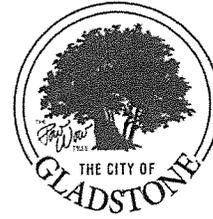


City of Gladstone Town Hall Meeting

October 18, 2016 6:30 pm- 9:30 pm



Approximately 130 citizens participated in the Town Hall. Below is a list of question and answers from the event.

Table 1- Top Three

1) How does the City keep costs control of all the projects?

In order to keep costs under control, the city will need to invest the time, resources, and energy into proper planning and oversight to verify plans are complete, follow lawful bidding process, inspect construction activities for completion, etc. The City's Accounting Manager, Carolyn Gray is responsible to the Department Head running the project, the City Administrator and the City Council to ensure accurate and timely financial reports.

2) What is the status of the library project?

The City is ready to move forward on planning the new library depending on the results of the current litigation. The City and the County are communicating through each organization's lawyers, on working toward a resolution to the legal challenge. Each side pays for its own representation.

Ballot measure 3-446, approved by voters in 2014 stipulated that the library be between 13,000 and 16,000 square feet and be located on Portland Ave. between the Clackamas River and the high school. The capital plan provided by the City to the County describes the parameters of a 3-story building on the existing City Hall location, with the Library on the first and second floors, and City Hall on the third floor. The library will continue to be a City library staffed by employees of the City of Gladstone.

3) How will City Hall/Library fit the aesthetics of the downtown area?

The City is just starting to work on a Downtown Revitalization Project. One of the stated goals is to create a more cohesive main street that identifies the corridor as the city center. The timing of the new City Hall/Library building will allow for community participation in building design characteristics of the Portland Avenue civic core. Through involvement in developing the new library/city hall, citizens will be able to set the tone for what the downtown corridor should look like.

Other Questions

- How will Public Works assure the quality of our water?

Public Works is currently evaluating the water system. At this time, we are meeting all water quality requirements established by the Environmental Protection Agency (EPA) and the Oregon Health Authority- Drinking Water Program (OHA-DWP). Please see drinking water quality report. <http://www.ci.gladstone.or.us/consumer-confidence-report-2015/> Water quantity is a concern as well. The city must maintain sufficient water for fire

suppression needs and to withstand an emergency. As far as the reliability and preventative maintenance of our clean drinking water system, we have some work to do here.

- Who will oversee all the fiscal projects?

The City's Accounting Manager, Carolyn Gray is responsible to the Department Head running the project, as well as the City Administrator, and City Council to ensure accurate and timely financial reports.

- Why is the City in a lawsuit with the County?

When the County provided the notice of its intent to terminate the IGA, and then rejected the City's supplemented capital plan, the City was left with no other option but to seek enforcement through the court system.

- Where will parking be for the City Hall and Library?

The current library building, once removed, could provide up to 17 spaces. Diagonal parking along Dartmouth Ave. could create up to 45 spaces. With the current downtown revitalization project, the location of the library is shown to be within walkable corridors for many residential areas, as well as on the Trolley Trail. There are currently five (5) area TriMet bus routes, providing regional connections to and from the downtown corridor.

- How will the "parks" ballot initiative impact persons or organizations who lease space?

At the November 8, 2016 election the voters approved Ballot Measure 3-505, which means the City of Gladstone will amend its Charter to require voter approval for the sale or lease of any City-owned parks. Current lease agreements between persons and organizations are valid until they expire. If the City is interested in renewing the agreements it will need to be voted upon by the citizens.

- Will Parks Master Plan provide a common vision of park use?

Gladstone's Parks Master Plan will evaluate all 15 parks for common vision, usage, maintenance, and connectivity with the Transportation System Plan (TSP). There will be open house meetings so citizens have input of what the common vision looks like. Please come and provide your input. The open house will be scheduled sometime after the first of the year.

- Why did Gladstone allow the Lake Oswego water project?

LOTP went through the planning process as outlined in Gladstone's Municipal Code. The city must abide by the code which allows for home owners, developers, city staff, and others to know what is expected going into a project.

Table 2 – Top Three

- 1) Will the City work with the County to resolve the library issue or pursue lawsuit?

The City wants to work with the County to resolve the library issue. In fact mediation between both governmental entities has been scheduled for December 19, 2016, with the desire to reach an amicable agreement.

- 2) Is the planning traffic enhancements at the intersection of Arlington and McLoughlin and also where the Webster Ridge Apartments went in on Webster?

The intersection of Arlington/McLoughlin (Highway 99E) is on the Transportation System Plan (TSP) list of intersections to review. This property has been zoned for commercial development for many years. The developer associated with the Arlington/McLoughlin project provided substantial funds for intersection improvements, including new traffic signals, left turn lane and the bus turnout. The traffic study was reviewed. The Webster Ridge Apartments property has been zoned for multi-family dwelling for many years. The traffic study determined the Webster Road arterial was sufficient to handle additional traffic.

- 3) How is the city's water and sewer infrastructure being updated and funded- does it involve urban renewal funds?

The city's water and sewer infrastructure is funded through rates, paid for by users of those services. Updating the water and sewer infrastructure starts with identifying the needs (master planning). Next would be acquiring the funds to invest in the city's infrastructure. Urban renewal funds may be used for portions of water and sewer if the project is within the boundaries of the urban renewal district.

Other questions.

- Will Gladstone Fire Department have first aid classes for earthquake prep?

City Emergency Management leaders works with Clackamas County to be as prepared as possible for an earthquake or any other natural disaster. Gladstone Fire Department does not offer first aid classes to the general public for this specific purpose. For those looking for first aid training and certification, many groups such as the American Red Cross offer these courses.

<http://www.redcross.org/ux/take-a-class>

- Is code enforcement going to be a full-time position?

This is a budget question and dependent upon funding and approval from Council.

- Will the City address traffic issues at Glen Echo developments?

The Glen Echo Development will make improvements based on its impact to the existing system and on current requirements.

- Who and how is “livability” being defined? (In goals)

Perspectives on livability vary by geography, such as resident to resident, community to community, and region to region. Gladstone is an historic city with approximately 12,000 residents. Residents make their home just miles south of downtown Portland and along the I-205 and 99E (McLoughlin Blvd) because they enjoy living in a city filled with small town charm.

Livability defined, is about providing people in Gladstone a high quality of life through the available activities, such as outdoor enthusiasts have parks, walking-friendly neighborhoods, bike trails, ball fields, nature observatories, and community gardens. Gladstone also borders the Willamette and Clackamas Rivers, with a boat ramp for water enthusiasts. Livability defined, is having the opportunity to enjoy diverse businesses, vibrant neighborhoods, active community involvement, and award winning schools. Gladstone recognizes its own unique identity and places a high value on the planning processes that help manage growth and change to maintain and enhance its community’s attributes.

- If the City does put in a new sewer system how will the City make sure it stays maintained?

The first thing we need to do is have the new system designed, and installed correctly to minimize future maintenance and plan for future capacity. Specifically for the sewer lines, routine line cleaning and inspections would be one of the key things we must focus on to protect the citizen’s investments. The system will require appropriate staffing levels to maintain. Currently, Public Works is not staffed at a level to maintain a new sewer system.

Table 3- Top Three

- 1) If Oberson (GNP) property is sold what would/could go in?

The Oberson property is zoned C-2 – Community Commercial. Uses allowed outright retail trade establishments, business, governmental or professional offices, medical clinic, financial institution, personal and business service establishments (barber shop, tailoring shop, printing shop, laundry or dry cleaning, sales agency, photography studio), eating or drinking establishment, hotel or motel, small appliance repair including radio, television and electronic repair, community service facility (fire station, library, community center, park, utility facility or meeting hall). There are also residential accessory uses and conditional uses allowed. For a complete listing please visit the following link:

<http://www.codepublishing.com/OR/Gladstone/#!/gladstone17/Gladstone1718.html#17.18>

2) Library lawsuit – what if we win, what if we lose?

The City prepared a Library Update Newsletter and sent to all residents in November 2016. The newsletter addresses many of these questions. A copy of the newsletter is attached as Exhibit A

3) What are the major changes for the City Charter?

Measures 3-511 and 3-512 regarding a new Home Rule Charter and the length of Mayoral terms failed after the November 8, 2016 general election. Measures 3-505 and 3-506 did pass which means voter approval is required for the sale or lease of city-owned parks AND voter approval is required to remove “parks” designations for city-owned properties. Language from both measures will be incorporated into the City Charter and then be posted on the City’s website.

Other Questions

- Who is responsible for sidewalk repairs?

Owner Responsibility. It is the duty of all property owners in the city to keep the sidewalks on the streets thereof adjacent to or abutting on their respective real property in a good state of repair so as to eliminate the hazard of injuries to pedestrians using the same.

(2) Owner Liability. The owner or owners of real property in the city shall be liable to any person suffering injury by reason of any defect in the sidewalk adjacent to or abutting on the real property of the respective owner or owners.

(3) Maintenance and Repair Required. Real property owners in the city shall maintain and keep in repair all sidewalks, curbs and driveways, not to exceed one-half-inch vertical uplift or as determined by the City Administrator, along the streets and highways of the city in front of and as are adjacent to or abut on such owner’s or owners’ real property.

- Are there regulations if Marijuana is allowed for building placement and growing?

Yes. Ordinance No. 1470 regulates marijuana facilities as conditional uses in the light industrial zone. According to chapter 17.24.40 of the Gladstone Municipal Code, in the light industrial district the following uses and their accessory uses are allowed (as authorized by Oregon Law):

- 1) *Medical marijuana dispensaries*
- 2) *Marijuana processing sites*
- 3) *Marijuana producers*
- 4) *Marijuana processors*
- 5) *Marijuana wholesalers*
- 6) *Marijuana retailers*
- 7) *Medical marijuana grow sites*

- What is being done for building code enforcement?

Currently the City of Gladstone contracts with Clackamas County for all building/zoning related approval and enforcement. Work is being done to enhance existing municipal code to address nuisance and hazard buildings.

- Storm drains only within a block- not enough capacity?

We know that our storm system is under capacity in many areas within Gladstone. We have recently completed a Stormwater Master Plan that has identified a list of capital projects to address Gladstone's largest deficiencies. Now we are not only faced with not having the resources to fund the capital projects, but more importantly we are limited on resources to fulfill our maintenance and regulatory requirements. For example the largest stormwater projects (Portland Avenue Bypass and Upstream Improvements) identified in the Master Plan is estimated at \$5.8 million dollars. Preventative maintenance and regulatory requirements alone require the addition of two employees at a cost of approximately \$200K per year..

- Why are we so behind, what has been done over the last 30 years?

The City of Gladstone is behind because of the lack of funds, funding priorities and past practices. With the current leadership, both elected and staff, the city is planning ahead to ensure the citizens of Gladstone recover, move forward, and yet be fiscally responsible. For example, you don't wait until your car engine fails to change the oil, and then only change the oil and not the filter. Likewise, while we all want to keep our lawns and landscaping beautiful, it is not prudent to overly invest our limited resources in landscaping, when our house is sliding off its crumbling foundation. Parks are visible and necessary, but the state of our water, stormwater and sewer infrastructures are in critical condition. The city should protect its investments, and this requires resources and staff to do so.

- Is land to be leased back to City for Civic Buildings?

No. The City already owns the land so it would not lease it to itself.

- What are the major changes for the City Charter?

