FOREST GROVE OREGON

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City Council Regular Meeting Minutes — **Monday, October 25, 2021, 7:00 p.m., Zoom Community Auditorium**

Minutes are unofficial until approved by Council.
Council approved minutes as presented November 8, 2021.

1. **CALLED TO ORDER AND ROLL CALL:**
Council President Wenzl called the regular City Council meeting to order at 7:01 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 Malynda Wenzl, Council President. **COUNCIL ABSENT:** Mayor Peter Truax.

STAFF PRESENT ATTENDED BY ZOOM WEBINAR: Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; Gregory Robertson, Public Works Director; and Anna Ruggles, City Recorder.

ZOOM ATTENDEES: 7

2. **PUBLIC COMMENT SIGN-IN:**
The following written e-mail correspondence was received and added to the Council Packet:

	Name:	Subject:	Date:
1.	Carol Alery	Oppose Patriot Act surveillance of CRT opponents by DOJ	10/07/2021
2.	Johanna Peeters Weem	YAC Problem Solving Meeting	10/08/2021

The following testimony was heard via Zoom:
David Shiflett, Birch Infrastructure Development, addressed Council pertaining to

Oak Street Planning Area Project Update Work Session held earlier, noting he is the representative of the proposed development and he attended the earlier work session. Shiflett reported the developer is moving forward and performing extensive site due diligence in anticipation of supporting their planned development. Woodfold Manufacturing, owners of Tax Lots 400, 500, 600 and 700, entered into a purchase sales agreement with Rowan Green Data LLC based on the existing Industrial Zoning classification. Woodfold asked officially asked the City to pause any decision by the Planning Commission on the Oak Street Land Use Refinement Plan that would convert the existing Industrial Zoning to Mixed-Use Residential on Woodfold's property in the Oak Street planning area.

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 Work Session (Boards/Commissions (B/C) Interview Process) Meeting Minutes of September 27, 2021.
B. Approve City Council Work Session (Youth Involvement) Meeting Minutes of September 27, 2021.
C. Approve City Council Work Session (Council Rules) Meeting Minutes of September 27, 2021.
D. Approve City Council Regular Meeting Minutes of September 27, 2021.
E. Accept Community Forestry Commission Meeting Minutes of September 15, 2021.
F. Accept Library Commission Meeting Minutes of June 9, 2021.
G. Authorizing Mayor to Endorse a Letter on behalf of City Council to Tualatin Valley Fire and Rescue (TVF&R) in Special Recognition of Interim Fire Chief Patrick Fale.
H. Authorizing Mayor to Endorse a Letter on Behalf of City Council Regarding Highway 47/Maple Street/Fern Hill Road Intersection Project.

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

4. ADDITIONS/DELETIONS:

City Manager: None.

Proposed by Councilors: None.

5. PRESENTATIONS:

5. A. *Jerry Willey, Washington County Commissioner District 4*

Jerry Willey, Washington County Commissioner District 4, provided an update on Washington County-related actions and gave an overview of his report. Willey addressed various Council inquiries pertaining to imposing ADA compliance at the Villager Apartments; Council Creek Regional Trail project; and recapped on Washington County's Charter amendment Ballot Measure 34-300, which changed provisions in the Charter to set the Board Chair's salary at 80% of the salary of a circuit court judge and set each District Commissioner's salary at 40% of the amount received by the Chair. The Charter amendments took effective January 1, 2021. In conclusion of the above-noted presentation, Willey concurred providing regular updates and making an effort to improve visibility in the Forest Grove community.

5. B. *OR-8 East Forest Grove Safety Improvement Plan, Oregon Department of Transportation*

Riordan introduced Jamey Dempster, Oregon Department of Transportation (ODOT) Planning Project Manager. Riordan presented a PowerPoint presentation overview of OR-8 East Forest Grove Safety Improvement Plan, which included the following: the study area; project goals; project update schedule; community engagement (partner with Centro Cultural) and events (feedback themes, public engagement Phase 2, strategies, and revisiting priorities); Survey 2 results (300 responses – 250 English and 50 Spanish); top three improvement priorities (signals at Yew Street and Pacific Avenue/Adair Street; filling sidewalk gaps and better lighting); signal warrant analysis conducted at Yew Street (likely at Yew Street and Adair Street and possibly at Yew Street and Pacific Avenue); additional roundabout analysis; crash history (five locations / intersections, five-year crash history) and recapped the project's next steps. In conclusion of the above-noted presentation, Riordan addressed Council concerns and priorities, such as having highly-visible and safely-timed crosswalks for pedestrians/students, especially Mountain View Lane; safe and well-lit pedestrian connections to transit; ADA accessibility, i.e., audible pedestrian traffic signals and bilingual road signs; and improving community outreach focusing on diversity, equity and inclusion.

5. C. *2021 Watershed Timber Harvest Update*

Robertson introduced Barry Sims, Trout Mountain Forestry, who referenced the PowerPoint presentation highlighting the 2021 Watershed Timber Harvest-related activities, noting the 2021 timber harvest resulted in 1,560,000 MBF and total net revenue of $850,000. Sims reported the Watershed Stewardship Management Plan states the harvest level should be in the range of 1.7 to 2.0 MBF per year, noting the average has been 1.7. In addition, Sims addressed various Council inquiries pertaining to the Forest Stewardship Council (FSC) certification, eco-friendly lumber, timber harvest report, utility poles for Forest Grove Light and Power Department, and tours of the watershed, noting the Watershed Stewardship Management Plan is due to be updated by 2023.

PUBLIC HEARINGS: None.

6. **RESOLUTION NO. 2021-57 APPROVING RETURN OF AN ENTERPRISE ZONE PAYMENT IN-LIEU OF DISQUALIFICATION (PILOD) PAYMENT FROM CITY OF CORNELIUS**

Staff Report:
Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is approving to return an Enterprise Zone Payment In-Lieu of Disqualification (PILOD) from the City of Cornelius to Eagle Precision Sheet Metal (EPSM). The City of Forest Grove and City of Cornelius cosponsor the Cornelius/Forest Grove Enterprise Zone. HB 2343 (2021) allows funding PILOD if the company reduced employment due to COVID-19 pandemic. The City of Cornelius has determined to refund $11,041 PILOD paid by EPSM by December 31, 2021, as allowed by HB 2343. In conclusion of the above-noted staff report, Downey advised staff is recommending Council approve the proposed resolution, as outlined in Exhibit A, noting there is no fiscal impact to the City.

Before proceeding with Council discussion, Council President Wenzl asked for a motion to adopt Resolution No. 2021-57.

VanderZanden read Resolution No. 2021-57 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Rippe, to adopt Resolution No. 2021-57 Approving Return of an Enterprise Zone Payment In-Lieu of Disqualification (PILOD) Payment from City of Cornelius.

Council Discussion:
Hearing no concerns from the Council, Council President Wenzl asked for a roll call vote on the above motion.

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

7. **RESOLUTION NO. 2021-58 DESIGNATING STAFF TO NEGOTIATE A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH WELSHCORP, D.B.A. FRESHFOODS AND MFF PROPERTIES, LLC, (DEVELOPER), FOR**

DEVELOPMENT OF A GROCERY STORE ON URBAN RENEWAL AGENCY PROPERTY

Staff Report:
Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is designating staff to negotiate a Disposition and Development Agreement (DDA) with WelshCorp, dba, Fresh Foods and MFF Properties, LLC (Developer) for the development of an approximately 20,000 square-foot Fresh Foods grocery store without housing on Urban Renewal Agency (URA)-owned Site B, property located on the corner of B Street and Pacific Avenue, which is the vacant property next to the Jesse Quinn Apartments. The URA Board met in work session on October 11, 2021, and determined to allow Site B to be developed without housing. The URA is scheduled to meet in regular meeting on October 25, 2021, to consider taking formal action. In conclusion of the above-noted staff report, Downey advised staff is recommending Council approve the proposed resolution, as outlined in Exhibit A, noting the fiscal impact to the URA and City is not fully known and will be negotiated in the DDA. The developer may request some URA and/or City assistance to develop the project. Staff will meet in Executive Session with the URA Board and Council when the initial financial terms are known.

Before proceeding with Council discussion, Council President Wenzl asked for a motion to adopt Resolution No. 2021-58.

VanderZanden read Resolution No. 2021-58 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Kottkey, to adopt Resolution No. 2021-58 Designating Staff to Negotiate a Disposition and Development Agreement (DDA) with Welshcorp, D.B.A. Freshfoods and MFF Properties, LLC, (Developer), for the Development of a Grocery Store on Urban Renewal Agency Property.

Council Discussion:
Hearing no concerns from the Council, Council President Wenzl asked for a roll call vote on the above motion.

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

8. A. COUNCIL COMMUNICATIONS:
Gustafson had nothing to report, noting Washington County Public Safety Coordinating Council has an upcoming meeting scheduled.

Kottkey referenced her written report, which was distributed in the Council Packet. Kottkey reported attending Community Forestry Commission (CFC) meeting, noting CFC heard a presentation on Tree City USA designation.

Rippe reported attending Westside Alliance Transportation Committee meeting, noting discussion focused on the next planning phase of the Major Streets Transportation Improvement Program (MSTIP), also known as the MSTIP '23-'28 Funding Allocation Work Plan. Rippe reported attending the groundbreaking ceremony for the new Centro Mercado, located in Cornelius, and hosted by Centro Cultural.

Valenzuela briefed on the new Centro Mercado, located in Cornelius, noting it is a storefront grocery-style food pantry that allows clients to select their food with dignity and respect.

Uhing briefed on Washington County Homeless Plan Advisory Committee (HPAC) meeting. Uhing reported Historic Landmarks Board canceled its meeting this month and Sustainability Commission has an upcoming meeting scheduled.

Council President Wenzl reported attending Parks and Recreation Commission (P&R) meeting, noting P&R had a robust discussion about the proposed levy and seeking other funding opportunities, such as partnerships, to help reduce the cost barriers. Wenzl suggested using Boards and Commissions for the Levy Focus Groups. Wenzl noted staff is sharing the Communications Plan with the Committee for Community Involvement Communications Subcommittee. In addition, Wenzl congratulated Kottkey on her appointment as Vice-Chair of the League of Oregon Cities Women's Caucus.

8. B. City Manager's Report:

VanderZanden presented a newly-formatted "What's *growing* on in Forest Grove", Staff Report, dated October 10-23, 2021, noting the new report will replace the "City Manager's Report to Council". VanderZanden commended Elizabeth Stover, Communications Coordinator, and Jaime Zaik, Executive Assistant to City Manager, who worked together on designing the new format. In addition, VanderZanden briefed on the upcoming Council agenda topics, various department-related projects and activities, new hires and calendar updates. VanderZanden announced the Council consensus was to schedule Monday, November 29, 2021, 5:15 pm – 8 pm, to hold Boards/Commissions (B/C) applicant interviews, noting Council was unable to secure two consecutive work session days. Additionally, VanderZanden asked Council to e-mail any suggested B/C interview questions to Ruggles for consideration.

8. C. MAYOR'S REPORT:

Mayor Truax was absent.

9. <u>ADJOURNMENT</u>:
Council President Wenzl adjourned the regular Council meeting at 8:58 p.m.

Respectfully submitted,

Anna D. Ruggles

Anna D. Ruggles, CMC, City Recorder