

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JUNE 8, 2015 – 7:00 P.M.
COMMUNITY AUDITORIUM
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<i>Minutes are unofficial until approved by Council. Council approved minutes as presented June 22, 2015.</i>

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:05 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL**

PRESENT: Thomas Johnston, Council President; Victoria Lowe; Ronald Thompson; Malynda Wenzl; Elena Uhing; and Mayor Peter Truax.

COUNCIL ABSENT: Richard Kidd, excused. **STAFF PRESENT:** Thomas Gamble, City Manager Pro Tem; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Jon Holan, Community Development Director; James Reitz, Senior Planner; Dan Riordan, Senior Planner; George Cress, Light and Power Director (in the audience); Michael Kinkade, Fire Chief (in the audience); J. F. Schutz, Police Chief (in the audience); and Anna Ruggles, City Recorder.

1. A. EMPLOYEE RECOGNITION:

Foster honored Leo Cortez, Engineering Tech, who recently earned his Master of Engineering in Geographic Information System (GIS) from the University of Colorado. Foster invited Council and the public to attend a reception honoring Cortez on Friday, June 12th, 3:30 pm, at the Engineering Department, noting Cortez will be demonstrating the City's GIS.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA: Items under the Consent Agenda are considered routine and will be 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 Consent Agenda item(s).

- A. Approve City Council Special Meeting (City Manager Interviews) Minutes of May 22, 2015.
- B. Approve City Council Executive Session (City Manager Employment) Meeting Minutes of May 26, 2015.
- C. Approve City Council Work Session (Fire Cooperative Services Study) Meeting Minutes of May 26, 2015.

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- D. Approve City Council Regular Meeting Minutes of May 26, 2015.
- E. Accept Historic Landmarks Board Meeting Minutes of April 28, 2015.
- F. Accept Library Commission Meeting Minutes of April 14, 2015.
- G. Accept Parks and Recreation Commission Meeting Minutes of April 15, 2015.
- H. Accept Public Arts Commission Meeting Minutes of April 9, 2015.
- I. Accept Public Safety Advisory Commission Meeting Minutes of March 18, 2015.
- J. Accept Sustainability Commission Meeting Minutes of April 24, May 22, June 26, July 24, August 28, and September 25, 2014.

MOTION: Councilor Uhing moved, seconded by Councilor Lowe, to approve the Consent Agenda as presented. ABSENT: Councilor Kidd. MOTION CARRIED 6-0 by voice vote.

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

- 5. A. Washington County Proposed Public Safety Renewal Levy:**
Jeff Mori, Washington County Undersheriff, presented a PowerPoint presentation outlining information about the proposed Washington County Public Safety Levy Renewal, noting the levy renewal would provide funding necessary to continue providing city and county law enforcement agencies with the level of justice services made possible by the existing levy funds, i.e., special enforcement teams; victims' assistance and persecution services; parole, probation and juvenile services; operation of jail and work-release center at full capacity to minimize early release of offenders; and emergency shelters for women and children who are victims of domestic violence. In addition, Mori reported the Washington County Board of Directors has established November 3, 2015, as the election date to renew the current five-year levy, which expires June 30, 2016, for the FY 2016-17 through FY 2020-21 time period at the current tax rate of \$0.42 cents per \$1,000 assessed value, approximately \$107 per year or \$9 per month. In conclusion of the above-noted presentation, Mori urged Council support of the proposed levy closer to election date,

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ideally a Council resolution of support.

Washington County Cooperative Library Services Replacement Levy:

Eva Calcagno, Washington County Cooperative Library Services Executive Director, presented a PowerPoint presentation outlining information about the proposed Washington County Cooperative Library Services' Replacement Levy, noting the levy replacement would provide funding necessary to maintain hours and services at the current 15 libraries and branches, and avoid cuts in service, i.e., maintain current Central Support and Outreach Services that link libraries together; support children's reading programs; fund reading and learning supports for children, including online homework and tutoring services; fund the purchase of e-books and other materials; and provide operational support for expanded or additional library outlets that are planned during the levy cycle to better serve county residents. In addition, Calcagno reported the Washington County Board of Directors has established November 3, 2015, as the election date to replace the current levy of \$0.17 per \$1,000 assessed value, which expires June 30, 2016, for the FY 2016-17 through FY 2020-21 time period at the new tax rate of \$0.22 cents per \$1,000 assessed value, approximately \$56 per year or \$5 per month. In conclusion of the above-noted presentation, Calcagno urged Council support of the proposed levy closer to election date, ideally a Council resolution of support.

5. B. Ford Family Foundation Project:

Kelly Marks, Portland Community College (PCC), Columbia and Western Washington County, and two other PCC representatives, presented a PowerPoint presentation outlining information about the Ford Family Foundation Project, Future Connection Program, noting PCC has received a planning grant for the Ford Family Foundation to explore how PCC's Future Connect Program might be implemented in rural communities within the PCC district, including Forest Grove, Western Washington County and Columbia County, to increase college enrollment and success for first-generation/low-income students. In conclusion of the above-noted presentation, Marks indicated PCC is hoping to receive recommendations of stakeholders to form a short-term work group to delve more deeply into what an implementation plan might look like, ideally from members of the City Council, to which Mayor Truax noted he would submit a letter of support if needed, pointing out the City wants be a partner.

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5. C. Quarterly Financial Report for Period Ending March 31, 2015:

Downey presented a PowerPoint presentation outlining the quarterly financial report ending March 31, 2015, noting this is the third quarter of the City's fiscal year ending June 30, 2015. Downey reported the quarterly report compares the budget to the year-to-date revenues and expenditures, noting the first section contains a graphical presentation of the revenues and expenditures in the General Fund with expenditures by departments and other major operating funds; second section of the report contains the line item detail for all of the City's funds; and third section is actual revenues received or expenditures disbursed through the end of the quarter and are compared to the year-to-date quarterly budget allotments and expressed in the detail report as both a dollar variance and percent variance. In conclusion of the presentation, Downey highlighted graphs pertaining to the General Fund, Building Services Fund, Information Systems Fund, Light Fund, Street Fund, Sewer Fund, Water Fund, Surface Water Management Fund, Equipment Fund and other funds, noting the Beginning Fund Balance for FY 2014-15 is just over \$6 million, which is what the five-year financial forecast estimated the balance would be during the budget preparation for FY 2014-15. In conclusion of the above-noted presentation, Downey advised the City will receive about \$200,000 more in property tax revenue than projected, noting the City projected three percent assessed value increase and actual assessed value increase was about six percent.

**6. CONTINUE PUBLIC HEARING AND SECOND READING OF
ORDINANCE NO. 2015-05 VACATING A SEGMENT OF HEARTWOOD
STREET (A. K. A. "QUANDARY LANE") PUBLIC RIGHT-OF-WAY.
LOCATION: HEARTWOOD STREET AT THE STRASBURG DRIVE
INTERSECTION. APPLICANT: VENTURE PROPERTIES, INC., (KELLY
RITZ). FILE NO. VAC-15-00351**

The first reading of Ordinance No. 2015-05 by title occurred at the Council meeting of May 26, 2015.

Staff Report:

Reitz and Holan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of May 26, 2015, and explained hearing procedures.

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Written Testimony Received:

No written testimony was received prior to the published deadline of June 8, 2015, 7:00 p.m.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of May 26, 2015.

Gamble read Ordinance No. 2015-05 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Kidd. MOTION CARRIED 6-0.

7. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2015-06 AMENDING FOREST GROVE COMPREHENSIVE PLAN MAP AND REZONING CERTAIN TRACTS OF LAND EAST OF RICHEY ROAD AND SOUTH OF PACIFIC AVENUE. APPLICANT: CITY OF FOREST GROVE. FILE NOS. CPA-15-00290/ZNC-15-00291**

Staff Report:

Riordan and Holan presented the above-proposed ordinance for first reading, noting the proposed ordinance is requesting to amend the Comprehensive Plan Map and Zoning Map for property located east of Ritchey Road and south of Pacific Avenue, including 1216 Pacific Avenue, 1176 Pacific Avenue, 1156 Pacific Avenue, 1140 Pacific Avenue and Tax Lots 1S401-700, 1S401-800, 1S401-900, 1S401-1000, 1S401-1002, 1S401-2800, 1S401-2900, 1S401-3200. Riordan reported the

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Planning Commission considered six land use alternatives, the first alternative was zoning as it exists reflecting the update to the Comprehensive Plan and the other alternatives reflected various configurations of low and moderate density development, noting the Planning Commission approved Alternative 6, (Preferred Alternative), which would provide a transition in higher-density development to the east closer to the Town Center and lower-density development outside of the urban growth boundary to the west. Riordan explained the proposed Comprehensive Plan Map amendment re-designates property along Ritchey Road from B-Standard to C-Low and Medium Density Residential to A-Medium and B-Standard south of Pacific Avenue as shown in Attachment A and the Official Zoning Map amendment re-designates property along Ritchey Road from Single-Family Residential (R-7) to Single-Family Residential (R-10) and Multifamily Low (RML) to Single-Family Residential (R-7) south of Pacific Avenue as shown in Attachment A. Riordan advised the current zoning designation promotes attached and small-lot detached single-family dwellings on lots as small as 3,500 square feet. In contrast, the proposed change would promote single-family detached dwellings on larger lots (5,000 to 7,000 square feet), noting the overall fiscal impact to tax collections cannot not be determined until homes are constructed and assessed; though, there would be 28 fewer units in comparison to current zoning, property values in the area would likely be higher because homes would be larger and more expensive dwellings, which would offset taxable assessed value.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2015-06 for first reading.

Gamble read Ordinance No. 2015-06 by title for first reading.

MOTION: Councilor Lowe moved, seconded by Councilor Wenzl, to adopt Ordinance No. 2015-06 Amending Forest Grove Comprehensive Plan Map and Rezoning Certain Tracts of Land East of Richey Road and South of Pacific Avenue. Applicant: City of Forest Grove. File Nos. CPA-15-00290/ZNC-15-00291.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

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Written Testimony Received:

No written testimony was received prior to the deadline of June 8, 2015, 7:00 p.m.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Council Discussion:

In response to Council President Johnston's concern pertaining to pending development applications, Riordan advised there were no pending applications affecting the subject property, noting the Planning Commission advised to wait until Periodic Review was completed to make additional changes to the zoning in the area because this proposal would have amended the comprehensive plan/zoning in the middle of Periodic Review. Riordan concurred that when Gales Creek Terrace was approved, this proposal is what neighbors wanted in the first place, noting adjacent neighbors have been kept well informed.

In response to Thompson's concern pertaining to density requirements, Riordan advised the proposed comprehensive plan/zoning amendment are consistent with Metro's growth concept and will not affect the proposed Vertical Housing Zone Designation in the Town Center area, noting the Vertical Housing Zone Designation only affects property taxes and does not affect development density.

Hearing no further discussion from the Council, Mayor Truax recessed the Public Hearing until the next meeting of Monday, June 22, 2015.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of Monday, June 22, 2015.

8. PUBLIC HEARING AND RESOLUTION NO. 2015-38 SETTING FEES AND CHARGES, EFFECTIVE JULY 1, 2015, REPEALING RESOLUTION NO. 2014-45

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Staff Report:

Downey presented the above-proposed resolution increasing fees and charges by three percent (3%), rounded to the nearest increment, effective July 1, 2015. Downey highlighted various proposed fees, noting the Sewer Connection Deposit has increased from \$1,000 to \$2,000 to reflect actual costs of installation; Event Security, Officer Reimbursement Fee, was recalculated and reduced from \$89 per hour to \$69 per hour, plus 10 percent overhead fee with a four-hour minimum, to reflect actual costs; a new Utility Billing Account Transfer Fee has been set at \$10 for in-city and \$20 for out-of-city; and Convenience Fee for Telephone Payment Fee has increased from \$3.00 to \$7.50 to reflect actual staff time involved. Downey added staff is proposing a new City Attorney Research Fee, which has been set at attorney's hourly billing rate, plus costs, noting the fee will be assessed when legal research is required by the City Attorney's Office. In conclusion of the above-noted staff report, Downey reported based on Fiscal Year 2015-16 budget proposal, Planning Fees as outlined in Exhibit A will remain the same.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-38.

Gamble read Resolution No. 2015-38 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Uhing, to adopt Resolution No. 2015-38 Setting Fees and Charges, Effective July 1, 2015, excluding Planning Fees, and Repealing Resolution No. 2014-45.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the published deadline of June 8, 2015, 7:00 p.m.

Proponents:

No one testified and no written comments were received.

Opponents:

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No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

In response to Lowe's inquiry pertaining to the proposed City Attorney Research Fee, Downey explained the fee would be assessed when records requests require legal review to be conducted by the City Attorney's Office, noting the City has been incurring the direct costs.

In response to Council President Johnston's inquiry pertaining to administering lot line adjustments, Downey deferred Johnston's inquiry to the Community Development Department for clarification.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Kidd. MOTION CARRIED 6-0.

9. PUBLIC HEARING AND RESOLUTION NO. 2015-39 FIXING WATER RATES FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2015, AND REPEALING RESOLUTION NO. 2014-46

Staff Report:

Foster and Downey presented the above-proposed resolution increasing water rates for all customer classes by 3.5 percent, effective July 1, 2015. Foster reported due to a revised capital program, the City engaged FCS Group to perform an updated water rate analysis this year, noting the results of the rate analysis demonstrated the water utility needs a system-wide average rate increase of approximately 3.5 percent per year, a decrease from previous years, largely due to a change in large capital program expenditures (JWC/Scoggins Project) scheduled out to future years. Foster pointed out the Gales Creek Waterline debt service has been paid in full by the grantors, noting the costs associated are no longer listed in the fee schedule. In conclusion of the above-noted staff report,

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Foster and Downey outlined the significant changes to the water rates as noted in the staff report and proposed resolution (Exhibit A), noting for the average residential user, the proposed water rate increase would be approximately \$1.11 per month.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-39.

Gamble read Resolution No. 2015-39 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Wenzl, to adopt Resolution No. 2015-39 Fixing Water Rates for the City of Forest Grove, Effective July 1, 2015, and Repealing Resolution No. 2014-46.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the published deadline of June 8, 2015, 7:00 p.m.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Uhing commented she is happy to see a 3.5 percent increase this year, instead of eight percent as previously projected, noting the rate reduction will be easier on citizens.

Thompson commented the Annual Town Meeting addressed water rates,

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noting the rate reduction shows that concerns were taken into consideration, i.e., low-income.

Lowe commented the initial analysis showed a laundry list of capital projects, noting the rate reduction shows the City does reduce rates when the City is able. Lowe pointed out the City still has the dam project financial obligations, but in the interim, the City can reduce the rate.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Kidd. MOTION CARRIED 6-0.

10. RESOLUTION NO. 2015-40 AUTHORIZING EXTENDING BUSINESS INCENTIVE PROGRAM FOR TWELVE MONTHS, AND REESTABLISHING THE PROGRAM REQUIREMENTS

Staff Report:

King presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting extending the Business Incentive Program, which is scheduled to expire June 30, 2015, for an additional 12 months. King reported the program is designed to attract users to empty commercial and industrial space, noting as of today, 19 new businesses have occupied previously vacant space, three of the 19 businesses were industrial/manufacturing and 16 were small or start-up businesses. King introduced Hope Kramer, Economic Development Commission (EDC) Chair, and James Draznin, Vice Chair, who addressed Council on behalf of EDC, and asked Council to consider extending the program for five years instead of every 12 months, noting the program is very well liked by new business owners and is an incentive for small businesses coming to Forest Grove. In conclusion of the above-noted staff report, King advised the fees forgone remains under \$1,000 per project, noting other cities are continuing to offer business incentive programs as well.

Council Discussion:

Lowe commented she hates subsidizing high-end development but she would consider supporting a two-year extension for start-up businesses, noting the incentives can make a difference for small businesses.

