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Monday, August 9, 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 September 13, 2021.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. via Zoom Webinar Video Conference.

The Council conducted the meeting in a “hybrid” format allowing the public to attend both virtual and in-person in the Community Auditorium. Members of the public could observe the meeting **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming. 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; Elena Uhing; Mariana Valenzuela; and Mayor Peter Truax. **COUNCIL ABSENT:** Malynda Wenzl, Council President.

STAFF PRESENT ATTENDED BY ZOOM WEBINAR: Jesse VanderZanden, City Manager; Ashley Driscoll, City Attorney; Paul Downey, Assistant City Manager/Finance Director; Brenda Camilli, Human Resources Manager; Keith Hormann, Light and Power Director; Bryan Pohl, Community Development Director; Gregory Robertson, Public Works Director; and Anna Ruggles, City Recorder.

ZOOM ATTENDEES: 7-9

2. PUBLIC COMMENT SIGN-IN:

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

	Name:	Subject:	Date:
1.	Kelvin Lee	Garbage services by Waste Management	07/20/2021
2.	Val Valfre	Cooling Centers Press Release	07/28/2021
3.	Stephanie Bruso	Red Lights	07/31/2021
Addendum:			
4.	Katie Riley	Kids Success Fund Testimony	08/04/2021
5.	Celeste Goulding	Letter to Commissioners & Housing Development	08/06/2021

6.	Stephanie Rose	URGENT - CAMP CLEAN OUT	08/06/2021
7.	Jack Koran	Action Needed: Houseless and Public Health	08/06/2021
8.	Raymond Arkus	Say no to vaccine passports and mandates!	08/06/2021
9.	Val Valfre	BOCC Camp 47 Eviction	08/06/2021
10.	Wendy Berger Wood	Agenda Item for August 9 th	08/07/2021
11.	Kathleen Raborn Pfeiffer	Lincoln Park restaurants (restrooms)	08/08/2021
12.	Evelyn Orr	Encampment Management Program, Eviction Notice, Communication	08/08/2021

The following testimony was heard via Zoom:

- Katie Riley, Forest Grove, addressed Council pertaining to a Washington County ballot initiative proposal for “Kids Success Fund”, noting the ballot proposal is for affordable and accessible funding for “Out-of-School Time Programs” for kids in Washington County.

The following testimony was heard via In-Person

- Wendy Berger Wood, Forest Grove, addressed Council pertaining to implementing a City ordinance that would require restaurants, with patrons who bus their own tables, to install a “dump” sink near trash receptacles for liquid matter, such as cups of ice, water, soda and coffee, noting drinks are usually dispose of, container and all, and it takes years for the liquid to work its way through the biodegrading process of the trash bag.

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 Special Meeting Minutes of June 30, 2021.
- B. Approve City Council Executive Session (City Manager Performance Evaluation) Meeting Minutes of July 12, 2021.
- C. Approve City Council Work Session (Mural Policy) Meeting Minutes of July 12, 2021.
- D. Approve City Council Regular Meeting Minutes of July 12, 2021.
- E. Approve City Council Work Session (City Hall & Development Services Annex) Meeting Minutes of July 12, 2021.
- F. Approve City Council Optional Attendance Work Session (Homelessness) Meeting Minutes of July 19, 2021.

- G. Accept Committee for Community Involvement Meeting Minutes of June 1 and July 6, 2021.
- H. Accept Historic Landmarks Board Meeting Minutes of May 25, 2021.
- I. Accept Sustainability Commission Meeting of June 24, 2021.
- J. Accept Urban Renewal Advisory Committee Meeting Minutes of January 29, April 22 and June 24, 2021.
- K. Community Development Department Monthly Building Activity Informational Report for July 2021.

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

4. ADDITIONS/DELETIONS:

City Manager added to the Council Meeting Agenda Item 4. A., as noted below, to which Council concurred.

Proposed by Councilors: None.

4. A. Washington County Highway 47 Encampment Update and Short-Term Homeless Encampment Program

Joshua Crites, Washington County Housing Services Assistant Director, and Thomas Egleson, Washington County Solid Waste & Recycling Division Manager, presented a PowerPoint Presentation overview of the 12-Month Countywide Homeless Encampment Program, noting the program is limited duration using American Rescue Plan Act (ARPA) funds to ensure sanitary conditions and camp clean up and secure storage of personal affects. Crites briefed on the status of the Highway 47 Encampment, located on County-owned land, east of the intersection of Highway 47 and NW Porter Road and green space between Highway 47 and Council Creek wetland area, noting the camp was large in size (over 20 structures) and posed a significant risk to health and safety of campers and the public. In conclusion of the above-noted presentation, Egleson and Crites responded to various concerns, noting the mitigation tactics will include regular assessments and monitoring and sanitation support, i.e., porta potties and hand-washing stations. In conclusion of the above-noted presentation, Egleson and Crites thanked Council for their feedback, noting Washington County will make sure to improve its communication and coordination with outreach partners and community support groups in the future.

5. PRESENTATIONS:

5. A. 2021 Electric Utility Rate Update

Sergey Tarasov, FCS Group, Senior Project Manager, consultant, presented a

PowerPoint Presentation overview of the City's Electric Rate Study Update process and summary of findings, which included revenue requirement, phased-in rates towards cost-of-service, rate design based on across-the-board and next steps, noting revenues at present rates are not sufficient to fund ongoing expenditures. Tarasov reported, consistent with the prior study, an average of 4 percent (4%) electric rate increases can be maintained and phased-in to start addressing revenue deficiencies. The City will need to use \$321,000 in reserves due to the deferred Fiscal Year 2021 rate increase (cannot use American Rescue Plan Act (ARPA) funds for lost revenue). The proposed 4% electric rate increase will be effective October 1, 2021, with future 4% electric rate increases effective July 1 of each year thereafter through Fiscal Year 2026. In conclusion of the above-noted presentation, Downey advised staff is recommending Council proceed with a proposed electric rate increase of 4% effective October 1, 2021, to which Council collectively concurred.

5. B. Council Meeting Options

Mayor Truax asked for a motion to consider removing Item 5. B., Council Meeting Options, from the Council Meeting Agenda.

MOTION: Councilor Uhing moved, seconded by Councilor Kottkey, to remove Item 5. B. from the Council Meeting Agenda. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl. **MOTION CARRIED 6-0.**

PUBLIC HEARINGS: None.

6. RESOLUTION NO. 2021-48 APPROVING CITY OF FOREST GROVE MURAL POLICY AND INVITATION PROCESS

Staff Report:

Winters presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to approve the City's Mural Policy and Invitation Process as outlined in Exhibit A. Winters outlined the mural policy and invitation process, noting the proposed policy denotes the changes proposed by Council in work session held on July 12, 2021. In conclusion of the above-noted staff report, Winters advised staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting the City Attorney reviewed the proposed changes and had no additional recommendations.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-48.

VanderZanden read Resolution No. 2021-48 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Uhing, to adopt Resolution No. 2021-48 Approving City of Forest Grove Mural Policy and Invitation Process.

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, Uhing, Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl. MOTION CARRIED 6-0.

7. **RESOLUTION NO. 2021-49 AUTHORIZING EXECUTION OF A LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), EFFECTIVE JULY 1, 2021, THROUGH JUNE 30, 2023**

Staff Report:

Camilli presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the execution of a labor agreement between the City of Forest Grove and American Federation of State, County and Municipal Employees (AFSCME) as outlined in Exhibit A. Camilli outlined the substantive collective bargaining modifications as follows:

- Two year contract extension, effective July 1, 2021, through June 30, 2023.
- Implementation of market adjustments based on a compensation study plus wage increases were bargained for all classifications covered by the agreement on July 1 of each year of the contract as follows: two percent (2.00%) and three percent (3.00%).
- Minor insurance changes due to mandatory health insurance plan revisions and updates due to recent legislation and regulations.

In conclusion of the above-noted staff report, Camilli advised staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting the monetary terms of the agreement are within the parameters set by Council.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-49.

VanderZanden read Resolution No. 2021-49 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Gustafson, to adopt Resolution No. 2021-49 Authorizing Execution of a Labor Agreement between the City Of Forest Grove And American Federation of State, County and

Municipal Employees (AFSCME), Effective July 1, 2021, through June 30, 2023.

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, Uhing, Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl. MOTION CARRIED 6-0

8. RESOLUTION NO. 2021-50 APPROVING ADDITION OF A 1.0 FTE PROGRAM COORDINATOR POSITION IN THE ADMINISTRATIVE SERVICES DEPARTMENT WITHIN THE GENERAL FUND

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to use American Rescue Plan Act (ARPA) funds in the 80 percent allocation pool to pay for a 1.0 FTE Program Coordinator position for three years. Downey reported staff is proposing to split the current Communications / Program Coordinator into two Full-time Equivalent positions to help meet the increasing demands being placed on staff in the Legislative and Executive and Administrative Services Departments. In conclusion of the above-noted staff report, Downey advised staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting if the position is retained after three years, there will be a fiscal impact to the General Fund and the Enterprise Funds to pay for the costs of continuing the Program Coordinator position. Downey advised the City will be upfront in the job announcement that the position is a three-year funded position.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-50.

VanderZanden read Resolution No. 2021-50 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Uhing, to adopt Resolution No. 2021-50 Approving Addition of a 1.0 FTE Program Coordinator Position in the Administrative Services Department within the General Fund.

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, Uhing,

Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl.
MOTION CARRIED 6-0.

9. **RESOLUTION NO. 2021-51 ADOPTING REVISIONS TO THE LIGHT & POWER RATE SCHEDULE (NET METERING) AND REPEALING RESOLUTION NO. 2019-25**

Staff Report:

Hormann presented the above-proposed resolution for Council consideration, noting the proposed resolution is adopting revisions to the Light and Power Rate Schedule to update the definition and description under Net Metering in compliance with current practices and Public Utility Commission Net Metering Rules (Attachment A) as outlined in Exhibit A. In conclusion of the above-noted staff report, Hormann reported staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting the revisions pertain to over-generation, low-income energy assistance fund and aggregated metering. There are no proposed increases to the existing Net Metering rate schedule at this time.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-51.

VanderZanden read Resolution No. 2021-51 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Kottkey, to adopt Resolution No. 2021-51 Adopting Revisions to the Light & Power Rate Schedule (Net Metering) and Repealing Resolution No. 2019-25.

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, Uhing, Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl.
MOTION CARRIED 6-0.

10. **RESOLUTION NO. 2021-52 PLEDGING \$600,000 AS NON-FEDERAL MATCH IN SUPPORT OF WASHINGTON COUNTY'S RAISE GRANT APPLICATION TO FUND FINAL DESIGN AND CONSTRUCTION OF COUNCIL CREEK REGIONAL TRAIL CORRIDOR**

Staff Report:

Robertson presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to pledge \$600,000 as non-federal match in

support of Washington County's RAISE Grant application request of \$21,200,000 to fund construction of the Council Creek Regional Trail Corridor as outlined in Exhibit A. Robertson reported as part of the program, 20 percent of the project costs must be "non-federal", which is usually referred to as "local match". Washington County, as the lead agency, has asked each partnering agency, which includes Cornelius, Forest Grove and Hillsboro, to pledge \$600,000 towards the local match in the event the grant application is successful. Washington County would allocate \$3,200,000. In conclusion of the above-noted staff report, Robertson advised staff is recommending Council adopt the proposed resolution as outlined in Exhibit A, noting if grant application is deemed successful, each agency's pledge would need to be made available prior to commencement of construction, which would likely be a few years out.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2021-52.

VanderZanden read Resolution No. 2021-52 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Kottkey, to adopt Resolution No. 2021-52 Pledging \$600,000 As Non-Federal Match in Support of Washington County's RAISE Grant Application to Fund Final Design and Construction of Council Creek Regional Trail Corridor.

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, Uhing, Valenzuela, and Mayor Truax. NOES: None. ABSENT: Council President Wenzl. MOTION CARRIED 6-0.

11. A. COUNCIL COMMUNICATIONS:

Gustafson reported attending Washington County Public Safety Coordinating Council meeting and reported on her first meeting with State Representative Susan McLain.

Kottkey reported Grovelink is hosting a ride along.

Rippe had nothing to report.

Valenzuela had nothing to report.

Uhing reported attending Washington County Homeless Plan Advisory Committee (HPAC) meeting. Uhing asked that state/county elected officials be invited to give

presentations to Council on a more regular basis, noting Council is losing its connection with representatives.

Council President Wenzl was absent.

11. B. City Manager's Report:

VanderZanden presented the City Manager's Report, dated August 8, 2021. VanderZanden commended Bev Maughan, Executive Assistant to the City Manager, for her tenure with the City, noting Maughan is retiring on September 30, 2021, after 33 years of exemplary service. VanderZanden commended Jeff King, Economic Development Manager, for his tenure, noting King is retiring on September 30, 2021, after 16 years of exemplary service. VanderZanden announced Tom Martin was hired as the new Parks Supervisor on August 12, 2021, noting additional information about his background is published in the City Manager's Report. VanderZanden reported the Committee for Community Involvement's second Quarterly Town Meeting will be held on September 30, 2021, at 5:30 p.m., via Zoom. The topic for this meeting is on Growth and Development in Forest Grove. In addition, VanderZanden briefed on the cooling stations and levy planning as well as other various department-related projects, activities and calendar updates.

11. C. MAYOR'S REPORT:

Mayor Truax advised he is proposing at the next Council meeting under the Consent Agenda a resolution appointing Rippe as Alternate to the Washington County Coordinating Committee (WCCC), noting the WCCC amended their bylaws to require a designated alternate elected representative as a voting member be appointed by their governing body. Mayor Truax had nothing further to report.

12. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 9:04 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder