as of August 2023 in...

Canby is \$1,525

Milwaukie is \$1,575

Gladstone is \$1,565

Molalla is \$975

Lake Oswego is \$1,827

Oregon City is \$1,335

Zumper.com

Further, in 2022, the **top two unmet needs** in Clackamas County recorded by the 211info.org, an independent, nonprofit phone-based and online service that helps residents identify, navigate and connect with the local resources they need, were **electric service payment assistance** and **rent payment assistance**.

Transportation

Clackamas County encompasses 1,883 square miles. One eighth of the county is urban, the remainder is suburban, small town and rural. Five different transit agencies serve the county (TriMet, SMART (Wilsonville), South Clackamas Transit District, Sandy Area Transit and Canby

Area Transit). In addition, the Mt Hood Express provides service in the Hoodland area. An estimated 14% of the county's population is without public transportation. This compares to 0.7% of the population in Multnomah County and 4.2% in Washington County who are without public transportation.

According to Blueprint Clackamas (blueprintclackamas.com), **4.8% of households** in Clackamas County **do not have a vehicle**. This can be especially difficult in rural areas like Estacada and Molalla, where 6.2% and 9.8% of households do not have a vehicle.

Clackamas County residents consistently identify transportation as an issue that affects their ability to complete the tasks of daily living – working, attending medical appointments, buying food, meeting friends and family. In the 2021 CCSSD Community Needs Survey, respondents identified **transportation as one of the top three areas that could improve their circumstances**. Of the respondents who reported that their household did not make enough money to make ends meet, **51% reported that lack of transportation interfered with their ability to do daily activities**.

When asked what transportation options would be most useful in helping respondents do their daily activities, the top five options identified by the 2021 CCSSD Community Needs Survey respondents were

1. Expanded public transit – more trains/buses/service in rural areas/in-town shuttles
2. Having a vehicle of their own
3. Free and/or affordable door-to-door service
4. Gas assistance/lower gas prices
5. Assistance with insurance and licensing

Transportation issues are even more acute for older adults. In the 2019 Community Needs Survey conducted for the development of the Older Americans Act Area Plan, respondents identified lack of transportation as one of the top factors that affects their ability to maintain independent living. Older adults are more likely to have difficulty accessing food and health services **due to the inability to drive and/or navigate public transportation**. Overall, **12.4% of residents 65 years and older report having difficulty with independent living**. This ranges from 8.1% of older adults in suburban Lake Oswego to 36.1% in rural Estacada.

Food Security

Food insecurity is the inability to access adequate, healthy food throughout the year because of a lack of money or other resources. The Oregon Hunger Task Forces reports that **8.3%** of Clackamas County residents were **food insecure 2022**. This means that close to **35,000 people** either skipped a meal or had to reduce their portion because of lack of food. Further, **44%** of the people reporting food insecurity **did not qualify for federal nutrition assistance programs**. This compares to **25% statewide**. Residents who identify as **Black (24.9%)**, **Native American (21.7%)**, or **Hispanic/Latino/a/x (19%)** have **higher rates of food insecurity**.

Beyond the physical pain of real hunger, food insecurity has been linked with low academic achievement and behavioral problems such as Attention Deficit Disorder among children and increased morbidity in all age categories. Compounding this, low-income families move more often due to eviction, job loss, or changes in family structure, often leading to social and academic problems.

Of the 2021 CCSSD Community Needs Survey respondents who reported that their household did not make enough money to make ends meet, **23% sometimes or often did not have enough** food in the past year and another **52%** reported that they had enough food but it was **often not the type of food they wanted to eat**. Further, **61%** got food from a **food pantry, food bank** or other location that provided free food in the last year. The highest subpopulation reporting use of free food sources in the last year was **persons living with a disability** at **71%**, followed by persons who identified as **Hispanic/Latino(a,x) or Slavic** at **66%**.

Seniors and others on fixed incomes are at especially high risk of food insecurity. Despite the availability of SNAP benefits, many qualified seniors do not apply. Reasons for this include a false belief that they will be taking resources away from someone who needs it more, a complicated application process, assumption that they will not qualify, and stigma of seeking government support, among others. The Oregon Hunger Task Force 2022 Clackamas County Report showed that **31% of people age 65 years and older who were eligible for SNAP benefits did not access the resource**

People with disabilities are also at risk of food insecurity and more likely to suffer from chronic conditions that are made worse by poor nutrition. According to the American Community Survey 5-Year estimates 2017-2021, more than **50%** of the **households** in the county that received **SNAP benefits** had **at least one member with a disability**.

While the ADRC of Oregon maintains listings of 104 food support related resources in Clackamas county, many have limited hours and transportation to and from the sites is often a challenge.

Accessing Assistance

Knowing where to go for help is key to achieving stability. When asked “When you need help, do you know who to contact for assistance?” **54%** of all 2021 CCSSD Community Needs Survey respondents reported that they **sometimes or never knew who to contact**. For survey **respondents who reported that their household did not make enough money to make ends meet**, **67%** reported that they **sometimes or never knew who to contact**.

This indicates a strong need to create greater awareness of services resources available to low income residents.

Community Assets

While the community need is great, Clackamas County Social Services is joined by many government and nonprofit partners in finding real solutions to assist residents in achieving stability and a higher quality of life.

Housing

- Clackamas Housing and Community Development Division
- Clackamas Women’s Services
- Housing Authority of Clackamas County
- AntFarm
- Northwest Family Services
- Northwest Housing Alternatives
- St. Vincent de Paul of Portland
- The Father’s Heart
- Molalla HOPE

Transportation

- Canby Area Transit
- Ride Connection
- TriMet
- South Metro Area Regional Transit (SMART)
- South Clackamas Transportation District
- 10 area senior centers

Access to Food

- Esther’s Pantry
- Numerous community food banks
- Oregon Food Bank
- Oregon Department of Human Services
- Clackamas Service Center

Information and Referral

- ADRC of Oregon
- 211.org

A partial list of other partners include:

- Clackamas County Public Health Division
- Clackamas Free Clinic (Volunteers in Medicine)
- Legal Aid Services of Oregon

- Love, Inc.
- North Clackamas Parks & Recreation District
- Oregon Department of Human Services
- Providence Health System
- 10 School Districts

Community Needs Survey

From June 1, 2021 through August 15, 2021, Clackamas County Social Services Division conducted a community needs survey. The 32-question survey asked residents about their experiences and needs related to food, housing, transportation, health, employment, childcare and access to resources.

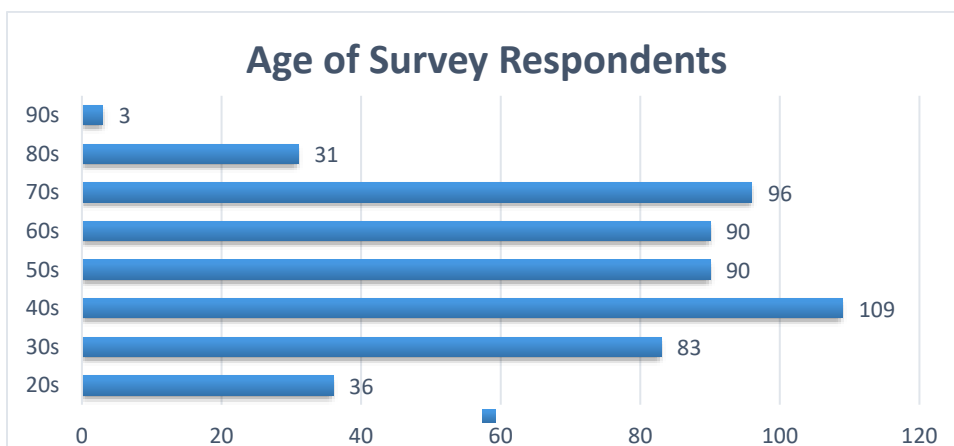
The survey was available online and in paper form in three languages – English, Russian, and Spanish. Conducted during the COVID-19 pandemic, distribution methods relied heavily on social media postings (NextDoor, Facebook, Twitter, LinkedIn), email distribution to social services providers and current Social Services clients, and website presence to gather community input, as in-person contact with residents was limited. Paper versions of surveys were distributed to residents using drive-up food distribution events, drive through COVID vaccine clinics, and culturally specific community events.

Efforts were made to ensure the survey reached those most vulnerable in the community and reflected the demographic makeup of the county. In total, 691 residents responded to the survey, the majority completing the survey online.

Demographic Comparison of Clackamas County and Survey Respondents

	County	CAB Survey Respondents
	161,295 Households	691 Respondents (English, Spanish & Russian versions combined)
Income \$36,000 or less	18%^	53.5%
Have a disability (18+ years)	14.2%^	36.8%
Veterans (18+ years)	7%^	13.4%
White Alone	79.5%+	85.3% (White alone/combined)
Hispanic/Latinx	9.6%+	8.2%
American Indian/Native American*	3.3%+	4.2%
Asian*	7.1%+	3.5%
Black/African American*	2.2%+	1.7%
Native Hawaiian/Pacific Islander*	0.7%+	0.9%
Some other race*	8.3%+	4.0%
Slavic		1.9%

^2019 ACS data; +2020 Census Data; *Alone and/or in combination with other races



Key Findings

NOTE: The survey was conducted during the COVID-19 pandemic, which likely affected respondents' answers. Just prior to the start of the pandemic, the unemployment rate in Clackamas County was 3 percent. During the pandemic, the unemployment rate peaked in April 2020 at 12.8 percent. When this survey was conducted, the unemployment rate in the county ranged from 4.4 to 5 percent. (www.qualityinfo.org/clackamas)

Households are struggling to meet basic needs on their current income.

- **60%** of respondents had difficulty in **paying for usual household expenses** in the past year (24% a little hard, 20% somewhat hard, and 16% very hard).
- **48%** of respondents reported that their households **did not make enough money** to support their needs. ***For reporting simplicity below, these respondents will be referred to as high need respondents.***

Food

- **10%** of all respondents and **23%** of high need respondents often or sometimes **did not have enough to eat** during the past year.
- **30%** of all respondents and **52%** of high need respondents reported having enough food, but not the food they wanted to eat.
- **37%** of all respondents and **61%** of high need respondents had **received free food** in the past year (food bank, church or other provider).

Accessing Resources

- **54%** of all respondents and **67%** of high need respondents reported that they **sometimes or never knew who to contact when they needed assistance.**

Mental Health

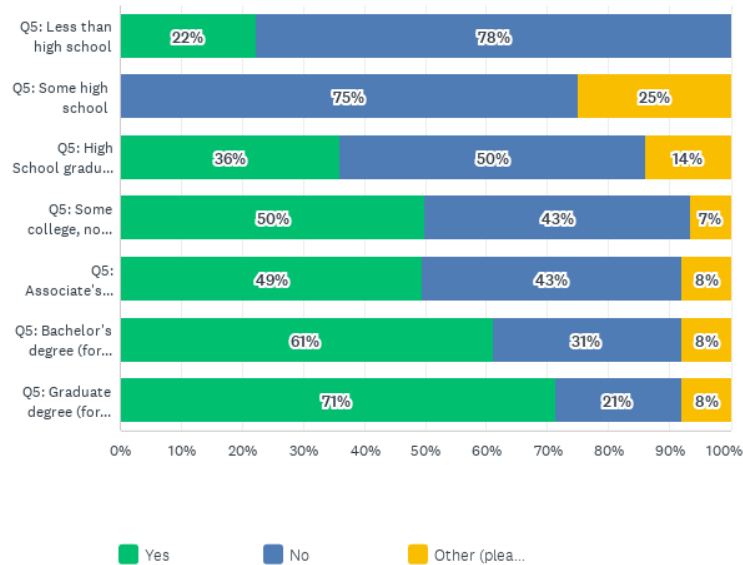
- **73%** of all respondents reported **experiencing loneliness** in the past year (42% sometimes, 23% often, and 8% always) and **87%** of high need respondents reported experiencing loneliness (36% sometimes, 34% often, and 17% always).

Transportation

- **33%** of all respondents and **51%** of high need respondents reported that **lack of transportation** interferes with their ability to do daily activities at least occasionally.

A respondent’s level of education appears to affect their ability to pay for household needs. Survey respondents with lower levels of education completion were more likely to report that their household did not make enough money to meet basic needs.

Q13 Do you feel your household makes enough money to support the household?



Demographics of High Need Respondents vs. Non-High Need Respondents

	High Need	Non-High Need
Have a Disability	51%	25%
Live with someone who has a disability	35%	27%
Served in the military	11%	17%
Had monthly income under \$3,000	79%	24%
Lived in an urban or suburban area	58%	46%
Identifies as person of color by race	18.4%	10.2%
Identifies as a person of color by ethnicity	11.4%	7.0%

Attachments

- 2021 Clackamas County Community Needs Survey
- 2021 Clackamas County Community Needs Survey Results
- 2021 Clackamas County Community Needs Survey Results: Respondents earning less than household needs.
- 2021 Community Needs Assessment Results to Open-Ended Survey Questions

**RS 4. B. 9/17/24
Presentation**

Poverty In Clackamas County

SEPTEMBER 2024

Community Action

The Promise of Community Action

Community Action changes people's lives,
embodies the spirit of hope, improves communities,
and makes America a better place to live.

We care about the entire community, and we are dedicated to helping
people help themselves and each other.

Community Action in Clackamas County

- u Clackamas County Social Services Division is the Community Action Agency for the county
- u The Community Action Board – 9 member Advisory Board
- u Community Needs Assessment every three years to identify the conditions of poverty
- u CAB Action Plan

2024 CAB Action Plan

2024 Action Plan Goals

- u Increasing awareness about the current state of poverty in Clackamas County, and programs that can help mitigate the impacts of poverty.
- u Delivering accessible, equitable, and culturally responsive services; and
- u Cultivating a sense of belonging so that all community members and program participants experience support, inclusion and safety when accessing CAA programs.

Poverty – lack of economic means to meet basic human needs.

