CORVALLIS
ENHANCING COMMUNITY LIVABILITY

CORVALLIS
CITY COUNCIL AGENDA

July 16, 2012
6:00 pm

(Executive Session at 5:30 pm)

Downtown Fire Station
400 NW Harrison Boulevard

[Note: The order of business may be revised at the Mayor's discretion. Due to time constraints, items on the agenda not considered will be continued to the next regularly scheduled Council meeting.]

COUNCIL ACTION

5:30 pm – Executive Session under ORS 192.660(2)(b)(d) (status of discipline/dismissal of a public employee; status of labor negotiations)

6:00 pm – Regular Meeting

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PROCLAMATION / PRESENTATION / RECOGNITION

V. VISITORS' PROPOSITIONS – This is an opportunity for visitors to address the City Council on subjects not on the agenda or not related to a public hearing. Each speaker is limited to three minutes unless otherwise granted by the Mayor. Visitors' Propositions will continue following any scheduled public hearings, if necessary.

VI. CONSENT AGENDA – The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member (or a citizen through a Council member) so requests, in which case the item will be removed from the Consent Agenda and considered separately. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Agenda. [direction]

A. Reading of Minutes
   1. City Council Meeting – July 2, 2012
   2. <u>For Information and Filing</u> (Draft minutes may return if changes are made by the Board or Commission)
      a. Airport Commission – May 1, 2012
      b. Arts and Culture Commission – June 28, 2012

c. Bicycle and Pedestrian Advisory Commission – June 1, 2012
d. Commission for Martin Luther King, Jr. – May 21, 2012
e. Historic Resources Commission – June 7, 12, and 19, 2012
f. Housing and Community Development Commission – June 20, 2012
g. Parks, Natural Areas, and Recreation Board – June 21, 2012
h. Planning Commission – June 6 and 13, 2012
i. Public Art Selection Commission – June 21, 2012
j. Watershed Management Advisory Commission – April 25, 2012

B. Confirmation of Appointments to Advisory Boards, Commissions, and Committees (Budget Commission - Ragsdale, Downtown Commission - Pastega)

C. Confirmation of Reappointments to Advisory Boards, Commissions, and Committees (Arts and Culture Commission - Segel, Parks, Natural Areas, and Recreation Board - Griffiths)

D. Announcement of Appointments to Advisory Boards, Commissions, and Committees (Arts and Culture Commission – Rodgers; Capital Improvement Program Commission – Humphreys; Citizens Advisory Commission on Civic Beautification and Urban Forestry - Snow; Citizens Advisory Commission on Transit - Weaver de Balan; Downtown Commission – Williams; Downtown Commission Parking Committee - Heuchert; Parks, Natural Areas, and Recreation Board – MacMullan; Public Art Selection Commission – Spencer)

E. Announcement of Vacancies on Advisory Boards, Commissions, and Committees (Board of Appeals - Gerding; Citizens Advisory Commission on Civic Beautification and Urban Forestry - Castle; Committee for Citizen Involvement - Pierson-Charlton)

F. Approval of an application for a Limited On-Premise Sales liquor license for Jatinder Pal Singh, owner of TriValley Food Mart #102, 5500 SW Philomath Boulevard (Change of Ownership)

G. Approval of a permit to occupy the public right-of-way (Oregon State University steam line project)

H. Acknowledgment of receipt of updated Advisory Boards, Commissions, and Committee directory

I. Schedule an Executive Session for July 16, 2012, at 5:30 pm under ORS 192.660(2)(b)(d) (status of discipline/dismissal of a public employee; status of labor negotiations)

J. Schedule an Executive Session for August 6, 2012, at 5:30 pm or following the regular meeting under ORS 192.660(2)(d) (status of labor negotiations)

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. UNFINISHED BUSINESS

IX. STANDING COMMITTEE REPORTS, ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – July 3, 2012
   1. Corvallis Farmers' Market Annual Report [direction]

B. Administrative Services Committee – None.

C. Urban Services Committee – None.

D. Other Related Matters

   1. *A resolution accepting an Oregon Department of Transportation grant ($8,964) for bus stop solar light fixtures procurement, and authorizing the City Manager to sign grant documents,* **to be read by the City Attorney** [direction]

X. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

B. Council Reports

C. Staff Reports [information]

   1. City Manager's Report – June 2012
   2. 2011-2012 City Council goals update

XI. NEW BUSINESS

XII. PUBLIC HEARINGS – 7:30 pm

A. A continued public hearing to levy assessments on properties within the Downtown Economic Improvement District
   ACTION: *An ordinance amending Corvallis Municipal Code Chapter 10.07, "Economic Improvement District," as amended,* **to be read by the City Attorney** [direction]

B. A public hearing to consider an annexation request (ANN12-00001 – Sather Annexation)
   ACTION: *Approval for advance publication of Notice of Receipt of Ballot Title* [direction]

XIII. ADJOURNMENT

For the hearing impaired, a sign language interpreter can be provided with 48 hours' notice prior to the meeting. Please call 541-766-6901 or the Oregon Communications Relay Service at 7-1-1 to arrange for TTY services. A large print agenda can be available by calling 541-766-6901.

A Community That Honors Diversity

CITY OF CORVALLIS

ACTIVITY CALENDAR

JULY 16 - AUGUST 4, 2012

MONDAY, JULY 16

- City Council - 5:30 pm - Downtown Fire Station, 400 NW Harrison Boulevard (Executive Session)
- City Council - 6:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard

TUESDAY, JULY 17

- No Human Services Committee
- OSU/City Collaboration Project Neighborhood Planning Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, JULY 18

- Housing and Community Development Commission - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Administrative Services Committee - 4:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Planning Commission - 5:30 pm - Downtown Fire Station, 400 NW Harrison Boulevard

THURSDAY, JULY 19

- Urban Services Committee - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- Parks, Natural Areas, and Recreation Board - 6:30 pm - Downtown Fire Station, 400 NW Harrison Boulevard

SATURDAY, JULY 21

- No Government Comment Corner

TUESDAY, JULY 24

- Commission for Martin Luther King, Jr. - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

THURSDAY, JULY 26

- Public Art Selection Commission - 4:00 pm - Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- Arts and Culture Commission - 5:30 pm - Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- OSU/City Collaboration Project Parking and Traffic Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, JULY 28

- Government Comment Corner (Councilor Biff Traber) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

TUESDAY, JULY 31

- OSU/City Collaboration Project Neighborhood Livability Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, AUGUST 1

- Planning Commission - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard
- Corvallis-Benton County Public Library Board - 7:30 pm - Library Board Room, 645 NW Monroe Avenue

THURSDAY, AUGUST 2

- Investment Council - 7:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- OSU/City Collaboration Project Neighborhood Planning Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

FRIDAY, AUGUST 3

- Bicycle and Pedestrian Advisory Commission - 7:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, AUGUST 4

- Government Comment Corner (host to be determined) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

CITY OF CORVALLIS
COUNCIL ACTION MINUTES

July 2, 2012

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Proclamation/Presentation/Recognition 1. Gondar, Ethiopia, Sister City Update Pages 321-322	Yes		
Visitors' Propositions 1. Enterprise Zone Tax Abatement Extension – NuScale Power, LLC (Stevens) 2. Single-Use Plastic Bags (numerous) Pages 322-326	Yes Yes		
Consent Agenda Pages 326-327			
Item Removed from Consent Agenda 1. City Council Meeting Minutes – June 18, 2012 Page 327			• Approved as clarified passed U
Unfinished Business 1. LGPI Study Pages 327-328	Yes		
Items of ASC Meeting of June 20, 2012 1. Advisory Question Explanatory Statement 2. Enterprise Zone Application – NuScale Power, LLC 3. Municipal Code Review: Chapter 3.08, "Transit Operations Fee" 4. Municipal Code Review: Chapter 3.06, "City Services Billing" Pages 328-332			• Approved Explanatory Statement passed U • RESOLUTION 2012-16 passed 7-1 • ORDINANCE 2012-10 passed U • ORDINANCE 2012-11 passed U
Items of USC Meeting of June 21, 2012 1. Residential Parking District A Expansion Page 332			• ORDINANCE 2012-12 passed U
Other Related Matters 1. Municipal Code Chapter 8.14, "Single-Use Plastic Carryout Bags" 2. Workers' Compensation Insurance Coverage for City Volunteers 3. Environmental Protection Agency Green Streets Grant Pages 332-334			• ORDINANCE 2012-13 passed U • RESOLUTION 2012-17 passed U • RESOLUTION 2012-18 passed U

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Mayor's Reports 1. Absence – July 16 Council Meeting Page 334	Yes		
Council Reports 1. Environmental Protection Agency Urban Waters Grant (Hervey, Manning) 2. Lancaster Bridge Development Rehabilitation Funding (Hervey) 3. Stalford Seed Farms Annual Farm Tour (Hervey) 4. Absence from City (Beilstein) 5. Transit Operations Expansions (Beilstein) 6. Dr. Martin Luther King, Jr., Park Kiosk (Raymond) 7. Jackson Street Youth Shelter (Raymond) 8. Ward 2 Summer Events (Hogg) Pages 334-335	Yes Yes Yes Yes Yes Yes Yes Yes		
Staff Reports 1. Separation Agreement (Lovett) Page 335	Yes		
Executive Session 1. Labor Negotiations – IAFF, CPOA, CRCCA Page 335	Yes		
New Business 1. IAFF Labor Agreement Page 335			• Approved contract passed U

Glossary of Terms

ASC	Administrative Services Committee
CM	City Manager
CPOA	Corvallis Police Officers Association
CRCCA	Corvallis Regional Communications Center Association
IAFF	International Association of Fire Fighters
U	Unanimous
USC	Urban Services Committee

CITY OF CORVALLIS
COUNCIL ACTION MINUTES

July 2, 2012

I. CALL TO ORDER

The regular meeting of the City Council of the City of Corvallis, Oregon, was called to order at 6:00 pm on July 2, 2012, in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

PRESENT: Mayor Manning, Councilors Beilstein, Hogg, Brown, Brauner, O'Brien, Raymond, Hirsch (6:02), Hervey

ABSENT: Councilor Traber, excused

Mayor Manning directed Councilors' attention to items at their places, including an e-mail regarding an Enterprise Zone request for extension of property tax abatement (Attachment A) and an e-mail and a memorandum regarding the proposed single-use plastic bag (SUPB) ordinance (Attachments B and C, respectively).

Councilor Hirsch arrived at this time.

IV. PROCLAMATION / PRESENTATION / RECOGNITION

A. Gondar, Ethiopia, Sister City update (Prickel)

Don Prickel, President of the Corvallis-Gondar Sister City Association, reviewed some of the Association's efforts of the past year. The Association was established in 2005 and is developing activity momentum. The Association entered formal relations with non-governmental organizations (NGOs) in Gondar, Ethiopia, to expedite and enhance the Association's work in Gondar. The work involves getting clean water and improving educational opportunities for Gondar citizens.

A member of the Association's Water and Watershed Work Group just spent two weeks working with Gondar's Mayor and community council to provide water, wells, bathrooms, and shower rooms for heavily populated villages that need to improve sanitation and hygiene skills. Since formation of the Association, eight wells were developed, including four in the past month. The Association is creating four bathroom and shower units as part of a Gates Foundation grant in conjunction with Sister Cities International.

Providing clean water involves restoring Gondar's watershed. More than 1.5 million trees were planted to reduce watershed erosion and help clean the water reservoir. The Association anticipates that at least 120,000 trees will be planted each year in the watershed.

The Association's Education Work Group is assisting a NGO to develop a model elementary school in Gondar for 2,000 children. Efforts involve electronic communications. The Work Group is working with the Gondar College of Teacher Education to assist with teacher training. The Work Group assisted with providing many of the books in the school library and library training; these efforts will make the library a functional element in the school.

The Gondar elementary school desired to create a computer classroom. The Association provided ten refurbished computers to determine whether students and teachers were interested in computer technology. Students are using computer skills, and teachers are excited about using computers to improve the curriculum. The Association is providing software packages and a curriculum. The Association hopes to replace the original computers with 25 newer computers.

Mr. Prickel reported that a local support group was developed for parents who adopted Ethiopian children. Fourteen Corvallis families have adopted or are adopting Ethiopian children and are volunteering on Association efforts in local schools.

Mr. Prickel announced that the first formal delegation of teachers will visit Ethiopia in September.

In response to Councilor Beilstein's inquiry regarding the origin of the sister city relationship with Gondar, Mr. Pickel explained that City Management Information Systems Division Manager Tadesse was born and raised in Gondar. During a visit in Gondar, Mr. Tadesse observed that his community had deteriorating infrastructure. He discussed his observations with co-workers, who requested formation of a sister city association.

Councilor Raymond said she enjoyed working with the City's two Sister City Associations and was impressed with the Associations' accomplishments and the community's support. She encouraged citizens to become involved with the Associations.

V. VISITORS' PROPOSITIONS

Marge Stevens expressed concerns regarding NuScale Power, LLC's application for property tax abatement under the Benton Corvallis Enterprise Zone program, which has a goal to foster development of primarily "green" companies engaged in sustainable development industries. She asserted that the applicant's product/service did not align with the alternative energy and/or efficiency category (e.g., wind, wave, solar, hydro, biofuels, energy conservation services, software/hardware to reduce energy usage, etc.). The United States Department of Energy and the PacifiCorp Blue Sky Program did not recognize nuclear power (which the applicant would produce) as an alternative energy source. She considered the applicant's recycling of paper and toner a weak practice for other sustainable business practices. She acknowledged that conducting life cycle analysis of products/services would qualify as an operations design criteria. However, the applicant also indicated other sustainable design practices, stating its product was designed to set the industry standard, which she opined did not necessarily equate to a sustainable product. She considered the applicant's other sustainable operational strategy of encouraging alternative transportation with bicycle racks a weak practice.

Single-Use Plastic Bags

Shawn Miller, representing the Northwest Grocery Association, expressed support for the proposed SUPB ordinance, which, he said, was supported by local grocers and Association members. He urged the Council to adopt the ordinance.

Debra Higbee-Sudyka, representing the Sierra Club Marys Peak Group, reviewed written testimony (Attachment C).

Councilor Raymond thanked the Sierra Club Marys Peak Group for presenting the initiative of banning SUPBs. She also thanked the many community members who supported the Group's effort.

Councilor Hogg surmised that, if the Council approved the ordinance, many Oregonians would watch to see whether the ordinance was successful. He noted the need for educational outreach to businesses, Corvallis Chamber of Commerce, Downtown Corvallis Association, and others.

Ms. Higbee-Sudyka confirmed that the Sierra Club Marys Peak Group would work to educate businesses regarding the ordinance provisions.

Suzanne Lazaro, a member of Sierra Club, described the Pacific Northwest as a very nice place to live with wonderful waterways. She believed the ordinance represented an opportunity to make a statement for the rest of the world and be inspirational. She offered to assist in educating the public regarding the ordinance.

Kyle Knight is a member of the Oregon State University (OSU) Student Sustainability Initiative (SSI). The SSI's motto involves advancing student efforts to create a culture of sustainability at OSU through action, education, and opportunity.

Mr. Knight noted the diverse demographics of OSU students and acknowledged that sustainability sometimes has associated costs. He cited several community accolades, including citizens' health and quality of life. He considered Corvallis residents very forward-thinking. He said OSU students supported banning SUPBs. He believed the ordinance would set an example for other communities.

Becky Garrett said she used cloth tote bags to transport her purchases and considered the bags clean and inexpensive. She believed banning SUPBs was the "right thing to do" for many reasons. She asserted that the recycling aspect of SUPBs was over-stated and that a minimal number of SUPBs were recycled. She believed the public should be educated about SUPBs. After SUPBs are banned, she believes people will wonder why they did not use cloth tote bags earlier. She urged the Council to approve the ordinance.

Lori Renz considered the proposed SUPB ordinance a "punishment" for Corvallis. She said Corvallis is environmentally friendly and recycles as much as possible. She did not see litter, especially in the form of SUPBs, in the community. She believed banning SUPBs would be very inconvenient. She did not know anyone who used SUPBs only once; she uses SUPBs for many secondary purposes. She suggested educating people about how to re-use and recycle bags. She believes people will circumvent the ordinance to obtain SUPBs they consider convenient. She showed a purse and a jacket friends made from SUPBs. She questioned whether other items would be banned, following the ban of SUPBs. She said community residents were annoyed by statements

that they did not properly dispose of the bags, as they were aware of how they treated the environment and re-used the bags. She noted that residents of other countries utilized SUPBs to craft objects for sale.

Councilor Raymond noted that the SUPB ordinance would not prevent recycling or re-using bags; it was intended to reduce the use of such bags.

Marie L. Flamme expressed support for banning SUPBs. She opined that everyone was responsible in handling plastic bags, but sometimes bags get away from people. She noted that sea birds died of malnourishment because they ate plastic bags, which remained in their systems. She considered the proposed SUPB ordinance a small step, and she hoped all Oregon communities would ban SUPBs.

Lon Otterby expressed appreciation for Councilor Hervey's sentiments that the proposed SUPB ordinance did not contain enough justification. He referenced his previous, successful efforts to create marine reserves along the Oregon Coast, which brought together various Coast and Willamette Valley stakeholders. That effort involved what was removed from the ocean but not what was put in the ocean. He said a trip along local waterways would disclose residues of SUPBs and other items along the high-water lines; the items do not decompose for many years and descend to river bottoms, affect algae, prevent some salmonid from spawning correctly, and contribute to the desertification of oceans. From an environmental perspective, the proposed SUPB ordinance is a positive action.

Anne Schuster is a member of the Benton County Solid Waste Advisory Committee. Representatives of Allied Waste Services and Coffin Butte Landfill told the Committee that the proposed SUPB ordinance would be beneficial to their operations, as SUPBs tend to clog their machinery, causing extensive material sorting.

As a Corvallis School District 509J Board member, Ms. Schuster believed the proposed SUPB ordinance would be a positive signal to school students.

Denise Nervik said she was excited at the prospect of banning SUPBs. She said she did not notice that SUPBs did not exist before their creation 35 years ago. She opined that the bags caused significant destruction, and she was glad that the community was discussing banning the bags. She said community residents could return to practices of many years ago in terms of re-using fabric tote bags and paper sacks.

John Gaylord, representing Audubon Society, said the Society began addressing the issue of SUPBs six years ago. He noted that New Zealand and Telluride, Colorado, banned SUPBs with residents' support and no problems. Telluride officials did not receive complaints regarding the bag ban, but they also took action to prevent implementation problems. Community service groups made re-usable bags available for low-income community members. The paper bag fee served as a reminder to customers to bring their bags; it was not used as a penalty. He acknowledged the usefulness of SUPBs, but they were made without the knowledge that they would exist many years before decomposing or would be transferred by wind and ocean currents. Many deceased birds on tropical islands have SUPBs in their systems. He urged the Council to adopt the ordinance as an expression of the City's support for wildlife. He said Audubon Society will assist with implementing the ordinance and educating the community.

Councilor Beilstein commented that, during his visit to Hawaii last year, one week after SUPBs were banned, people spoke of the ban but seemed to accept the situation. He opined that the procedural change should be easy, and the cost would be small.

In response to Councilor Raymond's inquiry, Mr. Gaylord said Audubon Society would donate reusable cloth bags for community members who could not afford such bags.

Sarah Higginbotham, Environment Oregon Director reiterated members' support of the proposed SUPB ordinance and thanked the Council for its efforts regarding banning SUPBs. She said millions of tons of garbage, mostly plastic, float in the Pacific Ocean. SUPBs are fatal to marine wildlife and sea birds, with more than 100,000 mammals and 1 million sea birds dying each year. During 2010, a gray whale washed up on the Puget Sound shore; inside the whale were 20 SUPBs. She opined that nothing that is used for a few minutes should be found in a whale's stomach.

Ms. Higginbotham asserted that banning SUPBs was a solution, noting that Oregonians use more than 1.7 billion SUPBs each year. She said recycling was not the solution to the problem as the bags would not decompose for many years. Environment Oregon, along with Northwest Grocery Association and Surf Rider, took the issue of SUPBs to the Oregon Legislature last year but encountered powerful out-of-state special interests with extensive funding. Local communities can empower people who support banning SUPBs. She said more than 20,000 Oregonians supported banning SUPBs, more than 1,000 Corvallis citizens signed a petition, more than 70 Environment Oregon members e-mailed the Council, and more than 60 businesses supported the proposed SUPB ordinance.

In response to Councilor Hogg's inquiry, Ms. Higginbotham confirmed that Environment Oregon Research and Policy Center would participate in educating people about SUPBs.

Marjean Austin remembered using paper sacks and packing boxes to transport grocery purchases. She noted that produce bags can be used for disposing of dog waste. The proposed SUPB ordinance would not ban thicker plastic bags dispensed by book stores. She observed that local store employees were already explaining the effects of the ordinance, and customers were not expressing objections. She expected that community members would accept and support the SUPB ban. She urged the Council to adopt the ordinance.

Councilor Hirsch confirmed that the proposed SUPB ordinance would not ban all plastic bags; some plastic bags would still be available.

Paul Woods said he and many of his co-workers did not understand the point of banning SUPBs. During his walking or bicycling commutes to work, church, and stores, he saw garbage but not SUPBs. He questioned why the City was banning SUPBs, which were convenient. He said store clerks saw customers using filthy re-usable bags, which can contact the conveyor belts moving other customers' produce. He asserted that some items should be disposable, such as medical utensils. He acknowledged that living impacts the environment. He expressed regret that more people who opposed the proposed SUPB ordinance did not testify to the Council. He questioned why the Council was impinging upon citizens' freedom to choose paper or plastic bags, adding that the ordinance seemed like an act of rationing away personal freedoms.

John McEvoy observed that Corvallis is a clean community; however, he observed SUPBs caught at storm drains. He expressed regret that the proposed ordinance became known as the "ban the bag ordinance," which created a negative image and made the Council's actions perceived as negative. The ordinance would actually create many benefits for the community. He asked the Council to understand the true nature of the proposed SUPB ordinance and adopt the ordinance.

VI. CONSENT AGENDA

Councilor Hervey asked that the June 18 Council minutes be removed from Consent Agenda for separate consideration.

Councilors Brauner and Brown, respectively, moved and seconded to adopt the remaining Consent Agenda as follows:

A. Reading of Minutes
   2. City Council Work Session – June 18, 2012
   3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
      a. Bicycle and Pedestrian Advisory Commission – May 4, 2012
      b. Citizens Advisory Commission on Civic Beautification and Urban Forestry – June 14, 2012

B. Confirmation of Appointments to Advisory Boards, Commissions, and Committees (Board of Appeals - Sillars, Community Police Review Board - Jacobsen, Downtown Commission - Gallagher, Housing and Community Development Commission - Hamilton)

C. Confirmation of Reappointments to various Advisory Boards, Commissions, and Committees

D. Announcement of Appointments to Advisory Boards, Commissions, and Committees (Budget Commission - Ragsdale, Downtown Commission - Pastega)

E. Announcement of Reappointments to Advisory Boards, Commissions, and Committees (Arts and Culture Commission -Segel, Parks, Natural Areas, and Recreation Board - Griffiths)

F. Announcement of Vacancies on Advisory Boards, Commissions, and Committees (Commission for Martin Luther King, Jr. - Kanterman, Public Art Selection Commission - Parkerson)

G. Schedule an Executive Session following the regular meeting under ORS 192.660(2)(d) (status of labor negotiations)

H. Schedule a public hearing for July 16, 2012, to consider an annexation request and a potential appeal of a Planning Commission decision (ANN12-00001, ZDC12-00001 – Sather Annexation)

I. Schedule an Executive Session for July 16, 2012, at 5:30 pm under ORS 192.660(2)(d) (status of labor negotiations)

J. Approval of an application for a Limited On-Premises Sales liquor license for Gurmeet Lal Kaul, dba Nirvana Indian Restaurant, 1945 NW Ninth Street (Change of Ownership)

K. Authorization for the City Manager to sign an airport sublease with Pacific Rim Aviation, Inc.

The motion passed unanimously.

VII. ITEMS REMOVED FROM CONSENT AGENDA

A. Reading of Minutes

1. City Council Meeting – June 18, 2012

Councilor Hervey said the minutes contained statements that were not accurate reflections of his comments and might be offensive to people. He clarified the following statements in the minutes:

- Page 300 – The last sentence should read, ". . . opined that the proposed purpose statement appears ***that we may be setting ourselves up*** to be unsuccessful."
- Page 304 – The third paragraph should read, "... ***surmised that major retailers and grocers*** will be able to incorporate the bag receipt requirement easily as part of their existing systems; and if we take out the requirement (for the benefit of minor retailers), it will not have a significant effect."

Councilors Hervey and Brauner, respectively, moved and seconded to approve the City Council meeting minutes of June 18, 2012, based upon Councilor Hervey's clarifications. The motion passed unanimously.

VIII. UNFINISHED BUSINESS

A. LGPI Study

Assistant City Manager Volmert noted that the Council commissioned a study as part of information gathering toward policy making and compensation, preliminary to negotiations with the City's employee groups. (Councilor O'Brien left the meeting at 7:02 pm.) She highlighted study conclusions, noting that the Library serves the Benton County Library District, which is a larger population area than comparator cities. The Municipal Court staff handles a higher-than-average volume of citations per staff member; however, the Court suffered staffing reductions during the past few years.

(Councilor O'Brien returned to the meeting at 7:03 pm.)

Councilor Beilstein referenced Table 2.3 of the report reflecting a health benefits comparison for the American Federation of State, County, and Municipal Employees (AFSCME). He noted that insurance rates paid by employers averaged almost $1,400 per month, but Corvallis' rate was $1,906.98 per month – 27.29 percent above the average. He inquired why the City's rate was so much higher than those of comparator cities.

Ms. Volmert confirmed that total compensation for City employees included health insurance. City employees might receive less leave than employees in other communities. The City paid 95 percent of the premium for AFSCME employees. The premium cost share was close to that of other communities. The difference involved the cost of the premium, which was attributable to health care plan designs. Some of the City's plans were not sustainable, and staff sought to correct this situation. Additionally, medical costs in Corvallis were higher than in some comparator cities, which affected the City's claims experience, resulting in higher rates. The City's plans had lower and higher costs than the plan cited in Table 2.3. The City was investing in employees' health and seeking sustainable, long-term health plans.

In response to Councilor Raymond's inquiry, Ms. Volmert explained that code enforcement expenditures per capita was an indicator in the study. Not all cities tracked this information or did not report the information for the study. Corvallis' expenditure rate compared to those of comparator cities might be skewed because of the small number of comparators.

IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee – None.

B. Administrative Services Committee – June 20, 2012

1. Advisory Question Explanatory Statement

Councilor O'Brien reported that the Committee received a report from the City Attorney's office concerning an advisory question to be placed on the November 2012 election ballot.

Councilors O'Brien and Hirsch, respectively, moved and seconded to approve the text of the draft Explanatory Statement for the November 2012 election advisory question. The motion passed unanimously.

2. Enterprise Zone Application – NuScale Power, LLC

Councilor O'Brien reported that staff explained how the NuScale Power, LLC (NuScale) application for extended property tax abatement met the Enterprise Zone standards. The Benton County Board of Commissioners and the Enterprise Zone Committee reviewed and recommended approving the application for property tax abatement for the fourth and fifth years.

City Attorney Fewel read a resolution relating to the Benton Corvallis Enterprise Zone and approving an extended property tax abatement agreement between the City of Corvallis and NuScale Power, LLC.

Councilors O'Brien and Hirsch, respectively, moved and seconded to adopt the resolution.

Councilor O'Brien said, without respect to the question of whether the applicant was creating alternative energy technology, it qualified outright for the property tax abatement extension, which was the basis of the Committee's decision. There was no need for the Committee to decide whether nuclear energy technology being developed by the applicant was considered an alternative energy.

Councilor Raymond noted that NuScale received $800 million for its project, and OSU received $1 million. The applicant requested an extended property tax abatement, which would result in no property tax revenue to the City. Therefore, she believed the Council should consider the main standard that must be met for an Enterprise Zone, i.e., whether the business' product or service was sustainable. According to the sustainability clause in the original contract, the City must protect the environment now and into the future. She asserted that any enterprise associated with nuclear energy waste was not sustainable. Referencing NuScale's abatement application, she rejected the indication that the company's product was a sustainable alternative energy. She acknowledged that the company's product would reduce fossil fuels, but she contended that nuclear power was not sustainable. She questioned whether NuScale should be included in the Enterprise Zone because of this factor. Since its addition to the Zone, a Japanese nuclear plant suffered a catastrophe, and the United States Supreme Court ruled that any nuclear power plant with on-site storage poses a problem. Her concerns began when the Hanford (Oregon) Nuclear Reservation was closed.

Councilor Raymond expressed her understanding that NuScale would develop the designs and simulators, in collaboration with OSU. She asked whether nuclear radioactivity would be present within the control room at the NuScale site or at the OSU facility. She further inquired, if the latter was the case, who would be monitoring the standard. She also asked whether the City had an emergency plan, in case of an accident related to the applicant's experiments. She noted that a nuclear reactor leak could affect numerous people.

Councilor Raymond said the applicant must meet a specific number of criteria in the various sections of the property tax abatement form. In one section, the applicant indicated that it would recycle paper and toner, which was considered a low standard. She commended NuScale for retrofitting existing facilities to Leadership in Energy and Environmental Design (LEED) standards. However, she said NuScale did not represent "green" technology to the desired level because it did not adhere to the definition of "sustainability."

Councilor Raymond referenced various citizen letters and quoted from Enterprise Zone Committee member Bob Devine's e-mail (Attachment 2 to the Administrative Services Committee's [ASC] meeting minutes).

Councilor O'Brien said NuScale indicated that there would be no nuclear fuel associated with the company's operation within the Enterprise Zone. Enterprise Zone Manager Bill Ford, who assisted NuScale in completing the application, indicated to ASC that he chose the alternative energy designation and acknowledged that it may not have been correct if not needed. ASC acknowledged

the types of concerns Councilor Raymond expressed but must evaluate the application against the established standards. ASC and NuScale representatives discussed the other sustainable actions the company could designate on the application.

Councilor O'Brien emphasized that ASC recognized the expressed concerns but could not consider them in relation to the property tax abatement extension application. The concerns could be considered during a review of the Enterprise Zone program. NuScale's application met existing Enterprise Zone program standards outright.

Community Development Director Gibb added that Mr. Ford indicated to him that he was responsible for evaluating progress in keeping the Zone standards. Mr. Ford will submit a report regarding Zone activities closer to the fourth and fifth years of exemption associated with the standard.

Councilor Beilstein acknowledged that the small modular nuclear reactor developed by NuScale was possibly safe, and a means of producing electrical power without creating greenhouse gases was needed. He did not consider the nuclear power industry to be worse than other power-generating industries, as it used a fossil fuel with limited availability. A small, modular nuclear power plant might be beneficial in transitioning to a sustainable economy.

Councilor Beilstein said he historically opposed Enterprise Zones but approved action regarding the Zones in the spirit of improving Corvallis. However, he would oppose the proposed resolution and any future actions intended to provide a property tax subsidy to a business in Corvallis. He explained that Enterprise Zones created tax subsidies for businesses to invest in the community to increase employment and the taxable value of property. NuScale's application indicated that it would hire 90 high-wage employees. He said Benton County had the lowest unemployment rate of all Oregon counties and a severe commuting problem, with 16,000 people commuting into Corvallis daily. He questioned the benefit to the City or the community of a company creating 90 new jobs if Corvallis could not provide adequate housing for those people. He contended that the community needed more housing, rather than more jobs or higher payrolls. Therefore, he considered formation of the Enterprise Zone a mistake. He opined that the desired increased local economy could not be supported without housing for area employees. He believed the economy would be damaged by subsidizing generation of new jobs. He agreed that new employers should develop in Corvallis and hire new employees; however, there would be no benefit to City government or the community in encouraging and subsidizing the growth of businesses.

Councilor Beilstein continued, saying NuScale anticipated $3.2 million in investment in the company, which would equate to $50,000 in property taxes per year ($250,000 over five years) to support the City, public schools, and other taxing jurisdictions. NuScale's taxes would essentially be paid by other taxpayers during the exemption period. NuScale's $3.2 million investment would not exist at the end of the five-year exemption period. Taxation of the investment would be determined

by a State assessor. Of the investment, $2 million was for computer hardware and software, which rapidly depreciate in value. He considered it a scam to give a property tax abatement to a high-technology company whose greatest investment in the community would involve high-technology equipment that would be fully depreciated by the time the tax abatement ceased.

Councilor Hervey noted that the Enterprise Zone criteria were developed through lengthy negotiations, striking a balance between business and community interests to establish sustainability criteria. The Council was committed to following its approved process and guidelines.

Councilor Brauner clarified that the issue before the Council involved whether NuScale's property tax abatement extension application met the Enterprise Zone criteria. Review and possible amendments to the nature and criteria of the Zone should be discussed separate from tonight's issue or other applications. He said he would support the proposed resolution.

Councilor Raymond said the issue of the importance of the nuclear aspect of the small reactors was debated. She quoted from the fact sheet produced by the Institute for Energy and Environmental Research and Physicians for Social Responsibility, entitled Small Modular Reactors – No Solution for the Cost, Safety, and Waste Problems of Nuclear Power," by Arjun Makhijani and Michele Boyd, which she submitted to the record (Attachment D). She did not believe that NuScale's application met the Enterprise Zone standards, as its product was not a sustainable energy. The actions NuScale designated on the application were self-created and would involve NuScale staff policing itself.

RESOLUTION 2012-16 passed seven to one, with Councilor Beilstein opposing.

3. Municipal Code Review: Chapter 3.08, "Transit Operations Fee"

Councilor O'Brien reported that, in response to Councilor Traber's request, the Committee reviewed suggested changes related to determining the Transit Operations Fee. Staff realized that the metrics included in the enacting ordinance were no longer available and suggested using the annual American Automotive Association (AAA) Oregon Gasoline Price Index. The Index is derived from data published by the Oil Price Information Service (OPIS), which is used by fuel suppliers and vendors throughout the nation. The Committee accepted staff's suggestion.

Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 3.08, "Transit Operations Fee."

ORDINANCE 2012-10 passed unanimously.

4. Municipal Code Review: Chapter 3.06, "City Services Billing"

Councilor O'Brien reported that staff identified a type of residential housing not defined in Corvallis Municipal Code Chapter 3.06, "City Services Billing," and requested amendment of the Code to include a definition for "group residential" housing.

Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 3.06, "City Services Billing," as amended.

ORDINANCE 2012-11 passed unanimously.

C. Urban Services Committee – June 21, 2012

1. Residential Parking District A Expansion

Councilor Hervey reported that the Committee discussed whether the Residential Parking District A expansion request should be considered while the City and OSU were engaged in a collaboration project. The expansion request was begun last year and involved a small number of parking spaces. The Committee recommended approving the request.

Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 6.15, "Residential Parking Permit Districts," as amended.

Councilor Raymond expressed appreciation for increasing the residential parking permit district, acknowledging that the OSU/City Collaboration Project may result in broader changes to parking in neighborhoods surrounding the OSU campus.

ORDINANCE 2012-12 passed unanimously.

D. Other Related Matters

1. Mr. Fewel read for a second time an ordinance establishing a new Corvallis Municipal Code Chapter 8.14, "Single-Use Plastic Carryout Bags," and stating an effective date.

Councilor Hervey referenced his reasons for supporting the proposed ordinance. He apologized for opposing the proposed ordinance after its first reading at the June 18 Council meeting, resulting in a second reading at tonight's meeting.

Councilor Raymond thanked Councilor Hervey for his comments supporting the proposed ordinance.

In response to Councilor O'Brien's inquiry, Councilor Hervey clarified that his written comments were now part of the Council meeting record.

Mr. Fewel explained that a non-unanimous vote on a first reading of an ordinance is significant, regardless the vote count. Councilor Hervey's comments would not legally affect the "strength" of the ordinance.

Councilor O'Brien said he supported the proposed ordinance during the June 18 Council meeting, even though he had reservations in doing so. Since that meeting, he was very aware of the role of SUPBs for some members of the community. He said many low-income residents used SUPBs to transport purchases during rainy weather. Many people indicated to him that, because of their economic situation or disabilities, SUPBs were important for them. He would like to oppose the ordinance as an expression of support for at least one-half of the community, which did not support banning SUPBs. He said Councilor Brown opposed the proposed ordinance June 18 in an attempt to close the issue without the appearance of "brushing it under the rug."

Councilor O'Brien said, having participated in ASC meeting discussions during the past six months, he was very aware of the issues associated with SUPBs. In an e-mail to Council members today, he addressed details he believed had not been answered. He expressed concern regarding the process that brought the SUPB issue to the Council. He opined that it was important that the Council represent all Corvallis citizens, yet not all Corvallis citizens supported banning SUPBs. Nevertheless, he said he would support the proposed ordinance, with the hope that it would not prompt an "erosion of liberty." He expressed concern that other groups may present similar legislative requests. In response to Councilor Raymond's suggestion that the Council support providing reusable bags for low-income Corvallis residents, he gathered several bags from his home and gave them to Councilor Raymond for distribution. Councilor O'Brien said he would support the ordinance but had grave reservations about doing so.

Councilor Raymond acknowledged the importance of having a historical record of the Council's reasons for adopting the ordinance. When the ordinance is reviewed, she hopes more of these reasons will be included in the introductory provisions to clarify why the Council adopted the ordinance.

Councilor Raymond suggested that Council members contribute funds to purchase re-usable bags for distribution at Corvallis Daytime Drop-in Center.

ORDINANCE 2012-13 passed unanimously.

2. Mr. Fewel read a resolution relating to Workers' Compensation insurance coverage for City volunteers.

Councilors Brauner and O'Brien, respectively, moved and seconded to adopt the resolution.

RESOLUTION 2012-17 passed unanimously.

3. Mr. Fewel read a resolution accepting an Environmental Protection Agency grant ($45,620) for Green Streets planning initiative implementation and authorizing the City Manager to sign grant documents.

Councilors Brauner and Hervey, respectively, moved and seconded to adopt the resolution.

RESOLUTION 2012-18 passed unanimously.

X. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

Mayor Manning announced that she will be out of town and miss the July 16 Council meeting, and Council President O'Brien will preside.

B. Council Reports

Council members reported on various issues.

Councilor Hervey:

- He represented Mayor Manning at the presentation of the Environmental Protection Agency Urban Waters Grant. The City's Green Streets program will seek ways to treat wastewater in the streets. Oregon is one of two states that received three awards, and Oregon's awards were received by smaller cities and communities. Mayor Manning added that Senator Wyden's office called to congratulate the City and staff for the Green Streets grant award.
- Willamette Neighborhood Housing Services received funding from Oregon Housing and Community Services Department for re-financing rehabilitation of the Lancaster Bridge development. The funding will enable 50 families to benefit from refurbished residences.
- He attended the Stalford Seed Farms annual farm tour, which was attended by many local – and young – farmers. Stalford Seed Farms is growing heart spring wheat and attempting to grow beans.

Councilor Beilstein:

- He will be out of Corvallis July 5 through August 6 for the annual Pastors for Peace aid caravan to Cuba. The City Charter allows the Council to declare his Council seat vacant because of absence for more than one month without Council permission. Pastors for Peace purchased a school bus, courtesy of private donations; the bus is being painted and will be displayed in front of the Benton County Courthouse July 4.
- Staff plans to expand transit operations in September, based upon surplus funding incorporated into the Transit Operations Fee. Staff anticipates having $90,000 to invest in expanded services during the next year. Final approval of the proposed route expansions will occur through a public process. He encouraged Council members to attend an informational meeting July 11.

Councilor Raymond:

- The informational kiosk at Dr. Martin Luther King, Jr., Park was completed, and artists are sought to create a mural for the kiosk.
- Jackson Street Youth Shelter (JSYS) developed an outreach program to homeless youth. Forty-five local people, teenaged through 25 years old, are homeless for various reasons. JSYS appreciates the Council's support of its facility.

Councilor Hogg:

- Ward 2 has a several events scheduled for the summer.
  - July 8 – Avery Addition Neighborhood Association potluck picnic at Peanut Park.
  - July 9 – Avery Homestead Neighborhood Association update at Depot Suites regarding a Habitat for Humanity construction project.
  - July 11 – Central Park Neighborhood Association meeting at Depot Suites to review and adopt Bylaws and consider expanding the Association's boundaries to the area north of Central Park.
  - July 12 – Downtown Corvallis Association monthly Business After Hours gathering at the Whiteside Theater.

C. Staff Reports

1. Separation agreement (Lovett)

XII. PUBLIC HEARINGS – None.

Mayor Manning read a statement, based upon changes in Oregon laws regarding executive sessions. The statement indicated that only representatives of the news media, designated staff, and other Council-designated persons were allowed to attend the executive session. News media representatives were directed not to report on any executive session discussions, except to state the general subject of the discussion, as previously announced. No decisions would be made during the executive session. She reminded Council members and staff that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approved disclosure. She suggested that any Council or staff member who may not be able to maintain the Council's confidences should leave the meeting room.

The Council entered executive session at 8:03 pm.

Ms. Volmert and Deputy City Attorney Brewer briefed the Council regarding labor negotiations with the International Association of Fire Fighters, Corvallis Police Officers Association, and Corvallis Regional Communications Center Association.

The Council adjourned the executive session and reconvened the regular meeting at 8:51 pm.

XI. NEW BUSINESS

A. Approval of a three-year labor agreement with International Association of Fire Fighters

Councilors Brauner and O'Brien, respectively, moved and seconded to approve the labor agreement with International Association of Fire Fighters, as negotiated and ratified. The motion passed unanimously.

XIII. ADJOURNMENT

The meeting was adjourned at 8:52 pm.

APPROVED:

_____

MAYOR

ATTEST:

_____

CITY RECORDER

Louie, Kathy

Subject: RE: I oppose the request of NuScale for a tax abatement extension. Bill Glassmire

-----Original Message-----
From: Mayor
Sent: Monday, July 02, 2012 11:11 AM
To: glassbill@xxxx
Cc: Louie, Kathy
Subject: Re: I oppose the request of NuScale for a tax abatement extension. Bill Glassmire

Hello,

Thank you for your message. I will plan to share your comments with the City Council, which is scheduled to discuss this issue as part of tonight's meeting.

Sincerely,

Julie Manning
Mayor

----- Original Message -----
From: glassbill@xxxxx
To: mayorandcitycouncil@ci.corvallis.or.us
Sent: Monday, July 2, 2012 10:33:18 AM
Subject: I oppose the request of NuScale for a tax abatement extension. Bill Glassmire

July 2, 2012

I write about the request for tax abatement from NuScale Power LLC, for "Extended Benefits", that is, a tax abatement beyond the regular three year tax exemption. I oppose NuScale's request. For me, building nuclear energy plants is a short-term and dangerous business, one which Corvallis should discourage.

Thank you for your attention.

Bill Glassmire
Corvallis, Oregon 97330

Louie, Kathy

Subject: RE: <web>Proposed Plastic Bag Ban

-----Original Message-----
From: Mayor
Sent: Monday, July 02, 2012 4:33 PM
To: jacobs199@xxx
Cc: Louie, Kathy
Subject: Re: <web>Proposed Plastic Bag Ban

Hello,

Thank you for your message. I will ask that it be shared with the council at tonight's meeting.

Sincerely,

Julie Manning
Mayor
----- Original Message -----
From: jacobs199@xxxx
To: mayor@council.ci.corvallis.or.us
Sent: Monday, July 2, 2012 3:39:50 PM
Subject: <web>Proposed Plastic Bag Ban

This is an inquiry e-mail via Contact Us form:
John Jacobs
prefer phone contact: no

Please reconsider your stance on the Corvallis Plastic Bag Ban tonight and support our ability to freely choose paper or plastic bags. As a disabled person without transportation I can't imagine how I would struggle in the rain with a cane and a week's worth of groceries in purchased paper bags. I only use plastic bags when I need them and then reuse and recycle them.

As an avid environmentalist and a realist I find the "environmental concerns" on this issue purely specious. I would estimate that less than 0.00001% of the improperly discarded plastic bags from Corvallis will ever cross the Coast Range to reach the Pacific Ocean. The alarming "seabird death toll" alluded to must surely refer to the dump-dwelling Garbage Gulls at the landfill. Culling out these ubiquitous garbage-powered pests is an environmental asset since they are a major predator on our endangered wild seabirds.

To: Corvallis City Council and Mayor Julie Manning

From: Marys Peak Group – Sierra Club

Date: July 2, 2012

RE: Single-Use Plastic Bag Reduction Ordinance

When the Marys Peak Group – Sierra Club started working on this issue in January 2011, we asked you to support the state-wide bill (Senate Bill 536), which you did. Unfortunately it didn't pass and we are now asking you to support a local ordinance. In the process there have been issues that have come up, like how will we exist without them, especially the elderly or homeless? It's important to note that single-use plastic bags were invented in 1977. They've been around for only 35 years, and we've learned since that time that they stay around for hundreds of years and are causing environmental and economic problems.

The issue of wasteful use of resources, which connects to both environmental and economic issues, should be enough information to ban single-use bags. It is estimated that if every country wasted at the same level that Americans do, it would take five planets worth of resources to meet that demand.[1] Voting to pass this ordinance that bans what Guinness World Records calls "the most ubiquitous consumer item in the world," is a good start. So it's time to act on what we know, and if any place can do it Corvallis can.

We support the proposed Corvallis ordinance because it will address the economic and environmental issues caused by single-use plastic bags.

Economic Issues:

The economic issues addressed by this ordinance are:

1. **The Externalized Cost of Plastic Bags.** The City of San Francisco determined that it costs 17 cents for them to handle each discarded bag.[2] Corvallis does not have a similar study, but if it did we could also quantify the negative impact on Corvallis in the form of litter problems along the Willamette River and along streams, in neighborhoods, or within the city. Plastic bags are the most problematic and costly material at the MRF's where they clog the sorting equipment.[3]

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[1] *Garbology: Our Dirty Love Affair with Trash*, Edward Humes, (Penguin Group Inc., 375 Hudson St. New York, NY) 2012, p95.
[2] http://www.cleanair.org/Waste/wasteFacts.html
[3] Per letter from Julie Jackson at Allied Waste.

2. **Our natural resources are the basis of our economic wealth,** wasting natural resources, through a single-use habit takes away from our wealth. It is estimated that Oregonians use about 1.7 billion plastic checkout bags each year (444 per person). Corvallis uses approximately 24,420 million per year. Stopping this waste moves Corvallis in the direction of a more economically resilient and sustainable community. Something that this community is known for.

3. **Resources are best conserved if a ban includes a cost on paper.** A price requirement on paper bags will mean that consumers are less likely to switch to a single-use paper habit. Studies have shown that people will turn to single-use paper bags if plastic bags are banned. The 5-cent fee[4] on paper bags is to encourage reusable bags. We can work out some of the issues related to affordability (as Seattle and Portland are doing) as customers begin to adopt the reusable bag habit.

Passing this ordinance means that Corvallis understands that natural resources, like fossil fuels and trees, have value beyond a one-time use. Respecting the natural world and its resources is not only an important ethic to support, but it is also a small step away from single-use habits, which wastes resources and puts pressure on the natural world.

Environmental Issues:

The environmental issues addressed by this ordinance are many. We have submitted information giving sufficient details about this. However to summarize: plastic litter kills millions of marine animals and seabirds every year through strangulation, suffocation, starvation, and poisoning. Plastic shopping bags collect on Oregon's beaches where it can contribute to significant ocean pollution. Studies have demonstrated that 80% of the plastic in our ocean comes from inland land-based sources. Among the most common type of plastic found in the garbage patch is low-density polyethylene, which is the plastic used to make plastic bags.

For the above reasons, we urge you to pass this ordinance.

Respectfully,

Debra Higbee-Sudyka
Executive Committee Vice Chair
Marys Peak Group – Sierra Club

Corvallis, OR 97333

dwhigbe@
http://oregon.sierraclub.org/groups/marys_peak/

[4] Studies show that 5 cents is enough incentive to move people to reusable bags.

Small Modular Reactors

No Solution for the Cost, Safety, and Waste Problems of Nuclear Power

BY ARJUN MAKHIJANI AND MICHELE BOYD

Some proponents of nuclear power are advocating for the development of small modular reactors (SMRs)[1] as the solution to the problems facing large reactors, particularly soaring costs, safety, and radioactive waste. Unfortunately, small-scale reactors can't solve these problems, and would likely exacerbate them.

There has been a proliferation of proposed SMR designs, but none have applied for certification by the Nuclear Regulatory Commission yet. The NRC says that it expects to receive its first SMR design certification application in 2012.[2] There are three general types of SMRs being discussed for certification and possible deployment in the United States.

▶ **LIGHT WATER REACTOR DESIGNS** are generally scaled down variants of today's large commercial pressurized water reactors, though they may include new technologies and components not used in existing reactors. Starting in FY2011, DOE plans to provide taxpayer money to the nuclear industry to fund part of the NRC's design certification process for up to two light water reactor SMRs. The options currently include:[3]

- ▷ *International Reactor Innovative and Secure (IRIS)* by an international consortium led by Westinghouse: This 335 MWe reactor would use conventional pressurized water fuel rods in 17x17 bundles with all of the main system components inside the reactor vessel.
- ▷ *NuScale Power Reactor by NuScale Power:* This 45 MWe reactor would use pressurized water fuel rods in 17x17 bundles that are one-half the length of conventional rods. Each module would be in a separate containment, but would operate in the same large pool of water. NuScale Power plans to apply to the NRC to certify a 12-module facility. The modules would be refueled every two years.
- ▷ *mPower Reactor* by Babcock & Wilcox Company: This 125 MWe reactor would use pressurized water fuel rods in 17x17 bundles that are one-half the length of conventional rods. The core, coolant pumps,

A fact sheet produced by the **Institute for Energy and Environmental Research** and **Physicians for Social Responsibility**

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and steam generators are designed to be in the reactor vessel. The modules would be refueled every five years.

▶ **NON-LIGHT WATER DESIGNS**, such as high-temperature gas-cooled reactors, use helium gas as the coolant and graphite to moderate it. Only two high-temperature gas-cooled reactors have operated commercially in the United States: Peach Bottom in Pennsylvania and Fort St. Vrain in Colorado. Neither of these reactors is still operating. The Fort St. Vrain reactor, with a lifetime capacity factor of 14.5 percent, was the country's worst operating commercial reactor.[4] DOE has chosen the high-temperature gas-cooled reactor as its Next Generation Nuclear Plant and plans to submit a design certification application in FY2013.[5] DOE is considering the following designs:[6]

Only two high-temperature gas-cooled reactors have operated commercially in the United States; neither is still operating.

▷ *Pebble Bed Modular Reactor:* This 165 MWe reactor would be a helium-cooled, graphite-moderated reactor with a core comprised of 450,000 fuel "pebbles" (or spheres) the size of billiard balls. Fuel pebbles would be continuously added at the top of a cylindrical reactor vessel and travel slowly to the bottom, where they would be removed and recirculated through the reactor up to ten times.[7] Every one of the 450,000 fuel pebbles must be manufactured with a high degree of precision and quality, for instance, none should have any cracks. Each pebble or sphere would have 12,000 microspheres of fuel (or coated fuel kernels), making for a total of over five billion coated fuel kernels in each reactor.

▷ *Gas-Turbine Modular Helium Reactor (GT-MHR)* by General Atomics: This 285 MWe reactor would use graphite spheres containing enriched uranium fuel kernels (10-19.9 percent enriched) inserted into hexagonal graphite blocks. The design is based on the Fort St. Vrain reactor.

▷ *New Technology Advanced Reactor Energy System (ANTARES)* by Areva: This 285 MWe reactor would use graphite spheres containing enriched uranium fuel kernels (10–19.9 percent) inserted into hexagonal graphite blocks. The generator is different from the GT-MHR design.

▶ **LIQUID METAL FAST REACTOR DESIGNS** do not use a moderator to slow neutrons down. The coolant is liquid metal, such as sodium or potassium. Fast reactors have never been commercialized anywhere in the world because they are expensive and unreliable and pose serious safety hazards.[8] Both sodium and potassium burn when in contact with air and explode when in contact with water. Two SMR sodium-cooled fast reactor designs under development are:

▷ *Super-Safe, Small and Simple Reactor (4S)* by Toshiba: This reactor would be fueled with either enriched uranium or with plutonium. Two sizes are proposed—10 MW and 50 MW: the 10 MW version would use 24 percent plutonium fuel or 20 percent enriched uranium; the 50 MW version would use 11.5 percent plutonium fuel. The reactor would be sealed in a cylindrical vault underground with turbine-generator housed in an aboveground building. The reactor is supposed to operate for 30 years without refueling. Toshiba has proposed to build a free demonstration reactor in Galena, Alaska.

▷ *Power Reactor Inherently Safe Module (PRISM)* by GE Hitachi Nuclear Energy: The standard facility would consist of nine 155 MWe reactor modules, each with its own below-ground silo connected to a separate generator.[9] The nine reactors would be grouped into three "power blocks" each of which would consist of three reactors. One control center would be used to manage all nine reactors. The total amount of

electricity produced per facility would be 1,395 MWe.[10]

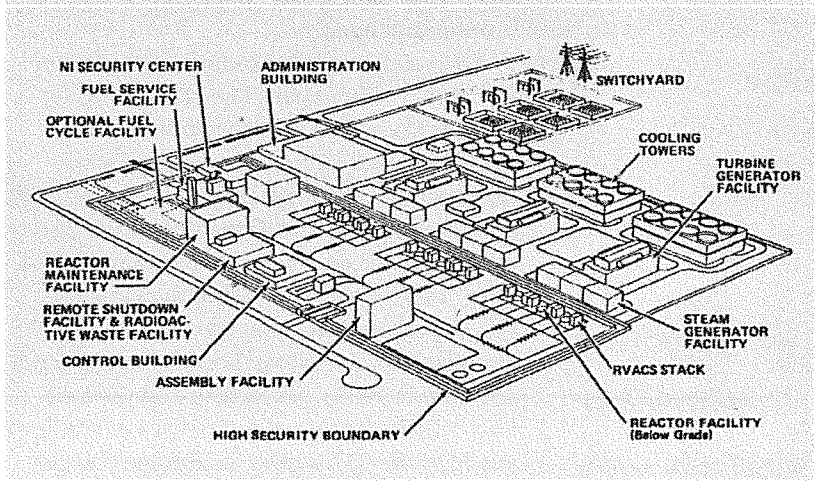
Inherently more expensive?

SMR proponents claim that small size will enable mass manufacture in a factory, enabling considerable savings relative to field construction and assembly that is typical of large reactors. In other words, modular reactors will be cheaper because they will be more like assembly line cars than hand-made Lamborghinis. In the case of reactors, however, several offsetting factors will tend to neutralize this advantage and make the costs per kilowatt of small reactors higher than large reactors. First, in contrast to cars or smart phones or similar widgets, the materials cost per kilowatt of a reactor goes up as the size goes down. This is because the surface area per kilowatt of capacity, which dominates materials cost, goes up as reactor size is decreased. Similarly, the cost per kilowatt of secondary containment, as well as independent systems for control, instrumentation, and emergency management, increases as size decreases. Cost per kilowatt also increases if each reactor has dedicated and independent systems for control, instrumentation, and emergency management. For these reasons, the nuclear industry has been building larger and larger reactors in an effort to try to achieve economies of scale and make nuclear power economically competitive.

Proponents argue that because these nuclear projects would consist of several smaller reactor modules instead of one large reactor, the construction time will be shorter and therefore costs will be reduced. However, this argument fails to take into account the implications of installing many reactor modules in a phased manner at one site, which is the proposed approach at least for the United States. In this case, a large containment structure with a single control room would be built at the beginning of the project that could accommodate all the planned capacity at the site. The result would be that the first few units would be saddled with very high costs, while the later units would be less expensive. The realization of economies of scale would depend on the construction period of the entire project, possibly over an even longer time span than present large-reactor projects. If the later-planned units are not built, for instance due to slower growth than anticipated, the earlier units would likely be more expensive than present reactors, just from the diseconomies of the containment, site preparation, instrumentation and control system expenditures. Alternatively, a containment structure and instrumentation and control could be built for each reactor. This would greatly increase unit costs and per kilowatt capital costs. Some designs (such as the PBMR) propose no secondary containment, but this would increase safety risks.

These cost increases are unlikely to be offset even if the entire reactor is manufactured at a central facility and some economies are achieved by mass manufacturing compared to large reactors assembled on site. Furthermore, estimates of low prices must be regarded with skepticism due to the history of past cost escalations for nuclear reactors and the potential for cost increases due to requirements arising in the process of NRC certification. Some SMR designers are proposing that no prototype be built and that the necessary licensing tests be simulated. Whatever the

A schematic of a 1,395 MWe PRISM facility with 9 modules



NRC, *Preapplication Safety Evaluation Report for the Power Reactor Innovative Small Module (PRISM) Liquid-Metal Reactor: Final Report*, February 1994. (NUREG-1368) at http://www.osti.gov/bridge/purl.cover.jsp?purl=/10133164-2ZfTJr/native/, Figure 1.2

The nuclear industry has been building larger and larger reactors in an effort to try to make nuclear power economically competitive.

process, it will have to be rigorous to ensure safety, especially given the history of some of proposed designs.

The cost picture for sodium-cooled reactors is also rather grim. They have typically been much more expensive to build than light water reactors, which are currently estimated to cost between $6,000 and $10,000 per kilowatt in the US. The costs of the last three large breeder reactors have varied wildly. In 2008 dollars, the cost of the Japanese Monju reactor (the most recent) was $27,600 per kilowatt (electrical); French Superphénix (start up in 1985) was $6,300; and the Fast Flux Test Facility (startup in 1980) at Hanford was $13,800.[11] This gives an average cost per kilowatt in 2008 dollars of about $16,000, without taking into account the fact that cost escalation for nuclear reactors has been much faster than inflation. In other words, while there is no recent US experience with construction of sodium-cooled reactors, one can infer that (i) they are likely to be far more expensive than light water reactors, (ii) the financial risk of building them will be much greater than with light water reactors due to high variation in cost from one project to another and the high variation in capacity factors that might be expected. Even at the lower end of the capital costs, for Superphénix, the cost of power generation was extremely high—well over a dollar per kWh since it operated so little. Monju, despite being the most expensive has generated essentially no electricity since it was commissioned in 1994. There is no comparable experience with potassium-cooled reactors, but the chemical and physical properties of potassium are similar to sodium.

Mass manufacturing raises a host of new safety, quality, and licensing concerns that the NRC has yet to address.

Increased safety and proliferation problems

Mass manufacturing raises a host of new safety, quality, and licensing concerns that the NRC has yet to address. For instance, the NRC may have to devise and test new licensing and inspection procedures for the manufacturing facilities, including inspections of welds and the like. There may have to be a process for recalls in case of major defects in mass-manufactured reactors, as there is with other mass-manufactured products from cars to hamburger meat. It is unclear how recalls would work, especially if transportation offsite and prolonged work at a repair facility were required.

Some vendors, such as PBMR (Pty) Ltd. and Toshiba, are proposing to manufacture the reactors in foreign countries. In order to reduce costs, it is likely that manufacturing will move to countries with cheaper labor forces, such as China, where severe quality problems have arisen in many products from drywall to infant formula to rabies vaccine.

Other issues that will affect safety are NRC requirements for operating and security personnel, which have yet to be determined. To reduce operating costs, some SMR vendors are advocating lowering the number of staff in the control room so that one operator would be responsible for three modules.[12] In addition, the SMR designers and potential operators are proposing to reduce the number of security staff, as well as the area that must be protected. NRC staff is looking to designers to incorporate security into the SMR designs, but this has yet to be done.[13] Ultimately, reducing staff raises serious questions about whether there would be sufficient personnel to respond adequately to an accident.

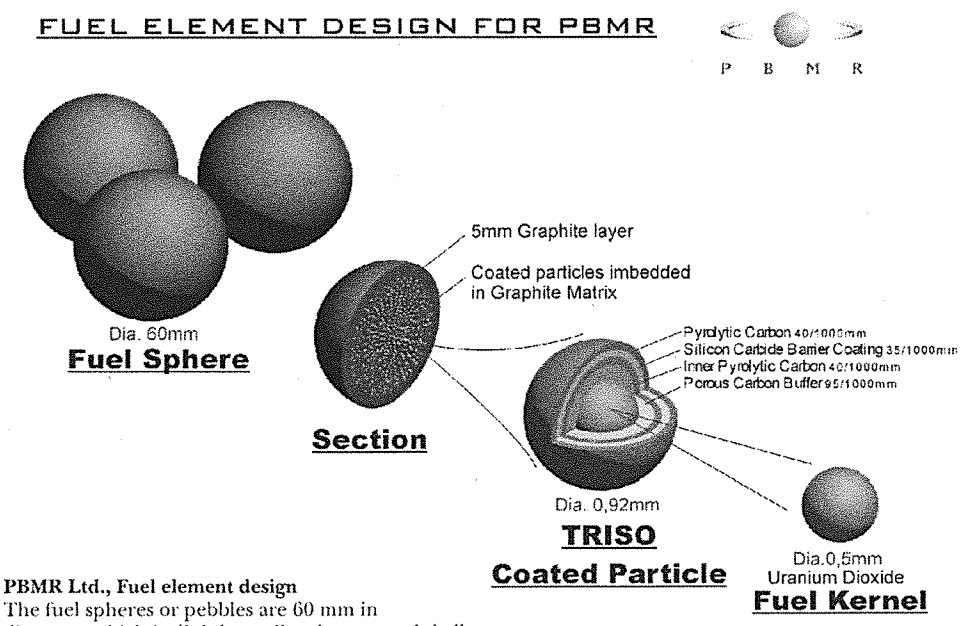
Of the various types of proposed SMRs, liquid metal fast reactor designs pose particular safety concerns. Sodium leaks and fires have been a central problem—sodium explodes on contact with water and burns on contact with air. Sodium-potassium coolant, while it has the advantage of a lower melting point than sodium, presents even greater safety issues, because it is even more flammable than molten sodium alone.[14] Sodium-cooled fast reactors have shown essentially no positive learning curve (i.e., experience has not made them more reliable, safer, or cheaper). The world's first nuclear reactor to generate electricity, the EBR I in Idaho, was a sodium-potassium-cooled reactor that suffered a partial meltdown.[22] EBR II, which was sodium-

CASE STUDY: **Pebble Bed Modular Reactor (PBMR)**

The Pebble Bed Modular Reactor (PBMR) is a high-temperature gas-cooled reactor that uses helium as the coolant and graphite as a moderator. The fuel consists of uranium oxide or uranium carbide, enriched to considerably higher levels than present light water reactors (about 9 percent or more). The kernels are coated with silicon carbide and contained in billiard-ball-sized pyrolytic graphite "pebbles" (spheres). Each pebble would contain about 12,000 tiny fuel kernels or grains. The heat generated from the chain reaction is carried away by an inert cooling gas—generally proposed to be helium. In principle, the fuel pebbles move slowly but steadily through the reactor and are replaced by new pebbles, enabling continuous operation. Each pebble would be used up to ten times by refeeding it into the reactor after some cooling. Gas temperatures are much higher than water temperatures in light water reactors; in theory, this can lead to higher efficiency electricity production and/or other applications, such as hydrogen production.

However, graphite catches fire in the presence of air, which would rush into the reactor in the event of a loss of coolant (helium) accident. In such an event the graphite, which the pebbles contain, would burn. Proponents claim that the silicon carbide coating would resist fire; however, the billions of grains of fuel must not only be generally free of cracks at manufacture but remain free for the entire time they are in the reactor despite the generation of fission product gases as the reactor operates. In this context, it is important to remember that the burden of proving safety in the context of a loss of coolant accident is quite heavy for a graphite-moderated reactor, since the worst power-generation reactor accidents by far have both occurred in graphite-moderated reactors and have been accompanied by graphite fires. In case a steam cycle is used for power generation, it is essential to design the reactor so that there is no possibility of water entering the core in case of a loss of coolant accident.[15]

CONTINUED ON PAGE 6



PBMR Ltd., Fuel element design
The fuel spheres or pebbles are 60 mm in diameter, which is slightly smaller than a tennis ball. The PBMR fuel is based on a German fuel design consisting of coated uranium particles contained in a molded graphite sphere.

Despite 50 years of research by many countries, including the United States, the theoretical promise of the PBMR has not come to fruition.

CASE STUDY: PBMR | CONTINUED FROM PAGE 5

Since the PBMR design is proposed to be modular, the cost issues raised above for other SMRs would also apply. Finally, proliferation is a greater concern than with light water reactors, since the PBMR would use uranium at higher enrichments than light water reactors or use plutonium fuel. Use of thorium as a fertile material is possible, but it would require plutonium or enriched uranium to sustain the initial chain reaction. It also results in the production of fissile uranium-233.[16]

Disposal of graphite fuel in a geologic repository would also present new challenges since essentially all work on repository design has been premised either on light water reactor spent fuel (consisting of uranium dioxide fuel pellets) or vitrified high level waste.

The PBMR was originally designed by German companies, but they abandoned the design in 1991 when it became clear that no country would buy it. A 15 MW prototype PBMR, known as the AVR, operated in Germany from 1967–1988. A report released in 2008 by the Jülich Research Center on its pebble bed reactor design revealed significant technical problems with the AVR, including unexpectedly high operating temperatures. In addition, radioactive graphite dust was generated when the "pebbles" moved against each other, which increases problems in decommissioning and could pose a serious safety problem in an accident. Finally, the report recommended containment structures, which would increase the cost of the design significantly.[17]

In 1993, the South African national utility Eskom began working on a version of the PBMR design. In 1999, Eskom created PBMR (Pty) Ltd. to do a feasibility study, which was never released. Meanwhile, some of the investors, including the US utility Exelon, pulled out and no demonstration reactor was sufficiently funded or seriously planned. The estimated cost of the demonstration reactor increased from $223 million to $1.8 billion.[18] After spending over $1 billion on PBMR (Pty) Ltd. in the past 11 years, the government of South Africa announced in July 2010 that it would stop funding the project and that the company's operations would be shut down in August 2010.[19]

In the early 2000s, Exelon was interested in having the US Nuclear Regulatory Commission certify the South African PBMR design. NRC's initial review resulted in a slew of technical and safety questions, such as the issue of extremely high operating temperatures, which were not addressed before Exelon withdrew from the project.[20]

Since 2003, China has been operating a small, 10 MW test PBMR reactor and has plans to construct a larger demonstration reactor. China has been changing its design along the way, but it is unknown whether or not technical problems have arisen.[21]

Despite 50 years of research by many countries, including the United States, the theoretical promise of the PBMR has not come to fruition. The technical problems encountered early on have yet to be resolved, or apparently, even fully understood. PMBR proponents in the US have long pointed to the South African program as a model for the US. Ironically, the US Department of Energy is once again pursuing this design at the very moment that the South African government has pulled the plug on the program due to escalating costs and problems.

cooled reactor, operated reasonably well, but the first US commercial prototype, Fermi I in Michigan had a meltdown of two fuel assemblies and, after four years of repair, a sodium explosion.[23] The most recent commercial prototype, Monju in Japan, had a sodium fire 18 months after its commissioning in 1994, which resulted in it being shut down for over 14 years. The French Superphénix, the largest sodium-cooled reactor ever built, was designed to demonstrate commercialization. Instead, it operated at an average of less than

7 percent capacity factor over 14 years before being permanently shut.[24]

In addition, the use of plutonium fuel or uranium enriched to levels as high as 20 percent—four to five times the typical enrichment level for present commercial light water reactors—presents serious proliferation risks, especially as some SMRs are proposed to be exported to developing countries with small grids and/or installed in remote locations. Security and safety will be more difficult to maintain in countries with no or underdeveloped nuclear regulatory infrastructure and in isolated areas. Burying the reactor underground, as proposed for some designs, would not sufficiently address security because some access from above will still be needed and it could increase the environmental impact to groundwater, for example, in the event of an accident.

More complex waste problem

Proponents claim that with longer operation on a single fuel charge and with less production of spent fuel per reactor, waste management would be simpler. In fact, spent fuel management for SMRs would be more complex, and therefore more expensive, because the waste would be located in many more sites. The infrastructure that we have for spent fuel management is geared toward light-water reactors at a limited number of sites. In some proposals, the reactor would be buried underground, making waste retrieval even more complicated and complicating retrieval of radioactive materials in the event of an accident. For instance, it is highly unlikely that a reactor containing metallic sodium could be disposed of as a single entity, given the high reactivity of sodium with both air and water. Decommissioning a sealed sodium- or potassium-cooled reactor could present far greater technical challenges and costs per kilowatt of capacity than faced by present-day above-ground reactors.

Not a climate solution

Efficiency and most renewable technologies are already cheaper than new large reactors. The long time—a decade or more—that it will take to certify SMRs will do little or nothing to help with the global warming problem and will actually complicate current efforts underway. For example, the current schedule for commercializing the above-ground sodium cooled reactor in Japan extends to 2050, making it irrelevant to addressing the climate problem. Relying on assurances that SMRs will be cheap is contrary to the experience about economies of scale and is likely to waste time and money, while creating new safety and proliferation risks, as well as new waste disposal problems.

Spent fuel management for SMRs would be more complex, and therefore more expensive, because the waste would be located at many more sites.

Notes

1. This fact sheet addresses small modular reactor designs for which the U.S. Nuclear Regulatory Commission may receive design certification applications in FY2011. It does not include some designs that are being researched but that are not on the NRC list, notably the travelling wave reactor. IEER will produce a separate report later in 2010 on this reactor. "Small modular reactors" are defined by DOE as reactors that would produce 300MWe or less and are made in modules that can be transported. (U.S. Department of Energy Office of Nuclear Energy, *Small Modular Reactors*, Factsheet, February 2010, http://nuclear.energy.gov/pdfFiles/factSheets/2011_SMR_Factsheet.pdf).

2. *Written Testimony of Gregory B. Jaczko, Chairman, United States Nuclear Regulatory Commission to the Senate Committee on Environment and Public Works Subcommittee on Clean Air and Nuclear Safety*, May 5, 2010, http://www.nrc.gov/about-nrc/organization/commission/comm-gregory-jaczko/jaczko-statement-5-05-10.pdf.

3. The descriptions of all eight reactors are based on the following, unless otherwise noted: W. Borchardt (NRC Executive Director for Operations) to the Commissioners, *Potential Policy, Licensing, and Key Technical Issues for Small Modular Nuclear Reactor Designs* (Policy Issue Information) (SECY-10-0034), March 28, 2010, http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2010/secy2010-0034/2010-0034scy.pdf, Enclosure, p. 1 and Attachment 1.

4. Arjun Makhijani and Scott Saleska, *The Nuclear Power Deception: US Nuclear Mythology from Electricity "Too Cheap to Meter" to "Inherently Safe" Reactors,* Apex Press, 1999, Chapter 7 is at http://www.ieer.org/reports/npd7.html

5. *Written Testimony of Michael R. Johnson, Director, Office Of New Reactors, United States Nuclear Regulatory Commission, to the Committee on Energy and Natural Resources, United States Senate, Hearing on Small Modular Reactors,* December 15, 2009, http://energy.senate.gov/public/_files/Johnson-Testimony121509.pdf, pp. 3 and 5

6. SECY-10-0034, op.cit. Enclosure.

7. PBMR, "How the PBMR fuel works," http://www.pbmr.co.za/index.asp?Content=224, viewed July 23, 2010.

8. See a comprehensive report on fast reactors by the International Panel on Fissile Materials. (Thomas B. Cochran, Harold A. Feiveson, Walt Patterson, Gennadi Pshakin, M.V. Ramana, Mycle Schneider, Tatsujiro Suzuki, and Frank von Hippel, *Fast Breeder Reactor Programs: History and Status* (IPFM Research Report 8), IFMP, Program on Science and Global Security, Princeton University, February 2010, http://www.ipfmlibrary.org/rr08.pdf)

9. SECY-10-0034, op. cit., Enclosure; US Nuclear Regulatory Commission, *Power Reactor Innovative Small Module (PRISM),* June 18, 2010, http://www.nrc.gov/reactors/advanced/prism.html.

10. Nuclear Regulatory Commission, *Fact Sheet on Next-Generation Reactors,* January 2004, http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/next-gen-reactors.html, Viewed on July 30, 2010.

11. Costs of demonstration breeders in 1996 dollars per thermal kilowatt are estimated in Arjun Makhijani, *Plutonium End Game,* Institute for Energy and Environmental Research, Takoma Park, MD, 2001, http://www.ieer.org/reports/pu/peg.pdf, Table 3 on p. 22. These were escalated to 2008 dollars using the GDP deflator from 1996 to 2008 of 1.314.

12. NRC Commissioner William C. Ostendorff, "Small Modular Reactors – Challenges and Opportunities," Keynote Address, Platts Small Modular Reactors Conference, June 28, 2010, Washington, DC, http://www.nrc.gov/reading-rm/doc-collections/commission/speeches/2010/s-10-021.html.

13. SECY-10-0034, op. cit., Enclosure

14. IPFM 2010, op. cit., p. 68.

15. R. Moormann, *A Safety Re-evaluation of the AVR Pebble Bed Reactor Operation and Its Consequences for Future HTR Concepts* (Berichte des Forschungszentrums Jülich JUEL-4275) Forschungszentrum Jülich, June 2008, http://juwel.fz-juelich.de:8080/dspace/bistream/2128/3136/1/Juel_4275_Moormann.pdf.

16. For more information on thorium reactors, see: Arjun Makhijani and Michele Boyd, *Thorium Fuel: No Panacea for Nuclear Power.* Fact Sheet, Physicians for Social Responsibility and Institute for Energy and Environmental Research, January 2009, http://www.ieer.org/fctsheet/thorium2009factsheet.pdf.

17. R. Moormann 2008, op, cit., and Steve Thomas, "The demise of the pebble bed modular reactor," *The Bulletin of Atomic Scientists,* June 22, 2009, http://www.thebulletin.org/web-edition/features/the-demise-of-the-pebble-bed-modular-reactor.

18. Thomas 2009, op. cit.

19. Prega Govender, "R9bn taxpayer-funded nuclear energy plan finally grinds to halt," *Times Live,* July 18, 2010, http://www.timeslive.co.za/business/article555632.ece/Government-pulls-plug-on-PBMR; Siseko Njobeni, "South Africa: State Cuts Off PBMR as it Fails to Find Investor, Customers," *AllAfrica.com,* February 19, 2010, http://allafrica.com/stories/printable/201002190377.html; Ann MacLachlan, "South African government aims to close PBMR operations in August," *Nucleonics Week,* July 29, 2010.

20. Jenny Weil, "Questions Remain on PBMR Fuel; NRC Research Looks at HTGRs," Nuclear Fuel, August 15, 2002.

21. Thomas 2009, op. cit.

22. The core was replaced and the repaired reactor operated after that until it was closed in 1963. (IPFM 2010, op. cit. p. 92).

23. IPFM 2010, op. cit. p. 95; Power Reactor Development Company, Enrico Fermi Atomic Power Plant, *Sodium—Water Reaction Incident, May 20, 1970* (Sent to the AEC on June 19, 1970).

24. IPFM 2010, op. cit., p. 10.

Fact sheet completed in September 2010

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AIRPORT COMMISSION
MINUTES
May 1, 2012
DRAFT

Present
Bill Gleaves, Chair
Vince Remcho, Vice-Chair
Louise Parsons
Todd Brown
Bill Dean
Brian Wall
Rod Berklund
Lanny Zoeller
Biff Traber, Council Liaison

Absent

Staff
Dan Mason, Public Works
Lisa Namba, Public Works

Visitors
Ty Parsons

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Open Meeting, Introductions	X		
II. Review of April 3, 2012 Minutes			Approved
III. Visitor Comments	n/a		
IV. Old Business • None	n/a		
V. New Business • None	n/a		
VI. Information Sharing • Airport Industrial Park Update • Airport Update • Airport Master Plan PAC April 26 meeting summary • City Council Update • Monthly Financial Report	 X X X X X		

CONTENT OF DISCUSSION

I. Open Meeting, Introductions

Chair Gleaves called the meeting to order and those present introduced themselves.

II. Review of Minutes

Commissioner Berklund moved to approve the April 3 minutes; Commissioner Zoeller seconded the motion and the minutes were passed unanimously.

III. Visitor Comments

None.

IV. Old Business

None.

V. New Business

None.

VI. Information Sharing

Airport Industrial Park Update

Mr. Mason reported that Perpetua has been landscaping and removing the mass of blackberries around their building and in front of their sign.

Mr. Mason also noted that a large concentration of blackberries was removed from the area north of Western Pulp's leases to expose a pile of railroad rails that had been left there for many years. Staff plans to inventory those rails and determine if they can be sold or just recycled.

Councilor Traber asked about the possibility of a food cart going into operation at the Airport or the Industrial Park. Mr. Mason said he would refer the question to Community Development.

Airport Update

Mr. Mason presented gifts from Mayor Julie Manning to thank the Commissioners for their volunteer work for the City.

Mr. Mason reported the following:

- Work on the 24-7 restroom at the airport should be completed by the next meeting.
- Mowing at the Airport has begun.
- Staff found a collection of historic slides showing the Airport in the 80s. The Benton County Historical Society is cataloguing them for their collection and has converted them to digital photos. Mr Mason said he would show them at a future Commission meeting.

Airport Master Plan PAC April 26 meeting summary

Commissioner Zoeller provided details on the alternatives the Airport Master Plan Planning Advisory Committee (PAC) is considering. The next PAC meeting is tentatively scheduled for Thursday, July 26 at 8:30am in the Madison Avenue Meeting Room. A public outreach meeting is tentatively scheduled that same day at 5:30pm at the library.

City Council Update
Councilor Traber reported that the Council is working on the City budget, noting that there are some substantial cuts throughout the organization, but nothing affecting the Airport Fund at this time.

Monthly Financial Report
The Commission discussed the budget.

The meeting was adjourned at 7:55 a.m.

NEXT MEETING: June 5, 2012, 7:00 a.m., Madison Avenue Meeting Room

DRAFT

CITY OF CORVALLIS
MINUTES OF THE ARTS AND CULTURE COMMISSION
JUNE 28, 2012

Attendance
Karyle Butcher, Chair
Rebecca Badger
Elizabeth Westland
Brenda VanDevelder
Steven Zielke
Joel Hirsch, Council Liaison

Absent/Excused
Patricia Daniels, Vice Chair
Shelley Moon
Dan Segel
David Huff

Staff
Karen Emery, Director
Mark Lindgren, Recorder

Visitors

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Review of Minutes	X		
III. Visitor Propositions	X		
IV. Economic Development Subcommittee Update	X		
V. Fall Event Discussion	X		
VI. Logo			Motion passed to adopt Rebecca Badger's proposed logo design.
VII. City Council June 18 Meeting Summary			Motions passed that Butcher send her letter to the G-T newspaper.
VIII. Commission Member / City Council Liaison Updates	X		
IX. New Business	X		
X. Adjournment	X		The next Arts and Culture Commission meeting is scheduled for 5:30 p.m, July 26, 2012 at the Parks and Recreation Conference Room.

CONTENT OF DISCUSSION

I. **REVIEW AGENDA/CALL TO ORDER.** Chair Karyle Butcher called the meeting to order at 5:30 p.m. She related that Brenda VanDevelder and Dan Segel were renewing their appointments; however, Steven Zielke will not be renewing his appointment. Zielke recommended that Chris Chapman serve on the commission in his place. Director Emery said Huff would join the Economic Impact Committee, since it is losing a member.

II. **REVIEW OF MINUTES.** VanDevelder moved and Zielke seconded to approve the May 24, 2012 minutes as presented; motion passed.

III. VISITORS PROPOSITIONS. None.

IV. ECONOMIC DEVELOPMENT SUBCOMMITTEE UPDATE.
VanDevelder related that there has been no further work. There have been a few straggler responses to the survey, which have really impacted the results. She is re-calculating and will share a revised report in July.

Westland related that the Medford Tourism Bureau promoted cultural arts in the area. She asked whether Corvallis Tourism (CT) was promoting cultural events. Butcher related that the "Group of Six" (local major arts groups) will do background work on considering tapping Transient Occupancy Tax (TOT) funds. She said CT has been approached about raising the visibility at the CT website; she suggested inviting the new (interim) CT director to a meeting to explain her vision.

VanDevelder related that she and Pat Amacher had approached Corvallis Tourism previously, to help launch the "We're All Here" Campaign, which depended on leveraging the CT website. She said it was important to work with the new director on how arts and culture fit at CT. Council Liaison Joel Hirsch related he was liaison to CT and attended a meeting this morning; he said the temporary director is talking about setting up a separate granting organization where people apply for grants. Butcher noted the G-T has greatly improved its listing of events. Emery noted that CT has undergone many changes in directors over just a few years. Butcher suggested commissioners sit in on CT meetings. Butcher related that Huff had suggested the commission meet with representatives of key arts organizations.

V. FALL EVENT.
Butcher recalled the previous fall's Connect event, which facilitated social networking. The issue is whether to hold it again and if so, where to hold it. One possibility is to rotate it among supporting arts group offices. Badger concurred with rotating it, but said that beautiful spaces are nice, too. Zielke highlighted the train station. Butcher suggested the Art Center. Badger and Westland suggested the Majestic Theater's upper room.

VanDevelder said about 70 attended last year, and there was discussion of inviting board members this year. She noted that Segel underwrote the food and drink last year, but can't do so this year. She said the beautiful location at The Vue helped make the event a success; the Art Center is not as dramatic. Butcher advocated not falling into a pattern of The Vue being a signature location.

Badger volunteered to work on the event. Zielke advocated against holding it at The Vue, thus cementing the location for the annual event, and proposed the Art Center. Westland said everyone liked The Vue, but suggested rotating. Badger cautioned that the Art Center could get crowded. Butcher suggested simply inviting groups to bring two people, which could include a board member. Butcher said she was hearing the Art Center as the top choice; VanDevelder said the event could tag onto the Art Center's Year of Culture.

Butcher said last year's event started at 5 p.m., during the first two weeks in October. Zielke advocated holding it on Monday, saying it worked well. VanDevelder added that last year's event was directly following the statewide Art Summit; this year it is October 10. Zielke advocated mid-September to mid-October. Badger will approach David Huff regarding the Art Center. Westland volunteered to work on the event. Zielke said a director of a jazz combo volunteered to play. He cautioned against allowing people to spend five minutes promoting their upcoming events.

VI. LOGO.

Badger said it was intended for use on commission materials. She related that she took elements of the Corvallis Arts for All design, using a common font. VanDevelder moved and Zielke seconded to adopt Badger's proposed design; motion passed.

VII. CITY COUNCIL JUNE 18 MEETING SUMMARY.

Butcher related she and Trish Daniels recently presented an eight-minute annual report to the City Council, recapping high points, including networking and CAFE work, and workshops, including grant writing. Councilors were interested in the CAFE Program.

She said there wasn't much interest in the economic impact piece. She advocated having the new economic development staffer include arts and culture in how they present the community. She praised Liaison Hirsch's testimony at the meeting.

Butcher highlighted the G-T's editorial decrying tying arts and culture to an economic base, as opposed to valuing them for their own sake, and it opposed tying the new economic development staffer to arts and culture. She related she spoke to the impact of arts and culture.

VanDevelder suggested the commission use the phrase "economic impact" of the arts, not "economic development". Butcher sought advice on sending her draft letter to the G-T to respond to the editorial. Zielke said arts are always thought to be nice; but in his mind, arts should be central to a vibrant community and a healthy economy. Liaison Hirsch said the G-T editorial is wrong; there was concern about spreading the economic development staffer too thin among diverse interests. He said the arts ARE significant economic levers.

VanDevelder suggested an "As I See It" op-ed, either from the commission or a pillar of the cultural community. Members agreed the letter should be sent. Butcher said the economic development staffers need to be presenting Corvallis as an arts and culture community. Badger said we're simply asking these representatives to accurately represent the community. Butcher said the arts and culture in Corvallis represent an added value to the community. Hirsch related that a staffer at the hospital recruits doctors to move to Corvallis from around the country; the arts are included in the package she presents to them, and this should also be included in what these economic development staffers present. Westland noted that everything in our society has an economic impact consideration attached to it.

Zielke said our charge is to advise the city; however, the City is ignoring the arts in this economic effort. VanDevelder moved and Westland seconded that Butcher send her letter to the G-T newspaper; motion passed.

VIII. COMMISSION MEMBER/CITY COUNCIL LIAISON UPDATES.

Zielke related touring the Whiteside Theater recently and noted that there wasn't enough power to light the stage. The stage is deep enough for a lot of arts groups to use; Chintimini Chamber Music used it this week and Corvallis High School will stage a cabaret event there next year. However, there is not a handicapped accessible bathroom yet.

IX. NEW BUSINESS. None.

X. ADJOURNMENT: Meeting adjourned at 6:30 p.m.

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
MINUTES
June 1, 2012

DRAFT

Present
Brad Upton, Chair
Glencora Borradaile
Jeanne Holmes
Meghan Karas
Mike Beilstein, City Council

Absent
Charles Fletcher
Evan Sorce
Susan Christie

Staff
Lisa Namba, Public Works
Greg Wilson, Public Works

Visitors
Gigi Sims
Laura Duncan Allen

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of May 4, 2012 Minutes			Approved
III. Visitor Comments	X		
IV. Old Business • None			n/a
V. New Business • CIP Project Ranking	X		
VI. Information Sharing	X		
VII. Commission Requests and Reports	X		
VIII. Pending Items			n/a

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions
Chair Upton called the meeting to order at 7:05 am and those present introduced themselves.

II. Review of Minutes
Commissioner Holmes moved to approve the minutes. Commissioner Borradaile seconded the motion, which passed unanimously.

III. Visitor Comments

Visitor Gigi Sims requested that a Notice of Intent (NOI) for the Safe Routes to School (SRTS) project be submitted for the Transportation Enhancement (TE)/Oregon Bicycle Pedestrian Advisory Commission (ORBPAC) grant opportunity. Ms. Sims also stated that Safe Routes to School is evolving to Safe Routes Corvallis, becoming more of a community-wide effort.

Chair Upton reviewed the TE/ORBPAC grant opportunity, for which applications are due June 6th. Each agency may submit two projects and Public Works staff is considering submitting the Marys River – Crystal Lake Drive shared use path and pedestrian crossings projects, which were submitted to the state's Flexible Funds program but not funded. There was discussion about combining the SRTS project with the pedestrian crossing at 13th and Walnut. This crossing would be eligible in a SRTS project because it provides access to a school bus stop for a grant school (Cheldelin Middle School). Staff noted that there is a practical limit to the project cost before it will not compete well. Commissioner Holmes said that consideration of vulnerable populations (students) is important and she is leaning toward recommending staff submit the SRTS project, perhaps removing the Glenridge sidewalk element if that makes the project too costly.

Commissioner Borradaile asked about the possibility of using HAWK signals instead of pedestrian actuated flashing lights at some of the pedestrian crossing locations. Staff said there isn't time to do that for this grant cycle, since the projects should be submitted as described in the CIP document. Projects that aren't contained within community-adopted documents won't compete well.

Commissioner Holmes moved to recommend to staff that the Safe Routes to School project be included as one of the Notice if Intent (NOI's) submitted to the Oregon Department of Transportation, that the the 13th Street and Walnut Boulevard Pedestrian crossing be added and that staff remove the elements that may make it too expensive. Commissioner Karas seconded the motion, which passed unanimously.

The Commission requested that staff provide information at a future meeting on the price of a HAWK signal and the feasibility of converting from a flashing pedestrian crossing to a HAWK.

IV. Old Business

None.

V. New Business

<u>CIP Project Ranking</u>

Chair Upton reported that staff became aware of fifteen new projects earlier in the week, forcing the Commission to push ranking the projects back until the July 6 meeting. There was discussion about how to treat newly submitted projects that are similar to existing CIP projects. The Commission requested that staff group the new pedestrian crossing projects into the existing Pedestrian Crossing project, do the same with the sidewalk infill requests, and cluster the 35th Street project requests within the existing CIP project and indicate which elements will be completed this summer. They decided not to rank these as individual projects. The process will be as follows: 1) Rank all projects for inclusion in the CIP; 2) decide which new requests to

include in the pedestrian crossing and sidewalk infill projects; and 3) prioritize within the larger projects to put each element in ranked order.

VI. Information Sharing

None.

VII. Commission Requests and Reports

Commissioner Borradaile brought up the issue of bike lanes ending at intersections, as occurs at the intersection of 14th Street and Monroe Avenue. Following discussion a subcommittee was formed, consisting of Commissioners Borradaile, Karas, and Upton. The group will research options and make a recommendation in August. The Commission agreed to remove the Colored Bike Lane Presentation item from the agenda Pending Items list.

Chair Upton asked staff for clarification as to BPAC's attendance policy. Staff agreed to look at the Corvallis Municipal Code and convey to the Chair the language on absences.

VIII. Pending Items

None.

The meeting was adjourned at 9:00 a.m.

NEXT MEETING: July 6, 2012, 7:00 a.m., Madison Avenue Meeting Room

THE COMMISSION FOR MARTIN LUTHER KING, JR
MINUTES
May 21, 2012

Present
Commissioner Shyam – Chair
Commissioner Stumbo - Vice Chair
Commissioner Rosa
Commissioner Claywoman
Commissioner Kanterman
Commissioner Nguyen
Councilor Raymond - Council Liaison

Absent
Commissioner Parsons
Commissioner Wimbley-Gouveia

Staff
Ellen Volmert, Assistant City Manager
Suzanne Segui, HR Specialist

SUMMARY OF DISCUSSION

Agenda Item	Action Recommendation
I. Minutes from March 27, 2012 and April 30, 2012 Meetings	Approved
II. MLK Park Signage	Discussed
III. 2013 MLK Event	Discussed and Continued
IV. Commission Meeting Times	Discussed
V. Other	Discussed
VI. Adjourn to June 26, 2012	Adjourned

CONTENT OF DISCUSSION

I. Minutes from March 27, 2012 and April 30, 2012 Meetings – Approved.

II. MLK Park Signage

Commissioners Shyam, Kanterman, and Claywoman reported on the MLK Kiosk Proposal presented at the May 17, 2012 Parks, Natural Areas, and Recreations Board Meeting. The Board approved the proposal to design and construct the informational kiosk.

The Commission proposed to hold a dedication at the park in September or October. Commissioner Shyam recommended the Commission bring ideas for the dedication to the August meeting.

III. 2013 MLK Event

As discussed at the January 24, 2012 Meeting, the 2013 MLK Celebration will be on January 16, 2013 at the Majestic Theatre. Commissioner Claywoman emphasized the need for more performing arts; including music, dance and poetry. Commissioner Claywoman will contact Anderson DuBoise, Author/Spoken Word Artist for a list of poets and Commissioner Rosa will contact Darryl Thomas, Professor of Dance at WOU, regarding possible performances.

Commissioner Shyam noted retired OSU Professor Will Gamble is a possibility for a speaker at the event.

The Commission decided to recognize at least one community organization for their local efforts; suggestions include, We Care, Jackson Street Youth Shelter and/or CARDV.

Commissioner Nguyen motioned to make the theme for the 2013 event as Peace, Non-Violence and Civility. Commissioner Stumbo seconded, and the motioned passed with no objections. Commissioner Shyam asked the Commissioners to search for MLK quotations in support of the theme and bring to the June meeting.

Commissioner Shyam will present the Art Contest in relation to the event theme to the local schools at the beginning of the school year. Letters will be prepared to send out to art instructors at the end of August.

IV. Commission Meeting Times

The MLK Commission Meetings will resume on the fourth Tuesday of the month in the Madison Avenue Meeting Room at 5:00pm. This schedule is set for June through August 2012.

V. Other

Commissioner Nguyen reminded the Commission about email content. Commissioners were asked to submit all discussion topics as agenda items.

The Commission will create a sub-committee for the mural in the kiosk at MLK Park. Commissioners Shyam and Claywoman, and Councilor Raymond will be included on the sub-committee.

VI. Meeting adjourned at 5:25 p.m., with the next meeting scheduled for June 26, 2012 at 5:00pm.

DRAFT
CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION
WORK SESSION MINUTES
June 7, 2012

Present
Deb Kadas, Chair
Lori Stephens, Vice Chair
Richard Bryant
Robert "Jim" Morris
Jim Ridlington, Planning Commission Liaison

Absent
Aaron Collett
Roger Lizut
Stanley Nudelman
Geoffrey Wathen

Staff
Ken Gibb, Community Development Director
Kevin Young, Planning Division Manager
Bob Richardson, Associate Planner
Terry Nix, Recorder

Guests
David Dodson, OSU
Chrissy Curran, SHPO
Roger Roper, SHPO
B.A. Beierle
Peter Meijer

SUMMARY OF DISCUSSION

Agenda Item	Held for Further Review	Recommendations/Actions
Historic Resources Commission, State Historic Preservation Office, and Oregon State University Discussion Regarding Regulation of the OSU National Register Historic District	X	Information only.
Adjournment – 6:45 p.m.		

CONTENT OF DISCUSSION

I. CALL TO ORDER

Chair Kadas called work session to order at 5:35 p.m. Self-introductions followed.

II. HISTORIC RESOURCES COMMISSION (HRC), STATE HISTORIC PRESERVATION OFFICE (SHPO), AND OREGON STATE UNIVERSITY (OSU) DISCUSSION REGARDING REGULATION OF THE OSU NATIONAL REGISTER HISTORIC DISTRICT

Community Development Director Gibb provided background information. The City Council asked staff to provide information about the possibility of the City not reviewing Historic Preservation Permit (HPP) applications within the OSU Historic District and having OSU take ownership of that review. He believes the impetus for this included the reduction in City

planning staff resources, the fact that OSU has a professional planning staff, and the desire to be more efficient and avoid duplication of efforts. A staff memorandum regarding the Council request is included in workshop packets and identifies three options for consideration – amend the Land Development Code to exempt additional types of projects in the OSU Historic District from City review and/or make additional types of projects subject to Director level review; pursue an approach that would have OSU, the City and the SHPO develop an agreement for SHPO review of historic preservation compliance within the OSU Historic District; or maintain the current system. Council requested that the SHPO option be explored and both SHPO and OSU seem to be receptive to such an agreement. The HRC had some discussion regarding this issue at its March meeting and requested this work session with SHPO and OSU. He expressed appreciation to Roger Roper and Chrissy Curran for being here to provide input to both the City and OSU in this discussion.

Roger Roper said that SHPO is happy to help in efforts to avoid duplication and make a cleaner process for everyone. By state law, SHPO has a role in historic properties owned by state entities. In recent years, SHPO has clarified that, if there is a city process in place, it will respect that process and not require a second process with SHPO. Mr. Roper said that the OSU Historic District is a single purpose district with one owner and central planning; this is different than a residential district with multiple owners and there may be efficiencies to be gained in working with OSU in a way that frees up the City to work on other things. He noted that the SHPO process is an administrative process with a 30-day maximum turnaround time; he thinks that OSU might be interested in an efficient process that is still effective.

In response to inquiries, Mr. Roper and Ms. Curran provided the following additional information:

- SHPO has Programmatic Agreements (PA) with many state agencies which identify certain levels of activities and the type of review process that would be triggered for each. The review processes required depend both on the activity being done and on the qualifications within the agency. The PAs that work best are those where exempt activities are laid out very clearly. The agencies also provide an annual report of all activities for review by SHPO.
- Standards are built into PAs and may be at a level that is stricter than normal SHPO standards. For example, the PA could stipulate that activities are to meet standards as identified in Chapter 2.9 of the Land Development Code. It can also be built into the PA that the agreement could be terminated if it was not working well or causing problems in the community.

David Dodson, OSU Senior Planner, said that OSU typically works with architects to get an application to a point where it meets the Chapter 2.9, and then works with City staff to refine the application; by the time it gets to the HRC, it is generally found to be acceptable. He feels that the current process has built-in checkpoints and that it is working smoothly. If the decision was that all HPPs from OSU would go to SHPO, he would still like to have an opportunity to go before the HRC for input and guidance.

Director Gibb said that, from a City staff perspective, the goal is to create efficiencies; he would not want to create a more complicated system with extra steps. Brief discussion followed

regarding the possibility of having an HRC liaison serve on a campus planning committee or having a HRC subcommittee look at OSU applications in a helpful, guiding way.

Chair Kadas said that the OSU HPPs are very professional and address the applicable criteria. Part of her hesitation is that the parties have worked hard to get to a system that works well. She noted that the HRC has expressed an interest in amending the Land Development Code to make additional projects exempt or subject to director level review.

Chair Kadas asked if the SHPO review would streamline OSU's process. Mr. Dodson said he thinks OSU would be submitting the same level of detail; if there were efficiencies to be gained, it might be with items that could be exempted. Mr. Roper noted that the 30-day maximum review time is a motivator for some agencies. Mr. Dodson said that could be an incentive; OSU now factors in 65 days for applications that go to the HRC.

Director Gibb clarified that this issue was raised by the City Council; it was not initiated by OSU. Chair Kadas asked if more exempt or director level activities would potentially reduce the staff time required. Director Gibb said it may, depending on what they were.

In response to additional inquiries, Mr. Roper said that SHPO is not a quasi-judicial body; it has a much different process with more open, back-and-forth discussion. He doesn't think that having a PA with OSU would set a precedent for other historic districts within the City which are not owned by public entities; SHPO would not want to step into a district with multiple owners and multiple zones.

Additional discussion followed regarding ways that OSU might continue to get guidance and comment from the City and HRC without utilizing the same level of staff time. Mr. Dodson reviewed the current process in which OSU planning staff work with project managers and call on City staff for guidance related to Chapter 2.9 criteria. He noted that OSU planners will often have out-of-town architects make changes before the application is submitted, and that City staff will often provide guidance which may result in additional changes before the application gets to the HRC. If the community and the HRC were going to trust OSU to work with SHPO, he thinks there would still need to be an opportunity for the HRC to provide direction and guidance.

Ms. Curran said she has to ask if this is an effort to fix something that isn't broken. If OSU still wants the HRC to see its applications, she is not sure where there would be efficiencies. She said there might be some ways to increase efficiency within the current system. Chair Kadas agreed; she noted that the HRC and staff have been keeping track of activities that might be added to the exempt and director level review criteria.

Planner Richardson said that, if there is that interest, he would want to hear from the HRC that it is acceptable to have rules that apply to the OSU Historic District which do not apply to other districts. Director Gibb noted that, when that idea was presented in the past, there was a big push back. Commissioner Stephens said she feels that some of that was from Commissioners who are no longer on the HRC.

Audience members were invited to comment.

Peter Meijer said that he is respectful of the City's community process. He agreed with the comment that, if the current process is not broken, it may not need to be fixed. The question is whether it is in everyone's best interest to have SHPO review historic preservation within the OSU Historic District. The current process includes review by multiple planning staff, and it is a land use process which provides citizens with the ability to appeal to the City Council and the Land Use Board of Appeals.

BA Beierle said she also concurs with comments that, if the system is not broken, why are we trying to fix it? The HRC, OSU and SHPO are the ones around the table, but none of them are asking for this change; she finds that disconcerting. She feels there are some legacy perception issues on the part of the City Council. For example, the memo to the City Council says that there was no City review until the OSU District was approved in June 2008; however, there were actually 18 buildings designated for HRC review before that district was formed. The memo also says that OSU is doing a great job so she wonders what the problem is. She concurs that adding a layer of review would not be expediting, and she supports adding additional exemptions as previously discussed.

Chair Kadas asked if additional exempt and director level activities in the OSU Historic District and perhaps in other historic districts in the community might help to address the City Council's concerns about planning staff reductions. Director Gibb said that the HRC can discuss a recommendation to the City Council at its next regular meeting, and could propose looking at additional exempt or director level activities if that is the conclusion.

It was agreed that the HRC will consider a formal recommendation to the City Council at its next regular meeting.

III. ADJOURNMENT

The work session was adjourned at 6:45 p.m.

Community Development
Planning Division
501 SW Madison Avenue
Corvallis, OR 97333

DRAFT
CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION MINUTES
JUNE 12, 2012

Present
Deb Kadas, Chair
Richard Bryant
Roger Lizut
Geoffrey Wathen
Lori Stephens
Robert "Jim" Morris
Stanley Nudelman
Jim Ridlington, Planning Comm. Liaison

Absent/Excused
Roen Hogg, Council Liaison

Staff
Bob Richardson, Associate Planner
David Coulombe, Deputy City Attorney
Mark Lindgren, Recorder

Guests
Bob Fenner
Rebecca Houghtaling
Larry Easterly
Gary Robertson

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
I.	Visitor Propositions		None.
II.	Deliberations on Previous Public Hearing Items a. Kathleen Stevenson House (HPP12-00003)		a. Application passed 5-1, with amendments to Conditions of Approval #3 and #4.
III	Public Hearings a. Wells Fargo Office (City Hall Annex) (HPP12-00007) b. OSU Veterinary Laboratory (HPP12-00008)		a. Application passed as conditioned. b. Application passed as conditioned, except Condition of Approval #3 was removed.
IV.	Minutes Review- May 8, 2012		May 8, 2012 minutes approved as presented.
V.	Other Business/Info Sharing		Discussion of proposals to allow OSU more authority to regulate campus resources.
VI.	Adjournment		Meeting adjourned at 9:06 p.m.

Attachments to the June 12, 2012 minutes:

A. Written testimony – Kathleen Stevenson House, May 1st and May 8th, 2012.

B. Wells Fargo Office (City Hall Annex), Photos submitted during Public Hearing.

CONTENT OF DISCUSSION

Chair Deb Kadas called the Corvallis Historic Resources Commission to order at 7:00 p.m. in the Corvallis Downtown Fire Station Meeting Room, 400 NW Harrison Blvd.

I. VISITOR PROPOSITIONS: None.

II. DELIBERATIONS ON PREVIOUS PUBLIC HEARING ITEMS

a. KATHLEEN STEVENSON HOUSE (HPP12-00003)

Commissioner Kadas related that this hearing was a continuation from the May 8 hearing, when it was requested that the record be held open. Noting that a couple weeks had elapsed since the previous hearing, she polled commissioners again whether they had any conflicts of interest or *ex parte* contacts. Commissioner Wathen replied that he'd viewed the property through Google Maps and GoogleEarth. He said he'd observed that the parking area appeared to be parked on through a different orientation throughout the entire area of the back yard. Commissioner Kadas asked if there were any site visits; there were none declared, and there were no rebuttals or objections on jurisdictional grounds. She noted that all commissioners had been present at the previous meeting.

Planner Richardson said the applicant is proposing to replace one exterior wood door with one of a similar design; replacing one wood window with a new window of a similar design; and paving an area along the abutting alley to be used for parking. There was a May 8 request to hold the record open; additional testimony was accepted during the subsequent seven days, and then the applicants provided their final written response during the subsequent seven days. He highlighted that testimony in the packet as well as memos and testimony submitted just prior to the meeting. **(Attachment A)**

He said the applicant was proposing paving 800 square feet; the staff analysis is that that activity complies with a Director-level review criteria in section 2.9.100.03.b; he noted there was a lot of testimony regarding that. He said the replacement of the door and the window were Historic Resource Commission-level activities; HRC-level criteria apply to these activities. He noted it is common for the HRC to review both Director-level and HRC-level criteria within an application. He said that 2.9.100.03 states that if an alteration qualifies as a Director-level activity and it meets the applicable criteria, then that activity *shall* be approved.

Commissioner Wathen highlighted testimony submitted from Mr. Jock Mills, who contended that the code enables but does not require paving an 800 square foot area as a Director-Level decision; he said his own understanding is that that was not correct. Mr. Richardson confirmed that if it meets the Director-level criterion, then that is correct. Mr. Nudelman asked if it was possible to limit parking to a maximum of three cars as a condition of approval; Mr. Richardson replied that the historic compatibility criteria do not address the number of vehicle parking spaces or the number of vehicles.

Commissioner Kadas encouraged commissioners to address testimony received if possible. Commissioner Wathen said that as a district resident, he understood the issue of parking and vehicles in the area; however, there were limits to what the commission could do under the code. The only

issue was whether the area used for parking prior to the paving of the area was less than 800 square feet, which would take it out of Director-level purview. He said most of the submitted historic photos included with testimony show that there are cars parked from one edge to the other edge at different times. One photo shows there might be three cars parked there; the rest show one or two cars. The entire area was being used for parking, so that indicates the entire area had a historic use for a parking area, and the proposal would not be increasing the area used for parking by paving it. Therefore, he felt the commission's hands were tied by the code; if it meets the criteria; it shall be approved.

Commissioner Stephens highlighted the application phrase "vehicle parking area", which doesn't specify the number of stalls. Mr. Morris disagreed with the assertion of the prior use as a parking area. He highlighted Mr. Angelo's testimony regarding compatibility criteria in 2.9.100.04.b; in particular, criterion (j) states that accessory development shall be visually compatible with architectural design or style of the existing designated resource. He stated that it is clear the parking lot meets none of those conditions; however, the commission is stuck with the Director-Level number. He said the 800 square feet size is arbitrary. He said the historic photos are ambiguous; it is difficult to see where the cars are located; however, none of the historic photos show as many as five cars, which has occurred since the pavement was installed. Gravel does not necessarily constitute parking; it is also used for decoration. There is testimony that the area was used for a regular yard, including parking use, but not for five cars. He said the paving of 800 square feet exceeds the area historically used for paving, and so it is not a Director-Level decision.

Commissioner Morris moved to deny the application for the parking lot, and to approve the window and door. Motion failed for lack of second.

Commissioner Nudelman said he'd reviewed all of the testimony and had mixed feelings. He said he hoped an agreement could be worked out with the owner to compromise with concerned neighbors. Commissioner Bryant said there is no parking allowed on 30th Street; usually, there is parking access from a rear alley to a garage or parking surface. He asked how long parking has been prohibited on 30th Street; Mr. Richardson guessed that parking may have been removed when bike lanes were installed on both sides of the street. Commissioner Bryant said with elimination of street parking, residents struggle with how to get adequate parking that doesn't require a long walk; given that parking demand in the area, he favored the proposal.

Commissioner Lizut noted the commission was constrained by the code. Commissioner Wathen stated that he had no objection to either the door or window replacement. He noted that during testimony, the owner had indicated willingness to work with tenants and neighbors on parking, perhaps having some parking on the street. He said the owner felt the HRC was not the right venue to address the issue, but still wanted to address it. Commissioner Kadas replied that that cannot be the basis of the decision, since owners come and go.

Commissioner Kadas asked staff if a home had cars starting to park on the yard, front or back, with more parking in the yard over time, whether that constituted a history of parking and hence an acceptance of paving. She said she was concerned about setting a precedent. She said we can't dispute a need in the neighborhood; most of the homes do not have driveways, and most have to park a block away in the street. Over the course of time, there has been an increase in car numbers.

Attorney Coulombe replied that with respect to code provisions, subsection (b), the code identifies a definition and a criterion. The definition is whether it relates to four site features. If it is a vehicle parking area that is 800 square feet or less, then it meets the code definition; the single criterion is that the dissimilar material, design or style does not increase that. Considerations of "reasonableness" (such as parking needs in the area) are irrelevant to this criteria. He said that in the code, there is

reference to graveled areas that existed prior to 1980 that are approved parking areas, where normally, parking concrete paving/hardscape is required; this provides some guidance. You can't park on a yard unless it is an approved parking surface; and if it existed before 1980 as gravel, then that's OK; if not, then you can't park on gravel. There may be other factual circumstances in a site in a particular zone that affect whether it would be approved as a parking facility.

Commissioner Kadas asked if neighbors could create paved parking areas if they were under 800 square feet even if it wasn't gravel before; Attorney Coulombe replied that under this definition, it didn't exist. If they now decide to expand, it would probably not fall under Director-Level criterion, but rather under HRC review. It is either an approved parking facility, either existing as legal non-conforming or as a lawful conforming parking facility, involving an area of 800 square feet or less.

Commissioner Morris asked what it would take to change that 800 square feet number in the code; he said this case is an unforeseen and unfortunate consequence of that figure. Attorney Coulombe replied that that figure was probably not embedded in the code arbitrarily. Commissioner Kadas said that this might be something to add to the running code tweaks list. Planner Richardson recalled that the figure was intended to address situations where people wanted to park off of alleys and there were gravel parking areas, and to avoid applicants having to go through an HRC-Level review to pave a gravel area historically used for parking as a legal non-conforming use. Commissioner Morris noted that the applicants have essentially paved the whole back yard.

Liaison Ridlington said one lesson was for neighbors to alert the city for such violations; the city will respond in an appropriate matter. Commissioner Kadas related that a driveway near her home has expanded over time and the creep happens over time, with no one noticing, and could result in a similar situation. Her concern is that this situation will keep happening in an area of houses converted to rentals.

Commissioner Wathen said there was some testimony pointing out that cars were parked past the main asphalt paved area into the additional gravel. Now that there is a clearly defined parking area, the paved area, it could provide a restraint to creep if neighbors complain to the City.

Commissioner Nudelman moved to approve the application as conditioned in the staff report; Wathen seconded.

Commissioner Stephens asked to put on the record that she felt the proposed door was not really comparable, but it is on the rear of the house; she said that she would have more concern if it were on the front of the house.

Commissioner Bryant highlighted Exhibit C, showing a detailed section through the window, noting that the head and sill trim material was not well defined; it seems clad; it would help for the applicant or staff to clarify what the window covering material was; the HRC is limited to metal-clad or painted wood. Commissioner Kadas said the drawing states it is clad; Commissioner Bryant noted that it could be vinyl clad, not metal. Planner Richardson said the commission could condition the application to be either wood or metal-clad wood. Attorney Coulombe said that a motion to amend could be added as a separate condition of approval.

Commissioner Kadas concurred with Commissioner Stephens regarding the door design and would not approve the door as it is currently proposed. She noted that the rails and stiles on the existing door are wide, about 4.5 inches, whereas in the proposed design, they are quite narrow. The door shown in

drawings is actually a glass door; it is not meant to have wood panels; there are too many unknowns, and the drawing is not accurate. Commissioner Lizut asked if the door could be conditioned, as well; Commissioner Kadas suggested language for 4.5" rails and stiles to match the existing door.

Planner Richardson read out a draft Condition of Approval #4, Door: "The proposed door shall match materials and design of the door to be replaced; in particular, the proposed door shall include matching stiles, rails and raised wood panels". Attorney Coulombe noted that dimensions fall within "design".

Commissioner Wathen highlighted email testimony from the Therma-Tru rep, referencing the S105 door; however, the included picture in the application is *not* that of the S105 door. Commissioner Kadas said the application was borderline incomplete; the commission doesn't typically accept inaccuracy. Attorney Coulombe said the commission could condition approval or disapprove alteration activity.

Commissioner Bryant asking to clarify whether the proposed door was a wood Simpson door or a fiberglass Therma-Tru door. Planner Richardson replied that the proposed condition essentially required an in-kind replacement. Commissioner Stephens expressed the applicant's idea of "matching" may not match the commission's; a commissioner replied that that is true of every application.

Commissioner Morris moved to amend the motion with a Condition of Approval #4 regarding the door, as expressed by Planner Richardson; seconded by Commissioner Lizut; motion passed unanimously.

Planner Richardson highlighted a draft modification of some of the wording for the Condition of Approval #3 for the proposed window: "The proposed window shall be either wood or metal-clad wood". Commissioner Bryant moved to amend Condition of Approval #3 as per staff's amended wording; Commissioner Lizut seconded; motion passed unanimously.

The main motion passed 5-1, with Commissioner Morris opposing.

Commissioner Wathen departed at 8:03 p.m.

III. PUBLIC HEARINGS –A. WELLS FARGO OFFICE (CITY HALL ANNEX) (HPP12-00007)

A. Opening and Procedures:

Chair Kadas reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest. None declared.
2. Ex Parte Contacts. None declared.
3. Site Visits- Commissioners Nudelman, Morris, and Stephens declared site visits.
4. Objections on Jurisdictional Grounds. None declared.

C. Staff Overview:

Planner Bob Richardson stated that the applicant is the City of Corvallis, represented by Bob Fenner. The proposal is for two lampposts on the northwest side of the parking lot along SW 6th Street, behind the historic Wells Fargo office. The lampposts would be similar in style and design to existing lampposts around the City Hall Block. The Wells Fargo Office building is located at 563 SW Madison Avenue. It is an individually listed designated historic resource on the City of Corvallis Register of Historic Landmarks and Districts; it not within a historic district.

D. Legal Declaration:

City Deputy Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

Bob Fenner stated that he was the City Building and Fleet Supervisor. He said he performs risk analysis of city sites; the area was identified as posing trip hazards at night; the risk increased after the transit mall was built. He highlighted the site plan in the packet. The lamppost materials would be black cast iron steel with a polycarbonate lens. The steel material is similar to that of historic lampposts, while the polycarbonate is a replacement for the more historic glass. The lighting is inductive, which is very sustainable, along with a reflective to reduce light pollution into night skies. Highlighting page 1, he showed locations of lampposts. The lampposts are consistent throughout the City Hall block. **(Attachment B)**

The new lamppost locations are identified as library parking spaces, though they tend not be used except for major events. He said they are intended to respond to a safety issue. There is an internal

policy to be consistent in the historic district. The height is similar to existing posts. He related that the Riverfront has similar lighting.

Commissioner Bryant asked about matching Riverfront fixtures; Mr. Fenner said the luminaire lens differs a little, since the manufacturer, Visco, changed the style slightly. Commissioner Bryant said some Riverfront fixtures have control convenience outlets at their base; Mr. Fenner said he didn't see a need for that here.

F. Complete Staff Report:

Planner Richardson said staff reviewed the application against review criteria, including 2.9.100.04.b1 and b2, as well as compatibility criteria in b3. Staff found the lampposts were consistent with others on the historic property, so they were consistent and compatible with design and style of existing posts and that of the City Hall Annex. Therefore, the lights were compatible with general and compatibility review criteria in b3. Staff recommended approval with two conditions of approval in the staff report.

Commissioner Morris asked that Director-Level code be changed to avoid the commission spending time on this kind of application; Planner Richardson concurred.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application: None.

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

MOTION: Commissioner Morris moved to close the public hearing; Commissioner Lizut seconded the motion and it passed unanimously.

O. Discussion and Action by the Commission:

MOTION: Commissioner Morris moved to approve the application as presented and conditioned in the staff report; Commissioner Lizut seconded. Motion passed unanimously.

P. Appeal Period:

Chair Kadas stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

III. PUBLIC HEARINGS –A. OSU VETERINARY RESEARCH LABORATORY (HPP12-00008)

A. Opening and Procedures:

Chair Kadas reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest.
2. Ex Parte Contacts. Commissioner Kadas related that she saw the applicant outside the building recently and spoke to her perfunctorily, but that it shouldn't affect her judgment.
3. Site Visits- Commissioners Morris and Stephens declared site visits. There were no rebuttals.
4. Objections on Jurisdictional Grounds. None declared.

C. Staff Overview:

Planner Bob Richardson stated the application sought approval to replace windows on all building elevations at the OSU Veterinary Research Laboratory. It is proposed to replace existing aluminum and steel single pane windows with vinyl windows with a similar design and style. The building is located at 3101 SW Washington Way, within the OSU National Register Historic District, and is considered a Historic Contributing structure.

D. Legal Declaration:

City Deputy Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all

issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

OSU Campus Planner Rebecca Houghtaling showed the Vet Research lab in context with nearby buildings. It is in fair or functional condition, with peeling stucco siding and failing windows. It is not a prime example, nor a rare or unusual design, style or construction. The existing metal frame single pane windows are failing; they are condensing in winter and are poorly insulated. She displayed photos of different elevations of the building. The first part of the building was constructed in 1951; it had three major additions in 1959, 1969 and 1972; the period of significance in the area ended in 1957. The building has been re-roofed and undergone interior alterations.

She said OSU disagreed with staff's Condition of Approval #3. She noted that the three building additions were constructed outside the period of significance, so OSU concluded that the dark brown windows on the northern portion of the building represent the original windows. She said the applicants want to approximate the original windows and investigated several options. The proposed windows have a U-value twice as effective as the existing windows. She highlighted sample windows and submitted photos for the record. She said she and staff could not distinguish the vinyl from metal windows; however, she emphasized that it would not want it to be viewed as setting a precedent on campus. The building lacks visibility, contains no notable architectural features, and the proposed windows will improve the performance of the building.

Commissioner Nudelman asked if properly insulating existing windows had been considered. OSU Engineering Manager Larry Easterly replied that rebuilding windows was not considered in this case, since U-values couldn't be accomplished with a rebuilt window. Some of the windows don't operate at all. Commissioner Bryant asked if fiberglass frames had been considered; Mr. Easterly replied that they had in the past. Facilities Coordinator Gary Robertson added that three companies gave estimates, and they all felt that better U-values would be derived from vinyl windows and more closely approximate existing windows than fiberglass; the vinyl windows fell within the budget range better. Commissioner Morris asked if OSU had considered tearing down the building; Ms. Houghtaling replied that OSU was interested in removing the building from the district.

Commissioner Stephens asked whether the proposed windows matched the existing metal crosspieces' width; Mr. Easterly replied that they matched but were slightly wider. Ms. Houghtaling showed a picture of West Hall, noting those windows were vinyl and that it was not detectible. She said the proposed windows were compatible with the area.

Commissioner Kadas asked about the lifespan. Ms. Houghtaling said it challenged staff's condition of approval #3 regarding metal.

F. Complete Staff Report:

Planner Richardson said the proposal was to replace all metal windows on the building with vinyl windows. Staff reviewed the proposal against general review criteria in 2.9.100.04.b1, which requires consideration to determine if the design or style of the alteration was compatible with the resource. He

said that 2.9.100.04 b2 asks if the proposal causes the resource to more closely approximate the original form, design, or appearance, and if not, the alteration must be determined to be compatible.

He said the building was constructed in 1951, toward the end of the period of significance for the district (1888-1957). The building is listed as Contributing, and is associated with the Agriculture Department Resource group and is representative of post-WWII development. There is little that talks about the historical significance of architectural form or design, but more regarding its placement. The building maintains a fairly high degree of historic integrity and maintains its relationship with the street and other buildings.

Staff found that the proposed windows' design, size and placement were generally compatible, though the proposed vinyl material was not. The same analysis held true in considering 2.9.100.04.b3, especially regarding Pattern of Window and Door openings; staff concluded the proposed vinyl windows were not compatible, only in relation to the material; the other proposed elements were compatible. Vinyl was not used within the period of significance and would not generally be considered acceptable for other Contributing buildings. He concluded that staff recommended approval, with the condition of approval that existing metal windows should be replaced with other metal windows in order to maintain original window materials.

Commissioner Morris said the commission had a reputation for rejecting vinyl; it is usually considered an inferior product. Planner Richardson said the material is usually not considered appropriate for historic structures because the material itself is not an original material. Also, the appearance of vinyl windows is blockier and thicker and doesn't well represent the more detailed wood windows, while metal-clad windows can generally convey that. Commissioner Morris asked if the proposed windows overcame those objections; Planner Richardson replied that staff was comfortable with the general design of the window, because the building itself was not very significant in its architectural form or style. The style of the proposed window is compatible.

Commissioner Morris asked whether the applicants had stated why metal was not feasible; Commissioner Kadas highlighted Attachment A8. Commissioner Morris said OSU highlighted cost and U-values.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application: None.

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

MOTION: Commissioner Lizut moved to close the public hearing; Commissioner Morris seconded the motion and it passed unanimously.

O. Discussion and Action by the Commission:

Commissioner Nudelman stated that despite staff's misgivings, he felt vinyl was fine in this application, and so suggested eliminating Condition of Approval #3; Commissioner Kadas said that if specifying metal was no longer the case, then the condition could be completely removed, since all dimensions were already proposed.

MOTION: Commissioner Nudelman moved to approve the application as presented, with Conditions of Approval #1 and #2 (but not #3) in the staff report; Commissioner Morris seconded. Motion passed unanimously.

Commissioner Kadas commended OSU for trying to replicate the existing windows as much as possible and understanding the commission's concern about not setting precedent.

P. Appeal Period:

Chair Kadas stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

IV. MINUTES REVIEW –MAY 8, 2012.

May 8, 2012-. Commissioner Morris moved and Commissioner Stephens seconded to accept the minutes as presented; motion passed unanimously.

V. OTHER BUSINESS/INFORMATION SHARING.

Planner Richardson highlighted a recent discussion regarding giving OSU more authority to regulate campus resources. The discussion was attended by OSU's David Dodson, a few Commissioners, two SHPO representatives, staff and the Planning Commission Liaison. SHPO had concerns how the process would work and how OSU would enter into a relationship with SHPO to regulate historic resources without the City's historic review process. There was no formal action taken, and at some point, the commission could make a recommendation. By the end of the discussion, it seemed clear that it may not be worth the effort to give OSU more authority, but perhaps more specific activities could be given Director-Level approval or require no approval; these activities would not apply elsewhere in the city.

Commissioner Kadas said there was a general feeling to try to streamline the process wherever possible. Liaison Ridlington related that David Dodson expressed that he was happy to continue working with the HRC and that reflected well upon the commission. Commissioner Kadas said that following more discussion, the HRC would make a formal recommendation.

Commissioner Nudelman said he felt the Awards ceremony went well, and proposed making more commendations.

Commissioner Stephens highlighted the recent survey of about 900 homes; many more remain to be done. There was a training of volunteers; Commissioner Lizut praised the training process. The survey work will continue. Planner Richardson asked who was compiling the database; Commissioner Lizut replied that that was probably SHPO.

Commissioner Stephens said she is on the DCA Design Committee; they are discussing wayfinding signs downtown. She suggested that historic buildings could incorporate QR codes, which interested passersby could scan for their cell phones' web browser to be directed to a website describing a building's listing.

Commissioner Kadas said Historic Preservation Month went well, including the Awards event. She said Planner Richardson did a great job on the slide presentation, the venue worked well, and the keynote speaker was interesting. Planner Richardson credited staffer Sharon Crowell for a lot of the work.

Planner Richardson anticipated having three openings on the commission; two terms are up (Commissioner Stephens has reapplied) and Aaron Collett and Kevin Perkins have resigned. Commissioner Kadas said that there were currently two applicants and encouraged members to have interested candidates apply.

She related that during a recent work session, starting at 5:30 p.m., many members found an earlier start was more preferable. Planner Richardson said there may be some flexibility, though it should continue to be an evening time so that the public can attend after work. Commissioner Kadas said commissioners will think about it and the new members will be polled.

Planner Richardson highlighted meeting packets distributed for next week's special meeting.

VI. ADJOURNMENT: The meeting was adjourned at 9:06 p.m.

Memorandum

To: Historic Resources Commission

From: Bob Richardson, Associate Planner

Date: May 1, 2012

Subject: Written Testimony - Kathleen Stevenson House (HPP12-00003)

Enclosed with this memorandum is written testimony regarding the Kathleen Stevenson House Historic Preservation Permit application that was received by May 1, 2012.

To: **Historic Resources Commission**
From: **Kelly Amsberry, 235 NW 31st St.**
Re: **Kathleen Stevenson House Historic Preservation Permit Application**
Date: **May 1, 2012**

I would like to comment on the "proposed" paving of the back yard of the Kathleen Stevenson House (226-228 NW 30th Street). As you may know, paving of this area was completed without approval on July 26, 2012.

Paving the duplex's back yard significantly alters the character of our neighborhood. All other residents with alley frontage on our block have landscaped back yards, each with at most two small (enclosed or open) parking spaces. Prior to purchase by the current owners, the duplex had a similar setup – two graveled parking places, with the rest of the site landscaped. Subsequent to purchase by the current owners, the area fell into disrepair, with landscaping removed, and up to six cars parked on the remaining dirt. Removing the landscaping and creating *paved* parking spaces for four - six cars is not consistent with the current use of the alley by other residents. This parking lot encourages constant noise and excess traffic in the alley, and provides an unsightly (and "non-historic") backdrop to our homes.

Excess parking (especially in the form of a back-porch-to-alley paved parking lot) is not consistent with the historic character of our neighborhood. One of the attractions of the College Hill neighborhood is the pedestrian friendliness of the streets and alleys, and the neighborly landscaping. Neighbors often meet in the alley to talk and children use the area to ride bikes and scooters. Creating a parking lot in the midst of our back yards detracts from the neighborhood's ambience, and makes the use of our own back yards less pleasant. In addition, potential future non-student occupants will most likely perceive a property with a parking lot in place of a back yard as an unattractive home. The parking lot reduces the likelihood for occupancy of the property by families or couples in the future, relegating the duplex to suitability only for undergraduate student tenants.

I am assuming that the owners of the Kathleen Stevenson House feel that two parking spaces are inadequate for their rental. However, this house is one of the smallest in the neighborhood, and all adjacent homes (many of which are much larger) have only two parking places. Using the standard recently applied to the proposed Harrison Apartments (164 parking spaces for 297 bedrooms), the three bedroom duplex should have 1.66 parking places. Parking on the street is available less than one block away, and the property's location near campus reduces the need for daily vehicle use.

My husband and I have completed the Historic Review Process three times for improvements on our house, twice for remodeling, and once for landscape improvements. We appreciate the emphasis placed on retaining the overall historic appearance of the College Hill neighborhood by our community, and by the Historic Resources Commission.

In light of this commitment, I request that that the Historic Resources Commission deny the Application to pave the back yard of the Kathleen Stevenson house. I urge the Commission to require the removal of the parking lot - with the retention of two standard size paved parking spaces - and the replacement of excess paving with appropriate landscaping.

From: kathy corjasso
To: Richardson, Robert
Subject: 226-228 NW 30th Ave
Date: Friday, April 27, 2012 3:04:46 PM

Tax lot 11400
I am a long time resident of this neighborhood and am opposed to the owners of this property adding to the parking area. **There is already a paved parking pad that is of the size to hold 5+ cars. This is more than enough space for a building that small.**

According to the "new development" that wants to take place, this area is close enough to campus to make it unnecessary to have extra parking for more vehicles.

Maybe someone should look into how many people are already living in the 3 legal bedrooms. Two bedrooms in the first unit and one bedroom in the second. That shouldn't add up to parking for more than 5 cars.

Absentee landlords do not care about the livability of our neighborhood or our town. Please do not allow this to happen.

Thank you
Kathy Corjasso

From:	corvallis@peoplepc.com
To:	Richardson, Robert
Subject:	Comments for May. 8, 2012 hearing on Historic Preservation Permit Application HPP12-00003
Date:	Thursday, April 26, 2012 4:32:16 PM

These comments refer to the Historic Preservation Permit Application HPP12-00003, Kathleen Stevenson House;
226-228 NW 30th St.

NO to the turning backyard space into a parking lot. This is not in keeping with the Residential or Historic characteristics of our neighborhood.
There is plenty of on-street parking available on Van Buren Ave, north of these two rentals.

William Gilbert
2962 NW Van Buren Ave
Corvallis Oregon 97330

From: Andrew Meigs
To: Richardson, Robert
Subject: Notice of Land Use Public Hearing - 226-228 NW 30th Ave
Date: Thursday, April 19, 2012 9:43:09 AM

Dear Mr. Richardson,

We received notice of this public hearing concerning a request to pave a parking space abutting an alley behind 226-228 NW 30th Ave. This area was paved last summer (2011). There is no point discussing it at the meeting.

I do not know whether the doors and windows ere also replaced.

Andrew Meigs
220 NW 30th St.

Memorandum

To: Historic Resources Commission

From: Bob Richardson, Associate Planner

Date: May 8, 2012

Subject: Written Testimony - Kathleen Stevenson House (HPP12-00003)

Enclosed with this memorandum is written testimony regarding the Kathleen Stevenson House Historic Preservation Permit application that was received between May 1 and May 8, 2012.

To: Corvallis Historic Resources Commission

From: Jock Mills, 249 NW 31st Street, Corvallis

Date: May 8, 2012

Re: Kathleen Stevenson House Historic Preservation Permit Application

I am writing as a neighbor of the property to strenuously oppose the post-construction approval of a 6-car parking lot that replaced the back yard of the house at 226-228 NW 30th.

1. **The City has no basis for finding that the parking lot is not an increase over what pre-existed it.** The staff report indicates approval of the lot is a "Director-level activity" because the size of the parking lot has not increased. (Staff Report, p. 3). How is it possible for the City to make a site-based determination since the action for which the permit is being sought has already taken place? In fact, the City has no verifiable way to accurately assess whether the "planned" activity is an increase in the parking surface. To approve such a parking increase would encourage all property owners to simply "just do it" and then claim the surface was not an increase.

2. **The parking area is significantly *more* than 800 square feet.** As shown in the pictures accompanying this testimony, the cars currently using the illegally constructed lot are not parking within the perimeters of the lot. As a result, the actual area used for parking exceeds 800 square feet. In order to accommodate up to six cars, the residents are literally inched up against the house. The City's recommendation to accept the lot as if it were 800 square feet and merely a continuation of an existing use ignores the actual past and current reality at this house. Since the actual use of the parking area exceeds 800 square feet, this is not a "director-level" decision. The 6-car parking lot should be reviewed and rejected by the Commission.

3. **The pre-existing space for parking was significantly smaller.** In fact, the parking that took place before the lot was constructed was not on a prepared surface at all. It was part gravel and part grass. The paved area is a significant increase over the area that had previously been used for parking. The previous parking area would never have been able to accommodate 6 cars. The City and the applicant have provided no evidence that, in fact, the previous use could accommodate more than two cars.

   Most disturbing, the City's interpretation creates an incentive for owners to park outside their current spaces in order to eventually claim that space as an "existing use." Under the City's interpretation, given time, any owner can make any surface an 800 square foot parking lot. This interpretation validates Joni Mitchell's song: The City indeed will have us pave paradise and put up a parking lot.

4. **Regardless of the size or previous use, paving over an entire back yard to create a parking lot is not a "director-level" decision.** The City appears to believe that the configuration of a door is so important as to require the Commission's review, yet it completely ignores the very real impacts created by entirely paving over a back yard to create a 6-car parking lot. On the one hand, the City asks the Commission to review the appearances of a door. On the other, it suggests the Commission has no role in a decision to enable three times as many cars to park at a historic residence than are parked at any of the other historic residences that share the alley. Approving a 6-car parking lot after its construction should not be a mere administrative decision, especially in light of the change the illegally constructed lot has already created for the neighborhood.

   I supported the original historic designation of College Hill. I have spent a considerable amount of money eliminating a carport and reducing the amount of pavement at my own home on the alley, and I have spent a considerable sum to install historically accurate wood-framed storm windows. I find the City's recommendation so absurd that it both mocks my efforts to retain the historic qualities of my house and eliminates any faith I ever had in the City's management of its historic resources.

5. **Whether or not the parking lot is a "director level" decision, it so violates the other standards in the code that it should be rejected and reversed by the Commission.** Even if the owner complied by parking vehicles within the margin of the lot, the 800 square foot standard for parking in this instance conflicts with many other basic historic preservation standards in the City's code. The staff recommendation appears to contend that merely because it is 800 square feet or less, completely paving over a back yard is consistent with the historic nature of the house and neighborhood. This is a false and misleading interpretation of the code. The Commission is not required to take this approach, especially when it would so substantively contradict the intent of the historic district.

   The current lot is presently being used to accommodate up to 6 cars apparently without being in violation of any city parking codes. If the Commission were to follow the City's reasoning in approving the 6-car parking lot, the logical conclusion would be that all ten houses on this alley are entitled to 6-car parking lots. This would result in a total of 60 cars parking in an area that was historically intended to handle one car per house. What elements of the historic nature of this district would survive if the alley behind the houses is converted to a high volume thoroughfare?

6. **The parking lot violates a number of provisions in the City's Historic Resources code.** As provided in the general guidance under **2.9.100.04.b**, the "design or style of the Alteration or New Construction" must be ensured to "be compatible with that of the existing Designated Historic Resource." The 6-car parking lot clearly does not meet this overriding goal.

It irrevocably alters the "Historic Significance and/or classification" and the "Historic Integrity" of the property and connected properties as prohibited in **2.9.100.04.b.1 (a) and (b)**. It should be rejected on its face.

The proposal does not meet either of the standards outlined in **2.9.100.04.b.2:**

> The parking lot clearly is not "more closely approximate [to] the original historic design or style, appearance, or material composition of the resource relative to the applicable Period of Significance;"
>
> AND
>
> The proposal is NOT "compatible with the historic characteristics of the Designated Historic Resource and/or District . . . based on a consideration of the historic design or style, appearance, or material composition of the resource.

As provided in **2.9.100.04.b.3** the proposed parking lot clearly does not "complement the architectural design or style of the primary resource . . . and any existing surrounding comparable Designated Historic Resources."

The parking lot violates the standards in **2.9.100.04.d** pertaining to "Scale and Proportion." The "size and proportions of the Alteration or New Construction" are NOT "compatible with existing structures on the site" nor "with any surrounding comparable structures," because the parking lot completely consumes the back yard of the house. Because the houses in this neighborhood were all constructed with backyards, the complete elimination of the yard is a violation of the scale and proportion standard.

The parking lot violates Site Development standards in **2.9.100.04.i** which provide that "To the extent practicable . . . the Alteration or New Construction shall maintain existing site development patterns." There has been no consideration at all regarding how this 6-car parking lot will affect the site, or that of neighboring sites.

7. **The parking lot detracts significantly from the historic uses and nature of the neighborhood and will permanently change the neighborhood.** None of the houses in the alley in the block between Van Buren and Jackson have spaces for more than two vehicles. Most accommodate only one vehicle. Since the illegal construction of this lot, we have already seen a significant increase in travel in the alley as a result of the increased number of cars parking there.

   - Enabling this increase will permanently change the historic features of the alley culture. It enables a 44% increase in traffic and parking, resulting in the alley between Jackson and Van Buren having more cars parked per residence than any of the other alleys in College Hill. It will be the most heavily parked alley in the district.
   - This increase clearly destroys the historic purpose and uses of the alley. These alleys provide such historic neighborhood features as a child-friendly atmosphere, houses with proximate backyards, and the ability to play and

socialize in the alley. No parents of small children will be interested in purchasing a house in this alley.

8. **The parking lot is not necessary.** Three of the vehicles currently parked in this lot have City of Corvallis permits that enable them to park on the streets in the neighborhood. There is no reason to build a six car lot when all of the cars that could be associated with the 3-bedroom house would qualify for a city parking permit. Because the house is technically two separate addresses, it appears under the City's current parking zone restrictions, a total of six cars could qualify for neighborhood parking permits. Providing parking for these cars on neighborhood streets is a far more preferable alternative because this action would not affect the historic nature of this neighborhood. Building a 6-car parking lot has already created a significant negative impact.

9. **The commission should approve parking that is consistent with the historic nature of the neighborhood -- no more than two off street parking spaces per residence.** The property in question should not provide more than two parking spaces in the alley – as is the case for all other homes on the alley.

   - By increasing the number of parking spaces from two to six at one property among the ten on the alley, the Historic Resources Commission will be approving an increase from the current 9 parking spaces in the alley to 13 – an increase of 44 percent – all attributable to one address.

Summary

The City's recommendation ignores the actual size and practice associated with the illegally constructed parking lot. Further it relies on an improperly narrow reading of the code that ignores the code's overall intent. The construction of this lot has already changed the nature of the alley and the neighborhood.

Approval of this 6-car parking lot would create a terrible precedent that will result in the proliferation of alley parking in this historic district. The alleys in this district were never designed to serve as thoroughfares or to accommodate more than 2 cars per house.

Elimination of the back yard in this residence has already created a unique blight and eyesore in this otherwise picturesque neighborhood.

I urge the Commission to take a common sense view of the proposal, and reject the 6-car parking lot in favor of a much smaller lot capable of accommodating no more than 2 cars. Furthermore, the landscaping that pre-existed the parking lot should be resurrected.

The "Proposed" 6-Car Parking Lot

Cars currently park well beyond the perimeters of the paved lot.

A typical night at the proposed 6-car lot:
5 cars, indicating the parking lot is capable of accommodating 6 cars without violating city parking codes.

Single car parking spaces at neighboring houses.

COLLEGE HILL NEIGHBORHOOD ASSOCIATION

Gary Angelo, President (753-5789); Mike Middleton, Vice President (738-0827);
Cindy Paden, Secretary (752-8247); Mark Giordono, Treasurer, (753-4479)

To: City of Corvallis Historic Resources Commission
From: Gary Angelo, CHNA President
143 NW 28th Street
Corvallis, OR 97330
Date: May 7, 2012
Re: KATHLEEN STEVENSON HOUSE (HPP12-00003)

Dear Historic Resources Commission Members:

This letter is offered in regard to the proposed alterations to the historic contributing resource in the College Hill West Historic District, the Stevenson House at 226-228 NW 30th Street. The proposed alterations are to replace a rear door and some of the windows, as well as to approve an already paved rear parking area that did not receive prior HRC approval.

After reviewing the applicant's proposal submission, I have less concern with the replacement with the door and windows, since they appear to be made of wood and are consistent with the look and design of the existing windows and door. However, I do have a concern with the paved parking area to the rear of the house, as it is not consistent with the historic contributing nature of the residence and also not with the surrounding historic homes that share the same alley. Almost all of the homes have garages along the alley and at most two additional parking spaces. All of the other homes have retained their back yard landscaping, which is consistent with the traditional single-family homes and neighborhood. Replacing a back yard with a parking lot is not compatible with the historic district and not compatible with owner-occupied historic single family residences.

While it appears that there is a non-historic addition to the rear of the house that consumed much of the back yard and likely replaced an original garage sometime in the past by a previous owner, this is not sufficient reason to consume the entire backyard with asphalt paving. As a single residence with one kitchen, there can be no more than a maximum of five unrelated residents in the home. Such a residence is eligible for three on-street parking permits for Parking District 'A'. At most, parking to the rear of the house should accommodate only two vehicles, which would be much less paved area than exists today and which would make it compatible with the other homes along the alley. This would allow for backyard landscaping and would remove much of the impervious asphalt allowing for better drainage on the site.

With the above said, to put it into LDC section terms, I do not believe the proposed application meets the following Review Criteria in LDC section 12.9.100.04(b):

12.9.100.04.b (1)(b): Historic Integrity – None of the surrounding historic homes along the same alleyway have paved backyards for car parking, and historically neither did this home.

12.9.100.04.b(2): The paving of the backyard for parking neither "causes the Designated Historic Resource to more closely approximate the original historic design or style, appearance, or material composition of the resource relative to the applicable Period of Significance", nor is it "compatible with the historic characteristics of the Designated Historic Resource and/or District".

12.9.100.04.b(3)(i): Site Development – the paving of the backyard of the historic property does not "maintain existing site development patterns", as there historically was a landscaped backyard, consistent will all the other abutting and adjacent properties.

12.9.100.04.b(3)(j): Accessory Development/Structures – the backyard paving that replaces landscaping does not meet the criteria that "shall be visually compatible with the architectural design or style of the existing Designated Historic Resource, if in existence and proposed in part to remain, **and any comparable Designated Historic Resources within the District**".

12.9.100.04.b(3)(l): Chemical or Physical Treatments – Asphalt paving can certainly not be considered as being "undertaken using the gentlest means possible." Asphalt is impervious to rainwater absorption and damages the underlying soil for future natural green landscaping.

Given the above inconsistencies with the LDC Review Criteria for Historic Resources, as well as strong negative reactions of the surrounding neighbors relayed directly to me, I strongly urge you to **deny** the proposed asphalt paved backyard parking as specified in the application.

With regards,

Gary Angelo
CHNA President

Submitted during the June 12, 2012, HRC Public Hearing.

Attachment B

Community Development
Planning Division
501 SW Madison Avenue
Corvallis, OR 97333

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

DRAFT
CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION MINUTES
JUNE 19, 2012

Present
Deb Kadas, Chair
Richard Bryant
Roger Lizut
Geoffrey Wathen
Lori Stephens
Robert "Jim" Morris
Stanley Nudelman
Jim Ridlington, Planning Comm. Liaison

Staff
Bob Richardson, Associate Planner
David Coulombe, Deputy City Attorney
Mark Lindgren, Recorder

Guests

Absent/Excused
Roen Hogg, Council Liaison

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
I.	Visitor Propositions		None.
II	Public Hearings a. Peavy House (HPP12-00012)		Motion passed, with Commissioner Nudelman abstaining, that the HRC found that the trees do not meet the definition of being historically significant trees. Motion passed unanimously for a new Condition #3, which would require the rear wall of the building be placed 25' from the west/rear property line. Application passed unanimously as conditioned.
III.	Other Business/Info Sharing		None.
IV.	Adjournment		Meeting adjourned at 8:45 p.m.

CONTENT OF DISCUSSION

Chair Deb Kadas called the Corvallis Historic Resources Commission to order at 7:00 p.m. in the Corvallis-Benton County Public Library Meeting Room, 645 NW Monroe Avenue.

I. VISITOR PROPOSITIONS: None.

III. PUBLIC HEARINGS –A. PEAVY HOUSE (HPP12-00012)

A. Opening and Procedures:

Chair Kadas reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest. None declared.
2. Ex Parte Contacts. Commissioner Bryant related that he had a very brief discussion on the original demolition permit application at the OSU workshop session. Commissioner Kadas related she forwarded an email on the matter from Commissioner Bryant to staff; and had a brief conversation asking about the number of apartments with a current renter of Peavy House.
3. Site Visits- Commissioner Kadas noted that there were actually three sites- the Peavy House site, the 30th Street site, and the location of the trees. Commissioner Morris said he saw the Peavy House and the 30th Street site; Commissioner Lizut viewed none; Commissioner Stevens viewed all three; Commissioner Kadas viewed the Peavy House and the 30th Street site; and Commissioners Bryant and Nudelman viewed the Peavy House and the 30th Street site.
4. Objections on Jurisdictional Grounds. There were no rebuttal of disclosures or objections to jurisdiction.

C. Staff Overview:

Planner Bob Richardson highlighted the distributed memo with three pieces of written testimony that weren't in the staff report. He said the proposal was to move the Peavy House, located at 210 NW 23rd Street to 112-114 NW 30th Street, in the College Hill-West National Register Historic District. During the process, a number of trees may need to be removed, two of which may potentially meet the definition of being Historically Significant Trees. The Peavy House was constructed in 1911, and

while the information in the application indicates that it could, on its own, qualify as Designated Historic Resource, it is not a Designated Historic Resource, and is not a regulated resource. During recent months, the HRC approved an application for demolition of two structures at the 112-114 NW 30th Street site; as part of this proposal, the owner is proposing to retain the smaller of the two houses, located at the rear of the lot.

D. Legal Declaration:

City Deputy Attorney David Coulombe stated that the Commission would consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they feel are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

The owner of the 112-114 NW 30th Street site, Frank Crotti, related that after he'd gotten permission to demolish the two structures on his two lots at NW 30th Street, he learned that the Peavy House was scheduled to be demolished soon. He related that he'd often admired it architecturally as a beautiful Craftsman home. He said he contacted the owner of Peavy House; it turned out he owned an adjacent lot on NW 30th Street, and agreed to sell the house to him if he moved it. He related the owner of Peavy House has been very helpful. He said he'd previously moved another historic house nearby and the house mover in that project agreed to move this one, as well, and helped plan a route. He said the process required more municipal approvals than he'd anticipated.

He said Mr. Peavy is a fascinating historic figure and that Peavy Hall and the Department of Forestry are nearby, just down NW 30th Street. He described the proposed route and has been working with utility companies. It should take roughly four hours on July 22 at 6 a.m. He related he inspected the trees with Planner Richardson and City Forester Merja and one significant limb will have to be removed. Some other smaller trees will also have to be moved. Regarding the two potential historic trees, he said he was still unsure of their age; they are hawthorn and birch.

While he regretted the removal of the two trees, he cited Idaho Forest Products Commission figures to contend that saving the house would save roughly a hundred trees that would otherwise be needed to construct a new house on his lot. Commissioner Bryant asked why the house must be moved; Mr. Crotti explained that the current site of the house is part of a three-lot development for more student housing.

Commissioner Morris asked why Mr. Crotti had now decided to save the rotten house at the back of the lot, having received approval to demolish it; Mr. Crotti agreed that the house was condemned and rotten. He explained that he could make it function like an outbuilding; he planned to gut the inside and pour a slab foundation. He said he had old wood garage doors that could be installed, and it would appear like an accessory, non-habitable outbuilding structure, and a good architectural match for the Peavy House. Saving it would help make it look like the house; he added that that plan could change.

Commissioner Stephens asked about the current Peavy House basement; he replied that the relocated house will only have a crawl space. He added that the front cast concrete columns must be dismantled and rebuilt. It will be lifted from the first floor joists and extra skirting shingles will be saved and re-used. Commissioner Kadas asked if the basement windows will be lost and if there would be a concrete foundation; Mr. Crotti confirmed that that was so.

Commissioner Morris asked about the setback; Mr. Crotti replied the setback will be about 20' from the edge of the sidewalk. He explained that house next door was on a larger lot, which goes back an additional 25'; so if we moved the house back 30', it would not meet 5' side setback requirements on the south property line. If it got moved to the back of the lot on the west, it would be too close to the other house. The original house was 15' back. Commissioner Morris asked if the house could be set back further; Mr. Crotti replied that Peavy House was about 52'-54' deep; he said he would be happy to set it back further, as long as setback requirements were met.

Commissioner Stephens asked about the narrow 13' parking; Mr. Crotti replied it would be tandem (back to back) parking and met parking requirements. Commissioner Kadas said Peavy House is currently divided into three units; she asked if the plan was to return it to single-family residence. Mr. Crotti replied that that was the goal, but he hasn't explored the inside yet. The structure is sound. He said it was possible it may need to be maintained as two units for awhile to help recoup costs. He noted that the move will cost $27,000 and the utilities $10,000 to $15,000, as well as tree cutting costs. Commissioner Kadas asked whether the lot was zoned for a duplex; he replied that he didn't know, but if it wasn't, that wasn't a deal-breaker. She said that that could affect parking requirements.

Commissioner Kadas asked about the Peavy House's current outbuilding; Mr. Crotti said it was quite small, and the kind of construction and the siding don't echo Peavy House, so he doesn't want to move it. She said that in infill, having setback matching the existing pattern was important. She asked if he'd consider demolishing the outbuilding and then coming back with approval for one that matches better. He said he didn't think he could rebuild on the same pad. She said her outbuilding's siding doesn't match either, but *is* historic. She said another option was to recreate it. He said he could push it back as far as he could.

She asked if it felt as if a big building was being shoehorned onto a tiny lot; he replied that taking it off its current mound will lower it, and removing the basement will lose another foot. It will be near the Johnson House, which is about the same age, and Dan Brown's house nearby is also huge. There is a very eclectic range of buildings in the neighborhood; he said he felt that it will fit in and people won't be able to tell it's been moved. He said he measured the heights of other two-story houses, and they ranged from 28' on the house to the north; 15' to the south; the house across the street to the east is huge; the house behind is 30'; Dan Brown's is 35'; and others nearby are 28' and 29'. When it is in place, he estimated it will be about 30' to 31' tall.

Commissioner Kadas noted that if Mr. Crotti was building something new, commissioners would be asking similar questions. Commissioner Bryant related that Mr. Crotti had recently given compelling arguments about it not being financially feasible to restore the two condemned houses. He said his concern was that it could turn into a habitable cottage and wanted reassurance that it would not; Mr. Crotti replied that it will be completely gutted and opened up and it will have two garage doors with windows installed. He said it is not worth restoring as a house but it may be workable as a simple accessory structure. He added that as things go along, it may turn out it may be too far gone even for that and would have to be demolished; he won't know more about the condition until he opens it up.

Commissioner Kadas cautioned that if he is going to alter the exterior with garage doors, he'll have to come back before the commission; he replied that that could be an influencing factor. Commissioner

Kadas said recreating the original outbuilding could be an easier sell. He said the outbuilding will be a lower priority compared to the Peavy House and he can come back to the commission down the road.

F. Complete Staff Report:

Planner Bob Richardson related that the purpose of this special meeting was because there was a request to move the Peavy House. The staff evaluation based on information in the application is that it is a potentially historically significant resource that could potentially have been individually listed and that there should at least be an opportunity to determine whether it should be saved. He said there was a need to move quickly to determine whether the house was compatible within the College Hill-West Historic District; otherwise, it will be demolished, as permits are close to being issued.

Two activities are proposed. One is to move the house; because it is not a designated or regulated resource, it is viewed in the same way as an alteration or new construction activity. The other activity is to remove two potentially historic trees on Orchard Avenue. He noted the staff report indicated difficulty in finding how removal of the trees satisfies applicable review criteria for removing a historically significant tree. He added that information in the record indicated that the trees may not be old enough to satisfy the definition of a Historically Significant tree. In an abundance of caution staff brought the request to remove the two trees before the HRC. To be historically significant, the trees would have to have been planted before 1957 (the closing date of the district's period of significance). He stated the HRC must consider the evidence and determine whether they meet the criteria for being historically significant trees.

Regarding Peavy House, staff evaluated the proposal against review criteria in 2.9.100.04.b.1, b.2 and b.3. Peavy House is historic in age, and based on information in the application, is related to a historically significant person within the community. It has a relatively high level of historic integrity and seems to be in fairly good condition. Given that, it could potentially be appropriate for moving to a historic district. The age, architectural styles, and size are all things that are similar to other buildings within College Hill-West Historic District. Based on 2.9.100.04.b.1, staff found the Peavy House was compatible with the historic district based on its design or style. Placing it on the subject lot would not cause the lot to more closely resemble what it was originally, since both houses approved to be demolished were moved there in 1953; assuming both houses were to be demolished, we'd be dealing with a vacant lot. So, the proposed house needs to be compatible based on its design, style or appearance. Staff found it was compatible based on those criteria.

Regarding compatibility criteria, the Peavy House is a non-regulated resource. A big factor is whether it is compatible within the district. He said staff concluded it would be compatible within the district. The site plan indicates that the proposal would satisfy Land Development Code (LDC) criteria and an Lot Development Option (LDO) would not be needed. The applicant must file for a building permit. It appears that the height is within LDC limits; it meets setback requirements; and the lot coverage falls within standards, so the application complies within 2.9.90 LDC standards. A condition of approval requires them to comply with these development standards; otherwise they have the option to request a variance. Staff recommends approval with conditions of approval.

Commissioner Stephens asked about setback requirements; Planner Richardson replied that the rear yard setback must be at least 25'. She asked about the status of the moved house within the district ; Planner Richardson replied that it would likely be treated as a Historic Non-contributing building; he noted that moving into a historic district comes with restrictions.

Commissioner Morris asked about applicable development standards such as lot codes; Planner Richardson responded that the front yard setback minimum is 15 feet; 25 feet from the back; and at least 5 feet from side property lines. Commissioner Morris asked about tearing down the remaining house originally proposed to be demolished; Planner Richardson said the applicant could rebuild within the footprint of the existing structure.

Commissioner Bryant said the Peavy House was converted from a single family residence and converted to three apartments; he asked how the LDC addressed requirements such as parking for a duplex; Planner Richardson stated that the size of the lot is too small to accommodate a duplex. Commissioner Bryant asked whether the applicant had duplex options; Planner Richardson replied that the owner could potentially develop an Accessory Development Unit, would have to live in it, so that is unlikely to happen. It would have to be a single detached house.

Commissioner Bryant asked if the applicant wished to remodel the house originally proposed for demolition into a garden shed, and wanted to rebuild it on the existing footprint, if it were possible to rotate the structure on a portion of the original footprint. Attorney Coulombe replied that that would be non-conforming; there are special requirements for rebuilding, altering or reconstructing on a footprint, but once you've demolished it, rotating would be considered an expansion, at least in parts. He said that if you rotated it but kept it *within* the footprint, shortening it, might be allowed. Planner Richardson said a variance could be applied for; but if an outbuilding is at least 60 feet from the front yard, then it can be as close as 3' from the rear and side lot lines. A variance would allow it to be even closer.

Commissioner Bryant asked what the original setback was; he observed that it seemed about 2'. Planner Richardson said it may be right on the property line. Commissioner Ridlington asked if it would have to be rented as a single unit house; Planner Richardson said it would have to be rented as a single house; the back house could not be rented. The Building Department will limit the applicant so that it will not be defined as a duplex; developing it as such would be a violation of the LDC. A family could be up to five unrelated adults.

Commissioner Morris asked whether the submitted plan had accurate setbacks. He said A-17 shows the distance from the sidewalk to the front. The distance to the rear is 28'; to comply with setback requirements, it could not be any closer than 3' from the back; Planner Richardson concurred.

Commissioner Ridlington said the two trees in question were not particularly notable, whereas the house has far more value. Commissioner Kadas asked about setbacks on 30th Street; she reported the bigger homes' setbacks seem to be around 30'. She asked if the house was too big for the site. Planner Richardson said there is nothing that holds that homes in a historic district have to have the same setback. The criteria is to be consistent with development patterns on the site; it give the commission the ability to consider setbacks of other nearby houses. The commission should decide whether it should have the same setback of nearby houses; there is some subjectivity there. She said it could be moved back three feet. Planner Richardson said mandating a particular setback could be a condition of approval, but he cautioned that that could cause unintended consequences, such as having to chop off part of the building, or forcing them to request a variance.

Commissioner Bryant asked whether the nice bump out bay windows would intrude into the setback; Planner Richardson said the site plan shows the bump outs *not* intruding into the setback. He cited 4.9.50.02, Projections From Building, "Architectural features, such as ..., may project up to 3' into a required yard, provided that a minimum thirty inch setback is maintained from any property line". He related that the applicant stated that these windows bump out about 18 inches from the building.

Commissioner Kadas asked whether there was any consideration of moving the outbuilding currently on the Peavy House site to the proposed lot in place of the house approved for demolition; Planner Richardson said it is not part of the proposal; there is nothing in front of the commission to determine whether the outbuilding is historically compatible for the site. The commission cannot force the applicant to demolish the existing building; it is his option to demolish it, since he has approval to do so. If it is not demolished within two years, the demolition permit expires. If nothing happens after two years, then they will be required to rehabilitate it (and making external changes requires a historic preservation permit) or demolish it.

G. Public Testimony in favor of the application: None.

H. Public Testimony in opposition of the application: None.

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

The applicant waived the right to submit additional testimony and there was not a request for a continuance or to hold the record open.

N. Close the public hearing:

MOTION: Commissioner Morris moved to close the public hearing; Commissioner Lizut seconded the motion and it passed unanimously.

O. Discussion and Action by the Commission:

Commissioner Stephens noted the two potentially historic trees were not prepossessing and were essentially sitting within a parking lot and said that she was OK with their removal. Commissioner Lizut said the Peavy House is not a recognized historic resource, but there is a tension between the commissioners not wanting to see it destroyed, versus concerns about placement on the lot and setbacks. He concluded that he wanted to see it saved and rehabilitated, and that a variance in setback was a lesser concern.

Planner Richardson said if the commission feels the trees are not historic, then he would encourage an HRC finding that they are not historic and that removal is, therefore, exempt from review against demolition criteria. Commissioner Kadas asked if the OSU and City Foresters had a finding on age; Planner Richardson related that they estimated they were around 50-60 years old, but were not certain. Commissioner Morris asked about the requirement that the trees be replaced; Planner Richardson replied that regardless of whether they are historically significant, there is a requirement about removing, pruning or planting trees in the public right of way. A condition of approval would include replanting, and the Foresters recommended replacement on a one to one basis.

Commissioner Bryant said they are probably not historic trees; both species were routinely planted outside the period of historic significance. The disease attacking all birch trees in the area will likely

attack this one soon. Commissioner Nudelman said commissioners must weigh all factors; he felt the setback factors are trumped by saving the house, and commended the owner for doing so.

Commissioner Stephens said the commission could require the rear have a 25'setback. Commissioner Morris commended the owner.

MOTION:

Commissioner Morris moved an HRC finding that the trees do not meet the definition of being historically significant trees; Commissioner Lizut seconded. Chair Kadas noted that that eliminated Condition of Approval #3. Motion passed, with Commissioner Nudelman abstaining.

Planner Richardson noted that Condition of Approval #4 requires an arborist to remove a limb to seek to preserve a large tulip tree on the corner of 27th and Orchard.

Commissioner Morris moved to approve the historic permit, as conditioned; Commissioner Lizut seconded. Commissioner Morris asked for a new additional Condition #3, which would require the rear wall of the building to be placed 25' from the west/rear property line; Commissioner Lizut seconded; motion passed. Main motion passed unanimously.

Commissioner Lizut thanked the applicant for their contribution to the community. Commissioner Stephens said they are saving a beautiful structure. Commissioner Kadas thanked the applicants.

P. Appeal Period:

Chair Kadas stated that any participant not satisfied with this decision may appeal to the City Council within 12 days of the date that the Notice of Disposition is signed.

III. OTHER BUSINESS/INFORMATION SHARING. None.

IV. ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

DRAFT

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION
MINUTES
June 20, 2012

Present
Ed Fortmiller, Vice Chair
Buzz Berra
Jennifer Jordan
David McCarthy
Roger Lizut, Planning Commission Liaison

Absent
Judy Gibson, Chair
Michael L'Heureux
Gerry Perrrone
Biff Traber, City Council Liaison

Staff
Kent Weiss
Bob Loewen
Joe DeMarzo
Johnathan Balkema
Terri Heine

SUMMARY OF DISCUSSION

Agenda Item	Action/Recommendation
I. Consideration & Approval: HCDC Draft Minutes of May 16, 2012	Approval
II. Status: Loan Funds & Recent Rehab Loans	Information Only
III. Essential Repair Program Loan Policy Exception Request	Recommendation
IV. Neighborhood Improvement Program Modifications	Recommendation
V. Update on COI Community Case Manager Plans	Recommendation
V. Presentation: Farewell to Commissioner Fortmiller	Slide Show

DRAFT

CONTENT OF DISCUSSION

I. Consideration & Approval: HCDC Draft Minutes of May 16, 2012

Vice Chair Fortmiller opened the meeting, asking for consideration of the HCDC draft minutes of May 16, 2012. The minutes were approved unanimously.

II. Status: Loan Funds and Recent Rehab Loans

Housing Program Specialist DeMarzo reported that no new rehabilitation loans have closed since the last meeting, adding that several are in the application/review process. Regarding First Time Home Buyer (FTB) loans, Housing Program Specialist Loewen noted that none have closed since the last meeting.

III. Essential Repair Program Loan Policy Exception Request

DeMarzo directed Commissioners to a memo included in their packet detailing an Essential Repair (ER) Program loan policy exception request for a very low income, one person household located at 2599 SE Currier Street. He noted that the home was build in 1992 and is a three bedroom, two bath residence with an attached studio (converted garage).

DeMarzo noted that overall, the property is in good condition but the original siding is OSB type T1-11 which has not withstood the weather on both the south and west sides of the building. The scope of work includes replacing this siding, as well as providing additional measures to better protect these sides of the home from the elements. Increased protection will be accomplished by extending the overhang on the west side and adding a permanent awning to the south side. Siding on the north and east elevations will get minor repairs plus extensive caulking. All sides of the home will be protected with a high quality paint job. Along with a number of other miscellaneous repairs, the attic ventilation system will be optimized by making modifications to soffits on both the east and west elevations, and a mini-split (ductless) heating system will be designed and installed to complement the current cadet heating system.

Concluding, DeMarzo noted that although the cost of the project is significant, the owner is of the opinion that the home is worth the investment, and staff have determined that the structure meets suitability for rehab criteria. He added that there is sufficient equity to secure the requested loan amount of $46,500. Because the total loan amount exceeds the $30,000 ER Administrative Policy threshold, a recommendation for a loan policy exception from the HCDC is needed in order to forward this request for City Manager approval.

Following a brief discussion, Commissioner Jordan moved, with Commissioner Berra's second, that the HCDC recommend City Manager approval of the request for a loan policy exception for an Essential Repair Program loan in the amount of $46,500 for the owner of the home located at 2599 SE Currier Street. The motion passed unanimously.

IV. Neighborhood Improvement Program Modifications

DeMarzo directed Commissioners to a memo and draft Neighborhood Improvement Program administrative policy included in their packet, noting that the policy includes revisions as discussed and recommended by the HCDC during last month's meeting, as well as numerous other changes made to improve the consistency of language throughout the policy and to clarify certain topics.

Beginning an overview of the significant proposed changes to the NIP policy, DeMarzo noted that language has been added regarding the issue of potential loan applicants who have tenants residing within the structure to be rehabilitated. He explained that there are significant regulatory concerns stemming from the Uniform Relocation Act (URA) and lead-based paint (LBP) regulations when a tenant is living or has recently lived on the premises at the time a homeowner applies or expresses an interest to apply for a rehab loan. DeMarzo noted that the added policy language is intended to reflect current unwritten policy with regard to tenants who currently occupy or have occupied the premises within 90 days prior to application.

Continuing, DeMarzo noted that a tenant is eligible for URA counseling and assistance as may be necessitated by the project. If federal funds are used for a City loan, a tenant must be given all notices and due process as required by URA and LBP regulations. Under both URA and LBP guidance, the tenant would be potentially eligible (depending on the nature of the work) for temporary relocation assistance for which all expenses must be paid by someone other than the tenant. There is also the possibility that the tenant may claim to be displaced because of the nature or result of the rehab work. If displaced, the tenant may then be eligible for significant financial assistance to cover not only moving costs, but also the cost difference between their current and new rent amounts. These payments may be required to be paid to the tenant for a period of up to five years. In addition, a tenant has rights under URA which affect what a landlord can and cannot do with regard to rent and eviction. DeMarzo noted that this situation would require Housing staff to carefully monitor the on-going landlord/tenant relationship to ensure that the landlord does not act in a way that would give cause for a tenant to claim displacement.

Another significant proposed change to the NIP policy is in regard to asset limitations. DeMarzo noted that the City's current asset limitation is not based on HUD regulation, but is purely a City requirement included to help ensure that assistance is being given to those who are most in need. However, there have been a number of times when a homeowner is able to income-qualify, but was not eligible for a loan because they could not meet the limitation on assets. DeMarzo noted that sometimes this has been because the applicant inherited or otherwise owned bare land which may not be readily developable or sellable. Staff is therefore recommending that owning undeveloped land not be a barrier for applicants who otherwise would qualify for an NIP loan. DeMarzo noted that staff is also recommending to not have an asset limit for elderly and disabled households based upon the premise that whatever such households may have in the way of assets is equivalent to a retirement account or disability need. Finally, staff recommends that the asset limit for all other households be raised to area median income (AMI) for that household size to provide a more realistic resource to cover future housing or emergency expenses.

Concluding, DeMarzo noted that the current policy requires that loans over $30,000 be brought to the HCDC for review. He noted that staff is recommending that the threshold remain at $30,000 but that this amount should not include title or escrow costs, or a staff-determined contingency amount. Regarding other changes as suggested by several Commissioners during last month's meeting, staff have also made changes to the policy to dispense with the policy's 10 and 15 year terms, offering instead a 20 year term for all loans. This change in loan terms, along with changing the interest rate to zero for the term of the loan, is intended to improve the attractiveness and affordability of the NIP loan program.

Following a brief discussion, Commissioner Berra moved, with Commissioner McCarthy's second, that the HCDC recommend the Neighborhood Improvement Program administrative policy, with the revisions as discussed, to the City Manager for approval. The motion to forward a favorable recommendation passed unanimously.

V. Update on COI Community Case Manager Plans

Housing Division Manager Weiss directed Commissioners to a memo included in their packet, noting that today's discussion regarding the Human Services Fund (HSF) allocation to Community Outreach, Inc. (COI) for permanent supportive housing case management services is a continuation of the discussion that has taken place during HCDC's previous two meetings. He then handed out copies of a document provided by COI that provides a position description for a Community Case Manager.

Beginning a brief overview of this issue, Weiss noted that as a result of the HCDC's review of proposals for FY 12-13 Human Services funding, an award to COI of $14,000 for their permanent supportive housing (PSH) program was included in next year's Action Plan. During COI's presentation it was clear that the program was at risk of being discontinued, and the HCDC's relatively high funding recommendation was based not only on the Commissioners' support for the intent and effectiveness of the program, but also on the hope that the award would show the City's support to the community and other funders for purposes of attracting the funding needed to keep the program in operation.

Not long after HSF award recommendations were announced, COI communicated to the City, the County and others involved in funding or providing services to people with disabilities or other issues that make housing retention a challenge, that they would disband their PSH program at the Benton Plaza at the end of the current fiscal year. They also communicated a commitment to connecting residents there with services to replace what COI's program had provided to the greatest extent possible, and began working with Benton County, other non-profits, and state agencies to achieve those connections.

Continuing, Weiss noted that COI reports that since the decision to close the Benton Plaza PSH program was made, they have been able to make service connections for all but a few of the residents in the Benton Plaza. To serve those clients and others in the community with similar needs in a way that aligns with COI's core mission, COI's Executive Director has devised a program to provide many of the same services using a Community Case Manager concept. The

program will consist initially of just one case manager, housed at COI, who will have a client case load of approximately 40 to 45 people. Clients will be living in rental units in the community where some level of case management is a requirement of continued tenancy, or is needed to prevent a tenant from becoming homeless or returning to homelessness. Case management services will be provided to these clients in their homes; referrals will come from multiple area agencies. Weiss directed Commissioners to the table provided by COI that provides more detail regarding the Community Case Manager position's activities, outputs, outcomes, and collaborations.

Weiss noted that although COI has been developing their Community Case Manager program concept, staff have learned very recently that Work Unlimited has decided to take over the office space in the Benton Plaza that COI will vacate when they close down their PSH program. Work Unlimited intends to provide case management services for people who live in the building. Staff have had conversations with Work Unlimited, and although they could use the $14,000 the City allocated to COI, they will be able to operate their program next year without those funds. They are not yet sure what the array of case management services for Benton Plaza residents will be, but they have hired the case manager who filled the same role for COI and see the coming year as a time to figure out what the needs of the clients are, how they can fill them within the scope of their organization, and then seek grant funding for FY 13-14 when they can present a clearly defined program.

COI has asked if the City would consider their Community Case Manager program concept to be close enough to their original PSH proposal to warrant keeping the $14,000 HSF commitment in place. Weiss noted that staff feel that the concept is close enough to the original proposal to bring it to HCDC for their consideration and decision.

Concluding, Weiss noted that during the City Council public hearing to consider and approve the FY 12-13 Action Plan, staff explained that the HCDC knew when making its funding recommendations that there was a chance the PSH program as presented by COI would not continue. Given that concern, staff asked the Council to allow latitude for the HCDC to consider either an alternative solution that would provide support for a program or programs that would achieve the same outcomes, or if that would not be possible, to reallocate the $14,000 award to other agencies. The Council approved that approach. Staff is asking that the HCDC consider the information presented today and approve maintaining the City's $14,000 Human Services Fund award to COI, with the service description in the FY 12-13 funding agreement to reflect the Community Case Manager approach to service delivery rather than the Benton Plaza-based approach.

Following a brief discussion, Commissioner McCarthy moved, with Commissioner Lizut's second, to approve maintaining the City's FY12-13 Human Services Fund award in the amount of $14,000 to COI, with the service description in the funding agreement to reflect the Community Case Manager approach, and with the understanding that this is intended as "pilot" program funding and any future funding requests will be required to take part in the annual allocation process. The motion passed unanimously.

VI. Presentation: Farewell to Commissioner Fortmiller

Weiss presented Commissioner Fortmiller with a Certificate of Recognition for his service on the HCDC since February 2001, noting that he is the longest serving Commissioner ever for HCDC. Commissioner Fortmiller's service began when he filled in and completed the majority of a term, then continued serving through three additional full terms. Housing staff have appreciated Commissioner Fortmiller's level-headed, common sense approach to giving guidance on many topics throughout the years. Commissioner Fortmiller received a hearty round of applause from the other Commissioners and Housing staff. Grant Program Specialist Balkema then began a slide show that captured many of the projects and activities that have been funded and undertaken by the City during Commissioner Fortmiller's time on the HCDC.

There being no further business, the meeting was adjourned at 1:10 p.m.

DRAFT

CITY OF CORVALLIS
MINUTES OF THE PARKS, NATURAL AREAS AND RECREATION BOARD
JUNE 21, 2012

Attendance
Betty Griffiths, Chair
Lynda Wolfenbarger, Vice-Chair
Jon Soule
Marc Vomocil
Nick Castellano
Phil Hays
Carolyn Ashton

Absent/Excused
Kent Daniels
Randy Willard
Joel Hirsch, City Council Liaison
Kevin Bogatin, 509-J District Liaison

Staff
Karen Emery, Director
Steve DeGhetto, Assistant Director
Jackie Rochefort, Planner
Mark Lindgren, Recorder

Visitors
Tom Penpraze, Public Works Utilities Div. Mngr.
Preston Van Meter
Hank Erbele
Meleah Ashford
Joe Squire
Liz Frenkel
Patricia Benner
Jan Landau

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Introductions	X		
III. Approval of Minutes	X		
IV. Visitor Propositions	X		
V. Total Maximum Daily Load (TMDL)	X		
VI. Community Garden Master Plan Draft			Motion passed that PNARB recommended that the City Council adopt the Community Garden Master Plan.
VII. Adjournment	X		The next Parks, Natural Areas and Recreation Board meeting is scheduled for 6:30 p.m., July 19, 2012 at the Downtown Fire Station, 400 NW Harrison Blvd.

CONTENT OF DISCUSSION

I. CALL TO ORDER: Chair Betty Griffiths called the meeting to order at 6:30 p.m.

II. INTRODUCTIONS.

III. APPROVAL OF MINUTES.
Lynda Wolfenbarger moved to pass the May 17, 2012 minutes as presented; Phil Hays seconded; motion passed.

IV. VISITOR PROPOSITIONS. None.

V. TOTAL MAXIMUM DAILY LOAD (TMDL).

Chair Griffiths highlighted distributed documents, including an executive summary from Mary Steckel, Public Works Director; Attachment #2 of FAQ's; a couple other executive summaries; a letter from OSU watershed; Parks and Recreation staff excerpts from the plan; and a memo and attached Linn County Notice of Disposition regarding the park. Director Emery highlighted Assistant Director Steve DeGhetto's vegetation summary regarding the Martin Luther King, Jr. Memorial Grove; and written testimony from Dave Eckert and Tony Howell, who could not attend, and Patricia Benner. Tom Penpraze distributed copies of his presentation.

Tom Penpraze, Public Works Utilities Division Manager, introduced some of the project team, including Mary Steckel, Public Works Director; Preston Van Meter, from the engineering scientific firm Kennedy/Jenks Consulting in Portland, who is the lead project manager of the consultant team; Rebecca Brosnin, Senior Scientist; John van Staveren, Pacific Habitat Services, a sub-consultant on wetland concepts; Dan Hanthorn, Public Works Operations Manager; and two Oregon Department of Environmental Quality (DEQ) managers, Steve Schnurbusch Water Quality Manager (who signs the city's discharge permit) and Ranei Nomura, DEQ Temperature TMDL Manager

Penpraze highlighted his memo. He said his goal was to get PNARB support and concurrence for the project to use Orleans Natural Area to construct wetlands to treat discharge from the Wastewater Treatment Plant. The project is needed to meet DEQ Total Maximum Daily Load (TMDL) requirements for wastewater discharge. The DEQ is seeking to lower the Willamette River's temperature to the point where salmon can thrive again and everyone must do their part. The City must do best management practices for urban streams by planting trees and shrubs along streams to cool water, and the DEQ's waste water treatment permit requires that the City cool its wastewater discharge into the Willamette River; otherwise, the city will be liable to fines and civil and criminal penalties.

The temperature mitigation project first came under consideration in 2005. In 2009, the City began holding community meetings to seek solutions that provide value to the city and its citizens. While a technological "chiller" refrigeration solution exists, other solutions were felt to be more cost effective. Instead, staff sought a "value added" solution that would be both cost effective and provide benefits to ratepayers.

The city also sought a solution that would anticipate other upcoming additional regulations, including having to address chemicals in wastewater such as ammonia, phosphorus, metals, pharmaceuticals (eg, estrogen), and personal care products. The current wastewater treatment system does not deal with these constituents. Staff sought to provide a solution with value in terms of the City's the triple bottom line sustainability objectives: seeking a solution that was a cost effective as possible; having a social aspect, with multiple benefits as a community amenity; and having environmental benefits, including lowering greenhouse gasses and providing fish and wildlife habitat and recreation.

He presented photos of the existing site at Orleans Natural Area, to the west of the highway bypass, which is currently being farmed for hay. He displayed a drawing from the former MLK Jr. Park Master Plan (now the Orleans Natural Area), with paths, and wooded and open areas. He showed a conceptual drawing of the proposed treatment wetlands facility situated on the site. The historic Orleans area, recognized as a significant historic site, would be untouched. There would be about twenty acres of wetlands, with infiltration ponds, ash swales and shrubs, with the highly treated pond water eventually infiltrating through the ground into the river's subsurface. There would be walking trails that would also be used for periodic maintenance. He said the proposed facility looked somewhat similar to the existing master plan for the site.

He noted that this type of project was not new. He listed a half dozen existing constructed wetland projects in Oregon, including Albany/Millersburg's 39-acre "Talking Water Gardens", Roseburg, Woodburn, Silverton's Oregon Garden, Ladd Marsh, and Forest Grove. He showed week-old photos of the Talking Water Gardens. He said there was no obnoxious odor, and waterfall features help provide oxygen. It took a year to construct. He anticipated trees would provide shade, aesthetics, and habitat.

Penpraze related the Urban Services Committee (USC) gave direction on the project, starting in 2005 with a heads up with a Council briefing, and again in 2009. He highlighted two years of public process, with articles in the City newsletter, a workshop on a tree planting as a temperature solution, community briefings on what ratepayers wanted to construct, a meeting on the triple bottom line to rate and rank proposals, and ongoing briefings to the USC.

The USC directed the department to go forward with the east alternative, which would supply reclaimed water to Trysting Tree Golf Course (which currently pumps ground water) to irrigate and to expand water features to make the course more challenging and competitive, using roughly a million gallons a day. It is anticipated that this would increase the number of golf tournaments and other activities, hence creating an economic development aspect for the community. The USC directed that the project do a due diligence study of fatal flaws and feasibility. The project will have a cultural resources study performed soon. Many of the concerns under study came forward from the public meetings.

He highlighted the riparian shading solution portion of the plan, with tree planting and riparian restoration; he related that DEQ specifies that shading of *x* amount of stream miles will be given a given amount of credit from DEQ, using a formula. He related that the public expressed a preference for a multiple approach solution, however, including the riparian shading solution. He stated the project has signed an agreement with the Mary's River Watershed Council to evaluate the potential for riparian shade in area watersheds.

He summarized that the project would consist of two pipelines under the Willamette River from the existing wastewater treatment plant, which currently discharges into the Willamette River. The smaller pipeline would extend to Trysting Tree Golf Course, and the larger to the Orleans Natural Area site for subsurface/indirect discharge to the river. He related that estimates on the combined approaches would meet the City's temperature requirements and future additional requirements for the next twenty years.

Penpraze said the proposed plan met the goals in the existing master plan for the site, which includes walking, biking, jogging, use of native plants, pedestrian access and bike trails. No facilities are proposed for the Orleans historic site, pending a cultural analysis study. There has been discussion with OSU about installing a path under the bridge near the crew docks. He noted that the Oregon Department of Transportation (ODOT) will not allow access from the bypass, due to safety concerns. He said there is public support for maintaining the riparian woodland corridor. He said there is an opportunity to convert a hay field to a natural area. Most of the site is within a ten-year floodplain. He said maps show that most of the MLK, Jr. Memorial Grove was within the ODOT right-of-way. He highlighted an ODOT right of-way along the east of the area and related that ODOT accepted placement of trail and shrubs there for visual and noise screening (but not trees).

Preston Van Meter, Chief Engineer and Project Manager, gave an overview of the project. He said no fatal flaw had been found yet, but it is still early in the process and further details will be investigated. He showed an aerial map, highlighting the location of the existing wastewater treatment plant, the proposed pipeline under the river to a Trysting Tree Golf Course irrigation pond, and the proposed pipeline laid in an open cut along the river and under the bridge (requiring an easement from ODOT),

emptying into ponds at Orleans Natural Area, with water cascading to remove ammonia and introduce oxygen.

He displayed a smaller version of the proposed HPE polyethylene pipe section as a sample, noting that the actual pipe would have a two-inch wall. Joints would be fused and the pipe under the river would be continuous, with no joints. He related that there would be horizontal directional drilling. He estimated the pipe would last up to 100 years, noting that it can be inspected and repaired with an internal sleeve, if necessary. There is a lot of experience with the technique; the natural gas company is using similar pipe and techniques for its own installation under the river in Corvallis. The plastic is very durable.

The project has finishing its topographic and boundary surveying to firm up right-of-way locations. He related that ODOT has been involved in some meetings; there have also been meetings with the Department of State Lands (DSL), DEQ, the Army Corp of Engineers, and the Water Resources Department. Easements are needed from the golf course and Parks and Recreation Department. He related that Tom Penpraze has done outreach to local groups, such as Audubon, Sierra Club, the League of Women Voters, and the Benton Soil and Water Conservation District.

Van Meter stated that wetlands delineation and subsoils characterization was underway. He related that Linn County has been contacted; the site is zoned as Exclusive Farm Use (EFU); he said Linn County will likely look favorably towards the project. A conditional use permit is needed for use of the Willamette River Greenway and the public utility facility. He said Parks staff have indicated support and are recommending approval.

He highlighted a restoration area on the south end of the site, where a barge was launched during construction of the Corvallis Riverfront Park. He related that the initial read by project scientists, without doing a wetlands delineation, is that there are no wetlands on the site. Two previous wetlands delineations have been done of the site- an airport study and a study done by Pacific Assets both found no wetlands on the site. Pacific Habitat coordinated a visit by DSL and they concurred with a determination of no jurisdictional wetlands at the site and that there are no hydric soils. DSL is vertically testing soils and the wetlands delineation report will be submitted tomorrow. He concluded that it is a mystery why the Riverfront Park process determined there was a wetland on the site.

He anticipated that there would be seasonal operation for the plant, from May through October and it would function as a floodplain the rest of the year. He said one concern regarding lifetime costs is for sedimentation of the infiltration ponds, which must be addressed.

He said Orleans Natural Area is known to be the location of the former Orleans settlement. A consultant has done an initial records review. Once the hay crop has been harvested, ground-penetrating radar will be used to discover artifacts, and there will likely be subsurface investigations. The consultant expected that any artifacts would be in alluvial soils, but felt it is likely that most artifacts have washed downriver over time.

Van Meter related that Willamette River in the vicinity of Corvallis has been designated for salmon spawning, rearing and migration by the DEQ. However, when the city completed a dredging project downstream of the Taylor Water Treatment Plant water intake, a cultural and biological resource survey determined there were no spawning grounds there, and that it is primarily a migration area. He said an Endangered Species Act Section VII consultation and the National Marine Fisheries Service also determined that there are no spawning grounds downstream of Taylor, including the frontage of Orleans Natural Area.

He said that another regulatory concern in a groundwater management area is nitrate levels (typical in an agricultural area). He noted the site is outside the Southern Willamette River Groundwater Management Area. He related that there are ten monitoring wells on the site installed in 1980's and 1990's related to the Roche Road Landfill (Berg Park) that are providing a lot of information. The project will build infiltration and monitoring wells to generate more information this summer.

He said there is a 16-18' layer of fairly heavy silts over a highly permeable layer of gravel alluvial soil. This is where water is intended to be discharged into the river. The project will do infiltration testing, followed by tracer testing, in conjunction with independent expert OSU scientists. Penpraze highlighted a 2005 DEQ discharge evaluation paper, titled, "Investigation of temperature impacts and hyporheic flow, using ground water and heat source flow modeling and GIS analysis to evaluate temperature mitigation strategies on the Willamette River of Oregon", authored by DEQ employees Dr. Stan Gregory, Dr. Steve Lancaster, and Dr. Hagen.

Van Meter displayed a conceptual view of how water would flow on the site. He noted that water would be discharged in a more even manner into the river, rather than pumped out in one large pipe; he said the project contended that this was a net beneficial impact to the environment. He highlighted the hyporheic zone, an active ecozone between a stream and groundwater. He emphasized that water will be highly treated before it gets to that zone and there is no evidence of damage to important benthic communities at the river bottom; these benthic communities are not listed as threatened or impaired.

Phil Hays asked if the conceptual plan was the final accurate plan; he noted that the plans seem to frequently change. Penpraze replied that this plan is based on two iterations that have been done. Hays asked if estimates of projected heat loss in ponds, roughly 40% surface loss and 60% via sedimentation ponds, would require more ponds. Van Meter said evaporation and transpiration cooling would occur in ponds; that will change during the time of year. He said estimates were that only two acres of ponds were needed for an actual hydraulic connection for infiltration. The location of the ponds have been changed around as planning has gone forward and more learned about right-of-way locations. Hays asked if the project depended mainly on heat dissipation via infiltration in the subsurface, or through losing heat to the air in radiation or evaporation; Van Meter said it was projected to be about half and half, with the balance shifting over the course of the season. Hays asked whether water would be kept in the ponds during winter; van Meter replied that the ponds might be empty then, and that might even be preferred, in terms of flooding.

Griffiths asked about surface proposed for paths; the original plan calls for trails, which are typically soft surfaces. Penpraze said the trail surface would be worked out with Parks and Recreation; they would have to support driving equipment on it; the rest of the time they would be used as trails. In Albany they use crushed rock. It would not be concrete; he estimated that they would be 8-10' wide.

Hays said flooding prevents doing anything with many sites like this. This site could expect a major flood every ten years or so, requiring significant maintenance cost, reconstructing paths and removing sediments from ponds. He asked if those costs were projected yet; van Meter replied that flooding issues were expected and those costs included. Penpraze added that periodic maintenance was included.

Castellano asked whether a Highway 34 easement and bypass bridge easement had been considered. Penpraze replied that the project will not be within the right-of-way. Griffiths asked about access control for trails during maintenance, and what the area would look like in winter, when it doesn't flood; she noted that many people walk in winter. She added that Riverfront Park was required by its insurer to erect a fence on the top of bank and asked whether such safety issues had been considered. Penpraze replied that the project would work with the Parks and Recreation on year-round access

issues. He said he couldn't respond to the fence issue definitively yet; the constructed wetlands in Albany have no fences. Griffiths asked if there was a plan to keep water in the ponds during dry winters. Penpraze replied that water in the area usually moves up and down with the river's height; with that, and rain, it should look like wetlands most of the year. There is infrastructure to keep water in the ponds, though it is not required from a regulatory aspect.

Director Emery asked about restrictions on access during maintenance; Penpraze replied that you'd want to close it during operation of heavy equipment. A heavy flood event could require closure to service the ponds. Vomocil asked how the public would get there; Penpraze replied that park users could park along the north riverfront area, where there is a lot of parking and walk across the Van Buren Bridge (as identified in the Parks Master Plan); also, the project hopes to work out an agreement with OSU for parking near the crew docks, and then users could safely cross under the highway. Penpraze said that OSU stakeholders include the Athletic Department, the Foundation, and the Trysting Tree Golf Course.

Hays noted that the ODOT right-of-way takes out a big chunk of the area; Penpraze replied that 28 acres of the 36-acre total is available. Hays noted that some of the riparian woodland must be cut for the project; Penpraze replied that most of the trees planted to re-establish the riparian woodland area would have to be cut down; but others would be replanted.

Castellano asked what the vision was to meet needs past the project's estimated twenty years lifespan. Penpraze replied that the design is for a minimum 20-year life, but it is anticipated to last much longer. The constructed wetlands will meet some of current and future requirements, Trysting Tree Golf Course will be used, and water may still be discharged through the existing plant. Van Meter added that the OSU Dairy is interested in getting recycled water so they can remove a water supply dam on a stream; there are other water recycling opportunities along the river, as well. Griffiths sought public comment.

Hank Erbele said he is a water treatment consultant, a longtime resident, he kayaks on the river, and chairs the Benton County Environmental Issues Advisory Committee. He related that a couple committee members have attended community stakeholder meetings and like the direction things are heading, and a number of committee members toured the Albany wetland and many liked it. There are concerns regarding flooding, but this option seems much better than the "chillers" approach, which he vehemently opposed. The Albany and Silverton areas support a lot of habitat. He concluded that he supported the project.

Meleah Ashford related that she moved here recently from the San Diego area. She related that the TMDL process is also being deployed there, where her city was sued for not complying with TMDL, and was subsequently forced to go down that path via a consent decree. These regulations are very serious. She noted that the City of Corvallis has already started borrowing temperature credits due to not having started the process earlier. She has attended public meetings from the start and it seemed to be an open and thoughtful process; she said she would oppose chillers to address the situation, because of their high energy use. The proposed solution is creative and accomplishes a number of purposes. She said Talking Waters in Albany is a pleasant amenity.

Joe Squire stated that he was ODOT District Four Manager of Operations and Maintenance and Corvallis citizen. He related that ODOT's Jerry Wolcott, who would normally represent ODOT at such a meeting, could not attend. He stated that ODOT was open to meeting with staff on the project.

He stated that ODOT will send a letter with its comments and significant concerns. These include concern regarding the right-of-way and the area turning into a park. He said ODOT will have to

mitigate allowing an easement of ODOT's easement; everything on the lower portion of the easement would categorically have to be removed from the conceptual plan. He said it is a great site for the project, and he does support these types of projects, but it is undersized for capacity for its purpose.

He said there will be sedimentation to the biocolumn's gravel layer; the estimate for $150,000 per year will be spent really quickly in completely dredging ponds on a routine basis. He added there will also be flooding sedimentation to deal with. He noted that the biocolumn model was not fully developed yet.

He said there had been no discussion in taking ponds out of service; if you empty one pond, others depend on it, both horizontally and vertically, so all would have to be cleaned at once.

He highlighted right-of-way issues, noting that it needs to get pinned down. He said there could be seismic stability issues of a pond creating saturated soils near the bypass. He said designers have to assume 100% build-out. He said one of the objectives is to create shade, but that will lower evaporation. He said that even guardrail installation requires a full hydraulic survey. He said this proposal changes the floodplain. He noted the Van Buren Bridge was built on wood pilings in 1918, and changing scouring patterns could impact it.

Hays asked what ODOT would want in order to keep people off the road; Squire replied that ODOT would like a 6' fence for people and wildlife. He said ODOT generally wants a reduced pedestrian-auto interaction. Even the little parking near the gravel pit ponds south of Highway 34 causes concern for ODOT. Hays asked if a wall, like those used on the interstate would be acceptable; Squire replied that it could not be located on the ODOT right-of-way.

Liz Frenkel stated that agreement will be needed for determining service levels for the area and compensation to Parks and Recreation, as well as a new Master Plan for the site. The existing plan was first developed in 1994. The site is within the Willamette River Greenway. She said that until now, the PNARB and the City Council have considered the area worthy of protection. She said there were many questions, including whether the area should be only for parks use, and whether wastewater treatment was appropriate for a park or natural area. She anticipated eventually building a pedestrian bridge for access to a wooded park on the site, without wastewater treatment. She related she talked to several people who hadn't heard about the process and distributed her testimony.

Patricia Benner distributed her testimony and said she was a river ecologist and historian and was a member of the committee that developed master plans for Berg and MLK Parks. She worked with Crescent Valley High School and Sister City students to plant trees to reestablish native riparian forest along the site between 1996 and 1999, and was upset to hear about those trees' proposed removal. She said that citizens were not told this during the public process.

She said the site was a park, with a current master plan, which should be honored. She noted that while Berg Park planning may have been optimistic, the establishing objectives and guidelines were still fresh and current. She highlighted handouts showing ownership of lots on the site, saying that the second handout, from the November due diligence study report, contains a white line that avoids many of the issues associated with the site, including the Orleans historic area, the mature riparian vegetation, and ODOT right-of-way easement. She said the City didn't own all the land showed as being used for the project.

She expressed concern the site was too small for the project, which would cause the project to be too close to the river, resulting in thermal impacts to the river and hyporheic zones. When you put warmer

water in a hyporheic zone, you are reducing the oxygen saturation and therefore changing the chemistry of the river and adversely impacting benthic organisms.

She highlighted the City's re-vegetation planting plan included in the packet; one of the purposes of the planting in the area was because the staging area for Riverfront construction had a huge impact on that area; the intent was to soften it up and restore it. She noted that the map definitely shows a wetland delineated there; perhaps the extent of the damage obscured easy to see surface soils. She added that the site restoration also may have been intended to mitigate for the west bank.

She stated there were many other issues associated with the project. For example, fish can get trapped in an area like this during flooding; also, there is a native mussels community just downstream. The City has other options and must follow its own rules and she asked that PNARB table it until concerns can be addressed.

Hays asked how much planting was done; Benner estimated about 800 trees were planted in the area over about five years to restore the area and reestablish a riparian forest. It was determined that the area was originally a floodplain forest and the goal was to reestablish the functions and processes associated with the site historically. She emphasized that the proposed facility does not match what was originally envisioned by the committee.

Vomocil asked if she had experience with the Berg Park area; she replied that she wasn't as much; she said she was part of a sub-committee that evaluated natural features. She said the two parks were part of the same floodplain; there have been two 10-year flood events in the area over three years. The site is actually on more like a 3-year floodplain, since there will be a large flood event roughly every three years.

Jan Landau said she was a member of Corvallis Audubon, which is interested in the expansion of wetlands, since they attract birds. There are similar reconstructed parks and wetlands in Oregon as well as across the country. Many of these are listed as parks and it is hard to tell. She commented that this combination of wastewater treatment system and park concept is not unusual around the country, and they are great places to see birds. Many birders go visit the Philomath treatment pond. She noted that other golf courses are also using treated wastewater.

Chair Griffiths said a tremendous amount of information has been received, including some from ODOT that may be new. She suggested putting off formal action until the next meeting. The PNARB's focus is on the park element, and how it relates to the master plan. There is also consideration of issues such as definition of a natural area, protecting vegetation, bird life, the MLK Memorial tree grove, access parking, the trails, standards of development (according to Linn County Standards) and benefits to citizens in terms of parks and recreation use of the land. She added that the board had not heard from SHPO or the Benton County Historical Society regarding native American artifacts, or the MLK Commission on their feelings regarding the trees. She said she also had concerns about timing of the project, as well as how the board and the department will be involved in management, etc.

Planner Rochefort noted that the CIP was on the July PNARB agenda. Soule concurred he was unprepared to take action at this time.

Penpraze stated that a nationally-recognized team of experts were working on the project. He highlighted Attachment #2 on FAQ's. He said he hadn't heard anything new, other than the ODOT employee testimony, which was a surprise, given the previous meetings with ODOT. He related that he'd had completely different agreement and understandings with ODOT, including regarding trail

placement. He conjectured that some of Squire's testimony may have been personal testimony or observations, and said he had a professional disagreement on a number of points of testimony that Mr. Squire raised.

Regarding timing, Penpraze stated that the City was issued a DEQ permit on November, 2011 which requires substantial progress on the project; without that progress, DEQ will not issue a compliance order and will mandate deadlines that the City may not prefer. He requested the issue be placed on PNARB's agenda as soon as possible; Director Emery stated that it would probably be on the August agenda. She asked that the project prepare a drawing showing a trail system *not* in the ODOT right of way; Penpraze agreed the issue was important and that the project would have a discussion with ODOT to resolve that.

Vomocil asked about the concept of leasing the area to Public Works, and whether Parks and Recreation would be compensated; and if it was, where the money would go. He said he had to approach the project not from a technical aspect, but from a Parks and Recreation point of view. He said PNARB had to either respect what came before in regard to the site's master plan or consciously change it. Hays said that a detailed study is needed in order to show whether it will work; Penpraze replied that the project is going through this in a step-wise process.

VI. COMMUNITY GARDEN MASTER PLAN DRAFT

Director Emery related that at the previous meeting, when the community garden master plan was presented, the board asked for several changes and additions. She stated that staff had responded to those concerns and the final draft was included in the board packet.

Steve DeGhetto noted that the changes included that the table of contents and acknowledgements were modified; partnerships and stakeholders were recognized; it clarified the process on how the City will establish parks that could potentially be community garden sites; relevant Corvallis municipal code, City Council policy and the LDC applicable to community gardens were added; and photographs were inserted.

Hays moved that PNARB recommended that the City Council adopt the Community Garden Master Plan; Vomocil seconded; motion passed. Director Emery thanked DeGhetto and Megan Patton-Lopez for their hard work on the project. DeGhetto said that Corvallis is now one of the few cities with such a plan.

VII. ADJOURNMENT: Meeting adjourned at 8:50 p.m.

Community Development
Planning Division
501 SW Madison Avenue
Corvallis, OR 97333

DRAFT
CITY OF CORVALLIS
PLANNING COMMISSION MINUTES
June 6, 2012

Present
Jennifer Gervais, *Chair*
Frank Hann, *Vice Chair*
James Feldmann
Tony Howell
Roger Lizut
Jim Ridlington
Ronald Sessions
Jasmin Woodside

Staff
David Coulombe, Deputy City Attorney
Kevin Young, Planning Division Manager
Brian Latta, Associate Planner
Jason Yaich, Associate Planner
Ted Reese, Development Review Engineering
Jackie Rochefort, Parks Planner
Terry Nix, Recorder

Absent
Roen Hogg, *Council Liaison*

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I.	Work Session - Discussion and Direction Regarding Land Development Code Amendments		X	The work session will continue on June 13, 2012, 7:00 p.m.
II.	Visitors' Propositions	X		
III.	Public Hearing – Sather Annexation and Zone Change (ANN12-00001, ZDC12-00001)		X	Record was held open until June 13. The applicant will then have seven days to submit final argument. Deliberations will be held June 20.
III.	Planning Commission Minutes: May 16, 2012			Approved as presented.
IV.	Old Business	X		
V.	New Business	X		
VI.	Adjournment – 9:33 p.m.			

CONTENT OF DISCUSSION

The Corvallis Planning Commission was called to order by Chair Jennifer Gervais at 5:33 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. WORK SESSION – DISCUSSION AND DIRECTION REGARDING LAND DEVELOPMENT CODE AMENDMENTS:

Planning Division Manager Kevin Young drew attention to items at Commissioners' places: 1) Land Development Code Amendment Package Tentative Schedule; and 2) staff memorandum to the City Council dated April 12, 2011, re: Unresolved Planning Issues and Planning Division Work Program Review (provided at the request of Commissioner Howell as background for this discussion).

Planning Manager Young said that, following Council direction, staff is preparing a package of Land Development Code (LDC) Text Amendments on a schedule that would allow the City Council to adopt the amendments by the end of 2012. The package is anticipated to include the recommendations from the Infill Task Force, the Substantive Issues list, and housekeeping issues, as well as changes to facilitate the provision of local food in the community and potential quick action items might come out of the City/OSU collaboration process. The package does not include other potential changes for which the City Council has not provided direction such as moving to an on-the-record appeals process or amending Chapter 2.9 to allow OSU to administer its Historic District.

Mr. Young reviewed the tentative schedule which includes this check-in with the Planning Commission, a check-in with the City Council on June 18, and Post-Acknowledgement Plan Amendment (PAPA) Notice to the Department of Land Conservation and Development (DLCD) on August 13, 2012. The PAPA is required 35 days prior to the first Planning Commission hearing which is scheduled for September 19. Due to Council direction to get this accomplished in 2012, the process is more streamlined than some past efforts. Staff feels this is an ambitious package of changes to get through the system with the reduced staff. It is advisable to remove controversial items or items deemed to be unripe from the package and to move forward with those issues on which we can get consensus. There is risk that an appeal of one aspect would hold up implementation of the remaining elements; however, staff is not able to move multiple packages through the process in the required timeline.

Community Development Director Gibb added that, in terms of the work program, the desires, opportunities and options are great, and staff resources are limited. Following a check-in with the City Council on June 18, staff will be working on a tight timeline to draft the code language. This is a different approach than has been used in the past but it is necessary in order to accomplish the expectation to get a substantial piece of work through the system by the end of this Council term.

Chair Gervais invited public comment.

Kirk Bailey, a member of the Infill Task Force (ITF), addressed some of the ITF proposals and preliminary staff analysis and recommendations. Regarding ITF #9, related to allowing attached and detached multifamily structures in RS-5 through RS-12 districts, he is fairly confident that blending the ITF and staff recommendations will result in a better proposal. Regarding #2, related to the definition of building height, he has three comments relative to the staff analysis: 1) In addition to addressing mansard and gambrel-type roof designs, he would like to add hip roofs as these are also a problem within the LDC; 2) The ITF tested its definition using online plan books and he would encourage some mechanism like that be used; and 3) He would suggest the inclusion of a graphic to

provide clarity and he thinks a volunteer could be found to create that diagram. Regarding #11, related to fence heights, he generally concurs with staff's recommendation; relative to the question of privacy vs. eyes on the street, he thinks this is a good philosophical issue for the Planning Commission to discuss. Regarding #6, related to allowing more flexibility for items with minimal impact, he likes the suggestion for providing additional accessory structure flexibility in side yards, but he would like to keep the option of having lean-to sheds on some side or rear yard setbacks. Many of these exist in the community and the Fire Department has indicated to him that these sheds are no better or worse than other accessory structures in terms of life and safety. One of the proposals is to allow trellises over the top of fences and this is really important. He told about an instance where an avid gardener asked for permission for an overhead trellis to be used as a deer fence; however, faced with associated process and cost, she ended up moving to Linn County.

Mr. Bailey said the main directive of the ITF was Comprehensive Plan Policy 14.3.1 which says that infill and redevelopment within urban areas is preferable to annexations. ITF #1, related to improving the definition of infill, is important because infill is much more difficult and much more constrained than greenfield development. The ITF considered creating a LDC section for infill but felt that was too ambitious given the resources available. ITF #5, related to simplifying requirements based on project size, depends on the definition of infill; the concept is to have the project relate to the surrounding neighborhood so that houses do not all have the same design but work together as a system; he would like to encourage people who want to take that extra design step. Regarding staff's comment that the Neighborhood Planning Work Group (NPWG) of the OSU/City Collaboration Project may bring forward other solutions, he doesn't think that work should preclude #5 which would provide a way for people to be more compatible in the short term and would provide an exception mechanism for places outside of the area addressed in the Collaboration Project.

In response to an inquiry from Commissioner Howell, Mr. Bailey said that he does not think that ITF #1 and #5 should be deferred until after the NPWG develops their recommendations. This project been underway for some time and it is valuable and important to get it done soon.

Commissioner Sessions asked how the ITF would propose rewriting the definition of infill to address concerns about unintended consequences and vagueness. Mr. Bailey said the ITF has not met since the release of the staff report; he would be interested in working on the definition but would need more time to do so.

Commissioner Sessions asked staff if the timeframe during which staff would draft the code language would include work with community groups. Planning Manager Young said that staff does not have adequate time to do that level of public engagement and outreach if they are to keep to the schedule as outlined.

Chair Gervais said volunteers in our community have invested tremendous time and effort and it seems inappropriate to rush the process and disrespect that effort. Director Gibb said that staff has had interaction with the ITF since they did their good work. Staff has clear direction from the City Council to accomplish some of these changes by the end of the year. One option is to remove some items into a separate package for later review. In response to further inquiry from Commissioner Sessions, Mr. Bailey said he would be willing to take staff's comments and work to develop a proposed definition of infill within a short period of time.

In response to inquiries from Commissioner Howell, Planning Manager Young said that staff believe they can accomplish the package of amendments presented. However, there may be some overlap with the NPWG and it may be appropriate to pull out some issues to allow for fuller engagement.

Commissioner Howell asked if there might be a way to get a quick win by having the NPWG comment on issues where there is overlap. Mr. Bailey said the ITF consists largely of development professionals; he would like the opportunity to use the volunteer group to leverage limited staff resources.

Chair Gervais initiated discussion about process. There was general agreement to schedule an additional Planning Commission meeting for June 13 in order to provide adequate time for additional public input and Commission discussion.

Patricia Daniels, Chair of the Neighborhood Planning Work Group of the City/OSU Collaboration Project, said the NPWG has a charge of surmounting the challenges involved in sustaining livable neighborhoods while seeking a housing supply that is adequate for the increased OSU student enrollment. She supports items that appear to encourage infill as a way of helping to meet that challenge. The NPWG has not discussed these items specifically and she is not representing that group. Regarding the definition of infill, her perspective is that the definition should include both size and context. Without an adequate definition, it is hard to see how the other recommendations would be workable. Regarding ITF #5, she would add that requirements be simplified not just on project size but also on context, i.e., taking place within an already built environment. ITF #9 would allow a cottage development which was explored at length by the Housing and Community Development Commission that she was liaison to when she was on the City Council; this would be good for low income and student housing. ITF #10, related to Accessory Dwelling Units (ADU) in RS-12 and RS-20, seems another way to get increased density without being incompatible in the neighborhood. ITF #12 and #13, dealing with skinny lot standards, also seem to be relevant items that would permit more infill development. She also spoke in support of items Q and U from the Substantive Issues list.

Ms. Daniels said the collaboration process is under pressure to enact some measures by the end of the year. Any of the above measures that are moved forward will be a part of helping to address shared challenges in a timely fashion. The work of the Planning Commission, the ITF, and the members of the various work groups in the collaboration effort is so important in building and sustaining a resilient community with the capacity to change and to thrive in turbulence, to absorb shocks and still function, and to provide innovative responses to difficult situations.

Chick Gerke is an architect and member of the Infill Task Force. As a professional, he runs into problems with the LDC not working for small business and local homeowners who are continually frustrated. He sees a huge amount of negativity within the community related to LDC requirements and, while he hopes we move forward with these recommendations, he personally supports the idea of creating an infill chapter through a very thoroughly considered public process. Regarding ITF #15, he said that refining MADA calculations for infill lots is very important; property owners with smaller lots can end up with very little development opportunity if they happen to have land that was designated with some form of natural feature. ITF #16 addresses irrevocable petitions for infill development; he said much of LDC Chapter 4.0 requires improvements based on a transportation plan which was adopted almost 20 years ago and which envisioned broad boulevards, wide park strips, and capacious roadways. Someone wanting to get a building permit for property fronting Kings Boulevard has to give a huge percentage of their property because that is envisioned to be an 80-foot wide parkway. However, our whole thinking about transportation, our relationship to the automobile, and how we care about our community has evolved hugely since that plan was developed. He told about the Willamette Wellness Center which opened two years ago on Philomath Boulevard and which required an expense of more than $20,000 to build sidewalks which will likely never be used. An irrevocable petition makes sense when compared to the amount of economic hardship and lack of credibility associated with the current process and regulations.

Commissioner Ridlington asked if the ITF looked at what other communities are doing with respect to infill. Mr. Gerke said that, while it would be interesting to know what other communities are doing, he thinks we need to have a community discussion about how to address these issues in our community.

Commissioner Howell asked if Mr. Gerke is satisfied with staff's alternative approach to ITF #15. Mr. Gerke said he thinks that the ¼ acre size recommended by staff is too small and that the approach of reducing setback standards has compatibility issues. He thinks this should be talked about more and not just run through as a text change.

Commissioner Sessions referred to comments about irrevocable petitions for infill development. He said the question becomes what is the greater good for the community and that may be to adhere to the master plan. The issue of what to do when someone wants to develop or make an improvement on property when adjacent street conditions do not meet current development standards is addressed in the recommendation to allow an irrevocable petition in certain circumstances, and that may be reasonable. Another question is what would trigger those future improvements. Mr. Gerke said the Willamette Wellness Center did not have to build a sidewalk along the Country Club Road frontage because Benton County plans to reroute that road and instead required a design of the alignment; that was a much better use of money. Regarding his comments about Kings Boulevard, he just doesn't think an 80-foot parkway is necessarily what we want at that location in this day and age.

Commissioner Woodside said that staff noted that the LDC contains rough proportionality provisions. Mr. Gerke said the issue is that a developer of 20 lots with 100 foot of frontage would pay about $1,000 per lot while a developer subdividing a 0.8 acre lot with 100 feet of frontage into three lots to make better use of the land would pay about $20,000 per lot.

Lori Stephens, Infill Task Force member, said she looked to see what other cities have done regarding infill and could not find much. She addressed ITF #8 and #10, noting that staff is asking for guidance from the Planning Commission for both of these recommendations. ITF #8 refers to buildings in Major and Minor Neighborhood Center locations and allowing those buildings some flexibility to be converted to professional offices. Staff cites conflicts with Comprehensive Plan Policies that address linear commercial activity; however, the Comp Plan Map designates Major and Minor Neighborhood Centers which contain mixed use and commercial activity. If staff is saying that #8 conflicts with the Comp Plan, they seem to be saying that Major and Minor Neighborhood Centers also conflict. ITF #10 is proposing to permit ADUs in higher density zones as they are allowed in lower density zones. She reviewed the Comp Plan Policies citied by staff related to compact urban form and efficient use of land within the UGB; she doesn't see #10 in conflict with these policies. She thinks #10 is more accurately addressed in Comp Plan 9.4.3 which says the City shall investigate mechanisms to ensure the viability and preservation of residential areas; 9.5.1 which says the City shall plan for affordable housing options for various income groups and ensure such options are dispersed throughout the City; and 9.5.2 which says the City shall address housing needs in the UGB by encouraging development which produces diverse residential environments and increases housing choice. Staff's argument is that #10 will slow down densification; however, densification can mean adding ADUs to take care of family members; this also preserves the character of the neighborhood and is more sustainable than tearing down a perfectly good building and using up a lot of resources to create a horribly out of scale building. She believes that #8 and #10 should be adopted.

Commissioner Sessions noted that ADUs are permitted in most residential zones just not in the higher density zones. Ms. Stephens said the problem is that a single-family residence in one of the higher density zones can tear down the house but cannot add a granny flat or place for their daughter to live.

Mr. Young clarified that the City typically requires that redevelopment meet the minimum density requirements in the zone. In some scenarios, an ADU could be added and be within the minimum density and in other scenarios it would not get to that level.

Kent Daniels, a member of the Infill Task Force, said he agrees with most of the testimony he has heard. He said it might be a good idea to make some formal relationship between the ITF and the NPWG; he would be willing to do additional work. He spoke in favor of the ITF recommendation related to irrevocable petitions. He doesn't understand some of the arguments staff has put forward. Staff said there may be no political will to invoke the petitions, but his understanding is that the irrevocable petition has legal standing and that it would go with the property. It is the responsibility of the person buying the property to understand the limits on that property; he doesn't think the City needs to take on that role. Regarding the staff comment related to bad experiences, he would like more specific information as that relates to infill development of small lots.

Mr. Daniels told of a personal experience in which he divided a lot and sold the half that fronted a developed street and then had to build a new street that goes nowhere in front of the existing house; the new street dead ends into Washington Park. The cost to put that street in was over $50,000 which he could have used to buy and redevelop another property; the impact is that he is not going to do any more infill development.

The work session will continue on Wednesday, June 13, 7:00 p.m.

II. VISITORS' PROPOSITIONS: None.

III. PUBLIC HEARING – SATHER ANNEXATION AND ZONE CHANGE (ANN12-00001, ZDC12-00001)

A. Opening and Procedures:

The Chair welcomed citizens and reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public testimony, followed by rebuttal by the applicant, limited in scope to issues raised in opposition and sur-rebuttal by opponents, limited in scope to issues raised on rebuttal. The Commission may ask questions of staff, engage in deliberations, and make a final decision. Any person interested in the agenda may offer relevant oral or written testimony. Please try not to repeat testimony offered by earlier speakers. It is sufficient to say you concur with earlier speakers without repeating their testimony. For those testifying this evening, please keep your comments brief and directed to the criteria upon which the decision is based.

Land use decisions are evaluated against applicable criteria from the Land Development Code and Comprehensive Plan. A list of the applicable criteria for this case is available as a handout at the back of the room.

Persons testifying either orally or in writing may request a continuance to address additional documents or evidence submitted in favor of the application. If this request is made, please identify the new document or evidence during your testimony. Persons testifying may also request that the record remain open seven additional days to submit additional written evidence. Requests for allowing the record to remain open should be included within a person's testimony.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest: None.
2. Ex Parte Contacts: None.
3. Site Visits: Commissioners Feldmann, Howell, Lizut and Ridlington.
4. Objections on Jurisdictional Grounds: None.

C. Staff Overview:

Associate Planner Jason Yaich reviewed the request that the Planning Commission forward a recommendation of approval to the City Council to place the proposed Annexation request on the ballot for the November 6, 2012 election. The request also includes a Zone Change to apply the Corvallis RS-12 (Medium-High Density Residential) and C-OS (Conservation – Open Space) zones to the property if annexed. The site is located at 3701 SW Western Boulevard. The site also includes the abutting public rights-of-way for SW Western Boulevard/SW West Hills Road, SW Reservoir Road, and the Portland & Western Railroad right-of-way.

Planner Yaich reviewed the site and vicinity. The 33.36-acre site is currently farmed for hay. It is relatively flat; however, it does slope upward toward the west part of the site and there is a hilltop on the central western portion of the site. There is a central driveway that comes off Western Boulevard to access the site. The property has a large area of wetlands which are not locally protected, protected vegetation along the west property line and the riparian corridor, and a floodplain associated with Oak Creek near the northeast corner of the site. The site has Residential-Medium High Density and Open Space-Conservation designations on the Comprehensive Plan. He reviewed surrounding zoning designations as noted in the written staff report.

D. Legal Declaration:

Deputy City Attorney Coulombe said the Commission will consider the applicable criteria as outlined in the staff report, and he asked that citizens direct their testimony to the criteria in the staff report or other criteria that they believe are applicable. It is necessary at this time to raise all issues that are germane to this request. Failure to raise an issue, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond, precludes an appeal to the State Land Use Board of Appeals on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

E. Applicant's Presentation:

Patricia Weber, Devco Engineering, introduced herself and the project team: Blair Sweeney, Landmark Properties; Thad Higgins, land use planning consultant; Tom Dee, Turnstone Environmental; and Mike Ard, Lancaster Engineering.

Blair Sweeney, Development Manager with Landmark Properties, gave an overview of the organization, headquartered in Athens, Georgia, which develops, owns and operates privatized off-campus student housing. Oregon State University (OSU) has been growing at 5% to 8% per year, much above the national average, but has not seen the typical off-campus student housing players develop properties to take some of that demand; as a result, rental housing vacancy rates in Corvallis are under 1% which is very low. OSU and most universities are not building additional student housing; they are using the capital that they have to build income generating facilities and are outsourcing ancillary services like student housing. The good news for communities is that privately developed student housing pays local property taxes. Through this process, the organization has been seeking input from the neighbors, and has given great attention to bicycle and pedestrian amenities, traffic and parking solutions, and adding buffers and open space. They will continue to work with the neighbors through the site design process.

Ms. Weber said the criteria for annexations are laid out in Chapter 2.6 and she will review each of them.

Regarding demonstrated public need, Ms. Weber showed a graphic of the five year supply of serviceable land taken from the City's 2011 Land Development Information Report (LDIR). She said that, other than some small infill sites, there is no vacant RS-12 land within 1.5 miles of OSU. The majority of existing vacant land zoned RS-12 is the 42.5 acres held by Timberhill Corporation in the north hills; this land is heavily constrained by natural features, has no utilities in the immediate proximity, and it is arguable whether it can be considered serviceable at this time. The remaining smaller sites are not sufficient to ease the housing crunch for students and are not readily accessible to OSU. Regarding the availability of land to ensure choices in the market place, the rental vacancy rate in Corvallis is at less than 1% and the tightness of the rental market is having an impact on the single-family residential housing market. In short, Corvallis is experiencing a housing shortage and additional RS-12 land can provide the kind of dwellings OSU students will be looking to live in which is the best possible solution to the housing shortage. Regarding compliance with community-wide livability indicators and benchmarks, Ms. Weber said that of the 20 applicable indicators, the annexation would fully comply with 11 and partially comply with three. Two that are not met include employment/housing, which is not applicable because the City Council has yet to develop a metric by which this can be measured; and development plans because the annexation is not being processed with a detailed development plan. The development plan, when it is submitted, will either adhere to the RS-12 development standards or be required to go through the review process.

Regarding the criterion as to whether advantages outweigh disadvantages, Ms. Weber said the full or partial compliance with 14 of the 20 livability indicators and the availability of Medium-High Density land in close proximity to OSU are clear advantages. Upon development, a new collector street would be added to the transportation network which would enhance circulation. Utilities are all immediately proximate to the site and would be extended through the site upon development. The development would provide increased tax base and construction jobs; the intention is for a significant portion of the construction and management to be sourced locally. Greater protections would be afforded to significant vegetation on the site. Traffic levels overall will be reduced as more students live closer to campus but, under the worst case scenario of maximum build-out, traffic levels could increase by up to 10% in the immediate neighborhood. This is not anticipated to occur because developing the site to maximum density is not really feasible given the natural features constraints and other requirements. Speaking of traffic, there are mitigation measures that can be taken to ensure all intersections in the area would operate at

a level C or greater. The most likely would be construction of a left-turn lane into the collector street. Neighbors have expressed concern that students may loop through the neighborhood to the south to get onto Western Boulevard heading eastbound; the traffic engineer has reviewed that scenario and determined that would not likely be a significant issue due to the longer route.

Ms. Weber said the criteria related to capable of being served and dedicated open space are clearly met. Compatibility criteria will be addressed in the design and can be reviewed in detail at that time. In conclusion, Ms. Weber said the Comp Plan is clear on when annexations can be recommended to the voters and it is clear that all three criteria are met with this application.

In response to an inquiry from Commissioner Feldmann, Ms. Weber said the applicant understands that linkages to existing offsite pedestrian and bicycle facilities are likely to be required as a part of the development and this would be determined with the development plan.

Commissioner Feldmann asked if housing on campus would not provide income to the university. Mr. Sweeney said that housing does provide some revenue through housing fees, but it is not a profit generator for universities. He cannot speak specifically to OSU but he could get that information. Ms. Weber added that OSU Residential Services indicated to her that they plan to do nothing as far as additional residence halls because 80% of students who live on campus are freshman and the university is not anticipating a big increase in that population.

Commissioner Woodside asked if protection of the highly protected significant vegetation would be designated in some way. Ms. Weber said the applicant does not anticipate asking to change the zoning for that area but it will be protected by the LDC.

Commissioner Woodside asked if there is a sense why other student housing firms have not come to Corvallis. Mr. Sweeney said he thinks his firm was the first to recently identify the Sather property as a potential development site. In general, there is not much land available of the size that makes it attractive for development for student housing.

Commissioner Sessions said the applicant could purchase and develop this land without annexation; he asked what advantage there is to annexation. Ms. Weber said the current county zoning would allow a maximum of six houses on 30 acres and the most dense county zoning would allow one dwelling per acre.

In response to an inquiry from Commissioner Howell, Mr. Sweeney said the plan is to develop the larger parcel and for the Sathers to retain ownership of the smaller parcel; he is not sure what their ultimate plans are for that parcel. Commissioner Howell asked if the MADA could be invoked on the smaller parcel if it comes forward at a later time. Ms. Weber said that 75% of that parcel can be developed by rights; she believes that it didn't pencil out to apply MADA to that parcel.

Commissioner Hann said he would challenge the assertion about OSU's intentions related to on-campus housing; at other meetings, the university has indicated it is reviewing options including additional and perhaps revamped housing. This project is not operating in a vacuum; there are other projects and proposals. His question is whether the applicant has really looked at need. Also, he has heard concerns about building something so specifically for students given that the demographics could change and this type of development could be a white elephant for the community in a few years. Mr. Sweeney said he has looked at many college towns over the last 10 years and Corvallis is the tightest rental market he has seen. Students are living in other

communities and renting rooms in single-family neighborhoods which is very atypical for a college community. He feels the market bears out his firm's research. His firm has found that building housing for students actually relieves pressure on housing in existing single-family and historic neighborhoods. Ms. Weber added that students would first pull out of neighboring communities and then out of single-family neighborhoods. A high density project next to campus will always have students because that is where students prefer to live.

Commissioner Feldmann asked what would make this project specific to student housing. Mr. Sweeney said the project would be designed for the way students live with bedrooms of the same size and bedroom to bathroom parity; however, there would be no legal designation.

F. Staff Report:

Planner Yaich said the application is considered a Major Annexation subject to the four main review criteria as discussed by the applicant. The LDC outlines factors to consider when looking at public need, including the five year supply of serviceable land, availability of those types of lands to ensure choices in the market place, and compliance with the livability indicators and benchmarks. City data that is often used to answer questions about need include the 1998 Buildable Land Inventory (BLI) and the 2011 Land Development Information Report (LDIR). The LDC also speaks to Comprehensive Plan policies as a way to determine public need.

Regarding the five year supply of serviceable land, the BLI shows a projected 64-acre deficit of Medium-High Density (MHD) lands within the City limits by 2020. The property has had the MHD designation since the 1980s and the BLI considered it as part of that supply within the UGB. The BLI anticipates these MHD areas would be annexed into the City during the planning period or offered suggestions to rezone other lands to meet the projected deficit. Going into the recent LDIR, between 60 and 69 acres of vacant RS-12 lands are available for development as of December 31, 2011. The applicant proposes that there might be other factors to consider such as ownership, location, size, and whether the land is serviceable; those types of considerations are supported by the BLI. Arguments presented by the applicant include that a large percentage of existing vacant RS-12 lands are in the Timberhill area, constrained by natural features, and with questionable serviceability; the LDC says the Commission may consider those arguments. The Comp Plan talks about encouraging a mix of residential land uses and densities throughout the City; and making sure that we provide lands for the community's housing needs to meet statewide and local planning goals.

Regarding the second factor, ensuring choices in the market place, the applicant cites that properties are not necessarily serviceable even if they are in the City limits, that a large percentage of the RS-12 vacant lands are less than one-half acre parcel size, and that this site starts to address concerns about the other parcels. The applicant also got into market choice topics which the LDC allows the Commission to consider, and talked about housing/jobs balance for which there is no developed policy. The applicant presented information about the rental housing rate which is supported by the City's Housing Division analysis. The applicant presented arguments about affordable housing and pressures on existing neighborhoods in terms of the rental housing market.

Regarding the livability indicators, Planner Yaich said staff found that, of the 20 applicable indicators, the proposed annexation would fully comply with 11, partially comply with 3, and not comply with 6, as detailed in the written staff report.

Regarding advantages vs. disadvantages, Planner Yaich said the applicants arguments focus on the current vacancy rates, choices in the marketplace, and compliance with the livability indicators. Regarding whether the site is capable of being served, there are facilities in the area for public water, sewer and storm, and the applicant provided correspondence from the franchise utility providers showing the site can be served. The applicant's transportation impact analysis looked at the worst case scenario and found that access points would have acceptable levels of service. If the site were annexed, additional traffic studies and mitigation would be required. Compatibility factors would be addressed if the annexation is approved and the site is developed to RS-12 standards. He showed a graphic submitted by the applicant of one way the site could be developed according to the requested zoning.

Planner Yaich said the zone change request is to apply City zones RS-12 and C-OS, contingent upon voter approval of the annexation. Both are consistent with the underlying Comp Plan designations on the property. He reviewed the applicable review criteria and Comp Plan policies for the requested zone change as detailed in the written staff report.

G. Public Testimony in favor of the application:

James Rodell said he began looking for a house to buy in Corvallis in 2006 but the market was so high that he moved to Oakville. He is a member of the Sustainability Coalition, a master gardener, and a volunteer for dial-a-bus. He attended a session on the proposed project last week and he was impressed; he is leaning in favor of the annexation. He said that the City and OSU are working to find ways to enhance one another's existence and, to him, this development is fraught with possibilities to further enhance that cooperation. While it's clear that there will be benefits in terms of tax revenue if this develops, he thinks there would also be infrastructure expenditures by the City; it would be interesting to see that roughed out. The project site is across the street from the OSU Center for Urban Horticulture and he thinks this might be a good interface. Mr. Rodell suggested that instead of arborvitae or boxwood, maybe they could put in edible landscaping. Solar panels on buildings could pump excess electricity back into the grid and potentially offset the expense of putting them in. If permeable paving goes down to something that is also permeable, groundwater runoff could be mitigated. These are just a few ideas he is putting out there for the developers to consider as they are developing their plans.

H. Public Testimony in opposition to the applicant's request:

John Polansky lives across the street from the proposed project. He said it is hard to know the public need if we don't know the university's position on building student housing. This project is currently outside the City; within the City there are projects either under construction or proposed that will impact the vacancy rate. We also don't know the outcome of the City/OSU collaboration project. He feels we need all of that information before we annex in additional housing for students. Student housing is very different from housing built for families; it requires more parking and the City has not addressed this. The project is proposed to have 675 students who will need parking for their cars and their guests. He is concerned that parking will overflow into his neighborhood. Students who currently live in the neighborhood often have four cars per house; this has created a difficult situation because two cars can no longer pass through at the same time and it could create difficulties with emergency vehicles as well. This is a significant size project and we have to make sure we have the proper zoning requirements and rules to accommodate it. In other communities, a project like this would require widening of the street, crosswalks, and traffic signals.

Theres Waterhous is a business owner and citizen. Related to the issue of public need and the five-year supply of serviceable land, she said the LDC only seems to refer to supply for housing development and does not address issues of supply in terms of other goods and services. She is concerned about water issues within her local region. In North Corvallis around Elliot Circle, once the Pinot Gris Estates developed, wells went dry for farmers. She thinks the need for student housing is a problem created by OSU to address financial issues related to the whole state. We are looking at bringing in a transient population almost equal to the permanent resident population. A transient population will not care about aesthetics and local goods and services; they will have more interest in big box stores. She thinks the concept of a five-year supply of serviceable land is fundamentally flawed given the finite supply of developable land. She questioned whether the basic concepts within the LDC are sustainable over the long term.

Mark Snodgrass said he is a long-time resident and business owner. He lives in Benton County, a couple of blocks west of the subject site, and he did not receive notice of this meeting. He said this was a professional presentation from an organization that wants to make money from our community. From a land use planning standpoint, while this site may be adjacent to campus, it is very unlikely that students will walk from this location to classes off of Monroe. It is hopeful they would take bikes, but many will take cars. We are talking about adding 675 cars as far away from the center of campus as you can get and still be adjacent to campus. It appears to him that this is poor land use planning. Corvallis has a high density zone north and east of campus. We are seeing infill with higher density housing and replacing single-family homes with multiple student properties; he believes that is good planning. Here, we are talking about putting high density student housing into a rural area. He is frustrated by the idea of annexing a large piece of Benton County when student infill housing is occurring. He has other concerns related to protection of wetlands, transportation issues, and protection of Oak Creek. The proposed development does not seem like good long-term planning for the people who live in this neighborhood.

Mr. Snodgrass requested that the record be held open for 14 days.

Lois Rawers said she lives in Benton County off of West Hills Road, and she did not receive notice of this meeting. Regarding the topic of need, she commented that she attended a seminar which included information about the City/OUS collaboration project, and she did not hear that the university intended to do nothing about housing. In fact, it was mentioned that one idea being considered is to require freshmen to live on campus. Regarding traffic, she has great concerns about the intersection of Western Blvd. and 35th Street which is already busy in the morning and afternoon when many people are driving to and from work and school. She hopes that many in the proposed development will walk or bike, but those that do will not go to the intersection but will go across 35th Street; she hopes that consideration will be given to ways to make that safe and not interfere with traffic flow. She said a large portion of the west side of 35th Street along the subject site is not proposed to be part of the annexation and will remain in Benton County.

Ryan Mehl lives next to the subject site. He is a professor at OSU and he loves OSU, its students, and Corvallis. He understands the pros and cons of this proposal. He said these are young adults who may not yet know how to be adults. With this proposal, we will be putting 650 young adults next to a busy street, busy train tracks, and a piece of land we are trying to protect. The safety of the students and the safety to Oak Creek are at hand. There is nothing in the proposal that will prevent young adults in the creek or on the train tracks. We need to think

about how to protect this land and these young adults who will be forced to cross this small parcel and railroad tracks potentially several times a day.

Martha Smith lives across Western Blvd. from the subject site. She agrees with a lot of what has been said in opposition to the proposal. Of the 18 houses in her neighborhood, one-third are student housing, most with four students almost all of whom own cars, and no on-street parking. Her concern is that almost all of the students will own cars and she wonders where these cars will go. She would like to see that question addressed before development.

Suzanne Roppe lives near the subject site and owns a business in town. The traffic on Western Blvd. will be hugely impacted by this development. It is already dangerous when turning left into her development because there is no turn lane and people pass on the right. The applicant said they don't think there will be an issue with people wanting to cut through her neighborhood but she feels that will be something people will want to do because the 35th Street exit backs up at certain times of the day. There are children who live and play and wait for the bus in her neighborhood, and there have already been close calls.

Charlie Owen lives across from the subject site and he is concerned about traffic. It is difficult to pull out onto Western Blvd. with the current traffic and he is concerned about the impact of additional cars. There is a shoulder on the side of Western that is used as an onramp; he is concerned about additional cars making it more difficult to negotiate that area, the lack of visibility, and the fact that many don't adhere to the speed limit there. He used to work on campus and enjoyed riding his bike to campus on dry days; during the school year, he thinks students will drive.

Commissioner Sessions asked if Mr. Owen thinks the addition of turn lanes or traffic control devices would help in terms of overall safety of the vicinity. Mr. Owen said he doesn't know; there is not a lot of space between the intersection with West Hills Road and the site where traffic is anticipated to come out of development;

Vida Krantz said she has heard a lot about cooperation. She asked if the developers will be asked for cooperation to put in parking underground; that would cut their profits but it would at least get cars off the road most of the time. She has heard a rumor for years that the subject site is over a major fault; she asked if the builders will be required to address that issue. She has also heard a rumor that there is serious consideration to cutting down the hill to make it safer for kids driving on West Hills Road. She asked why that hill would be cut down which would endanger treasured homes and the living of a lot of people.

I. Neutral testimony: None.

The Chair reminded people that speaking neutrally removes rebuttal rights.

Questions of Staff:

Commissioner Howell asked staff to address the notice rules for an annexation. Planner Yaich said the Land Development Code specifies notice for a 300-foot distance from the property boundaries. Commissioner Howell suggested that those who did not get noticed contact staff to determine if an error had occurred.

Commissioner Howell asked if the natural hazards study identified a fault in this area. Planning Manager Young said a decision was made when doing the study that the City could not provide a definitive map of faults in the City; that data layer is not maintained at this time.

Commissioner Howell asked for staff comment regarding the concern about cutting into the hill. Public Works Review Engineer Ted Reese said West Hills Road is under the jurisdiction of Benton County. It is his understanding that they are slowly working to widen the road and add bike lanes. He does not know their timeline for this area. In response to further inquiry, Mr. Reese said staff has talked about offsite improvements to the east of the property and the desire to have a pedestrian connection between the new collector street and the existing path on Washington, but beyond that there has not been much discussion at a staff level about offsite improvements to the west that would be associated with the development plan.

Commissioner Hann asked if the portion of property along 35th Street that would be retained by Sathers would prohibit any improvements. Mr. Reese said that any property along 35th Street is outside of this annexation proposal. He noted a letter in the staff report from OSU that indicates they are willing to participate in the future collector making a connection to 35th Street.

In response to an inquiry from Commissioner Hann related to process, Planner Yaich said the Planning Commission will make a recommendation on the annexation to the City Council which will determine through a process whether to put the annexation on the ballot. If the site were annexed, there are options for development of the property. The development could meet all LDC standards in which case there is typically not a public process; or it could go through a process to vary from standards which would include an opportunity for public input.

In response to an inquiry from Commissioner Feldmann, Mr. Reese said that, if the site is developed, a collector street will be required per the City's transportation plan. State law requires crosswalks at any intersections. Requirements regarding striping, etc., would come with the development proposal. The City is working to lock down funding for the railroad crossing and it is expected that crossing will be improved regardless of any future development proposals.

J. Rebuttal:

James Rodell said he was glad to hear the university is considering adding shuttle buses, and he likes the idea of providing special parking for this site. Maybe OSU could consider dedicating land for parking with suitable transportation with the hope that people in the development will walk, ride bikes, or take the bus and could go to the parking area if they wanted to get their car and go somewhere.

K. Sur-rebuttal:

Mark Snodgrass referred to Mr. Rodell's comment that OSU has some intention to have shuttles; he is not sure that has been stated and he doesn't think OSU is in the business of shuttling students from the far end of campus to the dense end of campus. This proposal would put people as far from the center of campus as possible and still be adjacent to the university. This is no longer a practical place to put a high density student load given the way that Corvallis has grown and the actual traffic patterns and road use that has developed. He believes this is a bad annexation that should be denied.

L. Request to hold the record open:

Chair Gervais said there was a request to hold the record open for 14 days. City Attorney Coulombe advised that state law requires that the record must be held open for a minimum of seven days upon request. In discussion, it was noted that the Planning Commission will make a recommendation to the City Council on this issue. The City Council will then hold a public hearing, tentatively scheduled for July 16, and there will be an additional opportunity for public input at that time.

The record was held open until June 13, 2012, at 5:00 p.m. The applicant will have seven additional days to submit final written argument. Deliberations will be held on June 20, 2012.

M. Close the public hearing:

MOTION: Commissioner Lizut moved to close the public hearing. Commissioner Hann seconded the motion and it **passed** unanimously.

IV. PLANNING COMMISSION MINUTES:

May 16, 2012

MOTION: Commissioner Hann moved to approve the May 16 minutes as presented. Commissioner Woodside seconded the motion and it **passed** unanimously.

V. OLD BUSINESS:

Planning Manager Young said the City has received four applications for four vacancies on the Planning Commission and two applications for four vacancies on the Historic Resources Commission. Recruitments have been extended through Friday, June 8, 2012.

Commissioner Hann suggested that it may be helpful to invite Patricia Daniels, Chair of the Collaboration Corvallis Neighborhood Planning Work Group, to talk to the Planning Commission about that process.

VI. NEW BUSINESS:

Planning Manager Young advised that there will be no need for a meeting the first week in July.

VII. ADJOURNMENT: The meeting was adjourned at 9:33 p.m.

Community Development
Planning Division
501 SW Madison Avenue
Corvallis, OR 97333

DRAFT
CITY OF CORVALLIS
PLANNING COMMISSION MINUTES
June 13, 2012

Present
Jennifer Gervais, *Chair*
Frank Hann, *Vice Chair*
Tony Howell
Roger Lizut
Ronald Sessions
Jim Ridlington
Jasmin Woodside

Excused Absence
James Feldmann
Roen Hogg, *Council Liaison*

Staff
Kevin Young, Planning Division Manager
Jeff McConnell, Development Engineering Supervisor
Jackie Rochefort, Parks Planner
Brian Latta, Associate Planner
Claire Pate, Recorder

Visitors
Kirk Bailey, Infill Taskforce
Chick Gerke, Infill Taskforce
Gary Angelo, College Hill Neighborhood Association
Sherri Johnson

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I.	Visitors' Propositions			
II.	Worksession – LDC Amendment Package (Continued from June 6, 2012)			Recommendation to staff on how to proceed with items in the code change package; approval to add additional items to the Substantive Issues List
III.	Adjournment			10:40pm

CONTENT OF DISCUSSION

The Corvallis Planning Commission was called to order by Chair Jennifer Gervais at 7:00 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. VISITOR'S PROPOSITIONS: There were no propositions brought forward.

II. WORKSESSION – LAND DEVELOPMENT CODE AMENDMENT PACKAGE (DISCUSSION CONTINUED FROM 6/6/12)

Chair Gervais welcomed visitors and introductions were made. She stated that the work session was a continuation of the June 6, 2012, meeting to discuss the packet of proposed Land Development Code amendments, to review both staff's and the Infill Task Force's recommendations relating to the proposals, and come to a consensus regarding which of the proposed code changes to move forward.

Planning Division Manager Young gave a brief overview of the process and said that staff is seeking preliminary direction at this time, with the intent of going through a full formal public hearing process most likely in September. The tentative dates would be for a Planning Commission public hearing on September 19, 2012, and a City Council public hearing on November 5, 2012, with final action taken on the code amendments on December 3, 2012. He passed out a memorandum from the Infill Task Force (ITF) with some proposed revisions to their initial recommendations. He had met with Kirk Bailey and Denis White earlier in the week to find common ground and resolve some of their differences where possible. A second handout is of written testimony received prior to the meeting. He reiterated that it was a tight schedule, and suggested that if there were some items for which consensus could not be reached they might have to be put aside for more discussion and action at a later date.

Manager Young then summarized those items for which they had reached a tentative agreement with the ITF:

#1 - Improve the Definition of Infill: staff is suggesting that work on the definition of Infill be postponed pending the work of the Neighborhood Planning workgroup and other efforts related to the City-OSU collaboration project. The ITF seems to concur, though there is testimony submitted by a member of the ITF that provides a dissenting opinion.

#2 - Improve the Definition of Building Height

#3 - Improve the Definition of Schools

#4 - Clarify Where not to Detain Stormwater

#9 - Allow both Attached and Detached Multifamily Structures in RS-5 through RS-12 Districts

#12 - Skinny Lot Garage Placement Option

#13 - Fix Skinny Lot Division Standards

#14 - Fix PODs vs. MUGC Window Standards conflict

Commissioner Sessions said that the definition of Infill seemed key to the whole package of proposed amendments and he felt they should continue working towards developing a definition. It was agreed by the commissioners that they would discuss it further.

Commissioner Howell explained to the new commissioners that most of the items under consideration such as the recommendations from the ITF, the original list of Substantive Issues, and the Housekeeping items, were all initially reviewed by both the Planning Commission and City

Council in spring of 2011. The ones that are brand new and have not been previously vetted are Substantive Issues items M through U.

The Commission **concurred unanimously** to proceed with items #2, 3, 4, 9, 12, 13 and 14 and move them on to City Council for consideration.

Manager Young then asked that the Commission discuss items #8, 10, 11, and 15, for which staff is seeking direction.

#8 - Allow Residential/Commercial Conversions in High Density Zones:

Manager Young explained that these types of conversions are allowed in RS-9 and RS-12 zones through a conditional development review process, and this proposal would allow for a similar approach in RS-12 and RS-20 zones provided the prescribed criteria are met. Staff outlined three possible approaches to the issue and are seeking direction on which approach to take. The refinement in staff's option 2 is an acknowledgement that the conversion can be made, thereby expanding the potential pool of residential commercial conversions into areas of higher density zones that qualify as Major or Minor Neighborhood Centers, but would address staff's concern for reconciling existing Comprehensive Plan (CP) policies that speak to limiting commercial expansion in certain areas. In response to questions from Commissioner Lizut, Manager Young explained that the district standards for Major and Minor Neighborhood Centers have clear locational criteria; and that the simplest approach from staff's point of view would be Option 1.

Kirk Bailey clarified that these types of conversions are actually allowed in all three residential zones, but the proposal would add the additional option of meeting a "locational" criteria, without necessarily having to meet the square footage requirement. Commissioner Hann said that he has tried to apply what this change would mean in a practical situation and is aware of many residential structures along 9th Street that now seem desolate because they no longer function well as residences, and for which this might mean a new life as an office conversion as long as they meet parking and other requirements. For this reason, he supports it. Commissioner Woodside said she was in agreement with Commissioner Hann.

The Commission **concurred** unanimously to proceed with #8 and recommended that staff pursue Option 2 to reconcile this initiative with Comprehensive Plan policies. Commissioner Howell asked that staff also look at other factors such as off-street parking. Manager Young said that since this would still go through a conditional use review process those factors would be addressed.

#10-Permit Accessory Dwelling Units in RS-12 Through RS-20

Manager Young explained that this would allow Accessory Dwelling Units (ADU's) in RS-12 through RS-20 zones. Currently, ADU's are only allowed in lower-density zones. There are some stipulations associated with ADU's that make it a little more attractive in some instances than other types of redevelopment of a property. For instance, it is not required that an ADU meet minimum density standards or provide additional parking; however there is an owner-occupancy requirement. The question staff is asking of the Commission is a pure policy consideration: if this is approved for higher density residential zones, it will facilitate a more varied development pattern but will postpone meeting the minimum density goals for those zones. Is this the desired direction?

Commissioner Howell said that Corvallis' zoning philosophy has been to avoid spot zoning properties. However, using the north Campus area as an example, zoning it as RS-20 was not

done with the thought that all of it would become twenty solid blocks of RS-20-developed property. There are CP policies about functioning, livable neighborhoods that advocate for more of a mix. In subdivisions, policies ask for a mix of housing types. The expectation is that conversion to a higher density development would happen in a piecemeal fashion. This would be a way to help meet that balance. This would allow occupancies that are owner-occupied to include a little more density on their property which might give the owner a bit of income or allow them to keep their property improved in neighborhoods that sometimes are challenging to owner-occupancy. He would even advocate future consideration of allowing this even if the property is not owner-occupied.

Commissioner Hann said that he sees this as a way of providing transitional development along some of the streets that are borders between high-density zoning and lower-density areas. Chair Gervais agreed that this would give a long-term resident the ability to adjust to life's circumstances and remain on the property, by being able to build a "mother-in-law" residence on site. It would also add to diversity in housing.

Commissioner Woodside said that this might be impacting the area around campus with additional parking concerns in that the ADU's do not require additional on-site parking. On the surface it seems like a good idea, but she would not want to impact the parking issue that already exists.

Commissioner Sessions asked what the size limitation was for an ADU. Manager Young said that it has limitations based on the gross square footage of the primary residence but in no case can it exceed 900 square feet. The ADU does not have to be occupied by the owner or family member, as long as the main residence is owner-occupied. There are no additional parking requirements for ADUs.

Commissioner Howell asked what would happen if the parking for the original house had eroded over time and no longer met the requirement, as in conversion of a garage. Associate Planner Latta said that they would still have to provide the two required parking spots on site. Chair Gervais noted that if these properties were fully developed to RS-20 densities there would likely be even more of an impact on parking. Commissioner Woodside said she supported allowing the ADUs so that owners can utilize their property. Commissioner Sessions thought that allowing the ADUs really did not significantly alter the development pattern that would occur naturally anyway.

Chair Gervais provided visitors an opportunity to address this issue. Gary Angelo, College Hill Neighborhood Association, said that this was the first time he had considered the impacts that the proposals would have on his neighborhood. He said he agreed with the comment that this would not have as great an impact on parking as they have seen with the type of development already occurring in their area. His chief concern is how this will impact historic districts, and he hopes that this would not override compatibility concerns. Mr. Bailey said new construction in a historic district would still have to go through a compatibility review by the Historic Resources Commission. However, it was noted by staff that there are no compatibility considerations for properties that are adjacent to the historic districts.

The Commission **concurred unanimously** to move #10 forward for consideration.

Staff asked that #11 be considered at a later time in the meeting.

#15- Refine MADA Calculations for Infill Lots

Manager Young explained that the ITF proposal was to take the area within setbacks that was nominally listed as developable area and add it to the undevelopable area. Under the Minimum Assured Development Area (MADA) provisions, if a lot is encumbered to a large extent by natural features one is allowed to develop x-percent of that lot regardless of the level of encroachment on the property. In other words, it allows encroachment into the resource area to a minimum extent. Staff's proposal raises the question of whether resource protection or maintaining setbacks has the greater importance, and recommends that resource protection be given the higher priority. Therefore, staff would propose that on small lots there could be a relaxation of the setback requirements, though fire separation requirements, driveway depth and other functional dimensions would have to be maintained. The Commission is being asked to weigh in on whether it supports the ITF proposal, staff's recommended solution, or another solution altogether.

Commissioners Woodside and Lizut voiced support for the staff's recommendation. Commissioner Howell said that there are two reasons for setbacks: one from neighboring buildings and the other from a natural feature. It does not make much sense to have a setback from a natural feature in the backyard, and in balancing the two it seems more important to protect more of the wetland. In response to a question from Commissioner Hann as to where the two proposals diverge, Manager Young said that the ITF proposal would say that the setback areas are basically not developable and so should be added into the equation of undevelopable area which would be additional encroachment square footage which ultimately would then allow development of more of the resource area. The setbacks would be maintained. Staff's proposal is that rather than pushing into the resource area to a greater extent, the setbacks would be relaxed and allow more development on the unconstrained area.

Commissioner Hann brought up the written testimony submitted by Chick Gerke related to the ¼ acre not being an adequate maximum limit, but Commissioner Howell said that this was related to the discussion of how to define "Infill" rather than the MADA calculations.

Kirk Bailey said that the beauty of the infill definition is that it was flexible in that it looked at a particular area. He encouraged the Planning Commission to pursue the definition of "Infill." He agreed with Mr. Gerke that there ought to be the potential to apply it to a larger lot.

Chick Gerke said that his frustration with applying MADA on smaller lots is that the code text speaks to constrained lands and that he was surprised that the staff did not consider the setbacks as constrained areas. In terms of reducing the setbacks, he would be concerned if he lived next door to someone who all of a sudden was allowed a reduced setback while he had had to maintain his – and he now had someone peering into his living room window at a close distance. There could be some compatibility issues, and then there would be the question of whether resource protection trumps compatibility.

In response to a question from Commissioner Woodside, Manager Young said that staff is proposing to come forward with language that states that a lot of a certain size would qualify for the exemption. If the decision were to come back later that a code tweak needed to be made to define "Infill" and apply some special standards to it, then this language could be amended to do so.

Jim Sackinger said that he could see an element of unfairness with reducing setbacks on an infill lot and agrees with what Mr. Gerke was saying. He also agrees that density needs to be

increased, and he supports the ADU proposal. However, it seems to him that there is an element of unfairness with reducing setbacks on an infill lot since neighbors had a certain expectation and had likely met the requirements. Commissioner Woodside stated that this proposal would only apply to lots that have natural features on them.

In response to a question from Commissioner Sessions, Manager Young said that the MADA requirements basically run by zone, and there is a certain amount of square footage per acre that one is allowed. A sample figure for a low-density residential zone would be 17,500 square feet of development area per acre, with that number increasing as the density goes up for other zones. That would be the amount of square footage of a particular lot that could be developed, even if the lot were entirely encumbered by natural features. The remainder of the lot would have to be protected. Essentially, it is a mechanism to balance individual property rights with the public interest in preservation of natural resources.

Sherri Johnson asked staff if there were that many lots encumbered by natural features. Manager Young said that there were, including the lot on SW Whiteside by Brooklane, wherein the owner of property had suffered a significant hardship relating to meeting the requirements. Commissioner Howell said that in looking to the future, there are restrictions on subdividing property in a way that would encroach. In other words, if someone had a larger parcel they would not be able to subdivide it into a number of ¼-acre parcels that each have the problem with natural features. The MADA would be applied to the larger parcel. The current proposal would really only apply to pre-existing ¼ acre-or-smaller lots.

The Commission **concurred unanimously** to go with staff's recommendation.

Chair Gervais then asked staff to address the rest of the items.

#5 - Simplify Requirements Based on Project Size

Manager Young explained that this proposal expands the list of candidate changes that may be considered through the Minor Lot Development Option (LDO), which is a staff level decision based on clear and objective criteria. The revised proposal from the ITF, on pages 4-6, has the proposed additions to the existing criteria in bold letters as to what qualifies for the Minor Lot Development option. One of the changes (item 3) states that for small lots the City will allow consideration of reducing required front, side and rear yard setbacks to no less than the corresponding minimum existing setback for legal development (conforming or nonconforming) on any adjacent lot. It is intended to address circumstances where a development or subdivision was built under a prior code and may have had different setback standards; and there is a desire to replicate historic patterns. This process would allow consideration of a variation to the current setback standards to mimic that level of variation.

Staff had a concern that is now fixed by ITF's new proposed language, in that they do not want to sanction perpetuation of illegal, nonconforming development where someone has constructed a structure that does not comply with setbacks and had not gotten a building permit for it and now the neighboring property can ask to do the same thing. That loophole is closed by ITF's new version which adds in the word "legal." However, there are other aspects that could have some unintended consequences in that these provisions could be applied to neighboring development within a different zoning district. Another possible scenario is if a neighbor gets approval to do development through a Planned Development process and through that process they build two feet from the property line, which is within the standard setback. The neighboring

property owner could then come in and say that they would like to do that as well, but want to do it through a Minor LDO process. Staff is asking whether this is appropriate.

Commissioner Hann asked if staff could ask for a compensating benefit through the Minor LDO process. Planner Latta said that that is one of the criteria for a Minor LDO.

Mr. Bailey said that the ITF had thought about differentiating between the planned development and non-planned development but did not think it was necessary because of the scope, in that this only applies to small projects. It makes the code simpler and more straightforward to have only one set of rules.

Manager Young said that there were two other issues. With item 8, relating to decreasing required lot width, staff would interpret that a comparison could only be made to a legally-created adjacent lot, or lot created through a planning process. Lastly, staff has concerns about how hard it might be to make the determination required by item 9 in this proposal. Administratively, it would be difficult for staff to determine what legally permitted lot coverage might have been on a neighboring lot. Implementation could be an issue.

Mr. Bailey said that he recognizes the challenges that staff might have. One approach might be to narrow it to just considering the structures as opposed to taking into consideration parking spaces or other impervious surfaces. Structures might be more easily tracked. Planner Latta said that accessory structures might also be a challenge to find in the records. Manager Young said that the retention of residential building permit information is very limited. Practically speaking, it could be difficult to arrive at what it was in a specific year in the past.

Commissioner Howell said that if they moved this one forward, there could be refinements that might exempt some things that are not the biggest barriers to a person doing infill development. Most likely, wanting to match the neighbor's three sheds is not the critical piece; rather, finding space within the current setbacks to do development that is similar to other development in the neighborhood is the goal. Some neighborhoods have found that it is so hard to build in the manner that the neighborhood had been developed and they give up and scrape the house to construct a new building to code. He would like to support this proposal because he believes there is a problem and this is an attempt at a solution. He would like to ask staff to work through the issues and complications of applying it. It is a problem that people solve by doing incompatible development that might meet code standards but does not fit with the neighborhood. This would give people another option with some parameters on it to have them develop similarly to the already-built environment.

Commissioner Lizut said he interprets staff's concerns as not objecting to the concept but instead some of the implementation details. If the Commission passes this one along, staff can work on fixing some of the implementation details.

Chair Gervais clarified that if this provision is used, a neighbor should only compare with a neighbor in the same zoning district. In response to a question from Commissioner Sessions, Manager Young said that the tax assessor's older records might not have accurate square footages available for all structures on a property.

Jim Sackinger opined that if the intent is to go back in time to when a structure was built and do a history of all the zoning changes that might have applied to the house; this might be a very hard task. It would be better to just look at the current zoning. Chair Gervais said that something

that might be considered non-conforming now might have been legal under the zoning requirements in place when it was built.

Kirk Bailey offered as clarification that the ITF's original proposal included the legal conforming/non-conforming clause. Basically, they just want to have the development be sensitive to the surrounding area.

Commissioner Hann said that if there is a need for more fine-tuning, perhaps it should go back to ITF to deal with the flaws. Manager Young said that, based on the direction provided by Commissioner Howell which is that there are some important concepts to move forward but that staff should be allowed to address concerns and issues as they evolve, staff could find it acceptable. However, it would be necessary to have some flexibility to pull language out that cannot be implemented. There are many of the ideas that can be refined and included, but there are some changes that staff might not be able to implement. Because of the critical dates to get the packet of code changes in place, it might be difficult to have new iterations sent out to interested parties to review before going through the formal review process.

Commissioner Howell added that along with the work of the OSU neighborhood planning workgroup with OSU, if any of these initiatives make it through it will ease up a barrier for infill development. He would like staff to continue to do whatever might be doable. There might be ways to finesse the word "legal". Manager Young said that once staff has draft language they will share it with the ITF. There will be about a month in which someone could develop more language to bring to the first public hearing for discussion.

The Commission **concurred unanimously** to move this item forward as part of the packet.

#6 - Allow More Flexibility for Items with Minimal Impact

Manager Young said that this proposal by the ITF allows for arbors, pergolas, and trellises to be built within setback areas, and staff concur with those provisions. In addition, the proposal would allow garden sheds within side and rear yard setbacks, with certain limitations, for which staff had some concern. The ITF proposed some revised language on page 7 of their revision memorandum to try to address those concerns. Staff initially had thought this might be viable, but Development Services staff has since clarified that structures are not allowed within the three-foot area, unless they are approved through a building permit process which would apply fire safety standards to the construction. It is the spread of fire from property to property that is of concern.

Commissioner Howell asked if it would be acceptable with moving forward with item "g" as written by ITF, and with item "h" as written in staff's recommendation on page 5. Mr. Bailey said he could support Commissioner Howell's proposal.

The Commission **concurred unanimously** to move this item forward in accordance with Commissioner Howell's proposal.

#7 - Add Franchise Utility Location Flexibility

Manager Young said the ITF proposal was to allow for flexibility in franchise utility locations. Currently, the Land Development Code requires a seven-foot utility easement along property lines abutting streets within the City. This does not jibe well in zones where buildings are allowed to come right up to the sidewalks. There have been recent projects where it was difficult to reconcile those two requirements. Staff suggested that Item D on the Substantive Changes list

would create an alternative street standard for certain areas, such as the downtown area, which will provide a specific solution. However, the ITF has the concern that this scenario comes up in other areas as well, so there is a desire for a broader solution to it. Jeff McConnell, Development Engineering Supervisor, has suggested another option. He supports Item D on the Substantive Changes list but understands that it would be a longer-term process. Staff run into these situations often, but it would be difficult to get code language that would address each situation. It is an item that is of fairly low impact and staff has been able to work well with the utility companies to find a solution on a case-by-case basis. His proposal is to simplify the process and add language to the effect: "in areas where the seven-foot utility easement is not compatible with the existing development pattern, the director may require that the seven-foot utility easement be placed in an alternate location as recommended by the City Engineer and utility companies." As consideration of code changes progresses, the City might even pursue a reduced width. There are places where there are gas lines in the street with the other utilities along the backyard easement, where a reduced width might be applicable. Additionally, there are areas where property owners want to give the City an easement for a sidewalk. The City is struggling with those instances where they get an easement for a sidewalk and the utility easement ends up in the same place. This can lead to utility boxes getting placed where the sidewalk is going to go. This language would give the City some flexibility to work with the utility companies to come up with a solution.

Mr. Bailey said he generally supports this approach.

The Commission **concurred unanimously** to move this item forward in accordance with Development Engineer McConnell's proposal.

#11- Modify Fence Height Limits in Front and Exterior Side Yards, Exterior Side Yards in Small Lots, and Along Paths

Staff has seen a number of recent LDO requests to vary these standards and is aware that there are issues with the requirements. Staff strongly support a solution to some of those issues, and support the ITF recommendation with a few changes that are itemized on page 10 of the original staff report. The first recommendation was to eliminate the 6-foot height limitation for fences in rear and interior side yards, which was perhaps an unintended consequence. The second recommendation is to seek direction from the Commission as to whether to require open lattice-type fencing between 5 and 6 feet in height for exterior side yard fencing in order to preserve "eyes on the street." The third recommendation is to create one standard for all exterior side yard fences, as opposed to one standard for large lots and another standard for smaller lots. The intent would be to allow fencing in the exterior side yard up to 6 feet tall within 5 feet of the property line, if there is a 5-foot wide landscape buffer maintained on the street side of the fence. There would also be a stipulation that exterior side yard fencing above 4 feet in height would not be allowed to extend closer to the frontage street than the rear of the building at its closest point to the exterior side yard. Manager Young then demonstrated the concept with a drawing. Current code states that any fencing within the setback areas is limited to 3 feet in height. The ITF is proposing to boost that up to 4 feet, and staff is in agreement.

Mr. Bailey asked that the Commission consider the ITF's revision versus the original proposal. Staff had been concerned about the complexity of the proposal and the revision reduces the number of variations while still trying to meet the goal of providing some relief for exterior side yards, for corner lots in particular. There still is a carve out for a change in how the standard is applied to lots under 5500 square feet, which staff might want the Commission to weigh in on.

Staff's preliminary suggestion was to try to eliminate that so that they would just have one standard.

Jim Sackinger said that there was a resident in his neighborhood on Evergreen Terrace that had attempted to build an exterior side yard fence to provide some privacy in his back yard. He got very frustrated with the attempt and ended up moving.

Commissioner Howell said that, in the light of full disclosure, he was the person on the ITF who wrote up the initial proposal and then, with Mr. Bailey's help, the revision. Many items on the unresolved issues list relate to fencing issues, and he has had some residents mainly of small lots express their concerns directly to him. Generally, the issues are with lots in the older part of town. The intent is to come up with a solution for these concerns which will provide "eyes on the street" but will also give people a reasonable backyard and some privacy. He shared a drawing that exemplified what the proposal would allow. The parameter for allowing a fence at the sidewalk is that it must be at least 12 feet from the curb. Commissioner Howell said he agrees with staff's simplification for regular yards, which should help. It is with the very small lots that the 5-foot setback would be too much. Chair Gervais said that she really supports the small yard proposal as an owner of a small lot. A fence 5 feet back could take up to 25% of her yard away.

Manager Young said that from staff's perspective it would be an option they can live with, with one change: instead of the locational criteria that states "12 feet away from the curb or abutting the interior of the sidewalk, whichever distance is greater;" he would like it to simply say "at the property line." In some parts of the city there are no curb cuts, and in some parts of the city the interior of the sidewalk is not necessarily on a person's property. It might be a part of the right-of-way and the City would not want to sanction building fences within the right-of-way. Commissioner Hann said he would support this as well.

Planner Latta said that there was another concern with item "d" on page 14 of the ITF's revision, in that the second part of the paragraph has language that is more restrictive than the current code. It states that "Exterior side yard fencing above four feet in height is not allowed to extend closer to the frontage of the street than the rear of the building at its closest point to the exterior side yard." His concern is that if the building is set back further than the exterior side yard setback, this language would only sanction fences that cannot extend up to the exterior side yard setback which is currently allowed. If a property had a six-foot fence in an RS-9 zone, current code would require that it be set back 10 feet. But if the house is set back 20 feet from the exterior side yard, this proposed language would only allow the fence to be 20 feet back instead of 10. Commissioner Howell pointed out that this was taken from staff's language on page 10 of the staff's report. He is fine with staff modifying this as appropriate.

Development Engineer McConnell said that in item "e" on page 15 of the ITF revision memo, where it speaks to having a fence abutting the interior of the sidewalk, he would like to add a one-foot buffer between fence and the sidewalk in order to give a "shy" distance to people who might be riding their bicycles on the sidewalk. Others, including Parks Planner Rochefort, raised concerns about the ability to maintain such a strip, and Commissioner Howell pointed out that the current standard for the 3-foot fences does not require the one-foot setback.

Chair Gervais suggested that if a fence is on the sidewalk, there should be a soft edge, or planting strip on the other side of the sidewalk. Mr. Bailey said that he had had the same

thought. If the sidewalk was curbside, there would be a difficulty in having the fence right up against the sidewalk; but if there is a park strip, it is not as critical.

The Commission **concurred unanimously** to move this item forward following Commissioner Howell's revisions for the small lots, with modifications that staff has suggested as discussed above. Manager Young said that staff could likely include some language which could take into consideration Development Engineer McConnell's concerns about having a soft edge to the sidewalk, whether it is a setback of the fence or a parking strip on the opposite side or a sidewalk of adequate width to accommodate bicycles and strollers, etc.

#16 - Allow Irrevocable Petitions for Infill Development

Manager Young said that this item was proposed to allow for irrevocable petitions to be used in lieu of street improvements on infill development. Development Engineer McConnell said that the current code gives Public Works quite a bit of flexibility as to how to handle improvements. Developers have the option to build the street, pre-pay for improvements, or sign an irrevocable petition. Staff's opinion is that an irrevocable petition is not a very useful tool in the long run, and is a very expensive process. The property owner is basically signing an agreement that they will not be opposing a local improvement district when it is formed. This takes up a lot of staff time; often, the City is fronting the money, then fighting to get the money back.

Council policy directs staff on when to do a pre-payment, and staff has direction from the City Engineer that if the information is not available to do a pre-payment then an irrevocable petition is acceptable. Staff has all of the tools right now to do what the ITF is asking. The Land Development Code, as it stands, covers the situation and gives flexibility to maneuver and deal with each case individually. It just has to be addressed by the City Engineer.

In response to a question from Commissioner Woodside, Engineer McConnell explained that the irrevocable petition process consists of a property owner signing a piece of paper that says they will not oppose formation of a local improvement district and will pay their portion of the frontage. Typically, the City will not do an improvement until the people want it. Often, it is the second or third owner of a property that gets confronted with something they were not aware of, i.e. the irrevocable petition.

Commissioner Howell asked how often pre-payments are made and what the weaknesses of that system were. Engineer McConnell said that the system has difficulties because the City is taking the property owner's money and putting it into a reserve bank account to finance a specific improvement. Finance does not like to take in money and have it sit and do the tracking on it for long periods of time. It is always better to get an improvement built if they know what it will be. Generally, it will be a three-quarter street, from curb to curb, or curb to backside of sidewalk. There is a process called "zone of benefit" whereby the property owner who has paid for the improvement can recoup the money from a future property owner who benefits from the improvement.

Commissioner Howell said that in most cases up-front improvements make sense. But if a street is built to county standards, i.e. high-crown with ditches, such as with Crystal Lake Drive, it might make more sense to use a pre-payment approach instead of putting in a sidewalk beyond the ditch with drainage from a side yard going under the sidewalk into the ditch. If the current code language allows for all three approaches, it really is a Council policy consideration to define the problem situations where the City might not really want the improvements put in in a

fashion that might have to be torn out and rebuilt at a later date, but rather should use either a pre-payment system or irrevocable petition. Staff could work with City Council on this issue.

Development Engineer McConnell said that the LDC addresses sidewalks and streets separately. It directs that sidewalks be put in right away, though the City has taken pre-payments for sidewalks in some cases where it did not make sense to construct them at the time of development.

Mr. Bailey said that there are a lot of issues associated with this, but the cost of doing improvements in a piecemeal fashion is astronomical. The advantage to pre-payment or to irrevocable petition process is the economy of scale in building a road all together. This might be a better discussion for Council policy.

Engineer McConnell gave some examples of recent approaches. One area has been along 7th Street in the downtown area, where the properties front on an unimproved alley. In one case, they did a pre-payment, and in the other case an irrevocable petition. They are seeing a lot more infill work, and as the City continues to develop or intensify in these areas there are more cars driving on an alley that is not improved resulting in lots of complaints being filed. It is definitely an issue, and the City gets complaints from both sides.

Commissioners Hann and Howell discussed a particular case in which Kent Daniels had indicated he had had to spend an additional $40,000 above and beyond what he felt was reasonable for improvements. Engineer McConnell said he believed they made the right call in that case, in that there was the potential for a lot of development beyond their property. Commissioner Howell asked if an irrevocable petition could be called for a local improvement district that might just be one additional developer. Development Engineer McConnell said that it could. In the Daniels case, Council policy states that if a property owner abuts an existing unimproved street, the improvements need to be made.

In response to a question from Mr. Bailey regarding the length of time that a Zone of Benefit can be in place, Engineer McConnell said that the time duration is for ten years, but can be extended for five years. Mr. Bailey said that it can be a valuable tool, but not a panacea because of this limited duration.

In response to a question from staff, Commissioner Howell suggested that this issue be brought forward for Council consideration. They could look at their current policy to see if revisions need to be made. Development Engineer McConnell said that Council policies are reviewed every four years, and that this particular policy was slated for review in 2015. Commissioner Howell thought that if the Council read the Planning Commission's notes on the issue they could decide whether to take it up sooner. Manager Young said that they would make mention of this item when they meet with Council.

The Commission **concurred unanimously** not to include this as part of the packet, but to ask City Council to review its policy with regard to possible revisions.

Chair Gervais thanked the members of the ITF and staff for their work on the code amendments. Manager Young said that the Commission still had the additions to the Substantive Issues List to review, and Associate Planner Latta would give the overview.

Substantive Issues List Items to be added:

N. Eliminate or alter the roof pitch requirement in Multi-family PODS (consider eliminating for Single Family PODS)

Planner Latta explained that the current requirement in the code is for a 4:12 roof pitch for multi-family and single family dwellings, at a minimum. This is quite prescriptive, and does not allow for diversity in roof pitch heights throughout the community. It makes sense to eliminate this for multi-family PODS, and to allow for flat roofs, green roofs, parapets for mechanical equipment, etc. Staff is making the recommendation that this also be applied to single-family PODS, noting that there is a requirement to meet some of the additional design criteria, one of which is the design variety of meeting a 6:12 roof pitch.

Commissioner Howell said that one concern he has with this is that with multi-family it is one of the only architectural elements left; he would be concerned about eliminating this without replacing it with other architectural features. Even with this requirement, he believes there are some multi-family buildings that are going in that are not very architecturally pleasing. Since the Neighborhood Planning Task Force is talking about design elements for multi-family, and it might take a bit of work for staff to come up with additional architectural design elements, it might be better to defer this item.

Mr. Sackinger said that his personal philosophy is that homeowners want their property to look good, and we need to trust property owners. He is in the construction business and has been impacted many times by rules that do not make sense. He can see that an architect/builder could easily come up with an idea that did not conform to the requirement.

Commissioner Hann asked Commissioner Howell if his chief concern is that developers of multi-family units will move towards a flat roof design. He added that insurers and banks do not usually want to finance flat roof buildings in this climate, because of failure.

Planner Latta said that he understood Commissioner Howell's concerns about removing this for multi-family PODS in that it does eliminate one of the required architectural elements. However, there are eight design options that are in the code right now; and they could bump up the requirement that the owner select four design options to perhaps five or six, and they could add roof pitch as one of the options.

Manager Young noted that the current code for multi-family PODS requires a 4:12 roof pitch, with a 6:12 roof pitch as a design option. To satisfy Commissioner Howell's concerns, a revised proposal could be to eliminate the 4:12 roof pitch requirement, replace the 6:12 roof pitch design option with a 4:12 roof pitch design element, and require five design elements versus the four that are now required. Planner Latta added that the proposal for single-family units would be similar, in that the requirement for a 4:12 roof pitch would be eliminated, with the 6:12 roof pitch design element changed to a 4:12 roof pitch, and the number of design options required would be bumped up from 3 to 4. Commissioner Howell suggested that the 6:12 roof pitch be kept as the design option.

The Commission **concurred unanimously** to add this to the list with revisions as outlined by staff and Commissioner Howell, and include it in the proposed package of code changes.

O. Make "Community Recreation – Public Parks Only" an outright permitted use in the AG-OS Zone (eliminate requirement for Conditional Development Review). This will not eliminate the need for WRG reviews, where required.

Planner Latta explained that when parks are being proposed the location and design go through a review process by the Parks, Natural Area and Recreation Board (PNARB). This makes for a redundant review process since they then go through a Conditional Development Review. Commissioner Howell said he partially agrees with this, but he does not know how thoroughly the PNARB reviews land use issues. He suggested that there still be a Plan Compatibility Review by staff to look at review criteria. This would be a more simplified review. Staff agreed with this approach.

The Commission **concurred unanimously** to add this item to the list as outlined by staff and with Commissioner Howell's suggestion, and include it in the proposed package of code changes.

(Note: Commissioner Ridlington left the meeting, and did not take part in any of the following votes.)

P. Modify LDC Section 4.4.30.04 to clarify what was meant by the "10 foot long" side yard setback requirement.

Planner Latta said that the intent is to modify the language by substituting "10 foot setback" for "10 foot long." This will clarify the intent.

The Commission **concurred unanimously** to add this to the list and include it in the proposed package of code changes.

Q. Eliminate PODS standard requiring garbage to be at least 20' from any building (see LDC Section 4.10.60.05.a)

Planner Latta explained that this has created issues for the multi-family developments where there is a minimum 10-foot setback from all sides. If the trash facility is not allowed within that setback, it effectively creates a need for a 30-foot setback for these buildings. There has been some creative designing around this issue, but because it does not meet the required 20' from the building staff could not accept the designs.

Commissioner Sessions asked if the trash facilities were required to be covered. Planner Latta explained that they are required to be screened, but not necessarily covered. Commissioner Sessions then voiced his concern about having dumpsters up against the building, in that it could impact the residents with odors, especially with it not being enclosed. Commissioner Howell suggested that there be language requiring the facilities to be a certain distance away from openings in the building.

The Commission **concurred unanimously** to add this to the list and include it in the proposed package of code changes, with some additional language requiring that they be located a certain distance from openings in the buildings and any other standards staff might deem necessary to maximize livability for residents and neighbors.

R. Amend LDC 4.1.40.c to add the Riverfront (RF) Zone to the exemption from vision clearance requirements. This would also require modifying LDC Section 3.15.40.01.a to remove reference to the vision clearance requirements in the RF Zone.

Planner Latta explained that this would provide consistency with the requirements in the abutting Central Business zone.

The Commission **concurred unanimously** to add this to the list and include it in the proposed package of code changes.

S. **Eliminate the use classifications for 'Technical Support Center' and 'Telemarketing Center' in LDC Chapter 3.0 in favor of a broader use classification to include call centers, technical support centers, telemarketing centers, and data centers. Allow this new use classification as a permitted outright use in the PA-O Zone, and other zones where the Technical Support Center and Telemarketing Center Uses are allowed uses.**
Planner Latta explained that the idea was to update the use classifications to reflect more current uses related to changes in technology, and to expand this use classification as a permitted outright use in the PA-O Zone. Commissioner Howell asked if there might be a size limitation imposed within the PA-O Zone. Planner Latta thought that staff could work on a provision to deal with this.

The Commission **concurred unanimously** to add this to the list, with some modification to limit the size of a facility in the PA-O Zone; and include it in the proposed package of code changes.

T. **Include the terminology Legal Nonconforming and Illegal Nonconforming to LDC Chapter 1.4 (relating to both Uses and Structures).**
Planner Latta explained that this was similar to item P, in that this will provide clarity for these two uses. Chair Gervais added that this seemed to be closing a loophole.

The Commission **concurred unanimously** to add this to the list and include it in the proposed package of code changes.

U. **Clarify that LDC Sections 4.1.20.d & e apply only to Commercial, Civic and Industrial structures and uses, and not to Residential structures and uses.**
Planner Latta explained that this standard states that a modification to existing development requiring two or fewer parking spaces is not required to provide those two parking spaces with that development. This clarification is needed to ensure that owners of dwelling units who convert garages into a new dwelling unit understand that parking will be required with this conversion. As it is written now, property owners are getting away with increasing density and removing parking and not having to provide additional parking.

The Commission **concurred unanimously** to add this to the list and include it in the proposed package of code changes.

IV. <u>ADJOURNMENT</u>: The meeting was adjourned at 10:40p.m.

DRAFT

CITY OF CORVALLIS
MINUTES OF THE PUBLIC ART SELECTION COMMISSION
JUNE 21, 2012

Attendance
Shelley Curtis
Chi Meredith
Shelley Moon
Josh Hackenbruck
Bill Laing

Absent/Excused
Sidney Snell
Ross Parkerson
Paul Rickey, Jr.
Joel Hirsch, City Council Liaison

Staff
Karen Emery, Director
Steven DeGhetto, Assistant Director
Mark Lindgren, Recorder

Visitors
Ella Rhoads

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
II. Introductions	X		
III. Review of Minutes- April 19, 2012	X		
IV. Visitor Propositions	X		
V. Work Session on PASC Sunset Review Scheduled for June	X		
VI. Discussion of Trash Receptacle Mosaics	X		
VII. Adjournment	X		The next regular Public Art Selection Commission meeting is scheduled for 4:00 p.m., July 26, 2012 at the Parks and Recreation Conference Room.

CONTENT OF DISCUSSION

I. CALL TO ORDER: Chair Shelley Curtis called the meeting to order at 4:04 p.m.

II. INTRODUCTION OF NEW MEMBERS.
Shelley Curtis introduced new member Josh Hackenbruck, OSU Asst. Architect; he is filling an OSU art faculty position on the commission. Assistant Director Steve DeGhetto related that the commission was losing two members: Ross Parkerson was not renewing his appointment and Sidney Snell was moving out of town. Bill Laing stated that he was representing the Board of Directors of the Art Center; he is a photographer. Meredith Chi noted that her last name was pronounced like “shy”.

III. REVIEW OF MINUTES.
Laing moved and Curtis seconded to approve the April 19, 2012 minutes as presented; motion passed.

IV. VISITOR PROPOSITIONS. None.

V. WORK SESSION ON SUNSET REVIEW OF PASC SCHEDULED FOR JUNE.

Curtis said the Human Services Committee (a council subcommittee) conducts sunset reviews of boards and commissions, and typically poses three questions. She related that the committee expressed interest in having rotating art displays placed in city public meeting spaces, such as Madison Avenue meeting room, the fire station meeting room, and City Hall. She said that one issue is whether a piece of art would be placed in perpetuity, or whether it could be moved to another location. DeGhetto said public art has been moved previously.

He said public art policy is to have the art where it is accessible to the public, for no fee. There appear to be no other code restrictions. He said that access to meeting rooms could be disruptive during a meeting; also, it can be unsupervised. It's not clear what security would entail, and it would be insured for all its value. He said the committee's work is to evaluate locations and inventory. Laing said placing art in a meeting room was acceptable; the most important objective is providing more venues for artists.

DeGhetto said the code could be amended, to language such as "..because the city has a rotating art venue, some art may be located in some areas that are not accessible at all times". He said storing art may become an issue, in terms of space and expertise. Hackenbruck said OSU often puts art in offices and meeting rooms. Laing said since the recommendation came from HSC, it is the Council's responsibility to alter the ordinance to allow art in meeting spaces. DeGhetto said he will follow up on it; he said his understanding is that existing Council policy presents a barrier to its recommendation for art in meeting spaces.

Curtis related that the HSC also asked about the Graffiti Wall. DeGhetto highlighted a temporary mural on the wall of the Senior Center in Chintimini Park.

VI. DISCUSSION OF TRASH RECEPTACLE MOSAIC.

Ella Rhoads related that she's been producing mosaics for twelve years and operates a local studio. She outlined her background her background, including working in the Arts Care therapy program at the Art Center for six years, designing a large-scale mural at the hospital and an OSU display. She highlighted a list of her public installations, exhibitions and experience in her résumé in the distributed packet.

She stated she had been contemplating a trashcan mosaic project in the downtown area for some time. She said DeGhetto suggested she contact original trashcan designer David Livingston. She related that she met with the Downtown Corvallis Association's Joan Wessell and Livingston, who have given their blessing for the project. She met with the DCA design committee last week, which supported the project. She highlighted locations of trashcans on 3rd and 4th Streets downtown. She clarified that she was not proposing dealing with Second Street trashcans yet, saying that eighteen was a good starting number, though additional work could be done in future phases.

She said the intent was to enliven downtown with colors; there is also a community interactive aspect. The mosaic could be placed on the side facing oncoming traffic, thus helping in wayfinding. The proposal is to leave the other side of the cans as they are, retaining the existing city logo on that side.

She said she chose the proposed design for positivity in all seasons, to be suitable for community participation, and to allow variation. She said the mosaics are placed on mesh, and volunteers can participate in doing so. A number of organizations have expressed interest. She estimated it would cost $250 per panel, including six hours ($200) for labor and $50 for materials.

She outlined current funding for the project, which includes the $300 she has donated from the $430 grant from the May 20 FEAST fundraiser; a $300 grant from the May 10 CYA presentation at the Corvallis Art Center; $100 in materials from the Fall Festival; and a donation of Weldbond and tessarae from Murano Millefiori worth $65. She will apply for a 2013 $1,000 Benton County Cultural Coalition grant. She will give a presentation to DCA and will approach schools and other organizations regarding participation. She asks all participants to sign a waiver before volunteering.

Laing asked whether the sun motif would be on each panel; Rhoads replied that it would. It is intended to not look like a logo and to have a generalized interpretation. Hackenbruck suggested not focusing too much on automobiles, since Corvallis is very bike and pedestrian oriented community. Meredith Chi concurred, saying 2nd Street might be a better starting place, especially with Farmers Market activity. Rhoads said the area would be from the skate park to Van Buren. She said 3rd and 4th Street trashcans were purchased by DCA. DeGhetto said that those on 2nd Street were owned by Parks and Recreation. Rhoads noted the trashcans are all firmly bolted down; DeGhetto added they are very heavy and sturdy. Rhoads related that Livingston received a design patent for the trashcans around 2006.

Rhoads explained that glass mosaics are affixed to the mesh with a drop of Weldbond non-toxic adhesive; a thinset polymer will fasten the panel to the trashcan and then it will be sealed. She hoped to have them all installed by the end of June 2013. She said the trashcans provide a perfect visual frame.

Curtis asked if this was the best way for her to display her art most appropriately. Rhoads replied that any concrete surface attracts a mosaic artist, but most surfaces are painted. The cans are a good height for pedestrians. Curtis said the idea seem well thought out. Curtis asked about next steps; DeGhetto replied that the commission could review the idea further, or make a recommendation, which would go to the City Council. Rhoads summarized that about $1,000 has been raised so far. She asked whether the Civic Beautification and Urban Forestry Commission (CBUF) was distributing funds the next fiscal year.

Curtis encouraged Rhoads apply to the BCCC for a grant. DeGhetto said he would distribute a policy to commissioners regarding their review. Rhoads said she was open to doing between 12-20 cans, and installing them wherever the community thought best. Several members expressed much stronger interest in the Riverfront and 1st and 2nd Street. She said she'd preferred to entirely do one street, rather than scattered around, but would be open to doing *either* 3rd or 4th Street and then 1st or 2nd Street. DeGhetto will copy the presentation materials and include them in the next PASC packet. Curtis suggested taking formal action at the next regular meeting. DeGhetto suggested the commission make a recommendation on placement. Chi suggested members tour the area.

Laing asked how much oversight they'd give the project; whether they just gave thumbs up on design, or whether they could stipulate that the project not go forward without the funding all in place. Curtis asked whether the city could fund part of it; DeGhetto said the city did not have available property tax funds. He said that it is not clear whether CBUF will be awarding this year, and typically the grants are for horticultural projects. The commission could also stipulate alternate designs. Donors may want design flexibility. DeGhetto suggested not scheduling a special meeting. Curtis emphasized the importance of the public input.

DeGhetto said placing them in Riverfront Park would require going through PNARB, since they are owned by Parks and Recreation. Lindgren asked whether the DCA still owned the cans it had purchased; DeGhetto will inquire. Chi said it seemed as though DCA favored the 3rd and 4th Street locations. DeGhetto suggested having a final review with more stakeholders at a future meeting.

DeGhetto related that the Riverfront has a design committee, though there is probably have some design latitude. DeGhetto said the commission could condition phased development on numbers of cans. The PASC would make a recommendation either directly to the Council or via PNARB, depending on can locations. Chi suggested including Livingston in the discussion.

VII. ADJOURNMENT: Meeting adjourned at 5:15 p.m.

WATERSHED MANAGEMENT ADVISORY COMMISSION
MINUTES
April 25, 2012

DRAFT

Present
Charlie Bruce, Chair
Jacque Schreck, Vice-Chair
Sheryl Stuart
David Zahler
Racquel Rancier
Jessica McDonald

Absent
Creed Eckert
Richard Hervey, City Council Liaison

Staff
Tom Penpraze, Public Works
Mike Hinton, Public Works
Jon Boyd, Public Works
Mark Miller, Trout Mountain Forestry

Visitors
Barb Ellis-Sugai, USFS
Frank Davis,USFS
Ken M^c^Call, USFS
Jim Fairchild
Karen Fleck-Harding, Marys River Watershed Council
David Hibbs

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/ Introductions	X		
II. Review of Agenda	X		
III. Review of March 28, 2012 Minutes			Approved
IV. Visitor Comments	X		
V. Old Business • Fairchild Public Testimony • Public Testimony Responses • Raindrops to Faucet Tour	 n/a n/a X		
VI. New Business • Stream Temperature Monitoring Presentation • FY 12/13 & FY 13/14 Harvest Plan	X		Approved
VII. Staff reports	X		
VIII. Commission Requests and Reports	n/a		
IX. Adjourn			

CONTENT OF DISCUSSION

I. Call Meeting to Order/ Introductions

Chair Bruce called the meeting to order and those present introduced themselves.

II. Review of Agenda

No changes were made.

III. Review of Minutes

Commissioner Schreck moved to approve the minutes as submitted. Commissioner Stuart seconded the motion and the minutes were approved unanimously.

IV. Visitor Propositions

Visitor Jim Fairchild provided written comments concerning the planned timber sale and the possibility of invasive species. He urged the Commission to look at their plans for the next harvest.

V. Old Business

Fairchild Public Testimony

Discussed in Visitor Propositions.

Public Testimony Responses

None.

Raindrops to Faucet Tour

Mr. Penpraze provided details on the upcoming tour of the watershed. Tour set for May 24.

VI. New Business

Stream Temperature Monitoring Presentation

Visitor Barb Ellis-Sugai presented the information on stream temperatures in the watershed she collected from 2005 through 2011.

FY 12/13 & FY 13/14 Harvest Plan

Mr. Miller presented the harvest plans for the next two years. **Commissioner Schreck moved to accept the plan as presented. Commissioner McDonald seconded the motion. After discussion, the motion passed unanimously.**

VII. Staff Reports

Mr. Penpraze the following:

- He took the City Manager on a tour of the watershed on April 23.
- The budget for the next fiscal year will require staff cuts, meaning that the City will have to do less with less.
- He presented a gift to the Commissioners from Mayor Julie Manning as a thank you to them for their volunteer service to the City.

Mr. Miller reported the following:

- The road maintenance from last year's harvest has been completed.
- Trout Mountain met with staff to discuss the harvest plan and the next marbled murrelet survey process.
- The US Fish and Wildlife service has a safe harbor agreement, for landowners that are providing habitat for endangered species. The City may want to consider entering into the agreement.

VIII. Commission Requests and Reports

None.

IX. Adjourn

The meeting was adjourned at 6:29 p.m.

NEXT MEETING: June 27, 2012, 5:30 p.m., Madison Avenue Meeting Room

MEMORANDUM

To: City Council Members

From: Julie Jones Manning, Mayor

Date: July 9, 2012

Subject: Confirmation of Appointments to Advisory Boards, Commissions, and Committees

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As you know, at our last regular meeting I appointed the following persons to the advisory boards, commissions, and committees indicated for the terms of office stated:

Budget Commission

Joy Ragsdale
Term expires June 30, 2015

Downtown Commission

Ken Pastega
Term expires June 30, 2015

I ask that you confirm these appointments at our next Council meeting, July 16, 2012.

1046

MEMORANDUM

To: City Council Members

From: Julie Jones Manning, Mayor

Date: July 9, 2012

Subject: Confirmation of Reappointments to Advisory Boards, Commissions, and Committees

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As you know, at our last regular meeting I reappointed the following persons to the advisory boards, commissions, and committees indicated for terms of office ending June 30, 2015:

Arts and Culture Commission

Dan Segel

Parks, Natural Areas, and Recreation Board

Betty Griffiths

I ask that you confirm these appointments at our next Council meeting, July 16, 2012.

1047

MEMORANDUM

To: City Council Members

From: Julie Jones Manning, Mayor

Date: July 12, 2012

Subject: Appointments to Advisory Boards, Commissions, and Committees

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I am appointing the following persons to the boards, commissions, and committees stated for the terms of office shown:

Arts and Culture Commission

Larry Rodgers
Term expires June 30, 2015

As Dean of Oregon State University's College of Liberal Arts, Larry has a strong interest in advancing OSU's Arts program in a framework that includes the collective arts' interests of the City. He would like to be involved in arts opportunities that benefit the City and OSU.

Capital Improvement Program Commission

Bill Humphreys, Jr.
Term expires June 30, 2015

Bill is the Manager of Citizens Bank and will represent the financial institutions' interests on the Commission.

Citizens Advisory Commission on Civic Beautification and Urban Forestry

Christine Snow
Term expires June 30, 2015

Christine is a consultant with Hayes and Associates and is interested in gardening and civic beautification.

Citizens Advisory Commission on Transit

Celeste Weaver de Balan
Term expires June 30, 2015

Celeste has worked with Dial-A-Bus for more than five years in various directorial positions. She has a vested interest in public transportation and the future of service delivery, design, and composition of this important component of our community.

Downtown Commission

Donna Williams
Term expires June 30, 2015

Donna works at Oregon State University and wants to give back to the community through volunteering.

Downtown Commission Parking Committee

Chris Heuchert
Term expires June 30, 2015

Chris is the manager of Block 15 Restaurant.

Parks, Natural Areas, and Recreation Board

Ed MacMullan
Term expires June 30, 2015

Ed enjoys the Corvallis community and would like to volunteer to help maintain the City's quality of life.

Public Art Selection Commission

Cynthia Spencer
Term expires June 30, 2015

Cynthia previously worked with the Commission through her position with Corvallis Fall Festival. She would like to assist Corvallis in becoming a more-vibrant venue for arts and culture.

I will ask for confirmation of these appointments at our next Council meeting, August 6, 2012.

1048

MEMORANDUM

To: City Council Members

From: Julie Jones Manning, Mayor

Date: July 12, 2012

Subject: Vacancies on Advisory Boards, Commissions, and Committees

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Tom Gerding declined re-appointment to the Board of Appeals for a term expiring June 30, 2015.

Emery Castle has resigned from the Citizens Advisory Commission on Civic Beautification and Urban Forestry, citing personal reasons. Emery represented garden clubs or plant societies on the Commission. Emery's term on the Commission expires June 30, 2015.

Candace Pierson-Charlton declined re-appointment to the Committee for Citizen Involvement for a term expiring June 30, 2015.

I would appreciate your nominations of citizens to fill these vacancies.

1049

MEMORANDUM

To: Mayor and City Council

From: Tony Krieg, Customer Services Manager

Subject: Liquor License Investigation-Change of Ownership-TriValley Food Mart #102

Date: July 10, 2012

The City has received an application from Jatinder Pal Singh, owner of TriValley Food Mart #102, located at 5500 SW Philomath Blvd, OR 97333. This application is for a Change of Ownership with a Limited On- Premise Sales liquor license.

An affirmative recommendation has been received from the Police, Fire, and Community Development Departments. No citizen comments or input were received regarding this application for endorsement.

Staff recommends the City Council authorize endorsement of this application.

Limited On-Premises Sales License:

Allows the sale of malt beverages, wine and hard cider for consumption on the licensed premises, and the sale of kegs of malt beverages for off- premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.

MEMORANDUM

TO: Mayor and City Council

FROM: Mary Steckel, Public Works Director

DATE: June 26, 2012

SUBJECT: Permit to Occupy the Public Right-of-Way

ISSUE

Oregon State University (OSU) is requesting an Occupancy Permit (Attachment A) to install steam and condensate conduits in the public right-of-way (ROW).

DISCUSSION

OSU has submitted an application to install two 350 foot conduits in the ROW to provide steam and condensate to facilities located adjacent to SW 17th Street. The use of the ROW for the conduits is part of a larger OSU steam line project. OSU evaluated options to run the conduits on its property but determined it was unfeasible due to the proximity of building footings to where the conduits would be installed.

Staff reviewed the application and construction plans and approve of the design. Conflicts with City utilities have been minimized or eliminated. The proposed insulated steam line has an 8-inch diameter carrier pipe with a 16-inch diameter casing around it. The insulated condensate line has a 4-inch carrier pipe with a 10-inch casing.

Construction activities would result in the removal of nearby street trees and sidewalk. The City is requiring a public improvement permit as part of the occupancy permit to ensure ROW conditions are returned to City standards following construction.

The City would annually be compensated $15.56 per linear foot of steam conduit and $9.56 per linear foot of condensate conduit in the right-of-way equating to about $8,792 per year in revenue to the General Fund.. The annual per foot rate would increase yearly based on the Consumer Price Index.

RECOMMENDATION

Staff recommends the City Council authorize the City Manager to approve a Permit to Occupy the Public Right-of-Way as proposed with an effective date of August 1, 2012.

Review and Concur:

James A. Patterson, City Manager

James K. Brewer, City Attorney

Attachments:
A - Permit to Occupy the Right of Way

Attachment A

Permit to Occupy Public Right-of-Way

This permit is granted by the City of Corvallis, an Oregon municipal corporation, hereinafter referred to as "City", to State of Oregon acting by and through The State Board of Higher Education on behalf of Oregon State University, hereinafter referred to as "Permittee".

Section 1 **Authority**

1. The Permittee shall be subject to applicable Municipal Codes and Ordinances of the City including but not limited to those guidelines detailed in Corvallis Municipal Code chapter 3.02, relating to utilities, unless otherwise noted herein. Code chapter 3.02 is attached as Addendum "A".

2. Unless otherwise specified in this permit, any action authorized or required to be taken by the City may be taken by the Council or by an official or agent designated by the Council.

Section 2 **Rights Granted**

Subject to the provisions and restrictions of this permit and the Municipal Codes and Ordinances of the City, the City grants to Permittee the non-exclusive privilege to use the public right-of-way for:

One, 16-inch outer diameter insulated steel conduit for the provision of steam, and one 10-inch outer diameter insulated steel conduit for the purpose of stream condensate transport to/from facilities adjacent to SW 17th Street as described on Exhibit "A" attached hereto. Total length of each conduit is 350 feet and shall include the provision for one access vault.

This permit is granted subject to the City Manager's authority to prescribe which public right-of-ways will be used and the location within the public right-of-way. Permittee's use shall comply with the standard specifications of the City, and all other applicable Federal, State, and local laws and regulations. No work affecting the public right-of-way shall be performed by the Permittee without the express written consent of the City. Permittee shall register the private utility with the Oregon Utility Notification Center and shall keep the registration current for as long as the utility occupies the public right-of-way.

Section 3 **Compensation**

In consideration of the privileges and permit granted, Permittee shall pay to the City a one-time initial fee of $100. In addition, Permittee shall pay to the City annually, $15.56 per lineal foot of 16-inch conduit (350 lineal feet) plus $9.56 per lineal foot of 10-inch conduit (350 lineal feet) placed within the public right-of-way. The total amount of the annual fee specified herein shall increase each year by a percentage equal to the change in the Consumer Price Index for urban wage earners and clerical workers for the Portland, Oregon metropolitan region for the prior year, published semi-annually, unadjusted for seasonal variations, as determined by the Bureau of Labor Statistics of the Department of Labor. Permittee shall make annual payments to the City on or before the last day of January for the calendar year immediately preceding. Within thirty (30) days of the termination of this permit, Permittee shall pay a pro-rata fee for the period

from the end of the prior calendar year to the date of termination. With each annual fee payment, Permittee shall furnish a sworn statement setting forth the amount and calculation of the payment. The payment of the permit fee shall not be credited toward the payment of property taxes or payments in lieu thereof, nor any sales or income tax adopted by the City, nor credited toward any permit fees exclusive of this agreement.

In the event the payment due under the provisions of this permit, that shall not be paid, or is underpaid, within thirty (30) days of due date, permittee shall pay in addition to the payment, or sum due, interest at a rate equal to 8% per annum calculated from the date the payment was originally due until the date the City receives the payment.

Section 4 **Term of Permit**

This permit shall continue and be in force for a period of twenty (20) years from and after the date this permit becomes effective, provided, however, that either the City or Permittee may, upon at least thirty (30) days written notice to the other prior to the expiration of each three (3) year period from the effective date, open this agreement to negotiate provisions therein including the per lineal foot rate. Otherwise, this agreement remains in effect.

The Permittee has agreed to install the private utilities through a Public Improvement by a Private Contract (PIPC) permit as a condition of this permit. The PIPC permit number for this installation is PIP12-1537. This permit shall terminate in the event the Permittee fails to comply with PIP 12-1537.

Section 5 **Hold Harmless Clause**

Subject to the limitations and conditions of the Oregon Tort Claims Act, and the Oregon Constitution, Article XI, Section 7, Permittee shall indemnify, protect, and hold the City of Corvallis and its officers, agents, and employees harmless against claims for injury or damage and loss, liability, cost, or expense growing out of, or resulting directly or indirectly from use by the Permittee of the public right-of-way.

Section 6 **Notices**

Whenever this permit calls for the providing of written notices to the parties, it shall be sufficient for notice to be sent by regular mail or delivered personally to the following locations:

For the Permittee: Oregon State University
Facilities Services
Accounting and Resource Management
130 Oak Creek Building
Corvallis, OR 97331-2001
Ph. 541-737-7705
facilities@oregonstate.edu

w/Copy to: Oregon State University
Procurement and Contracts Services
Attn: Contracts Officer
644 SW 13th Street
Corvallis, OR 97333
Ph. 541-737-4261
pacs@oregonstate.edu

For the City: City of Corvallis
Public Works Department
Attention: Franchise Utility Specialist
PO Box 1083
Corvallis, OR 97339-1083

Section 7 **Effective Date**

This permit shall take effect August 1, 2012.

The signatures below indicate the full acceptance of all of the terms and conditions provided herein.

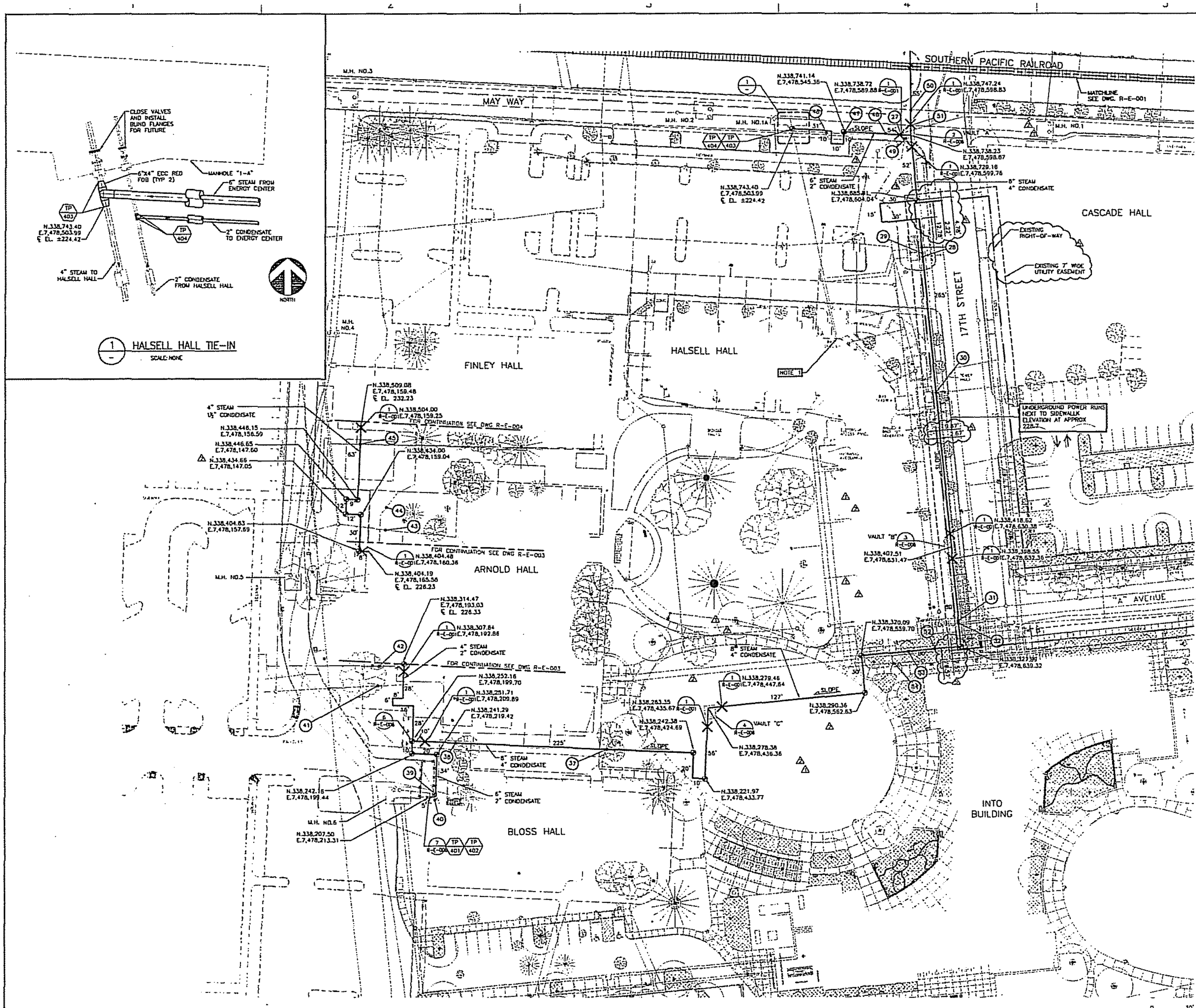
_____ _____
Katie Lanker, CPPB Date
Contracts Officer
Procurement and Contract Services

_____ _____
James A. Patterson, City Manager Date
City of Corvallis

Approved As To Form:

_____
James K. Brewer, City Attorney

Exhibit A



GENERAL NOTES:

A. SEE DRAWING R-E-001.

NOTES:

1. REPLACE EXISTING GASKET AT FIRST FLANGE ON STEAM AND CONDENSATE LINES AT HALSELL HALL MECHANICAL ROOM WITH DIELECTRIC GASKET SET PER SPECIFICATION.

UNDERGROUND CROSSING POINTS			
PT. NO.	SERVICE	LOCATION	ELEVATION
21	DELETED		
22	DELETED		
23	DELETED		
24	DELETED		
25	DELETED		
26	DELETED		
27	TELEPHONE	N.338,738.64 E.7,478,591.35	I.E. 229.5
28	WATER	N.338,647.91 E.7,478,607.78	I.E. 229.1
29	POWER	N.338,643.18 E.7,478,608.24	I.E. 223.1
30	POWER	N.338,531.51 E.7,478,619.25	I.E. 227.9
31	24" SAN. SEWER	N.338,348.57 E.7,478,637.28	I.E. 221.3
32	24" SAN. SEWER	N.338,346.68 E.7,478,637.47	I.E. 224.1
33	DELETED		
34	DELETED		
35	DELETED		
36	DELETED		
37	24" SAN. SEWER	N.338,245.62 E.7,478,355.61	I.E. 223.0
38	TELEPHONE	N.338,250.64 E.7,478,234.47	I.E. 231.2
39	POWER	N.338,209.64 E.7,478,217.97	I.E. 231.9
40	8" SAN. SEWER	N.338,204.94 E.7,478,217.75	I.E. 233.1
41	TELEPHONE	N.338,296.25 E.7,478,172.70	I.E. 228.8
42	GAS	N.338,312.19 E.7,478,173.43	I.E. 232.4
43	8" SAN. SEWER	N.338,421.77 E.7,478,178.46	I.E. 228.5
44	POWER	N.338,440.01 E.7,478,179.30	I.E. 230.7
45	SAN. SEWER	N.338,490.64 E.7,478,158.64	I.E. 229.5
46	TELEPHONE	N.338,739.31 E.7,478,578.96	I.E. 229.4
47	TELEPHONE	N.338,739.70 E.7,478,545.28	I.E. 229.6
48	TELEPHONE	N.338,740.30 E.7,478,531.29	I.E. 229.1
49	6" STORM SEWER	N.338,735.59 E.7,478,595.02	I.E. 231.7
50	GAS	N.338,758.49 E.7,478,598.69	I.E. 230.9
51	POWER & WATER	N.338,734.02 E.7,478,599.00	UNKNOWN I.E. 227.3
52	24" SAN. SEWER & CATCH BASIN	N.338,325.84 E.7,478,618.03	I.E. 221.4 UNKNOWN
53	24" SAN. SEWER	N.338,323.79 E.7,478,597.23	UNKNOWN
54	24" SAN. SEWER	N.338,314.13 E.7,478,585.41	UNKNOWN

No.	DESCRIPTION	BY	CHKD	APPVD	DATE
5	ISSUED FOR PERMIT TO OCCUPY ROW	PM	JP	DH	04/23/12
4	REMOVED PIPING ALONG 17TH STREET FROM PROJECT SCOPE	PM	JP	DH	04/12/12
3	REMOVED ALTERNATES, REVISED PER MANUFACTURERS DESIGN	PM	JP	DH	02/23/12
2	ISSUE FOR CONSTRUCTION	PM	JP	DH	11/10/11
1	ISSUE FOR CONSTRUCTION	PM	JP	DH	07/20/11
0	ISSUE FOR CONSTRUCTION	PM	JP	DH	03/01/11

REVISION

SEAL: REGISTERED PROFESSIONAL ENGINEER 17739PE OREGON JOSEPH W. PACKER — EXPIRES 12/31/12

CONSTRUCTION ISSUE

OSU Oregon State University

JACOBS

OREGON STATE UNIVERSITY
Energy Center Project
DISTRIBUTION PIPING UPGRADE
SOUTH PIPING PLAN

PROJECT No. 25MP8601

SCALE 1"=30'

DWG. No. R-E-002 REV. 5

DO NOT SCALE - This drawing must not be altered manually.

Chapter 3.02

Utility Regulations

Sections:

3.02.010	**Definitions.**
3.02.020	**Use of bridges and public places.**
3.02.030	**Existing facilities.**
3.02.040	**Public works and improvements not affected by franchise.**
3.02.050	**Safety standards and work specifications.**
3.02.060	**Control of construction.**
3.02.070	**Street excavations and restorations.**
3.02.080	**Location and relocation of facilities.**
3.02.090	**Rearrangement of facilities to permit moving of buildings and other objects.**
3.02.100	**Joint use.**
3.02.110	**Pruning of trees in easements.**
3.02.120	**Use of facilities by City.**
3.02.130	**Supplying maps upon request.**
3.02.140	**Indemnification; defense of suits against the City.**
3.02.150	**Termination of utility's use.**
3.02.160	**Removal of facilities.**
3.02.170	**Permit and inspection fees.**
3.02.180	**Penalty.**

Section 3.02.010 Definitions.

1) Bridge - A structure erected within the City to facilitate the crossing of a river, stream, ditch, ravine, or other place, but does not include a culvert.

2) Facilities - As used herein, all privately-owned facilities located on, over, or under any street, bridge, or public place within the city.

3) Municipal purposes - All municipal purposes except telephone communications service to the public; includes, but is not limited to, the use of structures and installations for:

a) Municipal fire, police, and water department wires and equipment;

b) Municipal interdepartmental telephone, telegraph, and traffic signal systems;

c) Municipal fire alarm and police and traffic signals, signs, and equipment.

4) Person - Any individual, sole proprietorship, partnership, association, cooperative, corporation or any other form of entity or organization.

5) Public place - Any City-owned park, place, or grounds within the City that is open to the public but does not include a street or bridge.

6) Public rights-of-way - Include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, park strips, public utility easements on private property, and all other public ways or areas, including subsurface and air space over these areas excluding public places.

7) Street - As used herein, a street, alley, avenue, road, boulevard, thoroughfare, or public highway within the City, but does not include a bridge.

8) Utility - As used herein, every public utility operating for a period of 30 days within the City without a franchise from the City and actually using the streets, bridges, and public places of the City. (Ord. 2003-17 § 1, 05/19/2003; Ord. 87-08 § 1, 1987; Ord. 82-77 § 100.01, 1982; Ord. 70-98 § 1, 1970)

Section 3.02.020 Use of bridges and public places.

No utility may use or occupy any bridge or public place unless it has first obtained the permission of

the City for that use or occupation and unless the utility complies with any special conditions the City desires to impose on such use or occupation.
(Ord. 70-98 § 2, 1970)

Section 3.02.030 Existing facilities.

All facilities maintained by a utility within the City on September 8, 1970, shall be deemed to be permitted and consented to by the City, and the location of those facilities is approved, all subject to the rights of the City as provided herein.
(Ord. 70-98 § 3, 1970)

Section 3.02.040 Public works and improvements not affected by franchise.

The City reserves the right to:

1) Construct, install, maintain, and operate any public improvement, work, or facility.

2) Do any work that the City may find desirable on, over, or under any street, bridge, or public place.

3) Vacate, alter, or close any street, bridge, or public place.

(Ord. 70-98 § 4, 1970)

Section 3.02.050 Safety standards and work specifications.

1) All facilities of a utility shall at all times be maintained in a safe, substantial, and workerlike manner.

2) The location, construction, extension, installation, maintenance, removal, and relocation of the facilities of the utility shall conform to:

a) The requirements of State and Federal statutes, and regulations adopted pursuant thereto, in force at the time of such work;

b) Such reasonable specifications, in force at the time of such work, as the City may from time to time adopt to supplement State and Federal statutes and regulations and which are consistent therewith.

c) All applicable performance tests and technical standards as referenced in 47 CFR, Part 76.601 and 76.605 as amended at 65 FR 53616, Sept. 5, 2000 and at a minimum, meet or exceed the cumulative leakage index test requirements as referenced in 47 CFR, Part 76.611 as amended at 58 FR 44952, Aug. 25, 1993 if such utility provides cable television services.

3) For the purpose of carrying out Subsections 1) and 2) of this Section, the City may provide such specifications relating thereto as may be necessary or convenient for public safety or the orderly development of the City. The City may amend and add to such specifications from time to time.
(Ord. 2003-13 § 1, 04/21/2003; Ord. 70-98 § 5, 1970)

Section 3.02.060 Control of construction.

1) The City reserves the right to reasonably determine the location of any construction, extension, or relocation of any of the service facilities of the utility, and the utility shall not continue with any construction, extension, or relocation of any of its service facilities upon notification by resolution of Council that the City disapproves of the location.

2) If required by Council, the utility shall file maps with the City showing the location of any construction, extension or relocation of any of the service facilities of the utility and shall obtain approval from the City of the location and plans prior to commencement of the work. The City may require the utility to obtain the City's consent before commencing the construction, extension, or relocation of any of its service facilities.
(Ord. 70-98 § 6, 1970)

Section 3.02.070 Street excavations and restorations.

1) Subject to the provisions herein, the utility may make necessary excavations for the purpose of installing, maintaining, and operating its facilities. Except in emergencies, prior to making an excavation in the traveled portion of any street, bridge, or public place, and when required by the City, in any untraveled portion of any street, bridge, or any public place, the utility shall obtain from the City approval of the excavation and of its location.

2) Except as provided in subsection 3) of this Section, when any excavation is made by the utility, the utility shall promptly restore the affected portion of the street, bridge, or public place to the same condition in which it was prior to the excavation. The restoration shall be done in strict compliance with City specifications, requirements, and regulations in effect at the time of such restoration. If the utility fails to restore promptly the affected portion of a street, bridge, or public place to the same condition in which it was prior to the excavation, the City may make the restoration, and the cost of making the restoration, including the cost of inspection, supervision, and administration, shall be paid by the utility.

3) The City may require that any excavation made by the utility on any street, bridge or public place be filled and the surface replaced by the City, and that the reasonable cost thereof, including the cost of inspection, supervision, and administration, shall be paid the utility.
(Ord. 70-98 § 7, 1970)

Section 3.02.080 Location and relocation of facilities.

1) All facilities of the utility shall be placed so that they do not interfere unreasonably with the use by the City and the public of the streets, bridges, and public places and in accordance with any specifications adopted by the City governing the location of facilities.

2) Council may by resolution require the utility to move or relocate any of its facilities whenever:

a) The movement or relocation is for the public convenience or necessity.

b) Council finds the movement or relocation necessary for the construction, installation, or maintenance of any public work or improvement, including works and improvements by State and other public agencies. Public work of improvement as used herein shall not include utility facilities to be owned, constructed, installed, or maintained by any public body or agency for retail distribution.

3) The utility shall bear the expense of any movement or relocation of its facilities required pursuant to this Section. If the utility fails to comply with any requirement of Council made pursuant to this Section, within a reasonable time designated by Council, the City may remove or relocate the facilities at the expense of the utility.
(Ord. 70-98 § 8, 1970)

Section 3.02.090 Rearrangement of facilities to permit moving of buildings and other objects.

1) Upon fifteen days' notice in writing from any person desiring to move a building or other object, the utility shall temporarily raise, lower, or remove its facilities upon any street, bridge, or public place within the City when necessary to permit the person to move the building or other object across or along the street, bridge, or public place. The raising, lowering, or removal of the facilities of the utility shall be in accordance with the Code and all applicable ordinances and regulations of the City.

2) The notice required by Subsection 1) above shall bear the approval of such official as Council shall designate, shall detail the route of movement of the building or other object and shall provide that the actual expense incurred by the utility in making the temporary rearrangement of its facilities, including the cost of the utility of any interruption of service to its customers caused thereby, will be borne by the person giving the notice.

3) The utility, before making the temporary rearrangement of its facilities, may require the person

desiring the temporary rearrangement to deposit cash or adequate security, at the option of the person, to secure payment of the costs of rearrangement as estimated by the utility. If the amount of the deposit based on the estimated cost of rearrangement is disrupted, it shall be determined by such officials as Council shall designate.
(Ord. 70-98 § 9, 1970)

Section 3.02.100 Joint use.

1) If, in the judgement of Council, it is impractical or undesirable to permit erection of aerial supports or construction of underground conduit systems by any other utility which has the authority at the time to construct or maintain aerial supports to conduit systems on, over, or under the streets, bridges, or public places, Council may require the utility to afford to such other utility the right to use such facilities of the utility, in common with the utility, as Council finds reasonably available and practicable.

2) If, in the judgement of Council, it is impracticable or undesirable to permit erection of aerial supports or construction of underground conduit systems by the utility where another utility has authority at the time to construct or maintain aerial supports or conduit systems on, over, or under the streets, bridges, or public places, Council may require the utility to use such facilities of the other utility, in common with the other utility, as Council finds practicable and consistent with the legal rights of the other utility.

3) The utility and the other utility shall use such facilities in common under such terms and conditions as they may agree upon, including terms and conditions relating to the sharing of costs incident to the common use. If the utility and the other utility fail to agree upon terms and conditions within a reasonable time, the facilities shall be used in common under such terms and conditions as Council determines to be just and reasonable. In fixing such terms and conditions, Council may require each use to install and maintain standards, devices, and equipment reasonably necessary to protect the equipment of the other users from damage and the public from injury arising from such joint use.

4) In the event a pole owner vacates or abandons a pole, the owner shall provide written notification at least ten business days prior to vacation or abandonment of pole to the City and other utilities sharing the pole through a joint-use agreement. Affected utilities shall be provided a grace period of thirty (30) business days following the date of actual pole vacation or abandonment in which to remove their facilities. Failure to remove facilities within the thirty-day grace period may subject the owner of such facilities to penalties as prescribed under this chapter and the City may remove or relocate the facilities at the owner's expense.

5) Joint use shall not be required hereunder if it will result in any substantial detriment to the service to be rendered by the owner or other users, or if it can be had only under conditions that violate the safety requirements of State or Federal law, or regulations adopted pursuant thereto, or applicable safety codes which the utilities are required by law to follow.
(Ord. 2003-13 § 2, 04/21/2003; Ord. 70-98 § 10, 1970)

Section 3.02.110 Pruning of trees in easements.

1) A utility may, at its own expense, prune trees within easements, public rights-of-way, or public places in the manner and to the extent necessary to provide adequate clearance and safety for its facilities, provided such tree pruning be supervised or performed by a certified arborist. Tree pruning shall be governed by principles of modern arboriculture pursuant to the standards of ANSI A300 (1995), International Society of Arboriculture Tree Pruning Standards (1995), and Pruning Trees near Electric Utility Lines (Shigo-1990) or as amended and carried on in strict conformity with any regulations heretofore or hereafter established by the City. All pruning shall be allowed only after the utility obtains a written permit from the City

2) Utilities shall provide a written notice to the property owner and resident at least ten (10) business

days prior to any pruning to be done on the property. The City recognizes that a ten (10) day notice may not be possible in emergency situations; however, the City does encourage utilities to provide as much advance notice to property owners and residents as is reasonably possible under such emergency circumstances.

3) Council may require that any tree pruning necessary to provide adequate clearance and safety for the facilities of the utility be performed by the City, with qualified line-clearance tree pruners, supervised by a certified arborist, and that the cost thereof, including the cost of inspection, supervision, and administration shall be paid by the utility.
(Ord. 98-38 § 1, 10/19/1998; Ord. 70-98 § 11, 1970)
(98-38, Amended, 10/19/1998)

Section 3.02.120 Use of facilities by City.

1) The City shall have the free right and privilege to install or affix and maintain wires and equipment for municipal purposes upon the structures and installations, including underground conduits, of the utility.

2) The City shall install, affix, maintain, and operate its wires and equipment at its own expense in accordance with the requirements of State and Federal law, and regulations adopted pursuant thereto, and in accordance with good engineering practice and safety standards. The wires and equipment of the City shall be subject to interference by the utility only when necessary for the maintenance, operation, or repair of the facilities of the utility.

3) The City shall install, affix, maintain, and operate its wires and equipment in such a manner as not to impose any undue additional expense upon the utility, or unduly interfere with the safe and convenient use and maintenance by the utility of its structures and installations.
(Ord. 70-98 § 12, 1970)

Section 3.02.130 Supplying maps upon request.

The utility shall maintain on file, at an office in Oregon, maps and operational data pertaining to its operations in the City. The City may inspect the maps and data at any time during business hours. If requested so to do, the utility shall furnish to the City, without charge and within a reasonable time, maps showing the location of the service facilities of the utility in specified areas of the City.
(Ord. 70-98 § 14, 1970)

Section 3.02.140 Indemnification; defense of suits against the City.

1) A utility shall indemnify, protect, and save the City, its officers, employees, and agents harmless against any claim for injury or damage and all loss, liability, cost or expense, including curt costs and attorney's fees, growing out of or resulting, directly or indirectly, from the occupation or use of the streets, bridges and public places by the utility under this Chapter, regardless of any actual or claimed concurring, contributing, or joint negligence of the City or its officers, employees or agents. However, if the claim, loss, liability, cost, or expense is the result of the sole negligence of the City, the utility not being guilty of concurring, contributing, or joint negligence, this subsection shall not require the utility to indemnify, protect, and save the City or its officers, employees, and agents harmless.

2) If any action is brought against the City for any claim or loss growing out of or resulting, directly or indirectly, from the occupation and use of the streets, bridges, and public places by the utility, the City may notify the utility and require it to appear and defend the action alone or with the City. If the utility is required to appear and defend the action and fails so to do, the City may permit judgment to be entered by default or confess judgment against the City without trial, and the utility shall fully indemnify the City or satisfy the judgment promptly. The liability of the City and the amount of the damages shall not be

questioned by the utility when called upon to indemnify the City or satisfy the judgment.

3) Subsection 1) above does not apply where the utility has been required to surrender control over an excavation in a street, bridge, or public place, and the City has assumed the responsibility of restoring the excavation and has taken over control thereof, unless the utility is guilty of concurring, contributing, or joint negligence.

(Ord. 70-98 § 15, 1970)

Section 3.02.150 Termination of utility's use.

Upon the willful failure of a utility, after 30 days' notice and demand in writing to perform promptly and completely each and every term, condition, or obligation imposed upon the utility hereunder, Council may, at its option and in its sole discretion, by ordinance or resolution, terminate the utility's use of part or all of the streets, bridges, and public places of the City.

(Ord. 70-98 § 16, 1970)

Section 3.02.160 Removal of facilities.

Within 90 days of an order, by ordinance or resolution, that a utility shall remove part or all of its facilities, or such further time as may be allowed by Council, a utility shall remove from the specified streets, bridges, and pubic places all of its property and equipment and forthwith shall replace and restore the streets, bridges, and public places to their former condition. If a utility removes its property and equipment but fails to replace and restore the streets, bridges, and public places to their former condition, the City may do so at the expense of the utility. If a utility fails to remove all of its property and equipment within the required time:

1) The City may remove the property and equipment and replace and restore the streets, bridges, and public places to their former condition, all a the expense of the utility; or

2) Council may elect by ordinance to take title to or interest in the property and equipment or portions thereof and title thereto shall thenceforth be vested in the City and thereafter the utility shall not remove the property or equipment or exercise domain over it, except that the portion, if any, of the property and equipment to which the City has not elected to take title may be removed by the City, and the streets, bridges, and public places replaced and restored to their former condition, all at the expense of the utility. The costs of any suit, action, or proceeding instituted or required by action of the utility to test the title of the City to such property shall be borne by the utility if the City is the prevailing party in the suit, action, or proceeding and such costs shall include court costs, statutory attorney fee allowances, and all the actual costs incurred by the City including a reasonable allowance for attorney's fees in addition to the statutory allowance.

(Ord. 70-98 § 17, 1970)

Section 3.02.170 Permit and inspection fees.

1) No work affecting the public rights-of-way shall take place without first obtaining a permit from the City.

2) All work performed under permit obtained as required by this chapter shall be done in conformity with:

a) The provisions of this chapter;

b) Existing franchise agreements or occupancy permits if applicable;

c) The City of Corvallis Standard Construction Specifications;

d) The terms and conditions of the permit as determined by the City.

3) The City Council shall by resolution adopt a permit fee schedule for work performed in the public rights-of-way.

4) Nothing herein shall be construed to limit the right of the City to require any person or utility to pay charges imposed by the City in connection with the issuing of a permit, making of an inspection, or performing any other service for or in connection with work affecting the public rights-of-way, whether pursuant to this chapter or any other ordinance or resolution now in effect or hereafter adopted by the City.
(Ord. 2003-17 § 2, 05/19/2003; Ord. 70-98 § 18, 1970)

Section 3.02.180 Penalty.

Wilful violation of any provision of this chapter by a utility shall be punished, upon conviction, by a fine not to exceed $500.00.
(Ord. 70-98 § 19, 1970)

Information regarding the Boards, Commissions, and Committees Directory may be obtained by calling the City Manager's Office (541-766-6901).

HUMAN SERVICES COMMITTEE
MINUTES
July 3, 2012

Present
Councilor Dan Brown, Chair
Councilor Jeanne Raymond
Councilor Mike Beilstein

Staff
Steve Deghetto, Parks and Recreation Assistant Director
Carrie Mullens, City Manager's Office

Visitors
Rebecca Landis, Corvallis Farmers' Market Executive Director

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Corvallis Farmers' Market Annual Report			Accept the Corvallis Farmers' Market 2011 annual report
II. Other Business	***		

Chair Brown called the meeting to order at 12:00 pm.

CONTENT OF DISCUSSION

I. Corvallis Farmers' Market Annual Report (Attachment)

Mr. Deghetto said the 2011Corvallis Market operated twice each week from mid-April to mid-November. The Market partners with Healthy Kids/Healthy Communities to provide access to fresh produce for Oregon Trail Card/Supplemental Nutrition Assistance Program (SNAP) participants, and related coupons from the Farm Direct Nutrition Program (FDNP). The Market brings people to the downtown area and is reaching out to the Latino community.

Ms. Landis said, in addition to partnering with Benton County on nutrition programs, the Market also partners with Ten Rivers Food Web. The Food Web obtained an outreach grant for market tours and Benton County added a Spanish-language version. On July 7, the Market will host a Latino community tour that includes entertainment and food demonstrations. The Benton County Women, Infant, and Children (WIC) unit will be at the Market on July 7 to provide FDNP vouchers to eligible persons. The FDNP vouchers were made possible due to additional federal WIC funds allocated to Oregon for the successful promotion of breast feeding. The Benton County WIC unit determined the most efficient way to use this additional one-time allocation was through FDNP coupons available at the Market when the Spanish-language tour and demonstrations are held.

Ms. Landis announced that the July 4 Market will be held at the SW 2nd Street & B Avenue parking lot due to Red, White, and Blue Festival activities.

Councilor Beilstein stated preference for a year 'round Market in a permanent location that does not compete for parking. Moving the Wednesday Market downtown was an improvement, but the Market should be available more hours throughout the year.

In response to Councilor Beilstein's inquiries about Market location and hours, Ms. Landis said she prefers to test a location for three consecutive years before making a final decision. After holding the Wednesday Market in the SW 2nd Street and B Avenue parking lot for two years, the Downtown Corvallis Association requested the Wednesday Market find a new location. Coincidentally, the parking lot was scheduled to be closed for a sewer project. The improved three-hour parking compliance has helped resolve some of the issues related to holding the Market downtown. An afternoon market at the current location is not viable due to west facing booths. Between the Saturday, Wednesday, and Winter Markets, there are only six weeks the community does not have access to a Market.

In response to Councilor Beilstein's inquiries about the That's My Farmer program, Ms. Landis said the program does not generate enough funds to be maintained throughout the year. Since mid-April, more than $5,000 from Ten Rivers Food Web and Benton County Health Department have been spent on this program in Corvallis. In comparison, the same program in Albany uses approximately $3,000 annually. The program has expanded this year so that Oregon Trail Card participants who spend at least $6 from their card per Market day receive an additional $6 SNAP expenditure. Essentially, a participant could add $12 to their weekly food budget. Ms. Landis acknowledged that the program adds to her administrative responsibilities.

Ms. Landis explained that the Market's annual budget is approximately $76,000 (two Corvallis Markets, one Albany Market). Incentive programs account for more than the annual Market budget. Those funds flow through the organization and are separate from the annual budget. It is not feasible for the Market to self-fund incentives. The Portland Farmer's Market has created a foundation to fund these types of programs.

Councilor Beilstein noted that the That's My Farmer program was established in Corvallis by the Ecumenical Ministries of Oregon, and continues to be financially supported by local congregations. Ten Rivers Food Web administers the program.

Ms. Landis added that fund-raising dinners previously held for the That's My Farmer program may no longer be allowed due to Ten Rivers Food Web funding. An alternative may be dinner incentives (local restaurant participation with percentage spent given to the program).

The Committee unanimously recommends Council accept the Corvallis Farmers' Market 2011 annual report.

II. Other Business

The next Human Services Committee meeting is scheduled for 12:00 pm on Tuesday, July 17, 2012 in the Madison Avenue Meeting Room.

Respectfully submitted,

Dan Brown, Chair

MEMORANDUM

CORVALLIS
ENHANCING COMMUNITY LIVABILITY
PARKS & RECREATION

To: Human Services Committee
From: Karen Emery, Parks and Recreation Director
Date: May 21, 2012
Subject: Corvallis-Albany Farmer's Market (CAFM) 2011 Annual Report

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Issue:
The CAFM Report is scheduled for its annual review before Human Services Committee.

Background:
The 2011 CAFM operated from mid-April to mid November at three locations in Albany and Corvallis. In Albany, the CAFM operated a Saturday Market at 4th and Ellsworth Streets. In Corvallis, the CAFM operated a Wednesday and Saturday Market on 1st Street in Riverfront Commemorative Park.

Discussion:
Director Rebecca Landis continues to work with a community volunteer board to help oversee the market activities. The Market operates as a State nonprofit mutual benefit corporation.

The Market continues to bolster economic and community activity by bringing growers and participants into the downtown area. CAFM continues to accept Oregon Trail and debit cards at all three sites, which represents the majority of both dollars and transactions in their wireless system. Additionally, farmers accept "Farm Direct Nutrition Program" (FDNP) coupons, which puts fruits and vegetables in the hands of young parents and seniors who might not be able to afford them, the WIC (Women, Infants and Children) fruit and veggie voucher program, and Supplemental Nutrition Assistance Program (SNAP). Lastly, CAFM invites gleaning groups to pick up surplus produce from vendors to distribute among low-income persons in our communities.

The Corvallis Saturday market opened April 16 and ran through November 19, from 9am to 1pm. The market averaged 50 vendors per market, Similar to last year. The highest daily vendor count was 59. A total of 143 vendors paid membership dues, and nearly all attended at least one market day.

Due to a City sewer project, the Corvallis Wednesday market moved from a parking lot located at 2nd and B Street to the Riverfront Park location and opened April 20 and ran through November 23, also from 9am-1pm. The market averaged 24 vendors per

market, up somewhat from 2010. The highest daily vendor count was 34. CAFM does not plan on relocating the Wednesday market at this time.

The Saturday market operated as a street closure from the north end of 1st Street south to one half of the Monroe Avenue block. Market music and special events utilized portions of Jackson Plaza's front apron. CAFM and Parks and Recreation have a formal lease agreement, where CAFM provides "weekly area cleanup" and nearby park restroom "incidental custodial services" in exchange for leasing the front apron of Jackson Plaza. The lease agreement also sets up an annual payment of $1500.00.

The CAFM volunteer coordinator programmed over 100 free events for the 2011 market season by recruiting organizations and individuals who assisted with educational displays, cooking demonstrations, and children's activities. City and County governments are among the organizations using the markets for outreach activities

Recommendation:
Staff recommends HSC recommendation to City Council to accept the 2011 annual CAFM report.

Review and Concur:

Jim Patterson, City Manager

Nancy Brewer, Finance Director

Attachment: CAFM 2011 Annual Report

CORVALLIS - ALBANY FARMERS' MARKETS
2011 Season Annual Report

Corvallis-Albany Farmers' Markets (CAFM) is a state-chartered non-profit mutual benefit corporation and is recognized as a 501(c)(6) organization on the federal level. Our mission is to provide highly visible centralized locations in Corvallis and Albany for mid-Willamette and Coast Range agricultural producers and gardeners to market high quality agricultural products directly to consumers.

CAFM operates three farmers' markets in Corvallis and Albany: Corvallis (Saturday & Wednesday) and Albany (Saturday only). Our research indicates that the Albany market, founded in 1978, is possibly the oldest continuing open-air farmers' market in the state. The Wednesday market was founded in 1981. Ten years later the downtown Saturday market in Corvallis was founded.

Although CAFM's membership is largely made up of farmers and gardeners, our activities provide benefits generally to the two communities we serve. The markets we operate are not just places for buying and selling. Each market day is a community event to which everyone is welcome. We consciously strive to create community gathering places, where people come expecting to see friends and family, enjoy free live music and learn about where their food comes from.

All of our markets are located downtown (since 2009), with the intent and result of bolstering economic and community activity downtown. Internationally recognized research methods developed by the Oregon State University Extension Service at our farmers' markets demonstrate that most market attendees come downtown because of the market and end up spending significant amounts of money both with market vendors and at nearby businesses. Most attendees are local, but the markets also have a significant tourism benefit to their communities.

CAFM began service for Oregon Trail and debit cards in 2007 and expanded to at all three sites in 2008, using wireless card readers and wooden tokens. Oregon Trail use continues to grow and now represents the majority of both dollars and transactions in our wireless system. Starting late in 2010 we launched incentives for SNAP customers to encourage healthy choices. SNAP incentives are funded by community partners: Ten Rivers Food Web and private funds granted to Benton County Health Department.

Farmers accept Farm Direct Nutrition Program coupons, which put fruits and vegetables in the hands of young parents and seniors who otherwise might not be able to afford them. In 2010 CAFM and other farmers' markets were added to the WIC fruit and veggie voucher program, which is also a grocery store program. The market association also invites gleaning groups to pick up surplus produce from vendors to distribute among low-income persons in our communities.

Our volunteer coordinator programs 100+ free events at markets by recruiting organizations and individuals who assisted with educational displays, cooking demonstrations and children's activities. City and county governments are among the organizations using our markets for outreach activities.

A total of 143 vendors paid membership dues, and nearly all attended at least one market day. Some participated at all three locations, while others attended one or two of the sites. Several home gardeners and small farms sold exclusively through consignment operations (called Community Tables) designated at each Saturday site.

In Corvallis, the Saturday market began on April 16 and ran each Saturday through Nov. 19 from 9 a.m. to 1 p.m. The market averaged 50 vendors per market, virtually the same as in 2010. The highest daily vendor count was 59. Growth at this site is possible largely through vendors starting earlier and ending later.

The Saturday market in Corvallis operated as a street closing on the north end of 1st Street, plus an adjacent ½ block of Monroe Ave. Market music and special events used portions of the Jackson Plaza's front apron (the area in line with east side parking stalls).

The market continues to use city-designed street closing signs, some of which include the Riverfront logo and the words "Riverfront Event." These signs are city property that is stored, transported and placed by CAFM and made available to other entities holding Riverfront events requiring street closings.

Prior to 2005, CAFM contributed to a Parks fund for riverfront vegetation. From 2005 through 2008, by agreement with Parks and Recreation, CAFM paid Work Unlimited $500 to do additional trash service at non-market times. Work Unlimited is also collecting modest amounts of trash generated during markets, placing traffic control signs and otherwise assisting with setup and take down. In 2009 Work Unlimited's services to the two Corvallis markets and for Parks were consolidated, and CAFM now contributes its share via a contract with Parks & Recreation, which pays Work Unlimited.

Wednesday markets in 2009 moved to the city parking lot at the intersection of 2nd Street and B Avenue after more than two decades at the Benton County Fairgrounds. When the Wednesday market moved downtown, this market's hours were changed to 3 to 7 p.m. to attract after school and after work customers. That Wednesday site was operated under a lease with Public Works. CAFM was able to add 22 bike hoops to the site using Benton County's contribution of grant funds that support healthy and active lifestyles.

A city sewer project scheduled for 2011 required that the market relocate for that season. We re-examined some of the sites considered before the last move and found that a portion of the Saturday site (eliminating the northern section) was the only viable option. It did require us to switch back to mornings (9 a.m. to 1 p.m.), since nearly half of the spaces face west. A morning market also minimizes displacement of parking.

In 2011 Wednesday markets began on April 20 and ran through Nov. 23 – a much longer season than most midweek markets. The market averaged 24 vendors per market, up somewhat from 2010. The highest daily vendor count was 34. Enhanced compliance with employee parking restrictions starting in 2011(a good thing) led us to the conclusion that we could not return to 2nd & B. We also felt we needed to stop moving the Wednesday farmers' market to reduce customer confusion.

Albany markets began on April 16 and ran each Saturday through Nov. 19 from 9 a.m. to 1 p.m. The market averaged 25 vendors per market, up a notch from 2010. The highest daily vendor count was 34, as it was in 2010. The vendor mix continued to evolve with more variety in locally grown meats and the return of a larger certified organic farm.

In Albany, the market continues to benefit from a relatively new and highly visible downtown location at 4th & Ellsworth in the City Hall parking lot and an adjacent block of 4th Ave. that is shaded by the heritage trees on the east courthouse lawn. The Albany Farmers' Market caters to new and small farm operations that might have a difficult time finding a foothold at larger markets. The Community Table (also available in Corvallis on Saturdays) provides an additional way for backyard gardeners and very small farming operations to try selling at a farmers' market.

The market also benefits from sharing crowds with other events that use the courthouse steps and the terminus of Broadalbin. Proximity to Ellsworth (Hwy. 20) results in customers making unscheduled stops at the market because they saw it while traveling to other destinations. Hours were shifted to 9 a.m. to 1 p.m. for 2007 and have continued in that pattern for succeeding seasons.

Rebecca Landis, Market Director
18 May 2012

MEMORANDUM
June 22, 2012

To: Mayor and City Council

From: Mary Steckel, Public Works Director

Subject: 2012-13 ODOT Public Transit Division Grant for Bus Stop Solar Lighting Fixtures

Issue:

The Oregon Department of Transportation Public Transit Division (PTD) has awarded a grant to the City of Corvallis. City Council action is required to accept and appropriate these funds.

Background:

In January, 2012, Oregon PTD conducted a statewide competitive discretionary grant program solicitation to distribute $7,092,599 in funds primarily targeted to transportation services for older adults and persons with disabilities. The City applied for solar lighting fixtures to be implemented at appropriate bus stops within the Corvallis Transit System (CTS). The solar lighting will create a safe, economical enhancement to riders of CTS.

The City applied for $8,964 in grant funds and will provide a match of $1,026, for a total project cost of $9,990.

Discussion:

This grant award was not known at the time the FY 2012/13 budget was prepared and is not included in that budget. The grant funds must be fully expended by no later than June 30, 2013. To accept the grant, the City Council must approve a resolution to include the grant project cost amount in the budget and authorize the City Manager to sign the grant agreement and any future amendments to this grant.

Recommendation:

Staff recommends that the City Council authorizes the City Manager to sign the grant agreement and adopt the appropriations resolution (attached).

Reviewed and concur:

James A. Patterson, City Manager

Nancy Brewer, Finance Director

RESOLUTION 2012-__

A resolution submitted by Councilor _____.

Minutes of the Meeting of July , 2012.

WHEREAS, ORS 294.326(2) allows the City Council to establish appropriations to authorize the expenditure of grants, gifts or bequest after the budget has been approved; provided that the funds are for a specific purpose and that they are not anticipated at the time the budget was approved, and;

WHEREAS, the City of Corvallis has received a grant in the amount of $8,964 from the Oregon Department of Transportation Public Transit Division to procure bus stop solar lighting fixtures, and;

WHEREAS, the grant was unanticipated at the time the fiscal year 2012-13 budget was adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to accept the grant in the amount of $8,964 and authorizes the City Manager to execute agreements accepting the grant and any future amendments relating to this agreement; and

BE IT FURTHER RESOLVED that the Finance Director be authorized to make the proper adjustments in the budget appropriations.

TRANSIT FUND	AMOUNT
Public Works	$8,964

_____
Councilor

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

Louie, Kathy

From: Louie, Kathy
Sent: Wednesday, May 16, 2012 3:29 PM
To: Ward 1
Cc: City Attorney Brewer; Patterson, Jim
Subject: FW: staff follow up for Councilor O'Brien
Attachments: Council OBrien staff followup.pdf; nwng cover email.pdf; Corvallis Pipeline Response 05092012.pdf

From Jim Brewer ...k

From: City Attorney Brewer
Sent: Wednesday, May 16, 2012 2:51 PM
To: Louie, Kathy
Subject: FW: staff follow up for Councilor O'Brien

Hi, Kathy:

I promised this to the Council President for today.

Jim

Councilor O'Brien:

Attached is a letter from Northwest Natural Gas that responds to many of the issues raised by your constituents. Public Works staff are willing to provide the direct contact information for Northwest Natural Gas, if your constituents want it to be able to discuss some of the specific issues directly with NWNG.

In addition to that letter, City Staff from Public Works, Parks and Recreation, Corvallis Fire Department and the City Attorney's Office provided the following information to further respond to some of the questions raised by your constituents:

Did the city public works department communicate to the city council about the Corvallis Loop high pressure natural gas line to be put in soon between Orleans/Riverside Drive and OSU's power generation plant/35th Street?

Did I miss some meetings, council meetings, discussions about this project?

Will the City Public Works staff bring this project info, City Council, City Planning Commission and for the public to look at before it is stated and completed this summer? Or do we have to ask our City officials more questions, call the Public Utilities Commission, try to call WHPacific and NW Natural about this, and get no response, because this is so good business, and so it valuable to OSU and gas lines are regulated for safety/in this day and age, so it is possible to go ahead and put in this line without any public process whatsoever, but for an obscure fact free letter to parcel owners, x feet away from the "pipe line". (high pressure nature gas pipeline)

City staff think it is useful to provide some general information about Northwest Natural Gas' contractual relationship with the City of Corvallis. While this is a large project, franchise utility routes within the City rights of way and public parks are not subject to public hearings. Administration of the franchise is a contractual matter. In this case, City staff consulted with the City Council regarding the amount of special compensation required for a route through the parks. Here is some background information:

Northwest Natural Gas is the privately owned public utility that provides natural gas to property in Corvallis (and much of the State of Oregon).

Northwest Natural Gas has had a franchise with the City of Corvallis since at least 1971. Franchises permit privately owned utilities that serve the public to operate within the City, and to locate their infrastructure within the public rights of way, and other public places, in return for payments based on revenue the franchise generates. The Franchise itself was adopted by Ordinance, through a legislative public hearing process. The current Northwest Natural Gas franchise agreement was entered into in 2002 and enacted as Ordinance 2002-27 in August of 2002.

This current franchise agreement permits Northwest Natural Gas to locate its natural gas utility system within the public rights of way. This is in return for Northwest Natural Gas paying 5% of

the revenue it generates within the City as the franchise fee.

The current franchise agreement also includes language allowing the location of natural gas facilities within other public places owned by the City, "subject to special conditions or conditions of special compensation the City desires to impose". The franchise agreement defines other public places primarily as public parks. So Northwest Natural Gas has an enforceable contractual right, arrived at through a public hearing process, to locate its facilities in the public rights of way and in public parks. The City has a contractual right to impose special conditions or conditions of special compensation for the location of facilities in the City Parks. There was not a quasi-judicial land use hearing, nor was there a legislative public hearing about this matter. The City Charter makes contract administration a duty of the City Manager. The City's Land Development Code specifically exempts utilities from land use reviews. Nonetheless, the City did conduct public meetings that discussed the route and the appropriate special compensation for the use of City Park property. The North West Natural Gas (NWNG) Corvallis Loop Project was on the 7/21/11 Parks, Natural Areas and Recreation Board (PNARB) Agenda. Three people spoke about the proposed route of the loop during Visitor Propositions. The City Council received updates during Executive Sessions, at their scheduled 7/18/11, 10/3/11 and 3/19/12 meetings. At their 3/19/12 meeting, Council came back into their regular meeting to give the City Manager direction to regarding the appropriate level of compensation for the route through the City parks.

Does the line service private residences/ homes or just OSU? If this line is just for OSU and a few businesses downtown, we need to hear about this as we are put at risk, for the benefit of a State institution, located smack, dab inside a city.

Did the original plan for the OSU Energy Building call for this high pressure gas line or, as a am suspecting, is this something new tossed into the process by OSU as a new source of energy which is hopefully, safe for the moment with the existing technology? Until this line needs to be dug up and upgraded or renewed at extensive cost to gas user and the City.

Throughout the process, the reason NWNG provided to the City for the construction has been the same:

Northwest Natural Gas is required by the Oregon Public Utility Commission to maintain its service to its natural gas customers. Interruptions in service caused by low gas pressure (often caused by increased demand due to low temperatures) must be minimized or eliminated. While these interruptions primarily impact large natural gas users (current and future industrial users, the OSU Energy Center, Mills, the Osborne Aquatic Center), service interruptions could also affect residential customers. In Corvallis, the current pipeline infrastructure is not adequate to meet current or future gas needs. In recent years, several Corvallis and adjacent community gas customers have had their service interrupted due to a lack of supply. Northwest Natural Gas' franchise agreement with the City also requires NWNG to provide the natural gas utility system at a level of service and maintenance that meets State and Federal standards, and to provide this service on a continuous basis. To meet these service requirements, Northwest Natural Gas began construction of high pressure gas lines, designed to increase capacity and pressure throughout its

system. High pressure pipelines are currently being extended south to Corvallis along Highway 99, and West to Corvallis along Highway 34. This was mostly within ODOT rights of way.

While the Oregon State University Energy Center might be one of Northwest Natural Gas' customers that will benefit from fewer service interruptions, the high pressure pipeline extending to Corvallis from the East along Highway 34 is not a pipeline devoted to that one customer. The pipeline will connect to the overall natural gas distribution system.

Wondering in the past, the City was informed of this future need to hook up this gas line to the new OSU power plant in the original communication with the City Public Works Dept. and City Council about the OSU Power Plant?

Did the original plan for the OSU Energy Building call for this high pressure gas line or, as a am suspecting, is this something new tossed into the process by OSU as a new source of energy which is hopefully, safe for the moment with the existing technology?

The City was generally aware that Northwest Natural Gas would need, at some point, to upgrade facilities serving the Corvallis area. Some of the pipelines are approaching seventy years of age. Franchise utilities are responsible for providing adequate services to the public, and the City typically is concerned with the ability of City owned facilities to serve a site, but not whether gas, electric, telephone or cable franchises will need to upgrade their facilities to do so. By installing this pipeline, NWNG will likely to be able to remove existing gas pipes within the public right of way.

While not directly related to this topic, OSU's practice of buying natural gas on the open market, rather than from NWNG, has been in place many years. OSU has a right to do so. Regulatory agencies treat gas transported in pipelines differently than gas sold directly by the franchise. While the City gets a franchise fee on the revenue that Northwest Natural Gas gets paid to transport the gas, the City can't get a fee from the seller or the buyer. OSU's practice greatly reduces revenue to Northwest Natural Gas from sales to OSU, and accordingly, reduces revenue paid in franchise fees by Northwest Natural Gas to the City. Neither the City nor Northwest Natural Gas have much control over this reduction in fees. Public Works staff calculate that this amounts to over $200,000 per year in lost potential natural gas franchise fees to the City. This potential franchise fee revenue reduction has already taken place and the construction of the high pressure pipeline will not affect the City's revenue greatly. Public Works staff calculate that the additional sale of gas through the high pressure pipeline might increase the amount of Northwest Natural Gas' franchise fees by $5000 per year.

Wondering why they(WHPacific) chose with others possibly consulting, to route this line the way they did and to come into contact with more people in some areas such as the Pioneer ball Park to the north of Avery Park, and into the neighbourhood street of possibly, Poplar Place instead of going all the way west to 35th and then route north down 35th instead of going through a very tight small street such as Poplar Place. 35th may have fewer homes is my thought. Wondering if they bore under homes do they need to alert the residents to keep them apprised and safe in case earth quakes/vibration/gas small/other chmicals result in coming into contact

with homeowers?

I assume a trenched buried line can explode just as well as a bored line. What is the route deterimation? How many people use the route per day or live by this route? (swimming, playing ball, enjoying Avery park,living(homeless) bike riding, attending osu football games, driving on the highway, or the overpasses or the only link to Corvallis from the South, over the Marys, Highway 99 Marys River Benton County owned bridge, living in homes, walking, dog running, skateboarding)?

How many people use the line's route in what season? I see line is under home plate at Pioneer Park, so this is not good, ball players possibly need to hear about this project and they possibly are not aware because for some reason, this utility does not have to alert the public but by letter from WHPacific saying "NWNatural is planning to construct a 10-mile pipeline extension to improve service reliablity to our existing customers and support an important explansion project at osu. The new pipeline will run between Riverside Drive SW and SW 35th Street in Corvallis, Oregon." Oct 26, 2010 single page letter to homeowner near route, the next homeowner from this home owner did not get noticed, only a parcel away.

Northwest Natural Gas originally proposed to use horizontal boring and some open trenching to extend the high pressure pipeline on the East side of the Willamette river, from Highway 34, South through the City owned Berg Park, to the Orleans Natural Area, to that Natural Area's southern boundary, then West crossing beneath the Willamette River, under the Marys River coming to the surface at Pioneer Park, then going back beneath the Marys River, under Avery Park, to roughly 35th street and then North to meet pipes in 35th street. Northwest Natural Gas's original proposal was to pay a one-time fee of about $20,000, including an amount that would be paid to the farmer for loss of crop value in Berg Park.

City Parks and Recreation Department and Public Works Department staff negotiated the amount for compensation for the route under the City park properties based in part by balancing the potential disruption to the public in the parks against potential disruptions to the public in downtown, if alternate routes were taken. In particular, the public works staff were concerned about the downtown route having impacts on existing buildings and public infrastructure. The pipeline route is not under home plate at Pioneer park, but will be near the softball field. Safety issues were addressed in part by the deep location of the pipe, and its relatively remote location in the parks compared to routes using the public rights of way downtown and directly towards OSU. As part of the negotiations, Northwest Natural Gas redesigned the route of the pipeline, with the current route moving a considerable amount of line through adjacent ODOT right of way on the east side of the Willamette rather than through the Berg Natural Area.

In terms of a route that is outside of the public right of way, NWNG would need to obtain easements, property or other access from each private property owner. The City's franchise does not authorize NWNG to make use of private property without the permission of the property owner. The City's understanding is that State and Federal regulations would not permit the location of the pipeline under an occupied structure.

If this did blow up, I am wondering what percent of ground it would destroy and for what distance would this be launched, and how would it explode, and or, what would happen if the line was unable to be closed at a break, explosion, will fire responders have to wait three hours for a WHPacific staff or NWNatural staffer to drive all the way down from where ever to shut the Corvallis Loop off? Do fire responders in Corvallis have a plan to shut the Corvallis Loop off in Corvallis, or will this be done using on site on the "Corvallis Loop" diesel generator power electronic remote valve closure system operated on sunday, possibly... from some unmanned office in Portland?

The Corvallis Fire Department receives annual training regarding natural gas systems. The Fire Department would not generally disable a malfunctioning gas or electric line. They have plans to evacuate and secure areas until the franchise remedies the situation and repairs the malfunctions. NWNG has remote access valves, and staffs their monitoring facilities at all times.

Other agencies, the PUC, DEQ, ODOT, and Dept of State lands, regulate service level requirements, environmental impacts, suitability of the use of the riverbed areas, and safety. The City's Land Development Code specifically exempts utilities from land use reviews. Nonetheless, in response to questions by the public at PNARB, NWNG was asked about project safety as part of the process for the original proposal. NWNG is regulated by the Oregon Public Utilities Commission (OPUC) and governed by the Code of Federal Regulations DOT code 49 (Part 192) "Transportation of Natural and other gas by pipeline". This code defines the minimum safety standard for materials, pipe design, pipe components, welding, testing, operations, maintenance, personnel qualification and integrity management. The code requires NWNG to maintain and keep records of all pipeline and components. NWNG meets or exceeds these minimum safety standards.

If you have further questions or concerns related to this information, please feel free to call me, Public Works or the Parks and Recreation Department.

Very truly yours,

CITY ATTORNEY'S OFFICE

James K. Brewer

From: Bauer, Gary [mailto:Gary.Bauer@nwnatural.com]
Sent: Friday, May 11, 2012 10:41 AM
To: Steele, Adam
Cc: Steckel, Mary
Subject: RE: Corvallis questions to City Council

Adam –

Please find attached answers to many of the issues raised in the email. Since it contained a number of questions regarding the purpose of the pipeline, routing, design and safety I tried to respond by general topic. I did want to let you know that one of our engineers did attempt to contact the writer as requested, but did not hear back from her.

Let me know if you need anything else.

Gary

Corvallis Loop Project

Background and Purpose:

NW Natural has been delivering gas to customers for more than 150 years. The company currently owns and operates more than 22,000 miles of distribution pipeline and 606 miles of transmission lines to provide service to its more than 680,000 customers throughout Oregon and SW Washington.

NW Natural has more than 14,000 residential, commercial and industrial customers in Corvallis. The company installs some type of pipe in the ground on a daily basis to serve its customers.

One of NW Natural's priorities for several years has been to improve service to the Corvallis and Philomath areas. There are several times during the year when temperatures drop to a level that causes the demand for natural gas to exceed the current systems capacity to provide service to all customers. As a result, NW Natural must "curtail" a number of Corvallis-area customers that receive natural gas under interruptible service contracts. Curtailment means the company instructs these customers not to use natural gas during a defined period, according to their mutually agreed upon contracts, so it can assure adequate service to its other customers. These customers range from industrial customers to state and municipal facilities.

In addition to serving the OSU Energy Facility, the pipeline will provide gas to residential commercial and industrial customers on the company's distribution system that serves the cities of Corvallis and Philomath.

The Corvallis Loop portion of the project is part of the company's distribution system and is approximately nine miles of 12-inch cathodically protected steel pipe.

Community & Routing Considerations for Construction of the Pipeline

The following list addresses many of the questions and concerns that were raised in the email.

- **Avoiding impact**. Before deciding on a pipeline route, the company looks at a variety of possibilities, with the goal of safety, avoiding sensitive environmental areas, reducing impact on property owners and keeping disruptions to a minimum.

- **River impact.** While the pipeline route will cross the Mary's River twice, research identified that it will not impact the river or the riparian environment. It also will not interfere with restoration work on the Mary's or Willamette Rivers.

- **River scouring potential**. NW Natural and its consultants have taken into account geology and river flow conditions in designing the Corvallis Loop. The pipeline will be built in a location and at depths that will prevent the potential of river scouring. There will not be any in-water work. The pipeline will be bored under the rivers at depths up to 60 feet.

- **Cultural resources.** NW Natural performs cultural and historic surveys as required by state law before starting any construction project. In the rare event that construction uncovers any unidentified cultural resources, the company's policy is to stop work, assess the situation and notify the appropriate authorities.

- **Transportation issues**. NW Natural works closely with the Oregon Department of Transportation (ODOT) to determine the safest routes for immediate and long-term public safety, convenience and transportation. In this instance, NW Natural and ODOT worked together to make sure the pipeline doesn't interfere with planned ODOT projects.

- **CSO Project**. NW Natural also worked with the City of Corvallis to avoid interfering with the Combined Sewer Overflow project planned for Shawala Point.

- **Earthquake potential**. NW Natural studies the geology of any proposed bore sites and incorporates seismic guidelines during design and construction of any pipeline. A properly designed steel pipeline will absorb the energy of any earth movement and will flex along with seismic waves during an earthquake. Pipelines installed in active seismic zones have performed very well during earthquakes. Furthermore, NW Natural will install a remote control valve (RCV) on the pipeline. In the event of a failure related to a seismic event, the RCV would stop the flow of gas on the pipeline.

- **Contact with landfill**. NW Natural changed the original route of the pipeline to avoid any impact or contact with the Berg landfill, which contains buried hazardous materials.

- **Pipeline depth.** NW Natural will install the Corvallis Loop deeper than regulations require. The rule calls for burying a pipeline at least 36 inches below the surface in the type of area where construction will occur. NW Natural typically installs pipe a minimum of 48 inches below the surface. The pipe will be bored at depths ranging from 4 to 120 feet.

- **Park trees.** The proposed pipeline will pass under a Corvallis City Park. NW Natural designed the pipeline to avoid trees and root zones in the park. Specifically, most of the pipeline within the park will be built west of the Willamette River. A directional drill will place the pipeline 80 to 90 feet below

the surface. The company does not foresee any impacts to tree root zones or other vegetation.

Safety:

Pipeline safety is regulated by the Oregon Public Utility Commission and the US Department of Transportation's Pipeline and Hazardous Materials Safety Administration.

There are multiple design parameters that are considered for Natural Gas pipelines. These factors include material, wall thickness, grade, size, operating pressure and class location. This pipeline has been designed per strict Federal Code Regulations.

All of NW Natural pipe facilities are evaluated using risk models. Each risk model uses a variety of inputs (pipe material, pipe size, operating pressures, age, installation method, population density, types of structures next to right of way ...) to create a relative risk score for every pipe segment. These risk scores are used to evaluate potential additional safety actions for a pipeline segment. These safety actions supplement the comprehensive list of compliance activities that are performed on all pipelines to assure their safe operations (i.e. leakage surveys, cathodic protection surveys, patrols, damage prevention programs...).

Our gas controllers work 24 hours a day; 365 days a year, monitoring pressures and flows on our transmission system to identify changes that could indicate a potential problem.

We conduct frequent patrols, surveys and inspections on both our transmission lines (bigger, higher pressure pipes) and our distribution lines (generally smaller, lower pressure pipelines that are found in neighborhoods). The company has an extensive safety program which includes leakage surveys, cathodic protection surveys, patrols, and damage prevention programs. In addition, the company offers training to local first responders.

Pipelines are not placed under homes.

NW Natural adds a very strong odorant called Mercaptan to its natural gas so that it smells like rotten eggs or sulfur. NW Natural has a public education program which educates the public that if someone smells natural gas, they should: smell – go – let us know. And call the 24-hour emergency line at 800-882-3377.

City Manager Monthly
July 2012

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A new Fiscal year, Fireworks and warmer weather… bring on summer –
A message from Jim Patterson

I hope that everyone enjoyed a terrific 4th of July holiday. It was great to take in parts of the Red White and Blue festival in our very active Downtown along the beautiful riverfront on the Willamette River we all can enjoy. The fireworks display by the local Corvallis Jaycees was a great way to finish off the holiday.

And speaking of fireworks, I noticed in my tour of our great City on the evening of the 4th a number of neighborhood celebrations where they had their own spectacular fireworks displays where illegal fireworks were used. Like in many Oregon communities, there appears to be a significant and growing use of illegal fireworks in our City that not only creates a challenge for law enforcement and fire personnel but a challenge for our neighborhoods and quality of life.

Did you know Oregon State Law prohibits the possession and/or use of any fireworks that explode, eject balls of fire, fly into the air or travel more than six (6) feet on the ground or twelve (12) inches in the air? This list includes fireworks commonly referred as "firecrackers, jumping jacks, bottle rockets, mortars and roman candles." Persons who violate the law by having and or using illegal fireworks can have the fireworks seized AND be cited for a misdemeanor crime. It is my hope that next year during Independence Day celebrations we all enjoy the 4th in a legal and respectful way.

The Corvallis City Council approved a three year agreement with the International Association of Fire Fighters (IAFF) at their July 2, 2012 meeting. I am grateful to our employees for their collaboration and cooperation in working towards a more sustainable financial future.

City staff is working on finalizing the 2012 Citizen Attitude Survey with the assistance of the Department of Statistics at Oregon State University and their Survey Research Center. The Citizen Attitude Survey is an important tool in determining how the City is doing in serving our citizens. The survey will be sent out in late September and if you are one of the folks who receive a survey please take the time to complete the survey and return it. Thank you in advance for feedback.

Finally, the City of Corvallis invites citizens to file a nomination petition for one of the nine non-partisan City Council positions. To run, all City Council candidates must be registered voters and have lived in Corvallis for at least one year preceding the election. City Council candidates must reside within the Ward they are seeking to represent at the time the completed nomination petition forms are filed and must gather 20 signatures from registered voters from within the Ward. Nomination petitions are available from the web or City Manager's Office at 501 SW Madison Avenue. The deadline for filing the complete nomination forms is between Monday, July 30, 2012 and 5:00pm on Friday, August 17, 2012. Call Kathy Louie, Assistant to City Manager/City Recorder at 541-766-6901 for more information.

Stay cool….Enjoy your summer!

CORVALLIS
ENHANCING COMMUNITY LIVABILITY

****

CITY MANAGER'S REPORT

JULY 12, 2012

****

2012-06

REPORTING PERIOD: JUNE 2012

I. ORGANIZATIONAL HIGHLIGHTS

- Concluding more than six months of intensive work by the City Council, Budget Commission, and staff, the City Council formally adopted the Fiscal Year 2012-2013 budget.
- Corvallis Police Department coordinated with United States Secret Service as First Lady Michelle Obama visited Corvallis to present the Oregon State University (OSU) Commencement keynote address and visit her family.

II. MAYOR'S DIARY

I have engaged in the following activities, in addition to meeting and corresponding with constituents and presiding at the twice-monthly City Council meetings and meetings with Council leadership:

Special Meetings

- Had lunch with Fire Department employees and the winner of the "Fire Chief for a Day" contest.
- Hosted "Government Corner" at the Corvallis-Benton County Public Library.
- Met with Uzhgorod, Ukraine, Mayor and delegation as part of Corvallis Sister Cities Association activities.
- Met with area agencies to discuss creating a community case manager position as part of Benton County's Ten-Year Plan to End Homelessness action plan.
- Met with Police Chief Sassaman and three local residents to discuss issues related to homelessness.
- Attended Leadership Corvallis graduation event.
- Attended OSU Commencement and reception for commencement speaker and First Lady Michelle Obama.
- Met with City Manager Patterson and an OSU student concerning a potential internship with the City.

- Facilitated a City Council work session to interview candidates for vacancies on the Planning Commission and Historic Resources Commission.
- Facilitated a City Council work session concerning the proposed work plan/priorities for the City's Planning Division staff and related boards and commissions.

Appointments
- Budget Commission
- Public Art Selection Commission

III. CITY MANAGER'S OFFICE

A. Department Highlights

- Received one Notice of Tort Claim; information is available for review in the Assistant to City Manager/City Recorder's office.
- Kicked off the 2012 City Council election process with a press release and updated the City website with general information about the process and links to a nomination packet, forms, and Council orientation program resources.
- Published updated City Ward maps reflecting new Ward boundaries, effective June 1, 2012.
- Reached tentative agreement on a new three-year labor agreement with International Association of Fire Fighters.
- Held Employer Partnership Diversity training on "Institutional Racism."
- Opened recruitment for Economic Development Manager.
- Completed reduction-in-force changes required by Fiscal Year 2012-2013 budget.

IV. COMMUNITY DEVELOPMENT

A. Department Highlights

- Development Services Division staff processed 30 residential and 69 non-residential plan reviews for proposed construction projects. Of these 99 reviews, 40 (or 40 percent) were completed within one day of receipt.
- Completed 1,345 building safety inspections.
- Created 72 new Code Enforcement Program cases as a result of citizen complaints received.
- Of the 244 plumbing, mechanical, and electrical permits issued during June, 70 (or 29 percent) were issued on-line.
- Planning Division staff received four land use applications during June, including one Historic Preservation Permit application.

- Planning Division staff issued 11 decisions on land use applications, including the Planning Commission's approval of the Sather Zone Change application, the Historic Resources Commission's decision to re-locate the Peavy House within the College Hill West Historic District, and a Re-plat consolidating six lots into one lot in the Job's Addition Neighborhood.
- On June 6 and June 13 the Planning Commission provided staff with preliminary direction on a package of Land Development Code Amendments that will be considered by the Planning Commission and City Council later this year. The Code changes will incorporate most of the recommendations of the Infill Development Task Force, as well as measures to facilitate the provision of "local food" in Corvallis.
- Housing Division staff received 65 Rental Housing Program-related contacts in June outlining 137 separate issues, with 41 issues related to habitability and 96 of a non-habitability nature. Twenty-four of the habitability issues reported are or may be subject to the Rental Housing Code, so Housing Division staff is working with complainants to achieve resolution or move to enforcement.
- The City's Community Development Block Grant (CDBG)/HOME Investment Partnerships Program (HOME) Action Plan for Fiscal Year 2012-2013 was approved as submitted by the United States of Department of Housing and Urban Development in early-June.
- The Economic Development Commission's June meeting included review and discussion of the Blue Ribbon Panel/Development Resources and Resolution (DR2) Committee's top priority action items related to the local development process.
- The OSU/City Collaboration Project Work Groups met six times during June, continuing their review of issues specific to each area.

V. FINANCE

A. Department Highlights

- Continued Department of Environmental Quality refunding documentation review of preliminary official statement and draft Council resolution.
- Staff commenced contract negotiation with CIS for Milliman actuarial work for 2012 other post-employment benefit evaluation cycle.
- MIS is continuing work on crucial policies and procedures related to information technology security and the protection of Federal Bureau of Investigation - Criminal Justice Information Services security data.
- MIS staff finalized the fourth scope of work for the City Web site re-design. The project is anticipated to be completed during the first quarter of Fiscal Year 2012-2013.

VI. FIRE

A. Department Highlights

Operational

Response Activity - June 2012	City	Non-City	Total
Fires	4	0	4
Overpressure/Rupture	0	0	0
Requests for Ambulance	299	87	386
Rescue (Quick Response Team)	141	18	159
Hazardous Condition	9	2	11
Service Requests	37	8	45
Good Intent	26	22	48
False Calls	29	1	30
Other	0	0	0
TOTAL RESPONSES OVERALL	**545**	**138**	**683**

- The City and International Association of Fire Fighters (IAFF) 2240 reached agreement on a three-year contract that will be presented to the City Council for approval on July 2.
- The Weed Abatement hotline, Fire Chief Emery, Mayor Manning, and the City Council received numerous complaints about weeds, tall grass, and other vegetation and debris along the railroad right-of-way owned by Vennell Farms Rail Company (VFRC). That property is not within the Fire Department's jurisdiction, and the Department cannot order abatement. VFRC agreed to hire a surveyor to determine the property boundaries along the rail line. Due to the potential for civil liability, VFRC intends to clear the entire 60-foot width of RR right-of-way, 30 feet on each side of the half-mile stretch north of SW Wake Robin Avenue, as soon as practicable. It is possible that during this clearing process, fencing that was built within the rail right-of-way will be removed.
- Fire staff worked with the United States Secret Service to ensure radio coverage during First Lady Michelle Obama's visit for OSU's commencement.

VII. LIBRARY

A. Department Highlights

- During June, 50,353 patrons visited the Corvallis Library – an average of 1,936 per open day. Another 60,091 users accessed Library services from

their computers. System-wide, 143,796 items were checked out, including 24,334 held items that were picked up.

- System-wide, 153 programs were held during June, with 4,504 attendees of all ages.
- Summer Reading began for all ages and in all Library locations. The 17th annual Teddy Bear picnic featured the Mudpie Divas and Otto the dog entertaining preschoolers. Other programs for older children included a Chintimini Chamber Music Festival concert, Recess Monkey children's music band, and animals from Wild Life Safari. The branches had Lego programs and art programs. For the first time we also have an Adult Summer Reading program, where adults keep track of what they read, share reviews, and are eligible for prizes.
- Three new self-check-out units and a kit to upgrade to a fourth machine were received. These machines feature improved user interface, better scanners, fine payment with credit/debit cards, and the ability for staff to override blocks at the self-check, rather than making the patron get into line for assistance. The machines should be installed in July.
- The blog written by the Adult Services librarians, The Second Floor Librarians, was nominated for best library blog by Salem Press. It was one of 50 outstanding blogs from around the nation, eight of which were from public libraries. Though we were not chosen as a finalist, we were happy to have been nominated.
- The Bookmobile is now on its summer schedule, which includes the Corvallis Farmers' Market on Saturdays.
- Construction began at the new Monroe Community Library site. The June 29 groundbreaking celebration was well attended by community members and county and city dignitaries.
- The United States Department of Agriculture free lunch program has proven wildly successful, growing from 25 lunches on the first day to 60 lunches per day at the Corvallis Library. Approximately 35 children and teens are also served each day at the Philomath Community Library.

B. Other

- Library Specialist III Joe Stevenson, Librarian Amy Spies, and Lead Librarian Carolynn Avery retired in June.
- Our wonderful colleague, Mary Rounds, passed away on June 7 from cancer. Mary was a Community Library Specialist who worked for our library in Alsea for over 28 years. If there is one person responsible for the new Alsea Library, it is Mary. She worked tirelessly with Alsea Community Effort to make the project possible as the organization overcame financial and political hurdles. Her efforts made the Library a true community center, offering creative and often unique programs which enriched Alsea and the

surrounding community. Alsea-area youth especially benefitted from Mary's dedication, not only in library programs, but also from the art classes she taught on her own time. Mary is an example of how one person can make a difference in the lives of many.

VIII. PARKS AND RECREATION

A. Department Highlights

Administration/Planning

- The Department now has two bi-lingual employees at the main office Front Desk. One works mornings, and the other works afternoons, improving customer service for Spanish-speaking residents.
- City Park shelters are rented nearly every weekend through August.
- The feasibility study for a parks and recreation district was completed.
- The Community Garden Master Plan was completed and presented to the Parks, Natural Area and Recreation Board.
- Staff is working with the Public Art Selection Commission on two public art proposals.

Aquatic Center

- Otter Beach kicked off its summer season with more than 1,000 citizens the first day with the School's Out Party Luau.
- More than 600 children registered for the first session of summer swimming and water safety lessons.
- Hosted more than 1,000 children in the Elementary School Swim Parties incentive programs from throughout the Willamette Valley.

Parks and Natural Areas

- Completed Owens Farm barn stabilization project.
- City Council approved entering an agreement to purchase Coronado Park.
- More than 200 state-wide 4-H youth completed a landscape clean-up project in Avery Park as part of a 4-H summit.
- Replalced the irrigation well motor, wiring, and variable frequency drive at Crystal Lakes Sports Complex.
- Staff worked with neighbors of Peanut Park to re-locate the community garden due to construction in the neighborhood.
- The Commission for Martin Luther King, Jr., funded a kiosk at Dr. Martin Luther King, Jr., Park. The kiosk was constructed and will soon include public art.

Recreation

- The Youth Volunteer Corps is full, with 170 participants, who are planning fund-raising events to benefit Parks and Recreation and other non-profits, such as the Children's Farm Home and Philomath Youth Activities Club.
- Currently in the seventh week of the Adult Softball program that has incurred many weather postponements. All games are re-scheduled, with just over a month left in the regular season.
- This year's Adult Soccer program has 11 coed teams and 10 mens teams. The program will continue until the first week of August.
- This year's Adult Sand Volleyball program has 11 teams and will continue through the second week of August.
- Summer Day camps began the week of June 25, with 178 children registered in nine camps serving children 4 through 14 years of age.
- Youth Recreation Corps is planning the Penny Carnival for July 13, Chalk It Up on July 10, and the Children's Parade on July 27.
- Staff is working with Benton County Health Department planning the Campeones de Salud! soccer tournament in August.
- Staff prepared for Transtria's June visit. This site evaluation and process review company will be working with all of the Robert Wood Johnson grant communities.

Senior Center

- Started a Gold Pass requirement beginning July 1. Participants in most Senior Center programs will be required to have a Gold Pass, exceptions include support groups and groups that rent the Center. The annual cost is $25 for residents, $31 for non-residents, or $5 for a one-day pass. Staff sold 136 Passes since June 1.
- OSU student intern Verity Bishop joined the Senior Center team part time this summer. Her projects will include education and outreach about the Supplemental Nutrition Assistance Program (SNAP) (formerly known as food stamps). Verity will plan programs that educate seniors about the SNAP program and make an effort to get more low-income seniors to register to receive this benefit.
- The health promotion program offered two different walking groups for seniors that both began in June; both are going strong and led by volunteer OSU students. The "Active Strides" group walks on Friday mornings, with a different destination around Corvallis each week. The Bald Hill Walking group has been meeting for several terms and continues with walks Monday afternoons at Bald Hill.
- The health promotion program also offered a very successful Farmers' Markets tour and cooking lesson. This class focused on how to use unusual ingredients the group purchased at the Market. This new program was full, and staff plans to offer more programs like it utilizing the Farmers' Markets.

IX. POLICE

A. Department Highlights

Officers investigated 2,309 incidents this month. Following are the highlights:

- Canine Officer Harvey and Xar competed in the annual Springfield Police Department K-9 Competition. Xar was awarded first place medals in suspect apprehension and handler protection. He received third place medals in the agility course and as fastest dog. He scored the highest number of overall points in the competition and was awarded the "Top Dog" trophy. This is Xar's fifth "Top Dog" trophy.
- Patrol arrested four men after numerous reports of them engaging in deceptive magazine sales. Four victims were deceived of more than $1,300. The suspects were located leaving the city in their van. Investigation and evidence collected at the scene indicated numerous additional victims in Corvallis and Benton County. The four men were charged with Theft by Deception and Conspiracy to Commit Theft.
- Detectives arrested a woman who entered Anderson's Jewelers and requested to look at a diamond ring valued at $9,500 and a gold band valued at $350. While the owner's back was to the woman, she replaced the diamond ring and the gold band, which were in ring boxes, with rings she was wearing and swiftly left the store with the stolen rings. The owner ran after the female; however, when he got outside the building, she was nowhere to be found. Thanks to tips from the community, the woman was identified and charged with felony Theft.
- Records staff processed 993 police reports, entered 477 traffic citations, and performed 180 background checks. Staff generated 84 incident reports – 13 percent of the total reports taken during this reporting period.
- Street Crimes detectives followed up on a May arrest by examining telephones and getting numbers of drug dealers and users. They texted a number using a pre-paid cell phone offering to sell heroin. A man texted back and arranged to meet to purchase the heroin. When the man showed up, he was arrested and charged with Attempted Possession of Heroin. Examination of his cell phone led to a number for another man who was offering to sell heroin. Detectives texted this man and arranged to meet him to purchase heroin. When he arrived, he was arrested and charged with Unlawful Possession and Delivery of Heroin. Heroin and cash were located and seized. Detectives were able to identify two residences involved in the distribution of heroin. They obtained and served search warrants at both locations, resulting in the arrests of 11 additional persons. Charges included Possession and Distribution of Heroin, Frequenting a Drug House, Endangering the Welfare of a Minor, and Tampering With Physical Evidence. They also seized drugs and drug paraphernalia.

9-1-1 Center Calls for Service

- The Corvallis Regional Communications Center dispatched 3,431 calls for police, fire, and medical assistance this month as follows:

POLICE		FIRE AND MEDICAL	
Corvallis Police	2,309	Corvallis Fire/Ambulance	525
Benton County Sheriff	469	Other Fire/Medical	38
Philomath Police	90		
TOTAL	2,868	**TOTAL**	563

B. Other

- Officer Thelen returned to patrol after completing her temporary detective assignment with the Investigations Services Division.
- Officer Hackstedt attended Drug Recognition Expert (DRE) training in Monmouth, Oregon.
- Officers Parrish, Stauder, and Hinckley attended Police Training Officer (PTO) training taught by Officer Hurley at the Law Enforcement Center.
- Officer Smith attended Traffic Crash Investigation class in Bend, Oregon.
- Lieutenant Wood attended the Nation Association of Drug Court Professionals (NADCP) conference in Nashville, Tennessee, paid by a Bureau of Justice Assistance grant to Benton County Drug Court.
- Staff participated in a Tip-A-Cop Fundraiser at Applebee's Restaurant. Nearly $850 was raised for Special Olympics Oregon, and 200 to 300 people were contacted during the event.
- First Lady Michelle Obama came to Corvallis to speak at OSU's Commencement and visit her family. Officers and Detectives coordinated with Secret Service for security and traffic control during the visit and commencement.
- Cops and Robbers Class No. 33 graduated.
- After more than 31 years of service to the Corvallis Police Department, Records Specialist Debra Hyatt retired June 29.
- Phil Howrey retired from the Corvallis Police Department after 18 years as an officer and 29 years in law enforcement.

X. PUBLIC WORKS

A. Department Highlights

Administration Division

- Worked with Finance Department to obtain purchasing cards for all work groups within Public Works.

- Provided a draft ordinance to the City Council limiting the use of single-use plastic bags in the community.
- Managed the recruitment process for several key full-time positions and summer seasonal part-time staff.

Engineering Division

- Received notification from Federal Emergency Management Agency (FEMA) of an improved floodplain management rating for our community. The City participates in the National Flood Insurance Program's voluntary Community Rating System that results in reduced flood insurance premium rates. The Corvallis rating improved from class 7 to class 6, which entitles residents of special flood hazard areas to an additional five-percent premium reduction, for a total savings of 20 percent.

Transportation Division

- Oregon Department of Transportation staff is evaluating options for repair of the slide that damaged a 150-foot section of the SW Philomath Boulevard multi-use path, between SW 15th and SW 26th Streets. A temporary barrier was installed to protect path users.
- Bids were opened for the 2012 Sidewalk Safety project, which will repair sidewalks in the north and south sections of the Central Business District during July and August.
- Transportation and Stormwater Division staff received formal notice of a $56,000 grant from the Environmental Protection Agency to facilitate a public process that will identify and prioritize city streets for conversion to "Green Streets," which will serve as alternative transportation corridors, greenways, and storm water treatment facilities.
- Completed repairs to the solar-powered pedestrian crossing on NW Circle Boulevard – the second of two damaged in vehicle accidents.
- Removed most telephone lines from Scott Zimbrick Memorial Fire Station No. 5, keeping only the lines needed for care-keeper status (alarms and callbox).
- Corvallis Transit System ridership for Fiscal Year 2011-2012 was 1,131,842. That represents an increase of 27.2 percent compared to Fiscal Year 2010-2011 ridership, based on rides per service hour.

Utilities Division

- A required update of the City's Water Management and Conservation Plan was submitted to the Oregon Water Resources Department for their review.
- Received bids for the annual timber thinning operation on the Corvallis Forest property. Low bid was Steve Bush Logging of Kings Valley.
- Presented the Total Maximum Daily Load (TMDL) temperature project to the Parks, Natural Areas, and Recreation Board.

- Developed first draft of the utility systems Asset Management Plan.
- Started the semi-annual sludge/sediment removal from Taylor Water Treatment Plant.

XI. MISCELLANEOUS

- Attached is the City Attorney's Office Report to the City Council for June.

AJC

James A. Patterson
City Manager

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ENHANCING COMMUNITY LIVABILITY

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CITY ATTORNEY'S OFFICE
REPORT TO CITY COUNCIL: HIGHLIGHTS

June 2012

The following are highlights of the City Attorney's Office activities during June 2012:

1. Participation in CPOA negotiations.

2. Advice to Administrative Services Committee regarding ordinance banning single-use plastic carryout bags in retail stores.

3. Assistance to Human Resources Dept. regarding internal investigations.

4. Assistance to Administrative Services Committee regarding advisory question for November general election ballot.

5. Preparation of administrative search warrant for remediation of solid waste accumulation at a dwelling unit within the City.

6. Preparation of Answer and Motion to Strike in *AFSCME v. City of Corvallis*, Case No. UP-17-12 (Driving/Travel-Training complaint before Employment Relations Board).

7. Participation in EEOC investigations.

8. Meeting with Planning Department regarding allowed uses in Mixed Use Transitional zone.

Ongoing/Future Matters:

1. Representation of the City before the Benton County Circuit Court in *Corvallis v. Crescent Valley Company* (contempt of court - code violations).

2. Enforcement actions re: code violations (building, rental housing, land development code).

3. Continued work on public records requests.

4. Continued assistance on internal investigations, employee grievances and other employment matters.

5. Assistance in preparing findings for land use decisions.

6. Enforcement of City ordinances and prosecution of offenses in Corvallis Municipal Court.

CORVALLIS CITY COUNCIL GOALS 2011-2012

PREFACE:
This is an update on work accomplished on Council Goals during the last quarter, with expected work to be accomplished in the future also summarized. Overarching Council goals and values throughout the Corvallis 2020 Vision Statement and within the goals listed below include:

♦Diversity ♦Citizen Involvement ♦Sustainability ♦Cost Efficiency

Goals	Corvallis 2020 Vision Statement Categories
By December 2011, the Council will provide direction on recommendations to strengthen access to and availability of locally produced food and community gardens via policy, ordinance and Land Development Code changes. *** By December 2012, the Council will enact code and policy changes corresponding with that direction.** Accomplished through June 30, 2012: • Parks, Natural Areas and Recreation Advisory Board recommended that City Council adopt the Parks and Recreation Department's Community Garden Master Plan at their June 21st meeting. • Parks and Recreation worked with the Peanut Park neighborhood and determined where to re-build the community garden. • Community Development Staff held work sessions with the Planning Commission on June 6th and June 13th, and with the City Council on June 18th, to review and receive preliminary feedback on a package of Land Development Code Amendments, including measures to facilitate access and availability of local food, for development and adoption by December 2012. Next Steps: • The Human Services Committee will review the Parks and Recreation Department's Community Garden Master Plan at an August meeting. • Community Development Staff will begin drafting Land Development Code Amendments related to local food for Planning Commission consideration in September, with City Council consideration to follow beginning in November.	Economic Vitality Governing and Civic Involvement Where we Live
By December 2011, the Council will consider action on recommendations by the Economic Development Commission concerning strategic priorities and funding sources for Economic Development initiatives. Accomplished through June 30, 2012: • The City Manager's FY 2012-13 Proposed Budget included staffing for 2.0 FTE to initiate the City's Economic Development work. The proposal was approved by the Budget Commission and adopted by the City Council. • A recruitment to hire the Economic Development manager was initiated. Applications are due July 6 and a start date is targeted for mid-September. • The contract with the Business Enterprise Center (BEC) was extended for three months to provide continuing Economic Development services on an interim basis. Next Steps: • A recruitment to fill the second Economic Development position will be initiated after the manager is hired.	Central City Economic Vitality Governing and Civic Involvement Where we Live

Goals	Corvallis 2020 Vision Statement Categories
Working with OSU President and his staff, by December 2011, the Council will create a plan to seize opportunities on parking, code enforcement, infill design, rental code, traffic design and other important issues. Accomplished through June 30, 2012: • Work groups are meeting on a twice a month basis. City staff are actively participating. For example, Public Works met with the Parking/Traffic group to discuss parking issues and potential treatments, and Community Development staff have been engaged with the Neighborhood Livability and Neighborhood Planning work groups. • Community Development Staff have reserved space for a few "quick action items" recommended by the work groups for inclusion in the 2012 LDC Amendment package. In order to be included, such items must be relatively simple and broadly supported, and a recommendation from the appropriate work group will be necessary by Mid-July. Next Steps: • The Collaboration Project Steering Committee will meet in August to consider the initial recommendations for the various work groups.	Central City Education and Human Services Governing and Civic Involvement Protecting the Environment Where we Live
The Council will create a financially sustainable City budget. *** Amend compensation policies to align total employee compensation with available City revenue.** *** Develop new sources of revenue that align with the cost of desired City services.** Accomplished through June 30, 2012: • The City Council has previously approved a new financial plan model for the property tax funds, completed work on revised Financial Policies and policies on Compensation and Separation. • The City Manager's Proposed Budget met the Council's definition of a Sustainable Budget, setting aside 31% of the targeted fund balance; the City Council adopted the budget, keeping the reserves intact. • Parks and Recreation completed the feasibility study of becoming a Parks and Recreation District. Next Steps: • A September City Council work session will focus on long-term financial planning, including revenue alternatives, the end of the 2011 levy, and unfunded liabilities. • The Parks, Natural Areas and Recreation Advisory Board will review the Parks and Recreation District Feasibility study at its July 19th meeting.	Culture and Recreation Central City Economic Vitality Education and Human Services Governing and Civic Involvement Protecting the Environment Where we Live

Accomplishments Toward the Overarching Goals and Values (Diversity, Citizen Involvement, Sustainability and Cost Efficiency):

- Citizen Involvement:
  - The City Hall Ambassador program began in April. Thus far, 13 Ambassadors have signed up to provide customer service at the front desk in the City Hall lobby. Many positive comments have been received from citizens, Ambassadors, and staff.
  - An open house was held to introduce the newly promoted Public Works Director, Police Chief, and Police Captain to the community.
  - Public Works staff hosted a public meeting to get feedback on the matrix of options for the Council goal to reduce the use of single-use plastic bags in the community.
  - Public Works staff also held a public meeting to offer citizens an opportunity to provide input on the upcoming Comcast franchise renewal.
  - Met with residents who live along Dixon Creek between Grant and Garfield Avenues to discuss changes to floodplain boundaries in their neighborhood that resulted from recent FEMA flood map modifications.
  - Invited residents in the vicinity of 36th and Grant to inform them of the upcoming water system pump station replacement project which is currently being designed.
  - Conducted the annual public tour of the City's watershed property (Corvallis Forest) to provide citizens the opportunity to see how the forest is being managed.
  - Parks and Recreation staff held a public meeting with Parks, Natural Areas and Recreation Advisory Board, Benton County Natural Areas and Parks Advisory Board and Greenbelt Land Trust Advisory Board.
  - Parks and Recreation staff met with the Bicycle, Pedestrian Advisory Commission, Safe Routes for Schools, and OSU Recreation staff and held a public meeting in Spanish to discuss the Master Plan update.
  - Parks and Recreation staff met with a stakeholder group to discuss the CIP update.
  - The Library honored its over 300 volunteers who gave more than 17,000 hours of service to the library system last year.

- Sustainability:
  - Received Department of Energy approval to use Energy Efficiency and Conservation Block Grant funds to commission Fire Station #1 and complete a re-lighting project at the Wastewater Reclamation Plant tanks.
  - The Sustainability Supervisor attended a three-day workshop funded by the US Environmental Protection Agency as part of the Climate Showcase Community grant. The workshop covered strategic planning, training on tools and resources, managing cooperative agreements and reporting requirements.
  - Presented a draft ordinance to City Council for a new Municipal Code Chapter limiting Single-Use Plastic Carryout Bags.
  - Public Works staff partnered with the Corvallis Police Department in an event called "Light it up" to install lights on the bicycles of 130 unlit riders encountered at the intersection of Kings and Monroe.
  - The Parks and Recreation Youth Volunteer Corps learned to dead head roses in the Avery Park Rose Garden, learned to dry the petals and will sell their product for weddings.
  - The Central Park Neighborhood Association adopted the landscaping around the Arts Center.
  - The Civic Beautification and Urban Forestry Commission distributed beautification awards to approximately 30 residents and/or businesses who had exceptional landscaping viewable from the street.
  - The Library chiller replacement project was completed, funded by an EECBG grant. The more efficient system now in place should reduce operating costs.

- Diversity:
  - The Employer Partnership for Diversity held its final training of the year with several Corvallis employees participating. The topic was Institutional Racism.

○ Working with the MLK Commission, Parks and Recreation constructed a kiosk at MLK Park that will serve as a place to promote the work and vision of Martin Luther King, Jr. ○ Parks and Recreation front desk staff now speak Spanish to increase customer service. • Cost Efficiency: ○ Conducted Dunawi Creek stream clean-up with the help of citizen volunteers. In addition to debris and invasive species removal, over seventy trees and shrubs were planted in the riparian area. ○ Received 45 Light Emitting Diode (LED) traffic signal lights in new condition from Portland Bureau of Transportation because that style is no longer used in Portland. Value is estimated to be $3,500; the City paid $38. ○ Received $21,470 from FEMA as reimbursement for flooding response activities performed by Police and Public Works staff during the January 2012 rain event. ○ Parks and Recreation implemented elements of its cost recovery strategy, including eliminating some programs, increasing fees, and pursuing alternative revenue methods. ○ Parks and Recreation received authorization of $193,531,50 from FEMA to reconstruct the Mary's River Natural Area boardwalk damaged in the winter flood. ○ Parks and Recreation staff negotiated the purchase of Coronado Park. ○ Parks and Recreation completed the feasibility study of becoming a Parks and Recreation District. ○ The Library Foundation took the lead in fundraising to purchase the adjacent property to "Complete the Block" when the time comes that the property is available. Over $100,000 has been raised already.	

DEPARTMENT ACCOMPLISHMENTS

CITY MANAGER'S OFFICE

- Kicked off the City Council election process with a press release and updated the City website with general information about the process and links to a nomination packet, forms, and Council orientation program resources.
- Department Directors sent notices of the proposed reduction in force to employees impacted by the proposed Fiscal Year 2012-2013 budget; Human Resources staff began working on the resulting processes.
- Timely publication of an advisory question ballot title and notice of municipal election for the May 2012 primary election.
- Promoted Mary Steckel to Public Works Director and Jon Sassaman to Police Chief.

COMMUNITY DEVELOPMENT DEPARTMENT

- The Alexander Court site of the two-site Alexander Seavey affordable rental housing development project was completed by Willamette Neighborhood Housing Services in May. Occupancy at the 24-unit site in South Corvallis reached 79% by fiscal year-end, and will reach 100% in July. The 24-unit Seavey Meadows site will be completed in late July/early August. The City provided $1.45 million in HOME funding and $210,000 in CDBG funding to support the project.
- Planning Division Staff are preparing a package of Land Development Code (LDC) Amendments for adoption by the end of 2012. The package of LDC Amendments will correct errors and omissions in the LDC, incorporate most of the recommendations of the Infill Development Task Force, streamline certain LDC provisions, include measures to facilitate access and availability of local food, and, potentially, include a few "quick action items" from the OSU Collaboration Project.

FINANCE DEPARTMENT

- Utility Billing completed its solicitation for services to print and mail over 14,000 monthly City Services statements. The selection resulted in a 24% reduction in the cost of printing the monthly statements.

FIRE DEPARTMENT

- Zimbrick Memorial Fire Station 5 was closed effective June 16. Resources assigned to that station have been redeployed within the Department.
- The City and the Firefighters' Union reached tentative agreement on a three-year contract. It was ratified by the Union and will go before Council on July 2.
- The Training Division continues to work with MIS to implement Adobe Connect.

- Batallion Chief Louden and EMS Division Chief Bauscher participated in Eugene's "Vigilant Guard" exercise on May 2.
- The Prevention Division completed Hoover School's Learn-Not-To-Burn program and is preparing to implement "Risk Watch" at Lincoln Elementary during the 2012-2013 school year.

LIBRARY

- Groundbreaking for the new Monroe Community Library was held on June 29. It is expected that construction will take up to 6 months. The project is entirely funded by grants and private fundraising.
- Over 2,00 books were donated to the library for the First Book project which places books in the hands of children. The books were donated by the African American Greek Association at OSU.
- The smaller, more efficient bookmobile is going to a number of new stops, including the Farmer's Market on Saturdays.
- The Alsea Community Library meeting room was renamed in memory of longtime Alsea Community Library Specialist Mary Rounds, who passed away in June. The building is owned by Alsea Community Effort.
- Summer Reading kicked off in June for youth, and this year, for adults as well. Youth summer programs are held weekly system-wide as well as regular storytimes.
- A mobile app for the library was developed with the financial support of the Friends of the Library. Users can access their accounts and the library catalog from mobile devices. Eventually checkout with mobile devices will be available.
- Amy Spies, Joe Stevenson, and Carolynn Avery retired from the library system.

PARKS & RECREATION DEPARTMENT

- On May 19th Parks and Recreation hosted "Hidden Treasures – the Backyards of Corvallis and More! Garden tour fund raiser. 105 people toured 7 gardens with wonderful weather, and the event raised more that $1,00 for Parks and Recreation.
- The Chintimini Senior Center has started a Gold Pass requirement beginning July 1. Participants in most Senior Center programs will be required to have a Gold Pass, exceptions include support groups and groups that rent the Senior Center. The annual cost is $25 resident $31 non-resident or a $5 day pass. Staff began selling the passes on June 1 and sold 136 in the month.
- Swimming and Water Safety Lessons registered over 600 children in the first session of the summer.
- At the end of May recreation staff wrapped up our most successful season of youth Lacrosse. In four years the program has grown from 12 children and no teams to 87 participants on four teams.
- Parks staff worked with the neighbors of Peanut Park to relocate the community garden due to construction in the neighborhood.
- Staff went through the naming process to formally name the Central Park Plaza, the Arts Center Plaza during the Spring Garden Festival.

POLICE DEPARTMENT

- On June 16, 2012 Canine Xar and Officer Harvey took top honors at the Oregon Police Canine Competition attaining the Top Dog 2012 award.
- Cops and Robbers Citizen Police Academy #33 was completed with 20 graduates.
- CPD's Greek Liaison Officers met with the leadership of OSU Greek Life. Sgt. Goodwin attended the annual OSU Greek Awards Banquet.
- CPD officers participated in a drug take back event on April 28th.
- Officers Seney and Christoson graduated from the Department of Public Safety Standards and Training (DPSST) Basic Academy and moved into the Police Training Program.
- Officer Stanley Fisher was hired and began training at DPSST.
- A Pedestrian Safety Enforcement Operation was begun in April and will conclude on September 17, 2012.

PUBLIC WORKS

- Received an EPA Grant to develop a plan for "Green Streets" as a mechanism to treat rain water runoff, develop alternative transportation routes, expand green space and promote community health. Councilor Hervey represented the City at an EPA awards ceremony on June 28.
- Transit ridership continues to be very high with the trend for FY 11-12 nearing 1.2 million rides.
- Held meetings with the Citizens' Advisory Commission on Transit to develop transit expansion ideas to take to the public for input.

ADMINISTRATIVE SERVICES COMMITTEE
SCHEDULED ITEMS

July 12, 2012

MEETING DATE	AGENDA ITEM
July 18	• Land Use Application Fees Initial Review
August 8	• Department of Environmental Quality (DEQ) Loan Refunding • Allied Waste Services Rate Increase
August 22	• Comcast Franchise Renewal Update
September 5	• Visit Corvallis Fourth Quarter Report
September 19	• 2013-2014 City Council Team Building and Goal Setting Facilitator Process

October 3	• Council Policy Reviews and Recommendations:
	  • CP 91-3.01, "Appointment of the Acting City Manager"
	  • CP 08-1.11, "Identity Theft Prevention and Red Flag Alerts"
	• Fire Protection Fee
	• Fourth Quarter Operating Report

October 17	• Utility Rate Annual Review
November 7	• Council Policy Review and Recommendation: • CP 97-10.01-10.08, "Financial Policies"
November 21	
December 5	• Visit Corvallis First Quarter Report • Council Policy Review and Recommendation: • CP 96-6.03, "Economic Development Policies" • Comprehensive Annual Financial Report • First Quarter Operating Report
December 19	• Parks and Recreation Cost Recovery Update

ASC PENDING ITEMS

• da Vinci Days Loan Review/Restructuring	Parks & Recreation
• Economic Development Policy on Tourism	Community Development
• Majestic Theatre Management Loan Extension Review	Parks & Recreation
• Voluntary Donations on Electronic Utility Payments	Finance

Regular Meeting Date and Location:
Wednesday following Council, 4:00 pm – Madison Avenue Meeting Room

HUMAN SERVICES COMMITTEE
SCHEDULED ITEMS

July 12, 2012

MEETING DATE	AGENDA ITEM
July 17	No meeting
August 7	• Community Gardens Master Plan
August 21	• Social Services Semi-Annual Report
September 4	
September 18	• Rental Housing Program Annual Report
October 2	• Council Policy Review and Recommendation: • CP 95-1.07, "Policy Regarding the City Flag"

October 16	• Council Policy Reviews and Recommendations:
	  • CP 91-4.03, "Senior Citizens' Center Operational Policies"
	  • CP 92-4.04, "Park Utility Donations"

November 6	• Council Policy Review and Recommendation: • CP 92-4.06, "Library Displays, Exhibits, and Bulletin Boards"
November 20	
December 4	• 2013-2014 Social Services Allocation Process and Calendar • Cost Recovery Review
December 18	• Communications Plan Annual Report

HSC PENDING ITEMS

• Council Policy Review: • CP 00-6.05, "Social Service Funding Policy"	Community Development
• Indoor Furniture Placed Outdoors	Community Development
• Municipal Code Review: Chapter 5.01, "City Park Regulations" (Alcoholic Beverages in Parks)	Parks & Recreation
• Municipal Code Review: Chapter 5.03, "Offenses" (tobacco) and Chapter 8.10, "Tobacco Retail Licenses"	Police
• Municipal Code Review: Chapter 9.02, "Rental Housing Code"	Community Development
• Parks and Recreation Master Plan Update (February 2013)	Parks & Recreation
• Use of City Logo by Social Services Allocation Recipients	Community Development

Regular Meeting Date and Location:
Tuesday following Council, 12:00 pm – Madison Avenue Meeting Room

URBAN SERVICES COMMITTEE
SCHEDULED ITEMS

July 12, 2012

MEETING DATE	AGENDA ITEM
July 19	• Permit to Occupy Public Right-of-Way for OSU telecommunications
August 9	• Sather Annexation Explanatory Statement and Display Advertisements • Council Policy Review and Recommendation: • CP 95-7.12, "Integrated Vegetation Pest Management (IVPM) Program"
August 23	
September 6	
September 20	• Corvallis Forest Stewardship Plan Review and Recommendation • Municipal Code Review: Chapter 8.13, "Mobile Food Units"

October 4	• Council Policy Reviews and Recommendations:
	  • CP 91-7.05, "Capital Improvement Program"
	  • CP 91-7.06, "Engineering and Administrative Cost for Assessment Projects"

October 18	• Council Policy Review and Recommendation: • CP 03-7.16, "Guidelines for Donations of Land and/or Improvements for Parks as an Offset to Systems Development Charges for Parks"
November 8	
November 22	
December 6	
December 20	

USC PENDING ITEMS

- Financial Implications of Council Policies/Decisions/Directions — Finance
- Parking in Bicycle Lanes — Police
- Total Maximum Daily Load (TMDL) Update — Public Works

Regular Meeting Date and Location:
Thursday following Council, 5:00 pm – Madison Avenue Meeting Room

UPCOMING MEETINGS OF INTEREST

City of Corvallis

JULY - DECEMBER 2012
(Updated July 12, 2012)

JULY 2012

Date	Time	Group	Location	Subject/Note
12	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Madison Avenue Mtg Rm	
14		*No* Government Comment Corner		
16	**5:30 pm**	**City Council Executive Session**	**Downtown Fire Station**	
16	**6:00 pm**	**City Council**	**Downtown Fire Station**	
17		*No* Human Services Committee		
17	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Madison Avenue Mtg Rm	
18	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
18	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
18	~~7:00 pm~~ *5:30 pm*	Planning Commission	Downtown Fire Station	
19	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
19	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
21		*No* Government Comment Corner		
24	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
~~25~~	~~5:00 pm~~	~~Watershed Mgmt Adv Cmsn~~	~~Madison Avenue Mtg Rm~~	
26	*4:00 pm*	*Public Art Selection Commission*	*Parks and Rec Conf Rm*	
26	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
26	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Madison Avenue Mtg Rm	
28	10:00 am	Government Comment Corner	Library Lobby - Biff Traber	
31	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	Madison Avenue Mtg Rm	

AUGUST 2012

Date	Time	Group	Location	Subject/Note
1	7:00 pm	Planning Commission	Downtown Fire Station	
1	7:30 pm	Library Board	Library Board Room	
2	7:30 am	Investment Council	Madison Avenue Mtg Rm	
2	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Madison Avenue Mtg Rm	
3	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
4	10:00 am	Government Comment Corner	Library Lobby - TBD	
6	**5:30 pm**	**City Council Executive Session**	**Downtown Fire Station**	**tentative**
6	**6:00 pm**	**City Council**	**Downtown Fire Station**	
7	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
7	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
7	4:00 pm	Downtown Cmsn Parking Cmte	Madison Avenue Mtg Rm	
8	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
8	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
8	*5:30 pm*	*Downtown Commission*	*Downtown Fire Station*	
9	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
9	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	

Date	Time	Group	Location	Subject/Note
9	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Library Main Meeting Rm	
11	10:00 am	Government Comment Corner	Library Lobby - TBD	
~~13~~	~~3:00 pm~~	~~Economic Development Cmsn~~	~~Madison Avenue Mtg Rm~~	
14	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Grp	Madison Avenue Mtg Rm	
14	*7:00 pm*	*Historic Resources Commission*	*Downtown Fire Station*	
15	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
15	*3:00 pm*	*Economic Development Cmsn*	*Madison Avenue Mtg Rm*	
15	7:00 pm	Planning Commission	Downtown Fire Station	
16	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Madison Avenue Mtg Rm	
~~16~~	~~6:30 pm~~	~~Parks, Natural Areas, and Rec Brd~~	~~Downtown Fire Station~~	
18	10:00 am	Government Comment Corner	Library Lobby - TBD	
20	**6:00 pm**	**City Council**	**Downtown Fire Station**	
21	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
22	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
23	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
23	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
23	5:30 pm	OSU/City Collaboration Project Parking and Traffic Work Group	Library Main Meeting Rm	
23	*6:30 pm*	*Parks, Natural Areas, and Rec Brd*	*Downtown Fire Station*	
25	10:00 am	Government Comment Corner	Library Lobby - TBD	
28	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
28	5:30 pm	OSU/City Collaboration Project Neighborhood Planning Work Grp	Senior Center Multi-Purpose Room	
~~29~~	~~5:00 pm~~	~~Watershed Mgmt Adv Cmsn~~	~~Madison Avenue Mtg Rm~~	
30	5:30 pm	OSU/City Collaboration Project Neighborhood Livability Work Group	Madison Avenue Mtg Rm	

SEPTEMBER 2012

Date	Time	Group	Location	Subject/Note
1		No Government Comment Corner		
3		City holiday - all offices closed		
4	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
4	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
4	4:00 pm	Downtown Cmsn Parking Cmte	Madison Avenue Mtg Rm	
4	***6:00 pm***	**City Council**	**Downtown Fire Station**	
5	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
5	7:00 pm	Planning Commission	Downtown Fire Station	
5	7:30 pm	Library Board	Library Board Room	
6	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
7	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
8	10:00 am	Government Comment Corner	Library Lobby - TBD	
10	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
10	7:00 pm	Mayor/City Council/City Manager Quarterly Work Session	Madison Avenue Mtg Rm	
11	7:00 pm	Historic Resources Commission	Downtown Fire Station	
12	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
12	5:30 pm	Downtown Commission	Downtown Fire Station	
13	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
15	10:00 am	Government Comment Corner	Library Lobby - Julie Manning	

Date	Time	Group	Location	Subject/Note
17	**6:00 pm**	**City Council**	**Downtown Fire Station**	
18	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
19	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
19	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
19	7:00 pm	Planning Commission	Downtown Fire Station	
20	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
20	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
22	10:00 am	Government Comment Corner	Library Lobby - TBD	
26	5:00 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
27	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
29	10:00 am	Government Comment Corner	Library Lobby - Mike Beilstein	

OCTOBER 2012

Date	Time	Group	Location	Subject/Note
1	**6:00 pm**	**City Council**	**Downtown Fire Station**	
2	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
2	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
2	4:00 pm	Downtown Cmsn Parking Cmte	Madison Avenue Mtg Rm	
3	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
3	7:00 pm	Planning Commission	Downtown Fire Station	
3	7:30 pm	Library Board	Library Board Room	
4	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
5	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
6	10:00 am	Government Comment Corner	Library Lobby - TBD	
8	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
9	7:00 pm	Historic Resources Commission	Downtown Fire Station	
10	8:20 am	Citizens Adv Cmsn on Transit	Madison Avenue Mtg Rm	
10	5:30 pm	Downtown Commission	Downtown Fire Station	
11	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Rm	
13	10:00 am	Government Comment Corner	Library Lobby - TBD	
15	**6:00 pm**	**City Council**	**Downtown Fire Station**	
16	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
17	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
17	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
17	7:00 pm	Planning Commission	Downtown Fire Station	
18	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
18	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
20	10:00 am	Government Comment Corner	Library Lobby - TBD	
24	5:00 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	
25	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Rm	
27	10:00 am	Government Comment Corner	Library Lobby - TBD	

NOVEMBER 2012

Date	Time	Group	Location	Subject/Note
3	10:00 am	Government Comment Corner	Library Lobby - TBD	
5	**6:00 pm**	**City Council**	**Downtown Fire Station**	
6	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
7	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
7	7:00 pm	Planning Commission	Downtown Fire Station	
7	7:30 pm	Library Board	Library Board Room	

Date	Time	Group	Location	Subject/Note
8	7:30 am	Investment Council Meeting	Madison Avenue Mtg Rm	
8	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
10	10:00 am	Government Comment Corner	Library Lobby - TBD	
12	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
13	7:00 pm	Historic Resources Commission	Downtown Fire Station	
14	5:30 pm	Downtown Commission	Downtown Fire Station	
17	10:00 am	Government Comment Corner	Library Lobby - TBD	
19	**6:00 pm**	**City Council**	**Downtown Fire Station**	
20	12:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
21	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
21	4:00 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
21	7:00 pm	Planning Commission	Downtown Fire Station	
22		City holiday - all offices closed		
22		No Urban Services Committee		
23		City holiday - all offices closed		
24		*No* Government Comment Corner		
28	5:00 pm	Watershed Mgmt Adv Cmsn	Madison Avenue Mtg Rm	

DECEMBER 2012

Date	Time	Group	Location	Subject/Note
1	*10:00 am*	*Government Comment Corner*	*Library Lobby - Julie Manning*	
3	***6:00 pm***	***City Council***	***Downtown Fire Station***	
4	*12:00 pm*	*Human Services Committee*	*Madison Avenue Mtg Rm*	
5	*4:00 pm*	*Administrative Services Committee*	*Madison Avenue Mtg Rm*	
5	*7:00 pm*	*Planning Commission*	*Downtown Fire Station*	
5	*7:30 pm*	*Library Board*	*Library Board Room*	
6	*5:00 pm*	*Urban Services Committee*	*Madison Avenue Mtg Rm*	
8	*10:00 am*	*Government Comment Corner*	*Library Lobby - TBD*	
10	*3:00 pm*	*Economic Development Cmsn*	*Madison Avenue Mtg Rm*	
11	*7:00 pm*	*Historic Resources Commission*	*Downtown Fire Station*	
12	*5:30 pm*	*Downtown Commission*	*Downtown Fire Station*	
15	*10:00 am*	*Government Comment Corner*	*Library Lobby - TBD*	
17	***6:00 pm***	***City Council***	***Downtown Fire Station***	
18	*12:00 pm*	*Human Services Committee*	*Madison Avenue Mtg Rm*	
19	*12:00 pm*	*Housing and Comm Dev Cmsn*	*Madison Avenue Mtg Rm*	
19	*4:00 pm*	*Administrative Services Committee*	*Madison Avenue Mtg Rm*	
19	*7:00 pm*	*Planning Commission*	*Downtown Fire Station*	
20	*5:00 pm*	*Urban Services Committee*	*Madison Avenue Mtg Rm*	
25		*City holiday - all offices closed*		
22	*10:00 am*	*Government Comment Corner*	*Library Lobby - TBD*	
29	*10:00 am*	*Government Comment Corner*	*Library Lobby - TBD*	

Bold type – involves the Council

~~Strikeout~~ type – meeting canceled

Italics type – new meeting

TBD – To be Determined

PC – Planning Commission

HRC –Historic Resources Commission