



CITY OF OREGON CITY CITY COMMISSION WORK SESSION AGENDA

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, February 10, 2026 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. Stormwater Monthly Fee Exemption
- b. Utility Service Charges Code Consistency Review
- c. Arts Commission Municipal Codes and Proposed LOI
- d. Revenue Sources Discussion – Fee Methodology

3. FUTURE AGENDA ITEMS

- a. Future Work Session Agenda Items

4. CITY MANAGER'S REPORT

- a. Update on City Projects

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)
 - 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**
 - 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 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:** February 10, 2026
From: Dayna Webb, Public Works Director

SUBJECT:

Stormwater Monthly Fee Exemption

STAFF RECOMMENDATION:

City Commission listens to the presentation and provides feedback.

EXECUTIVE SUMMARY:

The Oregon City Municipal Code 13.16.100, *Storm Drainage Service Charges* currently provides exemptions for certain properties from the stormwater utility monthly fee. This presentation will provide summaries of what other cities do with respect to stormwater fee exemptions and/or reductions.

BACKGROUND:

The Oregon City Municipal Code 13.16.100 states the following properties are exempt from charges stated in OCMC 13.16.050:

- Vacant Properties
- Unimproved Properties
- Properties where the public storm drain service does not receive stormwater from property used or occupied by that property*

*This exemption is only provided when a person with a connection to the property makes an appeal to the City Manager (or manager's designee) showing "evidence of legal disposal of stormwater to a private retention system, private storm drain system, public water body, or other receiving facility."

The presentation includes an overview of 10 regional jurisdictions and identifies which apply some form of a stormwater utility fee exemption or reduction.

The City Manager has designated the responsible personnel for implementation of this code as the Public Works Director. The Director (and previous directors) have reviewed a few appeals over the years, including Oregon City Golf Course, Trails End Driving Range, Living Hope Church, and Old County Shops Property. Each director has found challenges in interpreting and implementing the code.

The intent of the Stormwater Utility Fee as described in OCMC 13.16.010 is: “Pursuant to the constitution and general laws of the state and powers granted in the charter of the city, the commission does declare its intention to acquire, own, construct, equip, operate and maintain within and without the city limits, open drainageways, underground storm drains, equipment and appurtenances necessary, useful or convenient for the construction of storm drainage improvements including maintenance, extension and reconstruction of the present storm drainage system of the city.”

Stormwater conveyance within the City consists of open ditches and storm drainage pipes which are located within public right-of-ways or easements on private property. Stormwater reaches these systems through either privately piped systems or overland flow. Overland flow occurs when the capacity of the private pipe, inlet, or ditch is exceeded.

The City’s stormwater program includes costs associated with system maintenance, capital improvements, and compliance with state and federal regulatory requirements. Program activities include pipe cleaning, repair, rehabilitation, and replacement; manhole, inlet, and catch basin repair or replacement; pipe televising and condition assessment; ditch cleaning and mowing; culvert cleaning, repair, and replacement; and planning and construction of capital improvement projects to address system capacity, flooding, and water quality concerns. Ongoing investment is required to address age-related deterioration, structural damage from traffic loads, sediment and debris accumulation from landscaping and roadway use, illicit discharges, and evolving regulatory requirements.

While a small number of properties discharge stormwater directly to public water bodies, such as streams, without flowing through a public storm sewer or ditch, these properties are still part of the City’s regulated stormwater system. To meet state and federal regulatory requirements, including issued National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permit obligations, many cities, including Oregon City, have established stormwater utilities to provide a dedicated funding source, similar to water and sewer utilities. Stormwater utility fees are commonly based on the amount of impervious area on a property, such as roofs, driveways, and parking lots, which generate stormwater runoff requiring management. Although some properties manage stormwater on-site and seek exemptions or credits based on reduced direct discharge to the public system, their land use typically generates traffic and impervious surface impacts that rely on and affect the public right-of-way and stormwater infrastructure. This raises the question of whether such properties should pay full, partial, or no stormwater utility fees.

Additional questions exist regarding the definitions of “private retention system,” “private storm drain system,” “public water body,” and “other receiving facility.” If these terms remain in the code, providing clear definitions is recommended to improve consistency and clarity in applying the exemption criteria.

OPTIONS:

1. Return with code clarifications while maintaining the current full exemption structure.
2. Return with code revisions that include a partial exemption option, based on Commission feedback.



4380 S Macadam Avenue
Suite 250
Portland, OR 97239

T: 503.244.7005

Technical Memorandum

FINAL

Prepared for: City of Oregon City

Project Title: Stormwater Fee Exemption Review

Project No.: 204590

Technical Memorandum

Subject: Regional Literature Review of Stormwater Fee Exemptions

Date: January 30, 2026

To: Josh Wheeler, City of Oregon City

From: Krista Reininga, P.E., Brown and Caldwell

Prepared by: 
Krista Reininga, P.E., Project Manager

Reviewed by: 
Angela Wieland, P.E.

Limitations:

This document was prepared solely for City of Oregon City in accordance with professional standards at the time the services were performed and in accordance with the contract between City of Oregon City and Brown and Caldwell dated December 10, , 2025. This document is governed by the specific scope of work authorized by City of Oregon City ; it is not intended to be relied upon by any other party except for regulatory authorities contemplated by the scope of work. We have relied on information or instructions provided by City of Oregon City and other parties and, unless otherwise expressly indicated, have made no independent investigation as to the validity, completeness, or accuracy of such information.

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Section 1: Introduction

Public stormwater systems have always required City investment to manage drainage and reduce flooding. However, these costs increased significantly beginning in the mid-1990s when, in response to federal regulations, the Oregon Department of Environmental Quality (DEQ) issued National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permits to medium- and large-sized cities. These permits require cities to implement comprehensive programs to address water quality impacts and reduce pollutants in stormwater runoff.

To meet these regulatory requirements, many cities that were issued an NPDES MS4 permit established stormwater utilities to provide a dedicated funding source, similar to those that already existed for water and sewer services. Stormwater utility fees are relatively common and the fees are typically based on the amount of impervious area on a property—such as roofs, driveways, and parking lots—which contribute directly to stormwater runoff requiring management. In response to these fees, some property owners seek stormwater fee credits or exemptions for managing their stormwater runoff on-site and thus preventing stormwater discharges to the public stormwater system.

The City of Oregon City (City) currently implements a stormwater utility. The current storm drainage fee is \$15.95 for single-family residential properties; \$15.95 per equivalent residential unit [ERU] for multi-family residential properties (i.e., per 2,500 square feet [sf] of impervious surface); and \$15.95 per storm unit for commercial properties (a storm unit is the product of a properties area range number and development intensity factor as provided by the City). The Oregon City Code currently allows for exemptions or reductions in the storm drainage fee per the process iterated in the citation below. However, the Code is not explicit regarding the details of what needs to be done to obtain a credit, and/or information regarding the amount of the storm drainage fee that could be credited. As a result, some properties have requested a 100 percent credit to their storm drainage fee for keeping stormwater on-site.

Oregon City Code 13.16.100-Exemptions, reductions, and appeal.

Vacant and unimproved properties within the city are exempt from the charges in Section [13.16.050](#). Any other person seeking an exemption or reduction in the storm drainage fee, or appealing therefrom, may do so pursuant to a demonstration to the city manager or the manager's designee that the public storm drain service does not receive stormwater from property used or occupied by that person. Such demonstration shall include evidence of legal disposal of stormwater to a private retention system, private storm drain system, public water body, or other receiving facility.

To explore credit options, Brown and Caldwell conducted a literature review. This memorandum presents the findings of this review, including the current status and elements of stormwater fee credits amongst 11 other NPDES MS4-permitted jurisdictions in Oregon. The remainder of the memorandum is organized as follows:

- Section 2 summarizes the basic components and basis for stormwater utility fees.
- Section 3 summarizes typical stormwater program costs requiring stormwater utility fee funding.
- Section 4 summarizes stormwater utility fee credits/exemptions as applicable to the 11 other reviewed jurisdictions in Oregon.
- Section 5 summarizes the most typical rate credit/exemption options based on the review conducted.



Section 2: Stormwater Utility Fees

A number of cities in Oregon have established stormwater utilities to fund their stormwater system infrastructure, maintenance, and regulatory compliance programs. The most standard method for applying stormwater utility fees is based on a property's impervious surface area. To date, many cities do not have detailed accounting or mapping of impervious surface areas on each property within their jurisdiction and developing or obtaining impervious surface area totals for each individual property could involve a significant undertaking, especially for the numerous single-family residential (SFR) properties. As a result, it is common practice for a city to estimate an average impervious surface area for a residential lot. The average residential impervious surface area is referred to as an equivalent residential unit, or ERU (also sometimes referred to as an equivalent dwelling unit, or EDU). Each SFR property typically pays a flat monthly fee based on the assumption that they have 1 ERU. Non single-family residential (NSFR) properties typically calculate their impervious surface area and pay a fee based on how many ERUs they have on site. For example, if a City's ERU is set at 3,000 sf, and a commercial property has 9,000 sf of impervious surface, the property owner would pay the fee based on having three ERUs. Some property owners, mainly NSFR, have sought to reduce these stormwater utility fees by managing stormwater runoff on-site.

Some cities and other jurisdictional entities have developed methods for providing stormwater utility fee credits. The credits are commonly developed based on a consideration of overall stormwater program costs and potential program cost savings associated with on-site stormwater management. These costs are discussed in the following section.

Section 3: Stormwater Program Costs

For a city to evaluate whether stormwater fee credits or exemptions are appropriate, the full range of its stormwater program costs should be evaluated in order to identify what program elements would benefit from the implementation of private on-site stormwater management. Although the implementation of on-site facilities can relieve the burden on the public stormwater system by decreasing the need to convey or treat stormwater from individual properties and reducing the associated capacity requirements of the downstream stormwater system, they do not reduce many other stormwater program obligations. These obligations include overall system maintenance and regulatory compliance needs. Stormwater utilities need to fund the following comprehensive stormwater program elements:

- **Stormwater System Capital Improvements:**
 - Development of master plans to identify storm system capital improvement needs.
 - Design and construction of capital improvement projects to address flooding and water quality.
- **Stormwater System Maintenance:**
 - Storm system cleaning to maintain system capacity (debris removal, street sweeping, catch basin cleaning).
 - System repairs and replacement
- **Regulatory Driven Stormwater Programs (NPDES MS4 and Total Maximum Daily Loads [TMDL])**
 - Public Education and Public Involvement Activities
 - Industrial and Commercial Inspections
 - Illicit Discharge Detection and Elimination Program Implementation
 - Spill Control
 - Construction Site Erosion Prevention and Pollutant Controls

- Post-construction Stormwater Controls for New and Re-Development (implementation of stormwater design standards)
- Operations and Maintenance (street sweeping, catch basin cleaning, trash removal, winter maintenance, pesticide management, water quality facility maintenance, etc.)
- Water Quality Retrofits (install water quality facilities in areas where treatment is lacking)
- Stormwater and Instream Water Quality Monitoring/Sampling and Data Analysis
- Systemwide Stormwater Utility Mapping
- Administration (annual reporting, permit renewal applications, development of standard operating procedures, etc.)
- Riparian area management and plantings (TMDL requirement)
- Implementation of Buffer Ordinances (TMDL requirement)

Private on-site stormwater management only helps to reduce some of the City's stormwater management costs such as those related to capital improvements. However, costs associated with stormwater program components such as maintaining streets, addressing illicit discharges, and inspecting industrial/commercial facilities would not be reduced because of private on-site stormwater management. As a result, most cities that offer credits do not offer full stormwater utility fee credits. Regional examples of stormwater fee credit programs that consider the proportional benefit of on-site stormwater management are described in Section 4.

Section 4: Literature Review of Regional Stormwater Fee Exemptions

The policies regarding stormwater utility fee credits were reviewed for the following Oregon jurisdictions to identify whether stormwater utility fee credits were offered by the jurisdiction, and, if so, what the credits are, and how they are applied.

- | | |
|------------------|----------------|
| • Albany | • Milwaukie* |
| • Bend | • Portland |
| • Clackamas WES* | • Salem |
| • Corvallis* | • West Linn* |
| • Eugene | • Wilsonville* |
| • Gresham | |

An * indicates the jurisdiction did not provide credit-related information on their respective website at the time of this report.

For all of the jurisdictions reviewed, there is a passive credit for NSFR properties if on-site impervious area is reduced, and your fee is based on the total amount of impervious area on the property. Of the 11 jurisdictions reviewed, five jurisdictions did not provide information on their websites indicating that there was an allowance for any additional credits. These jurisdictions are noted with an asterisk in the list above. The other 6 jurisdictions and their stormwater utility fee credits are summarized below.

See Attachment A for a table summarizing the information collected on the 11 jurisdictions listed above.

City of Albany

The City of Albany's stormwater utility fee and credit options are provided in Resolution No. 7324 at the following link: [RES7324.pdf](#). The City of Albany has two rate classes related to their stormwater utility fees: single-family residential (SFR) and NSFR. The utility fee for each rate class is split into two parts: a base charge and an impervious surface charge.

The base charge was developed to cover costs associated with customer-related services, such as billing and account maintenance, plus costs attributed to management of stormwater in general use areas, such as streets and sidewalks in public rights-of-way. All developed property (SFR and NSFR) benefit from the City's efforts to manage stormwater by reducing flooding, keeping streets passable during storm events, and protecting water quality. All customers pay the same base charge of \$12.27 per month, per account.

The impervious surface charge is associated with management of increased stormwater runoff from impervious surface areas outside of the public rights-of-way. The total impervious surface area on a typical SFR lot serves as the base unit for determining a property's billable impervious surface area. In Albany, the typical SFR property was estimated to have a total of 3,200 sf of impervious surface area. This impervious area is defined as one ERU. The impervious surface charge for SFR properties has three tiers based on the size of the building footprint; Tier 1 (1,350 sf or less is \$3.72 per month), Tier 2 (between 1,351 and 3,150 sf is \$5.01 per month), and Tier 3 (3,151 sf or more is \$6.28 per month). The impervious surface charge for NSFR land uses is \$5.01 per ERU.

Stormwater utility fee credits are not available to SFR properties. Credits may be obtained by NSFR properties that were not already required to address stormwater management on-site under the City's stormwater design standards. Applied specifically to the impervious surface charge, the credit is calculated by determining the impervious area routed to the on-site stormwater facility in square feet times 0.25 and converting that to an ERU that is multiplied by the impervious surface charge of \$5.01 per ERU. The maximum credit allowed is 25 percent of the impervious surface charge.

Properties that are covered by NPDES Industrial stormwater permits (i.e., 1200-Z permits) are also eligible for up to a 25 percent impervious surface charge credit.

Finally, a credit program for education services is available for certain schools if they offer education programs that help the City to meet their NPDES MS4 permit obligations for public education. The schools are eligible for up to a 25 percent impervious surface charge credit.

City of Bend

Information regarding the City of Bend's stormwater utility fee and credits is provided at the following link: [Stormwater Fee | City of Bend](#). The City's current fee is \$8.16 per ERU as of July 1, 2025, and one ERU is representative of 3,800 sf of impervious surface. One ERU is estimated to represent the average amount of impervious area for a single-family home in Bend.

A stormwater credit is available in Bend for commercial, industrial, or multi-family properties that exceed the basics of managing stormwater on site. This is stated as helping to reduce flooding, protect water quality, and lower the City's costs. Given that individual single-family and duplex residential lots currently are not required to have on-site stormwater facilities, the credit program applies only to NSFR and non-duplex residential properties. A document summarizing credits is provided at the following link:

[Microsoft Word - CreditApplication20070911.doc](#)

The City's stormwater program by budget category and percentage of total budget for Fiscal Year 2007/08 is shown in Table 1. The maximum allowable amount of credit customers may obtain on their fee is based on the "Capital Improvements" and "Water Quality Management" portions of the Stormwater Utility budget.

Table 1. City of Albany Stormwater Program Budget and Categories

Budget Category	Estimated Budget Amount	Percentage of Total Budget
Capital Improvements	\$521,000	35.7%
Maintenance	\$286,500	19.6%
Water Quality Management	\$329,000	22.5%
Engineering and Project Management	\$110,000	7.5%
Public Information	\$17,500	1.2%
City Administration and Technical Support	\$197,000	13.5%

Specifically, the stormwater utility assumes that all residents benefit from the City's efforts to manage stormwater in its rights-of-way, and that these efforts reduce flooding, keep streets passable during storm events and protect water quality. The City also has to manage stormwater that runs onto its streets from private property. Therefore, the City determined that Capital Improvements (and the capital improvement portion of the total budget) is subject to application of a credit, primarily related to on-site stormwater quantity management. The Water Quality Management (and the Water Quality Management portion of the total budget) is subject to application of a credit for on-site stormwater quality management. Therefore, the maximum credit allowed is 36% for water quantity and 23% for water quality (based on budget allocations shown in Table 1. above). However, credits for NSFR properties may not be reduced to represent any less than one ERU.

In summary, maximum allowable credits for stormwater quantity and quality are:

- Water quantity only—up to 36 percent of the total service charge
- Water quality only—up to 23 percent of the total service charge
- Water quantity plus water quality—up to 59 percent of the total service charge

Again, it should be noted that credits are available only when the on-site stormwater systems go beyond the basic requirements described in the Central Oregon Stormwater Management Manual.

The City provides two methods for obtaining credits and reducing these service charges. One is to reduce the amount of impervious surface on on-site; the other is to manage stormwater quantity or quality on-site in a manner that exceeds basic requirements outlined in the COSM (i.e., a non-passive credit). Reducing impervious surface just reduces the amount of surface that the owner will be charged for (i.e., a passive credit as described above).

For non-passive credits, the chosen approach is to use a hydrologic model to determine the effects of implementing on-site management on runoff volume and rates. For the purposes of estimating credits, hydrologic models are used to determine the relative benefits of on-site systems that exceed basic requirements. The same modeling approach used to size facilities in accordance with the COSM to meet basic requirements must also be used to show exceedance of the basic requirements. The amount of credit is applied to the impervious area contained within the individual areas.

The following summarizes how stormwater management activities that address volume, rate, and/or quality may qualify for credits:

- **Volume.** Credits are based on a volume reduction factor. Customers can receive a credit for managing stormwater volumes on anything over a 25-year storm (with a maximum of 36 percent credit for a system designed to manage a 100-year storm).

- **Peak Flow.** A peak rate reduction factor may also apply. This is basically based on a percent reduction in the peak flow rate associated with evaluation of the Soil Conservation Service design storm hyetograph. (Volume and Peak Flow credits may be added but together they cannot exceed 36 percent in any case).
- **Quality.** Customers can receive a credit of up to 23% for treating runoff that exceeds the water quality design storm which is a 6 month 24-hour storm. The maximum credit of 23% applies to treating the 5-year storm.

The City also grants credits to public and private schools that provide stormwater education. The credit is \$2 per student per year. This is targeted at 4th through 6th graders. Lesson plans must be approved or provided by the City.

Credits are also provided for demonstration projects and are considered on a case-by-case basis. A credit application form must be submitted for any of these credit types.

City of Eugene

Information regarding the City of Eugene’s stormwater utility is provided at the following link: [Stormwater Fees | Eugene, OR Website](#). A stormwater user fee brochure dated August 1, 2025, is provided at the following link: [Stormwater and Wastewater User Fees - 2025](#)

The City’s stormwater utility fee is divided into three components: an impervious surface fee, a street-related fee, and an administrative fee. The fees are applied to each of four user categories: small residential, medium residential, large residential and commercial/industrial users. The latter two categories have rates that are based on each 1,000 sf of impervious surface. The street-related component of the utility fee for the commercial/industrial users is also based on each 1,000 sf of impervious surface (see Table2).

Table 2. City of Eugene Stormwater Monthly Fee Schedule (effective Aug. 1, 2025)					
Stormwater Monthly Fee Schedule (effective August 1, 2025)					¹ Duplex rates are modified, based on the building footprint and building configuration.
Fees for residential stormwater customers are based on the size of the building footprint. Footprint is the combined square footage of the garage/carport and the first floor of the home.					² Building footprint is equal to or less than 1,000 square feet (sf).
User Category ¹	Small Residential ²	Medium Residential ³	Large Residential ⁴	Commercial/Industrial	³ Building footprint is greater than 1,000 sf and less than 3,000 sf.
Rate Components:					⁴ Building footprint is 3,000 sf or greater.
Impervious Surface	\$11.68	\$18.82	\$6.49 (per 1,000 sf)	\$6.49 (per 1,000 sf)	
Street-Related	\$3.26	\$3.26	\$3.26	\$2.31 (per 1,000 sf)	
Administrative (per account)	\$0.93	\$0.93	\$2.99	\$2.99	
Total Monthly Fee	\$15.87	\$23.01	Varies	Varies	
Users may qualify for reduced stormwater fees if the quantity of stormwater discharge to the public system is reduced or the quality impact is reduced through on-site stormwater treatment.					

Customers can reduce their stormwater utility fees by using one of two methods: 1) by reducing the impervious area that is documented to be on site, or demonstrating that there is no impervious area on site; or 2) by demonstrating that stormwater runoff from the impervious areas of the property is either contained on site or discharges to an area that does not ultimately enter the City’s stormwater system. In this case, the City would exclude the impervious surface portion of the charge from their stormwater fee. Customers can show a percentage reduction of impervious surface, causing the fee to be reduced by the same percentage.



For example, if 50 percent of the impervious area on site drains to a dry well, a 50 percent reduction in the impervious surface portion of the fee would occur.

There is also a credit for available for water quality. Customers who implement a private treatment facility that treats at least 20 percent of the impervious area from their site may receive a 10 percent impervious surface fee reduction.

Reductions of the street-related component and administrative charges are not allowed for any user category. The street-related fee was based on the portion of the stormwater fee that covers the costs associated with public stormwater management, including street sweeping, catch basin cleaning, and pollution prevention from streets and other public areas that carry pollutants to waterways.

City of Gresham

The City of Gresham provides information regarding their utility rates and discount applications at the following link: [Stormwater Utility Rates | City of Gresham](#). The City currently charges one fee of \$21.32 per drainage residential unit (DRU) and one DRU is equal to 2,500 sf of impervious surface. With respect to commercial/industrial, community service and multi-family customers (triplex and larger), potential fee adjustments are available for on-site mitigation facilities that exceed City design requirements as outlined in the City's Stormwater Management Manual. Credits are not provided for facilities which only meet the basic requirements for development approval. The credit amount is based on an estimated reduction in the peak runoff rate for the design storm with a maximum credit percentage of 27 percent. Credits are also available for residential customers. For a 27 percent discount, runoff from at least 75 percent of the property's hard surfaces must stay on site without seepage to the street or off-site during large storms. For a 14 percent discount, runoff from at least 50 percent of the property's hard surfaces must stay on site.

City of Portland

The City of Portland refers to their credit/discount program as the Clean River Rewards Program. Information regarding their stormwater utility fee and Clean River Rewards program can be found at the following links:

[Clean River Rewards | Portland.gov](#).

[Full List of Environmental Services Rates and Charges | Portland.gov](#)

The City of Portland's stormwater utility fee has two components. One component is based on the properties number of stormwater units; and the other is based on stormwater billable area. A stormwater service unit reflects the number of dwelling units (residential) or the amount of stormwater billable/impervious area (commercial industrial). One service unit equals 2,400 sf of impervious surface. As an example, one single family residential property would pay for one service unit and a commercial property with 40,000 sf of impervious service would pay for 16.67 service units (i.e., 40,000 sf divided by 2,400 sf). The City's 2025/2026 fee per service unit is \$6.31 per 30 days. For residential properties, it should be noted that one dwelling equals one service unit; two dwellings equal to two service units; and, for three or more dwellings, the number of service units equals 0.65 times the number of dwelling units.

The second component of the fee is based on stormwater billable area for all properties based on the number of 2,400 sf increments of impervious area, as listed below:

- **Residential rate** = \$14.013 per 1,000 sf of stormwater billable area per 30 days (note that this rate is multiplied by 2.4 assuming 2,400 sf of impervious surface for one single family residential property)
- **Non-residential rate** = \$14.300 per 1,000 sf of stormwater billable area (impervious area) per 30 days
- **Managed floodplains rate** = \$11.99 per 1,000 sf of stormwater billable area (impervious area) per 30 days



Credits in the form of discounts are available, and the City provides both a commercial and a residential stormwater discount calculator to assist in calculating the discount. A discount of up to 35% off of the total stormwater fee is possible. To receive the full 35% discount, you must manage all of the stormwater on your property. The City states that the other 65% of the stormwater fee helps to pay for the shared stormwater system that we all rely on.

City of Salem

The City of Salem has web page for their stormwater utility at the following link: [Stormwater Utility | Salem, Oregon](#). Stormwater Utility Credit Applications are available online at the following link: [Apply for a Stormwater Credit | Salem, Oregon](#).

Commercial and industrial stormwater customers may be eligible to receive a reduction in their stormwater rate if there is a stormwater facility on their property that is operated and maintained and was designed and constructed according to City standards. Credits are available for two different types of facilities—stormwater flow control facilities and stormwater treatment facilities. Credit amounts vary from 3 percent to 50 percent. Single-family residential properties are only eligible for the rate credit if their property is zoned residential agriculture; the property is a minimum of one acre; the impervious surface on the property is less than 10 percent of the total property area, and the tree canopy on the property is at least 10 percent of the total property area.

Table 3 lists the stormwater base fee, impervious surface fee, type of charge, and the fees applied.

Table 3. City of Salem Stormwater Base fee and Impervious Surface Fees			
Type of Charge	Description	Effective Date (1/1/2025)	Effective Date (1/1/2026)
Base charge (per account)	Base charge (per account)	\$13.81	\$14.44
Impervious Area rate for all other classifications (based on total area)	Rate per EDU (3,000 square feet of impervious area)	\$7.83	\$8.18
Single family residential impervious area fee (based on tier)	Tier 1 (less than or equal to 1,330 square feet)	\$6.84	\$7.15
Single family residential impervious area fee (based on tier)	Tier 2 (greater than 1,330 but less than 2,900 square feet)	\$7.83	\$8.18
Single Family Residential impervious area fee (based on tier)	Tier 3 (greater than or equal to 2,900 square feet)	\$8.80	\$9.19

All properties must pay the stormwater base fee. Credits are only eligible for the impervious surface fee. Credits are based on the type of stormwater facility, the amount of stormwater that flows through the facility, and how the facility supports stormwater quality.

Information regarding the details of how the credits are calculated is provided online. [Utility Rates and Other Fees | Salem, Oregon](#)

Section 5: Summary

The following summary provides the main takeaways based on this review of 11 stormwater utilities in Oregon. Note that almost half (5) of the stormwater utilities considered for review do not have an explicit option to apply for stormwater utility fee credits.

- All stormwater utility rates reviewed have some component of the rate which is applied based on a property's impervious surface area.
- Passive credits are almost always available for non-residential properties given that the stormwater fee is based on impervious surface area, and, therefore, the fee can be reduced by reducing impervious surface area.
- Stormwater utility fee credits are generally not available to single-family residential properties.
- Most stormwater utility fee credits are only available for a portion of the total fee and the maximum credits allowed ranged from 14 to 82 percent, with an average maximum of approximately 48 percent.
- For all jurisdictions that allow for credits, their utility fee is broken into two or more components. Typically, credits are applied to only one of the components.
- For all reviewed cities that allowed for credits, the credits were mainly applied for keeping stormwater flows on-site. Additional credits were applied by some cities for water quality treatment, demonstration projects, education projects, and for 1200-Z permit holders.

Attachment A: Stormwater Fee Exemption Summary



A

Table A-1. Stormwater Fee Exemption Summary						
Jurisdiction	Provides Fee Credit for On-Site SW Management	Basis of SW Fee	Maximum Credit	User Categories	2025 User Fee	Credit Options
Albany	Yes	- Base charge (administrative costs and management of general use areas) - Impervious Surface	25%	- Single-family residential - Non single-family residential	- Base fee = \$12.27 per month - SFR fee = Ranges from \$3.72 to \$6.28 based on impervious area - NSFR fee = \$5.01 per ERU (ERU = 3,200sf impervious area)	- Applies to NSFR that were not required under the City of Albany's design standards to address SW management on-site. The credit is calculated by determining the impervious area routed to the facility times 0.25 and converting that to an ERU. 1200-Z permittees are also eligible for up to a 25% impervious surface charge credit. - A credit program for education services may also be available for certain schools.
Bend	Yes	- Impervious Surface (Capital Improvement and Water Quality Management Related) - Street-related costs (maintenance, engineering, public information, and administration related)	59%	- Single-family residential/duplex - Multi-family - Commercial - Industrial	\$8.16 per ERU per month	- Credits do not apply to single-family and duplex residential users. Credits can only be obtained for the capital improvement and water quality management portion of the service charge. - Up to a 36% discount may be obtained for keeping SW on-site. - Up to 23% discount may be obtained for providing treatment. - Maximum credit is 59%. - Credits are available only when on-site SW systems go beyond the basic requirements as outlined in the Central Oregon Stormwater Manual (COSM). - You can reduce your impervious surface to reduce your rate (not considered to be a credit). Volume.- You can use a hydrologic model to show how you went above COSM requirements (i.e., anything over a 25-year storm up to full credit for a 100-year storm). Peak. Credits given for the percentage you reduce the peak of the Soil Conservation Service design hyetograph. Water Quality. Credits given for treating more than the 6-mo, 24-hr storm up to the full credit for treating the 5-year storm. Education. Private and public schools can get a \$2 per student credit for education programs. Demonstration projects. May receive credits on a case-by-case basis.
Clackamas WES	No	NA	NA	NA	\$9.55 per EDU (EDU = 3,800 sf)	NA
Corvallis	No	NA	NA	- Single-family residential - Multi-family - Fraternity/sorority - Commercial and all other	\$11,20 (per ESU for all non-single-family customers) ESU is per 2,750 sf	NA
Eugene	Yes	- Impervious surface - Street related costs - Administrative costs	Up to approximately 74% for single-family residential and 82% for medium-density residential. Varies for all other land uses based on impervious surface.	- Small residential (≤1,000 sf) - Medium residential (>1,000sf and <3,000 sf) - Large residential (≥3,000 sf) - Commercial/industrial	- Small residential. \$15.87 (Impervious Surface Portion = \$11.68) - Medium-density residential. \$23.01 (ISP = \$18.82) - Large residential. Varies based on impervious area (Impervious Surface Portion = \$6.49 per 1,000 sf) - Commercial/Industrial. Varies based on impervious area (Impervious Surface Portion = \$6.49 per 1,000 sf)	- For user categories 3 and 4 you can reduce your impervious surface to reduce rate. - If you keep your runoff on-site, you can exclude the impervious surface portion of the charge. - You can show partial impervious area runoff maintained on site and the impervious fee will be reduced by that same %. - If you implement a private treatment facility to treat at least 20% of the impervious area, you can take a 10% credit on the impervious surface fee. - No credits are allowed for the street related or administrative portion of the fee.
Gresham	Yes	NA	Two credit tiers: 14% with a maximum of 27%	- Single-family residential - Commercial/industrial, community service and multi-family (triplex and larger)	\$21.32 per DRU (one DRU = 2,500 sf)	Residential credits are provided at 27% if at least 75% of impervious areas drain onto the property during large storm events. A 14% discount can be achieved when at least 50% of the impervious area drains on-site. Commercial/industrial/multi-family credits are only provided if the on-site mitigation facilities exceed the City design requirements. A stormwater utility fee adjustment worksheet is provided. Credits are provided up to 27% based on a reduction in flow rate for a City-specified design storm.
Milwaukie	No	NA	NA	- Single-family residential - Utility assistance - Commercial	\$29.47 per EDU (2,706 sf) \$14.73 per EDU \$29.47 per EDU	Note: There is a fee of \$75 listed for a deposit to request a stormwater rate reduction, but no information is included about what qualifies for a rate reduction. Assuming this is a request to change the impervious area for a site. The Utility Assistance Category is for low income residents.

Table A-1. Stormwater Fee Exemption Summary						
Jurisdiction	Provides Fee Credit for On-Site SW Management	Basis of SW Fee	Maximum Credit	User Categories	2025 User Fee	Credit Options
Portland	Yes	Study in mid 2000s was conducted to estimate all costs that everyone needs to pay (mostly street related) and cost benefits from on-site SW management.	35%	1. Single-family residential 2. All other	Two types of charges: 1. Stormwater Service Unit = \$6.30 per service unit 2. Stormwater Billable Area = \$14.013 per 1,000 sf	Discounts up to 35% are available for ratepayers that manage stormwater on their properties. The City of Portland provides both a residential and a commercial stormwater discount calculator.
Salem	Yes	Based on type of facility, amount of flow, and the facilities' water quality treatment functions.	Maximum of 50%	- Single-family residential - All other	Two types of charges: - Base charge = \$14.44 - Impervious Area Charge = \$8.18 per 3,000 sf for NSFR - Impervious Area Charge = ranges from \$7.15 to \$9.19 depending on the size of the property.	Single-family residential properties are not eligible for the credit. Credit amounts vary from 3% to 50% for NSFR properties. The credit is based on the type of facility, the amount of stormwater that flows through the facility and how the facility supports SW quality.
West Linn	No	NA	NA	NA	\$10.01 per ESU (ESU 2,914 sf)	NA
Wilsonville	No	NA	NA	- Single-family residential - Multi-family and non-residential	\$11.90 x (Impervious Surface Area/2,750 sf)	NA

EDU = equivalent dwelling unit ERU = equivalent residential unit ESU = equivalent service area DRU =Drainage Universal Unit NA = not applicable NSFR = non single-family residential SFR = single-family residential SCS = SW = stormwater





CITY OF OREGON CITY

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

Staff Report

To: City Commission **Agenda Date:** February 10, 2026
From: Dayna Webb, Public Works Director

SUBJECT:

Utility Service Charges Code Consistency Review

STAFF RECOMMENDATION:

City Commission listens to the presentation and shares feedback.

EXECUTIVE SUMMARY:

Staff conducted a review of City Code provisions related to utility service charges to evaluate consistency in billing corrections and exemptions (including lookback periods), and appeal processes. As detailed in the accompanying memorandum and matrix, the review identified inconsistencies across utility services that are billed together on a single utility bill. These inconsistencies can result in differing customer experiences, reliance on interpretation or past practice, and administrative complexity. The Work Session is intended to inform the City Commission of these findings and seek policy direction on potential next steps.

BACKGROUND:

Storm Drainage, Sanitary Sewer, Water, and Pavement Maintenance charges are included on the City's utility bill and fund the operation and maintenance of essential City infrastructure. Although these charges are administered together, they are governed by separate sections of the Oregon City Municipal Code that were adopted and amended at different times. As a result, the Code applies different standards for how charges are assessed, how billing corrections or exemptions are handled, and how customers may appeal utility service charges. A detailed analysis of these differences is provided in the accompanying memorandum and matrix.

Across these four utilities, the relevant Municipal Code provisions vary in how they address key administrative elements, including:

- Assessment of rates or charges
- Whether and how lookback periods are permitted for correction or reassessment of charges
- Appeal procedures

In addition, the City Finance Department has adopted an internal Utility Billing Policy that provides staff guidance on lookbacks and leak adjustments. However, this policy is not

uniformly reflected in the Municipal Code.

The purpose of this presentation is to inform the City Commission of existing inconsistencies between code provisions and current administrative practices, and to receive Commission feedback on potential policy direction. Staff will also present preliminary recommendations, developed in anticipation of Commission input, to facilitate discussion and consideration of next steps.

OPTIONS:

To help guide staff's next steps, the City Commission is asked to consider the following policy questions:

- Should staff return to the City Commission with proposed amendments to the Municipal Code to provide greater consistency across all utilities with respect to appeal processes?
- Should staff return to the City Commission with proposed amendments to the Municipal Code to establish consistent lookback periods and related provisions across all utilities?
- Should staff return to the City Commission with proposed amendments to the Municipal Code to support consistent methods for the assessment and collection of utility charges?

Utility Service Charges Code Consistency Review

February 3, 2026

This memorandum is intended to make the City Commission aware of inconsistencies within the Oregon City Municipal Code (OCMC) related to the assessment of utility service charges, lookback periods for corrections or reassessments, and appeal processes. Specifically, the Code does not apply these provisions consistently across utility services, which can result in differing treatment of customers and uncertainty in administration. This memorandum summarizes the issues that will be discussed in greater detail during the upcoming Work Session.

The presentation will focus on four utility service charges that are billed together on the City's utility bill. These charges fund the operation, maintenance, and long-term sustainability of the City's essential infrastructure systems. The review will examine how each of these utility services is addressed within the City Code, with particular attention to differences in how rates are assessed, how billing corrections or reassessments are handled, and what appeal rights are available to customers. The memo and presentation include information on the following utility service charges:

- OCMC 13.16: Storm Drainage
- OCMS 13.08: Sanitary Sewer
- OCMC 13.04: Water
- OCMC 13.30: Pavement Maintenance

Assessment of Utility Service Charges

The four utility service charges are assessed using different methodologies and are governed by varying Code provisions related to rate structure, financial assistance, and enforcement mechanisms.

Storm Drainage (OCMC 13.16)

- *Basis of assessment:* Fees are assessed by zone, which establishes a Development Intensity Factor (DIF) (OCMC 13.16.040); fees are not based on actual impervious area.
- *Reduced rate or financial assistance:* The Code does not provide a reduced rate or financial assistance provision.
- *Collection and enforcement:* Unpaid fees may be pursued through collection or other legal efforts (OCMC 13.16.080).
- *Lien authority:* The Code does not authorize a lien for unpaid fees (OCMC 13.16.080).

- *Service shutoff:* Unpaid fees may result in water service shutoff, except when a new property owner acquires a property with unpaid fees from a prior owner (OCMC 13.16.080).

Sanitary Sewer (OCMC 13.08)

- *Basis of assessment:* Fees are established by City Resolution and are based on water usage (OCMC 13.08.130; 13.08.155).
- *Reduced rate or financial assistance:* The Code provides for reduced rates or financial assistance (OCMC 13.08.159).
- *Collection and enforcement:* The Code does not explicitly authorize collection or other legal efforts.
- *Lien authority:* Unpaid fees may result in a lien against the property (OCMC 13.08.160).
- *Service shutoff:* The Code does not explicitly authorize water service shutoff; however, it references following collection and lien provisions applicable to water charges (OCMC 13.08.165).

Water (OCMC 13.04)

- *Basis of assessment:* Fees are established by City Resolution and are based on water usage (OCMC 13.04.260).
- *Reduced rate or financial assistance:* The Code provides for reduced rates or financial assistance (OCMC 13.04.280).
- *Collection and enforcement:* The Code does not explicitly authorize collection or other legal efforts.
- *Lien authority:* Unpaid fees may result in a lien against the property (OCMC 13.04.240).
- *Service shutoff:* The Code explicitly authorizes water service shutoff for unpaid charges (OCMC 13.04.240).

Pavement Maintenance (OCMC 13.30)

- *Basis of assessment:* Fees are established by City Resolution and are based on average daily trips (OCMC 13.30.050).
- *Reduced rate or financial assistance:* The Code provides for reduced rates or financial assistance; however, the provisions differ in structure and application from those for sewer and water (OCMC 13.30.070).
- *Collection and enforcement:* The Code explicitly authorizes collection or other legal efforts and references OCMC 13.04.220 (OCMC 13.30.100).
- *Lien authority:* The Code does not explicitly authorize liens but references OCMC 13.04.220 (OCMC 13.30.100).
- *Service shutoff:* The Code does not explicitly authorize water service shutoff but references OCMC 13.04.220 (OCMC 13.30.100).

Key Takeaway: The City Code applies materially different assessment methods, financial assistance provisions, and enforcement mechanisms across utility service charges that are billed together on the same utility bill. These inconsistencies can result in unequal treatment of customers, confusion regarding billing corrections and enforcement authority, and administrative complexity for staff. Aligning these provisions would improve transparency, consistency, and defensibility in how utility charges are assessed and enforced.

Lookback Periods

A lookback period establishes how far back the City may review and correct past usage, billing errors, or exemptions. The City Code provides limited and inconsistent guidance on lookback periods across utility services, as summarized below.

Storm Drainage (OCMC 13.16)

- The Code does not specify a lookback period for billing corrections or appeals related to storm drainage charges.
- The Code allows an exemption when a customer demonstrates to the City Manager or the City Manager's designee that stormwater is not conveyed to a City-piped or maintained system (OCMC 13.16.100).
- The Code does not specify how far back such an exemption may be applied.

Sanitary Sewer (OCMC 13.08)

- The Code does not provide for exemptions or establish a lookback period for billing corrections.

Potable Water (OCMC 13.04)

- The Code does not provide for exemptions or establish a lookback period for billing corrections.

Pavement Maintenance (OCMC 13.30)

- The Code provides an exemption for vacant property, referred to as a waiver (OCMC 13.30.070).
- The Code states that charge adjustments will only apply to the bill then due and payable, and bills subsequently issued. The property owner shall have the burden of proving the service charge adjustment should be granted. (OCMC 13.30.060).

Key Takeaway: The City Code provides little to no explicit guidance on lookback periods for most utility service charges, resulting in inconsistent application of billing corrections, exemptions, and waivers. In several cases, staff must rely on interpretation or past practice rather than clear code direction, which can create uncertainty for customers and limit consistency and defensibility in billing adjustments.

Appeal Process

Appeals are the processes by which customers may formally challenge a utility bill or system development charge. The City Code provides varying and, in some cases, no appeal mechanisms for utility service charges.

Storm Drainage (OCMC 13.16)

- The Code does not establish a formal appeal process.
- When staff and a customer cannot reach agreement regarding a fee exemption, the matter has historically been brought to the City Commission for a decision.

Sanitary Sewer (OCMC 13.08)

- The Code does not establish a formal appeal process.

Water (OCMC 13.04)

- The Code does not establish a formal appeal process.

Pavement Maintenance (OCMC 13.30)

- The Code establishes an appeal process (OCMC 13.30.060).
- A request for service charge adjustment must be submitted within 30 days of the bill date.
- The appeal applies only to the bill being challenged and to subsequent bills; no retroactive adjustment beyond the challenged bill is provided.
- The manager is required to issue a decision within 30 days of the request unless additional information is needed.
- The manager's decision is final.
- The Code does not provide for an appeal to the City Commission.

Key Takeaway: Appeal rights and procedures are not consistently established across utility service charges, with only one utility providing a clearly defined appeal process in the Code. The absence of uniform appeal provisions can result in uneven customer access to review, reliance on informal or ad hoc decision-making, and uncertainty regarding final authority and escalation pathways.

Utility Billing Policy

The Finance Department uses a Utility Billing Policy which describes leak adjustments, lookbacks, and financial assistance.

Leak Adjustments

The City must be notified by the customer during the monthly billing process. To qualify, the City must determine the meter is registering consumption when no water is intentionally in use and the utility bill is at least twice the average monthly amount.

A leak adjustment may only be requested a maximum of one time within a 24-month period.

Lookbacks

The City must be notified by the customer during the monthly billing process. If the date of error can be established, the City shall adjust the undercharge or overcharge back to the date the billing error began. If the date of error cannot be established, the City shall refund or re-bill for six (6) months of usage.

Financial Assistance

The City has two financial assistance programs:

- Payment Arrangements
 - o Shall usually not exceed 180 days and in addition to all current billings.
- Reduced Rate Program
 - o To qualify, the customer must have an income based on the Oregon Department of Health & Human Services Income Guidelines.
 - o When a customer has been approved, the base fee for Water, Sewer, Storm and Pavement Maintenance is lowered by one half. In addition, the actual charge for water consumption is lowered by approximately 20%.

Oregon City Municipal Code (OCMC)
Utility Service Charges Code Consistency Review Matrix
February 3, 2026

	Storm Drainage	Sanitary Sewer	Water	Pavement Maintenance	Utility Billing Policy
OCMC Chapter	13.16	13.08	13.04	13.30	
Assessment of Utility Service Charges	Zone, Equivalent Residential Unit	Water Usage	Water Usage	Average Daily Trips	N/A
Reduced Rate or Financial Assistance	No	Yes	Yes	Yes, different from sewer/water	Payment arrangements up to 180 days and reduced rate based on state income guidelines
How are Delinquent Charges Addressed	Collection or other legal efforts	None stated, vague reference to Water Code	Water Shut Off	Collection or other legal efforts, and vague reference to Water Code	N/A
Lien Authority	No, specifically not allowed	Yes	Yes	None stated, vague reference to Water Code	N/A
Lookback Period	No	No*	No*	Only applies to current bill and future bills.	6 months when a date of error cannot be established; otherwise,
Exemptions	Yes, based on certain criteria	No*	No*	Yes, vacant property	No
Appeal Process	No	No*	No*	30 Days	30 Days, and leak adjustments are only allowed once every 24
*While not stated in code, these are stated in the Utility Billing Policy.					



CITY OF OREGON CITY

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

Staff Report

To: City Commission **Agenda Date:** February 10, 2026
From: James Graham, Economic Development Manager

SUBJECT:

Arts Commission Municipal Codes and Proposed LOI

STAFF RECOMMENDATION:

Review the proposed revisions to Chapter 2.26, Ordinance No. 00-1041, regarding the structure and function of the Oregon City Arts Commission, and 15.28.090, pertaining to Public Art Murals.

Further, review the Letter of Intent from the Oregon City Arts Commission, the Arts & Culture Commission of West Linn, the Arts Council of Lake Oswego, and the Clackamas County Arts Alliance.

EXECUTIVE SUMMARY:

In an effort to better fulfill its role as an advisory body to the Oregon City Commission, the Oregon City Arts Commission held a joint meeting with the City Commission on October 7, 2025, to update and clarify municipal codes that govern the Arts Commission and provide guidance to the Arts Commission in approving art murals. Recommendations to the codes were submitted by the Arts Commission and, subsequently, the City Attorney, who reviewed the recommendations and offered its counsel to the City Commission. Copies of the revised Municipal Code are attached to this report. Changes are highlighted in red and clean copies with revisions incorporated are also included.

In addition, the Arts Commission shared a letter of intent ("LOI") from the Arts and Culture Commission of the City of West Linn, the Arts Council of Lake Oswego, and the Clackamas County Arts Alliance proposing a regional collaboration to support the Arts. After reviewing the LOI, the City Commission expressed the need to add language that requires Oregon City's tax dollars to only be spent on public art erected within the legal boundaries of Oregon City. Consequently, staff drafted an addendum to the LOI that reflects that requirement.

BACKGROUND:

The Oregon City Arts Commission seeks to better fulfill their role as an advisory body to the community's elected leaders by providing suggested changes to the Arts Commission Municipal Code and the Arts Mural Municipal Code. The Arts Commission met with the City Commissioners during a joint work session on October 7, 2025.

Subsequently, the City's legal counsel reviewed the Arts Commission's recommendations and offered its recommendations on both codes.

Municipal Code Chapter 2.26:

The proposed amendments to Chapter 2.26 were largely made for the purpose of clarifying and updating older language. Clarifications and recommended changes include such topics as:

- * the nature and scope of membership,
- * the terms of service,
- * the identification of officers, and
- * the quorum requirements.

Municipal Code 15.28.090 Public Art Murals:

The Arts Commission proposes several amendments to this section. The major highlights include:

Section B clarifies that no person shall create or establish an art mural without approval from the Oregon City Arts Commission.

Section C2 states that If an owner wants to terminate the five-year term of the art mural sooner, the art mural will be removed at the building owner's cost and the City will terminate the easement.

Section C3(a) refers to the difference between an alteration to a public art mural versus a "substantial" restoration. In the case of a substantial change, the Arts Commission's approval would be required. In the case of minor changes or routine maintenance, approval from the Arts Commission would not be required.

Willamette Corridor Letter of Interest: Earlier this year, Shatrine Krake of the West Linn Arts & Culture Commission extended an invitation to the Oregon City Arts Commission. Two members of the Arts Commission (Amy Wilson and Joyce La Master) volunteered to attend joint meetings with members of the West Linn Arts & Culture Commission, the Lake Oswego Arts Council and the Clackamas County Arts Alliance.

The goal for this initiative is to form a shared vision for a series of public art installations that would unify the local region. A letter of Intent ("LOI") was crafted and provided to the Oregon City Arts Commission. The LOI was shared with the City Commission on October 7, 2025. The Arts Commission cautioned that signing the Letter of Interest does not oblige the City of Oregon City in any way; it only signals a willingness to collaborate with the other groups within the local region. Members of the Oregon City Commission expressed concerns that Oregon City tax dollars would be spent on public arts created in other communities. As a consequence of the joint meeting, staff have crafted an addendum to the initial LOI. It is included with this staff report.

OPTIONS:

1. Review the proposed revisions to the Oregon City Municipal Codes impacting the Arts Commission.

2. Review the Letter of Intent and its addendum.

West Linn Arts & Culture Commission
Arts Council of Lake Oswego
Oregon City Arts Commission
Clackamas County Arts Alliance

April 17, 2025

To: City Councils of West Linn, Lake Oswego, & Oregon City, and Board of County Commissioners

Subject: Letter of Intent – ***Willamette Corridor: Connecting Communities Through Art***

Dear City Council Members & Board of County Commissioners:

We, the Arts & Culture Commissions of West Linn, Lake Oswego, and Oregon City, are pleased to submit this Letter of Intent outlining our collective vision for an art collaboration along the Willamette River and in the areas along Highway 43 titled ***“Willamette Corridor: Connecting Communities Through Art.”*** This initiative represents a unique opportunity to invest our “percentage of the arts” funds and additional resources into a meaningful, collaborative effort between our three cities. Our goal is to create a cohesive series of permanent art installations in key public spaces along the highway and in the existing or soon-to-be-developed connecting paths, walkways and bikeways, uniting our communities through a shared artistic and historical narrative.

Project Vision:

Under the theme ***“Willamette Corridor: Connecting Communities Through Art,”*** this initiative will feature local artists whose work honors the rich history of our region, including Indigenous heritage and the settlers who shaped our communities. By integrating art into the public spaces along Highways 43 and 99E – including shared pathways and gathering areas - we aim to create a lasting cultural landmark that fosters community engagement and civic pride.

Stakeholder Engagement:

Initial discussions have already occurred between key stakeholders: Nicole Nathan (Executive Director, **Arts Council of Lake Oswego**), Ann Griffin (**Oregon City Arts Commission**), Julie Matthiessen & Shatrine Krake (**West Linn Arts & Culture Commission**), and Dianne Alves & Ariella-Sophie Sternberg (Executive Director & Community Outreach & Engagement Manager, **Clackamas County Arts Alliance**).

Additionally, we have received strong support from John Williams (City Manager, West Linn), Doug Erickson & Kristen Christnacht (Liaisons, West Linn Arts & Culture Commission), Megan Big John (Parks & Recreation Director, West Linn), and Chris Myers (Project Manager, West Linn Vision 43 Initiative). Moving forward, we intend to also engage

TriMet's Public Art Program and other potential partners, such as the **Willamette Falls & Landings Heritage Area Coalition** and the **Confederated Tribes of the Grand Ronde**.

Next Steps:

Upon securing support from all three city councils and the Board of County Commissioners, we plan to:

- Identify additional stakeholders and funding sources
- Determine specific locations along Highways 43 & 99E for permanent art installations
- Collaborate with artist leadership to develop a thematic framework
- Establish a long-term project timeline (estimated 3-5 years)

We believe this initiative has the potential to enrich our communities by celebrating our shared history and enhancing public spaces with meaningful, locally inspired artwork. We appreciate your review of this proposal and look forward to your support in bringing ***“Willamette Corridor: Connecting Communities Through Art”*** to life.

Sincerely,

West Linn Arts & Culture Commission
Arts Council of Lake Oswego
Oregon City Arts Commission
Clackamas County Arts Alliance

**Letter of Intent – Willamette Corridor:
Connecting Communities Through Art
Letter Addendum**

Dear Art Community Supporters of the Initiative-Willamette Corridor: Connecting Communities Through Art.

The City Commission of Oregon City is in receipt of your Letter of Intent dated April 24, 2025. The City Commission of Oregon City supports the arts; hence, the reason an arts commission was established in Oregon City. We welcome collaboration with our neighbors such as West Linn, City of Lake Oswego, and Clackamas County to enhance the cultural and economic benefits that the arts can bring to our region.

Although we support “the spirit of collaboration” as expressed in your initial letter of intent, there are some practical matters that we should adhere to. The Oregon City Commission has provided this addendum to your Letter of Intent on this subject. Specifically, we require that any funds derived from the City of Oregon City that are spent in the support of the physical creation of public art be restricted to public art erected within the municipal boundaries of the City of Oregon City. In addition, costs associated with marketing the corridor be shared in a manner that is agreed to by members of this proposed coalition.

As you probably can understand, the citizens of our respective communities support the arts with their tax dollars; therefore, it is not difficult to imagine that our citizens would expect that their locally derived taxes be spent on art located within the legal boundaries of their respective jurisdictions.

We look forward to the next steps of this project.

Sincerely,

Denyse McGriff
Mayor

cc: Tony Konkol
City Manager

ORDINANCE NO. 25-1013

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING AND REPLACING OREGON CITY MUNICIPAL CODE SECTION 2.26, ARTS COMMISSION

Oregon City Municipal Code Chapter 2.26 –

An Ordinance Establishing an Arts Commission for Oregon City

Sections:

- 2.26.010 Created
- 2.26.020 Members and Terms
- 2.26.030 Officers
- 2.26.040 Meetings and Quorum
- 2.26.045 Annual Report
- 2.26.050 Rules and Regulations
- 2.26.060 Purpose, Mission, and Duties
- 2.26.065 Powers and Authority
- 2.26.070 Policies

- **2.26.010 - Created.**

There is hereby created an ~~arts-arts commission-commission~~ (“Commission”) for Oregon City having the powers and duties provided in this chapter.

(Ord. 00-1041 §1(part), 2000)

- **2.26.020 - Members—Terms.**

The ~~arts-arts commission-commission~~ shall consist of nine (9) members appointed by the ~~mayor~~ mayor. ~~At least 60% of the members shall reside within the Oregon city limits and the membership shall represent a broad spectrum of citizens~~ At least 60% of members shall have some expertise or experience in any art form, from performing arts to visual arts, literary arts, or the fields of structural and landscape architecture.

~~Such members may include a representative of the following entities: (1) Carnegie Center, (2) the Clackamas Community College, (3) Oregon City schools and (4) the arts action alliance of Clackamas County. The arts commission shall also contain at least five~~

Commented [KS1]: Carrie: I appreciate that Arts Commission, as a proper name, should be capitalized but this is not the protocol within the code and I’d prefer to remain consistent.

Commented [JG2R1]: Doing the joint City Commission meeting with the Arts Commission their was a desire not to have a minimum number expressed.

Commented [KS3]: Carrie: I don’t understand the purpose of the reference to citizens at large here. If only 60% have to live in the city won’t the remaining 40% be “at large?”

~~members from a broad spectrum of citizens representing the performing arts, music, drama, the visual arts, literary arts, and the fields of structural and landscape architecture, and shall also include, in addition to these five members from the arts community, at least two citizens at large. At least five members of the commission shall reside inside the city limits.~~

The appointees shall have staggered three-year terms. Members of the arts commission may reapply for a new term yet shall not serve for more than two consecutive terms. All members may vote on any matter coming before the ~~arts-arts com~~commission, except as the ethics laws of the ~~state~~State of Oregon may provide. After a member has three consecutive absences without adequate reason, the ~~commission-city commission~~ may remove that member. Should a member be removed, the mayor will make a new appointment. (Ord. 00-1041 §1(part), 2000)

- **2.26.030 - Officers.**

The arts commission shall elect a chair and vice chair annually. The officers elected will serve a one-year term, beginning immediately and concluding at the end of the calendar year. At its first meeting of each calendar year, the outgoing chair, or in their absence the vice chair, shall preside over the election of new offices until their successors are duly elected. the arts commission shall elect a chair and a vice chair who shall hold office for one year, except that the first chair and vice chair shall serve until the end of the calendar year. At the first meeting of each calendar year, the chair or vice chair from the previous year shall preside over the elections for chair and vice chair. Neither the chair nor the vice chair~~No individual shall may serve as an officer for more than two consecutive terms as chair or vice chair in the same position.~~ -

(Ord. 00-1041 §1(part), 2000)

- **2.26.040 —~~Secretary~~—Meetings-Quorum and Voting.**

The arts commission shall convene in a public meeting at least once every two months. A quorum, or a simple majority of appointed members, ~~of five members~~ shall be present for all public meetings and a majority of those present shall determine any actions taken. ~~The members of the arts commission shall also elect annually a secretary who need not be a member of the commission. The secretary shall keep an accurate record of the proceedings of the commission, and the arts commission shall make and file with the city commission a report of all transactions of the commission on the first city commission meeting in February of each year.~~

2.26.045 Annual Report

The arts commission shall provide the city commission with a report summarizing

Commented [JG4]: During the Oct 7th meeting the City Commission expressed a desire not to allow unlimited terms.

its past activities annually. (Ord. 00-1041 §1(part), 2000)

- **2.26.050 - Rules and Regulations.**

The arts commission may from time to time establish rules and regulations for its governance and procedures consistent with the laws of the state of Oregon, the ordinance of Oregon City, and City policies.

~~The commission shall hold an official meeting at least bimonthly every two months. A majority of the members constitutes a quorum for meetings. Provided a quorum is present, Any item requiring a vote must be approved by a simple majority of the voting members present at a meeting to pass, unless otherwise provided.~~

(Ord. 00-1041 §1(part), 2000)

- **2.26.060 - ~~Powers and duties~~Purpose, Purpose and Purpose and Mission.**

A.

~~The commission shall be specifically responsible for, but not limited to, the following:~~

~~1.~~

The mission of the ~~commission~~arts commission shall be to ensure the arts (as described herein) continue to be of value as an integral part of Oregon City.

~~B. 2.~~

The ~~commission~~arts commission shall promote the arts in Oregon City to enrich the lives of its citizens through public art education, ~~and demonstration,~~ and by contributing to the local and regional economy by supporting the arts.

~~C. 3.~~

The arts commission shall assist the ~~city-city commission-commission~~ and the ~~planning planning commission-commission~~ in using public art to enhance continuing development, including public displays of art within the city structures.

~~4.D.~~

The ~~commission's~~arts commission's duties may include strategic planning and executing public displays of visual and performing arts, preserving and enhancing the city's existing public art, and marking connections with other local, regional and national organizations.

~~5.E.~~

The ~~commission~~arts commission ~~shall may~~ identify, support and partner with groups ~~and or~~ organizations that enrich Oregon City life by bringing cultural and artistic values and artifacts to the ~~city~~City city.

Commented [CR5]: Carrie: This is covered by the new 2.26.040 above.

2.26.065 Powers and Duties

A. The arts commission does not have the power to independently incur financial or contractual obligations on behalf of the City of Oregon City.

B. The arts commission may review and recommend the approval of grant applications for funding public art within the city or other expenditures within the scope of its mission for the city manager or their designee's approval. If the city manager or designee or any grant applicant disputes the grant award recommendation provided by the arts commission, the decision may be appealed to the city commission. The city commission's decision is the final decision.

~~A. The commission shall be specifically responsible for, but not limited to, the following:~~

~~1. The mission of the commission shall be to ensure the arts (as described herein) continue to be of value as an integral part of Oregon City.~~

~~2. The commission shall promote the arts in Oregon City to enrich the lives of its citizens through education and demonstration.~~

~~3. The commission shall assist the city commission and the planning commission in using public art to enhance continuing development, including public structures.~~

~~4. The commission's duties may include planning and executing public displays of visual and performing arts, providing connections with other local, regional and national organizations working for the benefit of art and preservation of artistic values, and other similar activities.~~

~~5. The commission shall identify groups and organizations that enrich Oregon City life by bringing cultural and artistic values and artifacts to the city.~~

~~B.~~

~~The commission shall have the authority and power to solicit funds or grants from individuals, corporations and other government agencies. Such funds shall be deposited in the Oregon City civic improvement trust, to be dispensed by the arts commission in pursuit of its assigned mission. Any disbursement of funds may occur only with the concurrence of the city manager. Should the commission and the city manager disagree regarding the dispensation of funds, the dispute shall be submitted to the city commission for final resolution. In all cases commission expenditures shall be subject to all provisions of law, including the local budget law.~~

C. The arts commission may identify and pursue grants or additional resources to support its mission as approved by the city manager or city commission. If the city manager or

Commented [KS6]: Carrie: The scope of this needs to be more clear as I'm not sure if this is in reference to giving grants (making expenditures) or securing grants (getting money). I'm assuming that both will require consent of the city manager?

Now I see that subsection B references getting additional funds so A should be limited to reviewing and giving grants.

Commented [KS7]: Carrie: This additional reference doesn't make sense within this context.

designee disputes the management of such resources by the Arts Commission, the decision may be appealed to the City Commission. The City Commission's decision is the final decision.

D. The arts commission shall review and approve public art murals subject to the procedures and standards set forth in Oregon City Municipal Code Chapter 15.28.090.

(Ord. 00-1041 §1(part), 2000)

- **2.26.070 - Policies.**

A. The arts commission shall operate as an advisory committee of the City of Oregon City devoted exclusively to its mission.~~a nonprofit, nonpolitical organization devoted exclusively to its mission.~~

B. The arts commission is responsible for monitoring expenses, collaborating and offering recommendations on budget decisions during each biennium, and planning activities in coordination with city staff.

C. The arts commission shall operate in the general public interest serving the community as a whole. It shall serve no special interests.

~~CD. The arts commission shall not endorse any commercial product or enterprise.~~

(Ord. 00-1041 §1(part), 2000)

Commented [KS8]: Carrie: This provision authorizes the AC to solicit grants. If the AC is also empowered to independently manage those funds recovered, we should state as much. Perhaps this "management" piece would make more sense if these grant-receipts are identified to be placed in a separate fund and used, along with any other city-allocated funds, for arts commission-sponsored activities

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING AND REPLACING OREGON CITY MUNICIPAL CODE SECTION 2.26, ARTS COMMISSION

2.26.010 Created

There is hereby created an arts commission for Oregon City having the powers and duties provided in this chapter.

2.26.020 Members; Terms

The arts commission shall consist of a maximum of nine (9) members appointed by the mayor. At least 60% of members shall reside within the Oregon City city limits and the membership shall represent a broad spectrum of citizens. At least 60% of members shall have some expertise or experience in any art form, from performing arts to visual arts, literary arts, or the fields of structural and landscape architecture.

The appointees shall have staggered three-year terms. Members of the arts commission shall not serve for more than two consecutive terms. All members may vote on any matter coming before the arts commission, except as the ethics laws of the State of Oregon may provide. After a member has three consecutive absences without adequate reason, the city commission may remove that member. Should a member be removed, the mayor will make a new appointment.

2.26.030 Officers

The arts commission shall elect a chair and vice chair annually. The officers elected will serve a one-year term, beginning immediately and concluding at the end of the calendar year. At the first meeting of each calendar year, the outgoing chair, or in their absence the vice chair, shall preside over the election of new officers until their successors are duly elected. No individual may serve more than two consecutive terms as chair or vice chair in the same position.

2.26.040 Meetings. Quorum and Voting

The arts commission shall convene a public meeting at least once every two months. A quorum, or a simple majority of appointed members, shall be present for all public meetings and a majority vote of those present shall determine any actions taken.

2.26.045 Annual Report

The arts commission shall provide the city commission with a report summarizing its past activities annually.

2.26.050 Rules and Regulations

The arts commission may from time to time establish rules and regulations for its governance and procedures consistent with the laws of the state of Oregon, the ordinances of Oregon City, and city policies.

2.26.060 Purpose and Mission

- A. The mission of the arts commission shall be to ensure the arts (as described herein) continue to be of value as an integral part of Oregon City.
- B. The arts commission shall promote the arts in Oregon City to enrich the lives of its citizens through public art, education, and programming.
- C. The arts commission shall assist the city commission and the planning commission in using public art to enhance continuing development, including public displays of art within the city.
- D. The arts commission's duties may include strategic planning and executing public displays of visual and performing arts; preserving and enhancing the city's existing public art; and making connections with other local, regional and national organizations.
- E. The arts commission may identify, support, and partner with groups or organizations that enrich Oregon City life by bringing cultural and artistic values and artifacts to the city.

2.26.070 Powers and Duties

- A. The arts commission does not have the power to independently incur financial or contractual obligations on behalf of the City of Oregon City.
- B. The arts commission may review and recommend the approval of grant applications for funding public art within the city or other expenditures within the scope of its mission for the city manager or their designee's approval. If the city manager/ designee or any grant applicant disputes the grant award recommendation provided by the arts commission, the decision may be appealed to the city commission. The city commission's decision is the final decision.
- C. The arts commission may identify and pursue grants or additional resources to support its mission as approved by the city manager or city commission. If the city manager or designee disputes the management of such resources by the arts commission

, the decision may be appealed to the city commission. The city commission's decision is the final decision.

D. The arts commission shall review and approve public art murals subject to the procedures and standards set forth in Oregon City Municipal Code Chapter 15.28.090.

2.26.00 Policies

A. The arts commission shall operate as an advisory committee of the City of Oregon City devoted exclusively to its mission.

B. The arts commission is responsible for monitoring expenses, collaborating and offering recommendations on budget decisions during each biennium, and planning activities in coordination with city staff.

C. The arts commission shall operate in the general public interest serving the community as a whole. It shall serve no special interests.

D. The arts commission shall not endorse any commercial product or enterprise.

15.28.090 Public art murals.

- A. Public Art Mural Program Intent and Purpose. The intent and purpose of this section is to encourage the production of public art murals preserved through a public art mural easement held in trust by the city. Public art murals are a medium of expression which serves the public interest in unique ways, including, but not limited to: Enhancing the aesthetics of the city; adding economic value and rejuvenation; providing avenues for original artistic expression in the city; encouraging community participation in the creation of original works of art; defining a cultural value and community identity; and reducing the incidence of graffiti and other crime.
- B. ~~No person shall commence creation of any public art mural without first obtaining a public art mural permit from the city and executing an easement pursuant to Section 15.28.090.B.13. Any mural - a wall sign exceeding the limitations otherwise prescribed by this chapter - that is created without approval through this chapter or in violation of the conditions of approval is prohibited.~~
- C. Criteria for Public Art Murals. All the following criteria shall be met for public art murals:
1. Public art murals shall remain in place, without alteration, for a period of no less than five years, except as may be specified ~~by a designated governing body or by the Arts Commission in the through~~ conditions of approval. At the end of the 5 years, or other designated period, the public art mural ~~easement~~ shall automatically renew for another 5 years ~~subject to the same terms and conditions set forth in the initial approval, unless termination is requested by the building owner. If the building owner requests termination prior to the renewal date, the public art mural shall be removed at the building owner's cost, and the city and owner will agree to terminate the easement.~~
 2. ~~An approved public art mural permit can be terminated by the owner at any time subject to 30-day notice to the Economic Development Department. In the case of early termination, all public art mural removal costs shall be borne by the owner.~~
 3. Alterations to an approved and/or installed public art mural requires review and approval subject to Section 15.28.090.C must receive approval by a designated governing body or the Arts Commission.
 - a. "Alteration," as used in this section, shall be defined as a change or modification made to a ~~permitted~~ public art mural, ~~that has been reviewed and designated, that might includeing but not limited to~~ changes in materials, surface covering, or UV protective or anti-graffiti coating. However, the following restorations shall not be considered "aAlterations:"
 - i. Repair due to naturally occurring changes from exposure to the elements or the passage of time.
 - ii. ~~Minor changes resulting from routine maintenance or repair.~~
 - iii. Slight and unintended deviations from the original when repairing the mural due to time, or vandalism.
 - iv. Replication of an identical ~~or substantially similar~~ public art mural made necessary because of replacement, repair, or renovation of the exterior wall on which the public art mural is displayed. ~~To qualify for this exception, the public art mural must be fully installed. These cases will be defined as a Restoration of an existing mural as long as the mural undergoes only minor modifications when it is placed back on the wall. The restored mural must be placed back on the wall within 3 years of its initial removal.~~
 4. No public art murals shall be allowed on single-family dwellings, duplexes, 3—4 plexes, designated historic structures that were originally constructed for residential use, or multi-family dwellings. As used in this subsection, single-family dwellings, duplexes, 3—4 plexes, or multi-family dwellings do not

Commented [CR1]: I'm not certain that this says exactly what the Arts Commission means. Can an owner terminate at any time and what are the consequences of those choices? This seems to suggest that the only time termination is available is before the 5 year mark and not after.

I would move this termination to a whole different section of the code.

Commented [CR2]: This implies that the cost for the removal of a public art murals retained for the permit term will be shouldered by someone other than the owner. Is that the intent, that the City will pay for the cost of removal?

As I read this again and look at the current code, I'm thinking that perhaps this is meant to require removal of a mural within 30 days after a termination request. This is the way that the City avoids having unpermitted murals holdover. If that is correct, perhaps the language is:

"Within 30 days of the end of the approval period or the date of the termination request, the public art mural shall be removed unless a new approval is granted."

Commented [CR3]: This is a highly discretionary exception that probably passes the low bar for being legal but it really provides no direction for making this determination. For this reason, it would be nice to put more meat on these bones like "minor change, that are unlikely to be visible or immediately noticeable to the passing public." However, if there are political reasons not to add greater definition, I understand.

15.28.090 Public art murals.

2

include mixed-use buildings which contain commercial space in addition to single-family dwellings, duplexes, or multi-family dwellings.

53. Public art murals shall only be permitted within approved zoning districts.

a. Approved zoning districts include:

i. General Commercial.

ii. Mixed Use Downtown.

iii. Mixed Use Corridor 1.

iv. Mixed Use Corridor 2.

v. Willamette Falls Downtown District.

vi. Institutional.

b. Any use that is listed under permitted uses in the institutional district in Section 17.39.020 but located in a non-institutional zone.

64. The public art mural shall be applied directly onto the surface of a building with a paint, ceramic, glass tiles, tesserae, or metal that ensures longevity, durability, and structural and surface stability. If placed on a wall, no part of the public art mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

75. No part of the public art mural shall be placed over the exterior surface of any opening of a building in a manner that prohibits use of the opening, including its windows, doors, and vents.

86. No public art mural may contain electrical components; employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance, image or message of the public art mural.

97. Public art murals shall be located in a manner that is visually accessible to the public.

108. The submitted design for a public art mural must be an original artwork conceived and created by the submitting artist or artist team. Art that is generated or assisted by artificial intelligence (AI), or mechanically reproduced (e.g., photocopies, mass-produced prints, stencils used for bulk replication, large-scale transfers), is not permitted. If the artist or artist team intends to produce the design off-site and install it on a building (e.g., a mosaic or vinyl wrap), the installation will be reviewed and approved on a case-by-case basis and will also be contingent upon meeting all city safety standards.

119. The mural proposal shall include methods to mitigate the impacts of weather and vandalism and a commitment to repair the mural surface as necessary for the term set forth in the permit conditions a minimum of five years.

~~124~~10. No compensation will be given or received for the display of a public art murals or for the right to place the mural on another's property by the city.

~~131~~. The approval and acceptance of each public art mural shall be contingent upon the conveyance of a public art mural easement to the city from the owner of the building upon which the mural will be located, in a form approved by the city attorney. The terms of the easement shall grant the right to create the public art mural on the wall of the building and provide that the person granting the easement will maintain and restore the public art mural in its original condition for the period of the easement, and state that upon termination of the easement, the mural shall be removed.

C. Approval Process.

Created: 2025-03-18 11:03:24 [EST]

(Supp. No. 48)

1. Public art murals shall be approved by the Oregon City Arts Commission ("Arts Commission") at a public hearing based on the criteria in the Oregon City Municipal Code. Notice of the application and the hearing date shall be published online and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet of the proposed mural location. Notices shall be issued at least twenty days pre-hearing, and the staff report and mural documents shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Arts Commission, all issues related to the Oregon City Municipal Code shall be raised and addressed. Failure to raise an issue at the hearing will preclude review on that issue.
2. In the absence of an active arts commission, the City Commission will review the proposal through the public hearing process described in subsection 15.28.090.C.1.

D. Appeal Process

1. The decision is appealable to the City Commission on the record. Notice of the appeal shall be received in writing by the Economic Development Department within fourteen calendar days from the date the challenged decision is provided to those entitled to notice. Late filing of any appeal shall be deemed a jurisdictional defect and will result in the automatic rejection of any appeal so filed.
2. All of the following shall be included as part of the notice of appeal:
 - a. The city file number and date the decision to be appealed was rendered;
 - b. The name, mailing address and daytime telephone number for each appellant;
 - c. A statement of how each appellant has an interest in the matter and standing to appeal;
 - d. A statement of the specific grounds for the appeal;
 - e. The Appropriate Appeal Fee. Failure to include the appeal fee within the appeal period is deemed to be a jurisdictional defect and will result in the automatic rejection of any appeal so filed. If a city-recognized neighborhood association with standing to appeal has voted to request a fee waiver pursuant to Oregon City Municipal Code Section 17.50.290.C, no appeal fee shall be required for an appeal filed by that association. In lieu of the appeal fee, the neighborhood association shall provide a duly adopted resolution of the general membership or board approving the request for fee waiver.
2. Standing to Appeal. Only those persons or recognized neighborhood associations who have participated either orally or in writing have standing to appeal the decision. Grounds for appeal are limited to those issues raised in writing before the close of the public record. No new evidence shall be allowed.
3. Notice of the Appeal Hearing. The ~~E~~conomic ~~D~~evelopment ~~D~~epartment shall issue notice of the appeal hearing to all parties who participated in writing before the close of the public record at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. Notice of the appeal hearing shall contain the following information:
 - a. The file number and date of the decision being appealed;
 - b. The time, date and location of the public hearing;
 - c. The name of the applicant, owner and appellant (if different);
 - d. The street address or other easily understood location of the subject property;
 - e. A description of the permit requested and the applicant's mural proposal;
 - f. A brief summary of the decision being appealed and the grounds for appeal listed in the notice of appeal;

- 1 g. A statement that the appeal hearing is confined to the issues raised in the notice of appeal;
- 2 h. A general explanation of the requirements for participation and the city's hearing procedures.
- 3 4. The City Commission decision on appeal is the city's final decision.
- 4 (Ord. No. 21-1011, § 1(Exh. A), 8-4-2021)

15.28.090 Public art murals.

- A. Public Art Mural Program Intent and Purpose. The intent and purpose of this section is to encourage the production of public art murals preserved through a public art mural easement held in trust by the city. Public art murals are a medium of expression which serves the public interest in unique ways, including, but not limited to: Enhancing the aesthetics of the city; adding economic value and rejuvenation; providing avenues for original artistic expression in the city; encouraging community participation in the creation of original works of art; defining a cultural value and community identity; and reducing the incidence of graffiti and other crime.
- B. No person shall commence creation of any public art mural without first obtaining a public art mural permit from the city and executing an easement pursuant to Section 15.28.090.B.13. Any mural - a wall sign exceeding the limitations otherwise prescribed by this chapter - that is created without approval through this chapter or in violation of the conditions of approval is prohibited.
- C. Criteria for Public Art Murals. All the following criteria shall be met for public art murals:
1. Public art murals shall remain in place, without alteration, for a period of no less than five years, except as may be specified through conditions of approval. At the end of the 5 years, or other designated period, the public art mural shall automatically renew for another 5 years subject to the same terms and conditions set forth in the initial approval.
 2. An approved public art mural permit can be terminated by the owner at any time subject to 30-day notice to the Economic Development Department. Within 30 days of the end of the approval period or the date of the termination request, the public art mural shall be removed unless a new approval is granted. In the case of early termination, all public art mural removal costs shall be borne by the owner. Upon removal, the city and owner will agree to terminate the easement.
 3. Alterations to an approved and/or installed public art mural requires review and approval subject to Section 15.28.090.C.
 - a. "Alteration," as used in this section, shall be defined as a change or modification made to a permitted public art mural that might include changes in materials, surface covering, or UV protective or anti-graffiti coating. However, the following restorations shall not be considered "alterations":
 - i. Repair due to naturally occurring changes from exposure to the elements or the passage of time.
 - ii Minor changes resulting from routine maintenance or repair.
 - iii Slight and unintended deviations from the original when repairing the mural due to time, or vandalism.
 - iv Replication of an identical or substantially similar public art mural made necessary because of replacement, repair, or renovation of the exterior wall on which the public art mural is displayed. To qualify for this exception, the public art mural must be fully installed within 3 years of its initial removal.
 4. No public art murals shall be allowed on single-family dwellings, duplexes, 3—4 plexes, designated historic structures that were originally constructed for residential use, or multi-family dwellings. As used in this subsection, single-family dwellings, duplexes, 3—4 plexes, or multi-family dwellings do not include mixed-use buildings which contain commercial space in addition to single-family dwellings, duplexes, or multi-family dwellings.
 5. Public art murals shall only be permitted within approved zoning districts.

- a. Approved zoning districts include:
 - i. General Commercial.
 - ii. Mixed Use Downtown.
 - iii. Mixed Use Corridor 1.
 - iv. Mixed Use Corridor 2.
 - v. Willamette Falls Downtown District.
 - vi. Institutional.
 - b. Any use that is listed under permitted uses in the institutional district in Section 17.39.020 but located in a non-institutional zone.
6. The public art mural shall be applied directly onto the surface of a building with a paint, ceramic, glass tiles, tesserae, or metal that ensures longevity, durability, and structural and surface stability. If placed on a wall, no part of the public art mural shall exceed the height of the structure to which it is tiled, painted, or affixed.
 7. No part of the public art mural shall be placed over the exterior surface of any opening of a building in a manner that prohibits use of the opening, including its windows, doors, and vents.
 8. No public art mural may contain electrical components; employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance, image or message of the public art mural.
 9. Public art murals shall be located in a manner that is visually accessible to the public.
 10. The submitted design for a public art mural must be an original artwork conceived and created by the submitting artist or artist team. Art that is generated or assisted by artificial intelligence (AI), or mechanically reproduced (e.g., photocopies, mass-produced prints, stencils used for bulk replication, large-scale transfers), is not permitted. If the artist or artist team intends to produce the design off-site and install it on a building (e.g., a mosaic or vinyl wrap), the installation will be reviewed and approved on a case-by-case basis and will also be contingent upon meeting all city safety standards.
 11. The mural proposal shall include methods to mitigate the impacts of weather and vandalism and a commitment to repair the mural surface as necessary for the term set forth in the permit conditions.
 12. No compensation will be given or received for the display of a public art mural or for the right to place the mural on another's property by the city.
 13. The approval and acceptance of each public art mural shall be contingent upon the conveyance of a public art mural easement to the city from the owner of the building upon which the mural will be located, in a form approved by the city attorney. The terms of the easement shall grant the right to create the public art mural on the wall of the building and provide that the person granting the easement will maintain and restore the public art mural in its original condition for the period of the easement, and state that upon termination of the easement, the mural shall be removed.
- C. Approval Process.
1. Public art murals shall be approved by the Oregon City Arts Commission ("Arts Commission") at a public hearing based on the criteria in the Oregon City Municipal Code. Notice of the application and the hearing date shall be published online and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet of the proposed mural location. Notices shall be issued at least twenty days pre-hearing, and the staff report and mural documents shall be

available at least seven days pre-hearing. At the evidentiary hearing held before the Arts Commission, all issues related to the Oregon City Municipal Code shall be raised and addressed. Failure to raise an issue at the hearing will preclude review on that issue.

2. In the absence of an active arts commission, the City Commission will review the proposal through the public hearing process described in subsection 15.28.090.C.1.

D. Appeal Process

1. The decision is appealable to the City Commission on the record. Notice of the appeal shall be received in writing by the Economic Development Department within fourteen calendar days from the date the challenged decision is provided to those entitled to notice. Late filing of any appeal shall be deemed a jurisdictional defect and will result in the automatic rejection of any appeal so filed.
2. All of the following shall be included as part of the notice of appeal:
 - a. The city file number and date the decision to be appealed was rendered;
 - b. The name, mailing address and daytime telephone number for each appellant;
 - c. A statement of how each appellant has an interest in the matter and standing to appeal;
 - d. A statement of the specific grounds for the appeal;
 - e. The Appropriate Appeal Fee. Failure to include the appeal fee within the appeal period is deemed to be a jurisdictional defect and will result in the automatic rejection of any appeal so filed. If a city-recognized neighborhood association with standing to appeal has voted to request a fee waiver pursuant to Oregon City Municipal Code Section 17.50.290.C, no appeal fee shall be required for an appeal filed by that association. In lieu of the appeal fee, the neighborhood association shall provide a duly adopted resolution of the general membership or board approving the request for fee waiver.
2. Standing to Appeal. Only those persons or recognized neighborhood associations who have participated either orally or in writing have standing to appeal the decision. Grounds for appeal are limited to those issues raised in writing before the close of the public record. No new evidence shall be allowed.
3. Notice of the Appeal Hearing. The Economic Development Department shall issue notice of the appeal hearing to all parties who participated in writing before the close of the public record at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. Notice of the appeal hearing shall contain the following information:
 - a. The file number and date of the decision being appealed;
 - b. The time, date and location of the public hearing;
 - c. The name of the applicant, owner and appellant (if different);
 - d. The street address or other easily understood location of the subject property;
 - e. A description of the permit requested and the applicant's mural proposal;
 - f. A brief summary of the decision being appealed and the grounds for appeal listed in the notice of appeal;
 - g. A statement that the appeal hearing is confined to the issues raised in the notice of appeal;
 - h. A general explanation of the requirements for participation and the city's hearing procedures.
4. The City Commission decision on appeal is the city's final decision.



CITY OF OREGON CITY

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

Staff Report

To: City Commission
From: Matt Zook, Finance Director

Agenda Date: February 10, 2026

SUBJECT:

Revenue Sources Discussion – Fee Methodology

STAFF RECOMMENDATION:

Staff recommends further discussion about the revenue of the City, more specifically about the various methodologies used for City fees using the Community Safety Advancement Fee (CSAF) as an illustration.

EXECUTIVE SUMMARY:

On November 12, 2025, City Commission received an overview of the various revenue sources available to local governments in Oregon. Feedback gained from the Commission included as further discussion about how the City's fees are allocated across the payers. Staff has prepared a response to this direction. Future discussion may focus on generating new revenue.

BACKGROUND:

Local governments in the state of Oregon have a myriad of revenue sources at their disposal, including taxes and fees. The use of fees generally corresponds to a specific service to be provided. The City of Oregon City's Community Safety Advancement Fee (CSAF) is one such fee designed to provide for the payment of a public safety building. The adopted fee used a flat rate methodology. This fee is \$6.50 per month to utility customers with the exception of businesses. Businesses are charged the same \$6.50 per month on an annual basis included with their business license. Provided with the staff report is an illustration of the fee structure currently being used by the CSAF.

Within the existing fee structure of utility billing customers and business licenses, further categorization does exist. For example, there are approximately seven different categories of utility billing customers and three different categories of business license customers. In the illustration provided, three additional options are demonstrated using a different rate per month based on the various classes. Option 1 demonstrates just breaking down the utility billing categories and leaving the business license as a flat \$6.50 rate. Option 2 demonstrates leaving the utility billing rate as is and changing the rate for the various business license classes. Option 3 combines both utility billing and business license categories into one comprehensive fee structure. Each of the options are within a couple thousand dollars of annual revenue generation, thus remaining revenue-neutral. Landing on different monthly rates per class is the variable discussion that could be had.

OPTIONS:

Direct staff to provide additional information to continue the discussion at a future work session or to take additional action toward a specific goal.

City of Oregon City
Fee Methodology Illustration
Using Community Safety Advancement Fee (CSAF)

	Current			Option 1			Option 2			Option 3		
	Universal Flat Rate			Variation on Utility Class			Variation on Business Size			All Variations Combined		
	Monthly Rate	No. of Units	Annual Revenue	Monthly Rate	No. of Units	Annual Revenue	Monthly Rate	No. of Units	Annual Revenue	Monthly Rate	No. of Units	Annual Revenue
Utility Bills												
Residential	\$ -	10,465	\$ -	\$ 6.40	10,465	\$ 803,712	\$ -	10,465	\$ -	\$ 6.40	10,465	\$ 803,712
Reduced Rate	\$ -	185	\$ -	\$ 6.40	185	\$ 14,208	\$ -	185	\$ -	\$ 6.40	185	\$ 14,208
Multifamily	\$ -	4,357	\$ -	\$ 6.40	4,357	\$ 334,618	\$ -	4,357	\$ -	\$ 6.40	4,357	\$ 334,618
Irrigation	\$ -	4	\$ -	\$ 6.40	4	\$ 307	\$ -	4	\$ -	\$ 6.40	4	\$ 307
Institutional	\$ -	92	\$ -	\$ 20.00	92	\$ 22,080	\$ -	92	\$ -	\$ 20.00	92	\$ 22,080
City	\$ -	32	\$ -	\$ 6.40	32	\$ 2,458	\$ -	32	\$ -	\$ 6.40	32	\$ 2,458
Commercial	\$ -	11	\$ -	\$ 20.00	11	\$ 2,640	\$ -	11	\$ -	\$ 20.00	11	\$ 2,640
Total	\$ 6.50	15,146	\$ 1,181,388		15,146	\$ 1,180,023	\$ 6.50	15,146	\$ 1,181,388		15,146	\$ 1,180,023
Business Licenses												
Flat per Business	\$ 6.50	1,099	\$ 85,722	\$ 6.50	1,099	\$ 85,722	\$ -	-	\$ -	\$ -	-	\$ -
1-25 Employees	\$ -	-	\$ -	\$ -		\$ -	\$ 6.50	1,026	\$ 80,028	\$ 6.50	1,026	\$ 80,028
26-50 Employees	\$ -	-	\$ -	\$ -		\$ -	\$ 7.00	43	\$ 3,612	\$ 7.00	43	\$ 3,612
51+ Employees	\$ -	-	\$ -	\$ -		\$ -	\$ 8.00	30	\$ 2,880	\$ 8.00	30	\$ 2,880
Total	n/a	1,099	\$ 85,722	n/a	1,099	\$ 85,722	n/a	1,099	\$ 86,520	n/a	1,099	\$ 86,520
Total			<u><u>\$ 1,267,110</u></u>			<u><u>\$ 1,265,745</u></u>			<u><u>\$ 1,267,908</u></u>			<u><u>\$ 1,266,543</u></u>

Public Safety Fee Research

City	Yes/No	Basis
Corvallis	Yes	Water Meter Size
Gresham	Yes	Flat fee of \$30/mo?
Independence	Yes	Flat fee of \$10/mo
Medford	Yes	\$16.07 per unit per month
Milwaukie	Yes	\$5 MF, \$7 SF, Tiered for Commerical
Newberg	Yes	Flat \$4.46 per account
North Bend	Yes	\$15 per account?
Oregon City	Yes	Ordinance 15-1005. Flat fee of \$6.50/mo
Sandy	Yes	\$5.5/houehold, \$12.50/business
St. Helens	Yes	\$10.30/mo per EDU
Troutdale	Yes	\$15/mo per ERU
Turner	Yes	\$3/mo
Veneta	Yes	\$9/mo resid. & non-resid.
Beaverton	No evidence	NA
Hillsboro	No evidence	NA
Lake Oswego	No evidence	NA
Molalla	No evidence	NA
Monmouth	No evidence	NA
North Plains	No evidence	NA
Tigard	No evidence	NA
Tualatin	No evidence	NA
West Linn	No evidence	NA
Winston	No evidence	NA
Happy Valley	Local Option Levy	NA



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: 2/10/2026

SUBJECT:

List of Future Work Session Agenda Items

BACKGROUND:

March 10, 2026

Update/presentation from Portland General Electric

Review of proposed City Seal

Discussion about Special Event Permitting

Thimble Creek Update

March 18, 2026

Water System Design Standards update

April 1, 2026

Historic Review Board compatible use update

Introduction to the Housing Capacity Analysis

April 7, 2026

System Development Charge collection timing discussion

System Development Charge Lookback discussion

May 12, 2026

System Development Charge tiering update and discussion for Storm and Transportation

TBD

Tentative meeting with Confederated Tribes of Grand Ronde

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

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

Clackamas County Water Environmental Services (WES) Rate Differential

Climate Action Plan Presentation (City of Milwaukie)

Frog Ferry Informational Update

Inclusionary Zoning, Vertical Housing Tax credit, and Opportunity Zone options

South Fork Water Board - Mountain Line Easements Vacation

Urban Growth Management Agreement

Increased penalties for illegal tree removal/pruning along commercial corridors

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: 2/10/2026

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 monthly. The most current update for each project is in bold.

1. Public Works relocation from Center Street
The City Commission will be reviewing a contract for the winter response material construction project at Fir Street, which will allow the material located at Center Street to be relocated.

Staff is submitting a Business Oregon Grant request for funding to complete a phase 1 environmental assessment of the properties.

Staff is contacting environmental consulting firms to understand the process to complete an environmental assessment of the property and the best approach to address the existing buildings.

Staff has started the permitting process for the relocation of the winter response material to Fir Street and started developing an IGA with WES for the long term use of their facility for sewage decanting.

Staff will be preparing the bid package for the Magnesium Chloride & Sanding Rock being relocated to Fir Street and continue working with WES staff to develop an IGA for long-term use of their facility for decanting raw sewage.

Design is underway for the relocation of the Magnesium Chloride (De-Icer) and Sanding Rock from Center Street to Fir Street. The scope and cost of this project is currently projected to require sealed bids to be submitted. Staff are working to confirm final locations on site and preparing the bid package. Winter weather work will continue out of the Old Center Street property this winter, with relocation of the facilities anticipated to be complete by Summer 2026.

City staff have met with Water Environment Services staff and WES has verbally agreed they can accept our raw sewage materials for decant. City staff have visited the WES decant site and been trained on using their facility.

Staff is finalizing design and location for the winter response tanks at Fir Street and has entered into discussions with Water Environmental Services to receive sewage materials at the treatment plant to be processed.

Staff is in the process of ordering new tanks for the winter response materials, which will be moved from Center Street to Fir Street. Locating the decant facility at the Mt. View yard has been challenging. Staff is investigating alternative locations and/or trucking the sewage materials to an off site location.

Staff continues to work with the consultant 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

The Urban Renewal Commission will be providing directions to staff concerning the property acquisition process for a portion of Urban Renewal property necessary for the project. Additional property acquisition to complete the process of other properties is currently under way.

The design process continues and is nearing a point to provide updated acquisition and construction costs. Property acquisition will include Urban Renewal Property and a discussion will occur to determine if the necessary property should be donated or acquired.

Mailers outlining the property acquisition process has been sent to the three impacted property owners and the right-of-way agent will work directly with the property owners to complete the property acquisition process.

The project team continues to refine design and right-of-way impacts. Once right-of-way impacts are finalized, staff will bring the list of questions to City

Commission, requesting authorization to acquire property and property interested through Eminent Domain (if necessary) related to the Downtown Quiet Zone Project.

Staff continues to work with ODOT, the railroad and the consultant on revised cost estimates, design work and any necessary exceptions 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 will 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

The City Commission review the last remaining properties at the January 21, 2026 work session and provided staff direction. Staff is reaching out to Clackamas County Fire District #1 and Oregon City Garbage to understand any impacts associated with installing bollards to restrict vehicular access in the park at several existing locations.

The first reading of the ordinance vacating Promenade property to the Yates properties has been approved. The parking options available in the Promenade and High Street area is scheduled for a work session on January 21, 2026.

Staff is working to complete the on-street parking design alternatives as requested by the Commission.

The City Commission reviewed this item at the September 3, 2025 meeting and requested that staff review potential on-street parking options on the public rights-of-way on the street stubs adjacent to the Promenade.

The City Commission approved several letter to properties owners addressing the existing encroachments. There are 7 properties remaining to be addressed, all of which including parking on the Promenade. It is anticipated that this item will be brought back to the City Commission for review at the September 3, 2025 meeting.

The City Commission has reviewed the properties and has directed staff to prepare letters to each property owner addressing the encroachments. Staff is preparing the letters and will be bringing them to the City Commission for review and approval at the August 6, 2025 meeting.

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

Staff have met with the developer to discuss the design, transfer, and potential funding for Liberty Plaza and any improvements that may be made. A presentation was provided to the Parks and Recreation Advisory Committee by the developer on January 22, 2026 outlining the proposed design and improvements.

The developer of the Courthouse project will be providing an update to the City Commission at the November 19th meeting.

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 accepting 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 Confederated Tribes of Grand Ronde are preparing revised language to the proposed IGA. The next meeting is scheduled for February 11, 2026.

The next meeting with Confederated Tribes of Grand Ronde is scheduled for January 23, 2026.

A draft agreement and easement language has been provided to the Confederated Tribes of Grand Ronde. Staff is awaiting additional comments from Grand Ronde.

Staff met with Confederated Tribes of Grand Ronde staff to begin the process of formalizing an agreement to determine how to move forward with a project on the property.

The City Commission approved a grant agreement with the State of Oregon for the city to receive the \$12.5 million dollars. Staff is working to complete the transfer of the funds to the City and will begin discussions with the Confederated Tribes of the Grand Ronde on a potential project.

Staff is currently in discussion with the State to receive the \$12.5 million dollars that were allocated for public access/viewing along the Willamette River several years and has been returned to the State by Metro. It is anticipated that a formal agreement with the State will be brought to the Commission for consideration in August or September.

In discussions with the staff from the Confederated Tribe of the Grand Ronde, it was recommended that the joint meeting with the elected representatives from each organization occur in September/October to accommodate the elections that occur in September.

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 the 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.