



A place where families and businesses thrive.

City Council Regular Meeting Minutes

Monday, April 24, 2023
Zoom Community Auditorium

***Minutes are unofficial until approved by City Council.
City Council approved minutes as presented June 26, 2023.***

A. Call to Order / Pledge of Allegiance / Land Acknowledgement Statement

Mayor Malynda Wenzl called the regular City Council meeting to order at 7:00 p.m. via in-person and Zoom Webinar Video Conference. The meeting was held in a “hybrid” format allowing the public to attend both virtually 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.

1. **ROLL CALL: COUNCIL PRESENT:** Donna Gustafson, Council President; Michael Marshall; Karen Martinez; Timothy Rippe; Elena Uhing (via Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** None.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant Finance Director/Finance Director; Jim Geering, Fire Chief; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

3. Pledge of Allegiance

4. If I Were Mayor 1st Place Poster Winner: Ainsley Seavey

Mayor Wenzl presented the If I Were Mayor 1st Place Poster award to Ainsley Seavey.

5. If I Were Mayor 2nd Place Poster Winner: Kaitlyn Waibel

Mayor Wenzl presented the If I Were Mayor 2nd Place Poster award to Kaitlyn Waibel.

6. Parks and Recreation Volunteers of the Year

Paul Waterstreet, Chair, Parks and Recreation Commission, presented Certificates of Appreciation to Community Based Activity Program (CBAP) and Howard “Butch” Sullivan.

7. Proclamation: National Small Business Week, April 30 - May 6, 2023

Mayor Wenzl read the proclamation declaring April 30 – May 6, 2023, as National Small Business Week.

8. Proclamación: Semana Nacional de la Pequeña Empresa, del 30 de abril al 6 de mayo de 2023

Councilor Valenzuela read the proclamation in Spanish declaring April 30 – May 6, 2023, as National Small Business Week.

9. Proclamation: National Library Week April 23 - 29, 2023

Mayor Wenzl read the proclamation declaring April 23-29, 2023, as National Library Week, presenting it to Morgan Knapp, Library Commission Chair.

10. Proclamación: Semana Nacional de la Biblioteca del 23 al 29 de Abril de 2023

Councilor Valenzuela read the proclamation in Spanish declaring April 23-29, 2023, as National Library Week.

B. Public Comment:

1. Written Public Comment 04.24.2023

In-person Testimony:

1. David Wickert, Forest Grove, spoke against the Elm Street property purchase by Washington County, stating the location does not meet County guidelines for proximity to needed services.
2. Dale Thaler, Forest Grove, spoke about homelessness, issues with encampments in general, encouraged providing services to those who could succeed, and having consequences for violators.
3. Laura Hale, Forest Grove, spoke about affordable housing and pods on Highway 47, citing safety concerns and suggested using the location behind the high-rise apartments.
4. Michael Perrault, Forest Grove, spoke against the Elm Street property purchase, stating the County could have been more communicative with the City so they could create a plan that would not anger half of the City's residents.
5. Karla Thaler, Forest Grove, spoke about the County's lack of transparency regarding the Elm Street property purchase and stated the 20-foot store-front buffer was not adequate.
6. Mike Moore, Forest Grove, spoke about the environment surrounding the Elm Street project, citing lack of immediate access to services and its close proximity to an

elementary school and park, and suggested sites along Pacific Avenue as a better location.

7. Patty Bloomberg, Forest Grove, spoke against the pods, citing personal experiences with mental health, addiction, and homelessness.
8. Tim Rick, Forest Grove, spoke about homelessness in general, supporting pod villages and citing Opportunity Village in Eugene as a successful project.
9. Richard Davidson, Forest Grove, spoke about personal experience with addiction and the pods in Longview, Washington.
10. Bruce Tuss, Forest Grove, spoke against the Elm Street property purchase, citing the appearance of rushing the process and personal experiences with a family member's addiction.
11. Laura Cardwell, Forest Grove, spoke about the Elm Street property purchase and discrimination against homeless.
12. Jennifer Arcos, Forest Grove, spoke about discrimination and inequity in placement of pod villages and affordable housing, asking why they were always placed in the western part of the County.
13. Travis Kurtz, Forest Grove, spoke against the Elm Street location, citing lack of services and its proximity to residential homes, parks, churches, small business, and Old Town Trail Loop.

Zoom Testimony:

1. Jane Thompson, Forest Grove, spoke against the Highway 47 encampment, citing environmental impacts to the wetlands and lack of proximity to needed services.
2. Angela (no last name), Forest Grove, spoke against the Elm Street location, citing safety concerns for both the homeless and neighborhood residents and lack of services in the area.
3. Nate (anonymous), Forest Grove, wished to remain anonymous because of safety concerns, speaking against the Highway 47 encampment because of environmental and safety concerns.

C. Consent Agenda:

1. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of April 10, 2023.
2. Accept Library Commission (LC) Approved Meeting Minutes of March 8, 2023.
3. Accept Public Arts Commission (PAC) Approved Meeting Minutes of February 16, 2023.
4. Endorse New Liquor License Application (Limited On-Premises) for 3 Goats, LLC, 2007 Main Street.

MOTION: Council President Gustafson moved, seconded by Councilor Valenzuela, to approve the Consent Agenda as presented. VOICE VOTE: AYES: Councilors

Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

D. Additions/Deletions:

1. City Manager

West Habitat for Humanity asked to reschedule its presentation to May 8, 2023.

2. Proposed by Councilors: None

E. Presentations:

1. Washington County Update (Homelessness)

Kathryn Harrington, Chair, Washington County Board of Commissioners (BoCC), addressed homeless needs in the County, starting with a review of accomplishments during her tenure to date:

- Development of severe weather shelters
- Affordable housing bond measure from 2018
- Supportive Housing Services measure of 2020
- Creation of Homeless Encampment Program using CDC guidelines for the pandemic
- Improved response system, with 1,300 people placed in stable housing in 2022
- Building permanent temporary and year-round shelter system
- Awarded \$10 million to various community-based organizations to build out 315 additional shelter beds in seven locations

Chair Harrington then addressed the City's letter to BoCC, stating the Board was aware of the challenges and feedback Council faced. BoCC has heard them, will continue to hear them moving forward, values their partnership, and was committed to continue working forward.

Chair Harrington and County Administrator Marni Kuhl responded to Council questions and comments as follows:

- The County has been increasing the types of transitional housing, experimenting with different types of temporary housing with the goal of increasing service variety to engage people where they were in their journey towards stable housing.
- The potential property purchase on Elm Street has been under consideration since October, and the due diligence and negotiation process has taken a long time. If there was an opportunity for temporary use at this location, such as a pod village, the Board would engage with the City and Staff as well as the neighborhood area before moving forward. Since the County did not own the property, they could not start the engagement process yet.
- BoCC had been searching for different locations throughout the County, working with communities to develop shelter-siting guidelines.

- The County had partnered with Forest Grove on cleanup of encampment areas, including addressing environmental issues when closing encampments. They have done multiple cleanups at Highway 47.
- As the County implements the Governor's Executive Order, they intend to make encampments difficult, hold people accountable, and move them out of encampments.
- Pod villages were an opportunity to bring services to people staying there, both at the location and through offering transportation assistance to needed services.
- The County was providing support costs for services within Forest Grove and other communities. The \$50 million SHS funds were from a voter-approved measure that would not allow the County to use those funds for law enforcement.
- There was a critical workforce shortage, especially for behavioral health specialists. The County was working at the local level and with non-profits to provide incentives to increase the local workforce, recently tripling the number of housing case managers. They had also asked the legislature to use tools available to them to address the workforce needs.
- Performance measures had been redesigned so they could know if they were being successful. The Metro SHS Oversight Committee was working to complete their report for the first year using the new metrics.
- The County had not heard the Hillsboro pod was a disaster, but rather people were getting help they needed. It did not work every time for every person.
- Each government agency had certain roles and responsibilities and had to work within certain rules and authorities. Development of camping ordinances was in response to feedback, especially from the courts, and should include clear and objective definitions for time, place, and manner.
- While they wanted to see fewer homeless people and did not necessarily want to criminalize homelessness, they also did not want to allow people to take advantage of other people and property, making them feel unsafe. They were working with the current homeless population from a trauma-informed approach to avoid doing additional harm.
- They were working towards a time when encampments like the one on Highway 47 would not be allowed, and they were placing people in supportive, safe environments.

Councilor Rippe summarized his observations of successful pod village management, which include location, management, and community support. The Elm Street location was suspect at best. The most successful pod villages were managed by nonprofits whose core business was management of these types of villages. He encouraged them to find capable managers, including having resources, capacity, competency, and accountability. While he understood comments about equity and not showing discrimination, he also believed citizens should be allowed to be concerned, as they had fears as well, and those concerns and fears should not be disregarded.

2. West Habitat for Humanity Update (Rescheduled to May 8, Council Meeting)

The West Habitat for Humanity update was postponed until the May 8, 2023 Council Meeting.

F. Public Hearings, Ordinances, and Resolutions

1. ORDINANCE NO. 2023-01 AMENDING FOREST GROVE CODE CHAPTER 130, (§130.01), TITLED DISCHARGE OF WEAPONS, AND REPEALING ORDINANCE NO. 1997-15

Staff Report:

Pohl presented the Staff Report, noting Staff had received no additional correspondence about the ordinance.