Federal Poverty Level

Median Family Income

Asset-Limited, Income-Constrained, Employed

Federal Poverty Level

- Established in 1964
- Based on 1962 Dept. of Agriculture's Economy Food Plan
- Assumes a household spends 1/3 of its income on food.
- Adjusted annually based on Consumer Price Index
- Standard across states

Household/ Family Size	25%	50%	70%	100%	125%	150%	175%	200%
1	\$3,645	\$7,290	\$10,935	\$14,580	\$18,225	\$21,870	\$25,515	\$29,160
2	\$4,930	\$9,860	\$14,790	\$18,720	\$24,650	\$29,580	\$34,510	\$39,440
3	\$6,215	\$12,430	\$18,645	\$24,860	\$31,075	\$37,290	\$43,505	\$49,720
4	\$7,500	\$15,000	\$22,500	\$30,000	\$37,500	\$45,000	\$52,500	\$60,000
5	\$8,785	\$17,570	\$26,355	\$35,140	\$43,925	\$52,710	\$61,495	\$70,280
6	\$10,070	\$20,140	\$30,210	\$40,280	\$50,350	\$60,420	\$70,490	\$80,560
7	\$11,355	\$22,710	\$34,065	\$45,420	\$56,775	\$68,130	\$79,485	\$90,840
8	\$12,640	\$25,280	\$37,920	\$50,560	\$63,200	\$75,840	\$88,480	\$101,120

Outdated FPL Assumptions

2022 Consumer Expenditure Survey

Spending Category	All Consumers	Less than \$15,000	\$15,000 to \$29,999	\$30,000 to \$39,999	\$40,000 to \$49,999	\$50,000 to \$69,999	\$70,000 to \$99,999	\$100,000 to \$149,999	\$150,000 to \$199,999	\$200,000 and more
Housing	33.8%	41.2%	41.2%	37.8%	36.6%	36.1%	34.6%	31.5%	31.1%	29.2%
Transportation	16.4%	13.7%	15.5%	18.1%	18.4%	18.4%	17.7%	17.5%	15.4%	13.9%
Food	12.4%	16.7%	14.1%	13.8%	12.5%	13.3%	12.4%	12.5%	11.9%	10.1%
Personal insurance and pensions	11.8%	1.2%	2.8%	4.8%	6.4%	8.7%	11.3%	13.9%	16.4%	18.3%
Healthcare	8.1%	8.6%	10.9%	10.0%	9.2%	8.6%	8.4%	8.2%	7.7%	6.0%
Apparel, personal care products and services	3.8%	5.1%	3.6%	4.0%	4.0%	3.8%	3.8%	3.4%	3.5%	3.7%
Entertainment	5.3%	4.8%	4.6%	4.3%	5.0%	4.5%	5.1%	5.2%	5.6%	6.7%
Cash contributions	3.6%	3.1%	3.0%	3.2%	3.7%	2.7%	2.4%	3.2%	3.5%	5.8%
Education	1.8%	2.1%	1.1%	0.7%	1.2%	1.0%	1.2%	1.5%	1.9%	3.6%

2023 FPL with Food at 16.7% of calculation - \$25,500

Median Family Income

- Also known as Area Median Income or AMI
- Calculated based on specific geographic areas
- Uses U.S. Census data
- Used by HUD to determine eligibility for housing programs

Median Income Percentages 2023 (effective 5/15/2023)

Household Size	30%	40%	45%	50%	55%	60%	65%	80%	100%	120%
1	\$23,700	\$31,600	\$35,550	\$39,500	\$43,450	\$47,400	\$51,350	\$63,200	\$80,080	\$96,096
2	\$27,090	\$36,120	\$40,635	\$45,150	\$49,665	\$54,180	\$58,695	\$72,240	\$91,520	\$109,824
3	\$30,480	\$40,640	\$45,720	\$50,800	\$55,880	\$60,960	\$66,040	\$81,280	\$102,960	\$123,552
4	\$33,840	\$45,120	\$50,760	\$56,400	\$62,040	\$67,680	\$73,320	\$90,240	\$114,400	\$137,280
5	\$36,570	\$48,760	\$54,855	\$60,950	\$67,045	\$73,140	\$79,235	\$97,520	\$123,552	\$148,262
6	\$39,270	\$52,360	\$58,905	\$65,450	\$71,995	\$78,540	\$85,085	\$104,720	\$132,704	\$159,245
7	\$41,970	\$55,960	\$62,955	\$69,950	\$76,945	\$83,940	\$90,935	\$111,920	\$141,856	\$170,227
8	\$44,670	\$59,560	\$67,005	\$74,450	\$81,895	\$89,340	\$96,785	\$119,120	\$151,008	\$181,210

Asset-Limited, Income Constrained, Employed (ALICE)

- Launched by the United Way of Northern New Jersey and spread to include 31 U.S. states
- Grassroots movement to bring attention to the mismatch between low-paying jobs and the cost of survival
- Focused on households that earn more than the poverty level, but less than its basic survival budget
- Considers household composition and geographic location

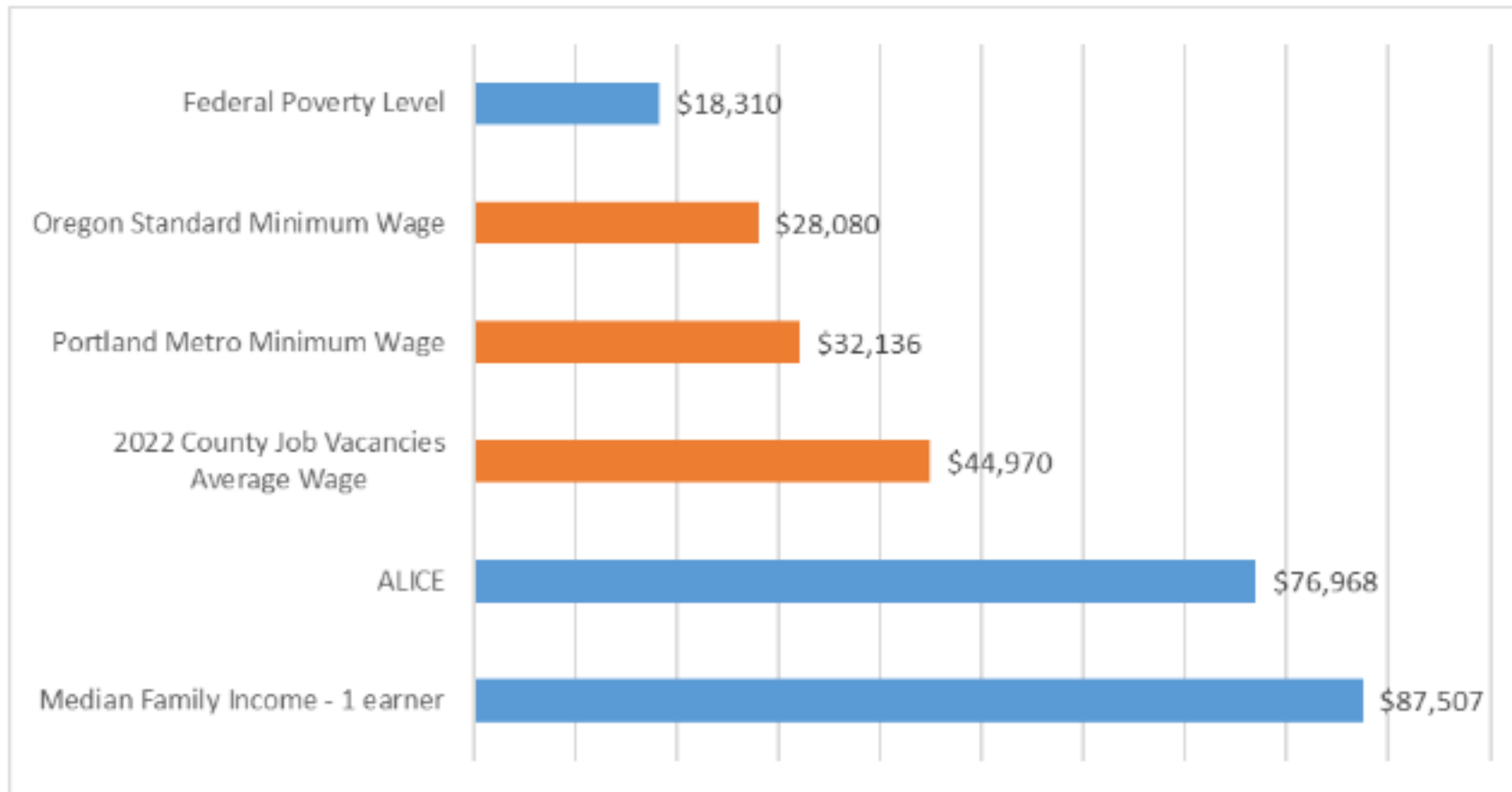
Budget Categories

- **Housing** – HUD fair market rates
- **Child care** – state market-rate surveys
- **Food** – USDA low-cost food plan
- **Transportation** – considers public transit, one car per household
- **Health care** – assumes employer-sponsored health insurance
- **Technology** – Smartphone plan
- **Misc.** – 10% of all other costs
- **Taxes** – including eligible credits

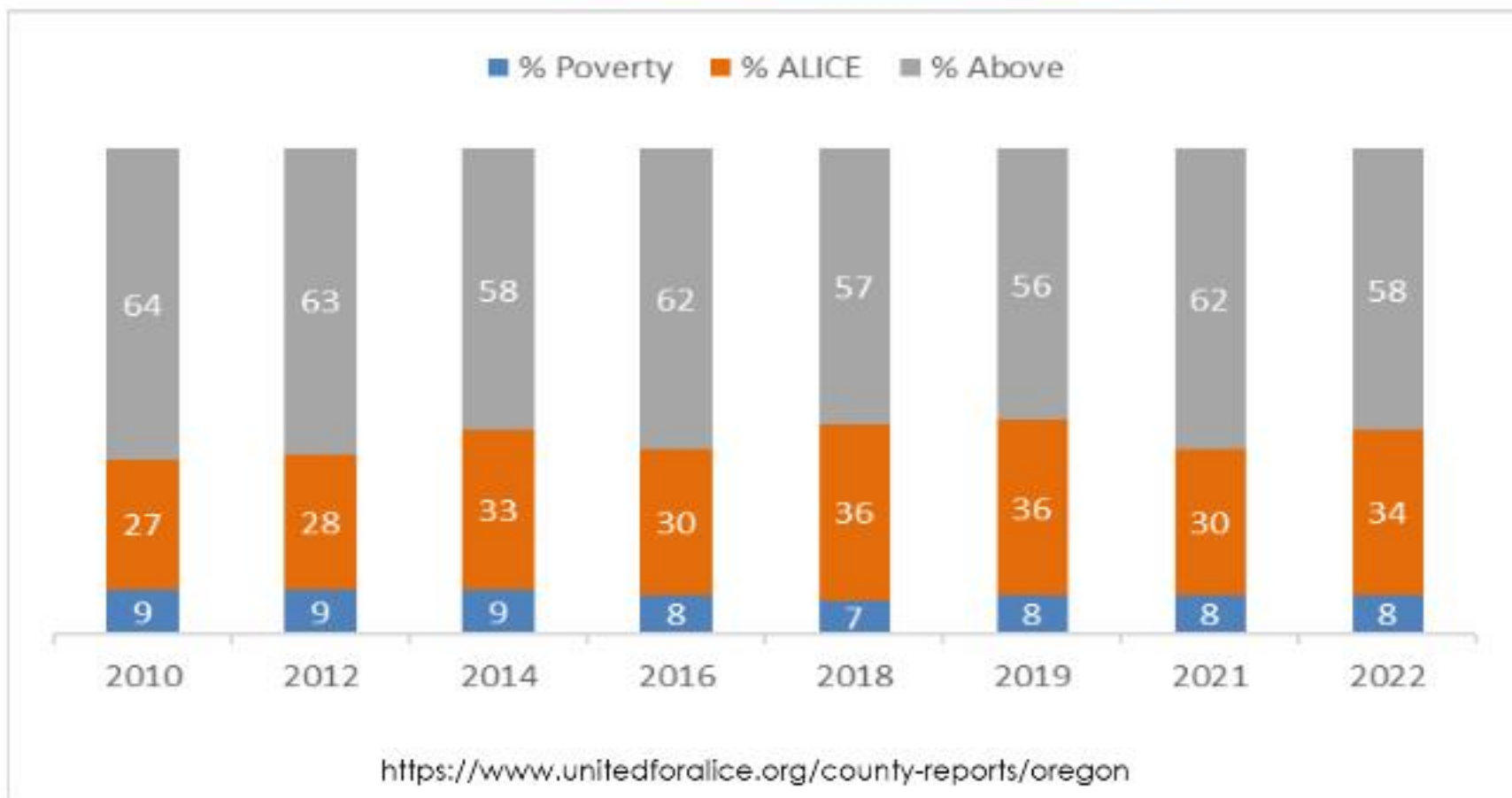
2022 ALICE Household Survival Budgets for Clackamas County

Monthly Costs and Credits	Single Adult	One Adult, One Child	One Adult, One In Child Care	Two Adults	Two Adults Two Children	Two Adults, Two In Child Care	Single Adult 65+	Two Adults 65+
Housing - Rent	\$1,812	\$1,852	\$1,852	\$1,852	\$2,110	\$2,110	\$1,812	\$1,852
Housing - Utilities	\$163	\$258	\$258	\$258	\$310	\$310	\$163	\$258
Child Care	\$0	\$300	\$800	\$0	\$600	\$1,650	\$0	\$0
Food	\$521	\$884	\$793	\$956	\$1,607	\$1,420	\$481	\$882
Transportation	\$416	\$550	\$550	\$657	\$1,067	\$1,067	\$352	\$529
Health Care	\$135	\$393	\$393	\$393	\$674	\$674	\$534	\$1,068
Technology	\$86	\$86	\$86	\$116	\$116	\$116	\$86	\$116
Miscellaneous	\$313	\$432	\$473	\$423	\$648	\$735	\$343	\$471
Tax Payments	\$535	\$1,261	\$1,426	\$948	\$1,671	\$1,932	\$599	\$950
Tax Credits	\$0	(\$217)	(\$217)	\$0	(\$433)	(\$433)	\$0	\$0
Monthly Total	\$3,981	\$5,799	\$6,414	\$5,603	\$8,370	\$9,581	\$4,370	\$6,126
ANNUAL TOTAL	\$47,772	\$69,588	\$76,968	\$67,236	\$100,440	\$114,972	\$52,440	\$73,512
Hourly Wage	\$23.89	\$34.79	\$38.48	\$33.62	\$50.22	\$57.49	\$26.22	\$36.76

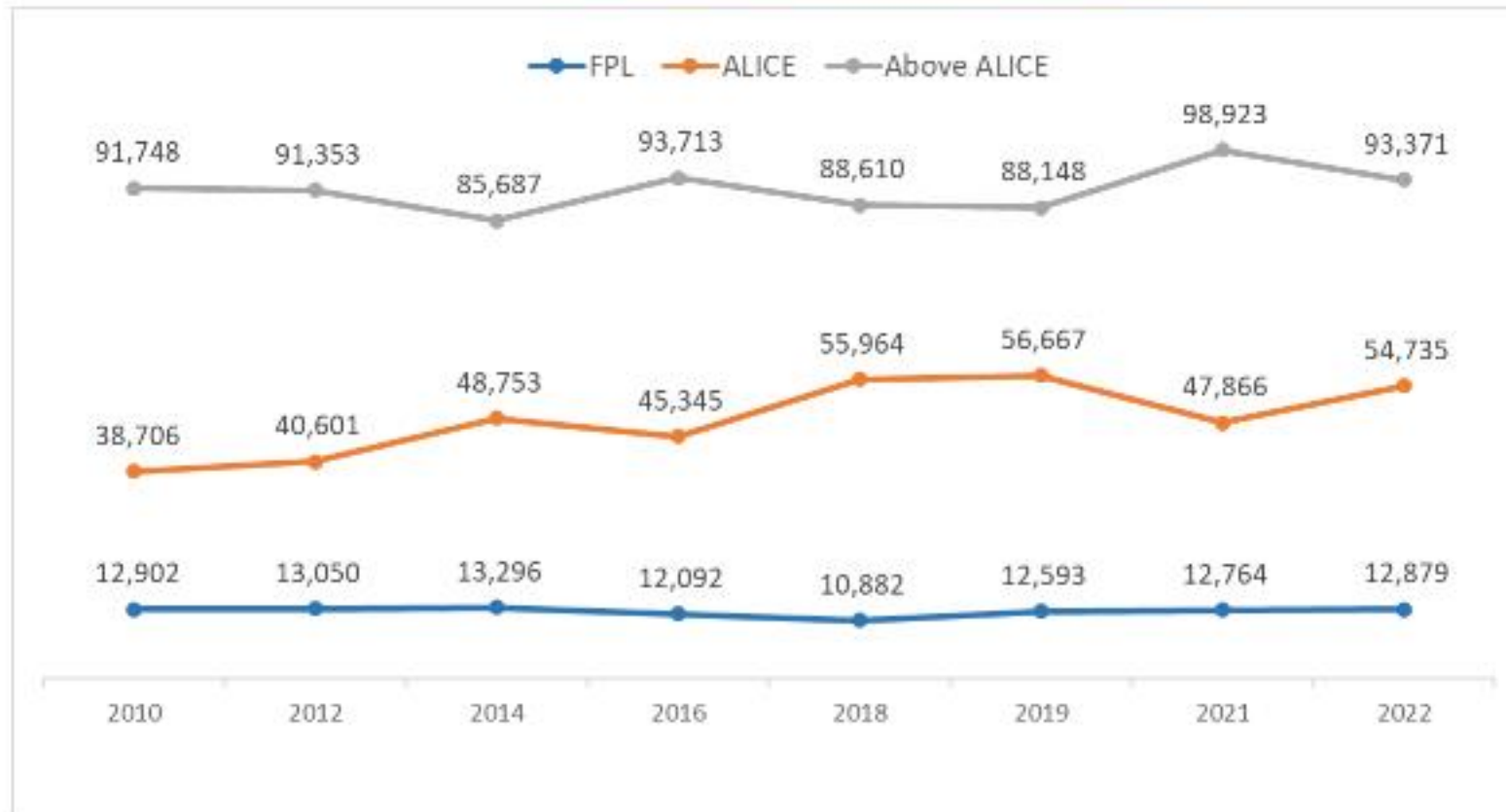
Income Level based on 2022 Wages and One Adult/One Preschooler in Childcare Household



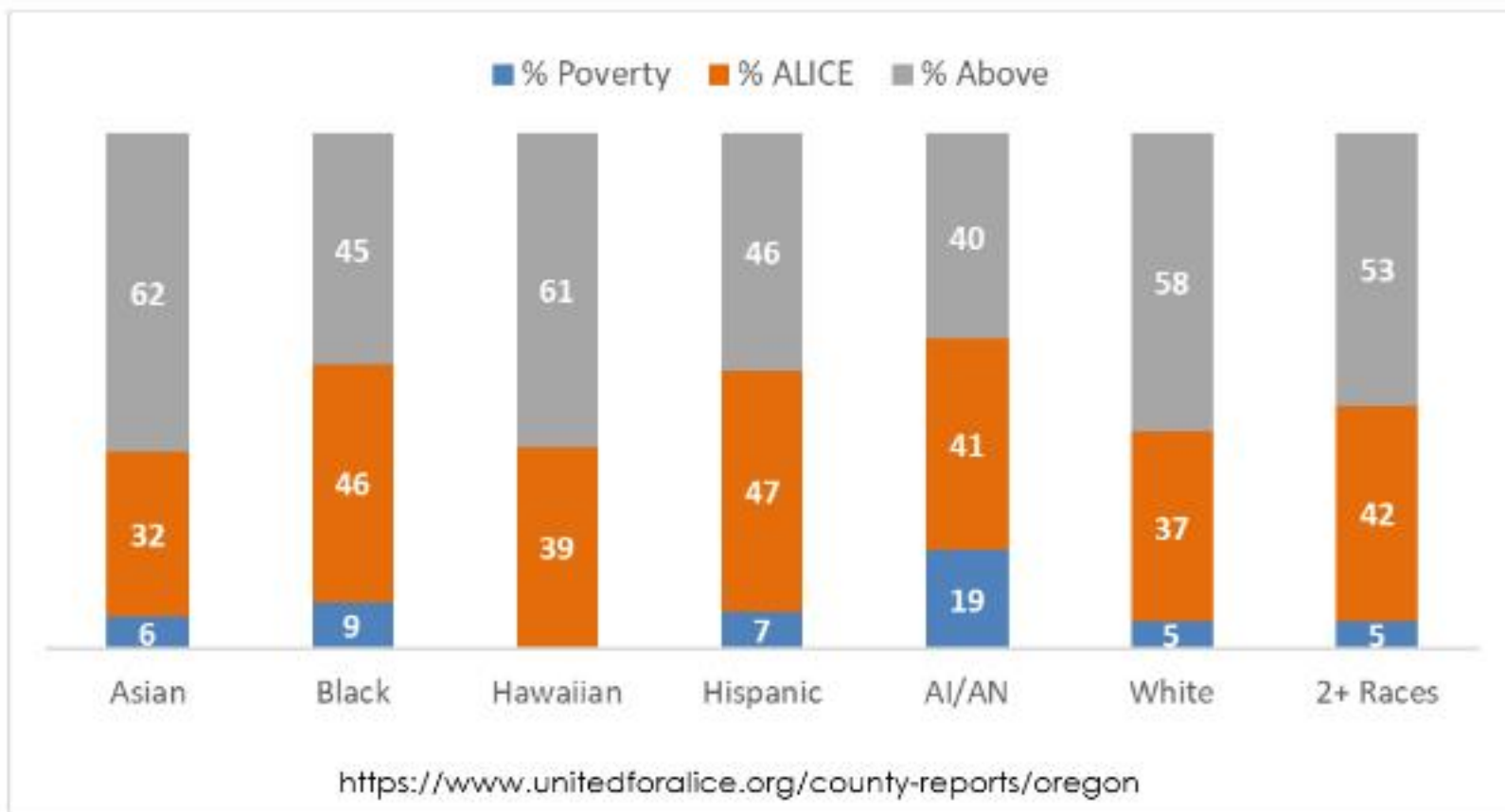
Clackamas Households by Percentage



Clackamas Households by Count



Clackamas Households by Race/Ethnicity

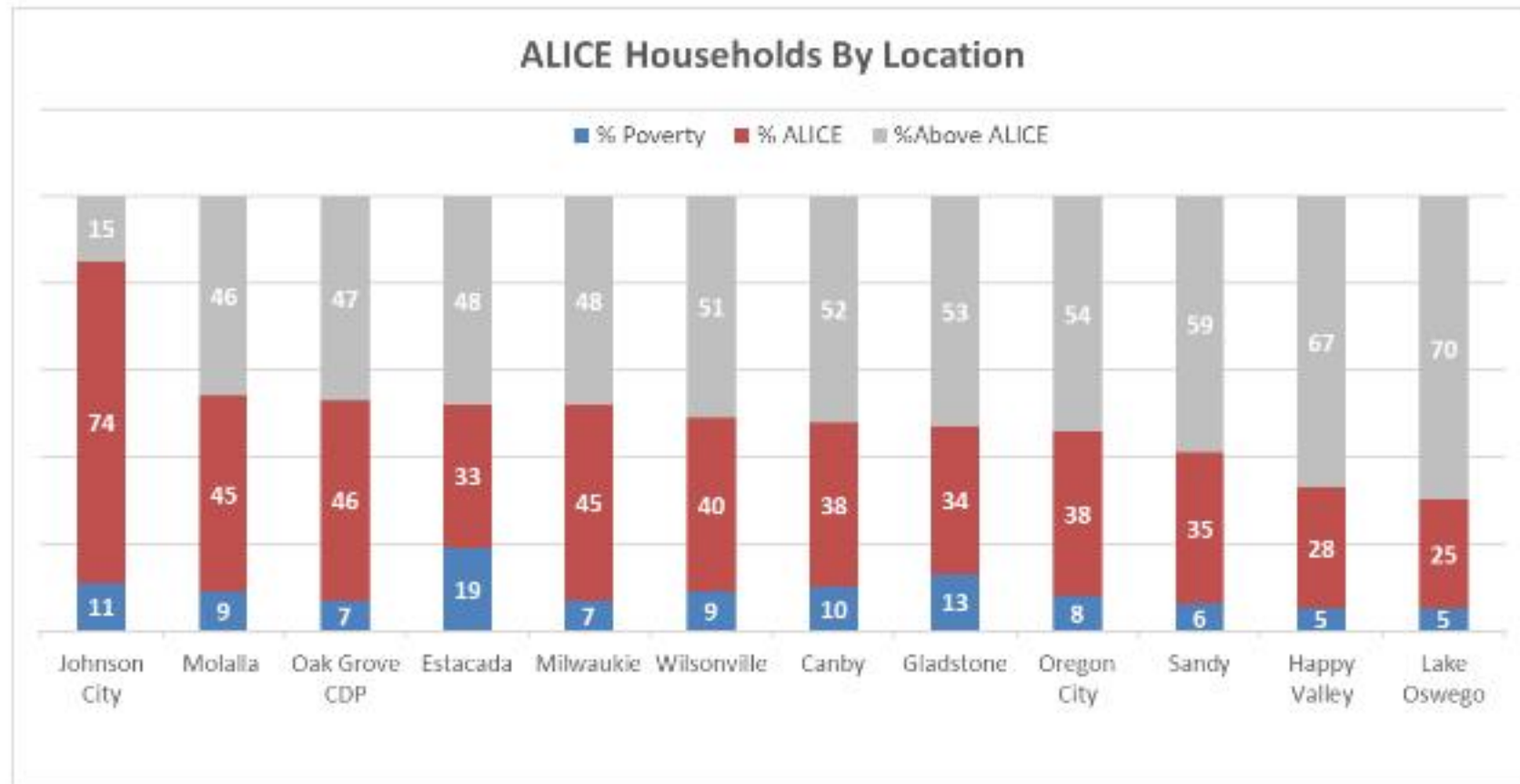


Households below the ALICE threshold in Clackamas County

Household Type	% Below ALICE Threshold	# of Households
Householder under age 25	78%	2,696
Single-Female-Headed (with children)	77%	5,970
Single-Male-Headed (with children)	72%	2,349
Native American	60%	496
Black/African American	55%	672
Hispanic/Latino/a/x	54%	5,491
Householder 65 years+	54%	25,990

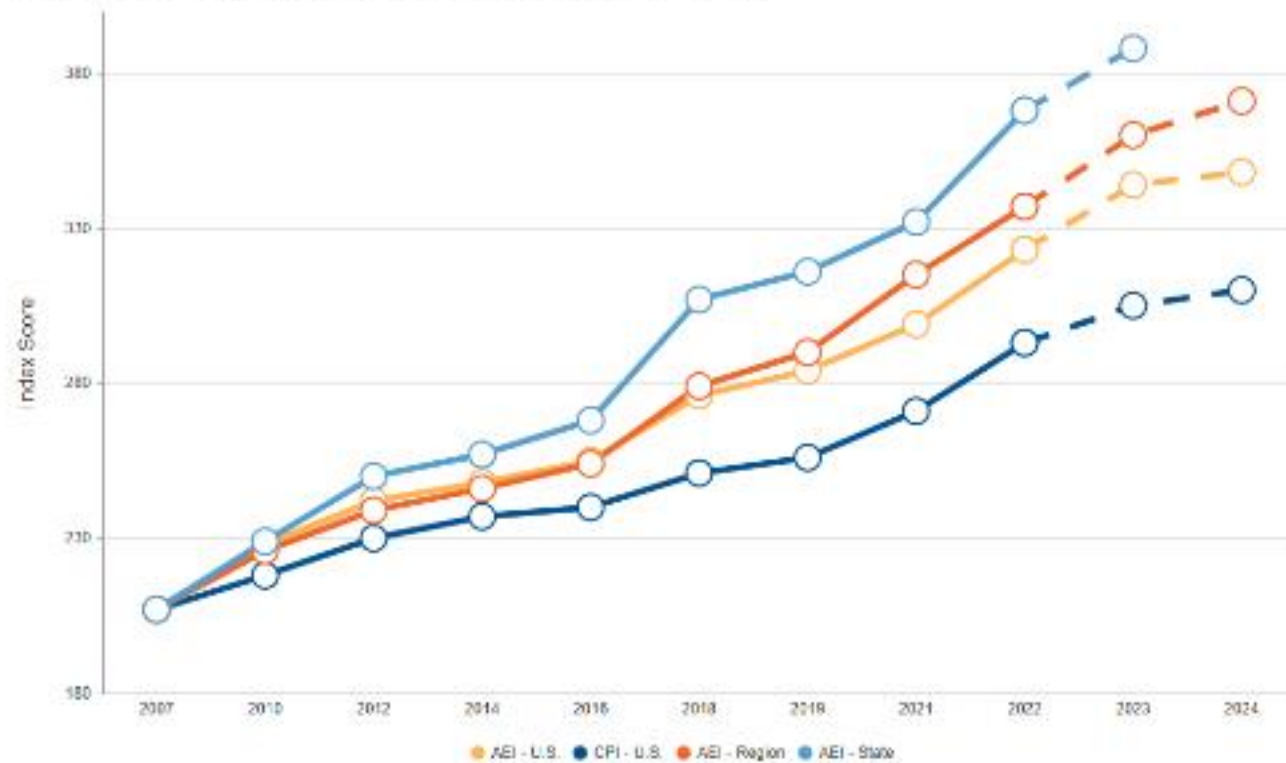
Sources: American Community Survey 2022 5-year estimates Tables B11001B, B11001C, B11001I, S1903; United for ALICE County Report 2022

FPL vs ALICE by location



ALICE Essentials Index vs. CPI

Inflation Indices, Oregon, Region, and U.S. 2007-2024



How does Milwaukie compare

Milwaukie Statistics

- u 21,195 Residents
- u 9,286 households
 - u 4,829 below ALICE threshold
- u \$78,676 median household income
- u *Sources: American Community Survey 2018-2022 estimate Tables DP05, S1903*

Geographic Location	Total Households	% Below ALICE Threshold	Households below ALICE
Johnson City, Oregon	244	85%	207
Molalla, Oregon	3,781	54%	2,042
Oak Grove CDP, Oregon	7,278	53%	3,857
Estacada, Oregon	1,516	52%	788
Milwaukie, Oregon	9,286	52%	4,829
Wilsonville, Oregon	10,614	49%	5,201
Canby, Oregon	6,836	48%	3,281
Gladstone, Oregon	4,904	47%	2,305
Oregon City, Oregon	13,802	46%	6,349
Sandy, Oregon	4,387	41%	1,799
Happy Valley, Oregon	8,148	33%	2,689
Lake Oswego, Oregon	16,649	30%	4,995

Households below the ALICE threshold in Milwaukee

Household Type	% Below ALICE Threshold	# of Households
Householder under age 25	78%	201
Single-Female-Headed (with children)	77%	454
Single-Male-Headed (with children)	72%	172
Native American	60%	40
Black/African American	55%	39
Hispanic/Latino/a/x	54%	204
Householder 65 years+	54%	1,265

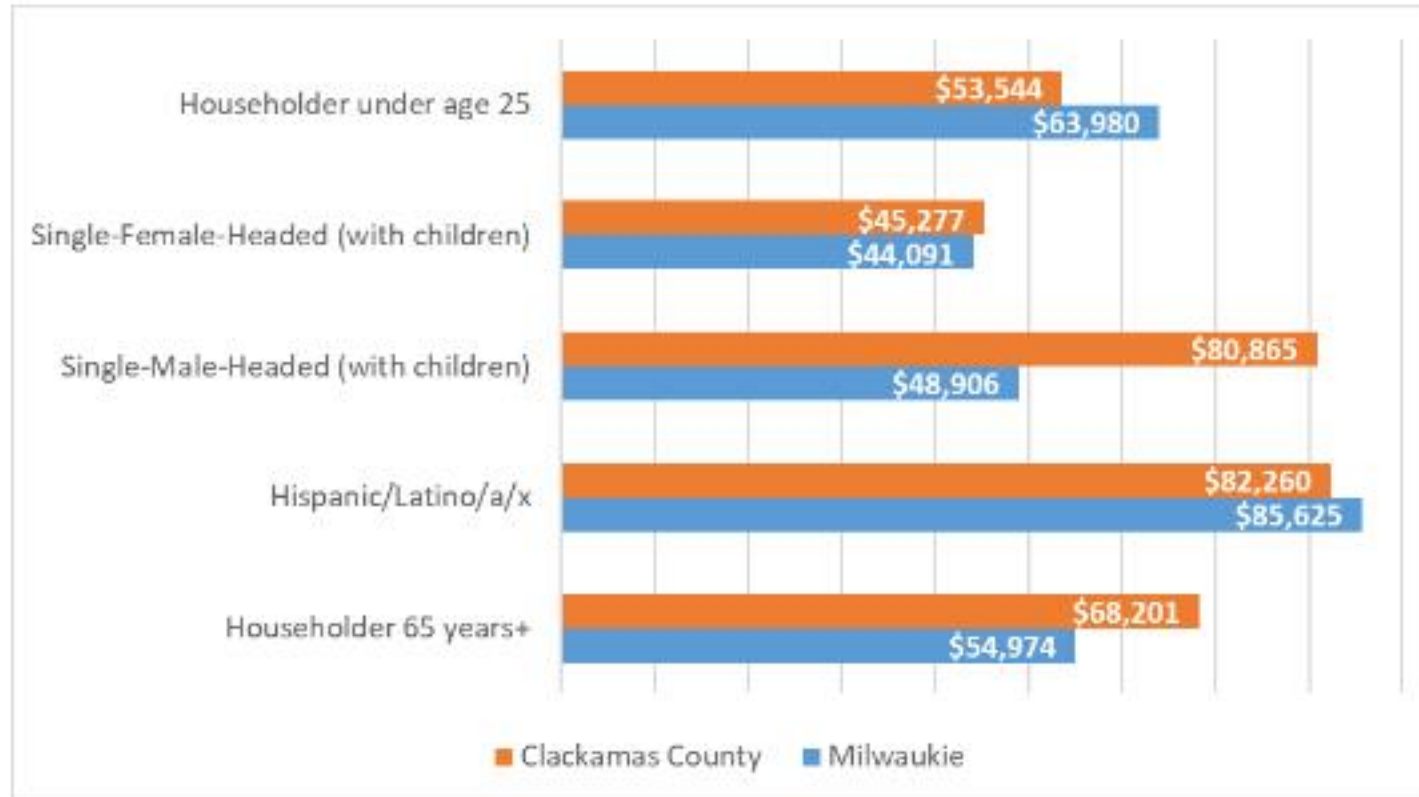
Estimates based on county percentages, as percentages at the city level are unavailable.

County vs Milwaukie demographic comparison

Race/Ethnicity	Milwaukie	Clackamas County
Black/African American	0.80%	0.80%
Native American	0.70%	0.50%
Asian	1.30%	4%
Native Hawaiian/Other Pacific Islander	0.30%	0.20%
Some Other Race	1.50%	1.90%
Two or More Races	7.50%	5.80%
Hispanic (of any race)	4.10%	6.30%
White alone, not Hispanic	86.50%	84.30%

Median Income by Household Type

Clackamas County vs Milwaukie

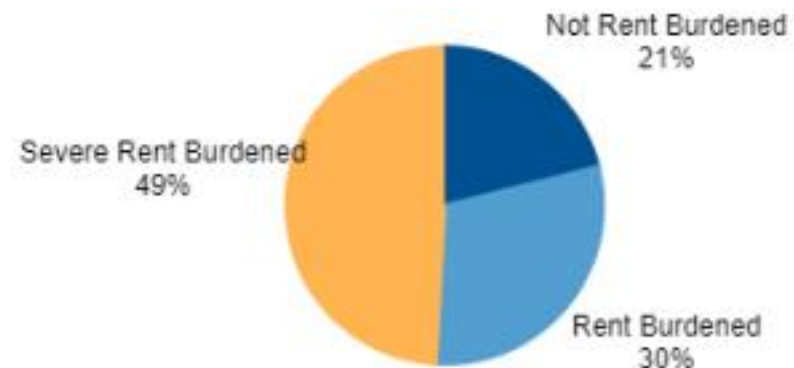


ALICE Economic Viability Dashboard

Rent Burden,
Households Below ALICE
Threshold,
by Race/Ethnicity

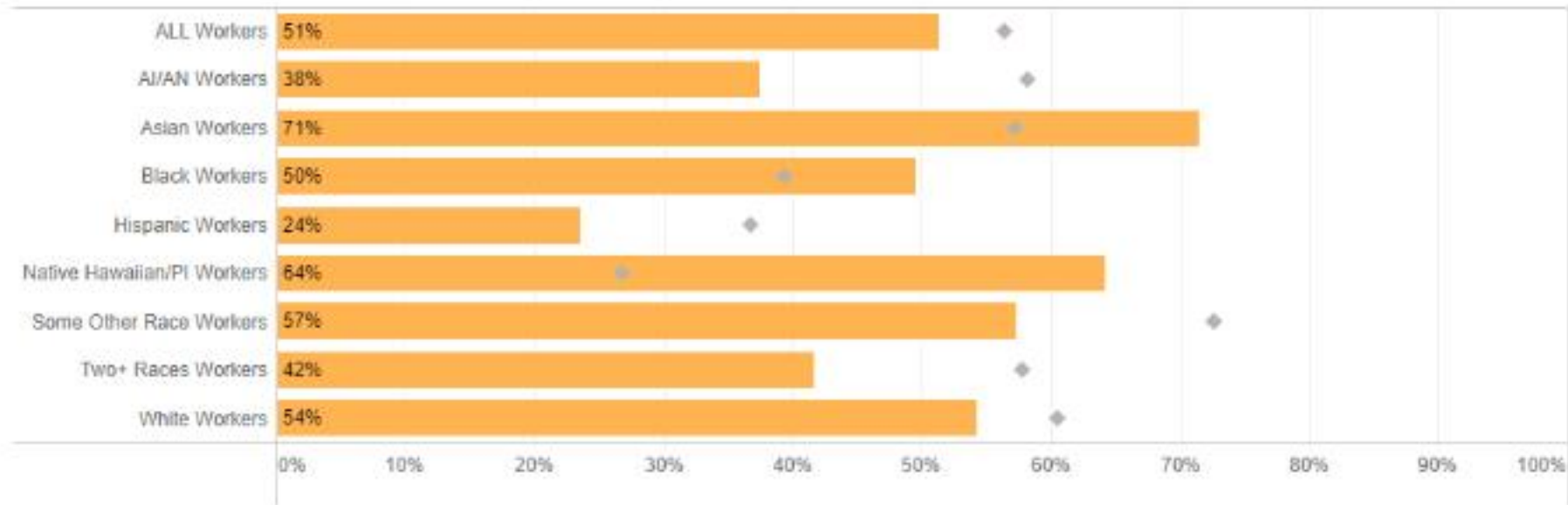
AI/AN Renters	34%
Asian Renters	85%
Black Renters	91%
Hispanic Renters	73%
Native Hawaiian/PI Renters	100%
Two+ Races Renters	66%
White Renters	75%

Rent Burden,
Households Below ALICE Threshold



ALICE Economic Viability Dashboard

Key Variable: Full-Time Workers Earning Enough for Household Survival Budget (1 Adult, 1 School-Age Child) by Race/Ethnicity

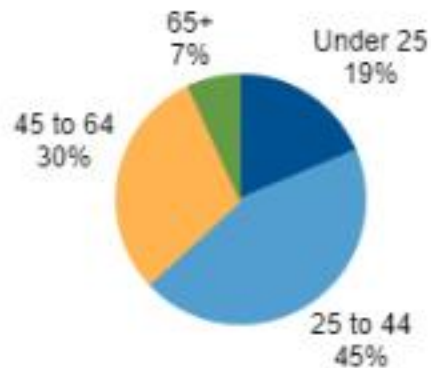


Public Use Microdata Area Milwaukie, Happy Valley, Oregon City

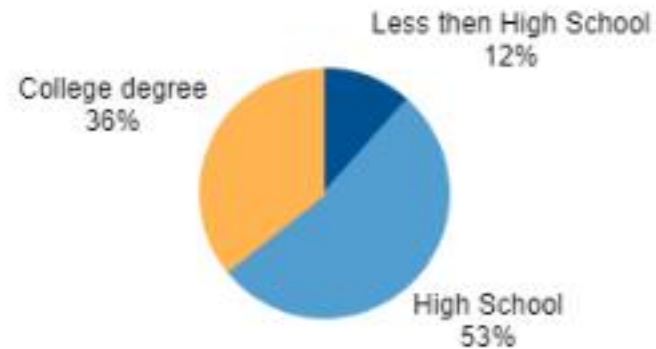
ALICE Economic Viability Dashboard

Below ALICE Threshold Worker Characteristics

Age



Educational Attainment



ALICE Resources

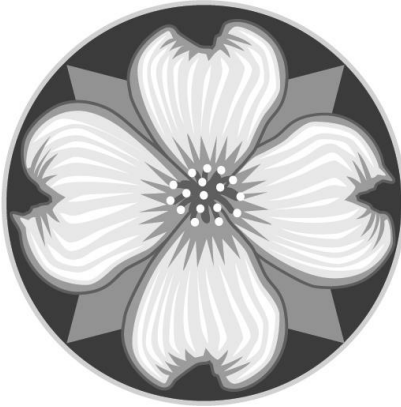
- u Economic Viability Dashboard
<https://www.unitedforalice.org/maps-and-data>
- u ALICE Essentials Index
<https://www.unitedforalice.org/essentials-index-mobile>
- u Research Center – Oregon
<https://www.unitedforalice.org/state-overview/Oregon>
- u Methodology
<https://www.unitedforalice.org/methodology>



Next Steps & Questions

Join the Community Action Board

- u **Become a CAB member**
 - u Advise Clackamas County Social Services on programs that help people with low incomes exit poverty
 - u Participate in the development of the CAB Community Needs Assessment and Strategic Action Plan
 - u Advocate for programs that serve low income individuals and families
 - u Meets monthly
- u **Invite CAB to share this presentation** with others in your networks
- u **Join us in hosting listening sessions** to hear from people in your communities



RS Agenda Item

5

Community Comments

**RS 5. 9/17/24
Correspondence**

From: [Elvis Clark](#)
To: [Lisa Batey](#); [Adam Khosroabadi](#); [Robert Massey](#); [Rebecca Stavenjord](#); [William Anderson](#); [Emma Sagor](#)
Cc: [Scott Stauffer](#)
Subject: Question about Milwaukie bay Park project
Date: Thursday, September 5, 2024 4:01:55 PM

This Message originated outside your organization.

Hello Mayor, Councilors, and City Manager:

I ask the following question if you would be so kind: **Could the Milwaukie Bay Park improvement project be broken up into parts for the purpose of making the funding of it more tenable for North Clackamas Parks District board?**

I hear that the project costs over \$9 million, with Grants of just over \$2 million pending of this total. That still seems like a chunk to fund all at once. Moreover, the criticism of their being a lack of tree canopy at Milwaukie Bay Park currently seems very understandable, but **could not volunteers help start the tree canopy within the Master Plan and possibly with help from the Friends of Trees?**

Sorry to bother,

Sincerely,

Elvis Clark

Sent from Yahoo Mail. [Get the app](#)

From: [Lisa Batey](#)
To: [City Council](#); [Brent Husher](#); [Ryan Burdick](#)
Subject: FW: The Ledding Library is turning into a nightmare!
Date: Wednesday, September 11, 2024 10:44:30 PM

Forwarding for staff information

From: Sara Hall <sjo1972@hotmail.com>
Sent: Wednesday, September 11, 2024 10:07 PM
To: Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>
Subject: The Ledding Library is turning into a nightmare!

This Message originated outside your organization.

Hi all,

I have lived in Milwaukie for 20 years and been going to the library almost all of those years. Unfortunately, I am going to stop using the Milwaukie Ledding Library. During the past year, several times I have heard people swearing and clearly not doing well in the library. I have also seen people in varying degrees of appropriateness with what they are bringing in to the library and what they are doing there. For example, piles of stuff, very smelly. I have dealt with this, though. I know, the library is for everyone, even though I have my doubts that any of these people actually pay any tax dollars to contribute to resources of the library, like I do. The library is not a social services center. The library is not a homeless shelter.

Today was the last straw. I visited around 3:15pm. Leaning against the wall, with a full grocery cart (stolen) of stuff by him, was a man talking to himself in a very agitated way, swearing profusely, and clearly disturbed. I decided not to use the drop box and take my things inside. I turned in my book, checked out something, and then returned to my car. I am not one given to fear, but for the very first time, I felt afraid when I was walking to my car. (At the library, during the day!) This man, then, was still swearing profusely, agitated, talking to himself, and working on what I can only assume was some kind of drug thing. He was scraping something, using some sort of can, lit it up and was smoking it. I thought to myself, "Here I am a woman by myself, and this man is clearly out of his head, doing drugs, and who knows what he might do to me if I even look at him wrong."

This is not right. What are you all doing about this? Does the homeless man still live by our Wunderland, too? There was a high-speed police chase through my quiet neighborhood a couple Sunday mornings ago. Our city used to be beautiful, nice, and safe. Now, sirens are everywhere, and it's not safe to take myself, let alone my kids, to the library. Please, do something to stop enabling the addicts at the expense of us law-abiding, tax paying citizens.

Sincerely,
Sara Hall

Sara Hall

sjo1972@hotmail.com

From: [William Anderson](#)
To: [Scott Stauffer](#)
Cc: [Emma Sagor](#)
Subject: Fw: The Ledding Library is turning into a nightmare!
Date: Tuesday, September 17, 2024 7:32:19 PM

And can you include this response in the record after Sara's email?

Thanks!

Will Anderson • City Councilor
City of Milwaukie
he • him • his [Learn why pronouns matter](#)
o: 503.786.7510 • c: 541.480.9204

From: William Anderson <AndersonW@milwaukieoregon.gov>
Sent: Thursday, September 12, 2024 11:32 AM
To: Sara Hall <sj01972@hotmail.com>
Cc: _City Council <CityCouncil@milwaukieoregon.gov>; Brent Husher <HusherB@milwaukieoregon.gov>; Ryan Burdick <BurdickR@milwaukieoregon.gov>
Subject: Re: The Ledding Library is turning into a nightmare!

Hi Sara,

I want to start by thanking you for reaching out and for your interest in our local library. Ironically, I'm writing you back while sitting in the Ledding Library (I'll often drop in during days when I work from home).

I grew up as a "library kid": I spent many lazy summer days holed up in a corner of the library reading graphic novels and most days after school, while my father wrapped up teaching, I was engrossed in the latest book at our school library. In my lifetime, I too have seen a marked change in our libraries. I want to validate what you're feeling, this change is hard. I've had moments coming to the Ledding Library where I was uncomfortable. We must enforce our library code of conduct and remove or even ban people who routinely violate it.

As you know, Libraries aren't the only system that has had to respond to a growing addiction crisis. In my day job, I work as an advocate for behavioral health clinics at the state legislature, the clinics providing treatment to the high-acuity folks struggling with addiction on our streets. Two co-occurring problems make the crisis all the worse: fentanyl is a drug the likes of which we have never seen before, and for decades we have underinvested in our behavioral health system. There is no simple solution to a crisis like this. The only way to break the cycle of addiction is to connect folks with treatment. Yet

to get folks the treatment they need will take years of sustained investment to bolster our state's capacity. While we have seen some recent wins in this regard — our state legislature has recently provided new funding to build capacity across the state and attract new workers to the behavioral health field — there is still work we must do. As painful as it is to say, there is no magic solution, though I wish there was.

The reality is that there are people in our town who live with addiction. And there are people in this town who are unhoused. These members of our community need public spaces as much, if not more so, than the rest of us. Whether it is a place to put your bags down and rest, to scroll the internet for a job or treatment, or even just to find an escape in a book — libraries can be an important resource for these populations in our city. While this type of supportive service might be a departure from some conceptions of a library, at its core our library remains a place for our entire community.

Compassion is not enablement. As someone with close family members impacted by addiction, I care deeply about ending this addiction crisis. But we cannot address the crisis without confronting it. That means providing support to unhoused and addicted populations. In this regard, I am so proud of the work that our library staff has done to respond to these crises. No, they cannot “solve” this on their own, but they have leaned into their role as a resource to our community. One of the goals in our city's strategic plan is “Supporting Milwaukian's Most in Need” and to that end, I'd like to share some of the work our incredible library staff has been doing:

- We partner with a number of social services agencies to provide direct support at the library. People are getting housed, and connected to resources, such as drug treatment, through providers partnering with the City and Library.
- If someone has extreme odor that are invasive to large portions of the space, we will ask them to leave until they are able to wash their clothes and shower. We'll also work with those same partners to ensure that they are able to access showers and laundry through events in the county. Partners are able to offer assistance such as bus passes and change for coin-operated laundry.
- Between June 2023 and June 2024, library staff made 33 social service referrals, distributed 1,200 granola bars and water bottles, and handed out 72 bus passes.
- The library serves as a welcoming and inclusive meeting center to support partners and provide services including a monthly Mobile Outreach Unit with Clackamas County Sherrif Probation and Parole (20 client check-ins in June 2024) and weekly Tuesday outreach events with Milwaukie Police, 4D, and LoveOne (12 clients served in June 2024).”

I appreciate your concerns. I share them as well. But know that our library staff, local law enforcement, and the entire city government are working to address them and support

all Milwaukians.

If you have any other questions or concerns, feel free to let me know. My door is always open to you. Thank you for staying involved in local government.

Will Anderson • City Councilor
City of Milwaukie
he•him•his [Learn why pronouns matter](#)
o: 503.786.7510 • c: 541.480.9204

From: Sara Hall <sj01972@hotmail.com>
Sent: Wednesday, September 11, 2024 10:07 PM
To: Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>
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Sincerely,
Sara Hall

Sara Hall
sjo1972@hotmail.com

From: [Bernie Stout](#)
To: [OCR](#)
Cc: [Emma Sagor](#); [Jason Wachs](#)
Subject: MONROE STREET GREENWAY WASHINGTON STREET ALIGNMENT
Date: Tuesday, September 17, 2024 9:21:02 PM

This Message originated outside your organization.

Tuesday, September 17, 2024

MONROE STREET GREENWAY

Has disenfranchised the residents along the Washington Street Alignment.

Ten years (including Sept. 12, 2024) of outreach NOT using the words – WASHINGTON STREET ALIGNMENT.

Implied contract described in 2014 as being **only** on SE Monroe Street. Major changes have been made, which changes the contract and not informing the residents along Washington Street

Alignment.

Beacon Light at SE 37th & SE Washington Street, was told offsite improvements can be paid for by Seven Acres Apts Or there are twenty to thirty percent contingency funds available. Yet there is

no Beacon Light in the current plans.

There has been a constant change in staff but, consistently a degrading of communications and lack of information.

Examples reported to me and experienced by me.

- Story telling of Glittering Generalities
- "I do not know"
- A type of Aphasia or going mute
- Snapping and verbal attack

I have tried to keep neighbors informed based on the systematic micro controlling by the Planning & Engineering departments.

Please review the upcoming September 20, 2024 closing of comments from the September 12th Open House.

Requested information with this response:

May 29, 2024 "I am not sure and trying to get a handle on this project".

Used the general engineering email and did not get any response.

Since then the only response is come to the September 12th Open House.

The day after (Friday, September 13th) received several responses to questions asked weeks before. Little good that does, after the Open House.

I have encouraged residents to come to meetings for years and over the past few days keep hearing "they'll do what they want to do anyway"

**I am requesting at least one more public meeting
in city hall and have it audio & video recorded.**

Bernie Stout



**CITY OF MILWAUKIE
CITY COUNCIL**

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: BERNIE STOUT

Address:

Organization:

Phone:

Email:

Meeting Date: 9/17

Topic: MONROE STREET GREENWAY
& WASHINGTON STREET
ALIGNMENT

Agenda Item You Wish to Speak to:

You are Speaking...

#5 Community Comments

in Support

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

in Opposition

#7 Other Business, Topic: _____

from a Neutral Position

#8 Public Hearing, Topic: _____

to ask a Question

Comments:



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Name: DENNIS TARR

Address: 3711 SE MONROE

Organization:

Phone: 503-341-3052

Email: DENNIS.CHERIE@OUTCOST.COM

Meeting Date: 9/17/24

Topic: Traffic, Police

Agenda Item You Wish to Speak to:

#5 Community Comments

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: _____

#8 Public Hearing, Topic: _____

Comments:

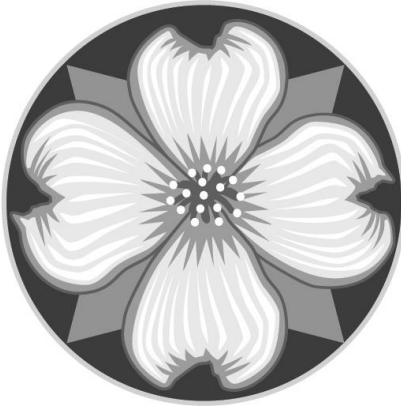
You are Speaking...

in Support

in Opposition

from a Neutral Position

to ask a Question



RS Agenda Item

6

Consent Agenda

COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES**AUGUST 6, 2024**

Council Present: Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Acting Assistant City Manager
Ryan Dyar, Associate Planner
Jennifer Garbely, City Engineer
Justin Gericke, City Attorney
Nicole Madigan, Deputy City Recorder
Emma Sagor, Acting City Manager
Laura Weigel, Planning Manager

Mayor Batey called the meeting to order at 4:10 p.m. **Madigan** reported technical issues, and the meeting was temporarily paused.

1. Transportation System Plan (TSP) Update – Report

Weigel introduced the team working on the TSP. **Dyar** and **Weigel** explained the team’s process of how the plan’s goals and policies had been developed. The group discussed financially constrained and unconstrained transportation project lists.

Weigel asked Council if they had any questions or notes on the identified goals and policies. **Councilor Anderson** asked about the third policy under the Climate Mitigation and Adaptation goal, **Weigel** and **Sagor** explained that the word explore was used instead of “implement” so staff could first explore the implications and feasibility of the targets rather than committing to them immediately. **Councilor Stavenjord** suggested adding language to increase visibility for paratransit services, emphasizing the importance of transportation needs for individuals with disabilities. **Weigel** and Council agreed that paratransit language should be included.

Councilor Massey asked Matt Hughart, of Kittleson & Associates, if the city’s extensive goal list was typical compared to other cities. **Hughart** noted that goal lists vary widely, and that while having numerous goals could be challenging for project prioritization, it reflected the city’s unique needs and interests. **Hughart** acknowledged the complexity of managing and simplifying such a broad set of policies for practical use.

Hughart referred to the performance measures memorandum in the packet and explained that new state regulations required a more equity-focused and climate-responsive approach to transportation planning. **Mayor Batey** asked about reporting back to the state and Metro, and **Hughart** clarified that the city needed to align its TSP with Metro’s established goals and state requirements, and that the reporting process involved ensuring compliance through the adoption of the TSP. **Hughart** noted that the focus was on adopting Metro’s framework and developing new performance measures that addressed traditional vehicular criteria and emerging standards for non-vehicular modes.

The group discussed why performance measures matter for state requirements, informing budgetary decisions, and the approval of development applications.

The group discussed Metro’s climate goals and objectives including the definition and context of walkable mixed-use development and how it relates to land use policies and densification. They agreed that more research was needed to clarify the term and

determine if it refers to specific types of developments or areas and acknowledged the need for the city to align with Metro on standards and planning goals.

Hughart emphasized keeping roadways up to safety and capacity standards and suggested adding performance measures for accessibility, including system completeness to track progress on sidewalks, multi-use paths, and transit options. The aim should be to fill infrastructure gaps over time and prioritize connections between important areas like schools and neighborhoods. The group discussed prioritization of projects, the challenge of building sidewalks on every street, the concept of system completeness, and noted that while major roadway changes are unlikely, improving local street connectivity and identifying potential gaps remains crucial. They commented on performance measures like pedestrian and bicycle levels of traffic stress, which assess comfort and safety for various users which can help prioritize projects based on different levels of stress being suitable for different contexts. They acknowledged that adopting a range of performance standards was necessary to address planning goals and criteria.

Mayor Batey noted concerns about using traditional level of service measures to address and rate troublesome intersections and the group commented on how capacity standards might offer a more practical approach for assessing intersection efficiency and system completeness and that a comparative analysis could help to better understand how different measures impact intersection planning and performance.

Hughart described the livable streets analysis as an audit of the current TSP and Public Works Standards and that review aimed to see how well the standards met industry best practices and community needs. The findings showed that current standards are flexible and mostly effective, with some suggestions for improvements. The group commented on design concepts and **Hughart** noted the importance of including currently applied concepts in the updated TSP. The group discussed greenways, neighborhood streets, and green infrastructure like trees and stormwater treatment. They noted next steps.

2. Council Policy Lanes & Committee Assignments – Discussion

Sagor explained the idea of policy lanes (or swim lanes) meant to organize and advance the Council's priorities by assigning policy areas to individual Council members. Policy lanes were intended to bring order to the Council's wide-ranging policy discussions, not to alter committee assignments. Each lane leader would represent the Council at various forums and provide updates. Other Council members and staff would support this system by respecting lane leaders' roles and responding promptly when consulted.

Sagor presented a list of questions for Council to discuss the implementation of policy lanes. Council discussed whether to wait until a new city manager had been hired to have a more in-depth conversation about policy lanes or start taking over the lanes and run it as a test until January. The group discussed concerns around conflicting lanes and committee assignments and serial meetings. **Sagor** provided options for next steps and Council opted to continue the conversation at a future work session.

3. Adjourn

Mayor Batey adjourned the meeting at 6:07 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

AUGUST 6, 2024

Council Present: Councilors Will Anderson, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Acting Assistant City Manager Michael Osborne, Finance Director
Ryan Burdick, Chief of Police Emma Sagor, Acting City Manager
Justin Gericke, City Attorney Jason Wachs, Community Engagement Coordinator
Vera Koliass, Senior Planner Laura Weigel, Planning Manager
Nicole Madigan, Deputy City Recorder

Mayor Batey called the meeting to order at 6:33 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including summer concerts and activities in the parks, a city manager candidates community forum, and a Johnson Creek clean-up event. **Council President Massey** noted a library fundraiser event.

Mayor Batey read a summer concert-themed haiku poem.

3. PROCLAMATIONS AND AWARDS

A. National Farmers Market Week – Proclamation

Tim Taylor and **Frank Winetraub**, Celebrate Milwaukie, Inc. (CMI) Board Members, introduced the proclamation and commented on the importance of the market. **Mayor Batey** proclaimed August 4-10, 2024, to be National Farmers Market Week in Milwaukie.

4. SPECIAL REPORTS

A. Clackamas County Stabilization Center – Update

Adam Brown and **Mary Rumbaugh**, with Clackamas County Health, Housing & Human Services (H3S), provided an update on the county's work to open a stabilization center in the North Milwaukie Innovation Area (NMIA) to provide behavioral health and housing support services. They reported that the county intended to develop a good neighbor agreement (GNA) with the city and other community partners and reviewed the timeline for opening the center in the coming months.

Councilor Anderson, Rumbaugh, and Brown discussed how the center would be financially supported by Medicare and the Oregon Health Authority (OHA).

Council President Massey and **Rumbaugh** commented on what type of health care providers would be involved in staffing the center.

Councilor Khosroabadi, Rumbaugh, and Brown remarked on the county's goal to have staff dedicated to groups like veterans and the center's plans to support anyone who comes to the center. They noted how the county would work to provide additional extended support services through community partners.

Councilor Stavenjord, Brown, and Rumbaugh discussed the coordination of housing and health services at centers across the county and working with third-party service providers. They remarked on how the Milwaukie center would be set-up to provide private spaces and temporary storage for patients. **Malcolm McDonald**, Clackamas County Sheriff's Office (CCSO), and **Stavenjord** commented on how the county's services would work with the county's planned law enforcement deflection system.

Mayor Batey, Rumbaugh, and Brown noted what "post-settlement" meant in the process for funding the center through government budget processes, and what community outreach the county would be doing as the center opens. **Batey, McDonald, and Brown** noted the historical flooding issues at the site and how CCSO and county staff would be addressing flood concerns. **Batey** encouraged the county to provide naloxone training at the Ledding Library.

Sagor and Rumbaugh clarified that individuals sent to the center from other communities would be transported back to their communities, and that the center would primarily serve Clackamas County residents. **Councilor Stavenjord and Rumbaugh** noted an opportunity to do a joint recruitment for health services providers.

B. Clackamas County Recovery Center – Update

Ben West, Clackamas County Commissioner, remarked on the county's recovery-oriented system of care approach to providing housing and behavioral health services, and remarked on plans to open a recovery center in unincorporated Clackamas County. **West** encouraged Council to adopt a resolution in support of the recovery center.

Cindy Becker, Clackamas County H3S, provided an overview of the planned recovery center, the services that would be provided at the center, and how the county's service centers would coordinate patient care.

Mayor Batey, Sagor, and Becker noted the addition of a presentation about the center had been added to the meeting record and that there was currently no scheduled update on the center to the Clackamas Board of County Commissioners (BCC).

Councilor Anderson, Becker, and West remarked on substance abuse services that would be provided at the recovery center.

Council President Massey and Becker noted the center was likely to open in two years.

Councilor Khosroabadi and West commented on how the city and county could work together on the services provided by the recovery center.

Councilor Stavenjord, West, and Becker remarked on whether the county would fund medically assisted treatments at the center and possible future uses of the county's scattered housing sites.

Councilor Stavenjord and Mayor Batey expressed support for a Council resolution in support of the county's recovery center.

C. Support for Oregon Nurses Association (ONA) – Resolution

Councilors Anderson provided a brief update on changes to the resolution text.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the resolution calling for a fair and just settlement of negotiations with Oregon Nurses Association nurses at Providence Milwaukie Hospital, a community hospital owned by Providence St. Joseph Health. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Resolution 40-2024:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CALLING FOR A FAIR AND JUST SETTLEMENT OF NEGOTIATIONS WITH OREGON NURSES ASSOCIATION NURSES AT PROVIDENCE MILWAUKIE HOSPITAL, A COMMUNITY HOSPITAL OWNED BY PROVIDENCE ST. JOSEPH HEALTH.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the public comment procedures. **Sagor** reported on action taken by staff in response to July 16 comments about solid waste rates and noted staff responses to correspondence received since July 16 regarding Highway 99E and Highway 224 pedestrian crossings. No audience member wished to address Council.

6. CONSENT AGENDA

Councilor Anderson noted several errant references to former Councilor Shane Abma in the minutes and the group agreed that staff would clean-up the minutes after adoption.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the Consent Agenda as presented with the noted minutes correction.

A. City Council Meeting Minutes:

- 1. June 11, 2024, study session,**
- 2. July 9, 2024, special session & retreat, and**
- 3. July 14, 2024, Council dinner.**

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

7. BUSINESS ITEMS

A. Solid Waste Rates Adoption and Fees Update – Resolutions

Osborne provided an overview of the proposed solid waste rate changes, and the group noted Council would discuss franchise agreements at a future meeting.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the resolution adopting solid waste service rates effective September 1, 2024. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Resolution 41-2024:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING SOLID WASTE SERVICE RATES EFFECTIVE SEPTEMBER 1, 2024.

Osborne and Sagor explained the need to revise public works related fees.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the resolution adopting a revision to the Fiscal Year (FY) 2025 Fee Schedule effective September 1, 2024. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

Resolution 42-2024:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING A REVISION TO THE FISCAL YEAR (FY) 2025 FEE SCHEDULE EFFECTIVE SEPTEMBER 1, 2024.

8. PUBLIC HEARING

A. Neighborhood Hubs Adoption – Ordinance, 2nd Reading

Call to Order: **Mayor Batey** called the continued public hearing on the proposed neighborhood hubs code adoption, to order at 8:14 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to conduct the second reading and final vote on the hubs ordinance.

Conflict of Interest: No Council member declared a conflict of interest.

Sagor read the ordinance one time by title only.

Madigan polled the Council with Councilors Anderson, Khosroabadi, Massey, and Stavenjord voting “aye,” and Mayor Batey voting “no.” [4:1]

Ordinance 2245:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE COMPREHENSIVE PLAN COMMERCIAL LAND USE DESIGNATIONS, MUNICIPAL CODE (MMC) TITLE 11 MISCELLANEOUS PERMITS, TITLE 19 ZONING ORDINANCE, TITLE 14 SIGNS, AND THE ZONING MAP FOR THE PURPOSE OF IMPLEMENTING NEIGHBORHOOD HUBS (PRIMARY FILE #ZA-2024-001).

Mayor Batey recessed the meeting at 8:16 p.m. and reconvened at 8:28 p.m.

B. Appeal of Planning Commission Approval of Land Use File #VR-2024-003 – Addition at 11932 SE 35th Avenue – Final Order

Call to Order: Mayor Batey called the public hearing on the appeal of the Planning Commission’s decision to approve Land Use File #VR-2024-003 to order at 8:27 p.m.

Opening and Purpose: **Mayor Batey** reviewed the hearing process and explained the purpose of the hearing was to take comment, consider the evidence, and adopt a final order.

Applicable Standards: **Kolias** cited the applicable standards to be considered.

Procedures: **Mayor Batey** reviewed the order of business for the hearing.

Site Visits: It was noted that Council members had visited the site.

Ex-Parte Contacts and Conflicts of Interest: Council members reported no ex-parte contacts or conflicts of interest.

Jurisdiction: No audience member challenged Council's ability to conduct the hearing.

Staff Presentation: **Kolias** provided an overview of the Type III land use application and appeal processes, noting the proposal for a 13-foot addition to an existing attached garage which had been approved by the Planning Commission, the relevant approval criteria for such applications, and the appeal arguments made by the appellant, Barbara Allan, the Lake Road Neighborhood District Association's (NDA's), and others.

Kolias reviewed Council's decision options and clarified that the Planning Commission had concluded that two of the three required criteria had been met by the proposal.

Conduct of Hearing: **Mayor Batey** reviewed the testimony procedures.

Applicant Testimony: **Kristina Fedorovskiy** discussed why the home addition had been proposed, confirmed that the home addition work would conform to Milwaukie Municipal Code (MMC) requirements, and suggested the project construction would have a minimal impact, and the expanded home would be well maintained.

Testimony in Support of the Applicant: none.

Neutral Testimony: none.

Appellant Testimony: **Barbara Allan**, the appellant, **Mayor Batey**, and **Kolias** clarified that Allan was the appellant to Council. **Allan** opposed the proposal to expand the applicant's garage, citing concerns about the visual appeal of an extended garage wall and safety issues due to limited site lines. **Councilor Anderson** and **Allan** remarked on whether the proposed wall would respond to existing lines as required by the code.

Testimony in Support of the Appellant:

Teresa Bresaw, Lake Road NDA representative, expressed concern about how public notices and hearing materials for land use actions were distributed, commented on appeal hearing rules and the Planning Commission's reliance on planning staff, and opposed the proposed garage wall extension citing maintenance issues and a lack of visual appeal. **Bresaw** believed the applicant had not met the approval criteria.

Paul Hawkins, Lake Road NDA Land Use Committee member, suggested the Planning Commission's decision would have been different if Commissioners had visited the site.

Mara Indra, Portland resident, objected to the proposed garage wall extension, citing the impacts of the extended wall on the neighboring property, and believed that the applicant had not met the approval criteria or yard setback rules.

Mathew Baxter, Milwaukie resident, noted neighborhood concerns about the proposed garage extension, and expressed concern about future redevelopment of properties in the area into more dense housing types. **Mayor Batey** noted that state law allowed for all residential areas to be redeveloped into more dense housing.

Staff Response to Testimony: **Kolias** clarified that the materials Bresaw had referenced had been included in the record for the Planning Commission and Council hearings, and that staff reviewed each variance request on a case-by-case basis.

Mayor Batey and **Kolias** noted that the applicant did not have to show that alternatives to the wall extension had been considered.

Applicant Rebuttal and Final Remarks: **Fedorovskiy** addressed concerns raised in testimony, noting that there was no requirement to address future construction, and reiterated that the impacts of construction on the site would be minimal.

Fedorovskiy remarked on why adding on to the house in other spots did not make sense and believed the Planning Commission had made the right conclusion on the application.

Close Public Hearing: **It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to close the public comment part of the hearing. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

Council Discussion:

Councilor Anderson remarked on the proposed garage wall extension and suggested the applicant had met the criteria.

Council President Massey commented on the approval criteria, the importance of side yard setbacks, and the impact of adding on to a structure that did not meet current standards. **Massey** expressed support for upholding the appeal.

Councilor Khosroabadi remarked on the approval criteria, public benefit of the proposed wall extension, the inability to apply current rules on previously built structures and possible future construction and suggested the applicant had met the criteria.

Councilor Stavenjord commented on the approval criteria and challenges of applying the code to real situations, the importance of the hearing process, and expressed support for upholding the Planning Commission’s decision.

Mayor Batey and **Sagor** noted the time, and that the Council did not need to vote to extend the meeting past 10:00 p.m. as there was a hearing on the agenda.

Gericke clarified that Council would be voting to approve or deny the application.

Mayor Batey remarked on the importance of encouraging dialogue between neighbors, how the Planning Commission had considered the application, and concluded that enough of the criteria had been met by the applicant. **Batey** suggested the situation pointed out potential land use code changes for Council to consider in the future.

Mayor Batey suggested there was a Council majority in support of approving the application. The group discussed modifying the approval order to address the public benefit criterion and Council’s approval options.

Councilor Stavenjord noted the county offered neighbor dispute mediation services.

Council Decision: **It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to modify the Planning Commission decision to approve the variance requested by Kristina Fedorovskiy for an addition to the attached garage at the property located at 11932 SE 35th Avenue, Land Use Application #VR-2024-003.**

It was moved by Mayor Batey and seconded by Councilor Khosroabadi to amend the motion to note that Council was approving only Criteria #1. Councilor Stavenjord accepted the amendment and noted that the motion was to modify the Planning Commission decision to remove reference to a condition of approval regarding the fence and to approve the variance requested by Kristina Fedorovskiy for an addition to the attached garage at the property located at 11932 SE 35th Avenue, Land Use Application #VR-2024-003.

Motion passed with the following vote: with Councilors Anderson, Khosroabadi, Stavenjord and Mayor Batey voting “aye,” and Councilor Massey voting “no.” [4:1]

Mayor Batey reviewed the state Land Use Board of Appeals (LUBA) appeal process.

9. COUNCIL REPORTS

Mayor Batey reintroduced the community comment regarding bicycle and pedestrian safety issues on Hwy 224. The group discussed how the city could approach the Oregon Department of Transportation (ODOT) about safety concerns and **Briglio** agreed to initiate the conversation with the state.

Councilor Stavenjord reported on recent Clackamas County Coordinating Committee (C4) meetings, including statewide housing and houseless services efforts, a letter from cities regarding transit systems. The group discussed how Council could consider and possibly participate in the county deflection center conversation via email.

Council President Massey reported on recent North Clackamas Watershed Council (NCWC) work including ongoing sediment testing in Kellogg Lake. The group commented on the status of the Kellogg Dam removal project.

10. ADJOURNMENT

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

Mayor Batey adjourned the meeting at 10:34 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder

COUNCIL SITE VISIT

Milwaukie Providence Hospital, 10150 SE 32nd Ave

MINUTES

AUGUST 13, 2024

Council Present: Councilors Will Anderson, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Community Development Director Emma Sagor, City Manager

Mayor Batey called the meeting to order at 6:00 p.m.

1. Milwaukie Providence Hospital – Site Visit

Renee King, Providence Government and Public Affairs Officer, provided a tour Milwaukie Providence Hospital and the services they provide.

2. Adjourn

Mayor Batey adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Emma Sagor, City Manager

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: Sep. 4, 2024

Reviewed: Jennifer Garbely, City Engineer,
Nicole Madigan, Deputy City Recorder, and
Kelli Tucker, Accounts & Contracts Specialist

From: Scott Stauffer, City Recorder

Subject: **First Fish Herons Agreement Authorization**

ACTION REQUESTED

Council is asked to adopt a resolution authorizing the city to execute an intergovernmental agreement (IGA) with the Confederated Tribes of the Grand Ronde (CTGR) for the placement of seasonal First Fish Heron artworks in Milwaukie Bay Park.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Fall 2021: CTGR approached the city and the North Clackamas Parks and Recreation District (NCPRD) with an artwork proposal for Milwaukie Bay Park called the First Fish Herons project.

Winter 2022: City Council directed staff to draft a First Fish Herons artworks IGA with CTGR.

Winter 2024: city and CTGR staff finished drafting an IGA.

[July 24, 2024](#): Tribal Council authorized an IGA with the city for the First Fish Herons artworks.

[September 3, 2024](#): City Council received an update on the IGA and directed staff to prepare an authorizing resolution.

ANALYSIS

As outlined in the September 3 staff report, in fall 2021 the CTGR proposed that indigenous placemaking/place keeping artwork be installed on a seasonal basis at Milwaukie Bay Park. In response, the Milwaukie community enthusiastically expressed support for the proposal and city and Tribal staff began drafting an IGA for the artworks. Attachment 2 of this report is the final draft of the IGA, which the Tribal Council authorized in July; see the September 3 report for details of the agreement.

Letter of Appreciation

During the September 3 update, Council expressed interest in sending a formal letter of appreciation to the CTGR Tribal Council regarding the First Fish Herons artwork. Staff has drafted a letter for Council to consider (Attachment 3).

BUDGET IMPACT

Once the IGA has been authorized, staff will begin the artwork plinths installation project. The financial impacts on the city are unknown but expected to be minimal. Staff will provide regular updates to Council as the project progresses.

CLIMATE IMPACT

This project's impact on the climate may be minimal during the installation process, but the city and CTGR will work to ensure sustainable practices will be used whenever possible.

EQUITY IMPACT

Representation of all community members is important to the city's equity work. By bringing the First Fish Heron artworks to Milwaukie Bay Park, the city is seeking to reconnect this physical location to the first peoples who resided in this area.

WORKLOAD IMPACT

Staff should be able to accommodate this implementation of this IGA and program within existing workloads.

COORDINATION, CONCURRENCE, OR DISSENT

The city recorder, city attorney, city manager, and staff from the finance, engineering, and public works departments collaborated with CTGR and NCPRD on this project.

STAFF RECOMMENDATION

Staff recommends that Council adopt the resolution authorizing the city manager to sign an IGA with the CTGR for the First Fish Herons artworks program.

ALTERNATIVES

Council could decline to adopt the resolution, which would result in no First Fish Herons artworks being placed at Milwaukie Bay Park.

ATTACHMENTS

1. Resolution
2. Final IGA
3. Council Letter

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CONFEDERATED TRIBES OF THE GRAND RONDE FOR THE IMPLEMENTATION OF A FIRST FISH HERONS ARTWORKS PROGRAM AT MILWAUKIE BAY PARK.

WHEREAS in Fall 2021 the Confederated Tribes of the Grand Ronde Community of Oregon (Tribe) approached the City of Milwaukie (City) with a proposal to install cultural art exhibits featuring First Fish Herons at Milwaukie Bay Park; and

WHEREAS the Milwaukie community and city leaders expressed strong support for the project and directed staff to develop an intergovernmental agreement (IGA) with the Tribe to bring cultural art exhibits to Milwaukie Bay Park; and

WHEREAS the Tribe and City wish to create a program that will select, produce, and maintain tribal cultural exhibits (artworks) installed at Milwaukie Bay Park; and

WHEREAS the City believes that art created and placed by Indigenous Peoples is one of the most effective and recognizable ways that Indigenous People can hold a place in their homelands; and

WHEREAS the City will use available resources to install and maintain plinths in Milwaukie Bay Park to support the First Fish Herons artworks and will dedicate resources to support programming around the artworks and provide an annual report.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the city manager is authorized to execute an intergovernmental agreement (Exhibit A) with the Confederated Tribes of the Grand Ronde Community of Oregon for the First Fish Herons cultural art program.

Introduced and adopted by the City Council on **September 17, 2024.**

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

**PUBLIC EXHIBITION OF ART AGREEMENT
WITH THE CITY OF MILWAUKIE, OREGON
FOR FIRST FISH HERONS SEASONAL ART INSTALLATION AT MILWAUKIE BAY PARK**

THIS ART AGREEMENT (“Agreement”) is made and entered into by and between the City of Milwaukie, Oregon (“City”), a municipal corporation of the State of Oregon, and The Confederated Tribes of the Grand Ronde (“Tribe”), a federally recognized Indian Tribe, collectively referred to as the “Parties” and each a “Party.”

RECITALS

WHEREAS in fall 2021, the Tribe approached the City with a proposal to install cultural art exhibits at Milwaukie Bay Park, and

WHEREAS following the proposal, community and city leaders expressed strong support for the project and directed city staff to work with the Tribe to bring cultural art exhibits to Milwaukie Bay Park, and

WHEREAS the Tribe and City wish to create a program that will select, produce, and maintain tribal cultural exhibits (“Artworks”) installed at Milwaukie Bay Park as described in Exhibit A, and

WHEREAS by the authority granted in Oregon Revised Statutes 190.010 et seq., the City is authorized to enter into agreements with the Tribe.

WHEREAS the Tribe is authorized to enter into this Agreement with the City by Resolution [###-##].

NOW THEREFORE, in consideration of the mutual promises set forth below, the Parties agree as follows:

TERMS

- 1) Purpose.** The Tribe and the City wish to create a program for the annual selection, installation, and maintenance of cultural exhibits in Milwaukie Bay Park to increase awareness of the river, salmon, and the indigenous people in a tribally sanctioned and appropriate way.
- 2) Effective Date.** This Agreement will be effective upon the date of final signature (“Effective Date”).
- 3) Term.** This Agreement will remain in effect for five (5) years beginning on the Effective Date (“Initial Term”). This Agreement may be renewed for one (1) additional five-year period upon written approval of the Parties.
 - a) Review.** Designated representatives of the Parties shall meet in the fourth year of the Initial Term to review the program. Any proposed amendments to the Agreement will be presented to the other party for consideration no less than 180 days prior to expiration.
 - b) Sunset Clause.** If the Parties do not renew this Agreement, it will automatically expire at the end of the Initial Term.

- 4) Artwork to be Provided.** Tribe shall provide Artworks annually from artists chosen by the Tribe, or Artworks owned by the Tribe, for seasonal display at Milwaukie Bay Park. The Artworks will be on display for an approximately three (3) month period (“Exhibition Period”) each year of this Agreement. The Exhibition Period may be shortened or extended by mutual written agreement between the Parties. The Parties reserve the right, with or without cause, of deaccession, or to terminate exhibition of the Artworks at any time.
- 5) Termination.**
- a) Either party may terminate this Agreement without cause by giving no less than 30 days’ written notice to the other party. Upon termination, the Tribe and artists reserve the right to retain, maintain, and dispose of the Artworks as they deem appropriate.
 - b) The City may terminate this Agreement at any time upon the occurrence of any of the following events:
 - i) **Statutory Changes.** Federal or State laws, regulations or guidelines are modified or interpreted in such a way that the City is prohibited from proceeding under the terms of this Agreement.
 - ii) **Damaged or Defaced.** The Artworks are damaged or defaced and the City elects to remove the Artworks from display.
 - iii) **Breach.** The Tribe or City commits any material breach or default of any covenant, warranty, obligation, or agreement under this Agreement, fails to timely perform the work required under this Agreement, and such default or failure is not cured within thirty (30) business days after delivery of notice of the material breach or default.
- 6) Expenses.**
- a) **City Expenses.** The City agrees to pay for all costs associated with the purchase, installation, and maintenance of three (3) basalt plinths (24 to 36 inches above grade) in Milwaukie Bay Park.
 - b) **Tribe Expenses.** The Tribe agrees to pay for all costs associated with the recruitment, selection, and annual installation and removal of the Artworks.
- 7) Ownership of Work.** Ownership of the work required under this Agreement shall be as follows:
- a) **Plinths.** The City shall retain ownership of the plinths installed at Milwaukie Bay Park.
 - b) **Park Property.** The City shall retain ownership of the Milwaukie Bay Park land and open space, offsite infrastructure, and all other improvements that are not moveable and integral to the built-out Artworks.
 - c) **Artworks.** The artists selected by the Tribe are entitled to and will retain possession and ownership of their artwork, including but not limited to, all studies, drawings, designs, and models. Upon the City’s written request, the Tribe shall provide one (1) drawing or image of each artwork to be displayed, where the City shall ensure the drawing or image will be used solely for exhibition purposes and retained as documentation to demonstrate artworks showcased through this Agreement.

8) Warranties.**a) Warranties of Title.** The Tribe represents and warrants that:

- i) the Artworks will be solely the result of the artistic effort of various artists under contract with or under the employ of the Tribe;
- ii) except as otherwise disclosed in writing to the City, the Artworks will be unique and original and will not infringe upon any copyright;

b) Warranties of Quality and Condition. The Tribe represents and warrants, except as otherwise disclosed to the City in writing, that:

- i) the Artworks, as fabricated, will be free of defects in material and workmanship, including any defects consisting of inherent vice or qualities which cause or accelerate deterioration of the artwork; and
- ii) reasonable maintenance of the Artworks will not require procedures substantially more than those described in Section E of Exhibit A of this Agreement.

The warranties described in Section 8(b) above will apply during the Exhibition Period for each display. The City shall give written notice to the Tribe of any observed breach with reasonable promptness. The Tribe shall, at the request of the City and at no cost to the City, cure the breach of any such warranty which is curable by the Tribe and which cure is consistent with professional conservation standards (including, for example, cure by means of repair or refabrication of the Artworks). A solution can also include the replacement of the Artworks with another artwork provided by the Tribe and reviewed and approved by the City.

9) Reproduction of Artworks. The Tribe, or artist under the employ of or under contract with the Tribe, shall retain all rights under the Copyright Act of 1976, 17 U.S.C. §§ 101 et seq., and all other rights in and to the artwork. The City is prohibited from making any duplication, image, or replication of the artwork at any time or in any form, except when reproducing images of representations of the artwork for the purposes of promoting the artworks and conducting programming at the artworks or adjacent park property in the form of brochures, media publicity, and catalogues or other similar publications, and the Tribe and artists will not unreasonably withhold such permission.

10) Advertising. Where appropriate, the Parties will coordinate all publicity, advertising, and outreach efforts, including the development and reproduction of electronic and in-print outreach materials. The City and Tribe agree that when logos are used both entity logos will be used.

a) Final Review. The Tribe retains the right to provide final approval on any advertising materials used in relation to promote the Artworks.

b) Point of Contact. The Tribe shall serve as the primary point of contact for inquiries from the public and news media about the Artworks and the program. The Tribe shall notify the City of any scheduled media interviews or appearances of the artists or Artworks.

11) Amendments. This Agreement may not be amended without the prior written consent of the City and the Tribe.

12) Assignments. The engagement of artists will be the responsibility of the Tribe. The Tribe will keep the City informed of the artists engaged and provide contact information for each.

The City agrees to communicate with the artists through the Tribe, except to coordinate the installation and removal of the Artworks, to coordinate promotional work, or to respond to public inquiries or maintenance issues.

The artists will provide no less than 15 calendar days' written notice to the City prior to any onsite artwork installation, maintenance, or removal being performed to allow the City sufficient time to coordinate closures of the park, parking lot or other related transportation closures.

13) Indemnity and Hold Harmless. Subject to the Oregon Tort Claims Act and any other applicable law, each Party will defend, indemnify, and hold the other, its officers, agents, and employees, harmless against all liability, loss, or expenses and against all claims, actions or judgments based upon or arising out of damage or injury (including death) to persons or property, but only to the proportionate extent caused by or resulting from any negligent or willful act, error, or omission (excepting professional services performed under this agreement) of an act sustained in connection with the performance of this agreement or by conditions created thereby.

14) Insurance. The Tribe or artists shall insure the Artworks against damage or loss in an appropriate amount determined by the artist. The City has no obligation to provide additional insurance for the Artworks.

15) Mediation/Venue. In the event a dispute arises under this Agreement, the Parties agree to participate in non-binding mediation in accordance with the mediation procedures of the Oregon Mediation Association, or to such other procedures as the Parties agree. The Parties agree to share equally in the costs of the mediator. The mediator will be selected by the Parties, either upon mutual agreement within 15 days written notice by one Party to the other requesting mediation, or if the Parties are not able to agree upon a mediator within said period, the mediator will be chosen by the City's city manager from the list of mediators maintained by the Oregon Mediation Association (<https://ormediation.org/>).

16) Compliance with Laws. The provisions of this Agreement will be construed in accordance with the provisions of the laws of the State of Oregon. Nothing contained within this Agreement shall be construed to be a waiver of the sovereign immunity of the Confederated Tribes of the Grand Ronde Community of Oregon.

17) Waiver. The failure of a party to enforce any provision of this Agreement against the other will not constitute a waiver by the Party of that or any other provision.

18) No Third-Party Beneficiary. The Tribe and City are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or will be construed to give or provide any enforceable benefit or right, whether directly, indirectly, or otherwise, to third parties.

19) Severability. The Parties agree that if any term or provision of this Agreement is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected.

20) Notices. Any notice or communication related to this Agreement by one Party to the other will be given by personal delivery, mail, or email at the address set forth below. The notice or communication will be deemed given upon deposit in the United States mail or postage prepaid, or at the time of actual delivery if send electronically.

If to the City:

Scott Stauffer, City Recorder
10501 SE Main Street
Milwaukie, OR 97222
503.786.7502

StaufferS@milwaukieoregon.gov

If to the Tribe:

David Harrelson, Tribal Historic Preservation Officer
9615 Grand Ronde Road
Grand Ronde, OR 97347
503.879.1630

David.Harrelson@grandronde.org

21) Complete Agreement. This Agreement and attached exhibit constitute the entire agreement between the Parties. No waiver, consent, modification, or change of terms of this Agreement will bind either party unless in writing and signed by both parties. Such waiver, consent, modification, or change if made, will be effective only in specific instances and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. The Parties, by the signature of its authorized representative, acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

IN WITNESS WHEREOF, the Parties, by the signatures of their duly authorized representatives, executed this Agreement, effective on the date of final signature.

The City of Milwaukie

The Confederated Tribes of the Grand Ronde

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to Form:

Justin D. Gericke, City Attorney

Exhibit A

Scope of Work

- A. Project Description.** To work with artists to create, install, and maintain the seasonal Artworks installations based in the cultural practices of the indigenous Clackamas people to foster informed and inclusive-based community creations through ongoing programming led by the Tribe.

The annual Artworks displays will roughly correspond to the Spring Chinook Salmon run between February and June. Artists will be invited by the Tribe to learn about the first fish cultural traditions and to decorate, embellish, or create a new artwork for display. Artists will be selected annually by the Tribe for the coming season.

- B. Programming.** A primary program objective is to promote cultural awareness of the practices and history of the Clackamas people. Accordingly, it is the goal of the Parties to collaborate on events, activities, and programming when the Artworks are on display to promote community awareness, and to identify funding and document all artwork-related programming. The Parties ability to administer programming for the Artworks is subject to each Party's available resources in any given year.

1) Annual Meetings. The Parties shall meet at least annually to discuss the Artworks and associated programming.

2) Reports. City shall provide an annual report to the Tribe no later than July 31 and in electronic PDF format that describes the most recent season's programming goals and deliverables.

3) Programming Committee. The Parties may form a standing programming and event coordination committee; otherwise, the administrative and technical staff for each Party is expected to meet as needed to coordinate seasonal installation and removal of Artworks and other programming requests.

C. Installation.

1) Plinths. The City will install the plinths as permanent fixtures in Milwaukie Bay Park in an area that facilitates the installation and removal of the Artworks. Initial installation of the plinths will be completed in **summer 2025**.

The plinths will remain vacant and empty when the Artworks are not on display.

2) Signage. The Tribe and City may work with artists to design and install signage approved by the Parties on or around the plinths as a description of the Artworks during the Exhibition Period.

3) Seasonal Installation and Removal. The Artworks will be installed seasonally for no more than 100 days. The installation will occur annually in February-March and removal will occur in May-June by the artist and/or the Tribe. The Tribe and artists shall be responsible to repair any damage to the plinths and park grounds caused by the Tribe or artists that may occur during the installation, maintenance, programming, and removal of the Artworks.

D. Project Management. The Parties agree to the following responsibilities:

- 1) The Tribe and artists are granted permission by the City to install Artworks on City-owned property in accordance with this Agreement.
- 2) The Tribe is lead agency on development, installation and removal of the Artworks.
- 3) The City is lead agency on construction and installation of the plinths.
- 4) The Parties agree to maintain communication in all aspects of this project. The Tribe acknowledges that the City will need time to coordinate disruptions to the usual operations of the park and to accommodate plinth and artwork installation, maintenance, and removal.
- 5) The City shall assist the Tribe and artists in navigating any required city permitting processes to install the Artworks. The City shall manage any permitting requirements for the plinths.
- 6) The City shall accommodate the plinths and the City's obligations under this Agreement as part of any future development of Milwaukie Bay Park.
- 7) The Parties shall coordinate community outreach during artwork selection, design, construction, installation, and removal periods, including providing updates to the Tribal Council, Milwaukie City Council, and Milwaukie Parks and Recreation Board.

E. Maintenance. The Tribe shall be responsible for routine maintenance of the Artworks during the Exhibition Period. The City reserves the right to decline to implement any artist's recommended maintenance procedures for the areas surrounding the Artworks if circumstances such as costs, may render implementation unreasonable.

- 1) **Routine Care.** The City shall ensure regular and routine maintenance of the site surrounding the Artworks is completed during the Exhibition Period.
- 2) **Damage or Defacement.** In the event the Artworks are damaged during the Exhibition Period, from whatever cause, and the City reasonably deems the Artworks to be a danger to the public health or safety or the Artworks are defaced by graffiti (as defined in ORS 164.381), the City may take any of the following actions:
 - i) if no imminent risk to public safety or health, the City will provide written notice to the Tribe that the artwork must be removed or protected within 10 calendar days of the receipt of the notice, to eliminate the damage or to remove the graffiti.
 - ii) if there is an imminent risk to public safety or health, the City may immediately protect the public from risk or injury without prior written notice to the Tribe. If the artwork was damaged or defaced, the City may obscure the artwork to protect the surrounding area from the negative effects of graffiti. The City will provide written notice to the Tribe within 10 calendar days of its actions with a timeframe to cure the damage or graffiti, or to remove the artwork.
 - iii) if Tribe does not remove or otherwise secure the damaged artworks so it no longer presents a danger to the public health or safety, or remove the graffiti, within the

Contract No. _____

specified period, the City may remove the Artworks from display and store it on City property that is reasonably secure, at the City's expense.

- iv)** consult with the Tribe to identify funding strategy for repair. The City reserves the right to take all necessary actions to secure and remove the Artworks as it deems necessary. Further, the City shall not be financially responsible for repairing or replacing the Artworks in the event of any sustained damage.



September 17, 2024

DRAFT LETTER

Tribal Council
Confederated Tribes of the Grande Ronde
Community of Oregon
9615 Grand Ronde Road
Grand Ronde, OR 97347

Dear Tribal Council,

On behalf of the Milwaukie community, the Milwaukie City Council would like to sincerely thank the Tribal Council and Tribal staff for proposing the First Fish Herons cultural artworks program.

As a city, we take the heritage of place seriously and we deeply value the time and resources the Tribe has contributed to the First Fish Herons artworks and to helping Milwaukie further know and understand the importance of this place to the Clackamas People, who lived here for centuries before the arrival of European and American settlers.

We eagerly anticipate the arrival of these artworks every year and we look forward to doing everything in our power to ensure that these artworks are warmly greeted and appreciated in our community.

Sincerely,

Lisa M. Batey, Mayor

Robert Massey, Council President

Adam Khosroabadi, Councilor

Rebecca Stavenjord, Councilor

Will Anderson, Councilor

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Jherica Zink, (as to form) Administrative Specialist II

From: Peter Passarelli, Public Works Director

Subject: Bee City USA Adoption

Date Written: Sep. 5, 2024

ACTION REQUESTED

Council is asked to adopt the attached Bee City USA resolution and commitments.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

August 20, 2024: Staff provided council an update on Bee City USA and the associated application process and future commitments. Council was supportive of passing a resolution in support of the Bee City USA initiative.

ANALYSIS

Staff have been working with the Milwaukie Rotary Club, the Milwaukie Park and Recreation Board (PARB) and other stakeholders interested in the [Bee City USA](#) designation for Milwaukie. Bee City USA is an initiative of the [Xerces Society](#) focused on supporting pollinators. There are currently 217 Bee City USA affiliates.

The Bee City USA initiative aims to sustain pollinators, focusing on the more than 3,600 species of native bees in the country. By increasing native plant abundance, providing nest sites, and reducing pesticide use, Bee City USA promotes healthier ecosystems and food supplies for native bees. Native bees play a crucial role in our ecosystems as well as agriculture for reasons outlined below.

Pollination: About 75% of North American plant species rely on insects—mostly bees—for pollination. Native bees transfer pollen from one plant to another, ensuring reproduction and genetic diversity.

Crop Production: Native bees are primary pollinators or significantly supplement honeybees in crop pollination. Even non-pollinator crops like cotton and soybeans benefit from bee visits, leading to higher yields.

Biodiversity: Native bees contribute to plant diversity by pollinating various species. They're specialists on specific plants, ensuring these plants reproduce. For instance, some native bees specialize in pollinating food crops like squashes and sunflowers.

Habitat Health: Bees help maintain healthy ecosystems by pollinating wildflowers, trees, and shrubs. Their activities support other wildlife and maintain balanced ecosystems.

Food and Products: Bees provide high-quality food (honey, royal jelly, and pollen), beeswax, propolis, and honeybee venom.

Bee City USA aligns with our commitment to environmental stewardship. By participating, the city will contribute to the well-being of local pollinators. Bee City enhances biodiversity and ecosystem resilience. The program also fosters community collaboration, bringing people together to create positive change.

Bee City USA Requirements

The general requirements for Bee City USA are as follows.

1. **Form a committee:** Establish a Bee City USA committee with diverse expertise, including volunteers and city staff. The city, Rotary Club and PARB have agreed to form a joint committee to work collectively on Bee City USA efforts. It is expected that this committee will meet quarterly during scheduled PARB meetings.
2. **Facilitate efforts:** Assign facilitation to a local government body or non-profit organization. The city and Rotary are working jointly to facilitate efforts.
3. **Designate a sponsor:** Designate a local government department as the program sponsor and appoint a liaison. The public works department, public works director (or designee) will serve as sponsor and liaison.
4. **Local government approval:** Present the resolution to council for formal approval. Rotary has drafted and sent a resolution for Xerces approval. Xerces has reviewed and approved that attached resolution.
5. **Complete Application:** Submit an online application form and a draft resolution. Rotary Club will submit the application, the adopted resolution and pay the application fee.

Bee City Commitments

1. Establish a standing Bee City USA committee to advocate for pollinators. This will be the Joint Rotary and PARB committee.
2. Create and enhance pollinator habitat on public and private land by increasing the abundance of native plants and providing nest sites. Creating or enhancing pollinator habitat on public and private land each year. To assist with habitat creation and provide guidance for the community, the city will provide a native plant list and native plant supplier list and post to the city's website.
3. Reduce the use of pesticides. Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods. Milwaukie currently utilizes the City of Portland's IPM. It is a document that the city has referenced in its Stormwater Management Plan.
4. Incorporate pollinator-conscious practices into city policies and plans. Establish a policy in the city's comprehensive plan to acknowledge and commit to the Bee City USA designation. Review the plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.
5. Host pollinator awareness events. Host or co-host at least one pollinator awareness event each year. The focus of these events should be native pollinators and the steps that can be taken to conserve them. Rotary has agreed to host these events, which can also be held in conjunction with the city's Earth Day event and other annual events.

6. Publicly acknowledge Bee City USA affiliation with signs and an online presence. The city must display at least one sign designating your community as a Bee City USA affiliate. The city must also commit to maintaining an online presence to share information about activities as well our native plant list, native plant supplier list, and IPM plan.

BUDGET IMPACT

This program is not expected to have any significant budgetary impacts.

CLIMATE IMPACT

Pollinators play a crucial role in maintaining healthy ecosystems. By supporting Bee City USA, the city will contribute to climate resilience by enhancing pollinator habitats. These habitats sequester carbon, promote biodiversity, and improve overall ecosystem health. Native plants in pollinator-friendly spaces supply cleaner air, require less water and fertilizer, and supports declining insect species as part of mitigating climate change. Their deeper roots stimulate fungal bioremediation and infiltration for groundwater, the source of Milwaukie's drinking water. Bee City USA encourages planting native species, which directly supports our climate action efforts. Bee City USA fosters community engagement through educational programs. Educated citizens are more likely to participate in climate initiatives and advocate for sustainable practices.

EQUITY IMPACT

Bee City USA initiatives are designed to benefit all residents, regardless of socioeconomic status. Reducing pesticide use and creating pollinator-friendly environments contribute to healthier living conditions, particularly in low-income areas that may be disproportionately affected by pollution and environmental degradation. Enhancing pollinator habitats on public and private lands increase access to green spaces for all community members. These spaces provide opportunities for recreation, education, and connection with nature, which can improve mental and physical health, particularly in undeserved neighborhoods that may lack sufficient green infrastructure. Finally, engaging diverse community members in pollinator conservation ensures equitable representation. The joint committee may collaborate with local schools and neighborhood associations to create inclusive programs.

WORKLOAD IMPACT

Public works staff will work with interested parties and will provide a staff member as the liaison to participate in Bee City USA committee meetings.

COORDINATION, CONCURRENCE, OR DISSENT

Public works staff consulted with the city manager, city attorney, city recorder, PARB, and the Milwaukie Rotary Club on this project.

STAFF RECOMMENDATION

Staff recommends Council adopt the Bee City USA resolution.

ALTERNATIVES

Council could decide to not approve the resolution and not support becoming a Bee City USA.

ATTACHMENTS

1. Resolution



COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, SUPPORTING HEALTHY POLLINATORS AND ADOPTING BEE CITY USA COMMITMENTS.

WHEREAS the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS thanks to the more than 3,600 species of native bees in the United States, along with introduced honeybees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS ideal pollinator-friendly habitat (A) is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS the City of Milwaukie should be certified a BEE CITY USA community because organizations and individuals have expressed their interest in the conservation

and preservation of native pollinator species by initiating pollinator pathways along Main Street, and have shown their passion to expand this vision throughout the City of Milwaukie by adopting the BEE CITY USA commitments; and

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, the City of Milwaukie chooses to support and encourage healthy pollinator habitat creation and enhancement, resolving as follows:

1. The City of Milwaukie Public Works Department is designated as the BEE CITY USA sponsor consistent with BEE CITY USA program requirements.

2. The director of public works or designee is designated as the BEE CITY USA Liaison.

3. Facilitation of Milwaukie's BEE CITY USA program will be assigned to a joint Bee City committee formed of the Rotary Club of Milwaukie and the Milwaukie Parks and Recreation Board, along with other interested community stakeholders.

4. The Bee City Committee is authorized to and shall:

a. Celebration: Host at least one educational event or pollinator habitat planting or restoration each year to showcase Milwaukie's commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.

b. Publicity & Information: Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage on the City of Milwaukie website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for your BEE CITY USA Liaison and Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and your recommended native plant species list and integrated pest management plan (explained below).

c. Habitat: Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, Identifying and inventorying Milwaukie's real property that can be enhanced with pollinator-friendly plantings; creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acreage) annual area of pollinator habitat created or enhanced.

d. Pollinator-Friendly Pest Management: In coordination with the city create and adopt an integrated pest management (IPM) plan designed to prevent pest

problems, reduce pesticide use, and expand the use of non-chemical pest management methods.

e. Policy & Plans: Review the Comprehensive Plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator friendly plantings, and consider other appropriate measures.

f. Renewal: After completing the first calendar year as a BEE CITY USA affiliate, each February, apply for renewal of the City of Milwaukie's BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year's BEE CITY USA activities, and paying the renewal fee based on the City of Milwaukie's population.

Introduced and adopted by the City Council on **September 17, 2024**.

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: Sep. 6, 2024

Reviewed: Jennifer Garbely, PE, City Engineer

From: Josh Neath, Associate Engineer

Subject: **Washington Street Improvements Engineering Services Increased Authorization**

ACTION REQUESTED

Council is asked to authorize an increase of the project authorization amount for the engineering services contract with AKS Engineering and Forestry, LLC for the continuation of engineering services for the Washington Street Area Improvements project.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

December 7, 2021: Council award the project to AKS Engineering and Forestry ([Resolution R58-2021](#)) with an authorized project budget of \$799,948.

ANALYSIS

In December 2021, Council approved an engineering services contract with AKS Engineering and Forestry, LLC for the exact dollar amount of the contract award. However, that amount did not include any contingency funds to cover unforeseen costs for increased scope of work. Changes in design and increase in scope caused overuse of design budget, which has resulted in a lack of funds to continue engineering services through the end of construction and provide as-built services to document newly installed infrastructure. This authorization will provide the funds to complete this engineering work for the Washington Street Area Improvements.

BUDGET IMPACT

The project is identified in the 2024-2025 biennium budget. Funding for the added scope is being pulled from prior project savings, the residential surface repair fund, and updating utility funds in the next Capital Improvement Plan (CIP) budget cycle to account for delays in the project.

WORKLOAD IMPACT

If the increase is not approved, additional staff time will be required to provide engineering services for construction contractor and as-builts will have to be put together by contractor.

CLIMATE IMPACT

The Washington Street Area Improvements project design includes street and sidewalk improvements as recommended in the mitigation strategies for land use and transportation planning in the city's Climate Action Plan (CAP).

EQUITY IMPACT

Not applicable.

COORDINATION, CONCURRENCE, OR DISSENT

Not applicable.

STAFF RECOMMENDATION

Staff recommends that Council increase the project budget authorization to \$999,935 to allow for the continuation of engineering services through construction and the development of as-builts, and to authorize delegated staff to administer the project in accordance with the project specifications up to the increased amount.

ALTERNATIVES

Council could decide to:

1. Approve the budget increase as presented, or
2. Reject the budget increase, foregoing further engineering services through construction and the development of as-builts

ATTACHMENTS

1. Resolution

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING AN INCREASE IN THE PROJECT AUTHORIZATION FOR ENGINEERING SERVICES FOR THE WASHINGTON STREET AREA IMPROVEMENTS PROJECT.

WHEREAS the city approved Resolution 58-2021, which awarded a contract for the design of the Washington Street Area Improvements project for \$799,948; and

WHEREAS engineering and design services beyond the original authorized contract amount are necessary to complete the contract; and

WHEREAS the contract amount authorized by [Resolution R58-2021](#) therefore needs to be increased to reflect the additional funding needed to complete the project.

Now, Therefore, be it by the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, that the project authorization amount for the design of Washington Street Area Improvements with AKS Engineering and Forestry, LLC be increased by \$199,987 and that the city manager, city engineer, or assistant city engineer is authorized to administer the project in the amount not to exceed a total contract amount of \$999,935.

Introduced and adopted by the City Council on **September 17, 2024**.

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Peter Passarelli, Public Works Director

From: Michael Osborne, Finance Director

Subject: **Stanley Water Reservoir Project Change Order**

Date Written: Sept. 12, 2024

ACTION REQUESTED

Council is asked to authorize an increase of the project authorization amount for the construction services contract with T Bailey Inc. for the construction services for the Stanley Reservoir improvements.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[June 7, 2022](#): Council adopted the 2023-2024 Biennium Budget and Capital Improvement Plan (CIP) that identified the Stanley Reservoir project and allocated \$2.7 million of American Rescue Plan Act (ARPA) revenues for this project.

January 2, 2024: Council award the project to T Bailey Inc. ([Resolution R3-2024](#)) with an authorized project budget of \$2,645,314.

ANALYSIS

In January 2024, Council approved a construction services contract with T Bailey, Inc. for the exact dollar amount of the contract award. However, that amount did not include any contingency funds to cover unforeseen costs for increased scope of work. Authorization is needed to amend the contract for additional services related to piping and pumping modification for Well #6 to allow the well to pump around the reservoir during construction.

- The authorization will also provide for any future scope of work increases that may be necessary to complete the construction, alteration, installation or repair work for Stanley Reservoir Improvements.

BUDGET IMPACT

The project is identified in the 2025-2026 biennium budget. Funding for the added scope is being pulled from prior project savings and utilizing available capital maintenance funds.

WORKLOAD, CLIMATE AND EQUITY IMPACT

Not applicable.

COORDINATION, CONCURRENCE, OR DISSENT

Not applicable.

STAFF RECOMMENDATION

Staff recommends that Council increase the project budget authorization to \$2,900,000 to allow for existing scope increases and unforeseen changes necessary to complete the project, and to authorize delegated staff to administer the project in accordance with the project specifications up to the increased amount.

ALTERNATIVES

Council could decide to:

1. Approve the budget increase as presented, or
2. Reject the budget increase and risk the Well being taken off-line and reducing city's water supply.

ATTACHMENTS

1. Resolution

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING AN INCREASE IN THE PROJECT AUTHORIZATION FOR CONSTRUCTION SERVICES FOR THE STANLEY RESERVOIR IMPROVEMENTS PROJECT.

WHEREAS the city approved Resolution 3-2024, which awarded a contract for the design of the Stanley Reservoir Improvements project for \$2,645,314, and

WHEREAS additional funds are needed for services related to piping and pumping modifications for Stanley Reservoir Well #6 to allow the well to pump around the reservoir during construction.

WHEREAS the contract amount authorized by [Resolution R3-2024](#) therefore needs to be increased to reflect the additional funding needed to complete the project.

Now, Therefore, be it by the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, that the project authorization amount for the construction of Stanley Reservoir Improvements with T Bailey Inc. be increased by \$254,686 and that the city manager, or public works director is authorized to administer the project in the amount not to exceed \$2,900,000.

Introduced and adopted by the City Council on **September 17, 2024**.

This resolution is effective immediately.

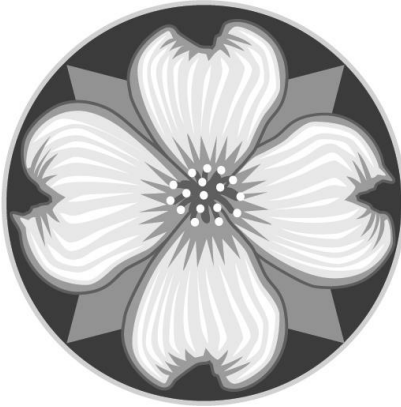
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



RS Agenda Item

9

Council Reports

[to be on City letterhead]

September 18, 2024

Colin McConnaha, Manager, Office of Greenhouse Gas Programs
Oregon Department of Environmental Quality
700 N.E. Multnomah Street, Suite 600
Portland, Oregon 97232-4100

Subject: City of Milwaukie Support for Restoring the Climate Protection Program

Dear Mr. McConnaha:

The City of Milwaukie applauds the work of the Department of Environmental Quality (DEQ) and countless stakeholders on the Climate Protection Program (CPP) rulemaking. We urge the adoption of the rules this fall to cut harmful climate emissions, create new clean energy jobs, improve public health, and create cleaner, cheaper, healthier energy and transportation options that will provide Oregon jobs, and benefit families and the economy.

Milwaukie adopted our Climate Action Plan [available at [Milwaukie is Taking Climate Action | City of Milwaukie Oregon Official Website](#)] six years ago, and subsequently declared a climate emergency requiring us to accelerate our target dates for emissions reduction. We are exploring a number of tools to meet those targets, but much of our success is beyond the control of a small city like ours since we have little regulatory authority over polluters. We must count on regulation at the state level to do what is beyond our authority, and the CPP is a crucial step in that direction.

We urge you to **maintain** language in the final rules that will uphold the integrity of the program, including: requiring compliance every two years; disallowing offsets (investments in projects outside of the regulated sectors and outside of Oregon); upholding the proposed price for Community Climate Investment (CCI) credits; and directly regulating industrial methane emissions while maintaining the integrity of the overall cap. We also applaud the requirement for at least 15% of CCI funds to go towards federally recognized Tribes and Tribal Communities.

We strongly urge you to **strengthen the draft rule language** to ensure that the CPP delivers climate justice and investments for communities, achieves science-based emissions reductions, and holds large industrial polluters accountable for their emissions. Specifically, we urge DEQ to:

1. **Deliver climate justice by maintaining a strong and effective Community Climate Investment (CCI) program that delivers near-term investments for communities that experience climate change impacts first and worst.** The CCI program was developed with extensive input from community members and environmental justice leaders to enable needed investments in community-led solutions to reduce our energy bills, make our homes safer, and make our air cleaner for generations to come. We are extremely

concerned about DEQ's proposal to reward oil and gas companies by adding additional compliance instruments to the initial 2025 emissions cap. Introducing additional compliance instruments at the outset of the program risks undermining the Climate Protection Program's ability to deliver near-term emissions reductions and investments into communities across the state who experience climate disasters first and worst. In addition, some of the same companies seeking compensation for their emissions reductions are the very entities which sued to overturn the program, resulting in the invalidation of the program. If these companies wished to benefit from this program, why did they pursue removing regulations? This proposal would benefit fossil fuel companies' bottom lines at the expense of near-term emissions reductions and communities most impacted by climate pollution.

- 2. Uphold a science-based emissions cap that ensures near-term emissions reductions by requiring immediate compliance.** Justice delayed is justice denied. We have already lost 3 years of emissions reductions due to the oil and gas industry litigation. We therefore strongly support DEQ's proposal to adjust compliance periods to every two years, and to require a one-year compliance period for 2025, which will best deliver near-term emissions reductions. Delivering near-term emissions reductions which will provide immediate public health benefits by reducing harmful co-pollutants that disproportionately affect BIPOC communities and low-income Oregonians. Near-term emissions reductions will also deliver significant economic benefits, by encouraging investment in clean energy and other emissions-reducing technologies and innovations.
- 3. Hold industrial polluters accountable to mandatory declining emissions reductions.** Regulate all emissions from large industrial polluters under the cap. While we applaud DEQ for proposing to directly regulate large industrial facilities' methane emissions under the cap, we are concerned that the current draft rules do not effectively hold industry accountable for the totality of their harmful climate and air pollution. We therefore urge DEQ to require that all industrial source pollution, including process emissions, be held to mandatory limits under the cap.

We would like to underscore how vital it is for the CPP to lean in on the regulation of polluters in Oregon, particularly the regulation of methane (~~aka "natural gas"~~) emissions. The CPP is an absolutely critical part of Oregon's climate action and will be responsible for achieving about 45% of the state's emission reductions targets when it is restored. Without the CPP, Oregon – and cities like Milwaukie -- will fall far off-track on meeting its emission reduction goals, and big polluters will continue to line their pockets at the expense of the well-being of Oregonians.

Thank you for your consideration. Please strengthen and restore an ambitious Climate Protection Program without delay.

[signature block for full council]