



A place where families and businesses thrive.

Monday, June 28, 2021

City Council Regular Meeting Minutes

7:00 p.m., Zoom Community Auditorium

***Minutes are unofficial until approved by Council.
Council approved minutes as presented July 12, 2021.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:04 p.m. via Zoom Webinar Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the City Council conducted the Council meeting in a “hybrid” format allowing the public to attend both virtual and in-person in the Community Auditorium as spaced allowed. Members of the public could observe the meeting **LIVE on Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming Channel 30. Written comments were accepted by 3:00 p.m. the day of the meeting.

ROLL CALL: COUNCIL PRESENT ATTENDED BY ZOOM WEBINAR: Donna Gustafson; Kristy Kottkey; Timothy Rippe; Mariana Valenzuela; Malynda Wenzl, Council President; and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing.

STAFF PRESENT ATTENDED BY ZOOM WEBINAR: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; Patrick Fale, Interim Fire Chief; Brenda Camilli, Human Resources Manager; Elizabeth Stover, Communications/Program Coordinator; and Bev Maughan, Executive Assistant. **STAFF ABSENT:** Anna Ruggles, City Recorder.

ZOOM ATTENDEES: 8

2. PUBLIC COMMENT SIGN-IN:

The following written e-mail correspondence was received and added to the Council Packet:

	Name:	Subject	Dated:
1.	Kevin Mannix	More Local Control Over Emergencies	06/23/2021
2.	Morgan Knapp	Threatening letters	06/25/2021
3.	Adolph Valfre	Emergency Action is Warranted	06/25/2011

The following testimony was heard via Zoom:

Johanna Peeters Weem, and Lucie Carriker, Forest Grove, addressed Council pertaining to the proposed draft Forest Grove Youth Advisory Council (YAC) bylaws, noting YAC is proposing to provide advice to the Mayor and in government. No action was taken at this time; however, a Council work session was suggested to go over the proposed bylaws.

Michael Perrault, Forest Grove, addressed Council pertaining to cooling stations for the homeless in Forest Grove.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of June 14, 2021.
- B. Approve City Council Regular Meeting Minutes of June 14, 2021.
- C. Accept Committee for Community Involvement Meeting Minutes of May 4, 2021.
- D. Accept Community Forestry Commission Meeting Minutes of May 12, 2021.
- E. Accept Library Commission Meeting Minutes of May 12, 2021.
- F. Accept Public Arts Commission Meeting Minutes of May 20, 2021.
- G. Endorse New Liquor License Application (Full On-Premises Sales) for Biscuitology, 2004 Main Street, Suite 110.
- H. Endorse New Liquor License Application (Off-Premises Sales) for 7 Star Convenience Store #2, 3034 Pacific Avenue.
- I. **RESOLUTION NO. 2021-31 AMENDING CITY OF FOREST GROVE'S DECLARATION OF STATE OF EMERGENCY, EFFECTIVE MARCH 14, 2020, AT 1:00 P.M., TO BE EXTENDED AND REMAIN IN EFFECT UNTIL 8:00 P.M. ON JULY 12, 2021, UNLESS SUPERSEDED SOONER; AMENDING RESOLUTION NO. 2021-25.** ITEM REMOVED, REFER BELOW.

MOTION: Council President Wenzl moved, seconded by Councilor Valenzuela, to approve the Consent Agenda as amended. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

- 3. I. RESOLUTION NO. 2021-31 AMENDING CITY OF FOREST GROVE'S DECLARATION OF STATE OF EMERGENCY, EFFECTIVE MARCH 14, 2020, AT 1:00 P.M., TO BE EXTENDED AND REMAIN IN EFFECT UNTIL 8:00 P.M. ON JULY 12, 2021 JUNE 30, 2021, UNLESS SUPERSEDED SOONER; AMENDING**

RESOLUTION NO. 2021-25.

Mayor Truax removed the above-noted resolution from the Consent Agenda and proposed a motion to amend the resolution so it sunsets on June 30, 2021, noting on June 25, 2021, the Governor signed Executive Order No. 21-15 (the "Recovery Order"), lifting the vast majority of Oregon's COVID-19 (Coronavirus disease) pandemic-related restrictions as of Wednesday, June 30, 2021. The Recovery Order eliminates the statewide mask mandate, as well as requirements for physical distancing indoors, capacity limits, and vaccine verification. The Recovery Order further ends certain restrictions applicable to child daycare services and all levels of educational facilities.