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Uhing commented the business incentive program is a great program, pointing out that 19 businesses have benefited from the program. In response to Uhing's inquiry pertaining to total costs to the City, King advised the City has forgone under \$10,000 during the four-year program.

Thompson commented the program has created job growth and is bringing great benefits to the City, noting in his opinion, it is the best monies spent.

Wenzl made a motion to amend Resolution No. 2015-40 as noted below.

MOTION TO AMEND: Councilor Wenzl moved, seconded by Councilor Thompson, to amend Resolution No. 2015-40 Authorizing Extending Business Incentive Program for 36 Months to June 30, 2018.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion to amend Resolution No. 2015-40.

ROLL CALL VOTE MOTION TO AMEND: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Kidd. MOTION CARRIED 6-0.

Gamble read Resolution No. 2015-40 by title as amended.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-40 as amended.

MOTION: Councilor Uhing moved, seconded by Councilor Wenzl, to adopt Resolution No. 2015-40 Authorizing Extending Business Incentive Program for ~~Twelve~~ 36 Months to June 30, 2018, and Reestablishing the Program Requirements.

Council Discussion:

Mayor Truax commended the work of the Economic Development Commission (EDC), noting EDC supported extending the Business Incentive Program at its meeting in May.

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

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ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Kidd. MOTION CARRIED 6-0.

11. CITY MANAGER PRO TEM'S REPORT:

Gamble reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and community-wide events as noted in the City Manager Pro Tem's Report. Gamble reported the Community Enhancement Program (CEP) presentations will be heard on June 11, 2015, 6:00 p.m. in the Community Auditorium; Metro Shared Region Meeting is June 23, 2015, 6:30 p.m. in the Community Auditorium; and National Night Out is August 4, 2015. Gamble reported the Budget Committee approved the Fiscal Year 2015-16 budget, noting Council will hold public hearings for budget adoption, as well as Urban Renewal Agency budget adoption, at the Council meeting scheduled on June 22, 2015. Gamble announced the newly updated "Discover Forest Grove" Business and Visitor Guide has been released, noting the NewsTimes, Chamber of Commerce and the City teamed up to conduct the update. In addition, Gamble distributed a copy of his written report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and upcoming city-wide events.

12. COUNCIL COMMUNICATIONS:

Council President Johnston reported on Forest Grove Rural Fire Protection District meeting, noting the Board adopted its budget and Verboort received a new fire hydrant recently. Johnston stated he would work with the Chamber to seek input from local businesses on the proposed ordinance banning plastic bags, which was presented by the Sustainability Commission in earlier work session. Johnston also pointed out Metro has a storefront improvement grant program. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd was absent.

Lowe reported attending the Regional Water Providers Consortium meeting and referenced a map showing the consortium's boundary in the county and a map titled "Oregon SNOTEL Current Snow Water Equivalent % of Normal", noting the League of Oregon Cities also wrote

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an article titled "Drought in Oregon" in its June 2015 Local Focus Edition. Lowe announced she was appointed as Vice Chair to the Regional Water Providers Consortium Board. In addition, Lowe reported on matters of interest and upcoming meetings she was planning to attend.

Wenzl reported the Committee for Citizen Involvement cancelled its June meeting. Wenzl reported the Forest Grove Library was chosen to appear on the cover of the Washington County Cooperative Library Services' levy pamphlet. In addition, Wenzl reported on other matters of interest and upcoming meetings she was planning to attend.

Thompson reported on Public Safety Advisory Commission (PSAC)-related activities, noting PSAC is diligently working on plans for National Night Out, noting this is the first year PSAC will take the lead in planning the event, which will be held August 4, 2015. Thompson reported on Forest Grove Senior and Community Center-related activities. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported on matters of interest and upcoming meetings she was planning to attend.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax reported attending the Economic Development Commission meeting on behalf of Uhing. Mayor Truax reported participating on the Rose Festival Parade, Oregon Mayors' Walk. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended and community-related events and upcoming meetings he was planning to attend.

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13. ADJOURNMENT:

Mayor Truax adjourned the regular meeting at 9:16 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder