



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION - REVISED MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, October 12, 2021 at 6:00 PM

EXECUTIVE SESSION OF THE CITY COMMISSION:

The Executive Session began immediately following the City Commission Work Session.

1. *PURSUANT TO ORS 192.660(2)(e): to conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

6:00 PM - CITY COMMISSION WORK SESSION

CONVENE WORK SESSION AND ROLL CALL

Mayor Lyles Smith convened the meeting at 6:02 PM.

PRESENT: 5 - Mayor Rachel Lyles Smith, Commissioner Rocky Smith, Commissioner Denise McGriff, Commissioner Frank O'Donnell, Commissioner Adam Marl

STAFFERS: 1 - City Manager Tony Konkol, Asst. City Recorder Jakob Wiley, Community Development Director Laura Terway, Econ. Dev. Manager James Graham, Library Director Greg Williams, Finance Director Matt Zook, Parks & Rec. Director Kendall Reid, Public Works Director John Lewis, City Attorney Bill Kabeiseman, Human Resources Director Patrick Foiles, Asst. to the City Manager Lisa Oreskovich and Building Official Mike Roberts

FUTURE AGENDA ITEMS

1. List of Future Work Session Agenda Items

Mayor Lyles Smith and Mr. Konkol discussed an upcoming work session topic on mayoral appointments.

Commissioner O'Donnell asked when there would be a discussion on the Willamette Falls Trust and the four regional partners and also the Historic Review Board. There was discussion on scheduling joint meetings with city boards and committees and scheduling a meeting with the Historic Review Board in January 2022.

DISCUSSION ITEMS

2. Abandoned Building Regulations

Ms. Terway introduced this topic. Mike Roberts, Building Official, discussed the City's regulations and processes for regulating abandoned buildings. The Building Division regulates the "dangerous buildings" as defined in chapter 15.24 of the Municipal Code and Code Enforcement regulates nuisances as defined in Title 8 of the Municipal Code. The City's regulations are consistent with that of other jurisdictions; however, the City could take additional action if needed.

Commissioner McGriff asked what the specific process was for dealing with abandoned buildings. Mr. Roberts outlined the process which includes the initial contact with the property owner all the way through actions taken by Code Enforcement.

Commissioner McGriff commented her concerns on properties that are abandoned and the time it takes to resolve with the owner, or in some cases, demolish after legal proceedings. Chief Band commented on properties that the Police Department has worked with the Building Department and Code Enforcement to resolve. There was discussion regarding certain properties and that the owners are conducting repairs, but over an extensive amount of time.

Commissioner O'Donnell liked the example of City of Happy Valley regarding abandoned buildings, which requires the property owner to register each year for a fee, which encourages the owner to keep the property active. Mr. Roberts provided details on dealing with structurally unsound buildings.

Mayor Lyles Smith asked if all actions are complaint driven and Ms. Terway responded that is the majority of cases, but there are times when building staff and code enforcement do visually survey areas for issues. Commissioner Smith cited examples of city owned buildings that have had unresolved issues for many years and felt that City shouldn't be going after private properties until they deal with their own facilities. Mr. Marl commented that he also liked the approach Happy Valley has taken by requiring registration of abandoned buildings.

Ms. Terway explained that if the City would like to further regulate abandoned buildings to encourage their occupancy, removal, or improvement, there are a variety of tools which can be implemented. Ms. Terway's examples included: fines/registration of abandoned buildings, revise the municipal code to require more property maintenance or discourage abandonment of buildings, use of urban renewal or general city funds to purchase or improve properties, and other economic development tools or programs to help incentivize properties which are not economically performing.

Commissioner O'Donnell commented on the lack of interaction between departments on the same property issue. Ms. Terway indicated there is existing mechanisms within the city for departments to collaborate to resolve a property issue and that this does happen often. James Graham, Economic Development Manager, suggested to include non-performing commercial structures in the discussion and cited examples of what other cities do in order to make businesses viable again.

Mayor Lyles Smith commented that she agreed with Commissioner Smith's earlier comment and that the City should take care of their own buildings to set the standard.

There was consensus that staff would further research the abandoned property registration process implemented by Happy Valley and other jurisdictions dealing with abandoned properties and report back at a future meeting.

3. Homeless Internal Strategy

James Band, Police Chief, presented this goal, which is to define the strategies Oregon City will adopt in addressing the issues related to homelessness in the community.

Chief Band discussed that what Oregon City is experiencing is part of a regional problem with the homeless population count changing daily. People living homeless are as diverse as any other group. The City does not discriminate against people because they are homeless. The City's police response is focused on behaviors. Most people encountered on the street every day are unwilling to take services and housing options.

Community strategies include having the homeless outreach officer response to address problems in neighborhoods and businesses. The behavioral health specialist is a resource to City facilities, the business community, and neighborhoods. Camp and trash cleanups have been done with code enforcement staff and hired vendors. The City has coordinated with stakeholders in strategic problem-

solving involving ODOT, METRO, Clackamas County, Father's Heart and LEAD. The City code has been updated to address the codification of the Boise and Grants Pass cases, which dealt with how those cities negatively dealt with their homeless populations. The Arta Potty Program has been discontinued due to issues with the vendor.

Chief Band reviewed what is currently being done with short-term/temporary housing for the homeless including the hotel program which is paid by FEMA funds. The current cost per bed is about \$40k annually (\$110/night). Chief Band also discussed the current permanent housing program which includes the Rapid Re-Housing (RRH) or short-term rent assistance. For cases with lower barriers to rehousing there is long-term rent assistance and permanent supportive housing (PSH).

Mayor Lyles Smith asked what the next steps were for building the strategy and Chief Band responded that the City currently provides services to residents and business owners in dealing with homelessness issues and what is needed is to identify services and solutions for those in the city that are homeless. Chief Band suggested the remaining piece is whether the City would pursue involvement in housing solutions for the homeless.

Mayor Lyles Smith commented on the many ideas discussed previously on different roles the City could play, with worker sponsorships, relocating the My Father's Heart facility and others. Chief Band would like to see the City take on several of the solution pieces and do them well, knowing that it will not end the homeless situation in the City. Chief Band suggested more interaction with the County Commission on working towards broad community solutions.

Mayor Lyles Smith commented that the City has previously worked with the County on the Housing Implementation Plan, as part of the Metro Housing Bond and that there were no further conversation points left. There was further discussion regarding whether or not Metro funds were still available.

Commissioner Marl asked if the City would be reimbursed from the County for current homeless services the City is providing. Mr. Konkol and Chief Band provided some background on the services provided by the current behavioral health specialist and the need for additional support and that the City may ultimately pursue going after funding from the State. Commissioner Marl would like the City Commission to be vocal supporters regarding supported services and that there is not a true partnership with the County.

Mayor Lyles Smith commented on the issues regarding the Metro Housing Bond and the reduced amount of funds Clackamas County has received. There was further discussion on future funding. Commissioner McGriff felt there should be additional staff for the homeless liaison position so hours of service can be expanded to seven days a week and also a one-stop facility in the City where the homeless can receive expanded services.

Mayor Lyles Smith felt there is a need for public restrooms in the downtown area. Chief Band commented there are success stories regarding homelessness and asked the Commissioners what should be prioritized. Commissioner McGriff felt there needs to be an effort to establish public restrooms and other cities should be surveyed as to needs for homeless services to ascertain common needs. Commissioner Smith supports the current efforts and also the need for public restrooms. Mayor Lyles Smith would like to see a group organized to brainstorm and compose a strategy.

Commissioner O'Donnell felt there should be a regional solution, but housing may not be the major part of it. Commissioner O'Donnell supports a service center approach and felt what the City has done so far has been very good.

The City Commission took a break from 8:00 PM to 8:07 PM.

4. Oregon City Sidewalk Replacement Assistance Program

The goal of the Oregon City Sidewalk Replacement Assistance Program is to address sidewalk panels that have been lifted by street trees, to prevent the associated sidewalk trip hazards in a timely manner, and to assist property owners with the related replacement costs.

Mr. Lewis reviewed the history of the sidewalk issues throughout the city and an outline of the test program, which would allow for retroactive coverage. There is a proposed \$200,000 allotment for the program. Applicants can apply once a year. There is the option of a single permit or neighborhood group permit rates.

Commissioner Smith asked what assistance was provided in prior sidewalk repair incidents in years past. Mr. Lewis did not recall the City providing prior assistance but Chief Band and Commissioner McGriff remembered an incident in the Tower Vista neighborhood, where street trees were allowed to be removed because of the damage that was caused. Commissioner Smith commented that there should be a separate tier for incidents that the City was responsible for the tree selection that caused the sidewalk lifting. There was discussion regarding past incidents and how they were handled.

Mayor Lyles Smith asked if a study had been done as to when the authorized tree list was changed per neighborhood and Ms. Terway responded that a citywide analysis had not been done, only for the Park Place neighborhood. Ms. Terway also commented that there were occasions when street trees were planted that were not on the tree list, provided that a certified arborist approved them. The Natural Resources Committee is finalizing recommendations on the street list that may include non-tree options for narrow parking strips.

The Commission had consensus on allowing public comment although this was a work session.

Tom Geil, resident of Oregon City, provided comment on the sidewalk issue and that residents will need financial assistance with tree removal prior to any sidewalk repair, due to residents not working due to COVID. There is also the issue of trees planted that are adjacent to fire hydrants and streetlights.

Mr. Lewis responded to Mr. Geil's comments and provided the history of street tree and sidewalk installations and that inspections of trees/sidewalk was not always consistent and part of subdivision approval.

Ms. Terway commented that street tree plantings sometimes would not be done according to the original plans, due to placement of street lights, etc.

Mayor Lyles Smith and Commissioner Smith discussed how far back research should be done to incorporate early incidents of sidewalk lifting. It was recommended to staff to do a look back and see if the City was consistent in providing resident assistance in prior incidents. The Mayor and Mr. Lewis discussed how the individual incidents under the TEST program would be prioritized.

The Mayor and Ms. Terway discussed extending the Friends of Trees program in coordination with the sidewalk program.

The Mayor and Mr. Lewis discussed options and workarounds of paying vendors upfront in some situations as homeowners may not have funds and the desire to see the City own the problem that was created by the City instructing developers to plant trees that subsequently caused sidewalk damage.

Commissioner O'Donnell asked about the location of water meters in relation to street trees and Mr. Lewis indicated that the water meters went in first in developments and the street trees went in later with no standards as far as proximity to the meter.

The Commissioners, Mr. Konkol, Mr. Lewis and Mr. Graham discussed permit cost and if a letter of credit presented to contactors might work and the details and obstacles of implementing.

Commissioner McGriff commented that tree growers may not have trees available due to the high volume of tree replacements that are occurring due to the ice storm earlier in the year.

Commissioner Marl asked clarification on the tree replacement program and Mr. Lewis indicated that would be a program at a future date.

Mayor Lyles Smith commented that she liked the direction the proposed program was headed and made suggestions for further refinement.

Chief Band asked for clarification on what code enforcements role should be going forward, given the current situation with sidewalks and there was discussion regarding when there should/should not be enforcement regarding the sidewalks and the replacement of trees and when leniency is appropriate.

Mr. Konkol asked for clarification on the "look back" on the sidewalk/street trees issue and there was discussion on the timeline and program details.

There was consensus for staff to return to the City Commission at a future meeting with further refinement of the proposed test program.

CITY MANAGER'S REPORT

There was no City Manager report.

COMMISSION COMMITTEE REPORTS

A. Beaver Creek Employment Area Blue Ribbon Committee - Commissioner Frank O'Donnell

No updates were provided.

B. Citizen Involvement Committee Liaison - Commissioner Adam Marl

No updates were provided.

C. Clackamas County Coordinating Committee (C4) - Appointed: Mayor Rachel Lyles Smith Alternate: Commissioner Adam Marl

C4 had a retreat with the main topic regarding regional transit.

D. Clackamas County I-205 Tolling Diversion Committee - Appointed: Commissioner Adam Marl Alternate: Commissioner Frank O'Donnell

The committee has not met.

E. Clackamas Heritage Partners - Commissioner Rocky Smith, Jr.

No updates were provided.

F. Clackamas Water Environment Services Policy Committee –

Appointed: *Commissioner Rocky Smith, Jr.*

No updates were provided.

G. Downtown Oregon City Association Board - Commissioner Denyse McGriff

They will be holding a retreat on October 20th.

H. Metro Policy Advisory Committee (MPAC) - Appointed: Mayor Rachel Lyles Smith Alternate: Commissioner Denyse McGriff

Commissioner McGriff presented the City's housing needs report to the committee.

I. OC 2040 Project Advisory Team - Appointed: Commissioners Adam Marl and Denyse McGriff

Stakeholder sessions have been held. A survey will be sent out to the stakeholders to refine the input that was given.

J. Oregon Governor's Willamette Falls Locks Commission – Appointed: Mayor Rachel Lyles Smith

Mayor Lyles Smith just received her appointment to the commission. The commission is working on sunsetting before the new authority agency starts.

K. Oregon City Tourism Stakeholder's Group - Appointed: Commissioners Frank O'Donnell and Rocky Smith, Jr.

Commissioner O'Donnell would like to see Mr. Graham provide a presentation to the Commission on tourism.

L. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Project Advisory Committee - Appointed: Commissioner Denyse McGriff

The committee has not met. Commissioner McGriff would like to see several joint meetings with West Linn each year going forward.

M. South Fork Water Board (SFWB) - Mayor Rachel Lyles Smith, and Commissioners Frank O'Donnell and Rocky Smith, Jr.

They discussed the upgrading of the treatment plant.

N. Willamette Falls and Landings Heritage Area - Appointed: Commissioner Denyse McGriff Alternate: Commissioner Frank O'Donnell

They have hired a new executive director. Upcoming diversity workshops will be held.

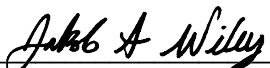
O. Willamette Falls Legacy Project Liaisons - Mayor Rachel Lyles
Smith and Commissioners Frank O'Donnell

This had been discussed at the beginning of the meeting.

ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 9:58 PM.

Respectfully submitted,



Jakob S. Wiley, Assistant City Recorder