MOTION TO AMEND: Councilor Rippe moved, seconded by Councilor Kottkey, to amend Consent Agenda Item 3. I. as noted above. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. **NOES:** None. **ABSENT:** Councilor Uhing. **MOTION CARRIED 6-0.**

4. ADDITIONS/DELETIONS:

City Manager: None.

Proposed by Councilors: None.

5. PRESENTATIONS:

5. A. COVID-19 (Coronavirus disease) Reopening

Interim Fire Chief Fale presented a PowerPoint presentation overview pertaining to COVID-19 Reopening Oregon. As reported above, the Governor's Executive Order No. 21-15 is rescinding all remaining COVID-19 (Coronavirus disease) pandemic-related restrictions in Oregon effective June 30, 2021; however, the order is unclear if the Governor is rescinding Oregon OSHA's permanent workplace rules.

5. B. Fire Chief Hiring Process

Brenda Camilli reported on the Fire Chief hiring process, noting the City is seriously looking at diversity, equity and inclusion in its hiring process. Camilli briefed on the step-by-step application, interview and selection process, noting the application closing date is August 1, 2021, with hiring selection completed by the end of September. The City Manager makes the final hiring decision.

6. 1. PUBLIC HEARING AND RESOLUTION NO. 2021-32 ADOPTING BUDGET FOR FISCAL YEAR COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the Budget Committee approved at its June 8, 2021, meeting a proposed budget of

\$143,982,570 for Fiscal Year commencing July 1, 2021, and ending June 30, 2022. Downey advised staff is recommending the following changes to the approved budget as follows:

- Increase Professional Services in the General Fund Administrative Services Department by \$30,000 to fund polling services for the renewal or replacement of the City's current Local Option Levy. General Fund Reserves will be reduced to fund this expenditure. The Total Budget does not change due to this change as one expenditure category is being increased by the same amount another expenditure category is being decreased.
- In the Fire Equipment Replacement Fund, \$9,000 will be carried over to complete the outfitting of a command vehicle which has been delayed by equipment shortages. Beginning Fund Balance Revenue will be increased by \$4,500, Payments from the Forest Grove Rural Fire District will be increased by \$4,500, and Capital Outlay will be increased by total of \$9,000 to allow for the expenditure of funds to purchase the equipment.

In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, which includes the above-noted two changes increasing the proposed budget by \$9,000 for a total adopted budget in the amount of \$143,991,570 for Fiscal Year 2021-22.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-32.

VanderZanden read Resolution No. 2021-32 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Rippe, to approve Resolution No. 2021-32 Adopting Budget for Fiscal Year Commencing July 1, 2021, and Ending June 30, 2022, in the Amount of \$143,991,570.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 2. RESOLUTION NO. 2021-33 LEVYING AND CATEGORIZING TAXES FOR THE CITY OF FOREST GROVE FOR THE FISCAL YEAR COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022

Staff Report:

Downey presented the above-proposed resolution levying and categorizing taxes imposed at the rate of \$5.554 per \$1,000 of assessed value for Fiscal Year commencing July 1, 2021, and ending June 30, 2022, as outlined in the staff report and proposed resolution. In conclusion of the above-noted staff report, Downey advised as proposed in the resolution, the City levies the following: 1) General Fund – Permanent Rate of \$3.9554 and 2) City's Five-Year Local Option Levy of \$1.6000, which expires June 30, 2023.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-33.

VanderZanden read Resolution No. 2021-33 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Gustafson, to adopt Resolution No. 2021-33 Levying and Categorizing Taxes for Fiscal Year Commencing July 1, 2021, and Ending June 30, 2022.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 3. RESOLUTION NO. 2021-34 MAKING APPROPRIATIONS FOR THE CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE FISCAL YEAR COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022

Staff Report:

Downey presented the above-proposed resolution making the necessary appropriations for Fiscal Year commencing July 1, 2021, and ending June 30, 2022, as outlined in the staff report and proposed resolution. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-34.

VanderZanden read Resolution No. 2021-34.