Mayor Wenzl asked if Staff could provide slides for future public hearings so audience members could view ordinances under discussion.

Mayor Wenzl opened the public hearing, noting no one had signed up to provide public testimony and confirmed there were no comments or questions from the attending public or Councilors.

Mayor Wenzl closed the public hearing and called for a motion to adopt Ordinance 2023-02 by title for second reading.

MOTION: Council President Gustafson moved, seconded by Councilor Rippe, to adopt Ordinance 2023-01, Amending Forest Grove Code Chapter 130, (§130.01), Titled Discharge of Weapons, and Repealing Ordinance No. 1997-15.

VanderZanden read Ordinance 2023-01 by title only for second reading.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0

2. ORDINANCE NO. 2023-02 AMENDING FOREST GROVE COMPREHENSIVE PLAN TO ADD THE DOWNTOWN HISTORIC DISTRICT

Mayor Wenzl opened the second public hearing.

Staff Report:

Riordan presented the Staff Report, noting Staff had nothing further to add regarding this Comprehensive Plan Amendment and this ordinance.

Riordan clarified a brochure was being prepared to inform the public about the Downtown National Historic District. He assured that the suggestion for a public celebration would be passed on to the Historic Landmark Board (HLB).

Mayor Wenzl confirmed there were no questions from the attending public and closed the public hearing.

MOTION: Councilor Rippe moved, seconded by Councilor Valenzuela, to adopt Ordinance 2023-02 amending Forest Grove Comprehensive Plan to add the Downtown Historic District.

VanderZanden read Ordinance 2023-02 by title only for second reading.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

3. **RESOLUTION NO. 2023-12 ENDORSING CITY PROJECTS TO INCLUDE IN THE METRO REGIONAL TRANSPORTATION PLAN UPDATE**

Staff Report:

Riordan presented the Staff Report regarding project nominations for the Metro Regional Transportation Plan (RTP) update, responding to questions posed at the previous hearing.

Mayor Wenzl confirmed there were no questions from Council and asked for a motion to adopt Resolution 2023-12.

MOTION: Councilor Rippe moved, seconded by Councilor Martinez, to adopt Ordinance 2023-12, Endorsing City Projects to Include in the Metro Regional Transportation Plan Update.

VanderZanden read Ordinance 2023-12 by title only.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

4. **RESOLUTION NO. 2023-13 AUTHORIZING CITY MANAGER TO EXECUTE DONATION OF KIDDE MOBILE FIRE TRAINING UNIT TO AURORA FIRE DISTRICT**

Staff Report:

Geering presented Resolution No. 2023-13 for Council consideration, included in the packet, noting the mobile fire training unit (MFTU) had not been used for several years to protect the

City from liability issues and was not part of any mandatory training that would cause the Fire Department to build or acquire a new facility or prop.

Mayor Wenzl confirmed there were no questions from Council and asked for a motion to adopt the resolution.

MOTION: Councilor Marshall moved, seconded by Councilor Martinez, to adopt Ordinance 2023-13 Authorizing City Manager to Execute Donation of Kidde Mobile Fire Training Unit to Aurora Fire District.

VanderZanden read Ordinance 2023-12 by title only.

VOICE VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

5. RESOLUTION NO. 2023-14 TRANSFERRING FUNDS TO COMPLETE FUNDING FOR CONSTRUCTION OF THE DEVELOPMENT SERVICES ANNEX AND REMODEL OF CITY HALL AND REDUCING BUDGETED EXPENDITURES WITHIN THE GENERAL FUND DUE TO REDUCED TRANSFERS TO THE GENERAL FUND FOR FISCAL YEAR 2022-23

Staff Report:

Downey presented Resolution No. 2023-14 for Council consideration, explaining reasons for the increased construction costs and line items the funds could be transferred from.

Staff responded to Council questions and comments as follows:

- Urban Renewal Area funds could not be used on public buildings. The Public Arts Commission had toured the building to view existing artwork and would make recommendations for new artwork.
- The City probably had enough artwork in inventory, so the expenditures would be for framing and installation.

MOTION: Councilor Rippe moved, seconded by Councilor Valenzuela, to adopt Ordinance 2023-14 Transferring Funds to Complete Funding for Construction of the Development Services Annex and Remodel of City Hall and Reducing Budgeted Expenditures Within the General Fund Due to Reduced Transfers to the General Fund for Fiscal year 2022-23

VanderZanden read Ordinance 2023-14 by title only.

Council Discussion:

Councilor Rippe commended Staff for their effort, including design, work on the project, and keeping Staff working during the project. They appreciated the building was the original Fire Station for the City that was repurposed and still in use.

Mayor Wenzl added they should plan a ribbon cutting and open house for the community. Downey noted they were already talking about doing that in early May.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

G. Council Communications:

1. Councilor Reports:

Councilor Uhing had nothing to report. The Historic Landmarks Board is sponsoring a window report workshop on May 20, 2023.

Councilor Valenzuela attended the Library Commission meeting. They were looking forward to the celebration for Friends of the Library, and a section in the library told the whole story of that group.

Councilor Marshall had nothing to report, as the next Council Creek Regional Trail Steering Committee meeting was scheduled for June 13.

Councilor Martinez had nothing to report as the Community Policing Advisory Committee (CPAC) meeting was canceled this month.

Councilor Rippe reported the Community Forestry Commission met on Wednesday. On Thursday at Talisman Park, the Commission planted two trees to celebrate Arbor Day, including a lodgepole pine dedicated to former Councilor Ron Thompson for his long-time service as Council liaison to the Commission. They attended Habitat for Humanity's Countryman Estates dedication on April 13 and the community meeting at St. Bede's yesterday. The Boards and Commissions subcommittee had met again and would provide feedback in June after completing their work.

Council President Gustafson attended the meeting at St. Bede's and appreciated the County coming out to talk to everyone. The Annual Town Meeting would be on April 29 at 10:00 a.m.

2. City Manager's Report

VanderZanden thanked Downey and Andrew Losli, Facilities Manager, for work on City Hall in a very challenging construction and cost inflation environment. VanderZanden also reported the following:

- Congresswoman Bonamici requested full funding for the Forest Grove Eastside Safety Improvement Project from the Appropriations Committee. The funding request came from Clean Water Services as part of the Western Washington County Infiltration Project, but the City would be beneficiaries of that project because it would replace a lot of older systems within the City.
- The City was still recruiting Charter Review Committee members and had 12 applicants. The Commission required two from each quadrant. There are two applicants from each quadrant with the exception of the Southeast, which has only one.
- Bidding for the Martin Road and Highway 47 project was opened. Activity on Highway 47 heading north was related to that project. The County had issued the notice of intent, and construction should start this summer.
- The Gales Creek and Thatcher Road project was out for bid and should also start this summer.

3. Mayor's Report

Mayor Wenzl thanked Councilors Rippe and Martinez for attending the Habitat groundbreaking. Habitat was having their fundraiser Saturday night at the Senior Center.

- Councilors were asked for feedback regarding the TV Highway Steering Committee meeting. Metro Staff had narrowed their list down to a few projects. The entire safety project from Forest Grove to Beaverton was \$400 million with a local match of \$200 million, shared with the County, Beaverton, and other jurisdictions. A second option was Hillsboro to Beaverton, but it would not address safety improvements in Forest Grove. Ridership data needs to be reviewed.
- The Chamber Gala was on the 15th, which sold out and was a huge success.
- The Washington County Mayors, plus the Chair, were coordinating time, place, and manner ordinances as much as possible. The County was also going through their budget process at the same time as the City.
- Mayor Wenzl had met with Dr. Jennifer Coyle from Pacific.
- The Public Arts Commission wanted to know how much money they would receive for art installation at City Hall and asked for a plan by the next meeting.

H. Adjournment

Mayor Wenzl adjourned the regular Council meeting at 9:25 p.m.



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**City Council Work Session Meeting Minutes
Homelessness: Time, Place, and Manner**

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1. **ROLL CALL: COUNCIL PRESENT:** Donna Gustafson, Council President; Michael Marshall; Karen Martinez; Timothy Rippe; Elena Uhing (via Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** None.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Ashley Driscoll, City Attorney; Henry Reimann, Police Chief; and Anna Ruggles, City Recorder.
 - A. 6:00 PM – COUNCIL WORK SESSION (HOMELESSNESS: TIME, PLACE, AND MANNER):

Mayor Wenzl called the work session meeting to order at 6:00 p.m. via in-person and Zoom Webinar Video Conference.

Staff Report:

Ashley Driscoll, City Attorney, presented the Staff Report via PowerPoint, stating they would work through one topic at a time during this work session.

During the discussion, Council reached consensus to:

- Allow camping from 7 p.m. to 7 a.m. when shelter is not available.
- Move forward with previously agreed upon place prohibitions (Slide 11)
- Direct Staff to identify sites that could be designated for camping within the City
- Keep previously agreed upon manner stipulations (Slides 23-25)
- Schedule another work session to discuss enforcement of the time, place, and manner ordinance

Council took no formal action nor made any formal decisions during the work session.

B. Adjournment:

Mayor Wenzl adjourned the work session at 6:55 p.m.