

CITY COUNCIL WEEKLY DIGEST

Week of September 19, 2011

1. Lake Oswego Dispatch, week of September 19
2. Phelan memo of September 19 re HR Council Report Series - Labor Relations
3. Jorgensen and Goff memo of September 19 re Information to Council on Regional Radio System Partnership
4. Rooney and Hooper memo of September 21 re End of Year Report for CIP Projects and New Quarterly Reporting Document
5. Heisler memo of September 20 re LOIS Wastewater Odors
6. Egner memo of September 21 re Metro Title 4 Compliance
7. Egner memo of September 22 re Transportation Planning Rule and Oregon Highway Plan Amendments (PP 11-0015)
8. Arts Council Brochure and Year End Financials
9. Metro Update of September 15

10. LOC Bulletin of September 16
11. Excerpt from *Fortune Magazine* of September 26, 2011, titled "The Newest Threat to Home Prices"
12. Current Board & Commission Recruitment flyer of September 19
13. Planning Commission meeting agenda for September 26
14. Comp Plan CAC meeting agenda for September 28
15. Foothills CAC meeting agenda for September 29
16. Council Calendar

Original copies attached for the following:
NLC Weekly Newsletter



DIGEST

Lake Oswego

Dispatch

Week of September 19, 2011

Planning and Building News

Planning Update:

- Comprehensive Plan Update. Planning staff and Comprehensive Plan Citizen Advisory Committee members have been meeting with the City's advisory boards—the Sustainability Advisory Board (9/19), Park and Recreation Advisory Board (9/21), Natural Resources Advisory Board (9/21), 50+ Advisory Board (9/22), and the Arts Council Board (9/22) to generate input and feedback in anticipation of the upcoming Community Culture Summit scheduled for November 3.
- Neighborhood Association Chairs Meeting. On Saturday, September 17, staff attended the Mayor's neighborhood association chairs meeting to provide an update on the Comprehensive Plan and solicit input on citizen involvement goals and policies. Some neighborhood association chairs voiced concerns that the originally proposed date for the summit conflicted with three upcoming neighborhood meetings involving seven neighborhood associations. In response to those concerns, the first summit meeting has been rescheduled from October 20 to November 3. The community summit will still be at the Lake Oswego High School Library starting around 6:00 p.m. Watch for an informational insert on the November 3 Community Culture Summit in the October issue of Hello LO.
- Planning Commission (PC). On September 26, the Planning Commission will hear an update on the Comprehensive Plan process. The Commission will also continue their review of LU 08-0054-code amendments--the portion of the code amendment package that is policy-related.
- Historic Resources Advisory Board (HRAB). The property owners request to remove the Historic Landmark Designation from 1097 Chandler Road (LU 11-0003) has been postponed. The public hearing before HRAB is scheduled for November 9. This property was the subject of a prior land-use application and approval for a Major Alteration to a Historic Landmark (LU 11-0004). This was approved by the Development Review Commission earlier this year and construction on the additions are in progress.
- Natural Resource Planner Interviews. Staff conducted interviews for the vacant natural resource planner position on Tuesday and Thursday this week. Six candidates were interviewed.

- Mayor's First Annual Bike Ride. On Sunday, September 18, Planning staffer Laura Weigel organized and supported the "Mayor's Bike Ride". Mayor Hoffman, Police Chief Johnson and 50 community members braved the wet weather on a 12-mile bike ride around Lake Oswego. Riders made two stops along the way. The first stop was the Westlake Fire Station where riders talked with firefighters and watched a demonstration by the canine unit. Charger attacked a suspicious man! The Hunt Club was the second stop. Riders met Otis, (the almost) miniature horse and watched an equestrian demonstration by the Hunt Club's general manager and chatted with board members.
- Sundeleaf Plaza Dedication. Monday, September 26 will be the dedication of our new park, Sundeleaf Plaza from 4-6 p.m. Program commences at 4:30 pm with the unveiling of the dedication plaque. The new park is located at 120 South State Street.
- Parks and Natural Area Sign Code Amendments. Parks and Planning staff have drafted an ordinance to amend the Sign Code (LOC Chapter 47) to address signage in the Parks and Natural Area (PNA) zone. The Parks and Recreation Department was contacted by PooFreeParks, a Colorado entity, to provide free dog waste bags for city parks and trails in exchange for displaying the names and limited ads of sponsors on their waste bag dispensers. A review of the Sign Code revealed not only that the proposed sponsorship displays are not permitted by the Sign Code, but also that there are few opportunities for any other types of signage in the PNA zone. Parks and Planning staff has drafted an ordinance to amend the Sign Code to address signage in the PNA zone. This item is scheduled for Council hearing on October 4.

Building News Update:

- Lobby/Permit Center Remodel. The Counter Model project is moving along and we hope to be back delivering Planning, Building and Engineering Services on the third floor by early in the week of September 26.
- E-permitting News. Presently, staff spends many hours generating reports and filling out forms and questionnaires for Metro, the U.S. Census Bureau, and other agencies that are interested in keeping track of construction activity. Once implemented, the new permit system will generate many of the reports used by these reporting agencies without the need for extensive staff time. The electronic permit system will also enable us to better track permits for the sake of processing the Construction Excise Tax we collect for Metro and the Building Department permit fee surcharge we collect for the state.

Human Resources

- The Benefits Committee met last week to review a draft request for proposal for a benefits broker. It is expected that the RFP will be sent out at the end of this month. The City is soliciting requests for proposals from qualified contractors to provide benefit broker and consulting services, including evaluation and ongoing actuarial analysis of plan financial experience, claims, and future funding requirements. The City wants to ensure we are receiving the optimum level of service at a competitive price, and that our process is fair, open and transparent to all.

Parks and Recreation

ACC:

- It was the first full week of the ACC Slope Project and for the most part, most users have been able to be accommodated in the remaining parking spaces with the adjustments in class times and locations.
- Users have been enjoying the refreshed spaces in the lower level made possible by the Minter distribution. One 92 year old member wanted to see the changes, but had never been downstairs in all her years as a member. She was given a special tour and thought the area looked great.
- Bandana Shrestha from AARP led the discussion called **“Engaged Citizens: How can Boomers be effective change agents, both locally and nationally?”**
- Kitchen staff is working diligently to have ACC recipes come into compliance with the new Federal guidelines for fat, sodium and calorie intake for seniors. Recipes from all sites that provide meals are being reviewed in an effort to have each meal no more than 33% fat, 2300 mg sodium and 1600 calories per day.

Golf Course:

- A letter has been submitted by Richard Santee, director of the Oswego Pioneer Cemetery, regarding a higher volume of range balls landing in the cemetery this season. He is concerned about increased risk of injury to visitors at the cemetery.
- Someone took one of the course carts without authorization and deliberately rammed the tee sign on hole 14 shearing off the sign post and damaging the front of the cart. Investigation is underway to find out exactly when this occurred, but it must have happened sometime between 8 p.m. on Wednesday, September 14, and 6 a.m. the next morning.

Recreation:

Youth Programs

- The piano class students from the summer program gave a recital of pieces they worked on all season long. The parents and guests were treated to solos, duets and a group music program from 8 students.

Teen Programs

- Two former teachers from a local consulting firm visited the teen lounge to observe and research teen program formats. They were so impressed with the program that they requested to use the Parks & Recreation Department program as a model when beginning pilot projects across the country. Youth Action Council had its first meeting this week with sixteen members from both high schools. They began planning their yearly special events and fund raising efforts.

Luscher Farm

- Delegates from the U.S. Dept. of Agriculture for the 2011 Foreign Agricultural Attaché Tour visited Luscher Farm on Thursday, September 15, for a tour and education session about the City of Lake Oswego Luscher Farm property, the programs, and the partnerships. The delegation brought USDA officials, Oregon Department of Agriculture representatives, and thirty foreign members from twenty different countries. The group enjoyed fresh garden tomatoes and basil from the gardens. Jan Wirtz gave a presentation regarding farm history, operations and programs, Chris Schreiner from Oregon Tilth presented information regarding organic certification, and Laura Masterson gave a tour and talk regarding community supported agriculture. The group had a wonderful visit; the weather was beautiful, and they gave presenters gifts from Egypt and pens from USDA.
- The Children's Garden is preparing for the Open House on Saturday. Children from Storytime harvested vegetables from the garden for the Tualatin Schoolhouse Food Pantry and enjoyed Storytime at the Farm. The tomatoes are ripening and purple beans cover the teepee. It is fortunate to have a Master Gardener volunteer helping staff to put the winter garden in for the season!
- A total of 75 pounds of produce was donated to the Tualatin Schoolhouse Pantry yesterday from Luscher Farm, compliments of the Children's Garden and Oregon Tilth. They loved the tomatoes, summer squash, and green beans.

Sports

- Preparations are underway for the upcoming fall City League High School Basketball season. The students must be “talking it up” at the high schools as we’ve already received inquiry calls. Updated information and forms can be found on our website, www.lakeoswegosports.com under the ‘Online Registration’ button. Registration opens mid-October.
- The Adult Coed Soccer League got off to a “hot” start last weekend. Scores and standings for the season can be viewed at www.lakeoswegosports.com by clicking on the yellow ‘Adult Coed Soccer’ button.

Special Events:

- In an effort to gain more information from Lake Oswego residents, the Special Events team and the Lake Oswego Rotary hosted a survey at the Farmers’ Market. The optional, dot-survey was used to address questions from both the Special Events Department and the Downtown Business Association. Survey questions and results are listed below:

1. What is the most effective way to promote Parks and Recreation events?

Residents felt that *Hello LO*, Promotional Banners (especially banners posted over State Street or Boones Ferry), and *the Lake Oswego Review* were the most useful ways to promote events.

2. Would an informational brochure of Lake Oswego Businesses/Restaurants be helpful?

85% of Survey Participants reported that an informational brochure would be useful.

3. Would an annual calendar of Parks and Recreation Events be helpful?

Residents felt an annual calendar would be helpful, especially if it was available online (Currently, the Special Events Department produces a Summer Events Brochure, Holiday Events Brochure, and individual promotional materials for each event).

Project Management:

- The Parks Department participated in the 2011 Metro Trail Counts. This yearly survey and counts of trail users is a regional effort that has assisted with planning and funding of regional trails throughout the metro area. This is Lake Oswego's first time participating in the counts and providing valuable information for long term planning. The trail counts occur on two sites within Lake Oswego, at Rosemont Trail Head and the Willamette River Trail at the Bridge in George Rogers Park. Counts occur at each location for one week and weekend day. So far, 66 surveys for the counts have been conducted. This effort could not have happened without the assistance of volunteers and community members. The owner of Fit Fuel Coffee, a local coffee shop on A Street, provided a free coffee coupon for each person who filled out a survey.

Parks Maintenance:

- At Millennium Park, staff cleaned and refilled all water features. Staff also replaced 2 grates, and 5 nozzles on the fountains. The grassy knoll was over-seeded and mulched. Staff also changed light bulbs on 3 of the light poles to create a softer light.
- Ball field crew completed core aeration of the turf fields, and infields.
- Frontage pruning of Foothills Park was completed. The Foothills picnic shelter was pressure washed.
- Irrigation was seasonally adjusted on city beautification, and park sites.
- Irrigation repairs were made at Foothills Park, Westridge Park, Waluga Jr. High, and Bryant School.
- At Westlake Babe Ruth Field, the pitching mound was rebuilt, and the infield perimeters were redressed.
- Six goldfish were rescued from the City Hall fountain, and relocated with an adoptive home.
- The new Delenka trailhead at Cooks Butte was spruced up. Trail is receiving a lot of increased use since its completion earlier this year.

Economic and Capital Development

- Beaverton Urban Renewal Forum. Jane Blackstone is scheduled to provide an overview of Lake Oswego's downtown urban renewal program at one of three community meetings hosted by Beaverton neighborhoods. The meetings are intended to provide general background about

urban renewal and specific information about the urban renewal measure on Beaverton's November 8 ballot.

- Draft Foothills Framework Plan Available for Public Review. The working draft of the Foothills Framework Plan is now available for public review on the City's website. It can be found by going to <http://www.lakeoswegobusiness.com/>. Last Thursday, the Framework Plan was presented to the Citizen Advisory and Project Oversight committees for their consideration. It will also be reviewed by the City's various Boards and Commissions during the month of October. Council will take up the plan at its November 8 study session. The draft financial feasibility report, which is being prepared by a third party, the firm of ECONorthwest, is still being finalized to ensure that numbers are accurate and consistent with the Framework Plan. It is anticipated that this draft report will be available next week. Public Affairs and ECDD staff will host an information booth at the Farmers' Market to provide information about the Foothills Framework Plan.
- Downtown Exploring Main Street Program. The Downtown Committee of the Lake Oswego Chamber of Commerce is interested in learning more about the National Main Street Program as a revitalization tool for Lake Oswego's downtown. The program provides a successful model to guide community efforts related to promotions and marketing, physical redevelopment, economic restructuring and historic preservation activities. A delegation from Lake Oswego, including Economic Development staff, will attend the State Main Street Conference in Baker City on October 3 - 5.

Public Works

- The Engineering Division recently updated the quarterly CIP report, and will be sharing information via the Digest. Of interesting note, the City has completed 17 projects since July of 2010. Congratulations to Public Works, Parks, and LORA on a very successful year!
- Huge progress has been made at the ACC! Excavation and importing of rock was completed earlier this week – well in advance of schedule. Further good news is that it appears the total quantity of material is less than estimated, which may result in savings for the contractor and the City. The Contractor is diligent and respectful of the site, and resolves any issues with trucking and access immediately. Taking advantage of the good weather is key to successful completion, so there has been work on Saturdays, which is within the contract terms.
- Catch Basin replacement continues to lead the schedule for the paving project. With over 50 replacements occurring, a number of minor pipe replacements have also been initiated, and the work has been completed by the Operations staff. The contractor is on schedule for the overall project, and should begin paving within the next two weeks.
- The North Shore Gateway Project will have the pre-construction meeting on Wednesday, September 21, and work should begin shortly thereafter.
- Staff will be hosting a formal scoping meeting for the A Avenue Roadway Rehabilitation Project, slated for design this fiscal year and construction in summer 2012. The meeting with several internal City staff stakeholders is intended to clearly identify the full scope of work, project

limits, and design needs to incorporate a full pavement replacement and partial median removal on A Avenue, and pavement replacement on 2nd Street from A to B Avenue. The scoping effort will guide the parameters for the Request for Proposals to have the work designed by a consulting firm later this fall.

- The Boones Ferry Road/Jean Way Railroad Crossing Improvement (Chow Corner) project will be restarted this fall after the paving projects are completed. Staff must negotiate a construction and payment agreement for the installation of a concrete rail crossing, determine a new pedestrian easement that needs to be purchased, and redesign the pedestrian/bike crossings to meet the requirements of the Union Pacific Railroad.
- Last week, the Engineering Division said good-bye to Massoud Saberian, the City Traffic Engineer, and held a small gathering for him on his last day. Massoud had been with the City for just over 5 years. He has moved on to a full-time position for the City of Pasco, Washington.

Library

- Kindles and Library2Go Amazon and library e-book vendor OverDrive announced that it will now allow library lending via the Kindle and Kindle app. The service enables libraries – including Lake Oswego - to expand their e-book lending to the nation’s most popular e-reading platform. Until today, Kindle had been noticeably absent from library lending, as OverDrive’s service worked only with ePub-enabled devices, such as the Sony Reader, the Nook, iPads, and smartphones. Without question, the Kindle deal will dramatically expand patron demand for library e-books, demand that has surged over the last two years. In 2010, OverDrive, which manages the vast majority of public library e-book lending including Library2Go (connected through a link on our Library homepage), noted that e-book lends increased 200% over 2009, with more than 15 million digital check-outs of nearly 400,000 titles nationally, numbers that company officials say have risen further, and faster, in 2011 as reading devices—including the Kindle—continue to grow in popularity and drop in price, and, as libraries continue to shift more money to their e-book budgets to meet demand.
- On Friday, September 16, more than a dozen members of the Lake Oswego High School class of 1956 gathered in the Library’s conference room to reminisce and record their conversation for the library’s archive. Librarians Fawn McGee and Carissa Barrett were on hand to set up a projector and laptop so that the group could view historic photos while they chatted.

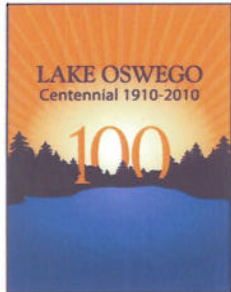
As opposed to the one-on-one interviews that are being conducted to collect oral histories, this “interview” was more like a get-together amongst old friends looking to refresh their memories by reliving them with their peers. The mini-reunion was coordinated by longtime resident Adrienne Brockman. Now in their early 70s, students came from all over the state and as far away as Spain! Stories covered many topics including schools, swim park memories, now famous landmarks such as the log boom, and family and friends. The recording will be added to those being gathered for a second round of *In Their Own Words* oral histories.

Police

- Training. Over the past two weeks, our two motorcycle officers have been attending a Traffic Crash Investigation training course. This class teaches how to “reconstruct” the crash from the beginning of the event and is helpful in determining speed, distance, braking and direction of the vehicle. Students are taught the fundamentals of physics and advanced mathematical principles, and how to properly document their findings for courtroom presentation. This is the first in a series of three courses to be completely certified as a Reconstructionist.
- Community Activities. Chief Don Johnson and Lieutenant Scott Thran attended the Saturday morning Forum with the Neighborhood Association representatives and the Mayor. This was a good opportunity for the neighborhood chairpersons to meet Chief Johnson and hear a bit about his background and the future of the Police Department. They also had the opportunity to ask Traffic Lieutenant Thran any questions or concerns associated with traffic issues in their neighborhoods.
- On Sunday afternoon, Chief Johnson joined the Mayor and about 60 other community members for a bike ride through the City. At the halfway point, they stopped at the Westlake Fire Station for a tour of a fire truck and a demonstration from K-9 Officer Josh Day and Charger.
- This Thursday, September 22, from 5 to 9 p.m., members of the Police Department will trade in their handcuffs and badges for aprons and menus at our local Applebee’s Restaurant for Special Olympics Oregon. During the event, officers will act as “Celebrity Waiters” collecting tips from restaurant guests to assist in this year’s **“Tip-A-Cop” fundraising goal of \$30,000.**

Information Technology

- Eight days left until the deadline for RFP submissions for the City Website upgrade. There were 23 firms requesting a copy of the RFP. So far I’ve had two firms asking questions.
- Rewiring for the third floor reconfiguration will occur in sync with the furniture and cubicle reconstruction. I thank Kimble Harless for donating another Saturday of his time to make this happen.
- We have another ten year veteran in IT. Jeannine O’Hagan joined city staff on September 28, 2001. That now makes seven out of ten members of the team that have at least ten years of service.



MEMORANDUM

TO: Alex D. McIntyre, City Manager

CC: David Donaldson, Assistant City Manager

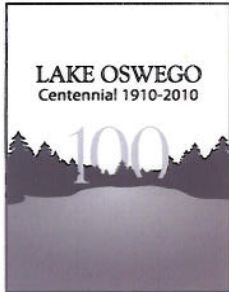
FROM: Megan Phelan, HR Director

SUBJECT: HR Council Report Series – Labor Relations

DATE: September 19, 2011

Enclosed you will find a Council report providing a general overview of the City's labor relations. This report is the last in a series of four Council reports that were distributed throughout 2011, and were focused on key Human Resources issues that have substantial impact on City personnel and fiscal resources. The four topics were PERS, health insurance, compensation and labor relations.

The purpose of these Council reports is to provide current and future elected officials a good foundation for understanding the core concepts related to each issue. I hope Council considers these reports insightful and beneficial, when making policy decisions related to City personnel.



COUNCIL REPORT

TO: Jack Hoffman, Mayor
Members of the City Council
Alex D. McIntyre, City Manager

FROM: Megan Phelan, HR Director

SUBJECT: Labor Relations General Overview

DATE: September 19, 2011

The purpose of this Council report is to provide an overview of labor relations in the state of Oregon, and as it pertains to the City of Lake Oswego. Labor relations encompasses a variety of topics but this report will focus on the Oregon law that governs public sector labor relations in the areas of association representation, dispute resolution and the collective bargaining process. This report is not an attempt to explain labor relations on a national level, or to engage in conversation regarding how labor relations are managed in other entities, public or private, within the State of Oregon.

INTRODUCTION

The City has three labor groups: the Lake Oswego Police Officers Association (LOPOA), the International Association of Fire Fighters (IAFF), and the Lake Oswego Municipal Employees Association (LOMEA) which is formally affiliated with the American Federation of State, County and Municipal Employees (AFSCME). Each labor group has their own collective bargaining agreement with the City of Lake Oswego, which sets forth the sole and full agreement between the parties concerning wages, hours, and conditions of employment. Represented staff comprises approximately 77% of the City's workforce. The term Association will be used throughout this report as a reference to all three labor groups; otherwise the specific labor group will be referenced.

OVERVIEW OF THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING ACT

The Public Employee Collective Bargaining Act (PECBA), ORS 243.650 – 243.782, establishes a collective bargaining process for Oregon's public employers and unions representing public employees. This includes employees that work for the state, counties, cities, school districts, special districts, and other local governments.

PECBA came into effect on October 5, 1973 and there have been various revisions since that date. The current policy statement of PECBA is defined in ORS 243.656. In summary, the policy statement of the Act is that the people of this state have a fundamental interest in the development of harmonious and cooperative relationships between government and its employees; that public employees have the right to

organize; and that the protection by law of the right of employees to organize and negotiate collectively safeguards employees and the public from injury, impairment and interruptions of necessary services, and removes certain recognized sources of strife and unrest, by encouraging practices fundamental to the peaceful adjustment of disputes arising out of differences as to wages, hours, terms and other working conditions, and by establishing greater equality of bargaining power between public employers and public employees.

Other provisions of PECBA, which will be covered in detail later in this report, designate the union as the “exclusive representative” and has procedures for selection of a representative; creates rules for “good faith” bargaining, identifies mandatory subjects of bargaining; requires mediation as part of the bargaining process; permits the right to strike except certain employee groups; provides binding interest arbitration for strike prohibited units; and creates the Employment Relations Board (ERB) for enforcement.

OVERVIEW OF THE EMPLOYMENT RELATIONS BOARD

The PECBA is administered by the Employment Relations Board (ERB), which is a state agency that was established in 1977. The Board has three full-time members which are appointed by the Governor. The ERB also administers the collective bargaining law that regulates private employers who are not covered by the National Labor Relations Act.

As stated on the ERB website, their mission is to resolve disputes concerning labor relations for the estimated 3,000 different employers and 250,000 employees in public and private employment in the state.

The Board has three primary functions:

1. Determine appropriate bargaining units and conduct elections regarding collective bargaining representation for employees;
2. Resolve disputes over union representation and collective bargaining negotiations, including providing mediation services; and
3. Issue declaratory rulings and orders in unfair labor practice complaints, appeals from state personnel actions, and related matters.

These three primary functions will be covered throughout this report.

BARGAINING UNITS

The ERB is assigned the task of determining appropriate bargaining unit representation. If a question of representation exists, a public employer, public employee or labor organization may submit an application to the ERB. In making their determination, the ERB will consider such factors as community of interest, wages, hours and other working conditions of the employees involved, the history of collective bargaining, and the desires of the employees.

There are two primary classifications of employees that are excluded from representation and they are confidential and supervisory. As defined by the PECBA, a confidential employee is “one who assists and acts in a confidential capacity to a person who formulates, determines and effectuates management policies in the area of collective bargaining.” The City currently has eight full time employees and one part-time employee that fall under this definition. It’s important to mention that because an employee handles confidential information that does not make them a confidential employee. Their confidential status is directly related to their involvement in the area of collective bargaining.

PECBA defines a supervisory employee as “any individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection therewith, the exercise of the authority is not of a merely routine or clerical nature but requires the use of independent judgment.” The City has approximately 64 supervisors, including Department Directors and Charter Officers.

In addition to confidential and supervisory employees, there are other City staff members not represented by a bargaining unit. They include interns and persons employed as temporary, on-call (work less than 20 hours per week) or contract employees.

The City has three recognized bargaining units, which will be discussed separately below. Employees are required to pay dues to the union, with one exception. Per PECBA, based on bona fide religious tenets or teachings of a church or religious body of which the employee is a member, they shall pay an amount of money equivalent to regular union dues and initiation fees and assessments, if any, to a nonreligious charity or to another charitable organization mutually agreed upon by the employee affected and the representative of the labor organization. Dues amounts vary by association and are deducted monthly from the employee’s paycheck.

LAKE OSWEGO POLICE OFFICERS ASSOCIATION (LOPOA)

The Lake Oswego Police Officers Association (LOPOA) is the sole and exclusive bargaining unit for all regular full-time and part-time employees in the classification of Police Officer, Community Service Officer, and Communications Officer (LOCOM). LOPOA does not represent Sergeants, Lieutenants, Captains or the Chief, nor do they represent employees that work in police records, who are represented by LOMEA/AFSCME.

Lake Oswego Police Officers were initially represented by the Teamsters Local Union No. 223. They were voted in by the Police Officers and Police Aides (now know as Community Service Officers) on September 14, 1977. The first bargaining agreement on file with the City is dated July 1, 1980. In April of 1985, they voted to remove Teamsters and formed their own association called the Lake Oswego Police Officers Association (LOPOA). In 1986, dispatchers were allowed to join.

Currently, LOPOA represents approximately 45 employees. They are a strike *prohibited* unit which means they are not allowed to refuse, in concerted action with others, to report to duty, or be willfully absent from their position.

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF)

The International Association of Firefighters (IAFF), Local 1159, is the sole and exclusive bargaining unit for all full-time employees in the classification of Firefighter, Fire Driver-Engineer, Fire Lieutenant, Deputy Fire Marshal and EMS Coordinator. IAFF does not represent Battalion Chiefs, Fire Marshall, Assistant Fire Chief or the Fire Chief.

IAFF was founded in 1918 in Washington D.C., and was created for the sole benefit of rank-and-file firefighters in the United States and Canada. According to the IAFF website, they represent more than 298,000 full-time professional fire fighters and paramedics who protect 85% of the nation’s population. They have more than 3,200 affiliates and are one of the most active lobbying organizations in Washington. Local 1159 was initiated into IAFF on April 9, 1954. The firefighters of Lake Oswego organized with IAFF

Local 1159 on February 10, 1971. In addition to Lake Oswego, IAFF Local 1159 represents Canby, Estacada, Molalla and Clackamas Fire District One. The first bargaining agreement on file with the City is dated July 1, 1971.

Currently, IAFF represents approximately 43 employees. Like LOPOA, IAFF is a strike *prohibited* unit which means they are not allowed to refuse, in concerted action with others, to report to duty, or be willfully absent from their position.

LAKE OSWEGO MUNICIPAL EMPLOYEES ASSOCIATION (LOMEA) AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME)

The Lake Oswego Municipal Employees Association (LOMEA) is formally affiliated with the American Federation of State, County and Municipal Employees (AFSCME, Council 75), and are the sole and exclusive bargaining unit for all regular employees not represented by LOPOA or IAFF, or classified as confidential or supervisory. There are approximately 77 position classifications represented by LOMEA/AFSCME.

General staff were initially represented by the Lake Oswego Municipal Employees Association (LOMEA). The first bargaining agreement on file with the City is dated July 1, 1982. In January 2011, the City received notice from the ERB amending the certification of exclusive bargaining representative to reflect LOMEA's affiliation with AFSCME. Under AFSCME's operating policies, LOMEA will continue to exist with its own set of officers and its own local finances, and will continue to be responsible for contract bargaining and contract maintenance. According to their website, AFSCME is the nation's largest union of public employees, with over 1.6 million members. There are 65 district councils, and AFSCME Council 75 represents approximately 25,000 workers in Oregon and the Portland area. Currently LOMEA/AFSCME represents approximately 162 employees. They are a strike *permitted* unit which means they are allowed to refuse, in concerted action with others, to report to duty, or be willfully absent from their position.

OVERVIEW OF LABOR MANAGEMENT COMMITTEES

All three Associations participate in Labor Management Committees (LMC) with City management. The purpose of LMC meetings between union leadership and City management is two-fold. First, they allow for information sharing and resolving issues of mutual concern. Second, LMC's can be an effective way to allow both sides to develop and foster a relationship, by keeping lines of communication open and establishing trust.

However, there are occasions during the time a contract is in effect, outside of bargaining, when there are disputes involving the interpretation, application or violation of the language in the collective bargaining agreement. In that circumstance there is a formal process that both parties follow, typically referred to as the grievance process.

DISPUTE RESOLUTION OUTSIDE OF BARGAINING

In order to effectively manage disputes all three collective bargaining agreements contain language outlining the grievance procedure. There are three main steps to the grievance process. The following is a general overview of those steps, as each collective bargaining agreement may have different nuances to their process.

Grievances can be initiated by an employee or the Association, and can be in response to an issue with one employee or a group of employees. Notice is generally provided to the immediate supervisor in writing by a specified deadline and should include a statement of the grievance and relevant facts, the provision of the

collective bargaining agreement that has been violated and a remedy. This is commonly referred to as Step One. The supervisor has a specific timeframe by which to respond.

If after the supervisor responds the employee or Association believes that the grievance remains unadjusted they can submit the grievance to Step Two, which is the Department Director. The Department Director has the obligation to respond and in many cases will meet with the aggrieved party to discuss the issue. The Department Director must respond in writing within a specified time frame.

If after this response the employee or Association still believes the issue has not been resolved, they progress the grievance to Step Three which is to the City Manager or his/her designee. In this step the City Manager or his/her designees must meet with the aggrieved party and provide a written response within a specified time frame.

It's important to note that the employee or Association can withdraw their grievance at any time in the process. Typically the majority of grievances filed against the City are resolved at the Step One or Step Two level. Rarely do they progress to Step Three or beyond. However, if the grievance is still not resolved at the conclusion of Step Three, the employee or the Association can decide to take the grievance to arbitration. In carrying out the arbitration procedures, the City and/or the Association contact the ERB to begin the process of selecting an arbitrator. The City and the Association may agree on an arbitrator or go through a process where they strike arbitrator names from a list, and the remaining individual is designated the arbitrator.

Once the arbitrator has been contacted, dates and places for hearings are established. The arbitrator may administer oaths and shall afford all parties full opportunity to examine and cross-examine all witnesses and to present any evidence pertinent to the dispute. Upon conclusion of the hearings the arbitrator has 30 days to present their decision, which is binding on both parties.

According to ORS 243.746 (4), arbitrators shall base their findings and opinions on these criteria giving first priority to the interest and welfare of the public. Secondary priorities are as follows:

- The reasonable financial ability of the unit of government to meet the costs of the proposed contract giving due consideration and weight to the other services, provided by, and other priorities of, the unit of government as determined by the governing body. A reasonable operating reserve against future contingencies, which does not include funds in contemplation of settlement of the labor dispute, shall not be considered as available toward a settlement.
- The ability of the unit of government to attract and retain qualified personnel at the wage and benefit levels provided.
- The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays and other paid excused time, pensions, insurance, benefits, and all other direct or indirect monetary benefits received.
- Comparison of the overall compensation of other employees performing similar services with the same or other employees in comparable communities.
- The CPI-All Cities Index, commonly known as the cost of living.
- The stipulations of the parties.
- Such other factors, consistent with the items above that are traditionally taken into consideration in the determination of wages, hours, and other terms and conditions of employment. However, the arbitrator shall not use such other factors, if in the judgment of the arbitrator the factors in the items above provide sufficient evidence for an award.

Once the arbitrator issues their decision it is binding on both parties. The cost of the arbitrator is usually borne equally by both parties, or paid by the losing party as determined by the collective bargaining agreement. Arbitration can be expensive for both the employer and the Association, not only for the arbitrator, but also for attorney fees and loss of productivity in the workplace.

UNFAIR LABOR PRACTICE

In addition to the grievance process, either the City or an Association can file an Unfair Labor Practice (ULP) directly with the ERB. Under PECBA, it is an unfair labor practice (ULP) for a *public employer* to do any of the following:

- Interfere with, restrain or coerce employees in or because of the exercise of their rights to join a labor organization.
- Dominate, interfere with or assist in the formation, existence or administration of any employee organization.
- Discriminate in regard to hiring, tenure or any terms or condition of employment for the purpose of encouraging or discouraging membership in an employee organization.
- Discharge or otherwise discriminate against an employee because the employee has signed or filed an affidavit, petition or complaint or has given information or testimony under PECBA.
- Refuse to bargain collectively in good faith with the exclusive representative.
- Refuse or fail to comply with any provision of PECBA; ORS 243.650 to 243.782.
- Violate the provisions of any written contract with respect to employment relations including an agreement to arbitrate or to accept the terms of an arbitration award, where previously the parties have agreed to accept arbitration awards as final and binding upon them.
- Refuse to reduce an agreement, reached as a result of collective bargaining, to writing and sign the resulting contract.

PECBA also states that is an ULP for a *public employee or for a labor organization* to do any of the following:

- Interfere with, restrain or coerce employees in or because of the exercise of their rights to join a labor organization.
- Refuse to bargain collectively in good faith with the public employer if the labor organization is an exclusive representative.
- Refuse or fail to comply with any provision of PECBA; ORS 243.650 to 243.782.
- Violate the provisions of any written contract with respect to employment relations, including an agreement to arbitrate or to accept the terms of an arbitration award, where previously the parties have agreed to accept arbitration awards as final and binding upon them.
- Refuse to reduce an agreement, reached as a result of collective bargaining, to writing and sign the resulting contract.
- For any labor organization to engage in unconventional strike activity not protected for private sector employees under the National Labor Relations Act on June 6, 1995. This provision applies to sit-down, slowdown, rolling, intermittent or on-and-off again strikes.
- For a labor organization or its agents to picket or cause, induce, or encourage to be picketed, or threaten to engage in such activity, at the residence or business premises of any individual who is a member of the governing body of a public employer, with respect to a dispute over a collective bargaining agreement or negotiations over employment relations, if an objective or effect of such picketing is to induce another person to cease doing business with the governing body member's business or to cease handling, transporting or dealing in goods or services produced at the

governing body's business.

ULP complaints may be filed no later than 180 days following the conduct that violated the law, or after the claimant became aware of the conduct. Once the complaint is filed, it is reviewed and investigated by an administrative law judge (ALJ). The ALJ will typically provide a copy of the complaint to the opposing party and request that they respond to the allegations in the complaint. Upon reviewing all the information, the ALJ will then either dismiss the complaint or set the case for a hearing.

The fee to submit an ULP to the ERB is \$300.00. If the claimant wins their case, the ERB will order the opposing party to stop its unlawful action and can order a remedy to the violation. The ERB may require the losing party to pay a civil penalty of up to \$1,000 and representation costs to the winning party, in addition to reimbursing a filing fee if paid initially by the winning party.

OVERVIEW OF COLLECTIVE BARGAINING

"Collective bargaining" as defined by PECBA is the performance of the mutual obligation of a public employer and the representative of its employees to meet at reasonable times and confer in good faith with respect to employment relations for the purpose of negotiations concerning mandatory subjects of bargaining. Mandatory subjects of bargaining include, but are not limited to, matters concerning direct or indirect monetary benefits, hours, vacations, sick leave, grievance procedures and other conditions of employment. An example of a mandatory subject of bargain would be elimination of a 4/10 work schedule.

In addition to mandatory subjects, there are also permissive subjects and prohibited subjects. Permissive subjects of bargaining are those that have an insubstantial or de minimis effect on employee's wages, hours and other terms and conditions of employment or those subjects that the ERB has determined to have a greater impact on management's prerogative than on the employee's wages, hours and other terms and conditions of employment. Examples of subjects that have been determined permissive include scheduling of services provided to the public, workload when the effect on duties is insubstantial, and reasonable dress, grooming, and at work personal conduct requirements.

Prohibited subjects include any item which would require either party to do an illegal act or perform an act which is contrary to any other statutory or constitutional provision.

With regards to collective bargaining, both parties develop a team of employees to represent either the Association or Management. Each will select a lead or head negotiator, usually a labor attorney or an expert on PECBA, to be the main spokesperson for the team with the authority to bargain and sign tentative agreements. Typically, the first priority is to establish the ground rules for bargaining. Ground rules set the framework for future bargaining sessions and typically establish an understanding on a variety of topics such as who may attend or be present at bargaining sessions, if they will be audio recorded, establish deadlines and the process for submitting proposals.

Once the ground rules are completed, the parties can begin exchanging proposals on sections of the collective bargaining agreement. PECBA states that the obligation to meet and negotiate does not compel either party to agree to a proposal or require the making of a concession. However, both parties need to bargain in good faith.

PECBA requires that the parties engage in good faith bargaining for a minimum of 150 days however this can be waived upon mutual agreement. If the parties have reached agreement on contract language, both

sign a tentative agreement (TA) specific to that section. Once a TA has been achieved on all open articles or sections of the collective bargaining agreement, the contract is ready for ratification by both parties. Once ratified, the new collective bargaining agreement is distributed to all staff that is required to administer or adhere to the agreement.

If the parties cannot reach agreement, the process can be different depending on whether the bargaining unit is strike prohibited (police and fire) or strike permitted (general employees), which is covered in detail in the next two sections.

COLLECTIVE BARGAINING PROCESS – STRIKE PROHIBITED UNIT (LOPOA and IAFF)

The collective bargaining process for strike prohibited units is as follows:

- **BARGAIN:** Conduct 150 days of good faith bargaining (may be waived by mutual consent).
- **MEDIATION:** At the conclusion of 150 days or upon mutual consent, either party may request mediation.
- **IMPASSE:** After 15 days of mediation, either party may declare impasse. The mediator may also declare impasse at any time during mediation.
- **FINAL OFFER:** Within 7 days of declaration of impasse, both parties must submit final offers, cost summaries and petition to initiate arbitration. Cost summaries must be provided for each item in dispute having economic impact on the employer's budget and must include how costs were calculated.
- **COOLING-OFF PERIOD:** There is a 30 day "cooling off" period.
- **LAST BEST OFFER:** The last best offer from both parties is submitted to the arbitrator at least 14 days before the hearing.
- **ARBITRATION HEARING:** The arbitration hearing is scheduled after the 30 day "cooling off" period.
- **ARBITRATION DECISION:** The arbitrator has 30 days from date of the close of the hearing to submit their decision. The arbitrator may choose one of the two final offers. This is referred to as binding interest arbitration.

COLLECTIVE BARGAINING PROCESS – STRIKE PERMITTED UNIT (LOMEA/AFSCME)

The collective bargaining process for strike permitted units is as follows:

- **BARGAIN:** Conduct 150 days of good faith bargaining (may be waived by mutual consent).
- **MEDIATION:** At the conclusion of 150 days or upon mutual consent, either party may request mediation.
- **IMPASSE:** After 15 days of mediation, either party may declare impasse. The mediator may also declare impasse at any time during mediation.
- **FINAL OFFER:** Within 7 days of declaration of impasse, both parties must submit final offers and cost summaries. Cost summaries must be provided for each item in dispute having economic impact on the employer's budget and must include how costs were calculated.
- **PUBLISHING:** Mediator must publish the final offer and cost summary.
- **COOLING-OFF PERIOD:** After final offers and cost summaries are published there is a 30 day "cooling off" period. There are no strikes permitted during this 30 day period.
- **FACT-FINDING (Optional):** Within 30 days after final offers and cost summaries are published, parties may jointly petition ERB for fact-finding. Fact-finding is identification of the major issues in a particular labor dispute by one or more impartial individuals who review the positions of the parties, resolve factual differences and make recommendations for settlement of the dispute. If fact-finding is petitioned, the 30 day "cooling off" period starts when parties receive the fact-finder

report.

- **STRIKE NOTICE:** The Association must give 10 days' notice of intent to strike to the ERB and the employer by certified mail. The notice must state the reason, list unresolved issues and identify a certain date for commencement of the strike.
- **FINAL STEP:** Employees have the right to strike which means they may refuse, in concerted action with others, to report to duty, or be willfully absent from their position. The employer has the right to implement their final offer. A strike permitted Association and employer may also jointly agree to resolve their labor dispute through binding interest arbitration.

EMPLOYEE COMMUNICATION DURING COLLECTIVE BARGAINING

Under PECBA it is considered bad faith bargaining to negotiate with anyone other than the "exclusive representative" (Association) of the employer designated bargaining team. Therefore, this invites the question about what can be discussed with other management personnel, elected officials and bargaining unit members, regarding negotiations at the bargaining table. It is not appropriate for either side to do or say anything, outside of the official bargaining process, that could be construed as negotiation on issues that are the subject of bargaining. An example of this would be meeting directly with employees about bargaining subjects, revising proposals in response to what the employees said in that meeting, and presenting the revised proposal directly to employees before presenting them in negotiations. If the Association believes the City has acted in such a fashion they can file a ULP with the ERB.

For this reason, it is important for managers and elected officials to decline employee inquiries or engage in discussion with employees about bargaining. This can be difficult at times especially if there is misinformation, speculation and rumors regarding bargaining being spread in the organization. Managers and elected officials should instead direct employees to their bargaining representative. It is safe to communicate purely factual information about management's position on issues in bargaining and what one understands is the management's or the union's position on the bargaining issues. However, this must be done with extreme caution due to perceptions about directly bargaining with employees.

ELECTED OFFICIALS ROLE IN COLLECTIVE BARGAINING

The Mayor and City Council make the policy decisions regarding collective bargaining. They provide the policy direction and empower the management bargaining team to deliver that message during negotiations. If agreement can not be reached, then Council is updated in Executive Session and is able to revise their recommendations or hold firm.

It is important that elected officials maintain a "big picture" perspective and do not become involved with the exact wording of the language or communicate directly with Association representatives. Being accessible to the Association or present at the bargaining table can undermine the role of the lead negotiator, as the Association will always look to the elected official for their answer or final say. This often puts the elected official on the spot, without the opportunity to discuss the issue in a larger context or with other elected officials, reduces their flexibility throughout the bargaining process, and can undermine the management team's efforts.

FISCAL IMPACT

The fiscal impact of labor relations can be significant. The cost to process grievances, arbitration and ULP's can be costly in terms of time, lost productivity and attorney fees. To that end, it is important that the contract language is clear and adhered to. Bargaining also has an impact on fiscal resources. The time it takes to prepare and bargain at the table is exhaustive. Having good legal counsel is imperative and a good

investment, as PECBA can be complicated and there are areas where costly missteps can occur throughout bargaining process, if one is not knowledgeable or familiar with the formal procedures and complexities of labor relations.

Associations also have fiscal considerations. With limited exceptions, as provided in the collective bargaining agreement or in the ground rules, they are not allowed paid time to prepare for bargaining. Most of their work and research is off-duty. They also typically rely upon legal counsel to ensure they are following PECBA rules and to ensure they do not inadvertently engage in any ULP's.

CONCLUSION

The City will engage in collective bargaining starting in early 2012, as all three collective bargaining agreements expire at the end of June. Bargaining can be a stressful time in an organization, even in years where budgets are not constrained, for multiple reasons. First, both sides have expectations and perceptions of what successful negotiations will achieve. More often than not, those expectations are not aligned. Associations have to struggle with balancing the needs and wants of a variety of employees and issues. Management has the pressure to balance fiscal responsibility with the expectations of elected officials and the public, while still attracting and retaining a talented and professional workforce. Coming to a consensus on wages and benefits in that environment can be difficult at best.

Second, as mentioned above, communication is limited. Rumors and misperceptions about Management's or the Association's position at the bargaining table can foster angst between employees and managers.

Third, wages and benefits are personal to employees but generally are business decision for employers. This can be a tough perspective to balance. Health insurance is a good example. Although employers want to offer quality health insurance at affordable rates to employees, the rising cost of health insurance constantly makes that a tough compromise between providing that benefit over providing services.

Finally, the City has three different and distinct collective bargaining units, in addition to approximately 73 unrepresented staff. Each group may attempt to bargain different aspects of their respective collective bargaining agreements. Determining what is acceptable for each employee group, while being 'fair' to the others, can be a challenge for management and elected officials. This is particularly difficult when two of the three Associations are required to go to binding arbitration, where there is a 50/50 chance that the City's last final offer will be selected by the arbitrator.

Nevertheless, maintaining positive labor relations is important and our relationship with our Associations is long term. The City's current environment with all three Associations is positive and we're fortunate in that regard. The LMC's have led to improved communication and frequently results in resolving issues before they escalate. Maintaining labor relations is time consuming and does take work by both parties but the outcome not only benefits the organization but also the community.

FREQUENTLY ASKED QUESTIONS

Q: What is PECBA?

A: PECBA stands for the Public Employee Collective Bargaining Act (PECBA) and was established on October 5, 1973. PECBA establishes a collective bargaining process for Oregon's public employers and unions representing public employees. This includes employees that work for the state, counties, cities, school districts, special districts, and other local governments.

Q: How many labor groups does the City of Lake Oswego have?

A: The City has three labor groups: the Lake Oswego Police Officers Association (LOPOA), the International Association of Fire Fighters (IAFF), and the Lake Oswego Municipal Employees Association (LOMEA) which is formally affiliated with the American Federation of State, County and Municipal Employees (AFSCME). Each labor group has their own collective bargaining agreement with the City of Lake Oswego, which set forth the sole and full agreement between the parties concerning wages, hours and conditions of employment.

Q: What employee groups are strike *prohibited*?

A: The following employees groups are strike prohibited: police officers, firefighters, deputy district attorneys, emergency telephone workers, guards at a correctional institution or mental hospital, parole and probation officers, employees of mass transit districts and municipal bus systems, and employees of the Oregon Youth Authority who have custody, control, or supervision of youth offenders

Q: What is a confidential employee?

A: According to PECBA, a confidential employee is "one who assists and acts in a confidential capacity to a person who formulates, determines and effectuates management policies in the area of collective bargaining." The City currently has eight full time employees and one part-time employee that fall under this definition. It's important to mention that just because an employee handles confidential information does not make them a confidential employee. Their confidential status is directly related to their involvement in the area of collective bargaining.

Q: What are examples of "bad faith" bargaining?

A: Examples of bad faith bargaining includes, but is not limited to, the following:

- Conditioning an agreement on the withdrawal of a grievance, ULP, or the other parties request for mediation.
- Unless otherwise agreed to in writing, withdrawing tentative agreements without good cause.
- Proposing prohibited subjects of bargaining.
- Violating the agreed upon ground rules.
- Striking over, or taking to interest arbitration, a permissive subject of bargaining.

Q: What can management and elected officials communicate to employees during bargaining?

A: It is safe to communicate purely factual information about management's position on issues in bargaining and what one understands to be management's or the union's position on the bargaining issues.

However, this must be done with extreme caution due to perceptions about directly bargaining with employees. Under PECBA, it is considered bad faith bargaining to negotiate with anyone other than the “exclusive representative” (Association) of the employer designated bargaining team.

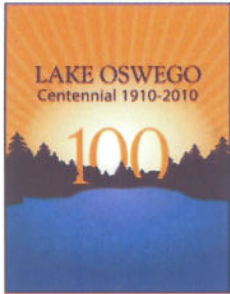
Q: Where are the City’s collective bargaining agreements located?

A: All three collective bargaining agreements can be found on the City’s website on the HR department page: http://www.ci.oswego.or.us/hum-res/union_contracts.htm. A printed copy of all three collective bargaining agreements can also be requested from the HR department.

REFERENCES

State of Oregon. Public Employee Collective Bargaining Act (PECBA). ORS 243.650 – 243.782.

State of Oregon. 2011. "Overview of Oregon's Public Employee Collective Bargaining Act (PECBA)." Available at: <http://www.oregon.gov/ERB/PECBAOverview.shtml>



MEMORANDUM

TO: Mayor and City Council Members

CC: Alex McIntyre, City Manager
David Donaldson, Assistant City Manager

FROM: Dale Jorgensen, Captain, Lake Oswego Police Department
Larry Goff, Assistant Chief, Lake Oswego Fire Department

SUBJECT: Information to Council on Regional Radio System Partnership

DATE: September 19, 2011

PURPOSE:

To inform the City Council of the activities of the Regional Radio System Partnership. No action is required at this time, but staff wants to inform the City Council on the status of our radio system and timelines for replacement or upgrade of our radio system. We also want to ensure Council is informed of this prior to the release of information to the general public. Information from the current Regional Radio System Partnership and their consultants will be released to government officials in the region.

BACKGROUND:

The City of Lake Oswego joined the Clackamas 800 Radio Group (C800) under an intergovernmental agreement in 2000. The system went live in 2002, and the City of Lake Oswego Police, Fire, and Public Works fully migrated to the system in 2005. Since that time, Lake Oswego users have had seamless interoperability with their public safety partners in the Portland Metro Area. Today a Lake Oswego firefighter can talk directly to a Lake Oswego police officer; a Lake Oswego police officer and a Tigard police officer can talk directly to each other; a Lake Oswego Battalion Chief can have mutual aid units from both the Portland Fire Bureau and TVF&R respond to a fire in Lake Oswego, and talk directly to them by radio. Prior to joining C800, our City police and fire departments were unable to have direct radio contact with each other or surrounding agencies.

The Clackamas 800 Radio Group is one of four Motorola 800 MHz Trunked, simulcast, analog public safety voice and data radio systems serving the Portland/Vancouver region. The four existing systems are operated by the City of Portland, Clark Regional Emergency Services

Agency, Washington County Consolidated Communications Agency (WCCCA), and C800 who partners with WCCCA to provide key system components and maintenance.

These systems are in various stages of their life cycles with the Portland and WCCCA systems originating in the early 90's. All need upgrades and/or replacement to move into the future. Most of the systems can be maintained for another five years before being at a critical juncture; however, they are in need of immediate repairs and upgrades to allow for continued use. Technical staff with each system has needed to make critical upgrades and/or purchase used components to have enough spare parts to maintain operability of the system. While our technical staff has many resources and contacts with other radio system operators/users, they still have needed to make purchases from third party sources, including eBay, to obtain parts to fix critical components.

As the systems aged, the current vendor (Motorola) started announcing end of life for system components. Technology evolved (P25 standards, digital trunked systems, etc.) and the regional system operators and users focused on end of life issues and planning for future direction. In Lake Oswego, as a system user and Board member of the C800 Radio Group, staff has been informed on the status of regional developments and has included potential costs projections in the Capital Improvement Plan.

In 2008, the radio systems in the area joined, via an intergovernmental agreement, to explore options for upgrading and/or replacing the current Motorola 800 MHz systems. The group was identified as the Regional Radio System Partnership (RRSP). The RRSP, with the assistance of the City of Portland, applied for a Public Safety Interoperable Communications Grant to evaluate the current environment and recommend a conceptual design and business model for moving forward. The firm of IXP Corporation was engaged to conduct a study of current systems and produce a strategic plan for the future.

ISSUE:

The consultant's report will be released to stakeholders over the next 90 days. Given the similarity to the State of Oregon's OWIN (Oregon Wireless Interoperability Network) project which also sought to replace and upgrade several state owned radio systems, the RRSP believes transparency is paramount. The RRSP would like to get the information contained in the consultant's report out to all stakeholders and their elected officials. The decisions that lay ahead are fraught with challenges including: funding, providing a critical system component to first responders across the region, maintaining regional interoperability, and developing regional cooperation.

The final deliverable is a report that outlines a collective upgrade and/or replacement of the

region's radio systems with a single regional digital 700/800 MHz Project 25 Phase 2 system. The documents detail an overall estimated cost of \$374.6 million for capital costs and \$11.8 million for annual operation and maintenance costs.

FREQUENTLY ASKED QUESTIONS:

How much will this cost the City of Lake Oswego?

The overall cost to the City is still unknown. It's obviously a significant amount for all agencies involved. If it remains at this level new funding strategies would have to be developed as most agencies would not be able to shoulder their portion of the costs. As stakeholders in the region evaluate the recommendation and come to consensus on the future direction, staff will report on options and costs being proposed for the entire system and how they translate to the City of Lake Oswego.

Is there grant money available to complete any of this?

The consultant's report was the result of a Public Safety Interoperable Communications (PSIC) grant. While grant funding has assisted in the region with some system components, and facilitated dialogue and partnerships among system users, there will be a dramatic need for even more replacement of equipment and infrastructure components over the next 5-10 years. Many groups in the region have looked for grant opportunities and have secured some funding for various projects and components, and will continue to do so; however, given the current economic situation across the United States; it is unlikely that grant funding will be plentiful.

Is this the direction we must go?

Staff is diligent in participating in the regional dialogue. Staff recommends a regional approach to radio system replacement in the next 5 to 10 years; so interoperability is not lost and economies of scale mitigate system operators' and users' costs.

How much input does the City of Lake Oswego have in this decision?

The City of Lake Oswego is a partner in the C800 Radio Group and has a vote on the governing board. At this time, the C800 Radio Group has an IGA with the Regional Radio System Partnership to consider upgrades and/or replacement of the current systems. There is not a current IGA that ties the City of Lake Oswego or any other user to a specific future path or funding. Any new IGA would be brought before the City Council.

How does this relate to the State OWIN project I've read about?

The Portland region has operated their own radio systems, independent of any of the State's radio systems, for decades; often loaning radios to State agencies so they could communicate directly with resources in the Portland Metro area. This region has upgraded and migrated as technology has changed. The State OWIN project is replacing/upgrading and enhancing their three primary radio systems (State Police, State Forestry, and State Corrections) to be compliant with narrow banding and modernization of some antiquated, unreliable equipment. The last legislative session saw the OWIN project downsized substantially and renamed the Oregon Department of Transportation's State Radio Project. The emphasis is now on repairing and modernizing rather than building new systems.

How does this relate to 9-1-1 or LOCOM?

Regardless of where first responders (law, fire, or public works) are dispatched, the radio system infrastructure and end user equipment has to be in place. LOCOM provides the service of answering 9-1-1 calls, non-emergency calls, dispatching and tracking resources. LOCOM does not own or operate a radio system.

Can the 9-1-1 tax revenue be used to pay for the radio system?

Current statute allows for 9-1-1 funds distributed to cities and counties to be used for up to 50% of certain radio system costs; however, current 9-1-1 funds account for approximately 25% of the cost of operating a public safety answering point. So, while some funds could go for this purpose, it would be at the expense of the current use of the funds. The City of Lake Oswego currently uses all distributed 9-1-1 tax funds to support the personnel expense associated with 9-1-1 call taking. This is the primary use of the funds throughout the State of Oregon.

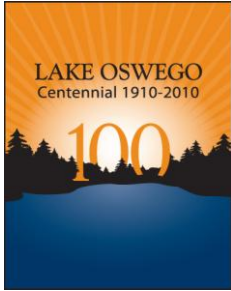
Who will this impact?

All municipalities, counties, and districts that use any of the current 800 MHz public safety radio systems in our region (examples....Cities of West Linn, Lake Oswego, Beaverton, Vancouver, Hillsboro, Portland; Clackamas County, Canby Fire District, Washington County, TVF&R, etc.) Within the individual entities, the various disciplines who use radio communications: police, fire, public works, etc., will be impacted.

Why does this equipment have such a short life cycle compared to older systems?

Radio systems have migrated from equipment (transmitters, receivers, repeaters, base stations) that would last 40 years to a computer (digital, trunked, standards based, interoperable, and non-proprietary.) A simple comparison might be the changes in the last 30 years to phone service: wire line phones, to portable phones, to wireless phones, to wireless smart phones.

We hope this gives you some information on what the future holds for our radio system. Although still undetermined on what to do, we are committed to making sure the City is protected from a public safety standpoint as well as being fiscally responsible.



MEMORANDUM

TO: Mayor Jack D. Hoffman
Members of the City Council

CC: Alex D. McIntyre, City Manager

FROM: Erica Rooney, P.E., Assistant City Engineer
Anthony Hooper, Management Analyst

SUBJECT: End-of-Year Report for CIP Projects and New Quarterly Reporting Document

DATE: September 21, 2011

On September 13, the Finance Department presented the preliminary annual financial information for the 2010-11 fiscal year. The attached Capital Infrastructure Plan (CIP) project documents are intended to provide additional unaudited end-of-year information. The CIP Spending Graphs communicate how much has been expended for FY 2010-11 as compared to what was budgeted for that year. In addition, the Engineering Project Schedule is included to pinpoint where the project is in the capital delivery process and to indicate when a project will be finished.

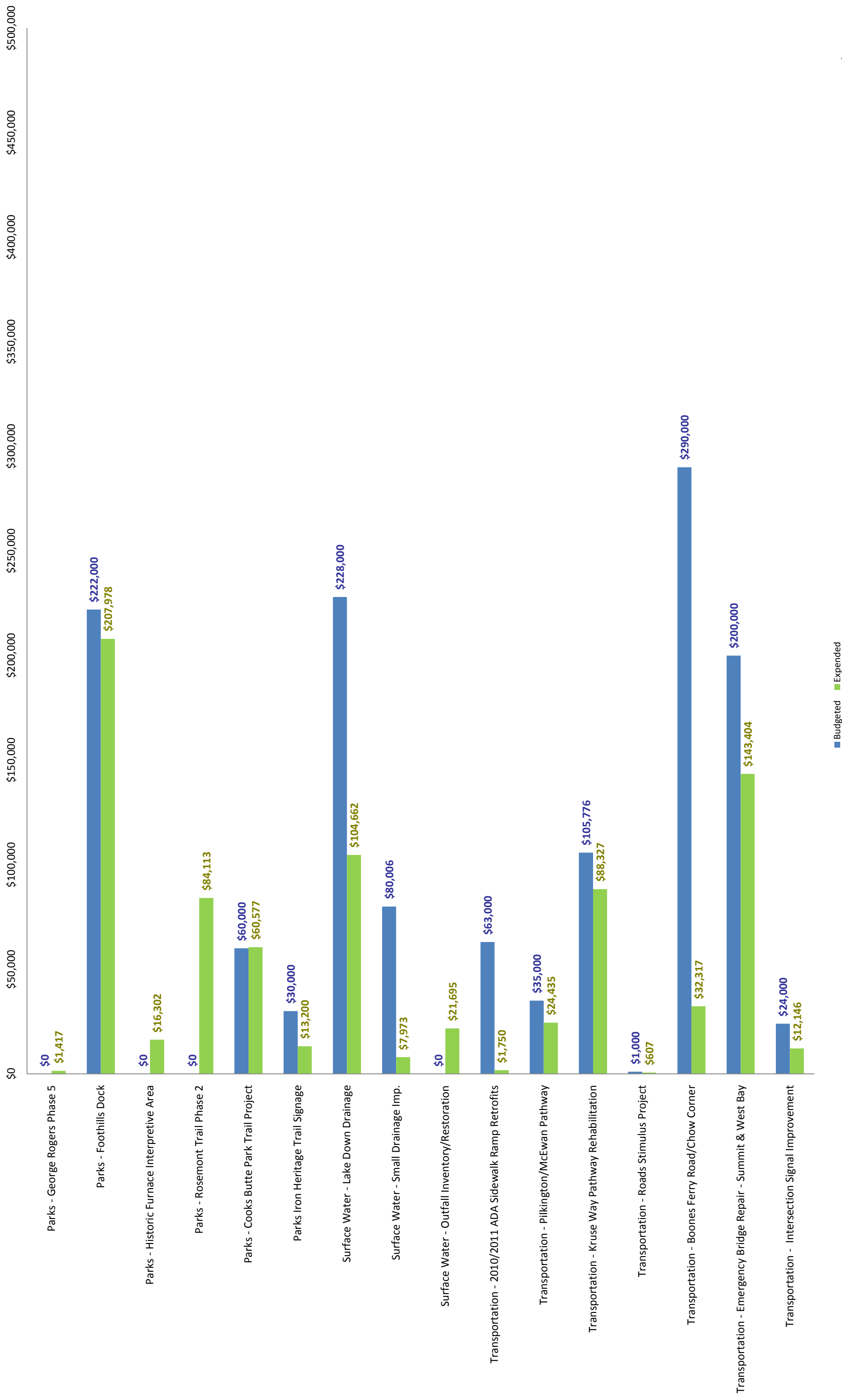
In FY 2010-11, the City completed 17 projects. Yet, there are several projects that were budgeted and were not completed for a variety of reasons, such as staff being reallocated to work on the unanticipated ACC landslide. The Engineering Division is continuing to refine the balance between existing staff capacity and capital infrastructure needs. The previous CIP document was not evolved enough to take staff capacity into account; however, capacity was considered for the FY 2011-12 CIP.

In response to requests for more detailed reporting, the Public Works and Finance Departments will provide a new project report for the quarterly reviews. An example of the new detailed CIP project report is attached. The example report does not yet include FY 2011-12 information, since wages and other key information is inputted into the financial system on a quarterly basis. The report is only meant to illustrate the reporting tool that will be made available in the first quarter financial report to Council in early November. This new report will tie the Budgeted and Year-to-Date numbers directly to the FY 2011-12 Budget, CIP document, and to the Capital Outlay Expenditure line in the Budget Summaries. The Engineering Project Schedule and CIP Spending Graphs will also be included in the first quarter report.

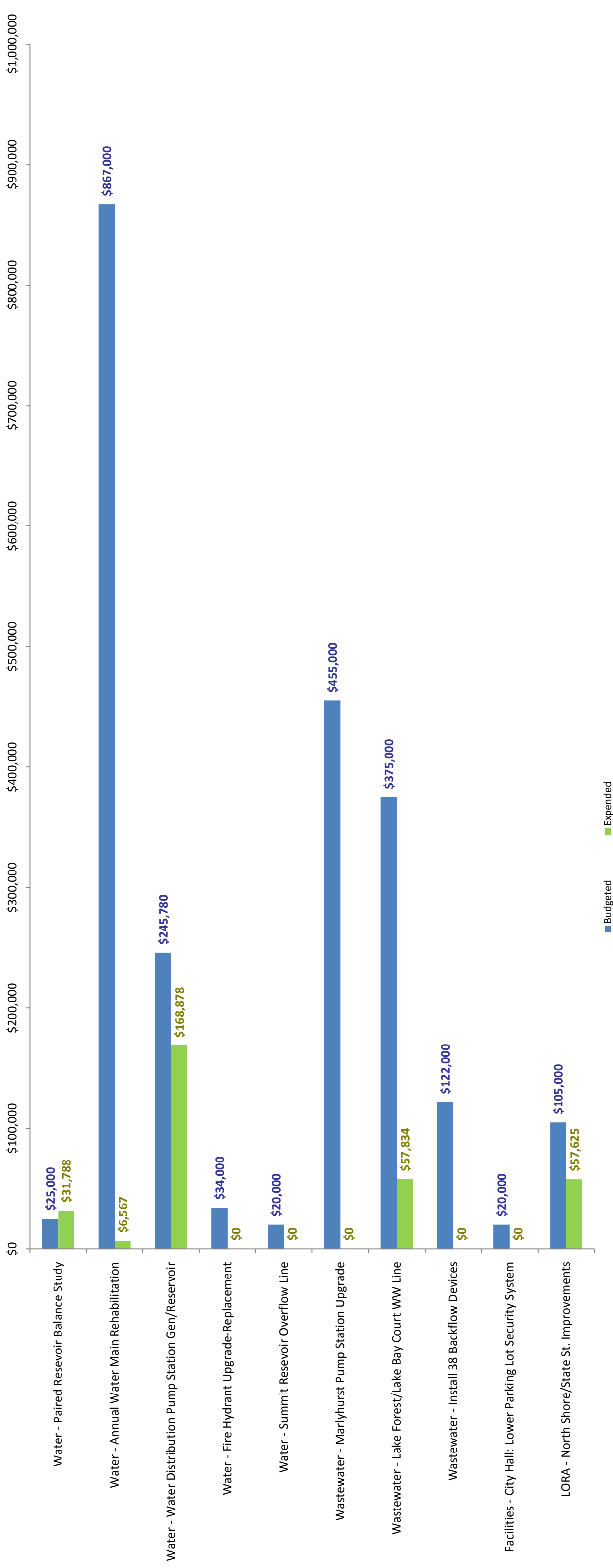
Attachments

Engineering Construction Services – Composite Project Schedule
FY 2010-11 End-of-Year CIP Spending Graphs
Example of New CIP Project Report

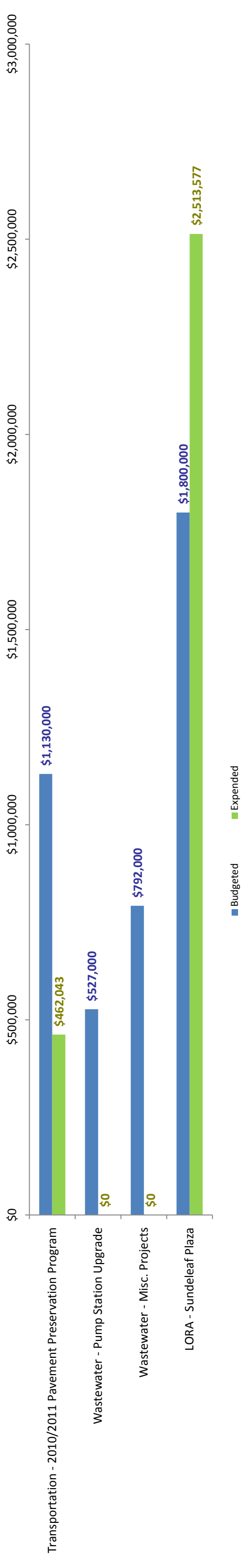
FY 2010-11 End-of-Year CIP Spending: Projects Under \$500,000



FY 2010-11 End-of-Year CIP Spending: Projects Under \$500,000 (Continued)



FY 2010-11 End-of-Year CIP Spending: Projects Over \$500,000



Example of New Capital Improvement Plan (CIP) Project Report

Fund	Project Type	Project Name	FY 2011-12				Total Project Information as of 9/15/2011					
			FY 11-12 Budgeted (A)	FY 11-12 Actual Expended	Total Encumbered	% of Expended/ Encumbered vs. Budgeted	Prior FY Actuals (FY 08-9, FY 09-10, etc.) (B)	Future Cost (Projected in CIP) (C)	Original Estimate (Based on Est. of 1st Time in Any CIP)	Revised Estimate (A + B + C or documented*)	Expended Project-to-Date	% of Expended/ Encumbered vs. Revised Estimate
Parks SDC	Parks	Rosemont Trail Phase 2	\$450,000			0.0%	\$166,307	\$0	\$520,000	\$616,307	\$166,307	27.0%
Tourism	Parks	Iron Heritage Trail Signage	\$17,000			0.0%	\$13,200	\$0	\$30,000	\$30,200	\$13,200	43.7%
Street	Roadways	2011-12 Annual Pavement Preservation Program	\$975,000			0.0%	\$58,315	\$0	\$975,000	\$975,000*	\$58,315	6.0%
Street	Roadways	A Avenue Rehabilitation Project	\$220,000			0.0%	\$0	\$1,180,000	\$1,400,000	\$1,400,000	\$0	0.0%
Street	Roadways	Mountain Park Street Lighting Conversion	\$50,000			0.0%	\$0	\$150,000	\$200,000	\$200,000	\$0	0.0%
Street	Roadways	Lake Grove Village Center Improvements - Engineering Study	\$250,000			0.0%	\$0	\$0	\$250,000	\$250,000	\$0	0.0%
Street	Pathways	Boones Ferry Road/Chow Corner	\$195,000			0.0%	\$41,666	\$0	\$100,000	\$236,666	\$41,666	17.6%
Bicycle	Pathways	Kruse Way Pathway Rehabilitation	\$68,000			0.0%	\$88,327	\$0	\$100,000	\$189,000*	\$88,327	46.7%
Street	Pathways	Pilkington/McEwan Pathway	\$20,000			0.0%	\$30,790	\$0	\$80,000	\$50,790	\$30,790	60.6%
Assessment	Pathways	2011-12 ADA Sidewalk Ramp Retrofits	\$90,000			0.0%	\$0	\$0	\$90,000	\$90,000	\$0	0.0%
Water	Water	2011-12 Water Main Rehabilitation	\$900,000			0.0%	\$0	\$0	\$900,000	\$900,000	\$0	0.0%
Water	Water	2011-12 Fire Hydrant Upgrade- Replacement	\$34,000			0.0%	\$0	\$0	\$34,000	\$34,000	\$0	0.0%
Surface Water	Surface Water	2011-12 Maintenance for Past Stream Restoration Projects	\$30,000			0.0%	\$0	\$0	\$30,000	\$30,000	\$0	0.0%
Surface Water	Surface Water	2011-12 Catch Basin Retrofit	\$77,000			0.0%	\$0	\$0	\$77,000	\$77,000	\$0	0.0%
Surface Water	Surface Water	2011-12 Outfall Inventory/Restoration	\$77,000			0.0%	\$0	\$0	\$77,000	\$77,000	\$0	0.0%
Surface Water	Surface Water	2011-12 Small Drainage Imp.	\$105,000			0.0%	\$0	\$0	\$105,000	\$105,000	\$0	0.0%
Wastewater	Wastewater	2011-12 Wastewater Pipeline Rehabilitation	\$200,000			0.0%	\$0	\$0	\$200,000	\$200,000	\$0	0.0%
Wastewater	Wastewater	Install 38 Backflow Devices	\$100,000			0.0%	\$0	\$0	\$122,000	\$100,000	\$0	0.0%
Wastewater	Wastewater	Iron Mountain Sanitary Sewer & Pedestrian Bridge	\$140,000			0.0%	\$0	\$0	\$140,000	\$140,000	\$0	0.0%
Wastewater	Wastewater	Lake Forest/Lake Bay Court WW Line	\$100,000			0.0%	\$63,344	\$0	\$500,000	\$163,344	\$63,344	38.8%
Wastewater	Wastewater	Wastewater Imp - Vicinity of First and Second Street Alley Way	\$300,000			0.0%	\$0	\$0	\$311,000	\$300,000	\$0	0.0%
Wastewater	Wastewater	Woodside Circle Wastewater Improvements	\$100,000			0.0%	\$0	\$0	\$118,000	\$100,000	\$0	0.0%
General	Facilities	Adult Community Center Slope Stability	\$350,000			0.0%	\$0	\$0	\$350,000	\$750,000*	\$0	0.0%
Tourism	Facilities	Iron Worker's Cottage	\$70,000			0.0%	\$0	\$0	\$200,000	\$70,000	\$0	0.0%
General	Misc. Capital	City Website Redesign	\$80,000			0.0%	\$0	\$0	\$80,000	\$80,000	\$0	0.0%

Example of New Capital Improvement Plan (CIP) Project Report

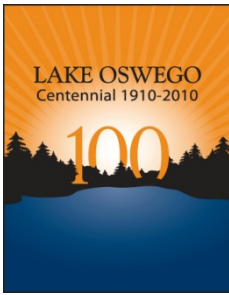
Fund	Project Type	Project Name	FY 2011-12				Total Project Information as of 9/15/2011				
			FY 11-12 Budgeted (A)	FY 11-12 Actual Expended	Total Encumbered	% of Expended/ Encumbered vs. Budgeted	Prior FY Actuals (FY 08-9, FY 09-10, etc.) (B)	Future Cost (Projected in CIP) (C)	Original Estimate (Based on Est. of 1st Time in Any CIP)	Revised Estimate (A + B + C or documented*)	Expended Project-to-Date
General	Misc. Capital	Incode	\$83,000			0.0%	\$0	\$0	\$83,000	\$0	0.0%
General	Misc. Capital	LOCOM Console Update Replacement	\$38,000			0.0%	\$0	\$0	\$38,000	\$0	0.0%
% for Art	Misc. Capital	Public Art Purchases	\$12,000			0.0%	\$0	\$0	\$12,000	\$0	0.0%
General	Large Capital	Fire - Vehicle Replacement	\$32,000			0.0%	\$0	\$0	\$32,000	\$0	0.0%
Wastewater	Large Capital	Operations - Annual Small Truck Replacement	\$35,000			0.0%	\$0	\$0	\$35,000	\$0	0.0%
Wastewater	Large Capital	Operations - Camera Van Replacement	\$350,000			0.0%	\$0	\$0	\$350,000	\$0	0.0%
Water	Large Capital	Operations - Generator 150 Kw Standby	\$76,000			0.0%	\$0	\$0	\$76,000	\$0	0.0%
Wastewater	Large Capital	Operations - Generator 40 Kw Standby	\$21,000			0.0%	\$0	\$0	\$21,000	\$0	0.0%
Surface Water	Large Capital	Operations - Woodchipper	\$33,000			0.0%	\$0	\$0	\$33,000	\$0	0.0%
General	Large Capital	Park - Mower Replacement	\$84,000			0.0%	\$0	\$0	\$84,000	\$0	0.0%
General	Large Capital	Park - Truck Replacement	\$50,000			0.0%	\$0	\$0	\$50,000	\$0	0.0%
General	Large Capital	Police - Vehicle Replacement Schedule	\$113,000			0.0%	\$0	\$0	\$113,000	\$0	0.0%
Total			\$5,925,000	\$0	\$0	0.0%					

* A Avenue estimate includes FY 2010-11 design built in; Kruse Way Pathway estimate was revised in June 2011 in a Memorandum; ACC Estimate was revised in Council Report for 9/16/2011 Council Meeting.

Capital Expenditure Summary by Fund

Fund	FY 2011-12 Budget	FY 2011-12 Expended	% of Budget
General Fund	\$830,000		0.0%
Tourism	\$87,000		0.0%
Percent for Art	\$12,000		0.0%
Street	\$1,710,000		0.0%
Assessment Project	\$90,000		0.0%
Bicycle/Pathway	\$68,000		0.0%
Water	\$1,010,000		0.0%
Wastewater	\$1,346,000		0.0%
Surface Water	\$322,000		0.0%
Parks SDC	\$450,000		0.0%
Total	\$5,925,000	\$0	
Fund	FY 2011-12 Budget	FY 2011-12 Expended	% of Budget
* LO-Tigard Partnership	\$13,910,000		0.0%
* Water SDC - LO-Tigard	\$270,000		0.0%
* LOIS Project	\$4,025,000		0.0%
Total	\$18,205,000	\$0	

* LO-Tigard Partnership and the LOIS project are reported separately.



MEMORANDUM

TO: Alex D. McIntyre, City Manager

CC: Joel Komarek, Project Director, Lake Oswego Tigard Water Partnership

FROM: Jane Heisler, Communications Director, Lake Oswego Tigard Water Partnership

SUBJECT: LOIS Wastewater Odors

DATE: September 20, 2011

Background:

This summer, the City and the Lake Corporation received complaints about wastewater odors coming from manholes associated with the new LOIS system and its trunk lines. These reports have been from a variety of manhole locations around the lake.

The LOIS team is currently in the process of addressing these concerns. We requested that Brown and Caldwell, the LOIS design engineering firm, conduct an odor sampling effort in August 2011. Recently a discussion was held with the engineer who conducted and evaluated the odor sampling. The engineer evaluated the odor sources, odor levels, and developed possible long and short term odor-control solutions.

Additional analysis needs to be done before decisions are made regarding the appropriate type of longer term solutions.

Below is a brief description of why these odors are being detected and how they can be eliminated.

Causes of collection system odors:

The major cause of odors in wastewater is hydrogen sulfide (H₂S) a gas that is noticeable to people at very low concentrations. It has somewhat of a "rotten egg" smell and is heavier than air so it doesn't readily float away into the atmosphere.

Excessive odors can be caused when there is a low slope to the sewer—something LOIS has always had (the interceptor replacement is at the same slope as the old wastewater line). Residents have commented on odors before, and they did exist, but appear to be more noticeable now. Other causes include the number of pipes that connect in a given location as well as pipeline diameter constrictions. All of these conditions create air pressure that builds up in the top of the pipe, which rises and falls during the day.

Why does it smell worse now than it did before?

For one thing, there are fewer manholes with the new system, resulting in greater concentrations of odor

at manholes. While the system was designed with preventing odors in mind, (e.g., wastewater residence time within LOIS, smooth transitions through manholes to reduce energy loss and turbulence were considered) the longer lengths of pipe with no intervening manholes may contribute to the problem. Another reason is that the trunk lines heading into the interceptor have been replaced with larger trunk lines that allow air to migrate upstream, which is why reports of odors at Forest Hills and Springbrook, for example, are being received. Other areas have manholes where none existed before, i.e., Maple Circle. Odors will generally be higher in the summer when wastewater temperatures are higher and flows are lower, resulting in more 'headspace' in the pipe filled with more air.

What are the solutions?

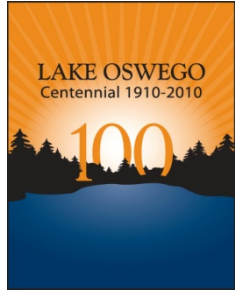
Different solutions will likely be recommended for different locations. For example, at the new manholes near the Maple Circle sump, ordering and installing odor control modules to the manholes should be very effective and will be done quickly and relatively inexpensively. The modules fit beneath the top of the manhole and are designed to take advantage of the air pressure in the system, which will push air up through the unit, an odor adsorbing carbon canister. The carbon in these units is replaced every 3 to 22 months, depending on conditions.

Longer term, it is likely that a chemical feed system will need to be installed near the west end of the lake. This type of system oxidizes odor-causing compounds and would be effective well downstream. In the Foothills area, it may be necessary to install chemical feed or an "air scrubber" near the vicinity of the Willamette Pump Station. The additional studies being performed now will help inform these decisions.

When can the solutions be installed?

The manhole odor modules are being ordered soon. Review continues regarding dosing for a chemical feed system as well as a potential scrubber in the Foothills area. Including planning, design and land use permitting, these are longer term solutions that could be installed within the next nine to twelve months.





380 A Avenue
PO Box 369
Lake Oswego, OR 97034

503-635-0270
www.ci.oswego.or.us

MEMORANDUM

TO: Mayor Jack D. Hoffman
Members of the City Council
City Manager Alex McIntyre

FROM: Denny Egner, AICP, Assistant Planning Director

SUBJECT: Metro Title 4 Compliance

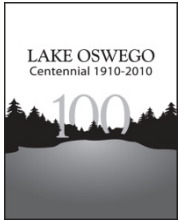
DATE: September 21, 2011

On October 10, 2011, the Planning Commission is scheduled to hold a public hearing on proposed code amendments that are intended to bring the City's Development Code into compliance with Title 4 of the Metro Urban Growth Functional Plan. Title 4 addresses employment and industrial land and includes regional requirements for the protection of these lands for industries and intensive employment purposes. Title 4 includes a map that identifies significant industrial and employment areas throughout the region. In Lake Oswego, the Title 4 designation includes land zoned CR&D (Campus Research and Development), IP (Industrial Park), and MC (Mixed Commerce). GC (General Commercial) and HC (Highway Commercial) properties are specifically exempted from the Title 4 requirements.

For Lake Oswego, the primary limitation required by Title 4 is a limitation on the size of retail uses within employment areas. The intent is to restrict large shopping centers and big box stores in these areas. In 2010 as part of an effort to correct a Metro mapping error along Kruse Way, the City amended the CR&D zone to comply with Title 4 by adding language to limit retail uses to no more than 20,000 sq. ft. in floor area. Inadvertently, it was not understood that the same Title 4 requirement also applied to the IP and MC zoning districts. We are now proposing that the same limitations be applied to these zones.

In reality, the Title 4 limitations have little impact on Lake Oswego businesses. Large scale commercial uses are currently not allowed in the IP district and general retail uses in the MC zone already have a square footage limitation that complies with Title 4. The proposed changes put in place square footage limitations on the permitted retail uses that currently do not have a limitation in place. The recently adopted IP Overlay zone was developed in compliance with Title 4 and already includes the limitations. The proposed changes to the IP district put these same limitations in place for the remainder of the IP district.

A copy of the notice that was sent to property owners and businesses in the IP and MC zones is attached.



NOTICE OF LEGISLATIVE PUBLIC HEARING PLANNING COMMISSION

DATE MAILED: SEPTEMBER 20, 2011
STAFF PERSON: ANDY GULIZIA, (503) 675-3732

This is to notify you that the City of Lake Oswego has proposed a land use regulation that may affect the permissible uses of your property and other properties.

On Monday, October 10, 2011, at 6:30 p.m., the Lake Oswego Planning Commission will hold a public hearing regarding the adoption of proposed Ordinance No. 2575, file LU 11-0028, a request from the City of Lake Oswego for amendments to the Lake Oswego Community Development Code (CDC) to limit the sizes of specified retail uses in the Mixed Commerce (MC) and Industrial Park (IP) zones. The proposed amendments will bring the City into compliance with Title 4 of Metro's Urban Growth Management Functional Plan. The MC and IP zones are located within an Employment District on Metro's Title 4 map.

The hearing will be held in the Council Chamber, Lake Oswego City Hall, located at 380 A Avenue, Lake Oswego, OR 97034.

Required Notice Language

The City of Lake Oswego has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

The language in the above notice regarding how these ordinances may affect your property is required by state law (ORS 227.186). The City has not determined that these particular ordinances will reduce the value of your property. Any change to permitted land uses may reduce or increase your property value, depending upon various factors.

Proposed Ordinance No. 2575 is available for review in the Department of Planning & Building Services on the 3rd floor, at City Hall, 380 A Avenue, or may also be reviewed and downloaded at the following website:

<http://www.ci.oswego.or.us/plan/casef.htm>

Select LU 11-0028

Copies of the ordinance are available for purchase at a cost of \$0.25 per page. For additional information concerning this ordinance you may call the Department of Planning & Building Services at (503) 675-3730.

The proposed Ordinance may affect the use of property as follows:

The following uses would not be allowed to exceed 20,000 sq. ft. of floor area in the MC Zone:

- Delicatessens with no table service.
- Specialized food stores.
- Bakeries (where baked foods manufactured elsewhere are sold on the premises).
- Restaurants (with or without associated lounge).
- A bar or cocktail lounge not associated with a restaurant use with retail malt beverage license.

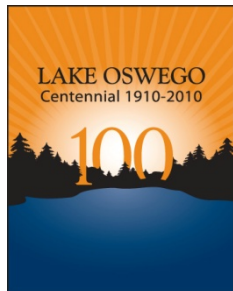
The following uses would not be allowed to exceed 20,000 sq. ft. of floor area in the IP Zone:

- Incidental retail uses.
- Retail establishments which directly and primarily provide goods and services to employees and businesses.
- Retail sales of tires, batteries and motor vehicle accessories.

The Property Owner is further advised that:

1. The above description of the proposed ordinance and its affect on property may change prior to adoption, as the hearing body takes into account testimony and evidence from the public and City staff. You are encouraged to attend the public hearing because revisions to the proposed ordinance are possible.
2. The language in the above notice that the City “has determined that adoption of this ordinance... may affect the permissible uses of your property and other properties” is required by statute. This language means that any change to permitted land uses may reduce property value. The City has not determined that this particular ordinance will reduce the value of your property. Any change to permitted land uses may reduce or increase your property value, depending upon various factors.

A second public hearing will be held by the City Council following the Planning Commission’s public hearing. No additional mailed notice will be sent unless you either appear at the time of the Planning Commission’s public hearing and file a written request for notice or submit a written request in person or by mail to the Lake Oswego Planning Commission, Attn: Iris McCaleb, 380 A Avenue, PO Box 369, Lake Oswego, OR 97034 prior to the Planning Commission’s decision and request notice of the public hearing before the City Council. A tentative date for the City Council’s public hearing will be announced during the Planning Commission’s public hearing and may be obtained following the meeting by contacting Iris McCaleb at (503) 697-6591.



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Lake Oswego, OR 97034

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www.ci.oswego.or.us

MEMORANDUM

TO: Mayor Jack D. Hoffman
Members of the City Council
City Manager Alex McIntyre

FROM: Denny Egner, AICP, Assistant Planning Director

SUBJECT: Transportation Planning Rule and Oregon Highway Plan Amendments (PP 11-0015)

DATE: September 21, 2011

This memorandum provides a brief update regarding proposed amendments to the Transportation Planning Rule (TPR) and the Oregon Highway Plan that will have an effect on the City of Lake Oswego. As you will recall, the City's legislative platform for 2011 includes the following statement:

- *Continue efforts to resolve the conflicts between the Transportation Planning Rule and other statewide land use planning goals by changes to the Oregon Department of Transportation/Department of Land Conservation and Development procedures and rules, or by legislative action.*

Planning staff is following the proposed amendment process for the TPR and Highway Plan to ensure that the City's interests are met and that City Council is fully aware of any implications these amendments might have on the community.

What is being proposed? - On April 20, 2011 the Land Conservation and Development Commission (LCDC) directed the Department of Land Conservation and Development (DLCD) to initiate an administrative rulemaking project to review Section 0060 of the Transportation Planning Rule (Oregon Administrative Rule 660-012-0060). The decision was based on a recommendation prepared by a joint subcommittee of LCDC and the Oregon Transportation Commission (OTC). Here is the link to their recommendation: www.oregon.gov/LCD/docs/rulemaking/2009-11/TPR/Recommendation-Final.pdf. Revisions are also being proposed to the Oregon Highway Plan to assure consistency with the revised TPR. A summary of both sets of revisions include:

Transportation Planning Rule Amendments

- A1. Exempt rezonings consistent with comprehensive plan map designations.
- A2. Allow practical mitigation for economic development projects.
- A3. Exempt upzonings in urban centers.
- A4. Address traffic at time of urban growth boundary (UGB) expansion.
- A5. Provide clarifications: transportation system plan (TSP) update and multiple planning periods.

Oregon Highway Plan Amendments

- B1. Exempt proposals with small increases in traffic.
- B2. Use average trip generation, not the reasonable worst case scenario.
- B3. Streamline alternate mobility standard for development.
- B4. Allow for corridor or area mobility standards.
- B5. Standardize a policy framework for considering measures other than volume to capacity ratios (v/c).

Why is this important to Lake Oswego? – Under the current TPR, mitigation is required if a proposed zone change or plan amendment would reduce or worsen the performance of an existing transportation facility during the planning time frame outlined in the Transportation Systems Plan. As an example for Lake Oswego, if a plan amendment or zone change in the Foothills area would add traffic to Highway 43, the City may need to provide roadway improvements to mitigate any degradation in capacity. Depending on the level of degradation, this could mean widening Highway 43 through the City.

The problem for us is that much of the forecasted traffic growth along Highway 43 is based on modeling assumptions that place future development outside the current UGB. In practice, the current rule creates obstacles for development in many town centers where increased levels of development would actually better meet regional and state objectives for compact, transit-oriented growth. In recognition of this, the State has been working on changes to the rule that will exempt plan and zone map amendments in Urban Centers from this section of the TPR. This will benefit redevelopment in the downtown and Foothills.

The rule amendments are also important in terms of the update to the Comprehensive Plan. So far in the comprehensive plan process, there has been strong interest in intensifying development opportunities in the IP zone and possibly along Kruse Way and Bangy Road. The proposed rule amendments do not exempt these areas because they would not meet the definition of an urban center and because of their proximity to I-5. Under the draft rule amendments, it appears that any plan or zone map or text changes in these areas will continue to be required to address the TPR. In the current draft version of the rule, Urban Centers within ½ mile of I-5 freeway interchanges will not be exempt. The City of Tigard is currently working to expand the exemption to any Metro 2040 town center regardless of its proximity to a freeway interchange.

Where are the Rule Amendments in the Approval Process?

Draft revisions to the Oregon Highway Plan Policy 1F and to the TPR were presented to the Oregon Transportation Commission (OTC) at their meeting on September 21st. Final drafts of the Highway Plan policy revisions will be reviewed at OTC's November 16th meeting at the Oregon Garden in Silverton, where public testimony will be taken. The Oregon Land Conservation and Development Commission (LCDC) will also review and adopt the TPR rule revisions at separate meetings, dates to be announced. It is expected that adoption will occur before the end of the year.

The committee that has developed the draft TPR amendments is scheduled to have one additional public meeting in Salem, on September 26, where they are expected to make final recommendations.

You can visit the following website for more information and to review the proposed rule language:
http://www.oregon.gov/LCD/Rulemaking_TPR_2011.shtml

2010/2011 Board of Directors

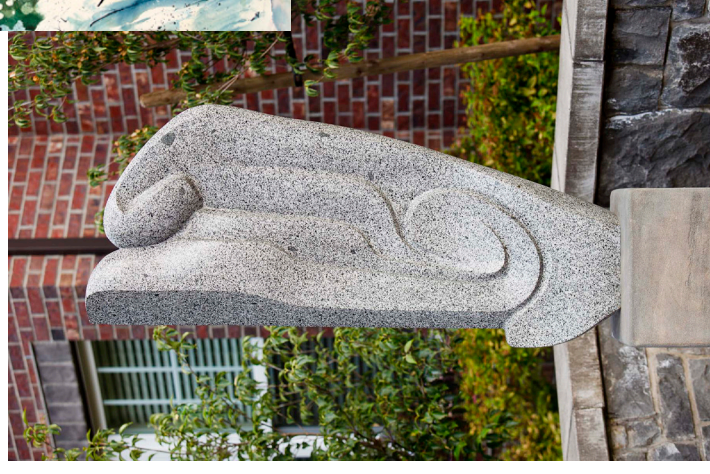
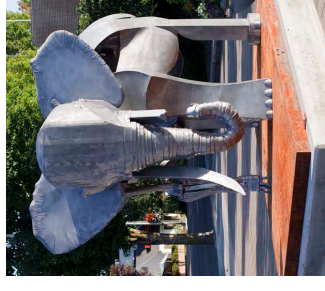
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 Sara Ogle Lea, *Artist*
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 Bob Liddell, *Specialty contractor, remodeling*
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Gallery Without Walls and Event Sponsors 2010-11

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Arts Council of Lake Oswego

Annual Review

For period July 1, 2010 - June 30, 2011

Gallery Without Walls Rotating Sculpture Program

- Selection, siting and installation of fifteen new sculptures in the rotating Gallery Without Walls (GWW) in downtown Lake Oswego
 - Call for Proposals generated 50 proposed sculptures
 - Pedestals were engineered to meet structural specifications and placed in compliance with ADA guidelines and traffic code
 - Contractors hired to build the pedestals and assist with installation
- Marketing of the Gallery Without Walls sculpture program includes: printed 10,000 24-page color brochures that are distributed regionally, updated website, news releases to regional and national publications, updated iPhone and Smartphone app, produced HelloLO insert to reach all homes in Lake Oswego
- A hardcover book of the Gallery Without Walls sculpture, including on-loan and permanent art, was produced (view and purchase at blurb.com/bookstore/detail/2058806)

Public Art Celebration

- A public celebration entitled “Follow Your Art!” was held on August 26, 2010 in Millennium Park Plaza – the event introduced the new sculptures and artists to the community. The event included live music, youth and family activities, food vendors, and an information booth.

Gallery Without Walls Public and Educational Tours

- This year volunteer tour guides led 30 free tours including approximately 620 people that viewed the downtown sculpture
- The free sculpture tours were incorporated into the Art Literacy program, and include a pre-tour binder with information and hands-on activities
- A special focus on docent recruitment and training resulted in 15 new docents and an expanded tour schedule

Public Art Committee

- Completed annual assessment of the Permanent Art Collection
- Ongoing updates to Permanent Art Collection database and catalog
- Exhibitions including the permanent art collection were set in City Hall, the West End Building, the Adult Community Center, and the Library
- A weaving from the permanent collection, *The River* by Laurie Herrick, went on-loan to the Museum of Contemporary Craft for year-long exhibit
- Recruitment of new PAC members and scheduling of interviews
- Three new members joined the Public Art Committee: Robert Foster, Kay Mechigian, and Lisa Wisner
- *Dream*, the outdoor sculpture by Guruhan Kroesen, was repainted
- *August Trunk*, by Alisa Formway Roe, was selected by the community on the People’s Choice Ballot. The sculpture was purchased for the City’s permanent art collection and relocated to its current location on A Avenue, between 5th and 6th Streets

Chronicle Invitational Exhibition

- The Chronicle Committee selected regional artists to participate in the exhibition that is held in conjunction with the Festival of the Arts. Over 4,000 guests viewed the artwork of 34 artists.
- Two pieces of art were purchased for the City’s permanent collection - *Splash* by Deborah Marble and *Nocturne* by Thomas Kenneth Conway
- Partnered with Shorenstein Property Management on special reception featuring artwork from the permanent collection and presenting the current Chronicle artists

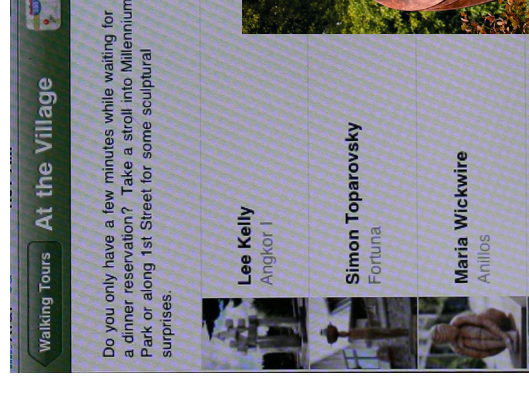


Organization, Community & Outreach

- Four new Board members joined the Arts Council Board, including:
 - Liane Cabot, Public and investor relations (past)
 - Bob Liddell, Specialty contractor, remodeling
 - Sara Ogle Lea, Artist
 - Kirk W. Smith, Attorney, Ater Wynne, LLP
- Outreach to develop partnerships for economic development includes the City, Chamber, Downtown Business Association, Lakewood Center for the Arts, Rotary, and individual businesses
- Over 75 active volunteers contributed an estimated 2,800 hours to provide public art programs and opportunities for the Lake Oswego community
- The Lake Oswego Rotary Club held a volunteer day to clean the outdoor sculpture
- A “pop-up” exhibition was held in a Lake Oswego home featuring the sculpture and paintings of regional and local artists
- The Gallery Without Walls Sculpture Tour iPhone and Smartphone apps were completed - featuring custom tours and information on the City’s 55 permanent and on-loan rotating sculpture
- Worked with Lakewood Center for the Arts on the Special Exhibit, *Language of Sculpture*, for the 2011 Lake Oswego Festival of the Arts 2011
- Partnered with the Portland Art Museum to present an *Allure of the Automobile* reception and tour of the Ater Wynne art collection
- Installed *Angkor I* by Lee Kelly in a special installation featuring the prominent northwest sculptor
- An organizational video highlighting the Arts Council was produced for promotional purposes (view at vimeo.com/28135674)
- Each sculpture in the Gallery Without Walls on-loan rotating exhibit was sponsored by a community business or individual

Special City Projects

- Worked with the LOIS Project to restore *Spirit of the Marsh* by artist Mark Andrew
- Sited *Wormy Apple #2* by artist Ed Humpherys in the new Sundetleaf Plaza
- Began working with the Redevelopment Agency on the installation of artwork by Simon Toparovsky and lighting along the new walkway between Upper and Lower Millennium Plaza Park



Arts Council of Lake Oswego
Profit & Loss
 June 2011

	<u>Jul '10 - Jun 11</u>
Income	
4010 · Board Contributions	8,557.70
4020 · Membership	8,004.00
4030 · Sponsorship	
4035 · Gallery Without Walls	18,125.00
4036 · Miscellaneous other	17,875.00
Total 4030 · Sponsorship	<u>36,000.00</u>
4040 Fundraising Income-Event/Other	
4060 · Commissions	1,935.60
4065 · Art Sales	5,150.00
4070 · Miscellaneous Income	141.00
4080 · Program Fees - City	100,000.00
Total Income	<u>159,788.30</u>
 Expense	
5000 · Salary and Benefits	
5010 · Payroll	73,714.04
5050 · Payroll Burden	6,681.81
5060 · Workman's Comp	295.95
Total 5000 · Salary and Benefits	<u>80,691.80</u>
5100 · Programs	
5110 · Gallery Without Walls	
5115 · Installation/pedestals	11,629.83
5120 · Artist Fees	10,500.00
5125 · Marketing/printing	10,247.98
5135 · Opening Event	3,270.78
Total 5110 · Gallery Without Walls	<u>35,648.59</u>
5150 · Public Art Collection	635.97
5160 · Public Art Acquisition	
5180 · Other	50.00
5160 · Public Art Acquisition - Other	15,000.00
Total 5160 · Public Art Acquisition	<u>15,050.00</u>
5190 · Special	3,591.12
5195 · Chronicle Exhibition	95.00
Total 5100 · Programs	<u>55,020.68</u>
5200 · Artist Fees	4,000.00
6000 · General and Administrative	
6240 · Insurance	
6245 · General Liability	534.00
6240 · Insurance - Other	720.00
Total 6240 · Insurance	<u>1,254.00</u>
6300 · Office supplies	1,212.25

Arts Council of Lake Oswego
Profit & Loss
June 2011

	<u>Jul '10 - Jun 11</u>
6400 · Professional Services	4,225.34
6500 · Fundraising	
6520 · Membership	582.00
Total 6500 · Fundraising	<u>582.00</u>
6600 · Dues and Subscriptions	457.00
6800 · Travel/Entertainment	261.45
6850 · Tax and License	75.00
6900 · Miscellaneous	236.33
Total 6000 · General and Administrative	<u>8,303.37</u>
6120 · Bank fee	15.79
7030 · Interest Income	-213.76
7040 · Interest Expense	2.00
Total Expense	<u>147,819.88</u>
Net Income	<u>11,968.42</u>

Note: Net income 2010/11 includes \$10,000 in restricted funds for the Totem II project to be completed in 11/12.

Arts Council of Lake Oswego
Balance Sheet
As of June 30, 2011

	<u>Jun 30, 11</u>
ASSETS	
Current Assets	
Checking/Savings	
1000 · Checking - Umpqua	10,195.95
1015 · Money Market - Umpqua	<u>46,881.94</u>
Total Checking/Savings	<u>57,077.89</u>
Total Current Assets	<u>57,077.89</u>
TOTAL ASSETS	<u><u>57,077.89</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	499.15
Total Accounts Payable	<u>499.15</u>
Total Current Liabilities	<u>499.15</u>
Total Liabilities	499.15
Equity	
3400 · Retained Earnings	44,610.32
Net Income	<u>11,968.42</u>
Total Equity	<u>56,578.74</u>
TOTAL LIABILITIES & EQUITY	<u><u>57,077.89</u></u>

Metro Update – September 22, 2011**A summary of planning activity around the region**

Prepared by Denny Egner, AICP, Lake Oswego Assistant Planning Director

Meetings/Activities – September 16-22, 2011

Metropolitan Technical Advisory Committee - MTAC – September 21 – The MTAC meeting was canceled.

Upcoming Activities/Meetings

Metropolitan Policy Advisory Committee - MPAC – September 28 – MPAC is expected to make a recommendation to the Metro Council regarding how much and where to expand the urban growth boundary. The recommendation will include identifying specific points in the demand forecast range for employment and housing growth. The Metro Chief Operating Officer's (COO) recommendation for expansion includes a 310-acre potential industrial site along Highway 26 near Hillsboro and four sites for residential expansion, all located in Washington County. Since the COO recommendation has been issued, Forest Gove, Cornelius, Tualatin, Sherwood, and Wilsonville have advocated for other sites to be included. Only one site (Wilsonville) is located in Clackamas County. The MPAC packet can be accessed at the following website: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=31964>

Metro Climate Smart Communities Project – September 29 – The advisory committee working with Metro staff on this project will be reviewing the development typologies and scenarios that will be used in modeling green house gas emissions. The Climate Smart Communities project is intended to develop strategies to meet State targets for the region to reduce per capita GHG emissions from light vehicles by 20 percent below 2005 levels by 2035.

Metro SW Corridor Plan Meeting – September 29 – Mayor Hoffman, Brant Williams, and Denny Egner are scheduled to meet with Metro Councilor Barbara Roberts and Metro staff to discuss the SW Corridor Plan project and how Lake Oswego should be involved in the process. The project is intended to develop a plan for providing high capacity transit service from Portland to Sherwood. The study area includes portions of western Lake Oswego. The I-5 corridor along Lake Oswego's western boundary is a possible route for the transit line.

TPR Rulemaking Advisory Committee Nears Completion

The Transportation Planning Rule (TPR) Rulemaking Advisory Committee continued discussions this week on directives for rule revisions mandated by SB 795, passed during the 2011 session.

Draft revisions to the Oregon Highway Plan Policy 1F and to the TPR will be presented to the Oregon Transportation Commission (OTC) at their next meeting on September 21. Final drafts of the Highway Plan policy revisions will be reviewed at OTC's November 16 meeting at the Oregon Garden in Silverton, at which time public testimony will be taken. The Oregon Land Conservation and Development Commission (LCDC) will also review and adopt the new rule revisions at separate meetings—dates to be announced.

It is anticipated that the TPR Rulemaking Advisory Committee will have one additional public meeting to review and make final recommendations on September 26 in Salem. Although still a work in progress, draft revisions to the Oregon Highway Plan 1F dated August 16, 2011 are available [here](#); draft revisions to the TPR dated September 12, 2011 are available [here](#).

Contact: Linda Ludwig, Deputy Legislative Director – lludwig@orcities.org

IN THIS ISSUE

- [Get Involved: Join an LOC Policy Committee for 2012](#)
- [Cities to Showcase Innovations](#)
- [ODOE Seeks Input on New Energy Incentive Programs](#)
- [Emerging Local Government Leaders Network Announces Schedule](#)
- [Small Cities Support Network](#)
- [Oregon Local Leadership Institute Training](#)

Get Involved: Join an LOC Policy Committee for 2012

The League is preparing to appoint members to eight policy committees and the Legal Advocacy Committee. The policy committees will convene following the 2012 “short” session of the Legislature to begin the process that culminates in the identification of priorities that the League will take into the 2013 session. The Legal Advocacy Committee advises the League on selected court cases involving cities.

So now is the time to give serious consideration, as a local official, to becoming engaged with your colleagues and with League staff to ensure that consideration is given to issues of concern both to your city and to local governments throughout Oregon. For more information on League policy committees and to obtain an application, click [here](#).

Appointments will be made by the League president prior to the end of 2011.

Contact: Craig Honeyman, Legislative Director – choneyman@orcities.org

Cities to Showcase Innovations

Several Oregon cities who have entered a project or program into LOC’s annual Award for Excellence and Helen & Alan Berg Good Governance Award competitions will display their projects during the upcoming LOC Annual Conference. Click [here](#) for a preview of these innovative approaches to serving our citizens. Winners will be announced during the LOC Annual Conference at the Keynote Luncheon on Saturday, October 1.

ODOE Seeks Input on New Energy Incentive Programs

The Oregon Department of Energy (ODOE) is seeking input on the new Energy Incentives Programs (formerly known as the BETC) and the modified Residential Energy Tax Credit program. ODOE will hold webinars to present a framework for the new programs on Monday, September 19, and Wednesday, September 21.

Participants will have an opportunity to submit questions and suggestions to ODOE staff, which will take the comments into consideration as the temporary rules are drafted. ODOE plans to put temporary rules in place in early October 2011, and will present the schedule and process for permanent rulemaking.

Registration information can be found [here](#).

Contact: Chris Fick, Intergovernmental Relations Associate – cfick@orcities.org

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Emerging Local Government Leaders Network Announces Schedule

The Emerging Local Government Leaders Network (ELGL) is comprised of more than 160 local government professionals in the early stages of their careers. Members range from city managers to management analysts, and more than 60 cities and local government organizations are represented. The organization's mission is to enhance communication among emerging and experienced government professionals; provide development opportunities through training and education; and support the advancement of professional municipal management. For a schedule of upcoming ELGL events, click [here](#).

Small Cities Support Network

Regional Solutions and LOC Joint Meetings

The governor's Regional Solutions Program will be co-sponsoring joint meetings with the League during the fall quarter. The meetings will offer local government officials the opportunity to learn about Regional Solutions as a resource for their cities and network with regional coordinators. Details are in the works and will be made known as they are finalized.

Join Us: Enjoy productive networking, knowledgeable speakers and fabulous food!

Mark your calendars for these upcoming regional meetings:

[Region 6: September 23 – La Pine](#) – 11:00 a.m. - 1:00 p.m.

Call for Agenda Items: Would you like to discuss specific topics of concern within your area? Do you have a specific guest speaker or agenda item you would like us to consider?

Regional Listserv: City officials in specific regions can receive updates and meeting announcements via e-mail by subscribing to their region's listserv.

Contact: RSVP to Mandy Allen, Small Cities Support Network Coordinator – mallen@orcities.org or (503) 588-6550.

On the Web: www.orcities.org/smallcities

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Statewide Quarterly

Dates:

Region 1 - Aug. 26
Region 2 - Sept. 9
Region 3 - Nov. 4
Region 4 - Aug. 25
Region 5 - Sept. 16
Region 7 - Oct. (TBD)
Region 8 - Oct. (TBD)

Oregon Local Leadership Institute Training

To meet timely and ongoing training needs, the League offers workshops through the Oregon Local Leadership Institute (OLLI). This year 82 workshops (98 training days) were conducted in cities throughout Oregon, with more than 1,020 participants. Preparations are already underway to bring more valuable training to LOC members.

The fall catalog of OLLI workshops is available [here](#). To register, click [here](#).

Upcoming Workshops:

Leadership (2 days)

LGMC Approved: Core area #10: Ethics & Leadership – 12 hrs.
Redmond October 10 & 11

Economic Development – Creating a Prosperous Community

LGMC Approved: Core area #5: Land Use Planning & Economic Development – 6.5 hrs.
Bandon October 17

Effective Disciplinary Actions

LGMC Approved: Core area #2: Human Resource Management – 6 hrs.
Bandon October 18

Research Tools for Competitive Grant Applications

LGMC Approved: Core area #1: Budget & Finance – 5 hrs.
Florence October 19
Pendleton November 2
Salem December 8

Introduction to Project Management

LGMC Approved: Core area #4: Public Works & Utilities – 7.5 hrs.
Salem October 25
Medford December 14

Negotiation Skills for Projects and Procurement

LGMC Approved: Core area #4: Public Works & Utilities – 4.5 hrs.; Core area #6: Public Contracting & Purchasing – 3 hrs.
Salem October 26

Contact: Kim Shook, Training Coordinator – kshook@orcities.org or (503) 588-6550

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I

WEALTH ADVISER

invest

The Newest Threat to Home Prices

A CHANGE IN MORTGAGE RULES COULD MAKE IT HARDER TO BUY OR SELL HIGH-END HOUSES.

By Janice Revell



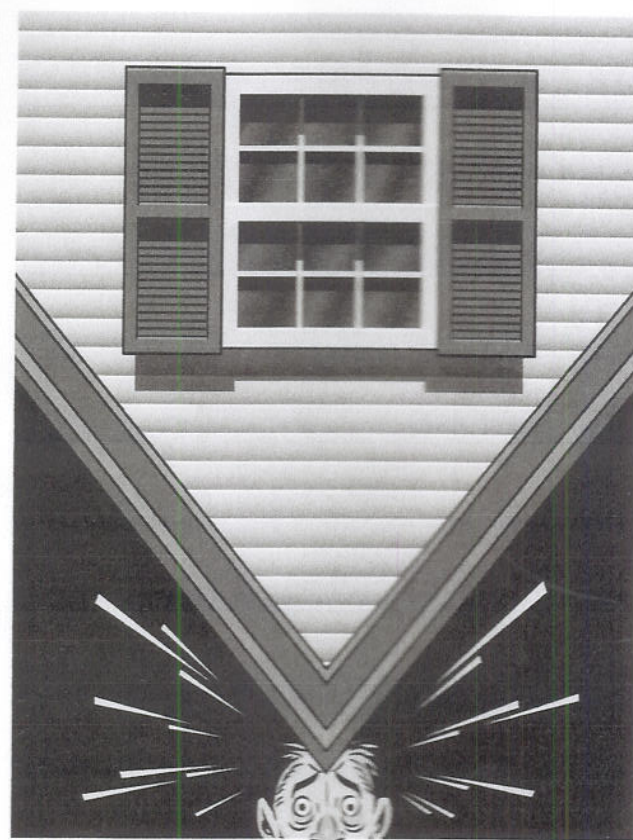
T

HE RANCOROUS DEBATE about how to address our escalating national debt has dominated the conversation in Washington lately. What isn't getting much attention inside the Beltway—but should—is a looming event that could have major conse-

quences not only for your home's value but also for the overall economic recovery. Barring last-minute action by Congress, upscale housing is about to take another punch to the solar plexus—just as it's struggling to stabilize.

At issue are the limits for so-called conforming mortgage loans that can be bought or guaranteed by Fannie Mae, Freddie Mac, and the Federal Housing Administration. These mortgages have the implied backing of the U.S. government, which lowers their interest rates and down payment requirements. Back in 2008, at the height of the financial crisis, Congress temporarily hiked the conforming loan limit from \$417,000 to \$729,750 in affluent areas to boost the flailing housing market.

On Oct. 1, those higher limits are slated to drop back down again in expensive markets nationwide—ranging anywhere from \$483,000 in counties like Monterey, Calif., to \$625,500 in cities like New York and Washington. As a result, about 1.4 million homes will be pushed out of eligibility for lower-rate conforming loans, according to the National Association of Home Builders. Homeowners looking to buy or refinance those properties will instead have to take out "jumbo" mortgages, which require a much larger down payment—generally 20% to 30%, compared with the typical 10% for conforming



loans—and carry interest rates that are typically half to three-quarters of a percentage point higher.

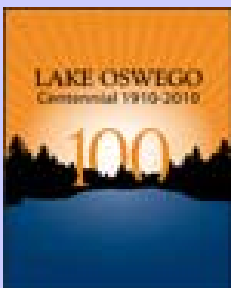
The upshot? More downward pressure on prices in high-end markets. The new loan limits will affect approximately 8% of the total U.S. housing market, according to industry estimates, with particularly significant impact across the Northeast and California, as well as parts of Florida and Illinois. (You can find local market specifics at fhfa.gov.) But everyone should take heed: If expensive homes stop selling, then prices for the houses under them will feel the pressure too.

Indeed, while many experts support the idea of weaning the jumbo mortgage market off government financing, they worry about making the move while the housing sector is still trying to clear excess inventory. "Reducing the conforming loan limits will test whether private lenders are willing and able to step up, but doing so this year may be premature," says Mark Zandi, chief economist at Moody's Analytics. "The cost to the housing market and economy of a misjudgment would be high."

There's speculation that President Obama will propose a major housing-related stimulus in the coming weeks as part of a broader economic plan. Whether that involves extending the conforming loan limits is anyone's guess at this point. But stay tuned: You'll feel the impact of this high-end housing issue either way. ■

A former compensation consultant, Janice Revell has been writing about personal finance since 2000.

CURRENT BOARD & COMMISSION RECRUITMENT



For more information,
applications, or
descriptions, visit

[www.ci.oswego.or.us/
boards/Vacancies/
currentvacancies.htm](http://www.ci.oswego.or.us/boards/Vacancies/currentvacancies.htm)

or call 503-635-0236

CITY OF LAKE OSWEGO

Jane McGarvin, MMC
Deputy City Recorder
P. O Box 369
Lake Oswego, OR 97034

PHONE: 503-635-0236

FAX: 503-697-6594

EMAIL:

jmcgarvin@ci.oswego.or.us

50+ Advisory Board - The 50+ Advisory Board makes recommendations on matters relating to the needs, interests and quality of life of residents who are 50 years of age and over. It has seven regular members. Meetings are held the fourth Thursday of the month at 8:30 a.m.

Library Advisory Board - The Library Advisory Board recommends written policies to govern the operation, use and programs of the Library, and makes recommendations with respect to services and facilities. It has seven regular members plus one member under 18 years old. Meetings are the second Wednesday of the month at 7 p.m.

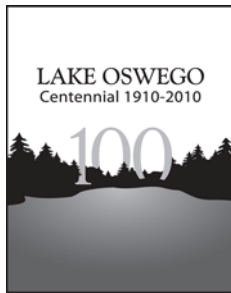
Development Review Commission - The Development Review Commission reviews development proposals which may have a significant impact on the community. *Applicants for the current opening need to have a background in financing the purchase and development of real property.* It has seven regular members. Regular Meetings are the first and third Monday of the month at 7 p.m., special meetings are needed.

Recruitment for 50+ Advisory Board, Library Advisory Board, and Development Review Commission applications ends October 14, 2011

Community Forestry Commission - The Community Forestry Commission is a five-member board formed to hear requests concerning Type II tree cutting permits and to hold hearings as requested on the denial of a permit or conditions imposed on an approved permit. Meetings are held as needed.

Historic Resources Advisory Board - The Historic Resources Advisory Board promotes the historic, educational, architectural, cultural, and economic welfare of the public through identification, preservation, restoration, and protection of Lake Oswego's structures, sites, objects, and districts of historic and cultural interest. It has seven regular members plus one member under 18 years old. Meetings are the second Wednesday of the month at 7 p.m.

Deadline for submitting Community Forestry Commission and Historic Resources Advisory Board applications: December 16, 2011

AGENDA**PLANNING COMMISSION MEETING**

Monday, September 26, 2011

6:30 p.m.

West End Building – Santiam Room
 4101 Kruse Way

 380 A Avenue
 PO Box 369
 Lake Oswego, OR 97034

 503-635-0290
www.ci.oswego.or.us/plan

Contact: Iris McCaleb

Email: imccaleb@ci.oswego.or.us

Phone: 503-697-6591

Also published on the internet at:

www.ci.oswego.or.us/plan/planning_commission

The meeting location is accessible to persons with disabilities. To request accommodations, please contact Iris McCaleb at 503-697-6591, 48 hours before the meeting.

1. CALL TO ORDER**2. ROLL CALL****3. CITIZEN COMMENT – Regarding Issues Not On the Agenda (3 minute limit per individual)**

This is an opportunity to raise issues regarding Planning or Citizen Involvement.

4. COUNCIL UPDATE**5. WORK SESSIONS****5.1 Comprehensive Plan Update (PP 10-0007)**

Review Comprehensive Plan Update Process, Fall 2011-Spring 2013 Schedule and Action Areas and Products. *Staff coordinator is Sidaro Sin, Senior Planner.*

6. PUBLIC HEARING

- 6.1 Ordinance 2526, LU 08-0054 – Community Development Code - Policy Related Housekeeping Amendments.** Amendments (Chapter 50) for the purpose of clarifying and updating various code provisions. These provisions have been identified as having policy implications. The Commission will begin with pages 29-57 which covers Section 50.05 through 50.09 (Residential Zones, including issues related to accessory structures). If time permits, they will discuss the West Lake Grove Design District (continuing to page 67) and Section 50.22, Exceptions to Site Development Standards and Special Determinations (pages 91-97). *Staff coordinator is Debra Andreades, Senior Planner.*

(Continued on Other Side)

7. OTHER BUSINESS – PLANNING COMMISSION

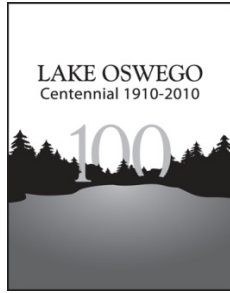
7.1 Findings, Conclusions and Order

LU 11-0018 – Community Development Code Amendment – Modifying the Definition of Minor Public Facility.

8. OTHER BUSINESS – COMMISSION FOR CITIZEN INVOLVEMENT

9. SCHEDULE REVIEW

10. ADJOURNMENT



REVISED AGENDA
COMPREHENSIVE PLAN UPDATE
CITIZEN ADVISORY COMMITTEE
Wednesday September 28, 2011
4:00 – 6:00 PM.
City Hall
Council Chamber

CITY OF LAKE OSWEGO

380 A Avenue
 Lake Oswego, OR 97034

503-635-0290
www.ci.oswego.or.us

Contact: Sidaro Sin, Senior Planner
 Email: ssin@ci.oswego.or.us
 Phone: 503-697-7421

Also published on the internet at:
<http://www.welovelakeoswego.com>

The meeting location is accessible to persons with disabilities. To request accommodations, please contact Sidaro Sin at 503-697-7421, 48 hours before the meeting.

I. AGENDA

- 4:00 Call to Order and Roll Call – Councilor Moncrieff, Chair
- 4:05 Public Comment
- 4:10 CAC Feedback
- 4:25 Regular Business

Item	Lead	Time	Action
Agenda Review & Announcements	Greene/Sin	5 mins	I
City Bus Tour Debrief: <ul style="list-style-type: none"> • CAC Observations • 2035 Vision Map Descriptions 	Sin	25 mins	Dis
Community Culture Summit - November 3: <ul style="list-style-type: none"> • Community Summit Schedule • Format • Draft Background and Policy Questions 	Weigel/Selden	50 mins	Dis

I-Information, Dis-Discussion, Dec-Decision

- 5:45 Public Comment
- 5:50 CAC Comments
- 6:00 Adjournment

II. ATTACHMENTS – For CAC Discussion

1. CAC Meeting Summary August 24, 2011
2. Community Culture Summit Memo (with Reference Materials B, C & D)

III. REFERENCE MATERIALS

- A. 2035 Vision Map Descriptions (To be provided at the meeting)
- B. Community Summit Action Area Schedule Options
- C. November 3 Summit Format Outline
- D. Draft Community Culture Background and Policy Questions

Next Regular Meeting: October 26, 2011

Citizen Advisory Committee (CAC) Meeting Public Comment Protocols

- Members of the public are encouraged to participate in the We Love Lake Oswego Comprehensive Plan update process.
- There are many and varied opportunities for the public to provide direct comment at any time throughout the process:
 - Web site (www.welovelakeoswego.com)
 - E-mail (welovelo@ci.oswego.or.us)
 - Citizen Advisory Committee meetings (written and verbal)
- Please submit your comment form or request to comment during the public comment period to Laura Weigel or Sarah Selden. Please indicate if you are representing an organization or interest group other than yourself.
- Written comments may be submitted at any time; comment forms and a collection box are provided at the registration table.
- Verbal public comment will be taken at the beginning and end of the agenda during the designated public comment period.
- Comments will be limited to two (2) minutes or less at the discretion of the Chair or facilitator according to time available and other business items.
- Please introduce yourself and give your name and address for the record.
- Please direct comments to the Citizen Advisory Committee, not other members of the public.
- Personal attacks of any type will not be tolerated.
- Members of the public may observe but not participate in discussions.
- Thank you!



Foothills District Framework Plan

Citizens Advisory Committee Meeting #13

September 29, 2011, 5:00 – 7:30 p.m.

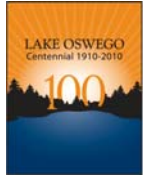
Lake Oswego City Hall, Council Chambers

DRAFT AGENDA

5:00 – 5:05	Introductions and Agenda Review	Matt Brown, WDW
5:05 – 5:10	Review Meeting #12 Notes	All
5:10 – 6:00	EcoNorthwest Analysis <ul style="list-style-type: none">▪ Key Findings▪ Recommended URA Approach	Lorelei Juntunen, ECONW
6:00 – 7:15	Framework Plan Issues Discussion	All
7:15 – 7:30	Public Comment	
7:30	Meeting Adjourn	

Next Meetings:

- CAC #14 – October 13/20, 2011, 5:00 – 7:30 p.m., Lake Oswego City Hall



The Council Calendar September - October, 2011

Recommended Events	Discretionary Events
Thursday, September 22, 2011	
	8:30 am 50+ Advisory Board meeting at the West End Building 8:30 am Arts Council Board Meeting in Council Workroom
Friday, September 23, 2011	
Saturday, September 24, 2011	
7:00 am Clackamas River Watershed Tour at North Clackamas County Water Commission water treatment plant	8:30 am Farmers' Market in Millennium Plaza Park
Sunday, September 25, 2011	
Monday, September 26, 2011	
4-6 pm Sundeleaf Park Dedication at Sundeleaf Park 6:00 pm LORA Special Meeting in Council Chambers	6:30 pm Planning Commission meeting in Council Chambers
Tuesday, September 27, 2011	
6:00 pm Council Meeting in Council Chambers (dinner at 5:00 pm in Police Conf. Room)	
Wednesday, September 28, 2011	
	1:00 pm Arts Council Gallery without Walls meeting in City Manager's Conference Room 4:00 pm Comp Plan CAC meeting in Council Chambers
Thursday, September 29, 2011	
League of Oregon Cities Conference in Bend	5:00 pm Foothills CAC Meeting in Council Chambers 7:00 pm LO-Tigard Water Partnership Good Neighbor Plan Kick Off at Lake Grove Elementary School, 15777 Boones Ferry Road
Friday, September 30, 2011	
League of Oregon Cities Conference in Bend	

Recommended Events	Discretionary Events
Saturday, October 1, 2011	
League of Oregon Cities Conference in Bend	8:30 am Farmers' Market in Millennium Plaza Park 9:30 am LONAC Meeting at Oswego Heritage House at Oswego Heritage House
Sunday, October 2, 2011	
Monday, October 3, 2011	
Tuesday, October 4, 2011	
6:00 pm Council Meeting in Council Chambers (dinner at 5:00 pm in Police Conf. Room)	7:00 pm First Tuesday at the Library
Wednesday, October 5, 2011	
	7:00 pm First Wednesday at the Heritage House 7:00 pm FAN/Forest Hills NA meeting at ACC
Thursday, October 6, 2011	
Friday, October 7, 2011	
Saturday, October 8, 2011	
	8:30 am Farmers' Market in Millennium Plaza Park 10 am to 1 pm (or until truck is full) Community Shred Day at West End Building Parking Lot
Sunday, October 9, 2011	
Monday, October 10, 2011	
	6:30 pm Planning Commission meeting in Council Chambers ----- LO-Tigard Water Oversight Committee
Tuesday, October 11, 2011	
6:00 pm Council Special Meeting in Council Chambers (dinner at 5:00 pm in Police Conf. Room)	9:30 am Arts Council Chronicle 2011 meeting in Council Chambers
Wednesday, October 12, 2011	
	2:00 pm Second Wednesday Performing Art Series at the Library 7:00 pm Historic Resources Advisory Board meeting in Municipal Courtroom 7:00 pm Library Advisory Board meeting at the Library 7:00 pm Transportation Advisory Board meeting in the Council Chambers

Recommended Events	Discretionary Events
Thursday, October 13, 2011	
	5:00 pm Foothills CAC meeting in Council Chambers 7:30 pm Old Town Neighborhood Assn Annual Meeting and Board Election at Lakewood Center Meeting Room, Middlecrest St. Entrance
Friday, October 14, 2011	
	10:00 am City Hall Blood Drive in Council Chambers
Saturday, October 15, 2011	
	11 am-2pm Celebrate Fire Prevention Week at Fire Department Open House, Main Fire Station, 300 B Avenue
Sunday, October 16, 2011	
	1-3 pm Invasive Plant Removal at Brookside trailhead entrance on Iron Mountain Blvd. 4-6 pm Evergreen NA Board meeting, location to be announced
Monday, October 17, 2011	
	6:30 pm Sustainability Advisory Board at the Main Fire Station Conference Room 6:30 pm Phase 1 Code Reorganization Meeting in Council Chambers
Tuesday, October 18, 2011	
6:00 pm Council Meeting in Council Chambers (dinner at 5:00 pm in Police Conf. Room)	7:00 pm Library Author Series at the Library
Wednesday, October 19, 2011	
	6:00 pm Parks & Recreation Advisory Board meeting at the WEB 6:30 pm Natural Resources Advisory Board meeting at the WEB
Thursday, October 20, 2011	
6:30 pm Clackamas Cities Dinner at Oregon City Golf Course	9:30 am Arts Council Public Art Committee Meeting in the Council Workroom 7:00 pm Birdshill NA/CPO Board meeting at Forest Hills Elementary School 7:00 pm Waluga Neighborhood Association Annual General Meeting at Lake Grove Elementary School Library 7:00 pm Lake Grove Neighborhood Association Annual Meeting at Lake Grove Presbyterian Church, 4040 Sunset Drive, Upstairs Meeting Room

Recommended Events	Discretionary Events
Friday, October 21, 2011	
Saturday, October 22, 2011	
Sunday, October 23, 2011	
Monday, October 24, 2011	
	<p>---- Library Storytelling Festival – Celebrating Family History at the Library 6:30 pm Planning Commission Meeting in Council Chambers</p>
Tuesday, October 25, 2011	
<p>6:00 pm Council Meeting in Council Chambers (dinner at 5:00 pm in Police Conf. Room)</p>	<p>---- Library Storytelling Festival – Celebrating Family History at the Library</p>
Wednesday, October 26, 2011	
	<p>---- Library Storytelling Festival – Celebrating Family History at the Library 1:00 pm Arts Council Gallery without Walls meeting in City Manager’s Conference Room 4:00 pm Comp Plan Citizen Advisory Committee meeting in Council Chambers</p>