MOTION: Council President Wenzl moved, seconded by Councilor Valenzuela, to approve Resolution No. 2021-34 Making Appropriations for the City of Forest Grove, Washington County, Oregon, for the Fiscal Year Commencing July 1, 2021, and Ending June 30, 2022.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 4. RESOLUTION NO. 2021-35 ADOPTING THE FISCAL YEARS 2021-26 CAPITAL IMPROVEMENTS PROGRAM

Staff Report:

Downey presented the above-proposed resolution adopting Fiscal Years 2021-26 Capital Improvements Program (CIP) as approved by the Budget Committee, noting the CIP forms the basis of the capital projects that the City is planning to accomplish over the next five years. Projects funded by system development charges (SDC) funds need to be listed in the CIP in order for SDC funds to be expended on those projects. Two changes in funding sources have been made to the CIP for FY 2021-26 that was approved by the Budget Committee: 1) the funding for the \$175,000 Emergency Intertie Design project has been moved from the American Rescue Plan

Fund to the Water SDC Fund; and 2) \$50,000 in funding for the Sewer Inflow and Infiltration (I&I) project has been moved from the American Rescue Plan Fund to the Sewer SDC Fund. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting projects to be started and/or completed in FY 2021-22 are reflected in the appropriate funds in the FY 2021-22 Budget.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-35.

VanderZanden read Resolution No. 2021-35 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Kottkey, to approve Resolution No. 2021-35 Adopting Fiscal Years 2021-26 Capital Improvements Program.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6 .5. PUBLIC HEARING AND RESOLUTION NO. 2021-36 CERTIFYING SERVICES PROVIDED BY THE CITY OF FOREST GROVE

Staff Report:

Downey presented the above-proposed resolution certifying services provided by the City for Fiscal Year 2021-22 as outlined in the staff report and proposed resolution. In conclusion of the above-staff report, Downey advised the City is required to certify the services provided by the City in order to receive State Shared Revenue.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-36.

VanderZanden read Resolution No. 2021-36 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2021-36 Certifying Services Provided by the City of Forest Grove.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 6. PUBLIC HEARING AND RESOLUTION NO. 2021-37 DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES

Staff Report:

Downey presented the above-proposed resolution declaring the City's intent to receive State Revenue Sharing for Fiscal Year 2021-22 as outlined in the staff report and proposed resolution. In conclusion of the above-noted staff report, Downey advised the City is projected to receive \$470,802 in Alcohol Tax Revenue; \$19,330 in Cigarette Tax Revenue; \$43,000 in State Marijuana Tax Revenue; \$310,729 in State Revenue Sharing and \$1,948,484 in State Gasoline Tax Revenue, noting for budgetary purposes, Alcohol Tax is allocated to the Police Department; Cigarette Tax is allocated to the Fire Department; and State Marijuana Tax and State Shared Revenue are put in the General Fund Discretionary Revenue. State Gasoline Tax is distributed 99 percent to the Street Fund and 1 percent to Bikeways and Pedestrian Fund. In conclusion of the above-staff report, Downey advised if the City decided not to accept the State Shared Revenue, the City would have to reduce General Fund

expenditures by \$842,861 or use General Fund reserves to make up for the loss of that revenue. In Street Fund, road maintenance activities would stop.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-37.

VanderZanden read Resolution No. 2021-37 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Gustafson, to adopt Resolution No. 2021-37 Declaring City's Election to Receive State Shared Revenues.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 7. **PUBLIC HEARING AND RESOLUTION NO. 2021-38 ADOPTING CAPITAL IMPROVEMENTS PROGRAM EXCISE TAX AND REPEALING RESOLUTION NO. 2020-64**

Staff Report:

Downey presented the above-proposed resolution imposing Capital Improvements Program (CIP) Excise Tax for the purpose of funding public safety and general government programs within the CIP for Fiscal Year 2021-22 as outlined in the staff report and proposed resolution. Downey reported the City expects to collect approximately \$372,000 in revenue from the CIP Excise Tax in Fiscal Year 2021-22 based on current fee levels. The fees will remain the same for each electric meter for Fiscal Year 2021-22 as follows: 1) Residential, \$3.00; 2) Commercial – Single Phase, \$7.50; and 3) All others, \$15.00. As in prior years, 90 percent of fees collected will be used to fund public safety capital needs, particularly police and fire vehicle replacements, and 10 percent will be used to fund General Government Programs. Downey advised other proposed expenditures in the CIP Excise Tax Fund in FY 2021-22 include: 1) the City's portion of the Fire Department's fire alarm system; 2) printers and other supplies for Police's electronic citation writing system; 3) tables and chairs for the Community Auditorium; 4) lifeguard chairs; and 5) furniture for the Development Services Annex/City Hall project. In conclusion of the above-noted staff report, Downey advised the CIP Excise Tax is accounted for in a separate fund to ensure the tax proceeds are spent as required by resolution.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-38.