- *Measures 3-511 and 3-512 regarding a new Home Rule Charter and the length of Mayoral terms failed after the November 8, 2016 general election. Measures 3-505 and 3-506 did pass which means voter approval is required for the sale or lease of city-owned parks AND voter approval is required to remove "parks" designations for city-owned properties. Language from both measures will be incorporated into the City Charter and then be posted on the City's website.*

Table 4- Top Three

1) How do we encourage maintenance of private property?

Talk to your neighbor first, you may be surprised how confronting the situation could resolve the issue. Remember to do so in a friendly manner. You might offer to help your neighbor deal with the issue. They could be overwhelmed, not know the steps to take, not have the time, or be short on cash. If the issue affects numerous neighbors instead of singling out them organize a neighborhood block clean-up over the weekend or several weekends to improve everyone's curb appeal. However, if there is code violations and nuisance issues the best solution is to contact the City's code enforcement officer by filling out a complaint form.

http://www.ci.gladstone.or.us/Files/CODE-ENFORCEMENT_Complaint_Form.pdf

2) What is the healthy balance between rental and home ownership?

The State of Oregon Employment department has prepared a Business and Demographic Fast Facts sheet on the City of Gladstone. It has information regarding population and households, education and labor force. A copy of this report is attached as Exhibit B. The Housing Authority of Clackamas County is another good resource for understanding benefits of the balance of rental and home ownerships. Their website is

<http://www.clackamas.us/housingauthority/>

3) Why is local government not transparent?

The City of Gladstone believes that government business should be open to regulation and we have an obligation to share information with citizens. We are a public agency that makes policy decisions in meetings that are open for people to attend and provide comment. Agendas, minutes budgets, open meetings laws, elected officials, administrative officials, audits and public record request forms are all accessible and other general information is posted on the City's website at www.ci.gladstone.or.us. Government exists to serve the people and if there are issues or suggested areas of improvement regarding the City's transparency then we encourage you to contact Administration to have that conversation.

Other Questions

- Bi-annual budgets? Budget Communication.

*ORS 294.323 Discusses the Budget period. **“(1) A municipal corporation, by ordinance, resolution or charter, may provide that the budget and budget documents for the municipal corporation be prepared for a period of 24 months. Unless so authorized by ordinance, resolution or charter, a municipal corporation may not prepare a budget and budget documents for a period longer than one fiscal year.”***

If Gladstone's City Council approves the resolution to create the City's budget on a biennial basis, City Council will be continue to receive monthly financial reports, annual

audit reviews, and timely requests for budget line item reappropriation and/or contingency transfers as needed.

ORS 294.323 goes on to state “(2) When the governing body of a municipal corporation prepares a biennial budget, the governing body shall certify to the assessor for each fiscal year of the budget period the ad valorem property tax amount or rate for the ensuing fiscal year.” In June, midway through the biennial budget, the Finance office will prepare resolutions to adopt the 2nd year of the biennial budget. Just as we do for an annual budget. We are legally required will go through the process of a Budget Hearing, the resolution adopting the budget, and the resolution to making appropriations, imposing the tax, and categorizing the tax.

- What can be done with unsafe traffic patterns?

Gladstone has just started on its Transportation System Plan (TSP) update. The last TSP was completed over 20 years ago. Much population growth has taken place in the greater metro area during the ensuing years resulting in a lot of changes that have impacted the city. The new TSP will look at transportation throughout the city and make recommendations to make Gladstone city streets safer and function better. The new TSP will be finished in the fall of 2017. Citizen involvement is provided through the TSP committee.

- How can we maintain the non-Portland Avenue area of town?

Public Works is currently working within our budget to maintain all of the City of Gladstone based on priorities, with health and safety issues being the highest priority. Gladstone is in the process of evaluating its infrastructure needs and will take the list of projects and concerns and prioritize them. Resources, both in funding and in staff, will be Gladstone’s biggest challenge once the projects are identified.

- Is Urban Renewal take away from PD/FD/School worth it?

Urban renewal funds will pay for a substantial portion of the new police station, were already used for the upgrade/expansion of the fire station, and helped pay for the fire department’s ladder truck. If not paid for by urban renewal, these costs would have to be paid for out of the regular City budget (capital expenditures) or by asking voters to approve a bond measure (an additional tax). Utilizing an Urban Renewal District (URD) is always a balancing act as tax revenues are directed away from normal city operating costs and instead are committed to infrastructure needs for future business growth and government facilities. Since elected members of the Gladstone City Council serve as the governing body for both the City and the Urban Renewal District, they are well positioned to properly balance the effect of the URD on the regular City budget.

Table 5 – Top Three

- 1) What are the plans for downtown revitalization?

The Downtown Revitalization Plan has not made recommendations as the process is still in its infancy. The goal of the project is to create a more cohesive main street that re-established the corridor as the city center. The process will identify development opportunities and appropriate land uses, including the location and type of public spaces that can make the area more attractive and inviting for residents, businesses and visitors alike. For more information on the process and how you can engage please visit <http://www.ci.gladstone.or.us/city-of-gladstone-downtown-revitalization/>

- 2) What is current status between the two cities and county regarding the proposed new digester?

Water Environment Services (WES) provides wastewater collection and treatment and water quality enhancement services for Clackamas County communities. For the most current information regarding the digester proposals please visit

http://clackamas.granicus.com/DocumentViewer.php?file=clackamas_f01bc5d6306cf905733343da1d8c5974.pdf&view=1

- 3) What is the current status of the library and how is the City paying the legal fees?

The City is ready to move forward on planning the new library depending on the results of the current litigation. The City and the County are communicating through each organization's lawyers, on working toward a resolution to the legal challenge. Each side pays for its own representation.

Ballot measure 3-446, approved by voters in 2014 stipulated that the library be between 13,000 and 16,000 square feet and be located on Portland Ave. between the Clackamas River and the high school. The capital plan provided by the City to the County describes the parameters of a 3-story building on the existing City Hall location, with the Library on the first and second floors, and City Hall on the third floor. The library will continue to be a City library staffed by employees of the City of Gladstone.

Other Questions

- Where do funds from water and sewer utility bills go?

Your water and sewer funds go to support the respective utilities. The Public Works Department is made up of five divisions: Water, Sewer, Storm, Streets, and Parks. As of February of 2016 the Public Works Department is tracking, for the first time, where staff time and other expenditures are being utilized. Going into the next budget cycle we will use this information to adjust the budget to reflect reality. For example, in our Parks Department there is only one full time equivalent (FTE) budgeted for park maintenance. In the first six months of tracking we have spent one and a half FTE. This will be reflected in the next budget.

Funds received with each water/sewer utility bill are delineated to specific funds titled Water Fund and Sewer Fund. Both of these are Enterprise Funds. An enterprise fund

establishes a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. Under enterprise fund accounting, the revenues in expenditures of services are separated into separate funds with its own financial statements, rather than being comingled with the revenues and expenses of all other government activities that generally are supported by tax revenue.

- Why is the location of the library on Portland Avenue?

Ballot measure 3-446, approved by voters in 2014 stipulated that the library be located on Portland Avenue between the Clackamas River and the high school.

- What are the plans for the intersection of Arlington and McLoughlin once the gym and new retail is built?

This commercial development went through the planning process which was current at the time, as outlined in the Gladstone Municipal Code. A traffic study was completed based on the impact anticipated by this development. The traffic study did not show any need for improvements at this intersection based on this development's impact. This does seem hard to believe since traffic at this intersection seems bad now. However, the traffic study from this development did not exceed this intersection's design capacity, per the required engineering study for this development. The developer did make substantial improvements to this intersection, such as adding a left turn lane, a bus turnout, and improved traffic signals. This development did pay the city system development charges (SDC) for the impact. This money is placed in the capital improvement budget for growth related projects within the city.

- Where are funds from right-of-way going?

Staff and Council are currently coming up with a plan to determine where these funds will be dedicated. Staff has made a recommendation to have 5% go to administration and the remainder goes toward the maintenance of city infrastructure in the right-of-way, such as street maintenance, city utility maintenance, and sidewalk maintenance and repair. The right of way user fees will go through the general fund. The Gladstone City Council will ultimately decide how and where the money is spent.

- How are rates to be determined by population or evenly split up?

Water rates are based on water consumption. Residential sewer rates are currently a fixed rate, based on Equivalent Dwelling Units (EDU's). Commercial sewer rates are based on water consumption during the billing cycle. Stormwater will most likely be based on an average of impervious surface area for residential properties and actual impervious surface area for commercial properties.

- Is there any plan to stop dumpage of sewer into the river?

Gladstone's Sewer Master Plan is nearing completion and it has identified projects to eliminate sewer discharge into the river. I believe the challenge will track along with the rest of the infrastructure in Gladstone: We have more needed projects then we have dollars to pay for them.

- What is the 5-year plan of each department?

From a personnel standpoint, the City has been an organization in transition. In the past year the City hired a city administrator, police chief, accounting manager, fire chief, library director, and public works director. They are in the process of hiring an assistant city administrator, and the senior center manager is currently an interim. Once the management team is fully staffed, the city administrator will facilitate a process for the team to develop 5- year strategic goals that will complement the elected officials' 5-year (2016-2020) Strategic Plan. The new management team has energy, enthusiasm, and professional expertise, to assist the Council in achieving their goals for the community. This process is anticipated to begin after the first of the year and be completed in the summer of 2017.

- Is there any additional upcoming fees resident need to be aware of?

It is anticipated that there will be rate increases in water and sewer and the addition of a stormwater fee. The investment in your infrastructure depends on the ability to pay for it. The citizens of Gladstone have enjoyed low rates for many years. Along with that, there was very little, to no investment in the infrastructure. It is more cost effective to go at it steadily over time, rather than to not do anything until the systems fail, which then requires extraordinary capital outlay, which is where we now find ourselves.

Table 6 – Top Three

- 1) What is the City's Plan to deal with Neighborhood livability with respect to rental property, abandoned property- to preserve property value?

Cities throughout the state have problems with abandoned properties known as "zombie" homes. A Zombie home is an abandoned, nuisance, neglected property. The homeowner is gone, unreachable or there is a default on the mortgage and foreclosure may or may not have initiated.

These properties frustrate neighbors as the building becomes an eyesore and an attractive nuisance. There is often a presence of drugs, prostitution, and theft. There are also squatters, transients camping in the yard, looting of fixtures and buildings falling into disrepair. They can be a fire hazard, an uncontrolled liability, and it reduces property values in the neighborhood. The City of Gladstone will look to other's cities and review Vacant Residential Property Registration Programs to determine if a program could be implemented in our community. These programs are set up to implement a system for tracking vacant, abandoned and/or distressed properties in their cities and to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned properties. This program will require additional staffing costs so funding will also need to be factored into the assessment of need in Gladstone.

- 2) What is status/timing of Transportation System Plan as it related to safety issues?

The schedule for the completion of the TSP is the fall of 2017. This plan will look at safety issues that have been identified by staff and committee members made up of citizens, business owners, school representatives, and others.

3) What is the plan for downtown revitalization and how will implementation be funded?

The Downtown Revitalization Plan has not made recommendations as the process is still in its infancy. The goal of the project is to create a more cohesive main street that re-established the corridor as the city center. The process will identify development opportunities and appropriate land uses, including the location and type of public spaces that can make the area more attractive and inviting for residents, businesses and visitors alike. For more information on the process and how you can engage please visit <http://www.ci.gladstone.or.us/city-of-gladstone-downtown-revitalization/>

Other Questions

- What are the proposed changes in the City Charter?

Measures 3-511 and 3-512 regarding a new Home Rule Charter and the length of Mayoral terms failed after the November 8, 2016 general election. Measures 3-505 and 3-506 did pass which means voter approval is required for the sale or lease of city-owned parks AND voter approval is required to remove "parks" designations for city-owned properties. Language from both measures will be incorporated into the City Charter and then be posted on the City's

- Transportation Grant Federal Safety Grant?

This isn't really a question however the City is in the process of updating its Transportation System Plan. For more information please visit www.Gladstonesp.com

- How to build better relationships with county commissioners?

The best way to build better relationships is through communication. With a new City Council and new Board of Clackamas County Commissioners being sworn-in January, it is an optimal time to nurture communications that will enhance the livability of the city and county. Staff and elected officials are dedicated to making that happen in 2017.

- What is going to happen with Nature Park?

There are no current plans for Nature Park

- What is the current designation of Nature Park?

The designation of the Nature Park is C-2- Community Residential. For more information on allowed uses, please visit:

<http://www.codepublishing.com/OR/Gladstone/#//Gladstone17/Gladstone17.html>

- Where is the library going to be built?

At 525 Portland Ave, where the current City Hall and Police Department building are located.

Table 7- Top Three

- 1) Is the pedestrian bridge at the end of Portland Avenue due to existing bridge on 82nd?

No. The Portland Avenue Historic Trolley Bridge was located on the Clackamas River between the cities of Gladstone and Oregon City. The City received a grant for \$201,892 from the Metro Regional Flexible Fund to conduct a feasibility study. The City's matching contribution is \$23,108. The feasibility study will consider costs for the replacement of the collapsed bridge (this is not a construction grant).

For ease of understanding roles and responsibilities on the Trolley Trail Historic Bridge Improvement Project, Clackamas County's Department of Transportation and Development has agreed to a three party intergovernmental agreement between the City, the County, and ODOT. As part of the implementation the County will manage the project. We are able to take advantage of this public partnership through the County's Certification program. ODOT's Department of Justice Department (DOJ) is finalizing the IGA for all three government agencies to sign. Once that is executed we will move forward on the study.

Studying the feasibility of replacing the Historic Trolley Trail Bridge for pedestrians and bicyclists will provide a much-needed active transportation link across Clackamas River and become a gateway into Gladstone. With the Transportation System Plan Update and the Downtown Revitalization Plan in process there is momentum to get this last mile of the Trolley Trail built and it could greatly increase our chances to receive federal funds to construct the replacement.

- 2) We are exceeding urban renewal dollars for civic buildings, where will additional funding come from?

The funding for our Civic Buildings comes from a mix of dollars.

For our Police Department and City Hall – Our plan, as stated in the 2016-17 City budget document is to Transfer funds from a variety of sources. We plan to use funds from Urban Renewal, Special Revenue Funds the City receives (i.e., alcohol and tobacco taxes), the possible sale of property and debt proceeds (not a levy). This would be a loan the City takes out called a Full, Faith & Credit loan. Additionally, the Urban Renewal Fund generates about \$800,000 in proceeds annually.

- 3) How is City going to identify existing storm water issues and would council consider building moratorium to address these concerns?

The city has already conducted water and stormwater master plans that have identified capital projects to address Gladstone's issues. The challenge now is paying for those projects.

ORS 197.520 defines criteria in the manner of declaring a moratorium. No moratorium shall be effective for a period longer than 120 days unless additional criteria are met to extend it for six months. The estimate to upgrade our stormwater system is approximately \$6 million just for Portland Avenue alone. It would be a significant challenge for the city to acquire sufficient funding to fix the stormwater issues within the time frame required under moratorium law.

Other Questions

- What is the time- line for public works project?

Public Works has completed the water and stormwater master plans. We are currently working on the sewer, transportation and parks plans, scheduled to be completed in the fall of 2017. Once we have finished our master plans, the city will need to figure out how to pay for them. In the meantime we are focusing on day to day operations and how to maintain the failing infrastructure with which we are currently faced.

- What is the plan for storm project and cost?

In order to address our stormwater issues, the city should implement a stormwater utility fund to pay for the needed improvements. The master plan that identifies the capital projects and maintenance activities for the stormwater improvements has been completed. Public Works is planning to introduce a stormwater utility fee during the next budget process. The city budgeting process begins after the first of the year.

- Where is money coming from for projects?

There are many funding sources for different type of projects. For example in Public Works, the Water and Sewer utilities are enterprise funds and are therefore funded by utility rates, not tax dollars. Parks and Streets are funded through the general fund which generally is derived from tax dollars. The Street fund is also partially funded from gas taxes.

- Is the City positive of locations of civic buildings?

Until the new civic building designs have gone out to bid on construction there is always an option to reconsider. However, on November 9th the City Council authorized the purchase of property located at 18505 Portland Avenue to build a new police department. The new library/city hall is intended to be built where the existing city hall is on Portland Avenue. The next step is to program spacing requirements and put together a request for proposals and qualifications to hire an architect firm to design the buildings. Once that process is complete the City will be in a position to move forward with construction.

- Will the Senior Center have evening activities?

Yes, the Senior Center will eventually have evening activities. At this point and time however, it is not feasible to do so with our current staffing. We are currently working on solutions to address this concern. Currently, I am focused as Manager to be fiscally responsible with my department, and I feel that it's not ideal to spend money to train temporary staff on programs that would be offered at the Senior Center. Once we have a permanent solution to our staffing, we will begin the process of implementing new programs, some of which will be offered in the evening.

Table 8 – Top Three

- 1) What is the status of the library- the size, location, dispute, who runs it, IGA?

The City is ready to move forward on planning the new library depending on the results of the current litigation. The City and the County are communicating through each organization's lawyers, on working toward a resolution to the legal challenge. Each side pays for its own representation.

Ballot measure 3-446, approved by voters in 2014 stipulated that the library be between 13,000 and 16,000 square feet and be located on Portland Ave. between the Clackamas River and the high school. The capital plan provided by the City to the County describes the parameters of a 3-story building on the existing City Hall location, with the Library on the first and second floors, and City Hall on the third floor. The library will continue to be a City library staffed by employees of the City of Gladstone.

- 2) Safe street walking. Sidewalks, code enforcement, communication of safety issues, e-mail alerts.

For information regarding sidewalks and streets the municipal code is located at <http://www.codepublishing.com/OR/Gladstone/>

For information regarding code enforcement a complaint form can be accessed at http://www.ci.gladstone.or.us/Files/CODE-ENFORCEMENT_Complaint_Form.pdf

For immediate safety issues please contact the police department at (503)-557-2797 or public works at (503)-656-795.

The City has a Facebook page that provides update information and safety alerts. It is located at

<https://www.facebook.com/cityofgladstone/photos/a.1241091502615477.1073741828.1224674997590461/1261848970539730/?type=3>

3) Revitalization update- what about the previous study versus the Open House?

For the current Downtown Revitalization Plan, the consultants have correlated the following plans into this process as to build upon what has been previously completed:

- *Portland Avenue Streetscape Design (2008)*
- *Gladstone Downtown retail market Analysis (2007)*
- *Gladstone Downtown Parking Plan (2006)*
- *City of Gladstone Comprehensive Plan Goals, Objectives, Policies and Strategies (179)*
- *City of Gladstone Municipal Code (Title 17 Zoning and Development)*
- *City of Gladstone Transportation System Plan (1995)*
- *City of Gladstone Urban Renewal Plan (1988)*
- *City of Gladstone Stormwater Master Plan (2014)*
- *City of Gladstone Water System Master Plan (2014)*
- *Traffic Control Devices review (2016)*

The consultants, Angelo Planning Group, have summarized the findings and policy direction on a number of the studies and plans related to Downtown Gladstone. They have created a document to inform the strategies to be developed for the Gladstone Downtown Revitalization Plan. For a copy of that summary memo please visit the link below.

https://www.dropbox.com/s/035nomskuzjyk2x/AppxB_Plans_Policy_Memo_10.04.16.pdf?dl=0

Other Questions

- Why are there so many executive sessions?

Executive Session is a portion of the Council meeting that is closed to certain persons for deliberation on certain matters. No decisions are made in Executive Session. The governing body may reach a consensus in executive session; however, the governing body must return to the public session before taking final action.

Must an "Executive Session" of the City Council be open to the public?

No. An Executive Session is that portion of a meeting from which the public is excluded. The Public Meetings Law now provides that representatives of the news media shall be allowed to attend all executive sessions except those involving deliberations with persons designated to carry on labor negotiations.

There have been quite a few executive sessions in the past year primarily due to the volume of projects that the City of Gladstone is trying to accomplish, the library dispute, and negotiation of two collective bargaining agreements. There have also been a number of personnel changes within the City's management team that are discussed in executive session because personnel matters are highly confidential.

Below is a list of what the State of Oregon has deemed permissible grounds for going into executive session:

- (a) To consider the employment of an officer, employee, staff member or agent. ORS 192.660(2)(a) and 192.660(7).*
- (b) To consider dismissal or discipline of, or to hear charges or complaints against an officer, employee, staff member or agent, if the individual does not request an open meeting. ORS 192.660(2)(b).*
- (c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063, 441.085, 441.087 and 441.990(3). ORS 192.660(2)(c). (This does not pertain to local government).*
- (d) To conduct deliberations with persons you have designated to carry on labor negotiations. ORS 192.660(2)(d).*
- (e) To conduct deliberations with persons you have designated to negotiate real property transactions. ORS 192.660(2)(e).*
- (f) To consider information or records that are exempt from disclosure by law, including written advice from your attorney. ORS 192.660(2)(f).*
- (g) To consider preliminary negotiations regarding trade or commerce in which you are in competition with other states or nations. ORS 192.660(2)(g).*
- (h) To consult with your attorney regarding your legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed. ORS 192.660(2)(h).*
- (i) To review and evaluate the performance of an officer, employee or staff member if the person does not request an open meeting. This reason for execution session may not be used to do a general evaluation of an agency goal, objective or operation or any directive to personnel concerning those subjects. ORS 192.660(2)(i) and 192.660(8).*
- (j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments. ORS 192.660(2)(j).*
- (k) For a health professional regulatory board to consider information obtained as part of an investigation of licensee or applicant conduct. ORS 192.660(2)(k) (this does not pertain to local government).*
- (l) For the State Landscape Architect Board or its advisory committee to consider information obtained as part of an investigation of registrant or applicant conduct. ORS 192.660(2)(L).*
- (m) To discuss information about review or approval of programs relating to the security of any of the following: (A) a nuclear-powered thermal power plant or nuclear installation; (B) transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation; (C) generation, storage or conveyance of (i) electricity, (ii) gas in liquefied or*

gaseous form, (iii) hazardous substances as defined in ORS 453.005(7)(a), (b) and (d), (iv) petroleum products, (v) sewage, or (vi) water; (D) telecommunications systems, including cellular, wireless or radio systems; or (E) data transmissions by whatever means provided. ORS 192.660(2)(m).

(n) To conduct labor negotiations, if requested by negotiators for both sides. ORS 192.660(3).

- How much will the police station cost, size, and location?

The State of Oregon enacted essential facilities standards for police departments. By the year 2022 the Gladstone Police Department must be in a building that meets the essential facilities standard. Should there be a catastrophic event, such as an earthquake, we need to still be able to provide policing services to protect the welfare of the public.

In a 2015 special election the citizens of Gladstone voted to authorize the City to construct and incur debt to finance a new police department. The estimated budget for the project is \$7.2 million for the police station, which includes money to design, construct, finance, and acquire property. There are no new taxes associated with the new police department. Funds will come from State Sharing Revenues and long-term debt to be paid by Urban Renewal Funds.

At the November 9, 2016 City Council meeting the council approved Resolution No. 1093, authorizing the purchase of property located at 18505 Portland Avenue. Once closing is complete at the end of the year the next step will be to prepare a request for Proposals (RFP) for architectural and associated design services for a new police facility. This process will also identify the square footage of the new building based on a police department operation's needs' assessment.

Table 9 – Top Three

- 1) How can citizens rescind the ROW fee?

The Council adopted the Right-of-Way Ordinance No. 1465 in May 2016. To rescind the ordinance, the majority of Council would have to approve or the Oregon Citizen and Referendum process would need to be initiated. The city would not recommend rescinding this ordinance however as it improves management of the City's rights of ways and the goal is to accurately identify all rights of way users and ensure fair, market rate compensation for the use of our most valuable asset Attached to this document is a document titled, "Management of Gladstone's Most Valuable Asset". This document has a list of Right of Way Frequently Asked Questions that was sent out to the citizens in October of this year.

- 2) How and why did we get where we are with the library?

It started with signing the capital Inter-Governmental Agreement (IGA) with the County in April 2011. The purpose of the IGA was to build a new library in Gladstone that would provide services to both Gladstone and Oak Lodge Library service areas so that

the County could close the Oak Lodge Library. In November 2012, the voters rejected the first location choice on Webster Road. The City then developed another ballot measure which was approved by the County Commissioners and by Gladstone voters in 2014. Over the course of the next year, many members of the public from two different advisory committees analyzed and evaluated many possible locations and scenarios for a new library as well as a new Police Department and City Hall.

By the end of 2015, at the December 16, 2015 public meeting, the City Council followed the citizen group's recommendation to relocate the police department to the north end of Portland Avenue, and unanimously passed resolution #1069 to build a combined Library/City Hall building at the site of the current City Hall.

The City then developed a capital plan, which the County rejected, stipulating more information and research from the City, and also put the City on notice to cancel the IGA. The City responded by investing more time and resources addressing the County's concerns, but that response was also rejected, leaving the City no other option but to seek legal recourse. The City is ready to work toward a solution with the County and start the process of planning for the new library.

3) What steps are being taken to increase transparency and accountability to the citizens?

The City of Gladstone believes that government business should be open to regulation and we have an obligation to share information with citizens. We are a public agency that makes policy decisions in meetings that are open for people to attend and provide comment. Agendas, minutes, budgets, open meetings laws, elected officials, administrative officials, audits and public record request forms are all accessible and other general information is posted on the City's website at www.ci.gladstone.or.us. Government exists to serve the people and if there are issues or suggested areas of improvement regarding the City's transparency then we encourage you to contact Administration to have that conversation.

Other Questions

- What are we doing about earthquake preparedness- infrastructure?

In February 2010 the City Council adopted Resolution No. 988 acknowledging representation in the Clackamas County Multi-Jurisdictional Hazard Mitigation Plan. This plan established a comprehensive, coordinated planning process to eliminate or minimize vulnerabilities (including earthquakes). City representatives and staff identified natural hazard risks and prioritized a number of proposed actions and programs. These have been incorporated into the Clackamas County Multi-Jurisdiction Natural Hazard Mitigation Plan. For a copy of the plan visit <http://www.clackamas.us/dm/naturalhazard.htm>

- Why is one individual being excluded by the Council?

Government exists to serve the people and if there are issues or suggested areas of improvement regarding the City's transparency then we encourage you to contact Administration to have that conversation.

- Need more information about downtown revitalization- is there more money- how much does the City contribute?

The Downtown Revitalization Plan has not made recommendations as the process is still in its infancy. The goal of the project is to create a more cohesive main street that re-established the corridor as the city center. The process will identify development opportunities and appropriate land uses, including the location and type of public spaces that can make the area more attractive and inviting for residents, businesses and visitors alike. For more information on the process and how you can engage please visit <http://www.ci.gladstone.or.us/city-of-gladstone-downtown-revitalization/>

- Do we have a Ham radio set and are operations assigned?

The City currently has a Ham radio antennae at the Senior Center, the building that also serves as the City Emergency Operations Center when needed, and plans to purchase a Ham radio set by June 2017. We are looking for Ham operators to be part of our emergency management support group, please contact Maria Aikin if interested, aikin@ci.gladstone.or.us.

- What are the Gladstone CERT plans?

Gladstone's Fire and Police Chiefs are working with regional Community Emergency Response Team (CERT) leadership to bring a Gladstone CERT on line in 2017. CERT members will be trained to respond and assist in their neighborhoods in the event of a natural disaster and will receive first aid training. More information will be coming out as soon as details are finalized.

- Can "Business from the audience" be changed to a new name?

Government exists to serve the people and if there are issues or suggested areas of improvement regarding the City's transparency then we encourage you to contact Administration to have that conversation.

- How to get more information about the strategic plan?

The City Council initiated strategic planning efforts to chart a direction for the City to better serve its citizens. A copy of the Strategic Plan for 2016-2020 is attached as Exhibit C.

Table 10- Top Three

1) What is the timeline for street and sidewalk improvements?

Public Works has just started the Transportation System Plan (TSP). This plan will be completed in the fall of 2017. Out of this plan, capital projects will be identified based on safety issues, regional planning, funding, and other issues.

2) How do we change zoning to match new vision for City and how will it be communicated to citizens?

The Gladstone Municipal Code is amended via City Council ordinance. At minimum this would be done through a City Council Meeting. The Downtown Revitalization Plan is currently in the process and there has already been one open house meeting giving the citizens an opportunity for input and there will be other meetings held to continue to gather public input.

3) How does right-of-way fee benefit Gladstone citizens?

This fee will help to maintain the city's infrastructure located in the right of way. Prior to the adoption of the right of way fee schedule, right of way fees were collected through individual contracts between the city and the right of way users. The city's new right of way fee schedule allows the City to more efficiently collect the fees without the necessity of spending staff time to negotiate each individual contract with each vendor, as was the previous practice.

A copy of the staff report that accommodated the adoption of Ordinance No. 1465 is attached as to this document as Exhibit D. Also attached is a copy of the Rights of Way FAQs that was sent out to citizens a couple months ago, Exhibit E.

Other Questions

- What is the street improvement timeline?

Public Works is currently assessing the condition of our streets through a contract with Capital Asset Pavement Services. This is separate from the Transportation System Plan. We are expecting to have this plan completed by the end of the year. We will then prioritize street maintenance and repairs based on the report provided. A few examples of what we look at when prioritizing street maintenance and repairs are the condition of the underground utilities, does the subgrade need reconstructed, do the underground utilities need repair or replacement and again, how to fund this project.

- Zoning master plan for City?

Assuming that this question refers to the City of Gladstone Comprehensive Plan Goals, Objectives, Policies and Strategies, the last time the City updated this master plan was 1979. An update is overdue yet can be expensive and tedious. (Goal 5/Natural resource Amendments was updated in 2011). Now that a new management team is on board, staff will research technical assistance grants and coordinate with the Clackamas County Planning Department on developing a timeline to start the process.

- Stormwater fee addition to bill?

Public Works is planning to introduce a stormwater utility fee during the next budget cycle. Planning for the next budget cycle begins after the first of the year. Adding a stormwater utility fee is typically how cities pay for their stormwater infrastructure maintenance and repair needs.

- Sidewalk repair and new walks?

The Gladstone Municipal Code 8.04.100 currently reads that sidewalk maintenance and repair is the responsibility of the adjacent property owner:

8.04.100 Sidewalk repair.

(1) Owner Responsibility. It is the duty of all property owners in the city to keep the sidewalks on the streets thereof adjacent to or abutting on their respective real property in a good state of repair so as to eliminate the hazard of injuries to pedestrians using the same.

(2) Owner Liability. The owner or owners of real property on the city shall be liable to any person suffering injury by reason of any defect in the sidewalk adjacent to or abutting on the real property of the respective owner or owners.

(3) Maintenance and Repair Required. Real property owners in the city shall maintain and keep in repair all sidewalks, curbs and driveways, not to exceed one-half-inch vertical uplift or as determined by the City Administrator, along the streets and highways of the city in front of and as are adjacent to or abut on such owner's or owners' real property.

- Park Development master plan?

The city just contracted with Conservation Technix, Inc. to complete Gladstone's Parks Master Plan. This began in October of this year and we plan on completing it summer of 2017.

- Homeless in Parks plan, services?

Homeless issues are dealt with on a case by case basis. If person(s) are found "camping" in any public area, they are addressed immediately.

- What further safeguards, for High Rocks, park safety?

Due to several deaths in the past, High Rocks Park is one of the few river sites in the greater Portland area that has dedicated lifeguard staffing (on the Gladstone side) from Memorial Day through Labor Day. Gladstone Fire Department has a dive rescue team that can respond and is part of a large regional water rescue response team. There is no getting around the fact that while High Rocks Park can be a wonderful place to relax while

out of the water, jumping into the Clackamas River is a dangerous activity for even the best of swimmers.

- Water system- source and content?

As required by the Environmental Protection Agency EPA the City of Gladstone provides its residents with a Consumer Confidence Report located at: <http://www.ci.gladstone.or.us/consumer-confidence-report-2015/>. This report provides the public with an analysis of your drinking water. Please take a look at our Consumer Confidence Report on the city website.

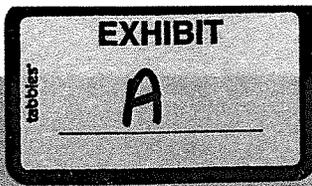
- How does ROW fee benefit Gladstone citizens?

This fee will help to maintain the city's infrastructure located in the right of way. Prior to the adoption of the right of way fee schedule, right of way fees were collected through individual contracts between the city and the right of way users. The city's new right of way fee schedule allows the City to more efficiently collect the fees without the necessity of spending staff time to negotiate each individual contract with each vendor, as was the previous practice.

A copy of the staff report that accommodated the adoption of Ordinance No. 1465 is attached as to this document as Exhibit D. Also attached is a copy of the Rights of Way FAQs that was sent out to citizens a couple months ago, Exhibit E.

- How does suing Clackamas County benefit citizens?

Getting a new, much needed library will benefit all citizens. The new library will be larger and brighter. It will be accessible to all. There will be dedicated spaces: a children's room with space for programming; a teen space that encourages creativity; a quiet reading room near the magazines and a much larger book collection; space for comfy chairs and tables; study rooms and a conference room; and plenty of outlets and wifi for internet connections with all the benefits of worldwide communications, and much more. All of these things contribute to building a stronger, safer, more secure community.



City of GLADSTONE

Newsletter

October 2016



LIBRARY UPDATE

In 2008, Clackamas County voters approved the formation of a library district dedicated to providing library services within the County boundaries. Voters agreed that stable funding was necessary to provide consistent, quality services to Clackamas County residents.

Shortly thereafter, Gladstone and the new library district entered into an intergovernmental agreement (IGA) to provide a mechanism to distribute funding necessary to operate, maintain and enhance services for library patrons. IGAs are legally-binding contracts between local governments, such as cities and counties.

In the formation of the library district, the Clackamas County Board of Commissioners proposed a separate contribution from the County's general fund to each city providing library services within the county specifically for use on capital improvements.

As a recipient of these funds, Gladstone and the County signed another IGA (Capital IGA) in April 2011. The Capital IGA would provide funds for capital improvements to Gladstone's library.

The County promised \$2.5 million to build a new library to serve Gladstone and Oak Lodge residents. The County has already provided \$1 million; the dispute concerns the remaining \$1.5 million.

Over the course of the last four years, the City has worked closely with the Clackamas County Board of Commissioners and all impacted residents to identify a new location for the library and to move forward with this much-delayed plan to improve library services in the City and County.

At the end of this lengthy process, Oak Lodge and Gladstone residents identified a new location on Portland Ave. This location was endorsed by the Clackamas County Board of Commissioners and approved by voters. The City of Gladstone now wishes to begin construction, but the Clackamas County Board of Commissioners is refusing to disperse the remaining \$1.5 million to fund the project.

This newsletter includes "Frequently Asked Questions" to help Gladstone and Oak Lodge residents understand these complicated issues.



How was the site for the new library chosen?

The City formed a task force in 2014—the Library Action Committee ("LAC")—with Oak Lodge and Gladstone citizens represented. This task force met over a course of several months, and submitted a recommendation to the City Council to locate a 13,000 to 16,000 square foot new library on Portland Avenue, between Gladstone High School and the Clackamas River.

The City Council forwarded the task force recommendation to the Clackamas County Board of Commissioners, which publicly endorsed the plan. The site was then submitted to voters for approval.

During this time period, the chairman of the Clackamas County Board of Commissioners, John Ludlow, submitted a Letter to the Editor of the Clackamas Review titled "Closing in on library dream." This letter urged voters to support the Portland Avenue location. He praised Gladstone for assembling "a library advisory task force of over 30 individuals from both the city of Gladstone and the unincorporated area of the county that the Gladstone library will be obligated to serve."

Moreover, Chair Ludlow stated that he "believe[d] that the proposal before Gladstone voters is a good one, and one that county voters envisioned when the Library District was formed after the 2008 vote."

Gladstone voters approved the new library size and the Portland Avenue location in the 2014 election.

Why won't the City agree to form a "task force," with members of Oak Lodge and Gladstone represented, to select a new library location?

Another "task force" is redundant and would invalidate the LAC's previous work. As stated previously, more than 30 residents from Oak Lodge and Gladstone dedicated a substantial amount of time and energy to provide the City with a recommendation that works for everyone. Furthermore, the City has no assurances that if the County disagrees with the recommendation of the new "task force," it will not again require another task force, made up of different citizens, etc. This process could go on indefinitely with the City having no legal recourse and the County left without a new library.

The bottom line is that the City, with County support, formed a combined task force to address this issue in 2014. The City will not invalidate the work and recommendation of that group of citizens in favor of another group because the County now seeks a different recommendation. The Clackamas County Board of Commissioners had the opportunity at that time to express concerns about the work of the task force or the process by which it came to its recommendations. Instead, the County endorsed the plan.

Why is it taking so long to build a new library?

It has taken awhile.

The City and the County originally signed the Agreement to fund the new library in April 2011—almost six years ago. At that time, the parties were considering the Webster Road location. However, voters in the November 2012 election rejected that site, which sent the parties back to the drawing board. Over the course of 2013, the City worked with the County on developing an alternative plan for the library.

The City agreed to form a task force composed of Gladstone and Oak Lodge residents to make a recommendation to the City Council regarding the size and location for the new library. By May 2014, the City approved the recommendation and forwarded it to Clackamas County, which endorsed the new plan. The City Council submitted the recommended 13,000 sq. ft. Portland Avenue location to the voters in November 2014, and they approved.

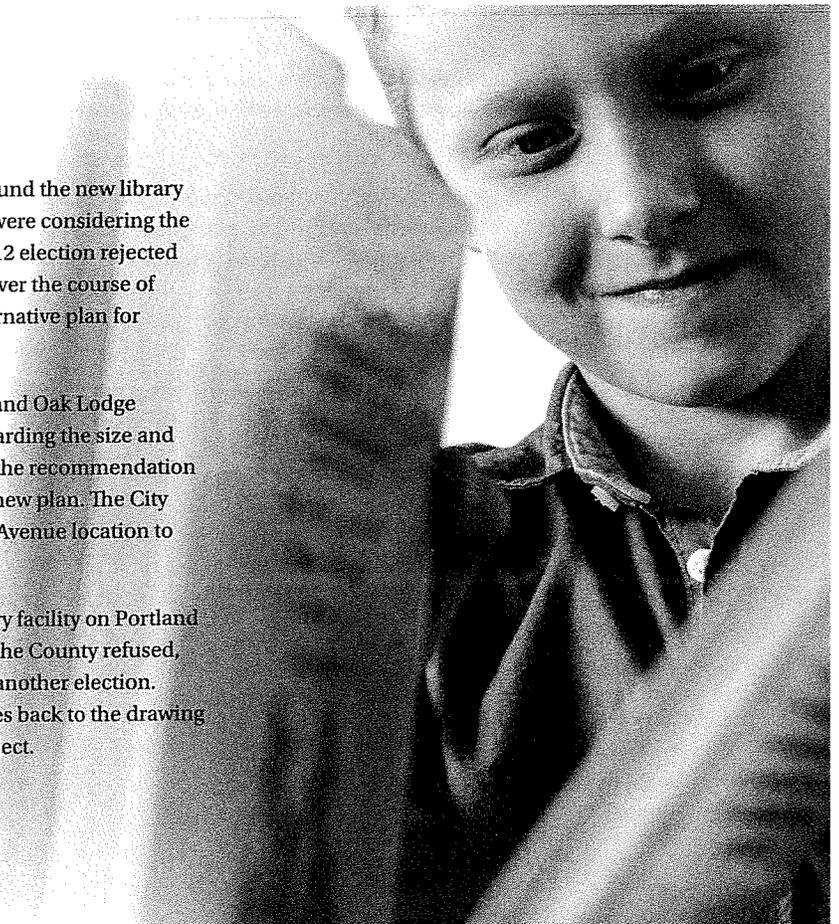
By 2016, the City was ready to build the voter-approved library facility on Portland Avenue and requested the funds from the County do so. But the County refused, requiring the City to form another task force and potentially another election. These requests from the County would, again, send the parties back to the drawing board and wipe out three years' worth of progress on the project.

Why did the City decide, at this point, to begin litigation?

The County unilaterally terminated the funding agreement (the Capital IGA or "Agreement") after Gladstone submitted its capital plan for the new library. The City views this action as the County's attempt to avoid its obligation under the Agreement. The County left the City no other choice but to pursue legal remedies for breach of contract to protect the City's interests and the substantial time and expense the City has invested in the library project. The City invested in the project under the assumption that the County would honor its legal obligations. The City seeks to enforce those obligations and build a library to serve residents.

Who wrote the Capital IGA and what does it provide?

Clackamas County Board of Commissioners wrote the Capital IGA in 2011. The Agreement requires that once the City submits a capital plan to the County, the County has 60 days to disburse the funds to build the library. Once the funds are disbursed, the County has the authority to monitor how the City uses the funds.



When will Gladstone and Oak Lodge residents get a new library?

Hopefully soon! As mentioned above, Gladstone is ready to get started on the voter-approved facility recommended by the joint task force. If the County disperses the funds, as requested, the library construction could begin shortly.

*Timeline Highlights***November 2008**

County voters authorize creation of the Library District

August 2009

Library District and Gladstone enter into "Master IGA"

April 2011

Gladstone and Clackamas County sign "Capital IGA"; Clackamas County drafted the Capital IGA and entered into similar agreements with other "library cities"

November 2012

Gladstone voters reject the Webster Road library location by failing to pass Measure 3-413

January 2014

Gladstone forms the Library Action Committee (LAC) "task force" composed of residents from Gladstone and Oak Lodge

January 2014 to April 2014

The task force meets more than six times to consider alternatives

April 2014

The LAC task force recommends a new library on Portland Ave between the Gladstone High School and the Clackamas River

June 2014

Gladstone City Council accepts the LAC's recommendation and forwards it to the Clackamas County Board of Commissioners

July 2014

Gladstone City Council approves Ballot Measure 3-446 to submit a 13,000 to 16,000 square foot facility located on Portland Ave to voters

July 2014

Clackamas County Board of Commissioners reviews Gladstone Ballot Measure 3-446 and endorses the Portland Ave location and facility size

October 2014

Clackamas County Board of Commissioner Chair Ludlow endorses Gladstone Ballot Measure 3-446 in the Clackamas Review

November 2014

Gladstone voters approve Ballot Measure 3-446 for the Portland Ave location and facility size

Early 2015

Gladstone forms Civic Buildings Advisory Committee to consider and study replacement of City Hall and Gladstone Police Station. Committee recommends a combined facility

November 2015

Gladstone voters approve Ballot Measure 3-471 for the combined civic buildings

January 2016

City and County staff meet to discuss the library project and the transfer of funds. County staff requests that Gladstone submit a timeline and a capital plan

February 2016

Gladstone submits a timeline and capital plan per the parties' Capital IGA

March 2016

Clackamas County responds to Gladstone capital plan by providing notice the County intends to cancel the Capital IGA. In the letter the County requests an accounting of funds have been spent to date and requiring additional conditions for disbursing the \$1.5 million. These new conditions are not provided in the Capital IGA. One of the conditions is forming another "task force" similar to the LAC.

March 2016 to June 2016

City and County correspond via email regarding the requested accounting, the County's new conditions for disbursing the funds, and the lesser standard imposed on other library cities

June 2016

Gladstone submits a supplemented capital plan

August 2016

Clackamas County again rejects Gladstone's supplemented capital plan, refusing to disburse the funds, and reiterates its new conditions

Can't the City keep trying to work with the County?

The City is still open to working with the County, but the County's actions have left the City no other choice but to initiate legal action. Moreover, the City has taken every opportunity to include the County and respond to its increasing demands. For example:

- The City involved the County in the discussion regarding an alternative location after voters rejected the Webster Road site in 2012.
- The City formed a "task force" in 2014 that included members of unincorporated Clackamas County to recommend a new library location.
- The City provided the County Ballot Measure 3-446 before submitting it to voters. If the County had any concerns with the process used to select the location, or the location itself, the County could have voiced them at that point. Instead, the County expressed support for the process and location.
- The City submitted a capital plan and timeline in February 2016 at County staff's request.
- The County responded by providing notice of its intent to terminate the agreement. By this time, however, the County was already obligated to disburse the funds.
- Instead of immediately engaging in litigation when the County breached the Capital IGA in April 2016, the City instead invested additional time and public resources in attempting to address the County's needs by submitting a supplemented capital plan.
- The County again rejected the supplemented capital plan leaving the City no other option but to seek enforcement of the Capital IGA through the court system.

CITY OF GLADSTONE

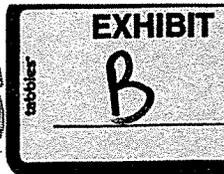
City Hall Offices

525 Portland Avenue
Gladstone, Oregon 97027
Office Hours: Mon - Fri 8am to 5pm
General Business Phone: 503-656-5225
Website: www.ci.gladstone.or.us

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PERMIT NO. 28

POSTAL CUSTOMER

Business and Demographic Fast Facts



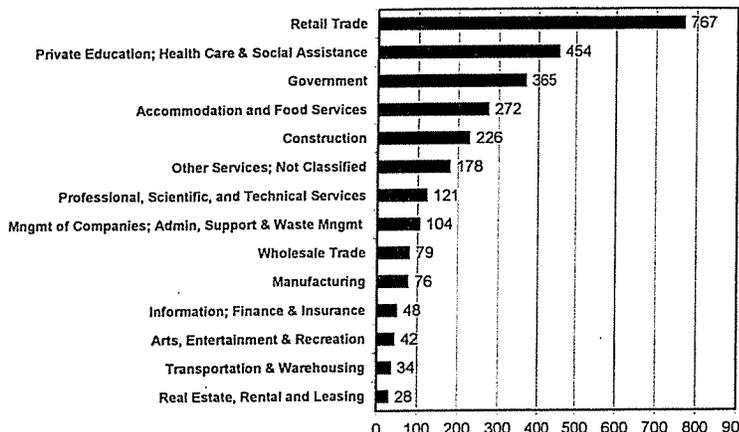
City of Gladstone (June 2016)



Retail trade provided over one in four jobs in Gladstone during 2014.

- ◆ In 2014, the City of Gladstone had 270 employers providing 2,794 jobs.
- ◆ Three of the largest industries made up over half (57%) of covered employment. Retail trade was out front with 767 jobs followed by healthcare and social assistance (454 jobs), and government (365 jobs).
- ◆ From 2006-2014, the city lost a total of 28 employers and added 38 new jobs. The majority of job gains were in health care, food services, support and waste management, and other services. The majority of job losses occurred in construction, local government, and retail trade.

Average Covered Employment: 2014
City of Gladstone



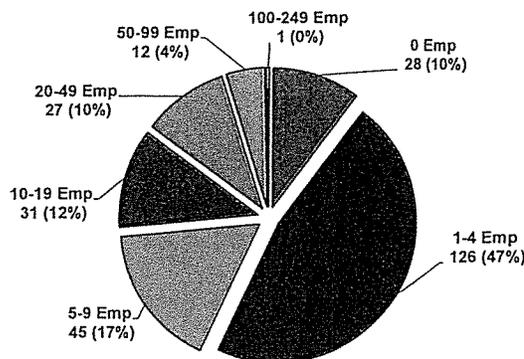
Source: Oregon Employment Department, QCEW, GIS 2014

Covered Employment and Payroll, City of Gladstone: 2014				
Industry Description	Avg Emp	Firms	Payroll	Avg Wage
Total Employment	2,794	270	101,799,482	\$36,435
Construction	226	31	11,446,124	\$50,647
Manufacturing	76	4	1,826,923	\$24,038
Wholesale Trade	79	18	3,843,984	\$48,658
Retail Trade	767	29	34,121,298	\$44,487
Transportation & Warehousing	34	4	1,277,156	\$37,563
Information; Finance & Insurance	48	18	2,022,853	\$42,143
Real Estate, Rental & Leasing	28	10	810,210	\$28,936
Professional, Scientific, and Technical Services	121	30	6,438,271	\$53,209
Management of Companies; Administrative & Support	104	11	2,829,086	\$27,203
Private Education; Health Care & Social Assistance	454	27	14,195,570	\$31,268
Arts, Entertainment & Recreation	42	6	765,882	\$18,235
Accommodation & Food Services	272	23	3,989,570	\$14,668
Other Services; Not Classified	178	51	4,840,027	\$27,191
Federal Government	3	1	149,338	\$49,779
State Government	19	1	739,090	\$38,899
Local Government	343	6	12,504,100	\$36,455

Majority of businesses in Gladstone have less than 20 employees.

- ◆ Small businesses, with less than 20 employees, numbered 230 in 2014 and made up 85 percent of all employers in the city. These small businesses provided 982 jobs (35%). Nearly half (47%) of these small businesses had less than 5 employees.
- ◆ Mid-size businesses, with 20-49 employees, consisted of 27 businesses that provided 818 jobs (29%).
- ◆ Larger employers, with more than 50 employees, consisted of 13 businesses that provided 994 jobs (36%).

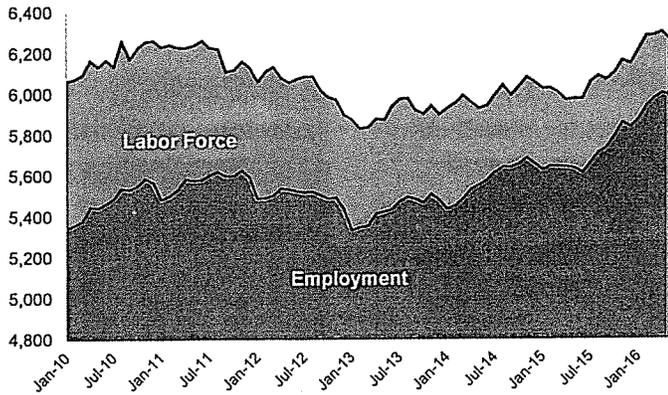
Number of Firms by Class Size, City of Gladstone, 2014



Source: Oregon Employment Department, QCEW, GIS

Labor Force

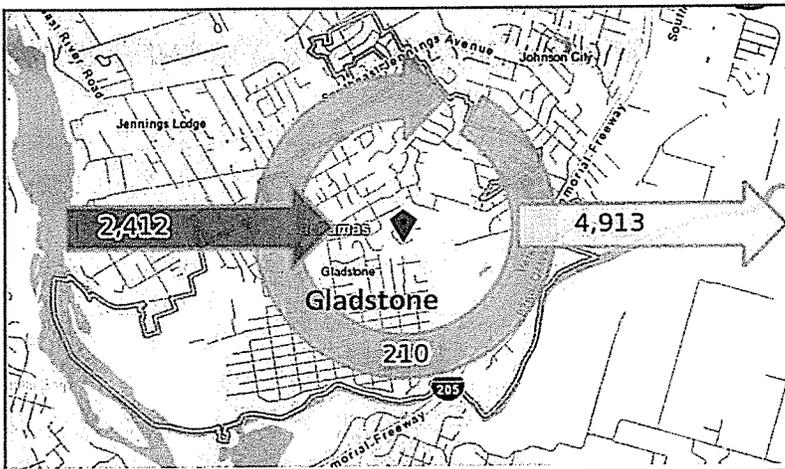
**Labor Force and Employment Level
City of Gladstone: 2010-2016**



Source: Oregon Employment Department, LAUS

Both the resident labor force and the number of people employed has grown since 2013.

- ◆ The labor force residing in Gladstone numbered 6,264 people in May 2016 and has grown by 7.4 percent since the low point in February 2013.
- ◆ The number of employed residents has grown even faster at 12.0 percent with 644 new jobs since February 2013.
- ◆ The city's unemployment rate dropped from a high of 12.0 percent in January 2011 to a low of 4.3 percent in May 2016.



Less than one in ten Gladstone businesses employed workers who lived in Gladstone in 2014.

- ◆ Four out of five workers who were employed in Gladstone came from outside the city to work..
- ◆ Eight percent or 210 workers both lived and worked in Gladstone.
- ◆ Ninety percent (4,913) of workers who lived in Gladstone traveled outside the city to work in 2014.

	2,412 - Employed in Selection Area, Live Outside
	4,913 - Live in Selection Area, Employed Outside
	210 - Employed and Live In Selection Area

**Table 1
Where Gladstone's Workforce is Traveling to Work**

	2014	
	Count	Share
Portland	1,813	35.4%
Oregon City	268	5.2%
Milwaukie	243	4.7%
Gladstone	210	4.1%
Tigard	202	3.9%
Gresham	155	3.0%
Tualatin	143	2.8%
Beaverton	134	2.6%
Lake Oswego	109	2.1%
Wilsonville	107	2.1%
Oak Grove CDP	106	2.1%
Hillsboro	89	1.7%
Jennings Lodge CDP	69	1.3%
West Linn	65	1.3%
Salem	62	1.2%
Oatfield CDP	56	1.1%
Vancouver	51	1.0%
Canby	47	0.9%
West Haven-Sylvan CDP	41	0.8%
Happy Valley	30	0.6%
Troutdale	27	0.5%
Sandy city	23	0.4%
Eugene	19	0.4%
Bend	17	0.3%
Sherwood	16	0.3%
All Other Locations	1,021	19.9%

Source: Census, LEHD

**Table 2
Where Workers Employed in Gladstone Live 2014**

	2014	
	Count	Share
Portland	387	14.8%
Gladstone	210	8.0%
Oregon City	192	7.3%
Gresham	112	4.3%
Oak Grove CDP	109	4.2%
Oatfield CDP	95	3.6%
Jennings Lodge CDP	70	2.7%
Milwaukie	68	2.6%
West Linn	68	2.6%
Tigard city	50	1.9%
Canby city	42	1.6%
Happy Valley	37	1.4%
Vancouver	37	1.4%
Hillsboro	35	1.3%
Salem	33	1.3%
Beaverton	31	1.2%
Damascus	31	1.2%
Tualatin	30	1.1%
Molalla	25	1.0%
Aloha CDP	24	0.9%
Lake Oswego	24	0.9%
Beavercreek CDP	22	0.8%
Eugene	16	0.6%
Wilsonville	16	0.6%
Forest Grove	15	0.6%
All Other Locations	843	32.2%

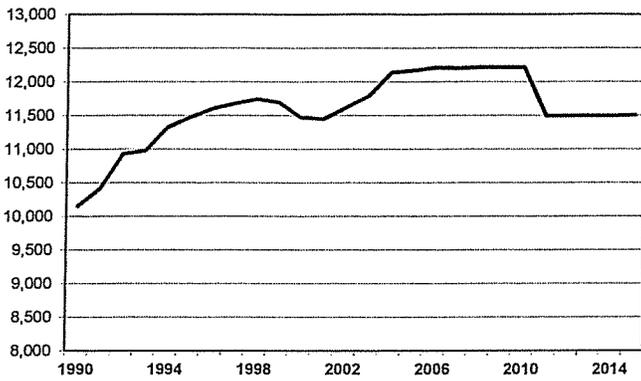
Source: Census, LEHD

Over one-third of Gladstone's workforce travel to Portland to work.

- ◆ One-third of Gladstone's employed labor force travel to Portland to work (Table 1). The next highest portion of workers work in Oregon City (5.2%), Milwaukie (4.7%), Gladstone (4.1%), and Tigard (3.9%).
- ◆ The largest portion of workers employed by Gladstone businesses (Table 2) live in Portland (14.8%), Gladstone (8.0%), Oregon City (7.3%), Gresham (4.3%), Oak Grove (4.2%), and Oatfield CDP (3.6%).

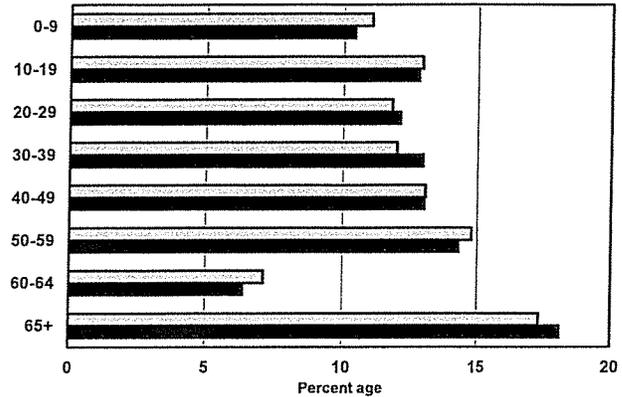
Population and Households

Gladstone's Resident Population: 1990-2015
(Average annual growth rate at 0.5% since 1991)



Source: PSU, Population Research Center

% Age Distribution, City of Gladstone: 2016
□ 2016 Clackamas County ■ 2016 Gladstone



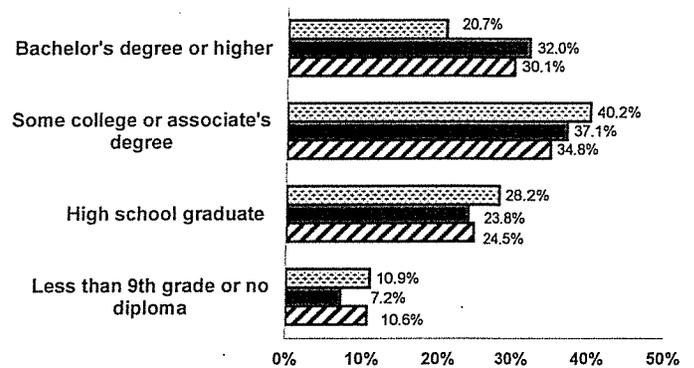
Source: Oregon Prospector.com

Population Growth and Age Distribution

- ◆ Gladstone's current population of 11,505 has grown by 13.3 percent since 1990 adding 1,353 residents. Since 1991, the city's average year-over-year population growth has remained relatively flat at 0.5 percent.
- ◆ Gladstone has both a higher percentage of its older population 65 + years (18.1%), and its middle-range population 20-39 years (25%) compared to Clackamas County.
- ◆ The city has a higher percentage of its population both with a high school diploma (28.2%) and some college or associate's degree (40.2%) than either Clackamas County or Oregon. On the other hand, the city has a much smaller portion of its population with a Bachelor's degree or higher (20.7%) than either the county or state.

Educational Attainment: 2014
(Population 25 years and over)

□ Gladstone ■ Clackamas County ▨ Oregon

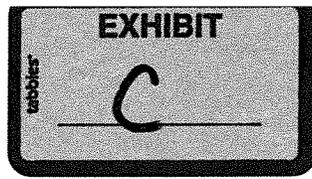


Households and Occupations

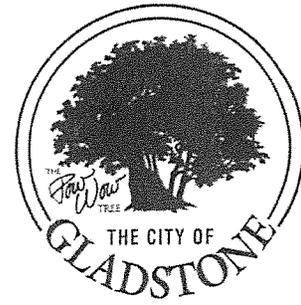
- ◆ Gladstone has a lower percentage of households which are owner occupied (56.5%) and a higher portion of households which are renter occupied (43.4%) than Clackamas County or Oregon.
- ◆ A lower portion of Gladstone homeowners pay 30% or more of their household income on housing (36.1%) but a higher portion of renters pay 30% or more household income on housing (55.2%) than the county or state.
- ◆ Gladstone has a lower portion of occupations in management, business, science, and arts and a higher portion of occupations in sales, office, transportation, and production compared to the county or state.

Households and Occupations in 2014	Clackamas		
	Gladstone	County	Oregon
Occupied Housing Units	4,578	147,736	1,522,988
Owner occupied	56.6%	68.5%	61.5%
Renter occupied	43.4%	31.5%	38.5%
Owner cost (30% or more) as % of household income	36.1%	38.9%	38.2%
Gross rent (30% or more) as % of household income	55.2%	50.7%	54.4%
Median household income	\$54,494	\$64,700	\$50,521
Per capita personal income	\$26,507	\$33,126	\$27,173
Poverty rate	14.1%	9.7%	16.7%
Occupations			
Management, business, science, and arts	27.2%	37.8%	36.7%
Service occupations	16.3%	15.1%	18.6%
Sales and office	33.3%	27.1%	23.8%
Natural resources, construction, and maintenance	9.4%	8.8%	8.9%
Production, transportation, and material moving	13.8%	11.2%	11.9%

Source: Census, 2010-2014 ACS 5-year estimates, Tables DP03-DP04



City of Gladstone Strategic Plan 2016-2020



The City of Gladstone is an organization in transition. Many of the elected officials and top appointed Department Heads and City Administrator have been recently elected and appointed.

Because of this and in an effort to prioritize for a future with limited financial resources, the City Council have initiated strategic planning efforts to chart a direction for the City to better serve its citizens. The City Council and City Staff have initiated a strategic planning process to identify the City's Vision, Mission, Core Values, Goals and Objectives.

The following is a draft of those planning efforts:

Vision

- Gladstone - a vibrant place for people to live, work and play!

Mission

- Continually Improving ~ Quality Customer Service

Core Values

- Safe Community
- Healthy Economy
- Quality Services
- Accountable Leadership

Goals

- Enhance the Livability in Gladstone
- Address Critical Civic Building Needs
- Ensure a Highly Qualified Workforce
- Maintain the Health and Long Term Vibrancy (Stability) of the City of Gladstone
- Ensure Financial Stewardship and Long Term Municipal Financial Stability

1. ENHANCE THE LIVABILITY IN GLADSTONE

- 1.1. Develop a tactical Communication Plan that addresses residents, businesses, and City employees and encourages citizen participation.
- 1.2. Implement the water and storm water Master Plans.
- 1.3. Start/initiate Downtown Revitalization Planning process.
- 1.4. Move forward with constructing new Library/City Hall/Police Station per citizens' vote.
- 1.5. Move forward on the Parks Master Plan RFP and complete Streets and Sewer Master Plan.
- 1.6. Implement Technology Plan.
- 1.7. Partner and contract with through IGA's with Oregon City and other government organizations on key areas like planning, code enforcement, ROW management, GIS access.

2. ADDRESS CRITICAL CIVIC BUILDING NEEDS

- 2.1. Move forward on land acquisition for future police station.
- 2.2. Work with Oak Lodge residents and Clackamas County Commission to move forward on the City Hall/Library project.
- 2.3. Post pictures or concept of new buildings, facilities.
- 2.4. Move forward on Trolley Trail Feasibility Study through ODOT grant.
- 2.5. In the design phase use existing or new facilities to supply needs for public safety, seniors, administration office, multipurpose use, training, etc.

3. ENSURE A HIGHLY QUALIFIED WORKFORCE

- 3.1. Provide competitive salary, training, and work environment to attract and keep top professionals.
- 3.2. Ensure our workers have a great work-life balance.
- 3.3. Initiate a performance management plan for each of our employees including recognition, roles and responsibilities, and reorganization to efficiently provide services.
- 3.4. Be the employer of choice.
- 3.5. Engage Unions as full partners.
- 3.6. Ensure we have a motivated and engaged workforce.

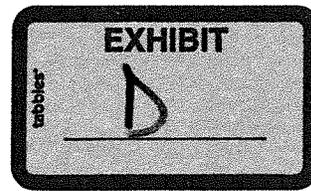
4. MAINTAIN THE HEALTH AND LONG TERM VIBRANCY (STABILITY) OF THE CITY

- 4.1. Move forward with Water/Storm Water master plans ensuring these two recently completed master plans have the financial plan implemented considering residents and businesses willingness to pay.
- 4.2. Examine the Utility Rate Study (including System Development Charges SDC's) to ensure we are in the market.
- 4.3. Build in a capability to maintain our facilities (infrastructure, buildings, etc).

5. ENSURE FINANCIAL STEWARDSHIP AND LONG TERM MUNICIPAL FINANCIAL STABILITY

- 5.1. Identify services we provide (ex. Parks) and currently don't charge for within the framework of greater than 50% cost recovery model.
- 5.2. Renew Public Safety Levy for Fire/Police by 2019.

- 5.3. Investigate user fees to ensure tax exempt entities contribute on an equitable basis for services offered.
- 5.4. Review enterprise budgets (ex: Water, Sewer, Storm Water Utilities) with the goal of making all financially self-sustainable.
- 5.5. Explore how to provide greater financial stewardship, research comparisons of peer organizations and what citizens receive and charge versus Gladstone.
- 5.6. Explore Biennial Budget process.
- 5.7. Establish three month budget contingency



ORDINANCE NO. 1465

AN ORDINANCE AMENDING GLADSTONE MUNICIPAL CODE TITLE 12 TO ADD CHAPTER 12.24, UTILITY FACILITIES IN PUBLIC RIGHTS-OF-WAY, AND AMENDING CHAPTER 5.04, BUSINESS LICENSES AND CHAPTER 12.02, STREET EXCAVATION REQUIREMENTS

WHEREAS, the City of has authority pursuant to its Charter and the Oregon Constitution and statutes to manage its rights-of-way and to receive compensation for use of the rights-of-way consistent with applicable state and federal law, and

WHEREAS, the City has generally granted individually-negotiated franchises to each utility using the City's rights-of-way to provide utility service, which franchise generally set forth the terms of use of the rights-of-way and the compensation to be paid to the City for this use; and

WHEREAS, the City has determined that it can to more effectively, efficiently, fairly and uniformly manage the City's rights-of-way and provide consistent standards for utility use of the rights-of-way through licenses rather than franchises and through a right-of-way use fee; and

WHEREAS, the City has determined that it can more effectively obtain compensation from utilities that benefit from, and recover significant costs of utilities related to, the rights-of-way in the City by enacting a Right-of-Way Use Fee applicable to utilities actually using and those benefitting from the rights-of-way; and

WHEREAS, the City finds it is in the public interest to enact the changes to the Gladstone Municipal Code as set forth in this Ordinance.

NOW, THEREFORE, the City of Gladstone ordains as follows:

Section 1. Gladstone Municipal Code Chapter 5.04, Business Licenses, subsection 5.04.030(2), is amended as follows (new language appears as underlined text; deleted language appears as ~~strikethrough~~ text):

(2) In lieu of a business license and the requirement to pay related fees described in this chapter, the city will issue an exemption certificate without charge to businesses and activities described in paragraphs (a) through (g) of this subsection. Notwithstanding the foregoing, a qualifying business or activity must complete and file an initial and thereafter an annual renewal exemption certificate application. Businesses and activities qualified under this provision are:

(a) Religious, educational and charitable organizations specifically exempt from taxation under the Federal Internal Revenue Code;

(b) ~~Utilities franchised by and paying a franchise fee to the city;~~

~~(c) One-time, annual events or special events if all other applicable permits and licenses have been applied for and granted by the city;~~

(~~c~~) Any business or occupation specifically exempt from the payment of a non-regulatory business license fees under state law or federal law (any

person claiming an exemption under state or federal law has the burden of demonstrating the applicability of such an exemption);

(ed) Any household, garage or yard sale conducted in accordance with any applicable city ordinances or regulations;

(fe) Producers of farm products raised in Oregon, produced by themselves or their immediate families and sold by them or by a member of their immediate family;

(gf) No person working as a domestic in a private home if the owner or occupant of the home employs or directly pays the domestic worker.

