



MILWAUKIE

Dogwood City of the West

To: Design and Landmarks Committee
From: Li Alligood, Assistant Planner and DLC Liaison
Date: April 20, 2011
Subject: Preparation for April 27, 2011, Meeting

Greetings! We will be in the **Community Room at the Public Safety Building** for next Wednesday's meeting at **6:30 p.m.** The agenda is enclosed (see Enclosure 1).

Bylaw Review

The municipal code requires City Council to adopt bylaws for each City commission, board, and committee. The Committee's bylaws were adopted in 2003 and have become outdated. Staff will propose potential revisions for Committee feedback. See Enclosure 2 for additional information.

Downtown Façade Improvement Program

Staff provided an overview of the pilot downtown façade improvement program at the February 23, 2011, meeting. The program is about to go "live," and the Committee will have a role in reviewing matching grant applications. Staff will discuss the draft application and guidelines, review process, and the Committee's role. See Enclosure 3 for more information.

Light Rail Project Update

Staff will be adding this subject to the agenda of each meeting for a while so we can keep the committee apprised of the design's progress and seek guidance on key recommendations. This month, Katie will update the Committee on the light rail project status and upcoming non-Design Review project elements. She has also provided a memo following up on questions about the Kellogg Bridge from the joint Planning Commission and DLC meeting on February 17, 2011. See Enclosure 4 for additional information.

Let me know if you have any questions. See you next Wednesday at 6:30 p.m.!

Enclosures

1. April 27, 2011, meeting agenda
2. DLC Bylaws staff report
3. Downtown Facade Improvement Program (FIP) draft application and guidelines
4. Kellogg Bridge memo



MILWAUKIE

Dogwood City of the West

Design and Landmarks Committee Meeting Agenda

Public Safety Building, 3200 SE Harrison St

6:30 p.m., Wednesday, April 27, 2011

1. **CALL TO ORDER**
2. **MEETING MINUTES – None**
3. **INFORMATION ITEMS – None**
4. **WORKSESSION ITEMS** **90 min.**
 - a. **Bylaws**
Discussion of current DLC bylaws and potential revisions. (30 min.)
 - b. **Downtown Façade Improvement Program**
Briefing on façade improvement program in partnership with Metro, and the DLC's role in application review. (20 min.)
 - c. **Light Rail Project Design Update**
Update and discussion of upcoming light rail elements subject to formal and informal design review. (40 min.)
5. **APPLICATION REVIEW ITEMS—None**
6. **OTHER BUSINESS** **5 min.**
 - a. **Scheduling annual meetings with City Council (June)**
7. **ADJOURN**

FORECAST FOR FUTURE MEETINGS

- | | |
|---------------|--|
| May 25, 2011 | 1. Façade Improvement Program application review |
| | 2. Proposed bylaw revisions |
| | 3. Light rail design update |
| June 22, 2011 | 4. Façade Improvement Program application review |
| | 5. Light rail design update |

***NOTE:** If you will be late or are unable to attend, please call the Planning Department cell phone at 503-710-2187.



MILWAUKIE

Dogwood City of the West

To: Design and Landmarks Committee
Through: Katie Mangle, Planning Director
From: Li Alligood, Assistant Planner
Date: April 20, 2011, for April 27, 2011, Worksession
Subject: Design and Landmark Committee Bylaws

ACTION REQUESTED

None. This is a briefing for discussion only. Staff is seeking direction from the Committee on how to revise its bylaws.

BACKGROUND INFORMATION

Milwaukie Municipal Code (MMC) Subsection 2.10.050.A requires the City Council to adopt bylaws for each City board, committee, or commission. The DLC's current bylaws were adopted in 2003 (see Attachment 1).

The purpose of bylaws is to establish conduct for meetings, elections of officers, filling vacancies, describing the types of officers and their duties, and other routine conduct. When Committee members or staff are unsure about the appropriate conduct, the bylaws should provide direction and clarity. According to *The People's Law Dictionary*, "Bylaws are, in effect a contract among members, and must be formally adopted and/or amended."¹

A. History of Prior Actions and Discussions

- **September 2003:** City Council adopted the current DLC bylaws.
- Staff is not aware of any formal discussion of the bylaws by the committee since 2003.

B. Issues with DLC Bylaws

The DLC Bylaws are overdue for revision. The bylaws adopted by each board, commission, and committee to guide the conduct of meetings. However, the current DLC bylaws do not provide guidance where it is most needed, yet provide guidance regarding processes that are no longer applicable to the Committee.

¹ *The People's Law Dictionary*. S.v. "bylaws." Retrieved April 13, 2011, from <http://legal-dictionary.thefreedictionary.com/Bylaws>

An update of the Committee bylaws is timely for several reasons:

- The current bylaws were adopted in 2003, and have not been updated since.
- City Council recently adopted substantial revisions to the zoning ordinance,² including new language about the procedures for conducting design review meetings. These procedures will become effective on May 15, 2011, and are not included or referenced in the current bylaws.
- The Committee will review several design review applications in the next year, and additional clarity and procedural guidance will be important.