VanderZanden read Resolution No. 2021-38 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Kottkey, to approve Resolution No. 2021-38 Adopting Capital Improvements Program Excise Tax and Repealing Resolution No. 2020-64.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 8. **RESOLUTION NO. 2021-39 AUTHORIZING SUPPLEMENTAL BUDGET TO APPROPRIATE THE EXPENDITURE OF ADDITIONAL FUNDS FOR EXTERNAL WORK PERFORMED IN THE LIGHT AND POWER FUND FOR FISCAL YEAR 2020-21**

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing supplemental budget to appropriate the expenditure of additional funds for external work performed in the Light and Power Fund for Fiscal Year 2020-21. During an unforeseen major outage, Light and Power dispatched the majority of its line crews to assist Portland General Electric (PGE) in the restoration of service for its customers. The City incurred \$525,581 in overtime and related payroll costs for which PGE has fully reimbursed the City. In conclusion of the above-noted staff report, Downey advised a budget appropriation for incurred costs needs to be made to prevent an appropriation overexpenditure.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-39.

VanderZanden read Resolution No. 2021-39 by title.

MOTION: Councilor Kottkey moved, seconded by Councilor Rippe, to adopt Resolution No. 2021-39 Authorizing Supplemental Budget to Appropriate the Expenditure of Additional Funds for External Work Performed in the Light and Power Fund for Fiscal Year 2020-21.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 9. RESOLUTION NO. 2021-40 AUTHORIZING SUPPLEMENTAL BUDGET TO APPROPRIATE THE EXPENDITURE OF ADDITIONAL FUNDS FROM THE STATES OF OREGON AND CALIFORNIA FOR FIRE CONFLAGRATION COSTS INCURRED IN THE GENERAL FUND FOR FISCAL YEAR 2020-21

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing supplemental budget to appropriate the expenditure of additional funds from the States of Oregon and California for fire conflagration costs incurred in the General Fund for Fiscal Year 2020-21. In FY 2020-21, the City has or will receive \$238,345 in funds from the States of Oregon and California to reimburse the City of Forest Grove for staff and equipment sent on various fire conflagrations during FY 2020-21. The City incurred additional staffing and equipment expense on the fire conflagrations. In conclusion of the above-noted staff report, Downey advised a budget appropriation for incurred costs needs to be made to prevent an appropriation overexpenditure.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-40.

VanderZanden read Resolution No. 2021-40 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Kottkey, to adopt Resolution No. 2021-40 Authorizing Supplemental Budget to Appropriate the Expenditure of Additional Funds from the States of Oregon and California for Fire Conflagration Costs Incurred in the General Fund for Fiscal Year 2020-21.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6. 10. RESOLUTION NO. 2021-41 TRANSFERRING APPROPRIATIONS WITHIN VARIOUS FUNDS FOR THE FISCAL YEAR 2020-21

Staff Report:

Downey presented the above-proposed resolution transferring various appropriated amounts for Fiscal Year 2020-21 as outlined in the staff report and proposed resolution. In conclusion of the above-noted staff report, Downey advised staff is recommending Council adopt the proposed resolution transferring appropriations within Fiscal Year 2020-21 budget, so budgeted appropriations are not exceeded.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-41.

VanderZanden read Resolution No. 2021-41 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Gustafson, to adopt Resolution No. 2021-41 Transferring Appropriations within Various Funds for Fiscal Year 2020-21.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

6.11 RESOLUTION NO. 2021-42 APPOINTING THE CITIZEN MEMBERS OF THE CITY OF FOREST GROVE BUDGET COMMITTEE TO REVIEW MAYOR AND CITY COUNCILOR COMPENSATION AND MAKE RECOMMENDATIONS REGARDING COMPENSATION TO THE CITY COUNCIL

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is appointing the citizen members of the Budget Committee to act as a compensation review committee for elected officials and bring back recommendations regarding compensation to the City Council. City staff will provide the compensation of other elected officials to facilitate the review. Currently the Mayor and City Council receive the following compensation:

1. A monthly stipend of \$150 per month for the Mayor and \$100 per month for each City Councilor.
2. Medical and dental insurance paid at 95% of the monthly premium for 1, 2, or 3-party insurance.
3. At the elected official's option, either an \$850 electronic device stipend once every three years or the City will provide an electronic device while the official is

in office.

In conclusion of the above-noted staff report, Downey advised staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting current compensation is included in the FY 2021-22 Budget. Any increase in FY 2021-22 would need to come out of General Fund Reserves.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-42.

VanderZanden read Resolution No. 2021-42 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Gustafson, to adopt Resolution No. 2021-42 Appointing the Citizen Members of the City of Forest Grove Budget Committee to Review Mayor and City Councilor Compensation and Make Recommendations Regarding Compensation to the City Council.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

7. PUBLIC HEARING AND RESOLUTION NO. 2021-43 ESTABLISHING SANITARY SEWER UTILITY RATES (4.5% INCREASE) FOR CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2021, AND REPEALING RESOLUTION NO. 2019-27

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City sanitary sewer utility rate by 4.5% per month per equivalent dwelling unit (EDU), effective July 1, 2021. Downey reported Clean Water Services (CWS) is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-through resolution for Council consideration that allows the City to bill the rates on behalf of CWS. Downey reported CWS is proposing increases to its regional sanitary sewer utility rates by 4.5% per month per EDU, effective July 1, 2021. The City retains 20 percent of the sanitary sewer SDC as set forth by CWS. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's sanitary sewer rate will be a Monthly Base Charge of \$9.51 per EDU and a Use Charge of \$0.462 per

1,000 gallons per month for individual customer winter average. For a typical residential consumption of 8ccf or 5,894 gallons per month of winter water usage, the proposed sewer rate increases by CWS and City is about \$2.26 per month per EDU.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-43.

VanderZanden read Resolution No. 2021-43 by title.

MOTION: Councilor Gustafson moved, seconded by Councilor Kottkey, to approve Resolution No. 2021-43 Establishing Sanitary Sewer Utility Rates (4.5% Increase) for City of Forest Grove, Effective July 1, 2021, and Repealing Resolution No. 2019-27.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

8. **PUBLIC HEARING AND RESOLUTION NO. 2021-44 ESTABLISHING SURFACE WATER MANAGEMENT (SWM) RATE (5.4% INCREASE) FOR CITY OF FOREST**

GROVE, EFFECTIVE JULY 1, 2021, AND REPEALING RESOLUTION NO. 2019-28

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City surface water management (SWM) rate by 5.4% (\$0.43 per EDU per month), effective July 1, 2021. Downey reported CWS is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-through resolution for Council consideration that allows the City to bill the rates on behalf of CWS. Downey reported CWS is proposing increases to its regional SWM rate by 5.4%, effective July 1, 2021. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's monthly SWM rate will increase \$0.53 per EDU from \$7.94 to \$8.37 per month for a residential customer.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-44.

VanderZanden read Resolution No. 2021-44 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Kottkey, to adopt Resolution No. 2021-44 Establishing Surface Water Management Rate for the City of Forest Grove, Effective July 1, 2021, and Repealing Resolution No. 2019-28.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Objections/Written Testimony Received:

No written objections or written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

9. **RESOLUTION NO. 2021-45 ACCEPTING CLEAN WATER SERVICES SANITARY SEWER UTILITY RATES (4.5% INCREASE); SURFACE WATER MANAGEMENT RATES (5.4% INCREASE); SURFACE WATER MANAGEMENT SYSTEM DEVELOPMENT CHARGES (\$560 TO \$585); AND SANITARY SEWER SYSTEM DEVELOPMENT CHARGES (\$5,800 TO \$6,085), EFFECTIVE JULY 1, 2021, AND REPEALING RESOLUTION NO. 2019-29**

Staff Report:

Downey presented the above-proposed resolution for Council consider, noting the pass-through resolution is for the purpose of establishing CWS regional rates, effective July 1, 2021. Downey advised City Code 52.01(A), and as governed by the intergovernmental agreement, requires that the City establish CWS rates annually by Council resolution. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed pass-through resolution, noting the City collects fee based on the rates established by the CWS Board of Directors as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-45.

VanderZanden read Resolution No. 2021-45 by title.

MOTION: Councilor Rippe moved, seconded by Council President Wenzl, to adopt Resolution No. 2021-45 Accepting Certain Clean Water Services (CWS) Sanitary Sewer Utility Rates; Surface Water Management Rates; Surface Water Management System Development Charges; and Sanitary Sewer System Development Charges, Effective July 1, 2021, and Repealing Resolution No. 2019-29.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

10. **RESOLUTION NO. 2021-46 AUTHORIZING CITY MANAGER TO ENDORSE COMMUNITY ENHANCEMENT GRANT PROGRAM AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND METRO (METRO CONTRACT NO. 937318)**

Staff Report:

Downey presented the above-proposed resolution requesting to authorize the City Manager to endorse an Intergovernmental Agreement (IGA) (Exhibit A) between the City and Metro for the Community Enhancement Grant Program (CEP), effective July 1, 2021, and terminating June 30, 2026, noting the IGA is replacing Metro's Contract No. 933295, which has expired. The IGA is to implement the provisions of Metro Code Chapter 5.06 related to the establishment of a Solid Waste Community Enhancement Program for Forest Grove Transfer Station. The program is funded by a solid waste community enhancement fee of \$1.00 per ton for waste disposed at the Forest Grove Transfer Station. The IGA requirements are essentially the same and include three new program requirements:

1. Metro will host an annual grant-making best practices training for program administrators.
2. The Solid Waste CEP Advisory Committee must include at least two citizens. *A work session will be scheduled in September or October to discuss how the City will implement this requirement.*
3. All committee members are required to declare conflicts of interest.

In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the proposed IGA has no direct fiscal impact as the fiscal impact for the CEP is dependent upon the tonnage of waste disposed at the Forest Grove Transfer Station.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-46.

VanderZanden read Resolution No. 2021-46 by title.

MOTION: Councilor Kottkey moved, seconded by Council President Wenzl, to approve Resolution No. 2021-46 Authorizing City Manager to Endorse Community Enhancement Grant Program Agreement between the City of Forest Grove and Metro (Metro Contract No. 937318).

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the

above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

11. A. COUNCIL COMMUNICATIONS:

Gustafson asked to proceed with a communication and coordination plan for severe weather, i.e., cooling/warming centers, noting the City needs to improve its emergency response efforts. Gustafson proposed the following motion. **Motion: Councilor Gustafson moved, seconded by Councilor Valenzuela, to place the item on the agenda at the next Council meeting.** After roundtable discussion pertaining to Council Rules (6.3 and Agenda Item 4), no consensus was heard and no vote occurred.

Kottkey asked Council for consensus to proceed with a communication and coordination roadmap for severe weather, i.e., cooling/warming centers, noting the City needs its own emergency response plan in collaboration with local agencies. After roundtable discussion pertaining to needing additional clarification as to when items may be proposed on the agenda, no consensus was heard. In addition, Kottkey briefed on Community Policing Advisory Commission (CPAC) meeting and its first focus group session.

Rippe briefed on Western Washington County Fire Task Force meeting, noting the Task Force is reviewing in more detail the Enhanced Operational Service Model. Rippe advised he is seeking guidance as to the appropriateness of him listening to the Fire Chief interviews as a member of the Task Force. In addition, Rippe briefed on Chamber-related activities.

Uhing was absent.

Valenzuela suggested appointing an advisory committee who could assist with advocating and communicating collaborative efforts with the elderly and vulnerable populations during emergency situations, i.e., severe weather. In addition, Valenzuela asked about the status of the Public Arts Commission's draft Mural Policy, to which VanderZanden advised a Council work session is scheduled for July 12, 2021.

Council President Wenzl briefed on Parks and Recreation-related activities as well as Summer O'Fun and getting the word out. Wenzl briefed on Committee for Community Involvement meeting and next Quarterly Town Meeting topic ideas. Wenzl reported CCI is asking when a joint work session will be held on Council Goal 4.1 to complete and implement the Communication Plan, noting she suggests the communication plan

and emergency response plan be layered into one discussion topic. In addition, Wenzl questioned when the Library Drop Box would reopened, to which VanderZanden advised he would provide an update at the next meeting.

11. B. City Manager's Report:

VanderZanden gave an overview of the coordinated emergency response efforts during the unprecedented excessive heat wave with triple-digit temperatures, noting the City, County and response agencies were sharing and integrating communications as quickly as possible. VanderZanden reported the City coordinated cooling stations over the weekend with Forest Grove United Church of Christ. VanderZanden noted the County prepared the list of cooling centers and posted urgent updates which were published on the County's and City's webpages and social media platforms as well as other communication efforts transpired. In addition, VanderZanden noted four Councilors were able to attend a work session with Forest Grove Foundation on Homelessness on July 19, 2021, between 5pm to 7pm, to which Mayor Truax advised he would be out of town. No other objections were heard. VanderZanden also briefed on other various department-related projects, activities and calendar updates.

11. C. MAYOR'S REPORT:

Mayor Truax reported he anticipates returning to in-person meetings no later than September, 2021. In addition, Mayor Truax asked staff to provide at a later date an update regarding increased energy use during the unprecedented heat wave with triple-digit temperatures. Mayor Truax apologized to the community regarding hate letters recently sent anonymously to residents, noting he is profoundly concerned.

12. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 9:58 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder