



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, October 10, 2023 at 6:00 PM

Typically there are no public comments at work sessions, but written comments are accepted by:

- *Email recorderteam@orc.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- *Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045*

CONVENE WORK SESSION AND ROLL CALL

FUTURE AGENDA ITEMS

The Commission's adopted goals and available staff resources shall be considered when recommending future agenda items. The Commission may add an item to a future agenda with consensus of the Commission.

[List](#) of Future Work Session Agenda Items

DISCUSSION ITEMS

- [1.](#) City Commission Employment Issues Training

EXECUTIVE SESSION

The City Commission will adjourn to an executive session and return to the work session thereafter. (ORS 192.660(2)(f), to consider information or records that are exempt by law from public inspection)

DISCUSSION ITEMS

- [2.](#) Informational Report on Other Agency Practices on Historic Building System Development Charge (SDC) Assessments

CITY MANAGER'S REPORT

- [1.](#) Update on City Projects

COMMISSION COMMITTEE REPORTS

A. Commissioner O'Donnell

- South Fork Water Board

B. Commissioner Smith

- Clackamas Heritage Partners
- Oregon City Tourism Stakeholder's Group
- South Fork Water Board

C. Commissioner Marl

- Citizen Involvement Committee Liaison
- Clackamas County Coordinating Committee (C4)
- Clackamas County I-205 Tolling Strategies Committee
- Youth Advisory Committee Liaison

D. Commissioner Mitchell

- Clackamas County Coordinating Committee (C4) – Metro Subcommittee
- Clackamas County I-205 Tolling Diversion Committee (alternate)
- Metro Policy Advisory Committee (MPAC) (alternate)

E. Mayor McGriff

- Clackamas Water Environment Services Policy Committee
- Clackamas Heritage Partners (alternate)
- Downtown Oregon City Association Board
- Metro Policy Advisory Committee (MPAC)
- Oregon City Tourism Stakeholder's Group
- South Fork Water Board
- Willamette Falls and Landings Heritage Area
- Willamette Falls Legacy Project Liaisons
- Willamette Falls Locks Authority
- Youth Advisory Committee Liaison

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 10/10/2023

SUBJECT:

List of Future Work Session Agenda Items

BACKGROUND:

October 18, 2023

Clackamette Park Master Plan discussion

November 7, 2023

Joint work session with the City of West Linn

Destination Marketing Organization

Willamette Falls Shared Use Path Updates

Code Enforcement Code Changes

Additional Upcoming Items (These items are in no particular order)

Adding Native Land Acknowledgement to Agenda/Revised Rules of Procedure

Beavercreek Road Concept Plan (Thimble Creek) Funding Discussion

Boards and Committees Orientation Manual Review and Discussion

Canemah Area - Encroachments in the Right-of-Way Policy Discussion

City Seal Revision

Clackamas County Water Environmental Services (WES) Rate Differential

Climate Action Plan Presentation (City of Milwaukie)

Compatible Change Update

Construction Excise Tax

Ethics Training

Facilities Master Plan

Frog Ferry Informational Update

The Cove Water Quality and Habitat Restoration Opportunities

Metro Food Waste Program Requirements - Annual Review

South Fork Water Board - Mountain Line Easements Vacation

Water System Risk and Resiliency Review

Willamette Falls Legacy Project Operations and Maintenance Discussion



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Tony Konkol, City Manager

Agenda Date: 10/10/2023

SUBJECT:

City Commission Employment Issues Training

STAFF RECOMMENDATION:

No action is requested, informational only.

EXECUTIVE SUMMARY:

Dian Rubanoff, the city's labor attorney from Peck Rubanoff & Hatfield, will be providing training on employment issues that are typical for local jurisdictions. This training has been prepared at the request of the City Commission and will cover a broad range of topics, which will include:

1. Protected status and protected activity
2. Oregon's fair workplace act and elected officials
3. First amendment and whistleblower protections
4. Just cause and progressive discipline
5. Public records and confidentiality
6. Public employee collective bargaining act requirements

BACKGROUND:

OPTIONS:

1. Informational training with opportunity for questions and discussion



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 10/10/2023

SUBJECT:

Informational Report on Other Agency Practices on Historic Building System Development Charge (SDC) Assessments

STAFF RECOMMENDATION:

Commission listens and discusses staff's update of informational findings, in response to City Commission feedback received August 16, 2023 on Public Hearing – SDC Appeal - 624 Main Street - Building Permit #BCOMM 23-00032.

EXECUTIVE SUMMARY:

August 16, 2023, City Commission considered a Public Hearing for and an appeal to reduce SDC fees on building permit application #BCOMM 23-00032, for a new restaurant, at 624 Main Street. The appeal cited that these fees should be reduced due to the historic use of the building for hospitality and restaurant purposes. Staff's recommendation was to deny the appeal, per Oregon City's Municipal Code (OCMC 13.20).

The City Commission approved the denial (3-1 vote) and made a new motion for staff to confer with other communities (with historical districts) and evaluate how these cities manage SDC assessments of their historic buildings, and if their evaluations differ from Oregon City's methodology. The Commission wants findings on how other jurisdictions support redevelopment of historic buildings, or buildings within historic districts, with an emphasis on SDC reductions or assistance programs to help with grant funds that could fund SDC assessments. Staff were directed to provide this information as soon as possible for the City Commission, if desired, to direct staff to make policy changes that might benefit the 624 Main Street proposal. This report details the information gathered from outreach, with an emphasis on SDC policies.

BACKGROUND:

1997-2014: Oregon City SDCs were assessed, and existing uses were credited based on the most intensive use over the previous 18 months. If the building was vacant more than 18 months, no credit was given.

- 2014: City Commission adopted a new credit calculation. Credits were based on the most recent use. If the use was within the previous 4 years, the most recent use was credited at 100% of the credit due. If the building sat vacant but was in use more than 4 years, but less than 8 years, the 4-8 year use was credited at 50% of the credit due. If the building was vacant for 8 years or more, no credit was given.
- 2016: City Commission adopted a new credit calculation. Credits were based on the most recent use. If the use was within the previous 10 years, the most recent use was credited at 100% of the credit due. If the building was vacant for more than 10 years, no credit was given.
- 2018: City Commission adopted a new credit calculation. Credits were based on the most recent use. If the use occurred sometime since the year 2000, whatever the most recent use was credited at 100% of the credit due. If the building was vacant from the year 2000 to the present day, no credit was given.
- August 16, 2023, City Commission denied an appeal of 624 Main Street SDC assessment 3 yes, 1 no. City Commission approved a motion to direct staff to research a remedy to deal with historic downtown areas and historic buildings. Motion passed unanimously 4 yes, 0 no.

Staff will report findings from outreach to 14 different agencies, including four specific communities specified by the City Commission. Oregon Communities, Jacksonville, Astoria, Albany, and Ashland were approached for the outreach. Staff also considered previous work done by Financial Consulting Group, a consulting firm who have a regional understanding of utility rate and fee policies for an additional 12 cities. Staff also did a detailed review of Municipal SDC codes for 15 cities.

This informational report will summarize and explain these findings and help facilitate the City Commission to how they want to proceed and/or direct staff to gain additional information.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 10/10/2023

SUBJECT:

Update on City Projects

BACKGROUND:

The City Commission has requested that an update on the status of the following projects be provided at a work session on a monthly basis.

1. Charter Parks

Staff has categorized encroachments by type, with associated pictures of the encroachment, and is working to determine options to address the encroachments for the Commission to consider.

The McLoughlin Promenade survey has been completed. The survey identified several potential existing encroachments into the Promenade property which will be discussed during the work session. Staff are preparing an inventory, documentation, and type of encroachment by category that currently exist on the Promenade.

Ermatinger House was approved as a Charter Park by the City Commission. The City Commission voted to not designate Dement Park as a Charter Park.

2. Cayuse 5 Memorial

City staff continues to work with The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in the design, location, and interpretation of the Cayuse 5 memorial, which is an existing City Commission goal for 2021-2023.

The proposed memorial has been approved by the Historic Review Board and the information was presented to the Parks and Recreation Advisory Committee. No additional land use approvals are necessary to implement the project. Staff are preparing bid documents and verifying availability of construction materials for the memorial.

The proposed memorial was presented to the Historic Review Board and was continued to the September HRB meeting. The memorial has been redesigned to address the recommendations of the arborist report. The redesigned memorial has been shared with the CTUIR and CTGR staff and city staff will address any comments received based on the minor changes to the design.

Staff have met regularly with representatives from both the CTUIR and the Confederated Tribes of Grand Ronde (CTGR) to discuss and review the proposed project. CTUIR Board of Trustees and the City Commission held a meet and greet and staff continues to refine the proposed Memorial.

3. Courthouse

There has been no change in the project since the May 2023 update. City staff worked to support efforts by the Downtown Oregon City Association to apply for a Main Street grant to focus on the Courthouse located in downtown Oregon City. The grant required the property owner, which is Clackamas County, to sign the grant application, which unfortunately they did not agree to do. At this time there is no specific work being performed related to the future of the existing courthouse.

4. Tumwata Village

There has been no change in the project since the July 2023 update. Willamette Falls Trust and Portland General Electric have signed a Feasibility and Cooperation Agreement enabling the Trust to assess a portion of PGE property on the island on the west side of the Willamette Falls for a project intended to return public access to the area.

In May staff completed a 4-hour site visit with the CTGR staff and consultant team to discuss the demolition that is occurring on the site and begin to discuss the proposed amendments proposed to implement the Tumwata Village Plan for the property. The site visit and discussion focused on infrastructure, design details, development phasing, and an introduction to the goals and objectives of CTGR for the redevelopment of the property. CTGR staff and their consultants have been meeting with City staff to understand specific technical infrastructure issues.

Staff have been meeting monthly with representatives from the Confederated Tribes of Grand Ronde (CTGR) to discuss on-going site work as well as future land use and development plans for the Tumwata Village Plan. CTGR staff has been working with the CTGR Tribal Council and Tribal members to finalize the Tumwata Village Plan. Once approved, the Tumwata Village Plan will be presented to the city and the public.

5. Canemah ROW issues

There has been no change in the project since the May 2023 update. The Canemah ROW issues will be brought before the City Commission at a future work session to discuss how to move forward with this project.