



CITY OF OREGON CITY CITY COMMISSION WORK SESSION AGENDA

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, June 10, 2025 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
- You may also attend this meeting by watching the livestream on the City's YouTube Channel:

<https://www.youtube.com/user/CityofOregonCity>

1. CONVENE MEETING AND ROLL CALL

2. GENERAL BUSINESS

- a. Update on Portland General Electric (PGE) Pilot Program for Electric Vehicle Charging Stations in City Right-of-Way
- b. Discussion of Sidewalk Replacement Process
- c. McLoughlin Promenade Encroachments Follow Up

3. FUTURE AGENDA ITEMS

- a. List of Future Work Session Agenda Items

4. CITY MANAGER'S REPORT

- a. Update on City Projects

5. COMMITTEE REPORTS

- a. **Commissioner Wilson**
 - Citizen Involvement Committee Liaison
 - Homeless Solutions Coalition
- b. **Commissioner Smith**
 - Clackamas Heritage Partners
 - Destination Management Marketing Organization
 - South Fork Water Board
- c. **Commissioner Marl**
 - Citizen Involvement Committee Liaison
 - Clackamas County Coordinating Committee (C4)
 - Clackamas County Coordinating Committee (C4) – Metro Subcommittee (alternate)
 - Clackamas County I-205 Tolling Strategies Committee
 - Metro Policy Advisory Committee (MPAC) (alternate)
 - Youth Advisory Commission
- d. **Commissioner Mitchell**
 - Clackamas County Coordinating Committee (C4) (alternate)
 - Clackamas County Coordinating Committee (C4) – Metro Subcommittee
 - Downtown Oregon City Association Board (alternate)
 - South Fork Water Board
- e. **Mayor McGriff**
 - Arts Commission
 - Ad Hoc County Old Historic Courthouse
 - Clackamas Heritage Partners (alternate)
 - Clackamas Water Environment Services Policy Committee

- Destination Management Marketing Organization (alternate)
- Downtown Oregon City Association Board
- Metro Policy Advisory Committee (MPAC)
- South Fork Water Board
- Willamette Falls and Landings Heritage Area
- Willamette Falls Legacy Project Liaisons
- Willamette Falls Locks Authority

6. ADJOURNMENT

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](#) 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

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

Staff Report

To: City Commission **Agenda Date:** June 10, 2025
From: Dayna Webb, Public Works Director
Josh Wheeler, Assistant City Engineer

SUBJECT:

Update on Portland General Electric (PGE) Pilot Program for Electric Vehicle Charging Stations in City Right-of-Way

STAFF RECOMMENDATION:

City Commission receives the program update and provides staff with directions and feedback regarding the next steps in consideration of the electric vehicle charging station program.

EXECUTIVE SUMMARY:

In response to federal and state mandates to reduce carbon emissions and increase EV use by 2025, and to ensure equitable access to charging station infrastructure in underserved communities, Oregon City and Portland General Electric are considering a partnership to install electric vehicle (EV) charging stations within the City's right-of-way (ROW). To accomplish this, PGE proposed installing EV charging stations within the City's ROW on existing utility pole infrastructure. The installations would follow the City's standard permitting process and all equipment would be owned and maintained by PGE during the duration of the program.

BACKGROUND:

On August 21, 2024, City staff, in collaboration with representatives of Portland General Electric (PGE), presented a pilot program to the Oregon City Commission to install electric vehicle charging stations on City right-of-way (ROW). The program was developed as part of PGE's Transportation Electrification Plan to encourage electric vehicle (EV) use, respond to federal and state mandates (aimed at reducing carbon emissions and increasing EV use by 2025), and ensure equitable access to charging infrastructure in underserved communities.

During the presentation in 2024, PGE proposed the below five (5) initial locations to receive EV charging stations. The locations were selected based on the criteria outlined in House Bill 2165, including the definition of underserved communities and environmental justice initiatives, with considerations such as accessibility, demand potential, infrastructure feasibility, and cost. During the initial presentation, PGE explained the requirements to implement the program, including the City participating by assisting with communication and community outreach, and providing any street markings and signage required for the charging stations.

1. 409 High Street
2. 1324 7th Street
3. 1505 16th Street
4. 612 12th Street
5. 1107 John Quincy Adams Street

Over the past year, PGE implemented the program throughout the Portland Metro area, making several adjustments along the way. A key change was made which no longer requires the City to participate in the effort, beyond approving the locations. PGE will now take on the full effort required to implement the program, once the locations are approved by the City. With this change, the City will still retain regulatory authority to permit the installation in the ROW without the financial burden.

In addition to financial requirement changes, PGE also proposed 14 additional charging locations (totaling 19) to be installed in the City. City inspections and operations/maintenance staff reviewed these proposed locations, determining that seven (7) were considered "excellent" and four (4) were considered "good." Following the City's Review, PGE recommended the following charging locations move forward for implementation:

1. 1108 7th Street
2. 418 Barclay Hills Drive
3. 1612 9th Street
4. 19650 Sebastian Way
5. 1324 7th Street
6. 1505 16th Street
7. 1107 John Quincy Adams Street
8. 615 5th Street

PGE holds an active ROW license with the City and works closely with the City to coordinate approximately 300 permits annually for the delivery of electric infrastructure services to Oregon City households. In alignment with federal and state mandates, the City is pursuing a partnership with PGE to expand equitable access to EV charging stations within the right of way. By utilizing the public ROW, this initiative aims to ensure all community members have access to convenient public EV charging stations.

PGE has already partnered with eight (8) municipalities, including Milwaukie, Gresham, Salem, Woodburn, Newberg, Cornelius, Willamina, and Silverton. To date, 62 EV charging stations have been installed, with an additional 83 currently in the design or permitting phase, for a total of 150 planned sites.

While this program no longer requires City Commission approval, since installations fall under the City's existing regulatory authority, City staff are providing this update to keep the

Commission informed about program developments and proposed installation sites. PGE's proposal for the City's partnership in this program is attached. Staff welcome feedback and guidance to help ensure successful community and Commission-aligned implementation.

OPTIONS:

1. Approve Update on Portland General Electric (PGE) Pilot Program for Electric Vehicle Charging Stations in City Right-of-Way.
2. Approve Update on Portland General Electric (PGE) Pilot Program for Electric Vehicle Charging Stations in City Right-of-Way with Amendments.
3. Deny Update on Portland General Electric (PGE) Pilot Program for Electric Vehicle Charging Stations in City Right-of-Way and provide further direction.

2/18/2025

Portland General Electric Company
121 SW Salmon St
Portland, OR 97204

Re: Installation of EV Pole Chargers in City of Oregon City.

Dear Dayna Webb:

On behalf of Portland General Electric (PGE), I am writing to formally notify you of our plan to install electric vehicle (EV) charging stations on utility poles within your city. This initiative is part of our broader commitment to expanding sustainable transportation options and supporting the growing adoption of electric vehicles in our service area.

This letter ("**Letter**") contains a summary of the potential proposed scope of work within the City of Oregon City ("**City**") to be performed by Portland General Electric Company ("**PGE**").

The purpose of this Letter is to provide an overview of the PGE Municipal Pole Charger program and an outline of the proposed locations where PGE intends to apply for permits and explore installation of Electric Vehicle Pole Chargers within the City.

The Municipal Charging Collaboration is an approach wherein PGE designs, owns, operates, and maintains EV chargers in the ROW and on public property. PGE deploys this infrastructure in collaboration with public entities such as municipalities, regional governments, counties, and state government. Our priority is to install chargers within underserved communities as they are least served by the existing market and would benefit the most from the switch to electric transportation.

Expected Outcomes:

- PGE will find potential locations within the City of Oregon City.
- PGE will inspect the pole for any potential safe risks.
- PGE will meet with Oregon City to collaborate on charger locations.
- PGE will submit permit requests with the City of Oregon City.
- PGE will install, operate, and maintain the pole charger.
- PGE will conduct outreach and communications to all customers within a quarter mile of each pole.
- PGE will install EV charging signage and striping at each location.

The Following locations have been selected within the City of Oregon City.

1. 816 Center St.
2. 911 5th St.
3. 615 5th St.
4. 412 4th St.

5. 1108 7th St.
6. 812 Washington St.
7. 1404 Jackson St.
8. 1414 15th St.
9. 418 Barclay Hills Dr.
10. 612 Barclay Hills Dr.
11. 148 Hood St.
12. 215 S High St.
13. 1612 9th St.
14. 612 12th St.
15. 19560 Sebastian Way.

Our Pole-Mounted EV Charging Program aims to address several key objectives:

- **Increase accessibility:** By utilizing existing utility infrastructure, we can rapidly deploy charging stations in areas where traditional charging installations might be challenging or cost-prohibitive.
- **Promote equity:** This program will focus on providing charging options in multi-family housing areas and neighborhoods where residents may lack access to private charging facilities.
- **Support City sustainability goals:** By facilitating the transition to electric vehicles, we align with many cities' objectives to reduce carbon emissions and improve air quality.
- **Minimize disruption:** Our pole-mounted design allows for efficient installation with minimal impact on sidewalks, parking spaces, or other City infrastructure.

The charging stations we plan to install are Level 2 chargers, capable of adding about 25 miles of range per hour to most electric vehicles. They will be available to the public and can be easily located and activated through our mobile app.

We are excited about the potential of this program to make a significant impact on EV adoption in your city.

For more information about our neighborhood charging initiatives, including this pole-mounted program, please visit our dedicated web page: <https://portlandgeneral.com/energy-choices/electric-vehicles-charging/charging-your-ev/neighborhood-charging>

We look forward to collaborating with you and will be following up to schedule a meeting to discuss these locations and answer any questions you might have about the PGE Municipal Pole Charging Program.

Sincerely,
Adam Reese
Electric Vehicle Program Manager
Adam.reese@pgn.com
Portland General Electric

MEMORANDUM

TO: Mayor McGriff and Commissioners
FROM: Carrie A. Richter, City Attorney
DATE: June 9, 2025
RE: Sidewalk Enforcement and Replacement

At the last City Commission meeting, a number of McLoughlin Neighborhood residents testified expressing dismay over receiving sidewalk repair notices, the circumstances that led to the notices and the hardship repair imposes. The Commission asked that this item be added to the upcoming work session on June 10. Without much time to examine the matter, this memorandum provides some background about the City's existing sidewalk repair program and provides options for Commission consideration.

Sidewalk Repair Requirements

Oregon City Municipal Code (OCMC) 12.14.31 provides that the owner or occupant of real property is responsible for maintaining their adjacent sidewalk in "good condition" or in "good repair." "Good repair" is defined in City policy, as consistent with the Americans with Disabilities (ADA) standards to prohibit changes in vertical elevation of ¼ inch or more. Unlike other Metro cities, Oregon City does not also regulate slope, cracks, divots or other surface failures.

Before the City gets involved, an owner has a wide range of maintenance or repair options and may include over-the-counter pasting, sealing, epoxy or fill products. However, these options become more limited in cases of City-mandated repairs. Grinding is allowed where the change in elevation is between ¼" to 1.5" and at least half of the thickness of the sidewalk remains. Where grinding is not an option, replacement of the entire panel is required. A homeowner is allowed to make the improvement on their own or they can hire a licensed contractor to do this work. The rough cost of hiring a contractor to replace a 6' x 5' panel is between \$700 to \$1,000.

The City's enforcement of sidewalk repair is complaint driven. Once the City receives a complaint and inspects to confirm a violation, OCMC 12.04.32 provides mailed notice to the owner for repairs to be completed within 90 days. Where an owner does not comply, the code authorizes the City to complete the work and to assess the owner for those costs. However, the City has a practice of granting homeowners additional time to make the improvements. Where an owner does not respond to the first or second notice, a notice of code enforcement is issued over a period of 180 days. In nearly all cases, owners are willing and able to make the necessary improvements without resorting to the issuance of fines or for the City to complete the repairs.

Once noticed by the City, all repair or replacement requires a sidewalk repair permit issued by the City. The permit fee for an individual property is \$207. A group permit, where one contractor repairs multiple panels within a block or nearby blocks, costs \$413. These fees are reduced for participants within the street tree grant program discussed below.

Street Tree / Sidewalk Repair Grant Program

In 2021, the City implemented a grant program to reimburse homeowners where sidewalk damage is caused by the roots of street trees. The program provides a maximum reimbursement of \$1,500 per “site” which is defined as the street tree causing damage. Reimbursement applies to the costs associated with tree removal (if owner elects removal, which might trigger replacement which is not covered), sidewalk removal and replacement. To date the minimum reimbursement has been \$250 and the maximum has been \$9,000 (six trees). The average reimbursement is \$2,300. A sidewalk repair permit for owners within the reimbursement program is \$103 and the group permit fee is \$206.

In the first six months after roll out, the City reimbursed at total of \$225,157 to 107 applicants directed at 182 “sites” or trees. During fiscal year 2024, the City reimbursed a total of \$100,705 to 44 applicants at 79 “sites” or trees. Over the last fiscal year, the City has reimbursed a total of \$77,194 to 51 applicants covering 57 “sites” or trees. The funds for the program are from the Street Fund. For the 23-25 fiscal years there was \$200,000 per year allocated to the program and for the upcoming 25-27 fiscal years, \$125,000 per year has been allocated. Anecdotally, staff believes that over the past three years, the number of applicants subject to a City-repair mandate, who qualify for reimbursement far exceeds those that do not. An owner is only eligible for reimbursement one time per site.

Sidewalk Complaints

The City received 46 complaints alleging sidewalk disrepair in fiscal year 2023. The number of complaints in fiscal year 2024 was 84. In fiscal year 2025, the City has received 91 complaints. Of those, 67 locations in the McLoughlin Neighborhood were submitted during the period from mid-April to mid-May. After inspection, Public Works staff identified a need for repairs on 60 properties. See attached maps. Of these, 40 properties are not eligible for the grant program as they have no street trees. The remaining 20 properties are eligible or partially eligible.

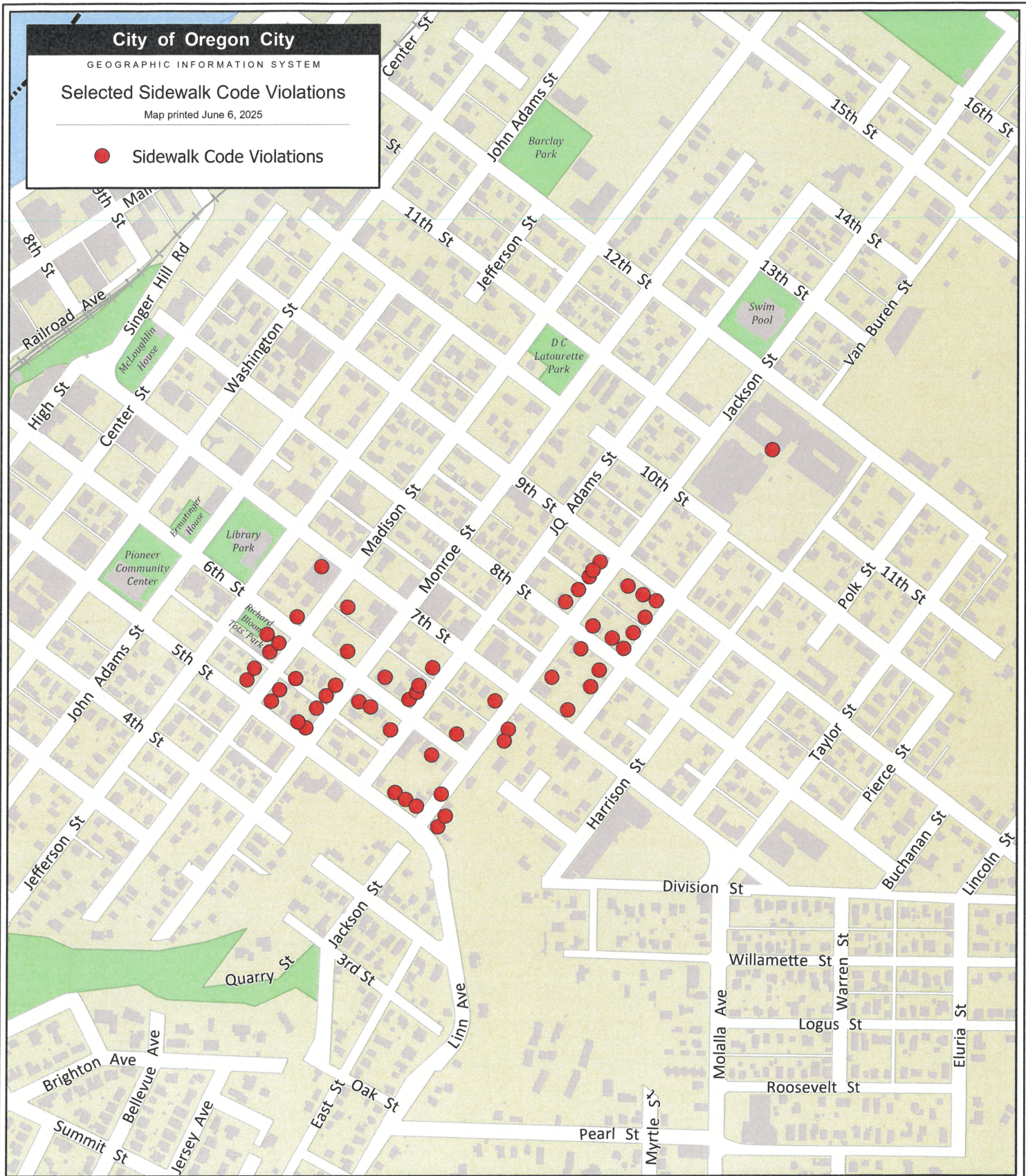
Possible Options

Without having much time to prepare, staff has identified the following options that seem the most practical and immediately responsive to the concerns:

- 1) Extend the timeline for compliance – As noted above, as a matter of practice, owners who express a willingness to work with the City in making repairs are given time to do so. Code amendments could be adopted that would give homeowners a total of 180 days to make the necessary repairs. This would double the 90-day period currently provided by code.

- 2) Expand the grant program to include all sidewalk repairs and not just those necessitated by street trees. Eligibility might be limited to: (1) those owners of landmarked or contributing structures within a historic or conservation district, (2) owners of historic 2" thick sidewalks where grinding is not permissible or (3) simply citywide. The Commission would also need to determine any reimbursement limit. Using the cost per "site" based on tree damage will not work in this case. The reimbursement could be set at a certain maximum per property or could be set per panel which would allow more recovery for those with more panels needing repair.

We look forward to discussing this matter further with you during the work session.



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.



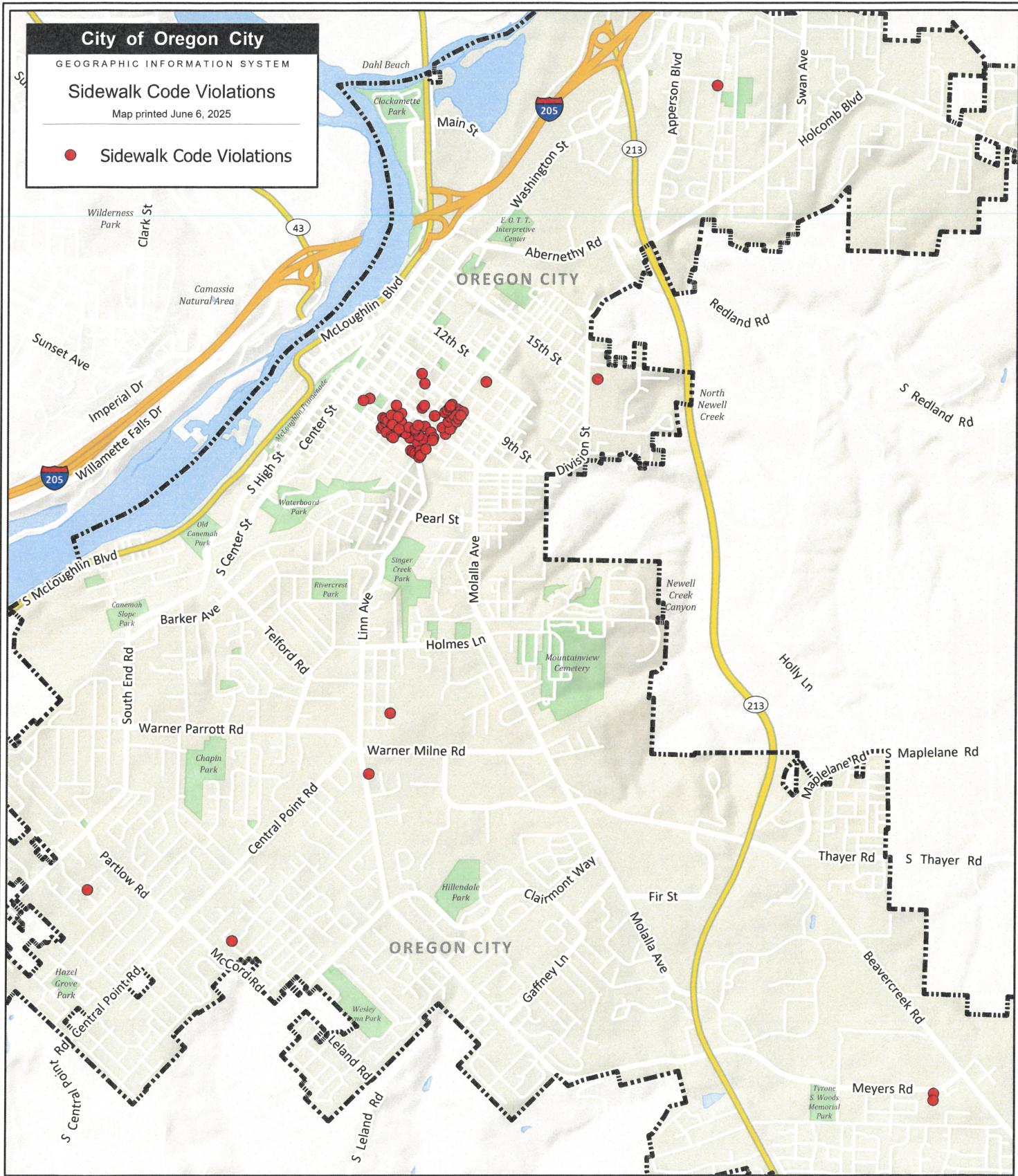
0 250 500 750 1,000 Feet

1 inch = 500 feet

City of Oregon City
P.O. Box 3040
625 Center St
Oregon City, OR 97045
503-657-0891 phone
503-657-6629 fax
www.ocity.org



Date: 6/6/2025
Map Name: Sidewalk Code Violations.aprx|Map 2 - 8.5x11P
Plot Name: Map 2 - 8.5x11P - 20250606.pdf



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0 1,000 2,000 3,000 4,000 5,000 Feet

1 inch = 2,500 feet

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CITY OF OREGON CITY

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

Staff Report

To: City Commission **Agenda Date:** June 10, 2025
From: Alexandra Rains, Assistant City Manager

SUBJECT:

McLoughlin Promenade Encroachments Follow Up

STAFF RECOMMENDATION:

Staff are looking for direction from the Commissioners on next steps.

EXECUTIVE SUMMARY:

On July 9, 2024, the City Commission authorized the City Manager to initiate the process of obtaining encroachment license agreements with property owners who are encroaching onto the McLoughlin Promenade. Since then, staff contacted all encroaching property owners and provided an update to the Commission on January 15, 2025, on the various responses received. During that meeting, the Commission heard several public comments and expressed a willingness to consider other approaches beyond encroachment licenses. The Commission then held a Work Session on March 11, 2025, to discuss each property and the requests made by various property owners. Consensus on next steps was reached for some but not all of the properties. The Commission conducted a site visit on April 16, 2025, to assist with their future deliberations. Staff seeks guidance from the City Commission on how to proceed.

BACKGROUND:

On July 9, 2024, the City Commission authorized the City Manager to begin obtaining license agreements with property owners who are encroaching onto the McLoughlin Promenade. Since then, staff have contacted all encroaching property owners and received mixed responses regarding their willingness to sign the license agreements. This information was presented to the Commission on January 15, 2025, and public comments were received from several property owners. During that meeting, the Commission expressed a willingness to consider other approaches beyond encroachment licenses. The Commission then held a Work Session on March 11, 2025, to discuss each property and the requests made by various property owners. Consensus on next steps was reached for some but not all of the properties. The Commission conducted a site visit on April 16, 2025, to assist with their future deliberations.

As of today, four (4) property owners have executed agreements, two (2) have declined to sign, five (5) have not responded to any attempts at correspondence (calls, emails, mail and, or certified mail), and the remaining six (6) have engaged on some level but have not yet been willing to sign agreements for various reasons. There was a final property owner

identified but they ultimately did not require a license agreement as their encroachment was minor and removed with minimal effort.

Attached to this staff report is the list of property owners with encroachments onto the promenade. Written requests received from any of the property owners are also included. Staff are seeking guidance from the Commission on how they would like to address the encroachments and suggest selecting one, or a combination of, of the following options:

1. Vacate property

*A vacation would remove the dedication of the property as the Promenade.

Pursuant to state law, the neighboring property owner would then own the underlying land and it would no longer be part of the Promenade, thus eliminating any further dispute regarding the vacated property. If vacations are granted for any of the properties, who would initiate the vacation and be responsible for things like recording fees, lot line adjustments, survey work, the preparation of legal documents, City application fees and, or, any other associated costs?

2. Encroachment License Agreements

*If the Commission requires license agreements for owners who continue encroaching onto the promenade, how would they like to address owners who have declined to sign the agreement? Would the Commission consider removing the liability clause from the document? For each owner who signs an encroachment license agreement, please indicate which items are permitted to stay within the encroachment area and provide a deadline for removal of unapproved items.

3. Acknowledgment of encroachments through a letter to each property owner

*If the Commission elects to send acknowledgment letters to property owners, they will not include indemnity language or require a signature. For each owner who receives a letter, please indicate which items are permitted to stay within the encroachment area and provide a deadline for removal of unapproved items.

4. Require removal of any or all encroachments onto the promenade

*For property owners who are required to remove their entire encroachment, please provide a removal deadline.

5. Some combination of the above options

Easements are not recommended by legal counsel, so they have not been listed as an option. When property has been dedicated to a particular purpose, Oregon courts have consistently recognized that "the governing body of a county or municipality becomes the trustee for the public to assure that the land is used for the dedicated purpose or purposes" *Douglas Cty. v. Umpqua Valley Grange, Inc.*, 45 Or App 739, 743 (1980). In *Hyland v. City of Eugene*, 179 Or 567, 572-73 (1946), the Supreme Court said that a "municipality, by accepting [a] dedication, becomes a trustee to carry out the terms of the grant and it has no power to sell or lease the property for purposes foreign to the dedication (Tiffany on Real Property, 3d Ed., § 1113.)". There's a strong argument that an easement is ineffective, as

the city can't use dedicated property for a purpose "foreign to the dedication."

Finally, as noted above, there are four (4) property owners that have signed the existing encroachment license agreement. Should the Commission choose to modify the agreement for other owners or select acknowledgment letters as an alternative, how would they like to address these four (4) owners?

OPTIONS:

Please provide guidance to staff on preferred next steps for each property.

Property #1

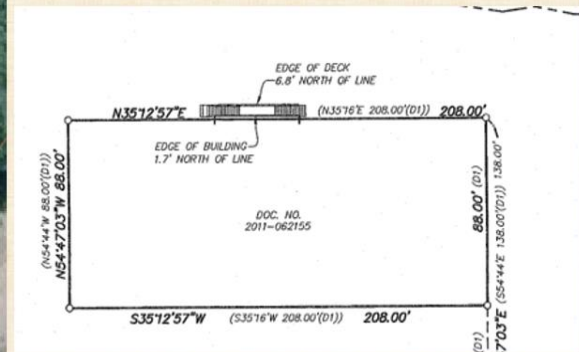
Property Owner: Three Rivers Post 1324 US Inc

Property Address: 104 Tumwater Dr., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA03500

Description / Depiction of Encroachment Area:

104 Tumwater – Edge of deck 6.8' N of line



At 104 Tumwater, the deck of the VFW building extends 6.8 feet north of the property line into the Promenade area and a portion of the building itself is 1.7 feet into the Promenade area.

Description / Depiction of Approved Encroachment Use: VFW Deck and Stairs, Building, Flagpole and barbeque area.

Encroachment Property to be Removed: None

Current Status: property owners have signed an encroachment license agreement. However, they have provided a new proposal, attached below, that was presented to the Commission during the work session on March 11th. The Commissioners expressed interest in determining the costs associated with the VFW's proposal but did not assign the cost to either party.

Please note that the City's legal team recommends a vacation (rather than a lot line adjustment) and to determine whether the land obtained from the VFW would be designated as part of the promenade.



VFW Proposal to the City of Oregon City

VFW Post 1324 (Post) makes the following proposal to The City of Oregon City (City) in order to clear any issues over trespasses in Promenade Park. It is our belief that this proposal will not only clear up any jurisdictional concerns, but greatly benefit the City as a whole.

Our understanding of the situation is that the Post is built beyond its property line and that the City has a staircase and a significant portion of the public parking lot with in the Posts property. In light of these joint concerns the Post proposes the following lot line adjustments to clear these concerns:

A – General note. Since the property lies on a bias to the North – South Cardinal points we will use only the cardinal directions (N, S, E and W) as a shorthand rather than the specific directions, as this is a proposal and the intent should be clear (see attached pictures).

B – 1. Move the Northern line South 24 feet. This will clear the stairs and a significant portion of the parking lot. This decreases the length of our lot from 208 feet to 184 feet. Additionally, this also adds 2112 square feet of park space.

2. Move the Eastern line West by 20 feet. This clears our property from any concerns with South Bluff Road. The Park gains 3680 square feet, and decreases our lot width from 88 feet to 68 feet.

C – The "bump out". The items in B clear the city of almost all of their concerns, however the Post needs additional room to clear their concerns. For this we propose a "bump out" on the West side of our lot.

1. 55 feet south from the new North line we would like an 18 foot extension running for 80 feet south. This would place the Post wholly within their property as well as the flag pole, flag burn pit and historic rock wall. This area would be 1440 square feet.

The proposed changes in b and c will result in an overall increase of 4352 square feet to Promenade Park. As such the Post proposes that all expenses resulting from these changes be borne by the City. Additionally, the Post is willing to sign an agreement that the City will have full, unfettered access to the park, as well as the use of the Post's 3 handicap parking spaces for as long as the City maintains the parking area.

VFW POST 1324

104 Tumwater Dr./PO Box 11
Oregon City, OR 97045

503.655.6969

vfw1324@gmail.com

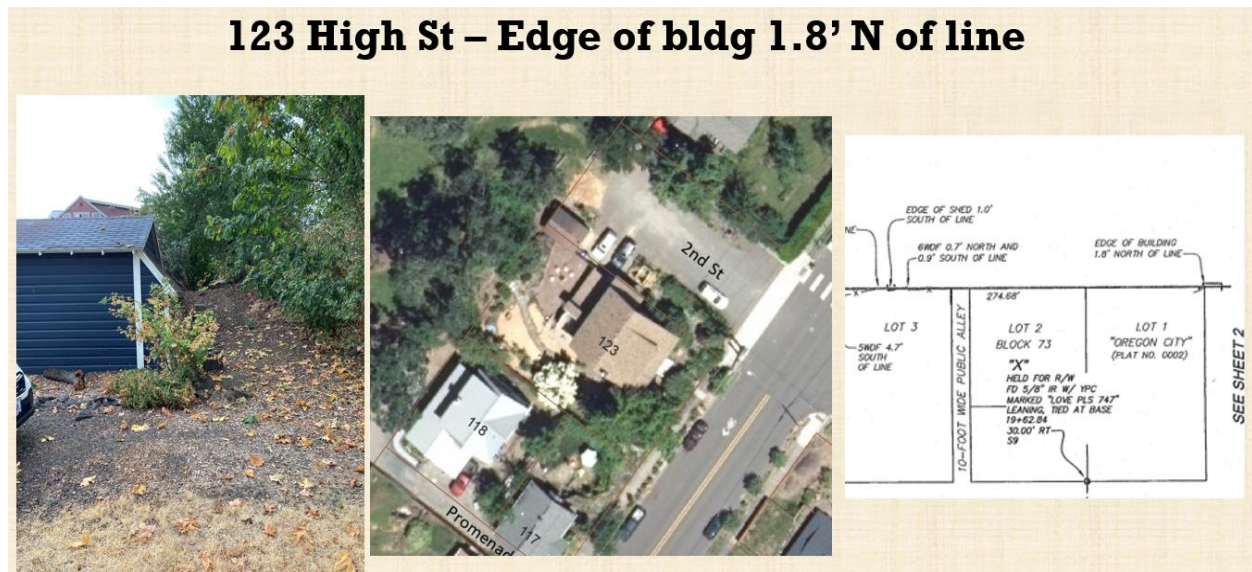
Property #2

Property Owner: Greg and Carrie Rose

Property Address: 123 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA00100

Description / Depiction of Encroachment Area:



At 123 High St, the edge of the shed building extends 1.8 feet into the Promenade area. Also, a significant portion of the shed is located in the 2nd Street right-of-way. A Right-of-Way (ROW) Permit application must be submitted and approved by the Commission for the shed to remain in the ROW.

Description / Depiction of Approved Encroachment Use: The shed building that extends into the promenade and 2nd St. right-of-way.

Encroachment Property to be Removed: None

Current Status: owners have received information but have not signed the agreement or applied for the necessary ROW permit. During the Commission Work Session on March 11th, the Commissioners reached consensus that the shed/garage could remain in place if it was on a foundation (it is) and that the encroachment license agreement and ROW permit were necessary. Should the owners decline to sign the encroachment license and apply for the ROW permit, the Commissioners indicated they would be sent to code enforcement. Please provide a deadline for action on behalf of the property owner before involving code enforcement.

Correspondence from property owners is included below. The PDF being referenced was attached to the email directed to the Commissioners.

4/14/2025

Oregon City Commissioners, Mayor McGriff, and City Management,

My name is Greg Rose and my wife Carrie and I own the property at 123 High Street. I wanted to reach out in regards to the issue of our garage which has been an ongoing point of discussion as it relates to the city's desire to make the Promenade Park a charter park.

I recently spoke at a City Council meeting where the encroachments of properties were discussed. During my testimony I stated that our garage has been in place since the house was built in 1919. I mentioned the historical photo of our house on the Oregon City website showing our garage. Also, in the attached Sanborn Map drawn in 1925, that was obtained through the Oregon City website, you can see our garage in place.

During the last work session Mayor McGriff stated that our garage is a "shed" and "it's not something that's been there for 50 years, 40 years, or 20 years, or even 5 years." As you can see in the attached map, our garage has been in the same exact location for over 100 years. Statements and assumptions that are untrue are causing unnecessary confusion and doubt about the situation of our property.

In the 1925 Map copied from the Oregon City website you will see our garage. Our home is marked with a "D" standing for dwelling and our garage is marked with an "A" which stands for Auto. This map proves that our garage was present in 1925 in the exact location that it still stands and was most likely part of the original build of the home in 1919.

We care deeply about our city, our historic property, and the Promenade. We want to do what is best for the City while upholding the historical integrity of our property. Our hope is to come to a reasonable and common-sense solution that satisfies both parties. We look forward to an open discussion with you regarding this matter.

Sincerely,

Greg and Carrie Rose

503-267-5093

Property #3

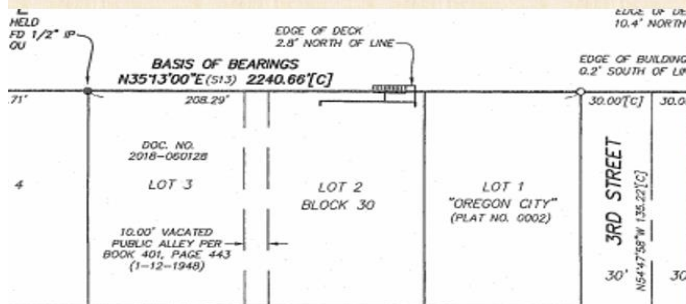
Property Owner: AK Ventures LLC

Property Address: 214 Bluff St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC12800

Description / Depiction of Encroachment Area:

214 Bluff St – Edge of deck 2.8' N of line



214 Bluff St – Landscape, rock border, and fire pit



The deck attached to the residence at 214 Bluff St. extends 2.8 feet into the Promenade area. The 214 Bluff St. Property also has landscape encroachments into the Promenade, including rock borders in slope transitions, chairs, a fire pit, and possible plantings.

Description / Depiction of Approved Encroachment Use: The deck.

Encroachment Property to be Removed: fire pit, landscaping, including rock borders and slope transitions, chairs and plantings.

Current Status: no response from the property owner. The Commission reached consensus during the March 11th Work Session to require removal of all encroachments except the deck (although there was discussion of the Mayor inspecting the landscaping prior to a final decision on that item). The Commission noted that the encroachment license agreement would be necessary in order for any items to remain. Should the owner decline to sign, will the Commission instruct staff to involve code enforcement? If yes, please provide a timeline.

Property #4

Property Owner: AK Ventures LLC

Property Address: 210 Bluff St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC12800

Description / Depiction of Encroachment Area:

210 Bluff St – Landscape and rock wall



The promenade area west of 210 Bluff Street has significant landscaping, including movable pots and staked items. The transitional slopes also have rock walls.

Description / Depiction of Approved Encroachment Use: none.

Encroachment Property to be Removed: moveable pots, staked items, rock walls.

Current Status: no response from the property owner. The Commission reached consensus during the Work Session on March 11th that all items needed to be removed and no encroachment license agreement was necessary. Would the Commission like to direct staff to involve code enforcement should the owner decline to remove all items from the encroachment area?

Property #5

****8th property on promenade tour**

Property Owner: James Nicita

Property Address: 302 Bluff St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC12400

Description / Depiction of Encroachment Area:

302 Bluff St – Landscape, deck and parking



The property to the north of 3rd Street, 302 Bluff St., has a deck and stairs that extend 10.4 feet into the promenade. In addition, the Promenade area is used for parking and some minor landscaping.

Description / Depiction of Approved Encroachment Use: The deck, stairs, parking and landscaping

Encroachment Property to be Removed: None.

Current Status: property owner has declined to sign the encroachment license agreement. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #6

****7th property on promenade tour**

Property Owner: Paul Creech

Property Address: 306 Promenade St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC12300

Description / Depiction of Encroachment Area:

306 Promenade St – Landscape, stairs, deck and parking



The property at 306 Promenade St. also has a deck that extends into the Promenade. The deck itself is only 0.4' into the promenade, but stairs to the deck go 8.7' into the Promenade. The Promenade area is also landscaped and used for parking.

Description / Depiction of Approved Encroachment Use: deck, stairs, parking

Encroachment Property to be Removed: trailer and trash

Current Status: no response from property owner. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #7

****5th property on promenade tour**

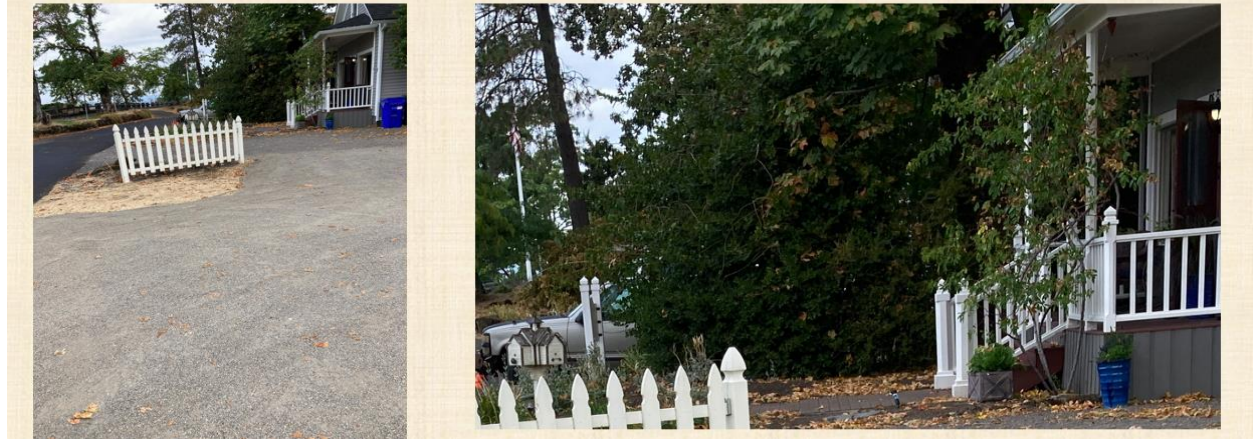
Property Owner: 406 Bluff Street LLC

Property Address: 406 Promenade St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04800

Description / Depiction of Encroachment Area:

406 Promenade St – Edge of bldg 0.2', edge of deck 5.2', stairs 8.7' N of line



The property at 406 Promenade St. contains structures that extend into the Promenade area. The west edge of the building is 0.2 feet into the Promenade, the west edge of the deck is 5.2 feet into the Promenade, and the stairs are 8.7 feet into the Promenade. In addition, there is also a short divider fence, a decorative landscape feature, and a sign between the house and Promenade Street. The property takes access through the Promenade and likely there is parking.

Description / Depiction of Approved Encroachment Use: Deck, stairs, parking, signage and fence

Encroachment Property to be Removed: None.

Current Status: no response from property owner. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #8

****4th property on promenade tour**

Property Owner: Daniel F Arone

Property Address: 408 Promenade St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04700

Description / Depiction of Encroachment Area:



The survey indicates that the building located at 408 Promenade St. extends into the Promenade by 5.3 feet. The Promenade area to the west is also surfaced and used for access and parking.

Description / Depiction of Approved Encroachment Use: Access, parking, deck and portion of deck/building that extends into the promenade.

Encroachment Property to be Removed: None

Current Status: no response from property owner. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #9

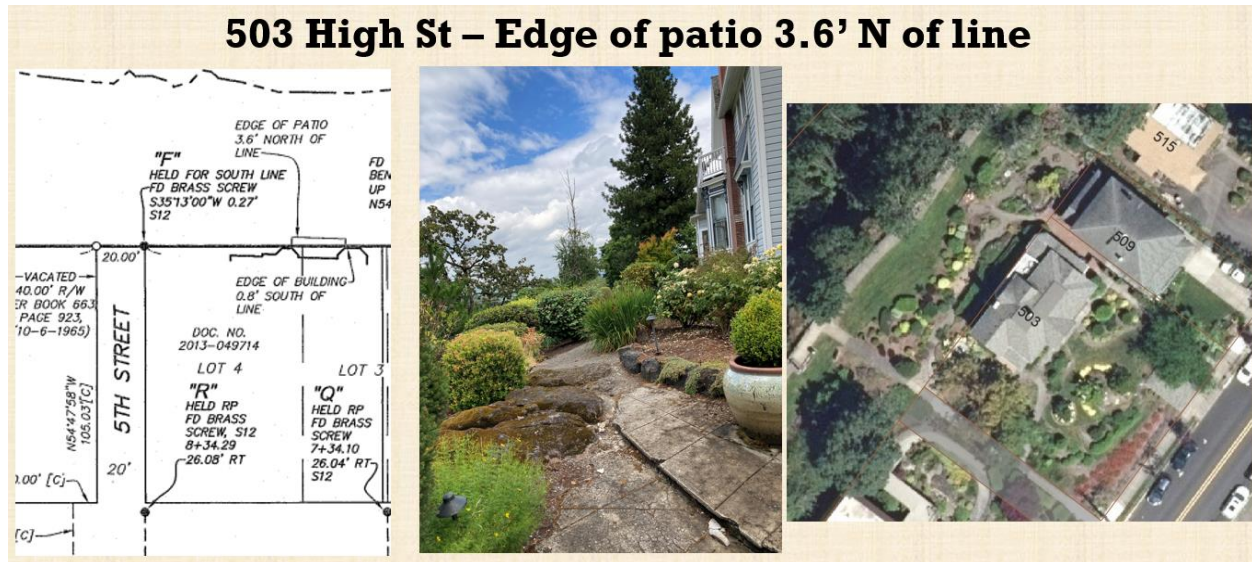
****3rd property on promenade tour**

Property Owner: Jon Rand

Property Address: 503 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04400

Description / Depiction of Encroachment Area:



The residence located at 503 High St. has a patio on the west side that extends over the property line and into the Promenade by 3.6 feet. The property also has an expansive, intricate, and well-maintained landscape with intertwined pathways extending west of the residence. Almost all that landscaping is in the Promenade area.

Description / Depiction of Approved Encroachment Use: patio and landscaping

Encroachment Property to be Removed: None

Current Status: owner has not signed the agreement. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps. Included below is correspondence from the property owner, it was also provided to the Commissioners via email with additional photos.

3/26/2025

Alex,

I am writing in response to your request for a written exposition of our views on this matter.

1. We have been owners of Latourette House, 503 High street, since 2013. The “Encroachment Area” appears to consist of a small portion of our front porch and the adjacent, elaborate landscaping. Please see attached photos, with the first showing the apparent location of the property line in relation to our front porch (based on the City’s information, without independent verification), the remaining ones giving a sense of the landscaping.

2. Our house is a jewel of the Mcloughlin Promenade. It is in the Mcloughlin Historic District and subject to the jurisdiction of the Oregon City Historic Review Board. The property also is listed on the National Register of Historic Places since 1980. Immediately upon acquiring the property, we remediated environmental issues in cooperation with the City. We have lovingly restored and maintained the buildings and property in cooperation with Oregon City’s Community Development Division, specifically Christina Robertson-Gardiner. We have cultivated, maintained and irrigated the existing, elaborate gardens and landscaping adjacent to the front porch and facing the Promenade (as well as that on the street side of the house) at considerable expense to ourselves for the benefit of City residents generally and those using the Promenade in particular. To this end, we have worked with Jonathan Waverly, the City’s Parks and Cemetery Manager, on landscaping issues, including the removal of dead, dangerous trees and their replacement with new material. We have been responsible stewards and good neighbors.

3. We are encouraged that the City is considering the possibility of undertaking a process to vacate the Encroachment Areas to the relevant homeowners. The current arrangement of our property in relation to the property that became the Promenade appears in the oldest photos we can find and likely existed since the house was built in 1882. We are supportive of the City’s initiative to “charter” the Park and protect it for the benefit of future generations, and understand the desire to formalize relations with property owners. At the same time, it should be recognized that our property and the Park have existed in harmony for 143 years (and the 88 since the Promenade was established) without any formal agreement with the City. All of our dealings with the City and the officials mentioned above have proceeded on the basis of a pleasant exchange of calls or emails, and an implicit handshake. We have been exhorted by the Parks Manager to continue to take care of things. Indeed, a view of our house is included on the City’s webpage on the Promenade (see last picture attached).

4. In light of the foregoing, we respectfully request that the informal arrangement that has existed harmoniously for nearly a century be recognized by having the City vacate the relevant area. We understand that it may not be possible to deal separately with the porch and the garden, as the City is not empowered to grant easements on park property. This suggests that the most expedient means of dealing with the situation is for the City to vacate both the porch and the garden portion of the Encroachment Area.

5. If it is determined that there is another administrative means to allow us to continue to maintain the garden, we would be open to that discussion. However, if the City determines not to provide suitable assurances, we will not be in a position to continue to manicure, irrigate and otherwise maintain the garden for benefit of the City and Park visitors, and these tasks would become the responsibility of the City. We believe the most effective long-term solution would be for the City to vacate the totality of the Encroachment Area, which would both incentivize us to continue our stewardship and provide certainty for the the longevity of the garden in complement to the desired permanence of the Promenade, as they have long coexisted.

Of course, please call or write to continue the conversation.

Sincerely,

Jon S. Rand

Property #10

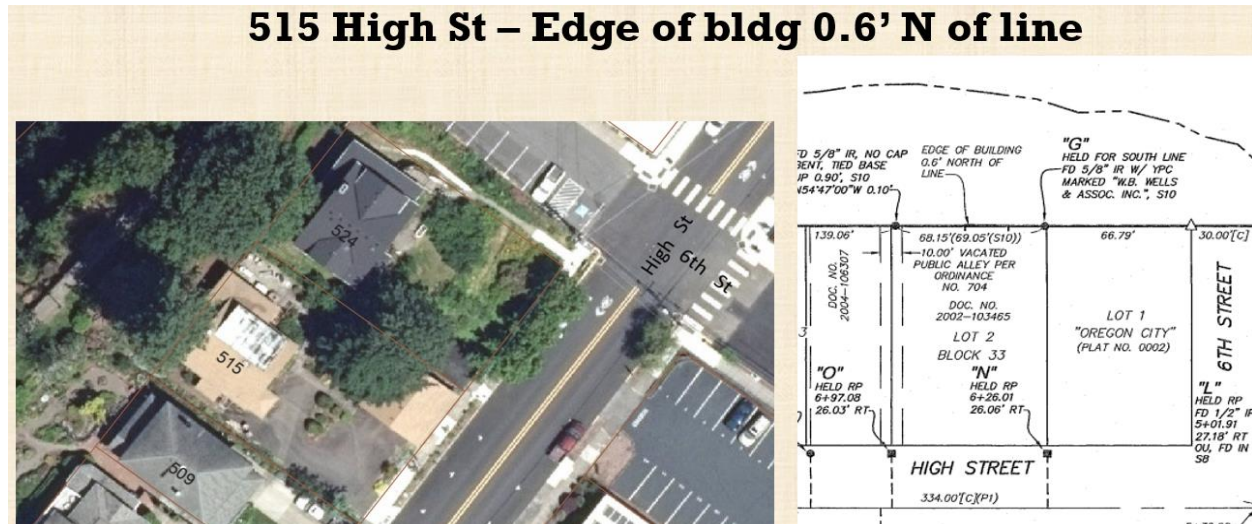
****2nd** property on promenade tour

Property Owner: Philip & Vicki Yates

Property Address: 515 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04200

Description / Depiction of Encroachment Area:



The main structure on 515 High St. was built 0.6 feet over the property line and into the Promenade area.

Description / Depiction of Approved Encroachment Use: the main structure

Encroachment Property to be Removed: none.

Current Status: owner has requested the city vacate the portion of the promenade where the foundation is located, please see letter included below. During the Commission Work Session on March 11th, there was consensus on granting a vacation for the foundation of the home but questions remained about the landscaping. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

January 12, 2025

Re: License Agreements for Encroachments onto the McLoughlin Promenade

Dear Commissioners,

My husband and I live at 515 High Street. Our home was built 111 years ago and is a designated historic structure. We are in the unique position of being the only homeowners with a portion of our home built slightly on the McLoughlin Promenade, by around seven (7) inches.

When we purchased our home in 2003, we were made aware of the situation. We were not concerned, since the house was built in 1914, and for almost 90 years no issue had been raised by the City, despite the fact that the encroachment was known to all via the public record. We also mistakenly assumed that adverse possession applied, not knowing at the time that the doctrine apparently does not apply to the City.

In around 2005, we obtained permits from the City and we spent more than we paid for the house to do much needed major updates to the house. That major remodel also included construction of our kitchen in the portion of the house that encroaches on the Promenade. The City raised no concern about the encroachment then, and we relied on the City's permission when we built our kitchen.

We have enjoyed living in our home for 20 years. During that time, we have been very good neighbors to the City. We maintain the landscaping in front of our home on the Promenade, and we pay for water used to water that landscaping. Last year, due to extreme fire threat, and a terrifying fire on the bluff down the street, my husband installed an irrigation system on the Promenade to protect our home from fire and to assist in the watering of the landscaping on the Promenade. We do not use the City's Promenade property for any other purpose.

We have no problem signing a revocable encroachment license agreement for the irrigation system we installed on City property. (We recently made the City aware of that encroachment although it is not included in the proposed encroachment agreement.). However, we cannot sign an encroachment license agreement with regard to the encroachment of our kitchen on City property, for very good reasons.

The agreement states that we have no right to the encroachment, and that the license is revocable for any reason with 30 days notice. We strongly disagree. The City waited over 100 years to assert its claim, with knowledge of the encroachment. We relied on this to our detriment, especially after the City issued permits that allowed us to remodel our home and move our kitchen to the encroached area. It would be extremely inequitable to make our kitchen subject to removal under any circumstance short of the complete destruction of the home. We therefore believe that we have a legal right to have our home exactly where it is.

Any license agreement, even non-revocable, could greatly impact the value of our home in a negative way and make it harder to finance and sell. We believe that the best way to resolve this issue is for the City to grant us either fee simple or an easement for this very small encroached area. We would be happy to pay for the legal documents needed to be prepared.

Please do the right thing.

Respectfully,
Vicki Yates

Property #11

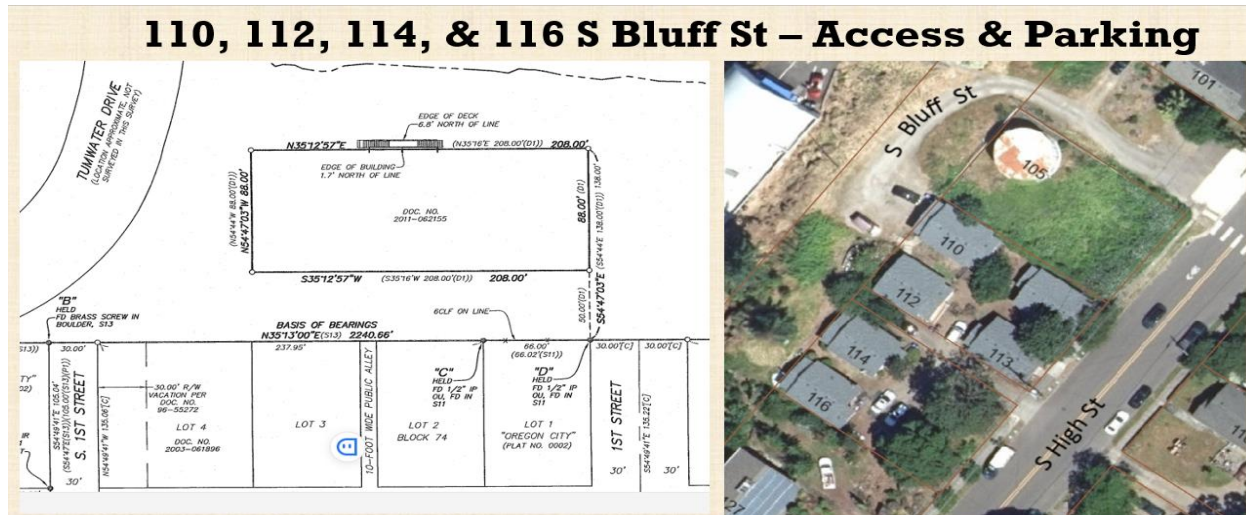
****10th property on promenade tour**

Property Owner: LKR Ventures

Property Address: 110, 112, 114, & 116 S. Bluff St., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA03300, 22E31CA03200

Description / Depiction of Encroachment Area:



The properties located at 110, 112, 114 and 116 S Bluff St. all take access from S. Bluff St. and park in the area to the west of the homes.

Description / Depiction of Approved Encroachment Use: access and parking

Encroachment Property to be Removed: trailer storage, boat storage, vehicle storage

Current Status: owners have requested City Commission reconsider removal of parking on Bluff St. and boat storage. The renter who owns the boat has lived there for over 20 years and the owner has asked if the boat can remain until the renter moves. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #12

****9th property on promenade tour**

Property Owner: Russell Lathrop & Shelby Ann Sundling

Property Address: 118 Promenade St., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA00200

Description / Depiction of Encroachment Area:



The property at 118 Promenade St. is accessed through the public alley, labeled “Promenade Street” from High Street. Parking, access, and residential landscaping extend into the Promenade area. The property line is situated close to the walkway on the west side to the house, which appears to be the front of the house. The landscaping to the west of the parking area (and entirely on the Promenade) has drip irrigation in the planter bed area.

Description / Depiction of Approved Encroachment Use: access, parking and landscaping

Encroachment Property to be Removed: none

Current Status: the property owner has not signed the agreement. Correspondence from property owner is included below. Referenced attachments were included in the email sent to the Commission. This property was part of the Commission’s Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

4/13/2025

Mayor McGriff, Commissioners, City Manager Konkol, and Oregon City Leadership,

Thank you for your time and dedication to Oregon City—so much of it is volunteered and often goes unnoticed. We appreciate your efforts and welcome this opportunity to continue the conversation.

Since Russ' earlier letter was included in the last meeting's packet, we'll keep this simple and focus on clarifying our intent and a few lingering concerns.

Who We Are

We are Russ and Shelby, longtime Oregon City residents and owners of 118 Promenade since 2016. Even before moving in, we joined park clean-ups, drawn by the charm and history of this neighborhood.

The Facts

- Our house was built in 1945—it is not new construction.
- We completed a modest remodel (adding 29.45%) under the threshold for Historic Review Board approval.
- Every step followed city permits, architectural review, and planning.
- We worked hard to preserve the home's character: restoring siding, salvaging hardware, and repurposing original shiplap—always with stewardship in mind.

Attached: Photos from the Oregon City website showing landscaping and parking have been consistent with the space's longtime use.

Why We're Writing

We simply want to continue caring for the small park slope next to our home under the Encroachment License—as neighbors, not owners.

We fully understand this is public land. We've always treated it that way.

Two Concerns

1. Revocable Clause

The “at any time for any reason” language feels broad. To ensure fairness, we respectfully suggest adding a clear process for revocation—perhaps through committee review.

2. Indemnification & Insurance

As written, we could be held liable for injuries to park visitors, even if we have no connection to or control over an incident. This seems disproportionate given Oregon's recreational use immunity statute (ORS 105.682). A balanced solution would treat us like any other Oregon City resident who parks or maintains landscaping adjacent to city property—relying on existing homeowner and auto insurance.

Attached: City Encroachment License agreement.

Stewardship in Practice

- Before we bought the home, the slope was overgrown, full of debris, and unsafe. At no cost to the City, we cleaned it up, hauling two truckloads of garbage and removing a decades-old concrete block path leading from the house to the park.
- The Oregon City Parks & Recreation Department operates with limited staff and funding, making community involvement essential. Well-maintained public spaces strengthen neighborhoods and improve the local environment. In that spirit, we continue to quietly care for this area, ensuring it remains safe and well-kept.
- Leftover pavers, temporarily stored on park property, have been removed. The gravel parking area is clean, safe, and utilizes less space than previous residents used.
- The satellite photo reviewed at the last meeting was taken mid-project and does not accurately reflect the completed space after gravel was replenished.

Attached: Photo of the space as of April 12, 2025.

Shared Purpose

We all want the same thing—a space where families picnic, kids climb on boulders, and neighbors gather. We'd like to continue doing our part, alongside you and the community, to keep it that way.

Thank you for your time and service.

Russ & Shelby

118 Promenade Street
Oregon City, OR

Property #13

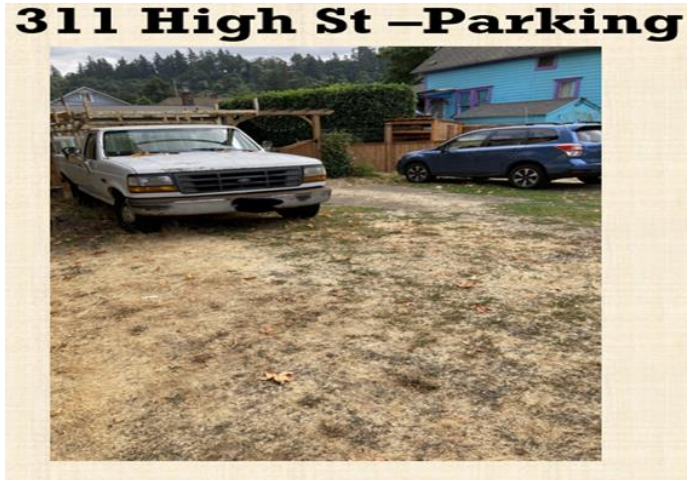
****6th property on promenade tour**

Property Owner: Josh & Jenna Adams

Property Address: 311 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC12200

Description / Depiction of Encroachment Area:



The property at 311 High St. uses the Promenade area for access at parking.

Description / Depiction of Approved Encroachment Use: access and parking

Encroachment Property to be Removed: none

Current Status: property owner has declined to sign the encroachment license agreement. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

Property #14

****11th property on promenade tour**

Property Owner: David Demers

Property Address: 127 S High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA03100

Description / Depiction of Encroachment Area:



The home located at 127 S. High St backs onto the Promenade and there are terraced rock walls and ornamental landscaping, including vines that were not placed by City staff on the property.

Description / Depiction of Approved Encroachment Use: landscaping and rock walls

Encroachment Property to be Removed: none

Current Status: property owner has declined to sign the encroachment license agreement. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

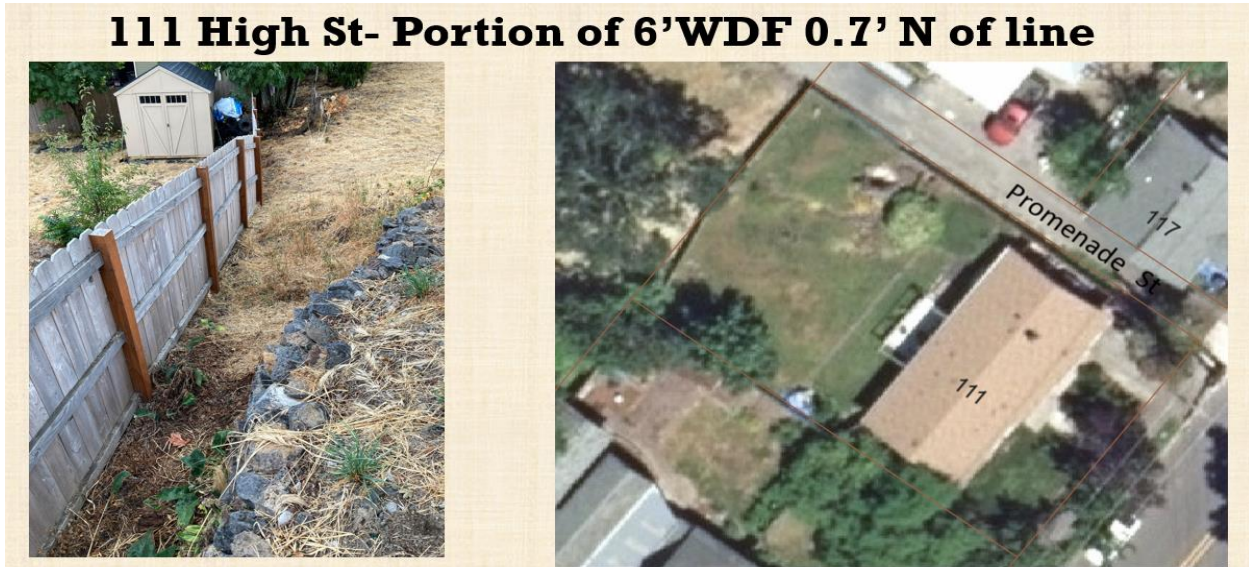
Property #15

Property Owner: Mary Kay Campbell Trustee

Property Address: 111 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31CA00400

Description / Depiction of Encroachment Area:



There is a portion of 6-foot tall wooden fence behind 111 High St. that is located 0.7 feet north of the property line. The southern portion of the fence starts on the property owner's lot, but it transitions to the Promenade to the north.

Description / Depiction of Approved Encroachment Use: fence

Encroachment Property to be Removed: none

Current Status: property owner has signed the encroachment license agreement.

Property #16

Property Owner: Ronald Thom & Suzanne Thom

Property Address: 509 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04300

Description / Depiction of Encroachment Area:



The property located at 509 High St. features similar landscaping as 503 High Street, with well-maintained landscaping, including mature trees and brick borders lining a gravel pathway.

Description / Depiction of Approved Encroachment Use: landscaping

Encroachment Property to be Removed: none

Current Status: property owner has signed the encroachment license agreement.

Property #17

****1st property on promenade tour**

Property Owner: Katie Palmer

Property Address: 524 High St., Oregon City, OR 97045

Property Tax Identification Number: 22E31AC04100

Description / Depiction of Encroachment Area:

524 High St – Landscape and rock wall



The property at 524 High St. features a house elevated from the Promenade and the Promenade area that slopes up to the house contains rock retaining walls as well as transitional slope walls and landscaping.

Description / Depiction of Approved Encroachment Use: rock retaining walls and landscaping

Encroachment Property to be Removed: none

Required Date of Removal of Encroachment Property to be Removed: N/A

Current Status: owner has not signed an encroachment license agreement, see attached written request. Should the Commission wish to grant this request, please note that the City's legal counsel recommends a vacation since a lot line adjustment alone would not remove the original dedication. This property was part of the Commission's Site Tour on April 16th. Please provide guidance to staff on preferred next steps.

FEBUARY 13TH, 2025

DEAR OREGON CITY CITY COMMISSON,

Regarding the Commission's pursuit of designating the McLoughlin Promenade as a Charter Park, your efforts are commended. Given the unique circumstances of the established, historic retaining walls on the parcel of land immediate adjacent to the property at 524 High St., Oregon City, 97045, as noted in Exhibit A of the Revocable Encroachment License, I would like to request consideration for a lot line adjustment to alleviate the legal implications associated with the identified encroachments.

As noted in previous correspondence with Alex Rains, Assistant City Manager, a lot line adjustment, moving 524 High St's property boundaries to include the land containing the historic retaining walls, could alleviate the city's legal implications shifting responsibility to the property owner. Removal of the historic retaining walls, as suggested by the city, will impact the integrity of the land immediately adjacent to 524 High St's, Linn E. Jones House's stone foundation (circa. 1910). To replace the retaining walls will cost thousands of dollars for Oregon City taxpayers, and the city will lose the beautiful 1900s aesthetic. Additionally, if the retaining walls are removed and not replaced, the land will erode and lead to a myriad of other problems. Please also note, the current owner of 524 High St. has for 2.5 years remediated the ivy overgrowth on both retaining walls as the land was not being maintained by the city. The ivy encroached the property, climbing on the home's stone foundation, damaging original mortar, porch boards, siding, and even climbing into the home's basement.

Thank you for your consideration for a lot line adjustment and continued preservation of the Historic McLoughlin district attributes.

Respectfully,

A handwritten signature in black ink, appearing to be 'Katie Palmer', with a stylized, flowing script.

DR. KATIE PALMER

McLoughlin Promenade Tour
Starting at City Hall, 6:00 pm – 6:45 pm

1. 524 High St.

Property Owner: Katie Palmer

Description / Depiction of Encroachment Area:

524 High St – Landscape and rock wall



The property at 524 High St. features a house elevated from the Promenade and the Promenade area that slopes up to the house contains rock retaining walls as well as transitional slope walls and landscaping.

Current Status: owner has not signed an encroachment license agreement and requested a lot line adjustment. Should the Commission wish to grant this request, please note that the City's legal counsel recommends a vacation since a lot line adjustment alone would not remove the original dedication.

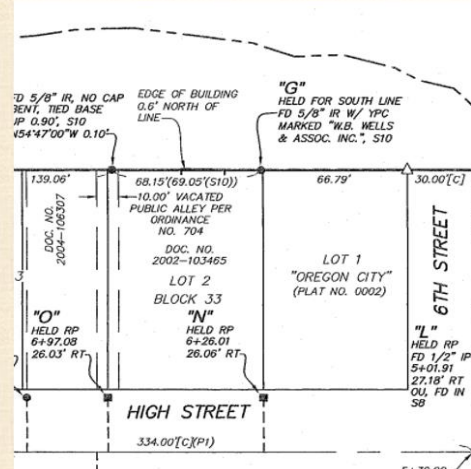
Notes:

2. 515 High St.

Property Owner: Philip & Vicki Yates

Description / Depiction of Encroachment Area:

515 High St – Edge of bldg 0.6' N of line



The main structure on 515 High St. was built 0.6 feet over the property line and into the Promenade area. There is also an irrigation system.

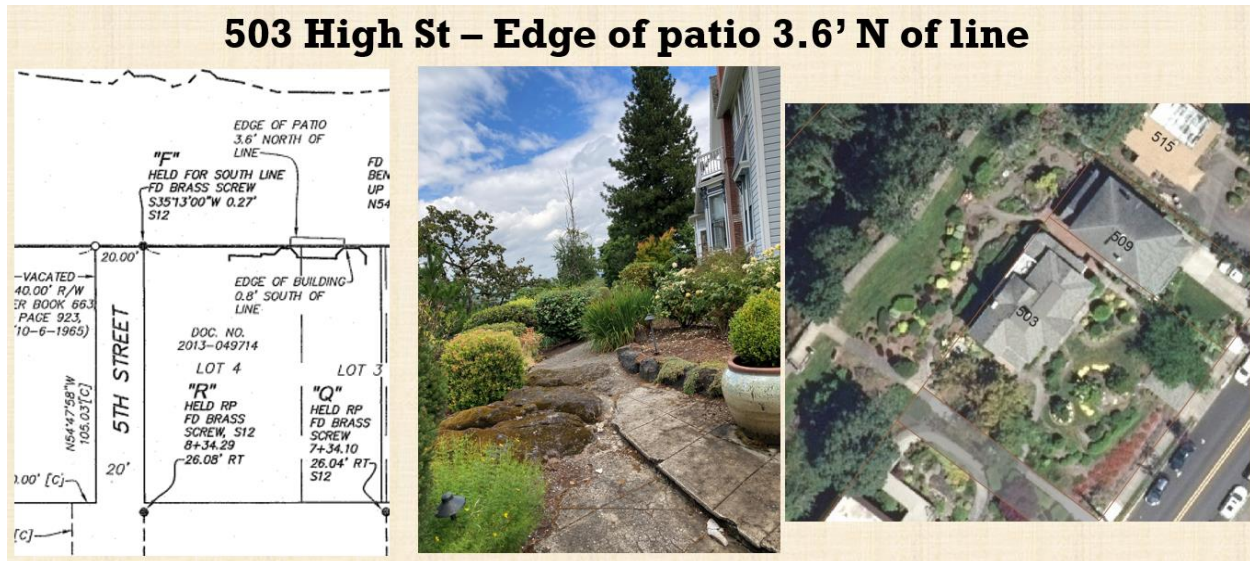
Current Status: owner has requested the city vacate the portion of the promenade where the foundation is located.

Notes:

3. 503 High St.

Property Owner: Jon Rand

Description / Depiction of Encroachment Area:



The residence located at 503 High St. has a patio on the west side that extends over the property line and into the Promenade by 3.6 feet. The property also has an expansive, intricate, and well-maintained landscape with intertwined pathways extending west of the residence. Almost all that landscaping is in the Promenade area.

Current Status: owner has not signed the agreement. Owner has requested the City vacate the encroachment area.

Notes:

4. 408 Promenade St.

Property Owner: Daniel F Arone

Description / Depiction of Encroachment Area:



The survey indicates that the building located at 408 Promenade St. extends into the Promenade by 5.3 feet. The Promenade area to the west is also surfaced and used for access and parking.

Current Status: no response.

Notes:

5. 406 Promenade St.

Property Owner: 406 Bluff Street LLC

Description / Depiction of Encroachment Area:

406 Promenade St – Edge of bldg 0.2', edge of deck 5.2', stairs 8.7' N of line



The property at 406 Promenade St. contains structures that extend into the Promenade area. The west edge of the building is 0.2 feet into the Promenade, the west edge of the deck is 5.2 feet into the Promenade, and the stairs are 8.7 feet into the Promenade. In addition, there is also a short divider fence, a decorative landscape feature, and a sign between the house and Promenade Street. The property takes access through the Promenade and likely there is parking.

Current Status: no response.

Notes:

6. 311 High St.

Property Owner: Josh & Jenna Adams

Description / Depiction of Encroachment Area:

311 High St –Parking



The property at 311 High St. uses the Promenade area for access at parking.

Current Status: has declined to sign the encroachment license agreement.

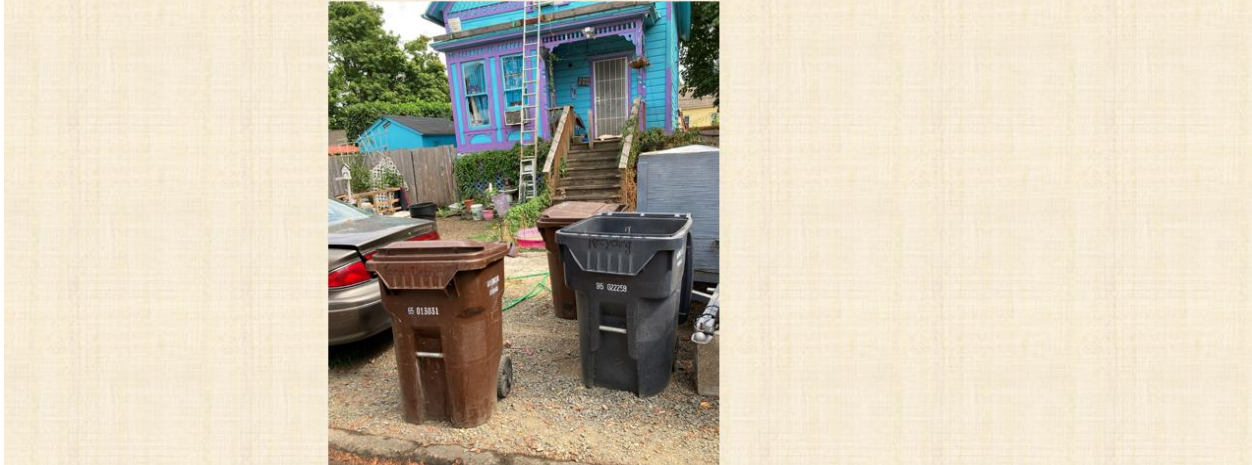
Notes:

7. 306 Promenade St.

Property Owner: Paul Creech

Description / Depiction of Encroachment Area:

306 Promenade St – Landscape, stairs, deck and parking



The property at 306 Promenade St. also has a deck that extends into the Promenade. The deck itself is only 0.4' into the promenade, but stairs to the deck go 8.7' into the Promenade. The Promenade area is also landscaped and used for parking.

Current Status: no response.

Notes:

8. 302 Bluff St.

Property Owner: James Nicita

Description / Depiction of Encroachment Area:

302 Bluff St – Landscape, deck and parking



The property to the north of 3rd Street, 302 Bluff St., has a deck and stairs that extend 10.4 feet into the promenade. In addition, the Promenade area is used for parking and some minor landscaping.

Current Status: property owner has declined to sign the encroachment license agreement.

Notes:

9. 118 Promenade St.

Property Owner: Russell Lathrop & Shelby Ann Sundling

Description / Depiction of Encroachment Area:

118 Promenade St – Landscape, parking and access



The property at 118 Promenade St. is accessed through the public alley, labeled “Promenade Street” from High Street. Parking, access, and residential landscaping extend into the Promenade area. The property line is situated close to the walkway on the west side to the house, which appears to be the front of the house. The landscaping to the west of the parking area (and entirely on the Promenade) has drip irrigation in the planter bed area.

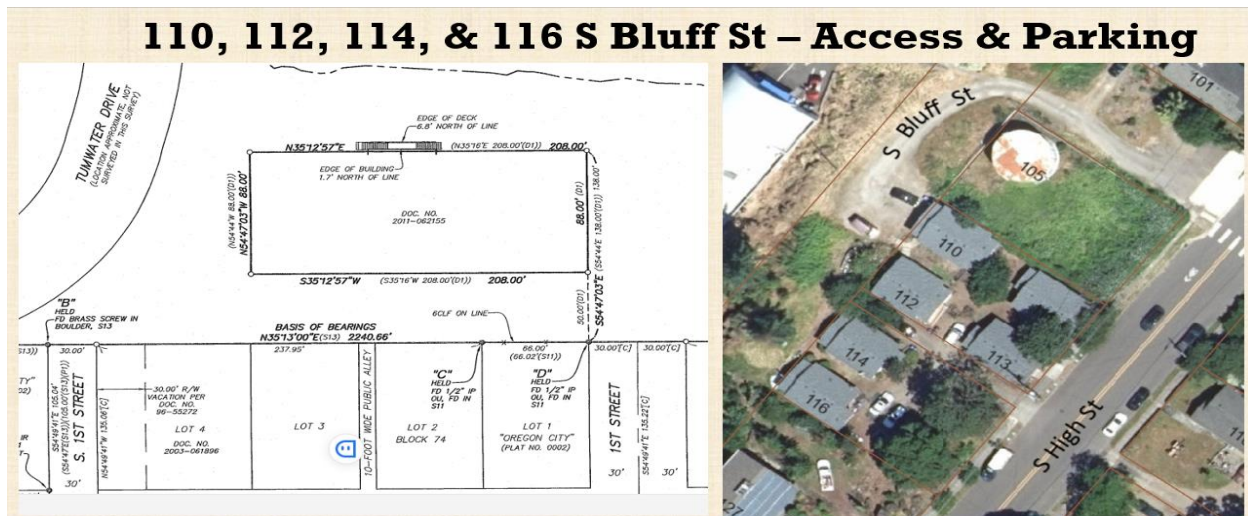
Current Status: has not signed the agreement. The owner noted concerns with the term of the encroachment license agreement and indemnity language (email provided to the Commission ahead of the work session on March 11th). Additionally, there was mention of “redrawing the property lines” as a possible solution.

Notes:

10. 110, 112, 114 & 116 Bluff St.

Property Owner: LKR Ventures

Description / Depiction of Encroachment Area:



The properties located at 110, 112, 114 and 116 S Bluff St. all take access from S. Bluff St. and park in the area to the west of the homes.

Current Status: owners have requested City Commission reconsider removal of parking on Bluff St. and boat storage. The renter who owns the boat has lived there for over 20 years and the owner has asked if the boat can remain until the renter moves.

Notes:

11. 127 S High St.

Property Owner: David Demers

Description / Depiction of Encroachment Area:

127 S High St – Landscape and rock walls



The home located at 127 S. High St backs onto the Promenade and there are terraced rock walls and ornamental landscaping, including vines that were not placed by City staff on the property.

Current Status: has declined to sign the encroachment license agreement.

Notes:



CITY OF OREGON CITY

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

Staff Report

To: City Commission **Agenda Date:** June 10, 2025
From: Tony Konkol, City Manager

SUBJECT:

List of Future Work Session Agenda Items

STAFF RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

July 8, 2025

DEI Task Force discussion

Tentative meeting with Confederated Tribes of Grand Ronde

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

Beavercreek Road Concept Plan (Thimble Creek) Funding 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 – HRB will be reviewing

Frog Ferry Informational Update

Inclusionary Zoning options

South Fork Water Board - Mountain Line Easements Vacation

Urban Growth Management Agreement

OPTIONS:

N/A



CITY OF OREGON CITY

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

Staff Report

To: City Commission **Agenda Date:** June 10, 2025
From: Tony Konkol, City Manager

SUBJECT:

Update on City Projects

STAFF RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

The City Commission has requested that an update on the status of the following projects be provided at a work session monthly. The most current update for each project is in bold.

1. Public Works relocation from Center Street

Staff continues to work with the consult on the location and space planning for the relocation of the remaining assets at Center Street.

Staff continues to work to final design for relocation of services from Center Street to other sites. The proposed 25-27 budget includes funding for the decant facility and magnesium chloride and sanding rock facility to be relocated.

Staff have hired a consultant that has prepared preliminary yard layouts and cost estimates to design and construct a decant facility at the Mountain View Reservoir site. The construction of the decant facility and relocation of existing winter response materials from the Center Street facility to the Mountain View and Fir Street facilities will allow for the Center Street facility to be vacated and a potential new use for the site to occur, which will be determined by the City Commission.

2. Quiet Zone

There are no updates associated with this project.

Staff continues to work with ODOT, the railroad and the consultant on revised cost estimates, design work and any necessary exemptions to standards.

Geotechnical explorations were completed on December 12. The consultant team is preparing to submit the Design Acceptance Phase (DAP) documents to the City and Oregon Department of Transportation. DAP is similar to 30% concept plans, where all parties buy into the concept and documentation of areas where the project will request exceptions to standards are identified. At the completion of DAP, the project team and move forward with Preparing Preliminary Plans and confirming impacts to private property. We've executed the IGA with ODOT for Right of Way Services. OC will still need to do a Resolution authorizing Eminent Domain if necessary, once we have a better understanding of the private property impacts.

The consultant team, in coordination with ODOT and the City, are preparing property acquisition documents that will be brought before the City Commission at the December 18, 2024 meeting.

Survey crews have been performing field work and surveying the project area. Staff has been meeting with property owners, including Dutch Brothers to try and address the concerns they have about potential driveway closures and access to increase safety near the railroad crossing.

The ODOT consultant team is acquiring right of entry agreements from property owners to complete the survey work and will be preparing 30% plans for the project which will include an updated and more accurate cost estimate to complete the work.

The selection committee identified a preferred consultant for the Quiet Zone project and ODOT is in the process of negotiating the consultant contract.

ODOT received 2 responses to the Quiet Zone request for proposals. The proposals are being reviewed and scored by staff and a team selection meeting is scheduled for March 8, 2024.

ODOT has released the consultant solicitation request for proposals and a date has been set to review the proposals once they have been submitted.

The City has received ODOT's approximately 250 page scope of work and consultant procurement documents which will be reviewed and commented on. ODOT, which is the project manager for the project, has suggested approximately 6-months for the consultant procurement and up to 2 years for the design work, which will include coordination with the railroad, operation and maintenance agreements and review by the railroad. Staff is pushing to expedite the design work timeline.

On December 6, 2023 the City Commission received an update on the estimated cost of the Oregon City quiet zone project with updated inflationary construction escalations added to the original 2019 cost estimate, which was \$2.6 million. The new estimate increases the estimated construction cost by \$650,000. Based on the additional information, the City Commission approved an IGA with ODOT to begin the Oregon City quiet zone project.

3. Charter Parks

There are no updates associated with this project.

The City Commission completed a site visit of the McLoughlin Promenade to review the outstanding encroachments. Staff is anticipating bringing the topic back to the Commission discussion on June 4th.

Based on the January 15th meeting, this item will be brought back for a work session on March 11th.

An updated on the status of the properties encroaching into McLoughlin Promenade will be brought to the City Commission at the January 15, 2025 meeting for an update and direction on how to proceed.

Staff continues to contact and meet with property owners that have encroachments into the McLoughlin Promenade to review and explain the license agreement. Staff anticipate bringing an update to the Commission for direction in January/February of 2025.

The City Commission reviewing the draft license agreement at the June 11, 2024 meeting.

Staff is working with the City Attorney to finalize draft license agreements to address encroachments that have been identified with the McLoughlin Promenade.

A site tour of the McLoughlin Promenade is scheduled for January 8th. Staff is preparing additional options, such as temporary easements, to address existing structural encroachments onto the Promenade property.

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 a work session. 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.

4. Cayuse 5 Memorial

There is no update related to this project.

Staff continues to work with representatives from the Confederated Tribes of the Umatilla Indian Reservation and allowing time for internal discussions to occur.

Staff continues to meet monthly with representatives from the Confederated Tribes of the

Umatilla Indian Reservation. The city is awaiting feedback from CTUIR before any additional steps are taken.

Staff met with representatives from the Confederated Tribes of the Umatilla Indian Reservation and have continued discussions of phase 2 of the Cayuse 5 memorial. Additional discussions between CTUIR and the Confederated Tribes of Grand Ronde will be occurring to discuss the project.

There are no new updates on this project. A meeting is scheduled for the week of October 7th with representatives from the Confederated Tribes of the Umatilla Indian Reservation to discuss potential next steps.

The dedication of the Cayuse 5 Memorial took place on June 3, 2024. The first phase of this project is complete. A second phase has been discussed but there are no specifics related to the design at this time.

Construction of the Cayuse 5 Memorial has begun and hand dug ground disturbing work is scheduled to begin the week of May 6th. This work will be completed in coordination with the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of the Grand Ronde.

The Cayuse 5 Memorial construction contract has been approved by the City Commission and was awarded to Pioneer Waterproofing Company. Staff has scheduled a pre-construction meeting with Pioneer Waterproofing.

Staff is working with a potential contractor to review the scope of work and estimated costs to perform the work as identified in the bid notice. The City completed the bid advertisement for the project and did not receive any responses. Staff is currently contacting contractors to determine the concerns with the bid advertisement and/or project.

The final construction bid documents for the Cayuse Five Tribute have been completed. Below is the schedule for bidding, awarding, and (weather permitting) construction. The Confederated Tribes of the Umatilla Indian Reservation staff will be invited to the pre-construction meeting to coordinate all activities once the project has been awarded.

The land use application for the proposed memorial has been approved. There are no additional land use approvals necessary to move forward with the project. The memorial bid documents are being reviewed internally and staff is working with Confederated Tribes of the Umatilla Indian Reservation staff on the creation of an inadvertent discovery plan that will be included in the bid/contract information. The proposed memorial has been approved by the Historic Review Board and the information was presented to the Parks and Recreation Advisory Committee.

5. Courthouse

The County Commission received one proposal for the downtown courthouse redevelopment

and will be moving forward with drafting an agreement for the sale and disposition of the property.

The County Commission is reviewing the proposal for the reuse of the courthouse and is currently excepting public comment. The County has provided the following information: *The Clackamas County Board of Commissioners will hear public testimony on Thursday, May 15 regarding a selection advisory committee's recommendation on a proposal to redevelop the old county courthouse in Oregon City.*

Level Development NW's proposal was the only one received during an extensive Request for Expressions of Interest process. The proposal to replace the 87-year-old courthouse with a mixed-use commercial building, which includes approximately 80 residential units, won the committee's approval.

The county expects the current courthouse on Main Street to be fully vacated by September 2025. The [replacement county courthouse](#) on the County's Red Soils Campus is set to open the public on May 19.

To learn about the submission and the advisory committee's recommendation, please visit [Main Street Courthouse RFEI | Clackamas County](#).

Public comment on the recommendation will begin shortly after the Board's Business Meeting begins on Thursday, May 15 at 10:00 a.m.

A joint Board of County Commissioner / City Commission meeting to discuss the courthouse is tentatively scheduled for the April 8th City Commission work session night. Oregon City will host the joint meeting.

Staff will be contacting County staff to schedule a joint Board of County Commissioner / City Commission meeting and to discuss securing the courthouse once it is vacated.

The Courthouse committee has met multiple times to discuss the disposition of the Courthouse. The Mayor will provide an update on the committee meetings and next steps.

A Courthouse committee has been created by the County and a site visit of the Courthouse has occurred. The first meeting of the committee is scheduled for October 15th.

The Mayor and City Manager met with the Assistant County Administrator to discuss the creation of a joint working group. It is anticipated that the working group will be comprised of 6 to 8 members, including the Mayor and County Chair, with the City and County selecting an equal number of members.

The Mayor and the City Manager met with the County Administrator to discuss the planning and future disposition of the County Courthouse and other buildings associated with the Courthouse on Main Street. The County Administrator proposed a working group led by County Chair Tootie Smith and Mayor McGriff, which would include a small group of interested parties to discuss the Courthouse and make a recommendation to the County

Board of Commissioners for their consideration on how to proceed. City and County staff will be meeting to discuss the details of the working group as proposed.

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.

6. tumwata village

The Police Department worked with the Confederated Tribe of the Grand Ronde to remove the homeless camp located on the property. Demolition of the buildings damaged by the fire is on-going.

The Police Department has been in contact with Confederated Tribes of the Grand Ronde to address a homeless camp that appears to be located on the property.

Staff continues to work with staff from the Confederated Tribes of the Grand Ronde to address the impacts from the fire that occurred on the site and the demolition that is occurring.

The Planning Commission approved the Confederated Tribes of Grand Ronde land use application.

The Confederated Tribes of Grand Ronde have submitted a land use application to amend the adopted framework plan for the property. The Planning Commission hearing of the application is scheduled for January 27, 2025.

The Confederated Tribes of Grand Ronde provided the City Commission an update at the May 7th work session and the demolition of the office building is nearly complete.

A permit has been issued for the demolition of the office building located at the corner of 99E and Main Street. The Confederated Tribes of the Grand Ronde are scheduled to provide an update to the City Commission at the May 7th work session.

Staff continue to meet regularly with Staff from the Confederated Tribes of the Grand Ronde to discuss building demolition, site improvements, and land use planning requirements. The Confederated Tribes of the Grand Ronde are working on site remediation and the demolition of additional buildings on the property.

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.

7. 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.

OPTIONS:

N/A