Section 2. Gladstone Municipal Code Chapter 12.02, Street Excavation Requirements, is amended as follows (new language appears as underlined text; deleted language appears as ~~strikethrough~~ text):

12.02.010 Installation or excavation—Permit required.

(1) No person, firm, or corporation ~~or district~~ shall engage in any excavation, grading, surfacing, or paving operation or activity, or install or construct any sanitary sewer, storm sewer, water main or pipeline, or any other public utility, service, or public improvement in the city without first securing a permit therefore from the City Administrator or his designee. Permits will be issued only upon approval by the city engineer of the plans, profiles, and specifications for the proposed construction.

(2) The city has the authority to set a fee for each permit issued under the provisions of GMC Sections 12.02.010 to 12.02.070 by resolution of the council and such fee shall be due and payable at the time of the permit. In addition to the permit fee, the city may also authorize a charge to cover the costs of plan review and inspection of the work by the city to assure compliance with city standards and specifications, an amount to be set by the city based on the estimated construction costs as determined by the city engineer or his designee as set by the city. When costs are imposed, the city shall keep accurate records of the time and costs incurred in such review and inspections, and upon completion of the project, and its acceptance by the city, any amount remaining in the inspection charge shall be refunded to the permittee. Any cost incurred by the city in excess of the amount of the inspection charge shall be billed to the permittee and shall be due and payable prior to approval and acceptance of the project by the city. Time spent in plan review and inspection shall be billed at an hourly rate to be set by the city.

(3) GMC Sections 12.02.010 to 12.02.070 shall not apply to duly franchised utilities whose operations are controlled by franchise ordinance adopted by the city, nor to utility operators with a valid license from the City pursuant to GMC 12.24.070.

(4) GMC Sections 12.02.010 to 12.02.070 shall not apply to contractors performing work under a contract let by the city. Work of such contractors shall be governed by the conditions of such contract.

12.02.020 Street contractor's license.

(1) Any person, firm, or corporation ~~or district~~ who engages in the business, operation or practice of constructing streets, sanitary sewers, storm sewers, water mains, or pipelines or any other device or structure within the right-of-way of any street dedicated to public use within the city shall obtain a city license as a street contractor prior to engaging in such work.

(2) Before being issued a license, a street contractor shall submit to the city evidence and a statement of experience to show to the satisfaction of the City Administrator, that the applicant is qualified to perform such work.

(3) A licensed street contractor shall execute and deliver to the city a dual obligee surety bond to be approved by the city in the amount of ten thousand dollars in favor of the city, conditioned that the contractor will perform all street work in conformance with the laws of the city and the requirements of other governmental agencies and that the contractor will indemnify and save the expenses, damages, costs and claims arising out of the contractor's negligence or unskillfulness in performing such work, and further guaranteeing such work against any failure or deterioration due to faulty workmanship or materials for a period of one year from the date of its acceptance by the city. This requirement shall not be applicable as to street work in a subdivision where a performance bond, irrevocable letter of credit, cash deposit, or maintenance bond is posted pursuant to the Municipal Code and to the satisfaction of the city for all required public improvements including street improvements.

(4) The licensed street contractor shall have and keep in full force and effect property damage and liability insurance in the minimum amount of one million dollars property damage, and one hundred thousand personal injury while performing any work in the city. A certificate of such insurance shall be filed with the city. Said certificate shall indicate that coverage includes street excavation and sewer excavation, including explosion, collapse, and underground exposure.

(5) The license of any street contractor may be revoked by the City Council upon presentation of evidence of his failure to comply with any and all regulations of the city.

12.02.030 Standards.

All street, sanitary sewer, storm sewer, water main and pipeline construction and any other construction within streets in the city shall be in accordance with the ~~"Standard Specifications for Public Works Construction"~~ as published by the ~~Oregon Chapter of the American Public Works Association~~ Gladstone Design and Construction Standards or in accordance with any special provisions established by the city engineer.

12.02.040 Street sections and construction details.

Standard street sections and standard construction details shall be as specified in city's the standard drawings in the Gladstone Design and

Construction Standards. No deviation from these standard drawings will be allowed without the approval of the city engineer.

12.02.050 Engineer's approval in phases.

Each phase, layer, or ~~source~~course of work shall be approved by the city engineer prior to the placement or construction of any subsequent phase, layer or course. Failure to comply with this section shall be cause for requiring the removal and replacement of that phase, layer, or course which was placed without approval of the preceding course.

12.02.060 Contractor—Appointment of project superintendent.

A street contractor shall employ competent and experienced ~~workers~~men and ~~supervisors~~foremen and for each project or contract shall designate a project superintendent who will be responsible for coordinating with the city on all aspects of work.

12.02.070 Contractor—Submission of plans.

(1) The city may require a street contractor, or the person, firm, or corporation ~~or district~~ employing the street contractor, to be responsible for the preparation of, and submission to the city for approval, all plans and specifications covering any work in any city street.

(2) If required by the city, these plans and specifications are to be prepared by, and bear the seal of, a registered professional engineer. All grade, line, and other control stakes shall be set by this engineer or his duly authorized representative.

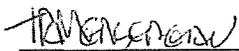
Section 3. Gladstone Municipal Code Chapter 12.24, Utility Facilities in Rights-of-Way, attached hereto as Exhibit A, is hereby added to Title 12 of the Gladstone Municipal Code.

Section 4. Except as herein amended, Chapters 5.04 and 12.02 of the Gladstone Municipal Code remain in full force and effect.

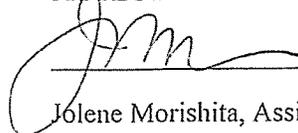
Section 5. This Ordinance takes effect 30 days from its adoption.

Adopted by the Gladstone City Council this 31st day of May, 2016.

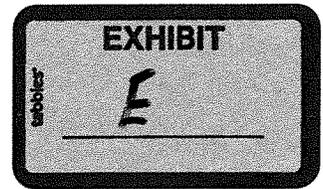
ATTEST:



Thomas Mersereau, Mayor



Jolene Morishita, Assistant City Administrator



Management of Gladstone's Most Valuable Asset

Your Gladstone Rights-of-Way: The City's Most Valuable Asset!

About Rights-of-Way

Gladstone's "rights-of-way" are sections of land set aside for public benefit. These sections include streets and sidewalks as well as land set aside for water pipes, electricity lines and other utility infrastructure.

Our City's rights-of-way are our most valuable asset and include all the property and improvements on of Gladstone's streets. Gladstone coordinates right-of-way use among public and private users so that we can efficiently manage this large and complex resource.

New Ordinance

On May 31, 2016, The Gladstone City Council adopted Ordinance #1465 requiring all utilities to have a contractual agreement or a license to use the City's rights-of-way.

The goal is to accurately identify all right-of-way users and ensure fair, market rate compensation for the use of our most valuable asset.

Prior to the ordinance, four utility companies had obtained a license to operate within the City's right of way. Through these efforts, seven additional utility companies were identified and are in process of obtaining a license.

The Public Works Department manages the new Ordinance through a short term contract with Oregon City's Right-of-Way Program Manager, Lance Powlison.

Contact Lance Powlison at 503.496.1547 or lpowlison@orc.org for more information or if you wish to register.



Right-of-Way FAQ

Right-of-Way Frequently Asked Questions

Q: Why does the City charge utilities for using rights-of-way?

A: The rights-of-way are owned by the City. The responsibility to fund improvements and service for our rights-of-way ultimately rests with the taxpayers. In order to ensure a fair distribution of these costs, the City charges utility customers and others that uses the right-of-way rather than passing the costs directly to only property taxpayers.

Q: How much does the City charge for using rights-of-way?

A: The amount varies based on the kind of utility and how much facilities they use in the right-of-way.

Q: Does the City charge only private utilities or are publicly-owned utilities charged as well?

A: The City charges any user whether they are private (such as Portland General Electric) or public (such as the Tri-City Wastewater Treatment Plant and even the City's own utilities).

Q: Is it common for cities to charge these fees?

A: Yes. Most cities in Oregon have some kind of right-of-way management policy and charge fees for its use. The League of Oregon Cities has provided model right-of-way ordinances for cities to use and the Gladstone Ordinance is based on that model. Many other local governments in the area, such as West Linn, Oregon City and Clackamas County, charge right-of-way fees to users.

Q: How does this affect me?

A: Before the new ordinance, each utility company had an individual negotiated contract. Now the requirements and fees are fixed, which eliminates City staff and legal time, thus increasing efficiency. The Ordinance also helps the City coordinate right-of-way use so that improvements and construction happens more efficiently.

Q: Why a new policy?

A: Gladstone has aging infrastructure and is aware that careful coordination of its rights-of-way has become a necessary part of responsible management.

Q: Can these fees be negotiated?

A: Generally no. The fees are set by a resolution of the City Council. However, Gladstone staff has been in touch with cable utility users to negotiate their fees as required by federal law.

Maintenance and Improvements in Rights-of-Way

The City of Gladstone is excited to let you know that we'll be doing some maintenance and improvements in your rights-of-way, parks, and other public property throughout Gladstone.

UPCOMING MAINTENANCE AND IMPROVEMENTS

For decades Gladstone has charged franchise fees to utilities for use of the public rights-of-way. A few months ago the franchise fee was put into the Code for increased efficiency, transparency, and equality between users.

The franchise fee, now called the Right-of-Way usage fee, helps cover the costs of maintenance, improvements, and management of your public facilities. This fee fairly distributes the costs among utilities that use the rights-of-way, so that Gladstone residents don't have to shoulder the entire burden.

The recently changed PGE and NW Natural Right-of-Way usage fee now brings these utilities in line with other cities in Clackamas County, as well as the fees other utilities pay in Gladstone.

To learn more, here are some FAQ's.

FAQs:

Q: What's going to be different?

A: Utilities will be charged a user fee (like a rent) when they use City-owned lands in Gladstone. These fees help the City repair and maintain your public rights-of-way and other spaces. Utilities can pass these costs along to ratepayers. Under the new policy, the fee is collected from all users of the rights-of-way, including service districts and utilities. This means that the burden is shared by all users, and not just Gladstone taxpayers.

Q: How will my bill be affected?

A: The new policy spreads costs to utility companies who use the public rights-of-way rather than just all taxpayers. Changes to your bill will be affected by your utility use. Generally, any increases should be about the cost of a cup of coffee each month. Check your own utility bills for exact amounts.

Q: This is labeled a "Privilege Tax" on my customer notice. But Gladstone is calling it a "fee". So which is it?

A: The Oregon Supreme Court has recognized that a "Privilege Tax is not necessarily 'tax' as opposed to a fee. PGE and NW Natural are choosing to label it a "privilege tax" for their purposes. Contact PGE and NW Natural to learn more about their billing language.

Q: How will the City spend the money collected from these fees?

A: The right-of-way user fees will go through the City's general fund. The Gladstone Council will ultimately decide how and where the money is spent.

Q: Why is the City doing this now?

A: Several larger cities in Oregon already have this kind of policy in place. Recently, Gladstone has determined that careful coordination of our rights-of-way have become a necessary part of responsible management.

Q: How is this fairer to ratepayers?

A: Even without this fee structure in place, Gladstone pays for costs associated with the management, upkeep, and repair of our rights-of-way and public lands. Without a policy to regulate rights-of-way users, utility companies were using the ROW for free, forcing the City to choose between forgoing certain maintenance or pass the costs along to all taxpayers.

For more information online, check out
Right of Way: Protecting and Paying for the Public's Lifeline
Final from MetroTV on Vimeo at <http://vimeo.com/70434712>