Staff recommends that the DLC revise the bylaws to address at least the following components of the bylaws:

- Correct outdated references and procedures.
- Revise the language regarding appointment of Committee members to be consistent with Title 2 of the municipal code.
- Clarify the responsibilities of the Chair, Vice-Chair, Committee members, and supporting City staff.
- Add guidance for situations where quorum is not reached.
- Add guidance for situations in which both the Chair and Vice-Chair are absent from a meeting.
- Add structure or guidance regarding meeting agendas or procedures, or for the role of the Chair as the meeting moderator.

Staff seeks Committee direction on the type and substance of potential revisions to the bylaws. The Planning Commission recently adopted revised bylaws (see Attachment 2). Although PC's bylaws may be more extensive or detailed than the Committee desires, they provide a good starting point for evaluation.

NEXT STEPS

Staff will prepare suggested revisions to the Committee bylaws for review at the May 25 meeting. The Committee will vote on whether to recommend the revisions to City Council for adoption.

ATTACHMENTS

Attachments are provided only to the Design and Landmarks Committee unless noted as being attached. All material is available for viewing upon request.

1. DLC bylaws, adopted September 16, 2003.
2. Annotated Planning Commission bylaws, adopted March 2, 2010.
3. Milwaukie Municipal Code Chapter 2.10 Boards, Commissions, and Committees Generally.

² Ordinance 2025, adopted March 15, 2011 (Land Use File #ZA-10-02).

ATTACHMENT 1

Milwaukie Design and Landmarks Commission (DLC)

BY-LAWS

Approved by the Milwaukie City Council on September 16, 2003

Adopted by the Design and Landmarks Commission, August 27, 2003

ARTICLE I: MEMBERS AND VOTING PROCEDURES

1. Membership of the Commission shall be as established by the Milwaukie Municipal Code and appointed by City Council.
2. A majority of the Commission may recommend to the City Council that a member be removed from the Commission by the City Council.
3. Members are expected to attend all meetings. Failure to attend one-half or more of regularly scheduled meetings in a six-month period shall be grounds for a recommendation for removal.
4. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.
5. All members who are present at Commission meetings, including the Chairperson and Vice-Chairperson, are allotted one vote each on all motions.
6. One member must make a motion and another member must second that motion in order for the Commission to vote. A motion is passed by majority of the Commission members present. Any member, including the Chairperson and Vice-Chairperson, may make and second motions.

ARTICLE II: CHAIRPERSON AND VICE-CHAIRPERSON DUTIES/MOTIONS

1. The Commission shall elect a Chairperson and a Vice-Chairperson. Elections shall be held yearly in January.
2. In the event that an officer cannot complete the specified term, an emergency election shall be held for the completion of the term.
3. The Chairperson shall preserve the order and decorum of the meeting; direct discussion and comment to relevant issues; establish and enforce time limits for discussion and comment as appropriate; prevent attacks on personalities; and encourage citizen input.
4. The Chairperson, or the Vice-Chairperson if the Chairperson is absent, shall preside over the meetings.

ARTICLE III: MEETINGS AND PUBLIC HEARINGS

1. Regular meetings shall be held at 6:30 p.m. on the fourth Wednesday of each month. The time and date of the meeting may be changed by a majority vote of Commission.
2. The public shall be notified of all Commission meetings by the City's general notification procedures.
3. The Planning Director or his/her designee shall be responsible for preparing the Minutes for each meeting and keeping records of the attendance.
4. The Planning Director or his/her designee shall be responsible for mailing the Agenda and all meeting materials to members and interested members of the public at least seven (7) days before the next scheduled meeting.
5. Special Meetings may be called at the request of the Chairperson or a majority of the Commission. The Planning Director shall set a special meeting on such request unless good cause exists for delaying until the next regularly scheduled meeting. Good cause may include such factors as staff availability, meeting room availability, and budgetary considerations.
6. Executive Sessions may be held consistent with City Council Meeting Provisions, Section 2.04.090 of the City of Milwaukie Code and applicable state law

ARTICLE IV: BY-LAWS/ CHANGES

1. By-laws may be amended, repealed or altered by a majority of the entire Commission, subject to approval by the City Council.

ATTACHMENT 2

Annotated Planning Commission Bylaws

These bylaws are a good model for the DLC to use in its bylaws update. Staff has annotated this version for Committee consideration.

- Throughout, of course, we would replace Planning Commission with Design and Landmarks Committee; and “Commission” with “Committee”.
- Staff recommends that the DLC Bylaws include the **yellow-highlighted sections**, though the specific statements should be edited to apply to the DLC and its work. The sections shown below as ~~struck-out~~ are not applicable to the Committee and thus not recommended to be carried over into the DLC Bylaws.

MILWAUKIE PLANNING COMMISSION BYLAWS

ARTICLE I NAME

The name of this commission is the Planning Commission (Commission).

ARTICLE II PURPOSE, AUTHORITY, AND OBJECTIVE

- A. **Purpose.** The purpose of the Commission is to serve as an advisory body to, and a resource for, the City Council in land use matters.
- B. **Authority.** The Commission is authorized by ORS 227 and Milwaukie Municipal Code (MMC) Chapter 2.16.
- C. **Objective.** The Commission's objectives include articulating the community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan.
- D. **Open Meetings.** All meetings of the Commission are open to the public. ~~The Commission has the authority to conduct an executive session under ORS 192.660.~~

ARTICLE III MEMBERSHIP

- A. **Appointment.** Each Commission member shall be appointed by the Mayor with the consent of Council, consistent with MMC 2.10.030.G. Members shall serve at the pleasure of the Council.
- B. **Term of Office.** Terms are for a period of four years. Commission members may serve no more than two consecutive full terms, unless there is an interval of at least one term prior to reappointment. The Council may waive this limitation if it is in the public interest to do so.
- C. **Membership.** The Commission consists of seven members. No more than two members may be non-residents, and no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. No member may be a City of Milwaukie officer, agent, or employee; and no more than two voting members of the Commission may engage principally in the buying, selling, or developing of real estate for profit as individuals; or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, or developing of real estate for profit.
- D. **Vacancies and Removal.** Vacancies are filled in the same manner as the original appointments. A member of the Commission may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.
- E. **Attendance.** Upon failure of any member to attend ___ consecutive meetings, the Commission may recommend termination of that appointment to the Council, and the Council may remove the incumbent from the Commission and declare the position vacant to be filled in the manner of a regular appointment.

- F. **Compensation.** Commission members shall receive no compensation for their service, but shall be fully reimbursed for all duly authorized expenses.

ARTICLE IV OFFICERS AND STAFFING

- A. **Officers.** The officers consist of a Chair and a Vice Chair who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Commission's first meeting of the calendar year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.
- B. **Chair.** The Chair shall preside at all deliberations and meetings of the Commission and call special meetings in accordance with these Bylaws and review Commission agendas with the staff liaison. The Chair shall sign all documents memorializing Commission actions in a timely manner after action by the Commission.
- C. **Vice Chair.** During the absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform all duties and be subject to all the responsibilities of the Chair. In the absence of the Chair and Vice Chair, the remaining members present shall elect an acting Chair.
- D. **Staff.** The City of Milwaukie Planning Department will provide staff support to the Commission for: land use issues, meeting notifications, postponements, final disposition of matters, and other steps taken or acts performed by the Commission, which include administrative housekeeping functions such as word processing, minutes preparation, copying, and information gathering to the extent the budget permits.

ARTICLE V ORGANIZATIONAL PROCEDURES

- A. **Meetings.** The Commission shall hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law. Typically, the Commission meets at least once a month on the second and/or fourth Tuesday at 6:30 p.m. at City Hall. ~~Commission meetings shall end no later than 10:00 p.m., unless extended by majority vote of the Commissioners present and participating in the Agenda item that is under consideration at that time. An extension to 10:30 p.m. is allowed by Commission action. If a meeting has not concluded at 10:30 p.m., the Commission may vote on the Agenda item, consider another extension of up to 30 minutes, or vote to continue the item to the next available meeting.~~
- B. **Quorum.** A quorum is four of the voting membership of the Commission. The concurrence of a majority of the Commission members present shall be required to decide any matter. ~~In the case of a tie vote, the matter is not complete. One new motion may be made. If a majority vote is not obtained on that motion the agenda item fails.~~ If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled. In the event it is known by the Director prior to a meeting that a quorum will not be present at any meeting, the Director shall notify the Commission members. All items scheduled for the meeting shall be automatically continued to a regularly scheduled meeting unless the Director determines that a special meeting is needed. The Director shall post notice of the continuance ~~on the exterior doors of City Hall~~ notifying the public of the continuance and specifying the date and

time when the continued items will be before the Commission. The Notice shall remain through the evening on which the meeting is originally scheduled.

~~C. **Order of Business.** The Chair shall have the authority to arrange the order of business as is deemed necessary to achieve an orderly and efficient meeting. In general, the order of business will be as follows:~~

- ~~1. Call to order – Procedural Matters~~
- ~~2. Minutes~~
- ~~3. Information Items~~
- ~~4. Audience Participation~~
- ~~5. Public Hearings~~
- ~~6. Worksession Items~~
- ~~7. Planning Department Other Business/Updates~~
- ~~8. Planning Commission Discussion Items~~
- ~~9. Forecast for Future Meetings.~~

D. **Voting.** All members who are present at a Commission Meeting, including the Chair and Vice Chair, are allotted one vote each on all motions. A motion may be made by any Commissioner with the exception of the presiding officer. All Commissioners, when a vote is taken, shall vote unless he or she abstains from voting and cites the reason for the record. ~~Staff shall call the roll, altering the order of members called.~~ The Chair shall vote last.

~~E. **Reconsideration of Actions Taken.** A member who voted with the majority may move for a reconsideration of an action at the same meeting only. The second of a motion may be a member of the minority. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the Commission.~~

F. **Minutes.** A staff representative or designee shall be present at each meeting and shall provide for a sound, video, or digital recording, or written minutes of each meeting. The record of the meeting, whether preserved in written minutes or sound, video, or digital recording, shall include at least the following information:

- Names of the Commission members present;
- All motions and proposals, and their disposition;
- The results of all votes and the vote of each Commission member by name;
- The substance of any discussion on any matters; and,
- A reference to any document discussed at the meeting;

Written minutes need not be a verbatim transcript, but give a true reflection of the matters discussed at the meeting and the views of the participants.

Written minutes of a meeting will be made available to the public within a reasonable time after the meeting.

Minutes shall be reviewed and voted upon by the Commission at a regular meeting.

G. **Repeal or Amendments.** The Commission may review these bylaws periodically and forward suggested revisions to the Council for approval. These bylaws may be repealed

or amended, or new bylaws may be adopted by a majority vote of the Council on its own initiative, or upon a recommendation from the Commission.

H. **Meeting Conduct.** The meeting conduct for this Commission is these bylaws except where superseded by or local, state, or federal law.

~~I. **Statement of Economic Interest.** Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.~~

ARTICLE VI DUTIES OF OFFICERS

A. **Duties of the Chair.** The Chair or Vice Chair, in addition to the duties in Article IV, shall preserve the order and decorum of the meeting.

1. The Chair may assess the audience at the beginning of the meeting, and, with the consent of the Commission, announce reasonable time limits.
2. The Chair will direct the planning staff to summarize the issues to be addressed and the criteria to be applied by the Commission during its deliberations, following the conclusion of public hearing testimony.
3. ~~The Chair will summarize the hearing results and state the appeal process at the conclusion of the public hearing.~~

B. **Requesting Response and Opinion.** The Chair will ask for response and opinion from the members of the Commission.

C. **Appointments to Specific Projects on Committees.** The Chair may appoint Commissioners to specific projects or committees, and may select a Commissioner to be spokesperson for the Commission when the Chair or Vice Chair is unavailable.

D. **Confer with Director.** The Chair or Vice Chair shall confer with the Planning Director (Director) on a regular basis outside scheduled meetings concerning the direction each expects of the Commission.

E. **Orientation of New Members.** The Chair, in conjunction with the Director, shall orient new members.

ARTICLE VII DUTIES OF THE COMMISSION

A. **Duty of Commissioner.** Commissioners shall address all those who come before the Commission in a formal and courteous manner.

B. **Absence From a Meeting.** If a Commissioner is unable to attend a meeting, it is that Commissioner's responsibility to inform the Community Development staff and/or the Commission Chair of that fact prior to the meeting to be missed.

C. **Site Visits.** Prior to Commission meetings, Commissioners are encouraged to visit sites that are subjects for land use actions. If a Commissioner visits a site, he or she shall

report on the record any information gained from the site visit that is not consistent with the information included in the application or staff report.

- D. **Method of Handling Conflicts by Members.** In accordance with ORS 244.135: (1) A member of the Commission shall not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest:
1. The Commission or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the Commissioner;
 2. Any business in which the Commissioner is then serving or has served within the previous two years; or
 3. Any business with which the Commissioner is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
 4. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being taken.
- E. **Meeting Preparation.** Commissioners shall prepare for participation at a meeting by fully reviewing the staff report and materials provided by the Director. If a Commissioner is unable to attend a hearing on a quasi-judicial application that is continued to another hearing, the Commissioner shall not take part in the continuance hearing unless the Commissioner:
1. Reviews the staff report and materials provided by the Director as well as:
 - a. all materials submitted at the hearing, and
 - b. any additional materials prepared by the planning staff applicable to the application, and
 - c. either the audio recording of the hearing or the draft minutes of the hearing.
 2. Declares that they are prepared to participate.
- F. **Duties Assigned by Council.** The Commission shall carry out the duties assigned to it by Council relating to development, updating, and general maintenance of the Milwaukie Zoning Ordinance and the Milwaukie Comprehensive Plan.

ARTICLE VIII GOALS AND OBJECTIVES

- A. **Annual Goal Review.** The Commission shall review the Council goals annually for establishment of Commission goals which enhance and augment those of the Council.
- B. **Establishment of Commission Goals.** The Commission shall establish goals, at a minimum, annually.

MILWAUKIE MUNICIPAL CODE

TITLE 2 ADMINISTRATION AND PERSONNEL

CHAPTER 2.10 BOARDS, COMMISSIONS, AND COMMITTEES GENERALLY

2.10.010 APPLICABILITY

This chapter applies to all City boards, commissions, and committees unless mandated otherwise by State statute or City ordinance, including but not limited to the following boards, commissions and committees:

- A. Budget Committee (ORS 294.336 and MMC 2.14, exclusive from monthly meetings);
- B. Center/Community Advisory Board (MMC 2.20 and IGA);
- C. Citizens Utility Advisory Board (MMC 2.11);
- D. Design and Landmarks Committee (MMC 2.18);
- E. Library Board (ORS 357.400 to 357.621 and MMC 2.28);
- F. Park and Recreation Board (MMC 2.12);
- G. Planning Commission (ORS 227.010—227.030 and MMC 2.16);
- H. Public Safety Advisory Committee (MMC 2.24);
- I. Riverfront Board (MMC 2.26); and
- J. Milwaukie Arts Committee (MMC 2.17).

2.10.020 DEFINITIONS

“Board” means a public body created by ordinance or resolution which acts in an advisory capacity to the Council in all matters set forth by the enactment establishing the board.

“Commission” means a public body created by ordinance or resolution which acts as a decision-making body on behalf of the City Council in all matters set forth by the enactment establishing the commission.

“Committee” means a public body other than a board or commission. Each committee has the authority and responsibility established for it by this code and by State law as applicable.

2.10.030 BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS

- A. Any individual or group is encouraged to submit names for consideration to the City.
- B. Appointments must comply with any ordinances, bylaws, Charter provisions, or state or federal laws concerning the board, commission, or committee. In the event of any inconsistency between this chapter and any chapter relating to a specific board, commission, or committee, the specific chapter shall control.
- C. In order to become more familiar with the applicants’ qualifications, the Council may interview all applicants for a vacancy.
- D. Reappointment to a board, commission, or committee shall be considered in accordance with the guidelines listed in this section, together with the type of service the individual has already given to the board, commission, or committee and his or her stated

willingness to continue. No person may serve more than two (2) successive terms on any board, commission, or committee unless there is an interval of at least one (1) term prior to the reappointment; provided that the Council may waive this limitation if it is in the public interest to do so.

- E. Consideration should be given to residents outside the City when the board, committee, or commission or function serves residents outside City boundaries.
- F. No individual should be considered for appointment to a position on any board, commission, or committee where a conflict of interest may result. Board, commission, and committee members are public officials and shall not participate in any proceeding or action to gain a financial benefit or to avoid a financial cost for themselves or a relative; any business in which the member is serving or has served within the previous two (2) years; or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. A relative includes the public official's spouse or domestic partner and children, siblings, spouses of siblings, or parents of the public official and spouses. If the public official has a legal support obligation for an individual or provides or receives benefits from another individual, they also may be defined as a relative of the public official. Any actual or potential conflict of interest shall be disclosed at the meeting of the board, commission, or committee.
- G. Board, commission, and committee vacancies are filled by appointment of the Mayor with the consent of Council. Appointments are made for terms not to exceed four (4) years and will expire the last day of March unless mandated by State statute or by the City ordinance that established the board, commission, or committee. All board, commission, and committee members shall serve without compensation.
- H. Individuals appointed to one (1) board, commission, or committee shall not serve on any other City board, commission, or committee during the term of their appointment. (Ord. 1995 § 3, 2009; Ord. 1936 § 1 (Exh. 1) (part), 2004; Ord. 1810 § 1, 1996; Ord. 1793 § 3 (part), 1996)

2.10.040 REMOVAL

Members of a board, committee, or commission serve at the pleasure of the governing body. (Ord. 1936 § 1 (Exh. 1) (part), 2004; Ord. 1793 § 3 (part), 1996)

2.10.050 ORGANIZATION AND OPERATION

A. Bylaws

The Council shall adopt bylaws for each board, commission, and committee's meetings and the performance of its duties. These bylaws shall be reviewed and updated annually by each board, commission, or committee. Bylaws and bylaw revisions shall be reviewed and accepted by Council and approved by Council resolution.

A. Annual Work Plan

Each board, commission, and committee shall prepare an annual work plan which will have elements of the City vision and City Council goals. These work plans shall be discussed with and approved by the City Council in a joint work session.

B. Staff Support

The City will provide for necessary staff support for the board, commission, or committee including postage, meeting place, administrative support service, and new member orientation and training.

C. Meetings

Each board, commission, or committee should meet at least once each month or as needed to conduct its business and shall meet on the call of the chairperson or on call by a majority of its members. All meetings shall be subject to the requirements of Oregon Revised Statutes 192.610 to 192.690 (Open Meetings Law). A majority of the voting members shall constitute a quorum for the conduct of business and concurrence of a majority of those members present shall be required to decide any matter. These meetings shall be an opportunity for public involvement in the discussion of issues relating to that particular board, commission, or committee.

D. Authority to Bind

Neither a board, commission, nor committee, as a whole, or any member or members individually or collectively, shall exercise authority to bind the City, its officers or agents to financial commitment or obligations. Any funding for projects must be budgeted by the Council, and authorized expenditures presented to the staff for payment. The City may enter into agreements with other public agencies, associations, and individuals for services which will assist the board, commission, or committee in carrying out elements of its work plan.

E. Annual Reports and Minutes

Each board, commission, or committee shall report on its activities in a work session with the City Council at least annually. The written minutes for each board, commission, or committee shall be made available to Council for information.

F. Ethics Law

Board, commission, and committee members appointed by the Mayor with the consent of Council are considered "public officials." As such, they are expected to abide by the Oregon Government Ethics Law of the State of Oregon (ORS 244.010 to 244.400).

I. Boards, commissions, and committees may be asked to provide comments to other advisory bodies and staff when matters under consideration relate to their functional area of expertise.



Milwaukie Façade Improvement Program Program Guidelines

Program Goal:

Enhance the environment, character, and aesthetics of downtown Milwaukie.

Process:

- I. Required informational meeting with City staff
 - a. Review eligible activities and expenses
 - b. Describe applicable design guidelines and permit requirements
 - c. Discuss design strategies to maximize impact / benefit to downtown environment and character, focusing on a vibrant, pedestrian-oriented environment
- II. Application Submission
 - a. Required application elements: project description; photo of existing building; sketch of project (if applicable); materials/colors; budget, including a minimum of one bid for each major project element (\$1000+); images of pre-fabricated products (windows/awnings).
 - b. Projects will be reviewed in order; order to be established based on date and time at which a complete application is received
- III. Staff Review
 - a. Confirm eligibility (see items below)
 - b. Review budget/recommend award amount
 - c. Highlight key Design Guidelines for DLC to consider
 - d. Recommendation to DLC
- IV. DLC Review
 - a. Evaluate application and staff recommendation
 - b. Approve/deny application
 - c. DLC has opportunity to provide additional award amount for additional elements

- d. DLC may offer comments and suggestions, but is not providing conditions of approval or adjusting details of design

V. Design Review / Building Permit (If necessary)

- a. Permits could be pursued on whatever timeline applicant chose (i.e., process could be handled concurrently with grant application)
- b. Process and requirements unchanged

VI. Construct Improvements

- a. Work must be performed by appropriately licensed contractors

VII. Reimbursement

- a. Reimbursement for no more than award & no more than 50% of eligible costs.
- b. Request for reimbursement shall include itemized invoices for costs incurred, proof of payment, and photos of the completed improvements.

Area of eligibility:

Downtown zones, east of McLoughlin Boulevard.

Eligible buildings:

Retail/commercial, office, mixed use and multifamily residential.

Eligible participants:

Property owners and business lessees with written authorization of property owner. Applicant must not have any outstanding debt to the City, unpaid property tax, or unresolved Code Enforcement issue.

Eligible activities:

Rehabilitation of building facades visible to the street including storefronts; doors and windows; cornices; gutters and downspouts; signs and graphics; exterior lighting; canopies and awnings; painting and masonry cleaning; new wall surfaces. Permit costs are eligible.

Eligible costs are “out-of-pocket” expenses for design, permits, and construction; “in-kind” contributions such as administrative staff time by grantees would not be eligible costs; if the applicant is a licensed contractor and wishes to perform the work themselves, eligible cost would be set at 75% of the lower of at least 2 competitive bids.

Grant maximum:

Maximum grant amount of \$10,000. Only one grant shall be awarded under this program to any individual property. Multiple lessees of one property owner shall be eligible, if all work compensated under the program is dedicated to the façade of the leased space.



Milwaukie Façade Improvement Program Application

An informational meeting with City staff is required prior to submission of this form. If you would like to schedule that meeting or have other questions, please contact Alex Campbell at (503) 786-7608 or campbella@ci.milwaukie.or.us.

Applicant	
<i>(If applicant is not owner, attach either a lease specifying tenants right to make improvements or letter from owner authorizing improvements.)</i>	
Building location (address):	
Property Owner (corp. or legal name):	
<i>(Attach copy of deed of trust or document establishing ownership.)</i>	
Milw. Biz Reg. # of Applicant:	
Applicants Mailing Address:	
Contact name:	
Phone:	
Email:	
Describe proposed work. Discuss compliance with applicable City of Milwaukie Design Guidelines & Standards:	
<i>(Attach photo of existing building. Attach color/material samples and a sketch, if applicable.)</i>	
How does this project contribute to an attractive and vibrant downtown environment?	
Amount requested: (Maximum of 50% of total project cost.)	
<i>(Attach a budget. Attach an estimate from a licensed contractor for any project element exceeding \$1,000.)</i>	

I, the undersigned, hereinafter "Applicant," submit this application for reimbursement of up to \$_____ for façade improvement work described above under the City of Milwaukie's Façade Improvement Program.

I certify that the information provided above is accurate to the best of my knowledge. I understand that all costs for which I seek reimbursement must be documented. Under no circumstances will the reimbursement amount exceed \$10,000 or 50% of total applicant incurred costs directly related to the project.

I understand that any work must be carried out under all applicable local, state, and federal laws. I have reviewed the "Program Guidelines" and hereby acknowledge that no reimbursement shall be made for work that is not eligible under the guidelines or that was completed in a manner that does not comply with the guidelines. I agree to repay the City if any amounts reimbursed to me are found to have been reimbursed in error.

I hereby release the City of Milwaukie ("City") from any liability and relinquish any claim against the City for additional compensation related to the façade improvements described above. Further, I agree to indemnify the City, its officers, agents and employees, and hold the City harmless in relation to any claims related to work performed by me or on my behalf by any contractor or sub-contractors in relation to the façade improvements described above.

Signed

Date

Printed Name & Title

Signed on behalf of



MILWAUKIE

Dogwood City of the West

To: Planning Commission and Design and Landmarks Committee

From: Katie Mangle, Planning Director

Date: April 15, 2011, for April 26, 2011, Worksession (PC) and April 27, 2011, Worksession (DLC)

Subject: Responses to Kellogg Bridge questions

ACTION REQUESTED

None. TriMet staff has provided the following information in response to some of the questions asked during the discussion of the Kellogg bridge on March 17, 2011. Staff is working with TriMet to schedule a follow-up discussion of the overall bridge design in late spring.

BACKGROUND INFORMATION

A. History of Prior Actions and Discussions

- **March 17, 2011:** Joint worksession to review and discuss the design of the light rail bridge over Kellogg creek.

B. Responses to Questions

Some fact-finding questions were asked during the discussion of the bridge, and TriMet structural engineering staff has provided the following answers. The design team is continuing to work on the bridge, and will likely schedule another joint work session in late spring.

Question:

How does the height and length of the Kellogg bridge compare with the I-205 light rail bridge over Johnson Creek Blvd?

Answer:

The Kellogg bridge will be just short of 1675' in length with varying vertical clearances up to about 17'-6" (under the bridge). The green line JCB bridge is about 1405 feet long. Clearance underneath the bridge ranges from a typical of 18' to one point that is 40'. The south end is a bit lower.

Question:

Can you explain the single-concrete tub design of the Sound Transit example and why that wasn't considered in Milwaukie?

Answer (provided by TriMet structural engineer Calvin Lee):

I understand that the DLC was asking some questions about the Sound Transit concrete tub picture shown in the presentation (see Attachment 1) and you were looking for some responses to their questions. Attached is some information regarding the Sound Transit design (see Attachment 2).

Of note:

- Sound Transit's minimum elevated structure width is 28 feet. There is no standard clear zone on the outboard side. They clear to the middle. They do have a wider [cross-section] that clears to the outside but it appears they limit that [cross-section's] use.
- The bridge section shown in the DLC presentation is the one with 15'-9" track to track and 6'-0" track to edge. My understanding is that the shape begins to change as the width increases all the way up to using additional struts (bottom of the tub to the edge of the overhang) in the wider sections.
- The pictures suggest precast post-tensioned segmental construction. It's a curious choice of construction method considering the site conditions but that is solely my opinion. I can't quite tell but I think I see a central column that comes up into the tubs (at least in the near spans). I hope so 'cause if not, then the bent connections are all "hinges" or "rollers" which doesn't make sense and maybe suggests that temporary works were used to hold up the segments before they are tensioned together. The temporary works would be a significant cost add.
- This tub is a specialty shape. I haven't seen anyone in Oregon make this shape yet.
- The segment lengths appear to be about 6' or 7' which implies that the span lengths are somewhere around 70 to 80 feet. Increasing the span length will change the tub size (make them deeper).
- It would take one heavy haul truck to deliver one segment to the site. It would take about 13 or 14 trucks to deliver about 80 feet of tubs. It will also take that many crane picks to get them up in the air.
- If I'm wrong and those vertical lines are not segment pieces but purposeful lines left by the formwork in a cast-in-place construction process, then the temporary works significantly increases.

By comparison:

- TriMet's minimum width is 32 feet with clear zones to the outboard side and in the middle.

- Kellogg span lengths are in the range of double (or maybe a bit more) the above discussion.
- Depending on where the splices are, the Kellogg tubs can be delivered to the site in 4 to 6 trips using a tractor and suicide car / dollies as opposed to 30-ish heavy hauls (think traffic impacts) from the above for the same span length.
- Number of crane picks are less as well.

...This just feels like an expensive way of doing this relative to what you're getting out of it in the end. I like our way better.

Question:

Can you provide some local examples of weathered steel that committee members may visit to better understand the material?

Answer:

- There are many examples around the region, but here are a few:
 - On the Springwater Corridor Trail – the bridge over the UP tracks just east of McLoughlin Blvd.
 - On US 26 west of Portland, the Canyon Rd overpass has weathered steel canted tubs. The overpass just east of Jackson School Rd is made of weathered steel I-beams.
 - On the I-205 bike path, the bike-ped bridge over Johnson Creek (near the Flavel Street light rail station) is made of weathered steel.

ATTACHMENTS

1. The image of the Sound Transit light rail structure shown at the March 17, 2011, meeting. The architect presented this image as an example of how a concrete column could be enhanced, but several committee members were intrigued by the shape of the tubs.
2. Structural section of the Sound Transit light rail bridge.



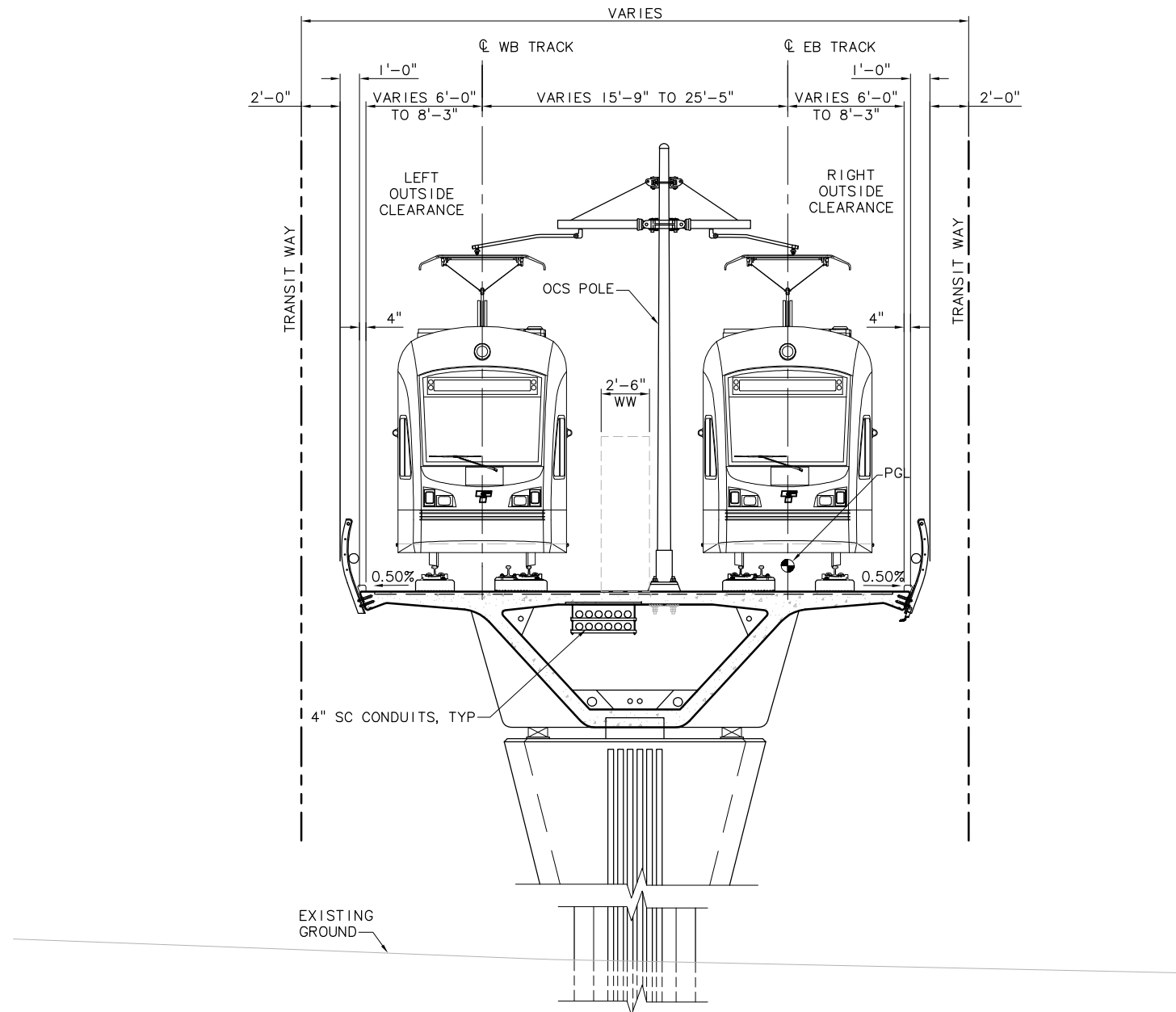
Kellogg Bridge

Concrete Tubs

ATTACHMENT 2

NOTES:

1. SEE SYSTEMS PLANS FOR OCS POLE AND DUCTBANK LOCATIONS.
2. SEE RIGHT OF WAY PLANS FOR LIMITS OF PROPOSED RIGHT OF WAY.
3. SEE ROADWAY MODIFICATION PLANS, PROFILES AND TYPICAL SECTIONS FOR LIMITS OF ROADWAY RECONSTRUCTION.
4. SEE TRACK PLAN AND PROFILE FOR PROPOSED LRT LOCATION.
5. SEE STRUCTURAL PLANS FOR STRUCTURAL DESIGN DETAILS AND LOCATIONS.
6. SEE ARCHITECTURAL PLANS FOR STATION, PARK AND RIDE, PEDESTRIAN PLAZA DETAILS AND LOCATIONS.
7. SEE UTILITY COMPOSITE PLANS FOR DRAINAGE AND UTILITY LOCATIONS.
8. FOR CROSSOVER LOCATION, SEE TRACK PLAN AND PROFILE.
9. FOR WATERPROOFING DETAILS, SEE TRACK DETAILS DWG L70-KD203.
10. FOR RESTRAINING RAIL LIMITS, SEE TRACK CHART DWGS.



DIRECT FIXATION, AERIAL STRUCTURE, DOUBLE TRACK

SCALE: NTS

LIMITS

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 EB 3252+10.14 TO EB 3254+52.01
 EB 3270+42.21 TO EB 3274+01.91

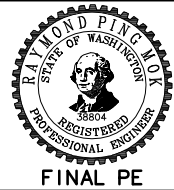
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 -Attach:
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 -Overlay:
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No.	Date	Dsn.	Chk.	App.	Revisions

Designed By:
R. NACION
 Drawn By:
R. NACION
 Checked By:
A. LEONG
 Approved By:
R. MOK



Submitted: Date: Approved: Date:

Scale: NTS
 Filename: ELC_L70_KX214.dwg
 Contract No.:
 Date: 01/18/11



LINK LIGHT RAIL PROJECT
 EAST CORRIDOR
 SEGMENT C - TUNNEL OPTION
 TYPICAL SECTION
 DIRECT FIXATION, AERIAL STRUCTURE

Drawing No.: L70-KX214
 Sheet No.: Rev.: