CITY COUNCIL MONTHLY MEETING CALENDAR

February-16

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Planning Comm 7pm	2 CCI 5:30pm	3 Municipal Court Metro Equitable Housing Summit-8am Water Providers CB 6:30pm	4 Red Cross Blood Drive 2pm - 7:30pm - Comm Aud EDC Noon Tigard City Address 6:30pm	5 S&CC 1st Friday	6
7	8 CITY COUNCIL 5:30 PM - WORK SESSION (Fire Services) 6:15 PM - WORK SESSION (B&C Interviews) 7:00 PM - REGULAR MEETING 8:00 PM - WORK SESSION (SC Plastic Bag Ban) 8:25 PM - WORK SESSION (Marijuana Regulations) COMMUNITY AUDITORIUM	9 Library 6:30pm	10 MPAC 5pm Cancelled	11 Open House Urban Renewal Agency 101 6pm - Community Auditorium PAC 5pm	12 WC Mayors	13
14	15 FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	16 Fernhill Wetlands 5:30pm HLB Focus Group 6pm	17 Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	18 Open House Urban Renewal Agency 6pm - Community Auditorium Food Film 7:30pm Ford Leadership	19 Ford Leadership	20 Council Goal-Setting Retreat 8:30 am - L&P Aud Ford Leadership
21	22 Chamber Luncheon - *State of City Addresses* Cities of Forest Grove & Cornelius CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	23 Open House Verboort Roundabouts & Porter Rd Bridge 5pm - Comm Aud HLB 7:15pm	24 PSAC 7:30am MPAC 5pm	25 WEA Breakfast Sustainability 6pm	26 LOC Board Mtg	27
28	29					

March-16

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 CCI 5:30pm	2 Municipal Court	3 EDC Noon	4 S&CC 1st Friday	5
				Mayor departs		*NLC*
6	7 Planning Comm 7pm	8 Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	9 MPAC 5pm	10 PAC 5pm Ford Leadership	11 WC Mayors Ford Leadership	12 Chamber Auction 5:30pm Ford Leadership
	National League or Cities (NLC) Congressional Conference, Washington, DC			*Mayor returns*		
13	14 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	15 Fernhill Wetlands 5:30pm	16 Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	17 Food Film 7:30pm	18	19
20	21 Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	22 HLB 7:15pm	23 PSAC 7:30am MPAC 5pm	24 WEA Breakfast Sustainability 6pm	25	26
27	28 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	29	30	31		

Apr-16

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 S&CC 1st Friday	2 Meet The Artist Dinner
3	4 Planning Comm 7pm	5 CCI 5:30pm	6 Municipal Court	7 EDC Noon	8 WC Mayors	9
10	11 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	12 Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	13 MPAC 5pm	14 PAC 5pm	15	16
17	18 Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	19 Fernhill Wetlands 5:30pm	20 Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	21 Food Film 7:30pm	22 Ford Leadership	23 Ford Leadership
24	25 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	26 HLB 7:15pm	27 PSAC 7:30am WC Managers' Mtg 1:30pm Comm Aud WCCLS Bd Mtg 1:30pm Comm Aud MPAC 5pm	28 WEA Breakfast Sustainability 6pm	29	30

Meeting dates/times may cancel without notice; please confirm with meeting agendas.
TBD=To Be Determined

This page is intentionally blank.

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY COUNCIL MEETING AGENDA — MONDAY, FEBRUARY 8, 2016

5:30 PM – Work Session (Cooperative Fire Services)
6:15 PM – Work Session (B&C Interviews)
7:00 PM – Regular Council Meeting
8:00 PM – Work Session (SC Plastic Bag Ban Update)
8:25 PM – Work Session (Marijuana Regulations)

Community Auditorium
1915 Main Street
Forest Grove, OR 97116

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit http://www.tvctv.org/government-programming/government-meetings/forest-grove.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President
Richard G. Kidd III
Victoria J. Lowe
Ronald C. Thompson
Elena Uhing
Malynda H. Wenzl

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

➔ Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

➔ Citizen Communications – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder, aruggles@forestgrove-or.gov, 503-992-3235.

Council meetings are handicap accessible. Assistive Listening Devices (ALD) or qualified sign language interpreters are available for persons with impaired hearing or speech. For any special accommodations, please contact the City Recorder, aruggles@forestgrove-or.gov, 503-992-3235, at least 48 hours prior to the meeting.

Michael Kinkade Jesse VanderZanden, City Manager	**5:30**	1.	**WORK SESSION: COOPERATIVE FIRE SERVICES STUDY NEXT ACTION** The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).
Anna Ruggles, City Recorder Jesse VanderZanden, City Manager	**6:15**	2.	**WORK SESSION: BOARDS, COMMITTEES AND COMMISSIONS INTERVIEWS** The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).
	7:00	1.	**REGULAR MEETING**: Roll Call and Pledge of Allegiance
		2.	**CITIZEN COMMUNICATIONS**: Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer*. In the interest of time, please limit comments to two minutes. Thank you.
		3.	**CONSENT AGENDA: See Page 4**
		4.	**ADDITIONS/DELETIONS:**
		5.	**PRESENTATIONS:**
George Cress, Light and Power Director Rob Foster, Public Works Director	7:05	5. A.	• *Utility Meter Retro-Fit Program*
	7:20	5. B.	• *Washington County Emergency Communications System Bond Measure, Primary Election May 17, 2016, Don Bohn, Washington County Assistant Administrator*
Michael Kinkade, Fire Chief	7:35	6.	**RESOLUTION NO. 2016-15 OF THE FOREST GROVE CITY COUNCIL SUPPORTING WASHINGTON COUNTY'S ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY FOR $77 MILLION IN CAPITAL COSTS FOR EMERGENCY AND 9-1-1 EQUIPMENT AND FACILITIES**

Derek Robbins, Project Engineer Rob Foster, Public Works Director Jesse VanderZanden, City Manager	7:40	7.	**RESOLUTION NO. 2016-16 AUTHORIZING THE MAYOR AND CITY MANAGER TO ENDORSE THE LOCAL AGENCY AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR OR8/OR47 INTERSECTION IMPROVEMENTS; CONTRACT NO. 31034**
Derek Robbins, Project Engineer Rob Foster, Public Works Director Jesse VanderZanden, City Manager	7:50	8.	**RESOLUTION NO. 2016-17 AUTHORIZING THE MAYOR TO ENDORSE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF FOREST GROVE AND WASHINGTON COUNTY FOR THE OR8/OR47 INTERSECTION IMPROVEMENT PROJECT; NO. 100206 MSTIP OPPORTUNITY FUND**
	7:55		**RECESS**
Jon Holan, Community Development Director Jesse VanderZanden, City Manager	**8:00**	9.	**WORK SESSION: SUSTAINABILITY COMMISSION'S PLASTIC BAG BAN UPDATE** The City Council will reconvene in the Community Auditorium to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).
Jon Holan, Community Development Director Jesse VanderZanden, City Manager	**8:25**	10.	**WORK SESSION: MARIJUANA REGULATIONS** The City Council will reconvene in the Community Auditorium to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).
City Councilors	9:00	11.	**CITY COUNCIL COMMUNICATIONS:**
Jesse VanderZanden, City Manager	9:15	12.	**CITY MANAGER'S REPORT:**
Peter Truax, Mayor	9:20	13.	**MAYOR'S REPORT:**
	9:30	14.	**ADJOURNMENT:**

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 remaining Consent Agenda item(s).

A. Approve City Council Work Session (B&C Interviews) Meeting Minutes of January 25, 2016.
B. Approve City Council Work Session (Not-For-Profit Contribution) Meeting Minutes of January 25, 2016.
C. Accept Historic Landmarks Board Meeting Minutes of December 15, 2015.
D. Community Development Monthly Building Activity Report for January 2016.
E. Library Quarterly Statistics Report for FY 2015-16 (Nov–Dec 2015).
F. **Endorse New Liquor License Application (Full On-Premises Sale) for New Chinese Cuisine, 1927 Main Street (Applicant: Weiming Chen)**.
G. **RESOLUTION NO. 2016-09 MAKING APPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (Appointing MJ Guidetti-Clapshaw, Term Expiring January 31, 2020).**
H. **RESOLUTION NO. 2016-10 MAKING APPOINTMENT TO COMMUNITY FORESTRY COMMISSION (Appointing Michael Howell, Term Expiring December 31, 2016).**
I. **RESOLUTION NO. 2016-11 MAKING APPOINTMENT TO HISTORIC LANDMARKS BOARD (Appointing Larissa Whalen Garfias, Term Expiring December 31, 2016).**
J. **RESOLUTION NO. 2016-12 MAKING APPOINTMENT TO LIBRARY COMMISSION (Appointing Jane Burch-Pesses, Term Expiring December 31, 2017).**
K. **RESOLUTION NO. 2016-13 MAKING APPOINTMENT TO PARKS AND RECREATION COMMISSION (Appointing Kenneth Cobleigh, SW, Term Expiring December 31, 2017).**
L. **RESOLUTION NO. 2016-14 MAKING APPOINTMENTS TO PUBLIC SAFETY ADVISORY COMMISSION (Appointing Karen Hessen, At-Large, Term Expiring December 31, 2017, and Thomas Epler, Rural Fire District, Term Expiring December 31, 2017).**

FOREST GROVE OREGON

Forest Grove Cooperative Fire Services Study Next Action

City Council

February 8, 2016

GASTON Est. 1913 FIRE DISTRICT

FOREST GROVE FIRE & RESCUE

CORNELIUS OREGON FIRE RESCUE EST. 1912 FIRE DEPARTMENT

A place where businesses and families thrive.

FOREST GROVE OREGON

History

- Cooperative Services Study performed by ESCI December 2014-May 2015
- An in-depth analysis of our fire departments operational, financial and logistical needs was done, and recommendations were made.
- Five agencies participated:
  - City of Forest Grove
  - Forest Grove Rural Fire Protection District
  - City of Cornelius
  - Cornelius Rural Fire Protection District
  - Gaston Rural Fire Protection District
  - Banks Fire District

FOREST GROVE OREGON

Study Recommendations

- Phase 1: Expand existing IGA to include Gaston (complete)
- Phase 2:
  - Establish a fire authority to test the concept of a future fire district
  - If successful, establish a fire district

FOREST GROVE OREGON

Implementation Recommendations

- First step, conduct vision session with policy makers to answer the question, "Do we want to move forward or not?"
- Visioning session conducted in October 2015
  - Facilitated by ESCI consultant Sheldon Gilbert
    - Representatives:
      - Mayor Pete Truax, Forest Grove
      - Mayor Jef Dalin, Cornelius
      - Chair Cleo Howell, Forest Grove Rural Fire Protection District
      - Chair Wes Van Dyke, Cornelius Rural Fire Protection District
      - Chair Michael Piedmonte, Gaston Rural Fire Protection District

FOREST GROVE OREGON

Vision Session Consensus Recommendations

- Immediately work with participating agencies to pursue a comprehensive IGA "Western Washington County Fire Authority" with participation from all five agencies present at the visioning process.
- Long Term, all five agencies will work toward the development, approval and implementation of a single integrated fire district to serve all participating jurisdictions.

FOREST GROVE OREGON

What could an IGA look like?

- Intergovernmental Agreement establishing a operational, administrative and financial framework of all participating agencies.
- Volunteers and Administrative Assistant Example

FOREST GROVE OREGON

Advantages of this Proposal

- Increased operational, administrative and financial network.
- Non-permanent – participants can withdraw
- Modular, can be expanded or contracted as we move forward
- Demonstration project, offering proof of concept to elected officials and public
- Demonstrates good governance

FOREST GROVE OREGON

Disadvantages of this Proposal

- Time and effort to create the proposals

FOREST GROVE OREGON

Needed Tonight:

- The following agencies have reviewed the proposal and have directed the Fire Chief to move forward with the development of a draft IGA
  - Gaston Rural Fire Protection District (December 2015)
  - Cornelius City Council (January)
  - Forest Grove Rural Fire Protection District (January)
  - Cornelius Rural Fire Protection District
- Question to Forest Grove City Council:
  - Should the Fire Chief develop a draft IGA to form the Fire Authority?
  - Are there know concerns or questions we would like him to research further?

FOREST GROVE OREGON

Staff Recommendation

- Direct the Fire Chief to create a draft IGA for consideration by the Forest Grove City Council

City of Forest Grove

City of Cornelius

Forest Grove Rural Fire District

Cornelius Rural Fire District

Gaston Fire District

Oregon

Cooperative Services Visioning Process

Emergency Services Consulting International

As a result of the recently presented cooperative service delivery study, a recommendation was made to conduct a visioning process with local officials to answer the question: "Do we want to move forward or not?" It is extremely important that, at this stage of the process, it is clearly recognized that this is a public policy decision on the part of the governing entities involved. A decision to consider altering the way in which a critical public safety service is provided, in some cases even permanently altering the governance of those services, is clearly in the purview of the elected bodies. While senior management input should be considered, the final decision should not rest at any level lower in the organization than those who are elected to represent the customers.

For this reason, a visioning process was conducted on October 20, 2015, for elected representatives of the cities of Forest Grove, Cornelius and the Forest Grove Rural, Cornelius Rural and Gaston Fire Districts. The Mayors of Forest Grove and Cornelius and Fire District Presidents from the Forest Grove Rural, Cornelius Rural and Gaston Fire Districts met together for the initial discussion of the feasibility study and its projected operational and fiscal outcomes.

The policymakers met and developed the following visioning priorities and next steps to include all the elected officials assigned to represent each governing entity. During this visioning process, involvement by staff was limited to the fire chief for the sole purpose of providing technical support. During the visioning process, it was identified that stakeholder input is vitally important; there was consensus that plentiful opportunity in multiple forums would be provided for this once the policy bodies have determined what is in the best interest of their citizens as a matter of public policy.

The visioning group agreed it is equally important that the policy bodies recognize exactly what decision is being considered in the initial vision meeting. The purpose of this meeting was to weigh the strategies, operational advantages, fiscal outcomes, and potential impediments of the feasibility to determine whether to commit local resources to move the process forward. The decision is not, at this point, a final decision to "flip the switch". The final commitment to take legal actions necessary to finalize implementation of any given strategy will come much further into the process.

This initial vision meeting can be likened to the court process known as a probable cause hearing. The purpose of such a hearing is for a judge or grand jury to determine if sufficient evidence exists to warrant an arrest and a trial. The probable cause hearing does not determine the final verdict or sentence. That occurs after the much more thorough process and deliberation of the trial. Likewise, the vision meetings are for the policymakers to judge whether sufficient evidence exists to warrant moving forward. The final verdict on whether to take legal or contractual actions to implement will come after weeks, months, or even years of additional detailed planning work involving stakeholders, operations staff, legal counsel, finance personnel, and others. As this actual implementation planning work moves forward, there may be several points at which new information or significant obstacles arise that cause one or more communities to decide not to finalize and implement the plan.

The term "vision session" is used here because the policymakers assembled to determine their joint decision on a future vision toward which the additional work of implementation will be directed. In many cases, several legal, operational or functional strategies are presented as being feasible in the study. These recommendations involve various options for governance, finance, and organizational structure. The recommended direction and priorities presented from this visioning session will be sent to the full governing bodies for further refinement with the intent of becoming the joint vision of the policymakers.

Each entity representative was asked to present a short description of those critical issues, service gaps, or service redundancies that might be concerning them relative to their provision of public safety services as they relate to the cooperative service study recommendations. As each entity took its turn presenting these issues, a picture emerged of those shared critical issues the entities have in common. This brainstorming session assisted in focusing the discussion on which of the feasible options from the study best address those critical common issues and how. The following were the common general impressions and themes relating to how these agencies can move to the next steps:

- Supportive of moving forward to the "next steps".
- Acknowledged the challenge and need to maintain individuality.
- Felt the volunteer work forces are supportive of moving forward.
- Financially sustainability is a big driver and must be thoroughly addressed in the process and selected regional model.
- Current response times and service levels are seen as good.
- Supportive of standardized equipment and functions.
- Desire to build upon current efficiencies and enhanced effectiveness.
- Agreement that the current model is not financially sustainable into the future.
- Fire agencies are seen as a core element of each community's identity.
- Pursue a model that provides increased efficiency and effectiveness and is sustainable.
- Ensure local identity, local control, and community interactions are preserved.
- Agree that all participating agencies are interdependent upon one another and need to move forward together.
- The timing is good and all agencies are optimistic for a smooth transition to the next steps based on past experience of working together.

Next the discussion focused on those feasible options with the greatest opportunity to positively impact shared critical issues; the discussion centered around the strengths and weakness of the strategies relative to the conditions, financial abilities, and cultural attitudes of the communities involved. There was a concerted effort to remain at a policy level without becoming overly embroiled in operational discussions of implementation details. The participating policy makers agreed they would be addressed once a common vision has been established that is in the best interest of all the communities involved. The participating policy makers were asked to share what they feel are the strengths and weaknesses of a comprehensive intergovernmental agreement (IGA) and the formation of a

common fire district (Single Fire District Solution). The following themes were identified based on these approaches:

Intergovernmental Agreement (IGA):

- Serves as a good initial step to serve a "proof of concept" for a fully integrated fire service delivery system between all five agencies.
- Maintains individual financial, fiduciary, and service delivery authority for each governing body.
- Personalities and local politics will always play a big role in the policy and contract development as well as implementation.
- The strength of the IGA is proportional to how well the contract is written, how well the scope of work is defined and how well compliance is measured and monitored.
- If one agency opts out, it can impact operational and financial feasibility for the whole system.
- The IGA, if not created and implemented well, can be a single point of failure for future regional efforts and initiatives.
- A well written IGA can serve as a great public education framework to ensure adequate information flow to and from the community.

Single Fire District Solution:

- In a district, no one agency can exclude the other or easily break the coalition.
- Cleary exposes financial differences and forces a integrated financial solution.
- A degree of loss of financial and service delivery control that is transferred to a new fire district board with proportional representation.
- Will require multiple and simultaneous ballot measures.
- Requires a significant public education and voter information campaign.
- Once established very hard to turn back.
- Need to address perceived revenue expenditure and revenue equity to all the communities served.

This was also the time that participants were asked to make the decision to opt out of further involvement. This may occur for a number of reasons. There may be legitimate concern that an individual community does not truly share an adequate number of common critical issues with the other communities. There may also be a legitimate concern that the feasible strategies do not do enough to benefit a given community and would leave it with too many remaining critical issues. And, of course, there is always the possibility that a given community will not feel that the projected financial outcome is within its ability or provides a cost-benefit that is better than its current situation. All of the participants decided to continue in the process with no one expressing a desire to opt out at this point in the process.

The goal of the vision session was to come out with a decision by the policy bodies on whether to continue with the next steps and, if so, what direction those steps should take. The following consensus vision, policy priorities, and next steps were determined to be

actionable by senior appointed officials and staff. While there will be many, many details to work out in the implementation process, the proposed vision clearly articulates the intention of the agreeing policy bodies on the desired outcome from the specified cooperative service strategy or strategies. Once this vision is refined and adopted by the policy bodies, the real work begins.

Consensus Vision:

- Immediately work with the participating agencies to pursue a comprehensive IGA "Western Washington County Fire Authority" with participation from all five agencies present at the visioning process.
- Long term, all five agencies will work toward the development, approval and implementation of a single integrated fire district to serve all participating jurisdictions.

Consensus Policy Priorities:

- Ensure both the IGA and long-term fire district initiatives are sustainable financially, administratively, and operationally.
- Preserve local identity and responsiveness in the development and implementation of future regional service delivery models.
- Both the IGA and future fire district option must provide same or better service levels than today's delivery system.
- Both options must provide for adequate local determination and accountability.
- Cost and service allocations must be fair, equitable, and measurable.
- All elements of service delivery should be based on locally determined and adopted standards.
- Short and long-term service delivery models should be built to accommodate future participation by additional agencies.

Consensus Next Steps:

- A Vision process document and briefing will be provided to all policy bodies for input, refinement, and approval.
- An IGA workgroup chaired by the fire chief and including operational, administrative and finance representation will be convened to establish an IGA framework for consideration by all participating policy bodies.
- Developed IGA framework will be presented to all policy bodies for review, refinement, and approval of the concept and IGA framework.
- Upon approval of the IGA framework, IGA Development and Implementation Committees will be convened and work on a comprehensive IGA contract and an operational implementation plan will be completed for approval by all policy bodies.

After setting this joint vision, this policymaker group recommended they meet together at set intervals, or as needed, to hear the progress of the Implementation Committee and its Working Groups and refine direction when necessary. The appropriate interval will depend

on the situation and the complexity and length of the process itself but often a quarterly meeting is sufficient.

In closing, all five agencies were very committed to accurately and appropriately addressing their jurisdiction's needs, concerns, and desires. There was good and honest dialogue that allowed each agency to accurately express its perspective and community's thought process relating to this initiative. ESCI feels that all the participating agencies showed a great amount of due diligence and commitment to this process and the next steps. Based on the current level of cooperation and experience with these five agencies, there is a high likelihood these agencies will be successful in pursuing an enhanced and more integrated fire service delivery system.

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	WORK SESSION:
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2016*

PROJECT TEAM: *Anna D. Ruggles, CMC, City Recorder*

SUBJECT TITLE: *B&C Interviews and Appointment Considerations*

ACTION REQUESTED:		Ordinance		Order		Resolution		Motion	X	Informational

X all that apply

BACKGROUND:

Attached you will find the following items for the Boards, Committees, and Commissions interview(s) scheduled for Monday, February 8, 2016, City Council Work Session.

- Boards, Committees, Commissions Number of Vacancies;
- Possible Interview Questions; and
- Application(s) attached:

1. Mackenzie Carey – Parks and Recreation Commission
2. Victoria Eaton – Sustainability Commission and Library Commission
3. Elizabeth Beechwood – Library Commission

STAFF RECOMMENDATION:

Conduct interview of the applicant(s) who expressed interest in serving on the Advisory Boards, Committees, and Commissions (B&C).Staff requests Council make determinations of new appointment(s) as the City's annual B&C recruitment has closed. Resolutions making appointments shall be considered at the next regular Council Meeting.

Boards, Committees, and Commissions
2016 Applicant List and Vacancies

WORK SESSION:

	Budget	CCI	CFC	EDC	HLB	Library	P&R	Planning	Public Arts	Public Safety	Sustainability
	Apr/May	1st Tues 5:30pm	3rd Wed 5:15pm	1st Thurs Noon	4th Tues 7:15pm	2nd Tues 6:30pm	3rd Wed 7am	1st&3rd Mon 7pm	2nd Thurs 5pm	4th Wed 7:30am	4th Thurs 6 pm
Students must be in college and/or high school		2 - Vacancies	1 - Student Vacancy	1 - Student Vacancy	1 - Vacancy 1 - Student Vacancy	1 - Vacancy	1 - Vacancy At-Large 1 - Student Vacancy		1 - Student Vacancy	1 - Fire Dist Citizen 1 - Student Vacancy	
***Applicant*:**											
Interview Time	**First Name**	**Last Name**	***Desired Position(s)***								
6:15 PM	Mackenzie	Carey					1				
6:25 PM	Victoria "Tori"	Eaton				2					1
6:35 PM	Elizabeth	Beechwood				1					

2016 BOARDS, COMMITTEES & COMMISSIONS VACANCIES

COMMISSION	REQUIREMENTS	# VACANCIES	EXPIRES
BUDGET Meets in April/May	7 – Members 3 – Year Term; All members must live in City per ORS		
COMMITTEE FOR CITIZEN INVOLVEMENT Meets 1st Tuesday, 5:30 pm	7 – Members - 4 – Year Term Student Advisor	1 – Vacancy 1 – Vacancy	01/31/20 01/31/20
COMMUNITY FORESTRY COMMISSION Meets 3rd Wednesday, 5:15 pm	7 – Members - 3 – Year Term 3 members may live outside City – Currently 3 Student Advisor	1 – Student Vacancy	12/31/16
ECONOMIC DEVELOPMENT COMMISSION Meets 1st Thursday, Noon	19 – Members - 3 – Year Term 6 Public & Non-Profit; 12 Business 1 At-Large Student Advisor	1 – Student Vacancy	12/31/16
HISTORIC LANDMARKS BOARD Meets 4th Tuesday, 7:15 pm	7 – Members - 4 – Year Term 2 members may live outside City – Currently 0 Student Advisor	1 – Vacancy 1 – Student Vacancy	12/31/16 12/31/16
LIBRARY Meets 2nd Tuesday, 6:30 pm	7 – Members - 2 – Year Term Student Advisor	1 – Vacancy	12/31/17
PARKS & RECREATION COMMISSION Meets 3rd Wednesday 7:00 am	9 – Members - 4 – Year Term 3 members At-Large – Currently 2 2 members may live outside City – Currently 1 1 member each district: NNW = Forest Glen, Knox Ridge, Thatcher/Loomis; NW = Lincoln, Hazel Sills, Aquatic Center, Talisman; SW = Rogers; SE = Joseph Gale; NE = Bard and Stites Parks Student Advisor	1 – Vacancy – At-Large 1 – Student Vacancy	12/31/19 12/31/16
PLANNING COMMISSION Meets 1st and 3rd Monday 7:00 pm	7 – Members - 4 – Year Term 2 members may live outside City – Currently 1 1 member in real estate for profit – Currently 1 2 members same trade/occupation – Currently 0		
PUBLIC ARTS COMMISSION Meets 2nd Thursday, 5:00 pm	9 – Members - 3 – Year Term All members At-Large	1 – Student Vacancy	12/31/16
PUBLIC SAFETY ADVISORY COMMISSION Meets 4th Wednesday 7:30 am	7 – Members - 4 – Year Term 2 members Rural Fire District – Currently 0 Non-Voting Reps Rural Fire Dist; Chamber; FG School District; and Pacific University	1 – Citizen Fire District 1 – Student Vacancy	12/31/16 12/31/16
SUSTAINABILITY COMMISSION Meets 4th Thursday 6:00 pm	13 – Members - 4 – Year Term 3 At-Large; Voting Reps Clean Water Services; Economic At-Large; Educator; Ethnic/Cultural Affiliation; FG School District; Non-Profit Service; Pacific University; Sustainable Business; 1 Pacific University Student; and 1 – FG High School Student		

Updated: 2/2/16

Possible Questions for B&C Applicant Interviews:

Please feel free to use any questions and/or information that you wish in order to conduct a successful interview. Please note: 5-7minutes are allotted for question and answer time.

- ☐ *If there were one area you've always wanted to improve upon, what would that be?*

_____

- ☐ *What can you offer the advisory board on which you would like to serve?*

_____

- ☐ *What are some of your proudest achievements?*

_____

- ☐ *What ideas do you have for increasing citizen involvement in Forest Grove?*

_____

- ☐ *Is there an area in which you think the City may be letting its citizens down? If so, what would that be?*

_____

- ☐ *What do you see as a critical need or a major concern facing the City?*

_____

- ☐ *Do you favor growth or do you feel the City is currently big enough?*

_____

- ☐ *How would you respond to an unpopular decision that is strongly criticized by the public? Such as making an unpopular decision that may go against property owners' desire or that is not supported by your friends and neighbors.*

_____

- ☐ *What ideas do you have that would help Forest Grove become a more sustainable community?*

_____

- ☐ *Do you have any grant-writing experience?* _____

In addition, Mayor, please ask:

- ☐ *Do you have any conflict with the meeting date(s) and time(s) of the advisory board to which you have applied?* _____
- ☐ *If we cannot appoint you to your first choice, are there any other advisory boards that interest you?*
- ☐ *May we keep your application on file?* _____
- ☐ *Do you have any questions for us?* _____

Note: Once Council renders a decision on the status of the selected appointment(s), the City Recorder will notify applicant soon thereafter.

Interview Feb 8th 6:15pm

forest grove

CITIZEN ADVISORY BOARDS, COMMITT ...MMISSIONS

RECEIVED JAN 0 - REC'D BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	**Budget Committee**	3-4 times in May	X	**Parks & Recreation Commission**	3rd Wednesday, 7am
____	**Committee for Citizen Involvement**	1st Tuesday, 5:30pm	____	**Planning Commission**	1st & 3rd Monday, 7pm
____	**Community Forestry Commission**	3rd Wednesday, 5:15pm	____	**Public Arts Commission**	2nd Thursday, 5pm
____	**Economic Development Commission**	1st Thursday, Noon	____	**Public Safety Advisory Commission**	4th Wednesday, 7:30am
____	**Historic Landmarks Board**	4th Tuesday, 7:15pm	____	**Sustainability Commission**	4th Thursday, 6pm
____	**Library Commission**	2nd Tuesday, 6:30pm			

NAME: Mackenzie Johnston Carey **HOME PHONE:** [redacted]

RESIDENCE ADDRESS: [redacted] Rodlun Ct, FG, OR **BUSINESS PHONE:**

MAILING ADDRESS: Same **E-MAIL:** [redacted]

EMPLOYER: RE/MAX Equity Group **OCCUPATION/ PROFESSION:** Real Estate Agent

Years living in Forest Grove? 29 Live in City limits? Yes How did you hear of this opportunity? Paul Waterstreet

How would you currently rate City's performance? ☐ Excellent ☒ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? I have time to give and would love to be more involved in the FG community. Parks+ Rec specifically would interest me the most.

What contributions do you feel you can/will make to the Board/Committee/Commission? Looking at who is currently on the commission, I would bring a completely different demographic's opinion. Being a Mom of two small children brings a new perspective.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Like I said above, I'm a different perspective. I frequent all of Forest Grove's parks and am always looking for ways to improve the city's recreation for families

Previous/current appointed or elected offices: None

Previous/current community affiliations or activities: FG Rotary, FG United Church of Christ

If not appointed at this time, may we keep your name on file? (Yes) No

[redacted] Date: 1/6/16

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 01/14)

Interview
Feb 8th
6:25pm

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED
REC'D
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	Budget Committee	3-4 times in May	____	Parks & Recreation Commission	3rd Wednesday, 7am
____	Committee for Citizen Involvement	1st Tuesday, 5:30pm	____	Planning Commission	1st & 3rd Monday, 7pm
____	Community Forestry Commission	3rd Wednesday, 5:15pm	____	Public Arts Commission	2nd Thursday, 5pm
____	Economic Development Commission	1st Thursday, Noon	____	Public Safety Advisory Commission	4th Wednesday, 7:30am
____	Historic Landmarks Board	4th Tuesday, 7:15pm	1	Sustainability Commission	4th Thursday, 6pm
2	Library Commission	2nd Tuesday, 6:30pm			

NAME: Victoria Eaton
HOME PHONE: [redacted]
RESIDENCE ADDRESS: [redacted] 19th Pl [redacted]; Forest Grove OR 97116
BUSINESS PHONE: [redacted]
MAILING ADDRESS: Same as above
E-MAIL: [redacted]
EMPLOYER: Pacific University
OCCUPATION/ PROFESSION: Clin. Instructor/Occ. Thera.

Years living in Forest Grove? 9.5 Live in City limits? Yes How did you hear of this opportunity? D Martin/ V Lowe

How would you currently rate City's performance? ☐ Excellent ☑ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? Overall, I feel that the City meets the majority of needs for the majority of residents. I would like to see more focus on how we can better serve lower-income individuals and families. Would also like to see how to better support involvement from the Latino community.

Why are you interested in serving on the Advisory Board/Committee/Commission? Sustainability- I'm passionate about our city, and how to enhance the diverse economic, environmental, and social resources within. Library- I've been a patron since I was 3 (1983) and I would like to learn more about how it works as well as have a chance to give back.

What contributions do you feel you can/will make to the Board/Committee/Commission? Having lived in western Wash. Co. most of my life, I have a good understanding of the history and how things have changed over time. I would like to offer an open mind willing to learn more about local politics, and a strength for seeing the bigger picture.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? As a healthcare professional, I would like to bring ideas to promote wellness in creative ways. I have experience with public speaking, networking, and developed our Severe Weather Shelter in 2007-2008.

Previous/current appointed or elected offices: N/A

Previous/current community affiliations or activities: Severe Weather Shelter (01/08-03/14) PEO Winter Day (2/12-present)

If not appointed at this time, may we keep your name on file? (Yes) No

Signature: [signature] Date: 1/26/16

I have volunteered time to give to this responsibility and will attend the required meetings if appointed.

(App 01/14)

Interview
feb 8th
ca. 3:5pm

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED
NOV 30 2015

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	Budget Committee	3-4 times in May	____	Parks & Recreation Commission	3rd Wednesday, 7am
____	Committee for Citizen Involvement	1st Tuesday, 5:30pm	____	Planning Commission	1st & 3rd Monday, 7pm
____	Community Forestry Commission	3rd Wednesday, 5:15pm	____	Public Arts Commission	2nd Thursday, 5pm
____	Economic Development Commission	1st Thursday, Noon	____	Public Safety Advisory Commission	4th Wednesday, 7:30am
____	Historic Landmarks Board	4th Tuesday, 7:15pm	____	Sustainability Commission	4th Thursday, 6pm
xx	Library Commission	2nd Tuesday, 6:30pm			

NAME: Elizabeth Beechwood
HOME PHONE: [redacted]
RESIDENCE ADDRESS: [redacted] Limpus Lane, Forest Grove
BUSINESS PHONE:
MAILING ADDRESS: same
E-MAIL: [redacted]
EMPLOYER: Washington County/ Animal Services
OCCUPATION/ PROFESSION: Admin. Assistant

Years living in Forest Grove? 1 Live in City limits? yes How did you hear of this opportunity? vol. at library

How would you currently rate City's performance? ☐ Excellent ☑ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? Becoming active in and contributing to the community.

What contributions do you feel you can/will make to the Board/Committee/Commission? I have experience working in libraries in Alaska, Washington, Oregon, and California.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I have experience working in libraries, managing a book store, and my undergrad degree is Liberal Arts/Literature and my Master's degree is in creative writing.

Previous/current appointed or elected offices: none

Previous/current community affiliations or activities: none

If not appointed at this time, may we keep your name on file? Yes No

Signature: Elizabeth Beechwood Date: 11/29/15

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 01/14)

This page is intentionally blank.

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY COUNCIL WORK SESSION MINUTES **MONDAY, JANUARY 25, 2016**
B&C Interviews and Appointments **5:30 p.m.**

1. **CALLED TO ORDER AND ROLL CALL:**
Mayor Peter Truax called the Work Session to order at 5:30 p.m.

CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused.

STAFF PRESENT: Jesse VanderZanden, City Manager, and Anna Ruggles, City Recorder.

2. **WORK SESSION: BOARDS, COMMITTEES, AND COMMISSIONS (B&C) INTERVIEWS**
The following applicants were interviewed for the following B&C positions:

- Karen Hessen (Mason Brown) – Library Commission and **Public Safety Advisory Commission, At-Large, Term Expiring December 31, 2017.**
- Elizabeth Beechwood – Library Commission; interview will be rescheduled.
- **Larissa Whalen Garfias – Historic Landmarks Board, Term Expiring December 31, 2016.**

Council interviewed the following applicants on November 23, 2015, for the following positions:

- Thomas Epler who resides outside of the city – Community Forestry Commission, which has no vacancy outside of the city. **Pending his acceptance to Public Safety Advisory Commission, Rural Fire District, Term Expiring December 31, 2017.**
- **Jane Burch-Pesses** who resides outside of the city – Community Forestry Commission, which has no vacancy outside of the city, and Sustainability Commission, which has no vacancy. **Pending her acceptance to Library Commission, Term Expiring December 31, 2017.**

Council interviewed the following applicants on December 14, 2015, for the following positions:

- Michael Howell – Budget Committee, which has no vacancy, and **Community Forestry Commission, Term Expiring December 31, 2016**
- Kenneth Cobleigh – Sustainability Commission, which has no vacancy, Community Forestry Commission, which vacancy was filled, Planning

CITY OF FOREST GROVE P. O. BOX 326 FOREST GROVE, OR 97116 503-992-3200 www.forestgrove-or.gov

Commission, which has no vacancy, and **Parks and Recreation Commission, SW, Term Expiring December 31, 2017.**

In addition, Ruggles reported Council interviewed MJ Guidetti-Clapshaw for a position on the Committee for Citizen Involvement (CCI) on September 14, 2015, and at the time of her interview, there was no vacancy on CCI so instead, Guidetti-Clapshaw accepted an appointment on the Historic Landmarks Board (HLB). Ruggles noted Guidetti-Clapshaw has expressed interest in continuing her term on HLB and is seeking an appointment on CCI, since CCI will have three vacancies effective February 1, 2016. **Pending her acceptance to Committee for Citizen Involvement, Term Expiring January 31, 2020.**

After Council deliberation, Council collectively made recommendation to make the above-noted appointments as shown in **bold**. Resolutions making formal appointments will be considered at the next regular Council meeting of February 8, 2016.

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

3. **ADJOURNMENT:**
Mayor Truax adjourned the regular meeting at 6:15 p.m.

Respectfully submitted,

_____
Anna D. Ruggles, CMC, City Recorder

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY COUNCIL WORK SESSION MINUTES **MONDAY, JANUARY 25, 2016**
Not-For-Profits Contribution **6:30 p.m.**

1. **CALLED TO ORDER AND ROLL CALL:**
Mayor Peter Truax called the Work Session to order at 6:20 p.m.

CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; and Anna Ruggles, City Recorder.

2. **WORK SESSION: NOT-FOR-PROFITS CONTRIBUTION**
Downey and VanderZanden facilitated the work session, noting the purpose of the work session was to aid in the decision-making process, if Council wants to establish a policy for in-kind donations and/or contributions of revenue to not-for-profit organizations as part of the budget process. Downey reported this policy would require establishing an application and criteria process for evaluating requests, noting in the 1990's, the City allocated $21,000 and held an additional Budget Committee Meeting. In addition, Downey presented a PowerPoint presentation outlining the history dating back to FY1991-92, when social service agency donation allocation was set at 1/10 percent of the operating budget, noting contributions had occurred for many years prior. Downey reported in FY1992-93, $21,095 was distributed in funding; FY1994-95, budget reductions occurred due to Measure 5 eliminated social services agency donation allocation; and in FY1996-97, a separate line item for the Senior Center was approved as part of the budget process for $10,000 and has continued since, noting in FY2013-14, $22,500; FY2014-15, $30,000; and FY2015-16, $35,000 was approved as part of the budget process. Downey referenced slides listing examples of some of the current contributions departments make, including a wide variety of community-related events during the year involving paid fire and police personnel as well as other City personnel and providing equipment at events; Aquatic Center donates passes for fundraisers annually; Parks and Recreations donates bark chips and delivery; Light and Power gives cash contributions annually to FG Uncorked, Corn Roast and Light Parade and does other non-cash contributions, i.e., hanging banners, holiday lighting and decorations, and provides paid staff and equipment at events; and Public Works donates surplus fire hydrants to not-for-profits, which included paid staff time to paint the hydrants, and provides paid staff and equipment at events. Downey noted the Senior Center contribution excludes building maintenance, because the facility is city-owned property. In conclusion of the above-noted staff report,

Downey and VanderZanden advised staff is seeking guidance from Council, if Council wants to establish a policy for in-kind donations and/or contributions of dollars and if so, should the policy be for "all" not-for-profit organizations.

Council Discussion:
Mayor Truax opened the floor and roundtable discussion ensued pertaining to whether the City should establish a policy and funding criteria for allocating and/or contributing revenue or in-kind donations to not-for-profit organizations. Downey and VanderZanden addressed various Council concerns, inquiries, and scenarios posed by Council pertaining to other cities having larger budgets; types of in-kind donations, i.e., goods and services given by the City for community-related events and having no process to quantifying direct costs to the City; budget source for funding and whether to consider a funding cap and funding criteria based on funding requests pertaining to the City's vision and goals and overall financial strength of not-for-profit organizations; process for making decisions when requests are made and budget allocation of taxpayers' dollars to support not-for-profit organizations and other fundraising activities, such as requests to purchase tables at fundraising events, noting currently, there are no budgeted funds allocated to provide for these types of cash contributions. In response to various Council inquiries pertaining to the Senior Center and its operations and the City's obligation to support the Senior Center, because it is city-owned property, Downey pointed out the Community Development Block Grant (CDBG) contains a binding deed agreement that requires the senior center to operate as a "senior center" for a period of 10-years after being awarded any CDBG grant funding; otherwise, all monies awarded for improvements would need to be repaid by the City, because the City owns the facility. In addition, when Downey posed the question whether there was Council consensus for purchasing tables at fundraising events, noting this is routinely requested, to which the majority of the Council (four) did not support these types of cash contributions and expressed that these types of requests should be out-of-pocket, personal expenses by the attendees. In response to Council inquiries pertaining to policies other cities currently have, VanderZanden and Downey advised staff has made no inquiries to other cities, noting this work session is to determine if there is Council consensus to proceed with establishing a policy for allocating and/or contributing revenue to not-for-profit organizations prior to this year's budget process getting underway. In conclusion of the above-noted Council discussion, Council collectively voiced consensus to ask staff to gather information from other cities, if other cities have established policies, obtaining a few samples of the policies, and scheduling a follow-up work session at a later date.

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

3. **ADJOURNMENT:**
Mayor Truax adjourned the regular meeting at 6:54 p.m.

Respectfully submitted,

_____
Anna D. Ruggles, CMC, City Recorder

This page is intentionally blank.

APPROVED

35

Members Present: Jennifer Brent, George Cushing, MJ Guidetti-Clapshaw, Kaylene Toews, Holly Tsur (02 vacancies)
Staff Present: James Reitz
Council Liaison: Richard Kidd
Citizens Present: 02

1. **Call to Order:** Tsur opened the meeting at 7:14 p.m. **The meeting minutes of November 24, 2015 were approved as submitted.**

2. **Citizen Communication:** Neil Poulsen suggested that an advocacy group would be a great addition to supplement the efforts of the Friends of Historic Forest Grove and the HLB. The group's activities would primarily be education on the importance of historical preservation. Tsur suggested that he write his ideas down and forward them to HPNW (strategic plan consultants) for them to include in their efforts.

3. **Action Items / Discussion:**

   A. **Renovation Grant Request: Anderson Building at 2001-2003 Main Street (Washington County Tax Lot 1S3 6BB-600) Applicant: Roman Ozeruga. File Number: 311-15-000025-PLNG.** Roman Ozeruga described the project as the restoration of the wood sash windows on the second story facing Main Street. He briefly described the overall project of replacing the current six apartment units with eight units, as well as opening up the basement space for a possible bar or restaurant. He noted that the existing wood windows needed repair as they had deteriorated over time due to a lack of maintenance. He said that the contractor who was doing the building renovations would probably also do the window repairs. He had obtained another bid, but he felt comfortable that his contractor was competent to do the repairs as he had worked with them extensively before on many other restoration projects. It was noted that they would need to replace any broken panes but the original glass would be reused as much as possible.

   Cushing/Toews to approve a $1,000 grant. Motion carried unanimously.

   B. **Strategic Plan:** Reitz reported that the survey prepared by Historic Preservation NW was live on the web site as well as being sent out in the utility bills; 20 surveys had already been returned. HPNW is preparing a different survey of the Board itself to obtain our perspective. Toews noted that the consultants on the Parks Master Plan effort had great success by distributing their questionnaire through the School District at a cost of about $125 to $150. The Board thought that would be beneficial; as that expense was not budgeted, Reitz advised that he would check with the City to see if funds could be found to pursue this. He will also work with City and Chamber of Commerce staff to get a survey link on the Chamber's Friday Flash weekly announcement.

   C. **Annual Website Review:** As most had not been able to look at the website recently, this discussion was postponed to January.

   D. **Annual Report Presentation:** Tsur went through her proposed presentation of the Board's accomplishments over the past year. The Board felt that it was complete as presented, but that it will need to be trimmed a bit for time.

   E. **Design Review Policies:** It was noted that the policy on storm windows was already adopted and was included in the packet only as a reference. The Board then discussed the policy on "circa" date and agreed with both the intent and the policy as written. **Toews/Tsur to adopt the policy on "circa" date. Motion carried unanimously.**

   The Board then discussed the draft policy on window replacement options. Cushing noted that no mention was made of metal types of windows similar to what had been

approved for the house at 2006 "C" Street. The Board felt that this type of window should be noted.

The next point discussed was about where a non-wood window sash might be appropriate or even desirable. Fiberglass sashes might be acceptable on a building's second story as they are almost impossible to differentiate from wood sash windows except on very close examination. They might also be a good choice when placed below grade (as in a basement window well) where the weathering can be more extreme. Tsur felt that only wood sash windows should be allowed on the first floor.

It was also noted that if the Board had a basic replacement policy in place it would make it easier to review any such requests that are brought before the Board, rather than trying to address the issue "on the fly".

Discussion continued as to how to wordsmith the policy. Reitz suggested that the discussion be continued to allow time for further research into metal window sashes as well as to prepare additional policy language for consideration. The Board concurred.

4. Old Business/New Business:

- Council Liaison Report: Kidd updated the Board on various items of interest, including the Annual Town Meeting scheduled for January 30, 2016.
- Staff update: Reitz provided an update on the Olovson outbuilding design review at 2318 15th Avenue. The applicants had advised that the metal pole building originally planned had a cost estimate of $18,214 while the updated estimate based on the required changes would cost about $31,700; they were reevaluating whether to proceed.
- Tsur requested that others begin cross-training by trying their hands at running a meeting. Cushing volunteered to assume the duties at the January 26 meeting, and Brent volunteered to prepare the minutes.

5. Adjournment: The December 15, 2015 meeting adjourned at 8:45 p.m.

These minutes respectfully submitted by George Cushing, Secretary

Monthly Building Activity Report

January-16

2015-2016

	Period:	January-15	Period:	January-16
Category	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Sing-Family New	3	$979,096	10	$2,377,965
SFR Addition & Alt/Repair	1	$2,039	8	$466,678
Mult. Fam. New/At				
Group Care Facility				
Commercial New	2	$23,258		
Commerical Addition				
Commercial Alt/Repair	8	$349,746	6	$360,899
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs				
Grading	1			
Demolitions				
Total	**15**	**$1,354,138**	**24**	**$3,205,542**

Fiscal Year-to-Date

2014-2015		2015-2016	
Permits	**Value**	**Permits**	**Value**
158	$21,977,107	180	$24,835,044

3E

QUARTERLY STATISTICS REPORT FY 2015-2016	Current Quarter				Same Quarter Previous Year		
	October 2015	November 2015	December 2015		October 2014	November 2014	December 2014
Days Open	26	22	25		27	21	26
Door Count	12,422	7,900	11,310		14,729	12,474	12,554
New Registrations	112	68	83		128	101	74
Circulation Desk Check-outs	9,781	8,146	8,334		12,125	9,499	10,450
Self check-out	8,596	8,648	8,130		10,232	8,603	9,107
Renewals	7,805	7,834	8,068		9,609	8,818	8,779
Check-in	19,305	18,131	19,400		22,220	19,432	22,817
3M Cloud Check-out	593	600	532		155	151	221
Library 2Go check-out	1,461	1,331	1,364		1,252	1,162	1,375
Computer Sessions	1,917	1,437	1,448		2,393	1,781	2,245
WiFi Sessions	3,934	3,033	4,110		6,193	5,130	4,831
Holds loaned	10,101	9,535	9,762		10,473	9,444	10,914
Holds borrowed	8,848	8,534	8,659		11,394	10,036	9,803
ILLS requested	87	46	55		108	89	90
Reference Questions	1,312	1,032	958		1,303	919	1,007
# of Adult Programs	4	3	2		5	5	3
Total Attendance at Adult	174	19	69		89	37	25
# of Children's Programs	22	17	14		29	12	11
Total Attendance at Children's	556	277	200		1,215	228	150
Teen Programs	3	3	2		0	0	0
Total Attendance at Teen's	1,377	14	53		0	0	0
Rogers Room Reserved Hours	118	34	25		63	107	36
# of Volunteers	34	37	38		38	41	36
Total Volunteer Hours	294	227	280		287	216	260

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: 3F

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: New Chinese Cuisine (Weiming Chen)

BUSINESS LOCATION ADDRESS: 1927 Main Street – Forest Grove

LIQUOR LICENSE TYPE: Full On-Premises

CITY BUSINESS LICENSE: BL-000021

TYPE OF LICENSE REQUESTED:

Liquor License Application is for the following:

1. LICENSE TYPE:		2. LICENSE FEE:
☑ **F-COM** – Full On-Premises Sales, Commercial	☐ **L** – Limited On-Premises	☐ New Application $100
☐ **F-CAT** – Full On-Premises Sales, Caterer	☐ **O** – Off-Premises Sales	☐ Temporary $35
☐ **F-FPC/F-CLU** – Full On-Premises Private Club	☐ **BP** – Brewery Public House	☑ Change $75
☐ **F-PL** – Full On-Premises Public Location	☐ **SEW** – Special Event Winery	☐ Annual Renewal $35
☐ **TSL** – Temporary Sales License	☐ **SEG** – Special Event Grower	☐ Event $22.60
☐ Other _____	☐ **SED** – Special Event Distillery	☐ Other _____

☑ **FULL ON-PREMISES SALES:** **F-COM** – Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.	☐ **BREWERY - PUBLIC** **BP** – Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.	☐ **LIMITED ON-PREMISES SALES:** **L** – Allows sale and service of malt beverages, wine and cider for consumption on licensed premises. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises. ☐ **OFF-PREMISES SALES:** **O** – Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off licensed premises. Also allows applying for sample tasting on premises.

APPLICABLE CRIMINAL RECORDS CHECK:

☑ NONE ☐ SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

☑ FORWARD WITH APPROVAL ☐ REJECT APPLICATION (Memorandum Required)

J. F. Schutz

J. F. Schutz, Chief of Police/Designee

1/27/2016

Date

This page is intentionally blank.

OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- [x] Full On-Premises Sales ($402.60/yr)
  - [x] Commercial Establishment
  - [ ] Caterer
  - [ ] Passenger Carrier
  - [ ] Other Public Location
  - [ ] Private Club
- [ ] Limited On-Premises Sales ($202.60/yr)
- [ ] Off-Premises Sales ($100/yr)
  - [ ] with Fuel Pumps
- [ ] Brewery Public House ($252.60)
- [ ] Winery ($250/yr)
- [ ] Other: _____

ACTIONS

- [x] Change Ownership
- [ ] New Outlet
- [ ] Greater Privilege
- [ ] Additional Privilege
- [ ] Other _____

L 211189
P 2359

90-DAY AUTHORITY

[ ] Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

[ ] Limited Partnership [x] Corporation [ ] Limited Liability Company [ ] Individuals

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

_____ (name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____ (signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: _____

Date: JAN 15 2016

90-day authority: ☐ Yes ☐ No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]
   ① New chinese cuisine inc. ③ _____
   ② _____ ④ _____
2. Trade Name (dba): New Chinese Cuisine, ~~Inc~~
3. Business Location: 1927 main Street Forest Grove Washington County OR 97116
   (number, street, rural route) (city) (county) (state) (ZIP code)
4. Business Mailing Address: 1931 main street Forest Grove oR 97116.
   (PO box, number, street, rural route) (city) (state) (ZIP code)
5. Business Numbers: 503-359-1383
   (phone) (fax)
6. Is the business at this location currently licensed by OLCC? [x] Yes [ ] No
7. If yes to whom: T.P.C Enterprises INC then Type of License: Ful on-Premises Sales
8. Former Business Name: Half Moon Sports Bar then New chinese cuisine
9. Will you have a manager? [x] Yes [ ] No Name: Huifeng Li
   (manager must fill out an Individual History form)
10. What is the local governing body where your business is located? Forest Grove, [redacted] Washington County
    (name of city or county)
11. Contact person for this application: Huifeng Li / Weiming chen [redacted]
    (name)
    1931 main street Forest Grove, oR 97116 [redacted]
    (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① _____ Date 1-10-16 ③ _____ Date _____

② Huifeng Li Date 1-10-2016 ④ _____ Date _____

OREGON LIQUOR CONTROL COMMISSION

BUSINESS INFORMATION

Please Print or Type

New Chinese Cuisine Inc.

Applicant Name: ~~Weiming Chen~~ Phone: 503-888-0879

Trade Name (dba): New Chinese Cuisine, ~~Inc.~~

Business Location Address: 1927 main street

City: Forest Grove ZIP Code: 97116

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	11	to	1am
Monday	11	to	1am
Tuesday	11	to	1am
Wednesday	11	to	1am
Thursday	11	to	1am
Friday	11	to	2am
Saturday	11	to	2am

Outdoor Area Hours:

Sunday		to	
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday		to	
Saturday		to	

The outdoor area is used for:

☐ Food service Hours: [redacted] to

☐ Alcohol service Hours: to

☐ Enclosed, how

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☐ Yes ☐ No If yes, explain:

ENTERTAINMENT

Check all that apply:

- ☐ Live Music
- ☑ Recorded Music
- ☐ DJ Music
- ☐ Dancing
- ☐ Nude Entertainers
- ☑ Karaoke
- ☐ Coin-operated Games
- ☑ Video Lottery Machines
- ☐ Social Gaming
- ☑ Pool Tables
- ☐ Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday		to	
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday	9 pm	to	12
Saturday	9	to	12

SEATING COUNT

Restaurant: Outdoor:

Lounge: Other (explain):

Banquet: Total Seating:

OLCC USE ONLY

Investigator Verified Seating: (Y) (N)

Investigator Initials:

Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Weiming Chen **Date:** 1/10/2016

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY RECORDER USE ONLY:
AGENDA ITEM #: 3G. 3L
FINAL ACTION:

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2016*

PROJECT TEAM: *Anna D. Ruggles, CMC, City Recorder*

SUBJECT TITLE: *B&C Annual Recruitment Appointment Considerations*

ACTION REQUESTED:		Ordinance		Order	X	Resolution	X	Consent		Informational

X all that apply

BACKGROUND:

Council interviewed applicants in work sessions on dates noted in their applications and made recommendation to appoint the following applicants as noted below:

(1) MJ Guidetti-Clapshaw – Committee for Citizen Involvement, Term Expiring 01/31/20
(2) Michael Howell – Community Forestry Commission, Term Expiring 12/31/16
(3) Larissa Whalen Garfias – Historic Landmarks Board, Term Expiring 12/31/16
(4) Jane Burch-Pesses – Library Commission, Term Expiring 12/31/17
(5) Kenneth Cobleigh – Parks and Recreation Commission, SW, Term Expiring 12/31/17
(6) Karen Hessen – Public Safety Advisory Commission, At Large, Term Expiring 12/31/17
(7) Thomas Epler – Public Safety Advisory Commission, Citizen Rural Fire District, Term Expiring 12/31/17

STAFF RECOMMENDATION:

Staff is recommending the City Council consider approving the attached resolutions making the above-noted appointments. If Council desires not to make an appointment, Council may reject placing this item on the Consent Agenda and/or discuss each item separately.

This page is intentionally blank.

RESOLUTION NO. 2016-09

**RESOLUTION MAKING APPOINTMENT
TO THE CITY OF FOREST GROVE
COMMITTEE FOR CITIZEN INVOLVEMENT**

WHEREAS, Resolution No. 1991-57 has provided for a Committee for Citizen Involvement; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, there currently exist vacancies on the Committee for Citizen Involvement; and

WHEREAS, the City Council has received applications from citizens desiring to serve on the Committee for Citizen Involvement, and subsequently interviewed citizens making application for service on this Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Committee for Citizen Involvement for the following term:

Last Name	First Name	Term Expires
GUIDETTI-CLAPSHAW	**MJ**	**JANUARY 31, 2020**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

Interviews Sept 2015 5:30pm

SUBMIT

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED
JUN 19 2015
BY: Jaime Johnson

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P.O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

___	Budget Committee	3-4 times in May	___	Parks & Recreation Commission	3rd Wednesday, 7am
X	Committee for Citizen Involvement	1st Tuesday, 5:30pm	___	Planning Commission	1st & 3rd Monday, 7pm
___	Community Forestry Commission	3rd Wednesday, 5:15pm	___	Public Arts Commission	2nd Thursday, 5pm
___	Economic Development Commission	1st Thursday, Noon	___	Public Safety Advisory Commission	4th Wednesday, 7:30am
Appt	Historic Landmarks Board ✓	4th Tuesday, 7:15pm	___	Sustainability Commission	4th Thursday, 6pm
___	Library Commission	2nd Tuesday, 6:30pm			

NAME: MJ Guidetti-Clapshaw

HOME PHONE: [redacted]

RESIDENCE ADDRESS: [redacted] 17th Ave

BUSINESS PHONE: [redacted]

MAILING ADDRESS:

E-MAIL: [redacted]

EMPLOYER: Eshraghi Nursery/Farmington Gardens

OCCUPATION/ PROFESSION: Dept. Manager/Buyer

Years living in Forest Grove? 6 Live in City limits? Yes How did you hear of this opportunity? City website

How would you currently rate City's performance? ☐ Excellent ☑ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? creating small events, meetings or gatherings targeted to neighborhoods, (similar to National Night Out). Keep encouraging local businesses, coucil members and the mayor to stay connected to these neighborhoods.

Why are you interested in serving on the Advisory Board/Committee/Commission? I enjoy being involved with my community I see my community and city as an extension of my family. It is important to have a better understanding of why & how decisions are being made. I would like to be part of this process & inspire others to do so.

What contributions do you feel you can/will make to the Board/Committee/Commission? I have the skills & desire to inspire others to be involved. I believe events, small or large, can bring people together, building a stronger community. I have experience organizing and managing events, I am highly motivated with any project I take on.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I communicate clearly to a variety of different people, I am organized, reliable and follow through with all projects. I have experience getting people involved with new projects and ideas, helping them follow through and setting them up to be successful.

Previous/current appointed or elected offices: Various job related groups and projects, PTA President, Seattle, WA

Previous/current community affiliations or activities:

If not appointed at this time, may we keep your name on file? (Yes) No

for CCI Position

Signature: Mary Jane Guidetti-Clapsha Date: 6/19/2015

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Accepted to Board Appt

(App 01/14)

CCI - Term 2/31/20

3H

RESOLUTION NO. 2016-10

RESOLUTION MAKING APPOINTMENT TO THE CITY OF FOREST GROVE COMMUNITY FORESTRY COMMISSION

WHEREAS, Resolution No. 1992-23 has provided for a Community Forestry Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, there currently exist vacancies on the Community Forestry Commission; and

WHEREAS, the City Council has received applications from citizens desiring to serve on the Community Forestry Commission, and subsequently interviewed citizens making application for service on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Community Forestry Commission for the following:

Last Name	First Name	Term Expires
HOWELL	**MICHAEL**	**DECEMBER 31, 2016**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

city of forest grove

RECEIVED
NOV 06 2015
BY:

Interview Dec 14, 2015 6:00pm

APPLICATION FOR CITIZENS ADVISORY BOARDS, COMMITTEES & CO

Please check the Advisory Board(s) on which you would like to serve. (If interested in more than one, please note ord

- [X] Budget Committee
- [ ] Committee for Citizen Involvement
- [X] Community for Forestry Commission
- [ ] Economic Development Commission
- [ ] Historic Landmarks Board
- [ ] Library Commission
- [ ] Parks & Recreation Commission
- [ ] Planning Commission
- [ ] Public Arts Commission
- [ ] Public Safety Advisory Commission

[ ] **SEEKING REAPPOINTMENT**: *Reappointments interviewed at Council's discretion.*

0 *# of term(s) previously served.* _____ *% of previous attendance.*

Name: Michael Howell
Residence Address:
Mailing Address: [redacted] Willamina ave Forest Grove
Employer: Howell Tree Farm

Home Phone: [redacted]
Business Phone:
E-mail Address: [redacted]
Occupation Profession: land manager

Years lived in Forest Grove? 27 Do you reside within City limits? yes How did you hear of this opportunity? David Mizel

How would you currently rate the City's performance? Excellent (Good) Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Commission(s)? I would like to give back while being more involved with my community.

What contributions do you feel you can/will make to the Board/Commission(s)? As a young Member of the community I Bring a new

What qualifications, skills, or experiences would you bring to the Board/Commission(s)? I have Science & Business degrees from linn benton. I run a land Mgmt company centered around Timber. I understand Tactical & strategic planning.

Previous appointed or elected offices: None

Previous/current community affiliations and activities: None

May we keep your name on file if not appointed at this time? [✓] YES [ ] NO (10/08)

CFC Term 12/31/16

35

RESOLUTION NO. 2016-11

RESOLUTION MAKING APPOINTMENT TO THE CITY OF FOREST GROVE HISTORIC LANDMARKS BOARD

WHEREAS, the City of Forest Grove has provided for a Historic Landmarks Board pursuant to City Code; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, there currently exist vacancies on the Historic Landmarks Board; and

WHEREAS, the City Council has received applications from citizens desiring to serve on the Historic Landmarks Board, and subsequently interviewed citizens making application for service on this Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Historic Landmarks Board for the following:

Last Name	First Name	Term Expires
GARFIAS	**LARISSA WHALEN**	**DECEMBER 31, 2016**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

Interview
Jan 25, 2016
5:50 pm

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEES, & C

RECEIVED
NOV 25 2015

(Please complete, sign and date application form and return to:

City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	**Budget Committee**	3-4 times in May	____	**Parks & Recreation Commission**	3rd Wednesday, 7am
____	**Committee for Citizen Involvement**	1st Tuesday, 5:30pm	____	**Planning Commission**	1st & 3rd Monday, 7pm
____	**Community Forestry Commission**	3rd Wednesday, 5:15pm	____	**Public Arts Commission**	2nd Thursday, 5pm
____	**Economic Development Commission**	1st Thursday, Noon	____	**Public Safety Advisory Commission**	4th Wednesday, 7:30am
X	**Historic Landmarks Board**	4th Tuesday, 7:15pm	____	**Sustainability Commission**	4th Thursday, 6pm
____	**Library Commission**	2nd Tuesday, 6:30pm			

NAME: Larissa Whalen Garfias

HOME PHONE: [redacted]

RESIDENCE ADDRESS: [redacted] Breanna Street, Forest Grove, OR 97116

BUSINESS PHONE:

MAILING ADDRESS: (as above)

E-MAIL: [redacted]

EMPLOYER: Virginia Garcia Memorial Health Center

OCCUPATION/ PROFESSION: Physician Assistant

Years living in Forest Grove? 11 Live in City limits? Yes How did you hear of this opportunity? FYI Forest Grove

How would you currently rate City's performance? ☐ Excellent ☑ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance?

Why are you interested in serving on the Advisory Board/Committee/Commission? Forest Grove has an incredibly rich history and I want to be a part of preserving that for my young children and their children who will follow. I would also appreciate the opportunity to learn from those in our community who have dedicated themselves to this cause.

What contributions do you feel you can/will make to the Board/Committee/Commission? History excites me - especially local history. Though I have much to learn about the historical preservation of Forest Grove's buildings, my passion for her history will hopefully allow me to become a valuable member of this board.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I have studied and researched Forest Grove's early history with a concentration on the early 1900's. I am a writer and I enjoy teaching - these two strengths could be used to help excite the community about preserving our unique local history.

Previous/current appointed or elected offices: N/A

Previous/current community affiliations or activities: N/A

If not appointed at this time, may we keep your name on file? (Yes) No

Signature: [signature] Date: 11/22/15

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

HLB-Term 12/31/16

(App 01/14)

35

RESOLUTION NO. 2016-12

RESOLUTION MAKING APPOINTMENT TO THE CITY OF FOREST GROVE LIBRARY COMMISSION

WHEREAS, the City of Forest Grove has provided for a Library Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, there currently exist vacancies on the Library Commission; and

WHEREAS, the City Council has received applications from citizens and students desiring to serve on the Library Commission, and subsequently interviewed citizens and students making application for service on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Library Commission for the following term:

Last Name	First Name	Term Expires
BURCH-PESSES	**JANE**	**DECEMBER 31, 2017**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEE

Interview Nov 23, 2015 6pm

RECEIVED
RECD
BY: DW

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

___	Budget Committee	3-4 times in May	___	Parks & Recreation Commission	3rd Wednesday, 7am
___	Committee for Citizen Involvement	1st Tuesday, 5:30pm	___	Planning Commission	1st & 3rd Monday, 7pm
1	Community Forestry Commission	3rd Wednesday, 5:15pm	___	Public Arts Commission	2nd Thursday, 5pm
___	Economic Development Commission	1st Thursday, Noon	___	Public Safety Advisory Commission	4th Wednesday, 7:30am
___	Historic Landmarks Board	4th Tuesday, 7:15pm	2	Sustainability Commission	4th Thursday, 6pm
X	Library Commission accepted	2nd Tuesday, 6:30pm			

NAME: Jane Burch-Pesses

HOME PHONE: [redacted]

RESIDENCE ADDRESS: [redacted] SE Sierra St., Hillsboro, OR 97123

BUSINESS PHONE: [redacted]

MAILING ADDRESS: [redacted] Main St., Suite 200, FG, OR 97116

E-MAIL: [redacted]

EMPLOYER: self

OCCUPATION/ PROFESSION: Acupuncturist

Years living in Forest Grove? 0 Live in City limits? no How did you hear of this opportunity? a friend

How would you currently rate City's performance? ☐ Excellent ☐ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? I would like to support and promote tree planting and tree care in Forest Grove. I would also like to see a co-operative business in Forest Grove similar to the in Cleveland to provide reliable jobs.

What contributions do you feel you can/will make to the Board/Committee/Commission? I care about these issues and I have worked in bureaucracies before (Navy vet) so I understand that it requires a long view to get anything done, and also a willingness to pay attention to details and do what is required.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I am currently working with the DCCFW on our tree gleaning project. I shepherded the DCCFW through the 501(c)3 application, assisted the state acupuncture association in rewriting their by-laws, etc.

Previous/current appointed or elected offices: Membership director for Oregon Acupuncture Assoc. 2002 to 2003

Previous/current community affiliations or activities: Dairy Creek Community Food Web (DCCFW)

If not appointed at this time, may we keep your name on file? (Yes) No

Signature: Jane Burch-Pesses Date: 10/15/15

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed

Wb-Term 12/31/17

(App 01/14)

3K

RESOLUTION NO. 2016-13

RESOLUTION MAKING APPOINTMENT TO THE CITY OF FOREST GROVE PARKS AND RECREATION COMMISSION

WHEREAS, Resolution No. 1974-733 has provided for a Parks and Recreation Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, the City Council has received applications from citizens desiring to serve on the Parks and Recreation Commission, and subsequently interviewed citizens making application for service on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Parks and Recreation Commission for the following term:

Last Name	First Name	District	Term Expires
COBLEIGH	**KENNETH**	**SW**	**DECEMBER 31, 2017**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

forest grove

CITIZEN ADVISORY BOARDS, COMMITTEES

Interview Dec 14, 2015 6:10pm

RECEIVED
NOV 12 2015
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	Budget Committee	3-4 times in May	3	Parks & Recreation Commission	3rd Wednesday, 7am Accepted
____	Committee for Citizen Involvement	1st Tuesday, 5:30pm	4	Planning Commission	1st & 3rd Monday, 7pm
2	Community Forestry Commission	3rd Wednesday, 5:15pm	____	Public Arts Commission	2nd Thursday, 5pm
____	Economic Development Commission	1st Thursday, Noon	____	Public Safety Advisory Commission	4th Wednesday, 7:30am
____	Historic Landmarks Board	4th Tuesday, 7:15pm	1	Sustainability Commission	4th Thursday, 6pm
____	Library Commission	2nd Tuesday, 6:30pm			

NAME: Kenneth A. Cobleigh
HOME PHONE: [redacted]
RESIDENCE ADDRESS: [redacted] Hawthorne FG 97116
BUSINESS PHONE: [redacted]
MAILING ADDRESS:
E-MAIL: [redacted]
EMPLOYER: None, semi retired
OCCUPATION/ PROFESSION: Engineer / semi retired

Years living in Forest Grove? 1+ Live in City limits? Yes How did you hear of this opportunity? Newsletter

How would you currently rate City's performance? ☐ Excellent ☑ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? Keep on track - for a small town of 23,000 or so, I think a good job is being done overall, but to be excellent, we must focus on growth and environmental impacts more closely. A good example is Fern Hill Wetlands, which we all love. A noticeable achievement, with volunteers!

Why are you interested in serving on the Advisory Board/Committee/Commission? To have a say in how the future is realized;to fulfill a need of community involvement; to foster relationships of Forest Grove to Washington County and the State of Oregon; to ensure FG is affordable and livable; to be locally b involved in environmental concerns.

What contributions do you feel you can/will make to the Board/Committee/Commission? I am a 35 year veteran systems engineer, so I pay attention to the details while ensuring the bigger picture is not lost or negatively affected in any way. I am both an excellent listener and speaker, have an environmental background, & have served the public before

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? 1) Avid writer 2) Active listener 3) An engineer (need I say more?) 4) Excellent note keeper 5) Financier 6) Environmentalist 7) Activist 8) Enthusiastic 9) Have the time to focus on these positions 10) Can put things in laymen terms fore all to identify with.

Previous/current appointed or elected offices: None so far...

Previous/current community affiliations or activities: SeaTac and other Seattle gardens, food banks, The Nature Conservancy

If not appointed at this time, may we keep your name on file? (Yes) No

Signature: Ken Cobleigh Date: 11/7/15

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

P&R Term 12/31/17 -SW

(App 01/14)

3L

RESOLUTION NO. 2016-14

RESOLUTION MAKING APPOINTMENTS TO THE CITY OF FOREST GROVE PUBLIC SAFETY ADVISORY COMMISSION

WHEREAS, Resolution No. 2005-56 has provided for a Public Safety Advisory Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

WHEREAS, there currently exists vacancies on the Public Safety Advisory Commission; and

WHEREAS, the City Council has received applications from citizens desiring to serve on the Public Safety Advisory Commission, and subsequently interviewed citizens making application for service on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Public Safety Advisory Commission for the following term:

Last Name	First Name	Position	Term Expires
BROWN	**MASON**	**AT-LARGE**	**DECEMBER 31, 2017**
EPLER	**THOMAS**	**RURAL FIRE DIST**	**DECEMBER 31, 2017**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

Interview
Jan 26, 2016
5:30pm

forest-grove

CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED
DEC 0 5 REC'D
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax• 503.992.3207 Office• 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

____	Budget Committee	3-4 times in May	____	Parks & Recreation Commission	3rd Wednesday, 7am
____	Committee for Citizen Involvement	1st Tuesday, 5:30pm	____	Planning Commission	1st & 3rd Monday, 7pm
____	Community Forestry Commission	3rd Wednesday, 5:15pm	____	Public Arts Commission	2nd Thursday, 5pm
____	Economic Development Commission	1st Thursday, Noon	X	Public Safety Advisory Commission	4th Wednesday, 7:30am
____	Historic Landmarks Board	4th Tuesday, 7:15pm	____	Sustainability Commission	4th Thursday, 6pm
____	Library Commission	2nd Tuesday, 6:30pm			

Official Name Change 01/29/16

NAME: [redacted] **MASON BROWN** HOME PHONE: [redacted]

RESIDENCE ADDRESS: [redacted] Fir Road, Forest Grove, OR 97116

BUSINESS PHONE: ____

MAILING ADDRESS: Same

E-MAIL: [redacted]

EMPLOYER: Retired

OCCUPATION/ PROFESSION: Writer - Health educator Mail Carrier

Years living in Forest Grove? 20 Live in City limits? yes How did you hear of this opportunity? FYI Forest Grove

How would you currently rate City's performance? ☐ Excellent ☒ Good ☐ Fair ☐ Poor

What ideas do you have for improving "Fair" or "Poor" performance? ____

Why are you interested in serving on the Advisory Board/Committee/Commission? I still have the time to be involved in the community & grew to love it & the people when I delivered mail here.

What contributions do you feel you can/will make to the Board/Committee/Commission? Knowledge of the people & the city. I am open-minded, have no agenda except what is good for the city.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Degree in health & safety with an emphasis in safety. Knowledge of the city

Previous/current appointed or elected offices: Local School Dist Council - Tom McCall

Previous/current community affiliations or activities: Member Forest Grove Christian Church

If not appointed at this time, may we keep your name on file? (Yes) No

Signature: [redacted] Date: 12-2-2015

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

PSCA At-Large Term Expiring Dec 31, 2017

(App 01/14)

RECEIVED
SEP 11 2015
BY:

Interview
Nov 23, 2015
5:45pm

APPLICATION FOR CITIZENS ADVISORY BOARDS, COMMITTEES & COMMISSIONS

Please check the Advisory Board(s) on which you would like to serve. (If interested in more than one, please note order of preference):

____	Budget Committee	____	Library Commission
____	Committee for Citizen Involvement	____	Parks & Recreation Commission
X	Community for Forestry Commission	____	Planning Commission
____	Economic Development Commission	____	Public Arts Commission
____	Historic Landmarks Board	X	Public Safety Advisory Commission Accepted Appt

____ SEEKING REAPPOINTMENT: *Reappointments interviewed at Council's discretion.*

____ *# of term(s) previously served* ____ *% of previous attendance.*

Name: Thomas Epler
Home Phone: [redacted]
Residence Address: [redacted]sw Old Highway 47
Business Phone: [redacted]
Mailing Address: ____
E-mail Address: [redacted]
Employer: EF Nursery Inc.
Occupation Profession: Sales and operations

Years lived in Forest Grove? 29 Do you reside within City limits? No How did you hear of this opportunity? Commision member

How would you currently rate the City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? ____

Why are you interested in serving on the Advisory Board/Commission(s)? I am interested in a position since trees are such a needed and undervalued portion of our city, undervalued by the general public, and feel the need to help inform them.

What contributions do you feel you can/will make to the Board/Commission(s)? Being an employee of EF Nursery, I feel that I can bring the grower perspective to the commission that is lacking.

What qualifications, skills, or experiences would you bring to the Board/Commission(s)? With the city planting trees at 2" caliper, I feel that I can help everyone with how the trees will look now as opposed to the mature look and size.

Previous appointed or elected offices: 2 terms as Vice President of the Northwest Bison Association

Previous/current community affiliations and activities: Vp of NWBA, Treasurer of Pi Kappa Phi at OSU

May we keep your name on file if not appointed at this time? [X] YES [ ] NO (10/08)

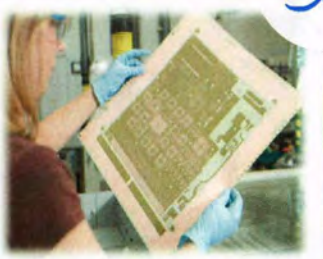
PSAC - Citizen Rural Fire - Term 12/31/17

Sep. 11. 2015 08:05 AM PAGE. 1/ 1
RX Date/Time 09/11/2015 07:48 P.001
PDF Page 59

This page is intentionally blank.

5A

FOREST GROVE OREGON



City of Forest Grove

Utility Meter Retro-Fit Program

February 8, 2016

City Council Presentation

George Cress, Director Light & Power

Rob Foster, Director of Public Works

The Retro-Fit Program is...

- ...an effort by the Light & Power Department and the Water Department to implement radio-read meters (ERT *(Encoder Receiver Transmitter)* meters);

- ...an effort allowing electric and water use to be read automatically from the street instead of physically approaching each meter and entering the usage manually;

- ...a multi-year project that is 95% complete for Light & Power Department and 90% complete for the Water Department.

Electric Meters – Previous Style

Electric Meters – New ERT Style

GEH-7827 Electronic Single Phase Meter

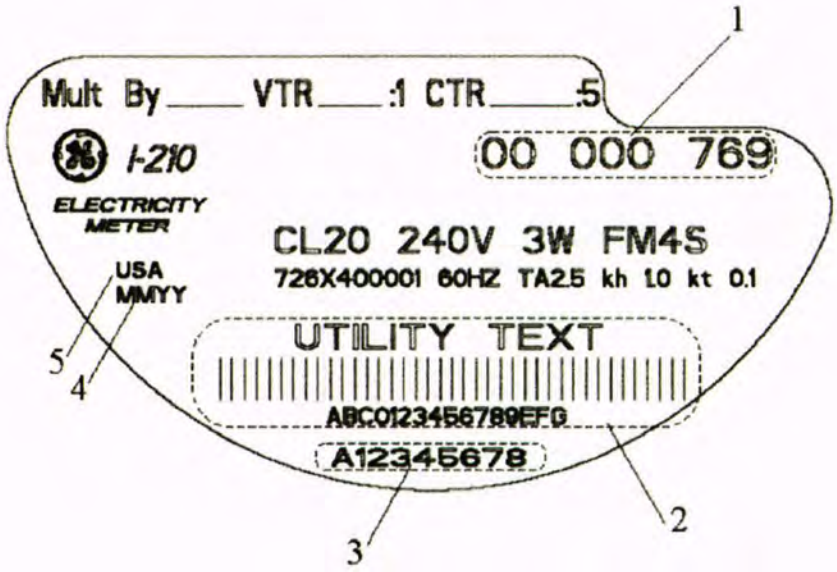


Figure 2-2. Nameplate Information

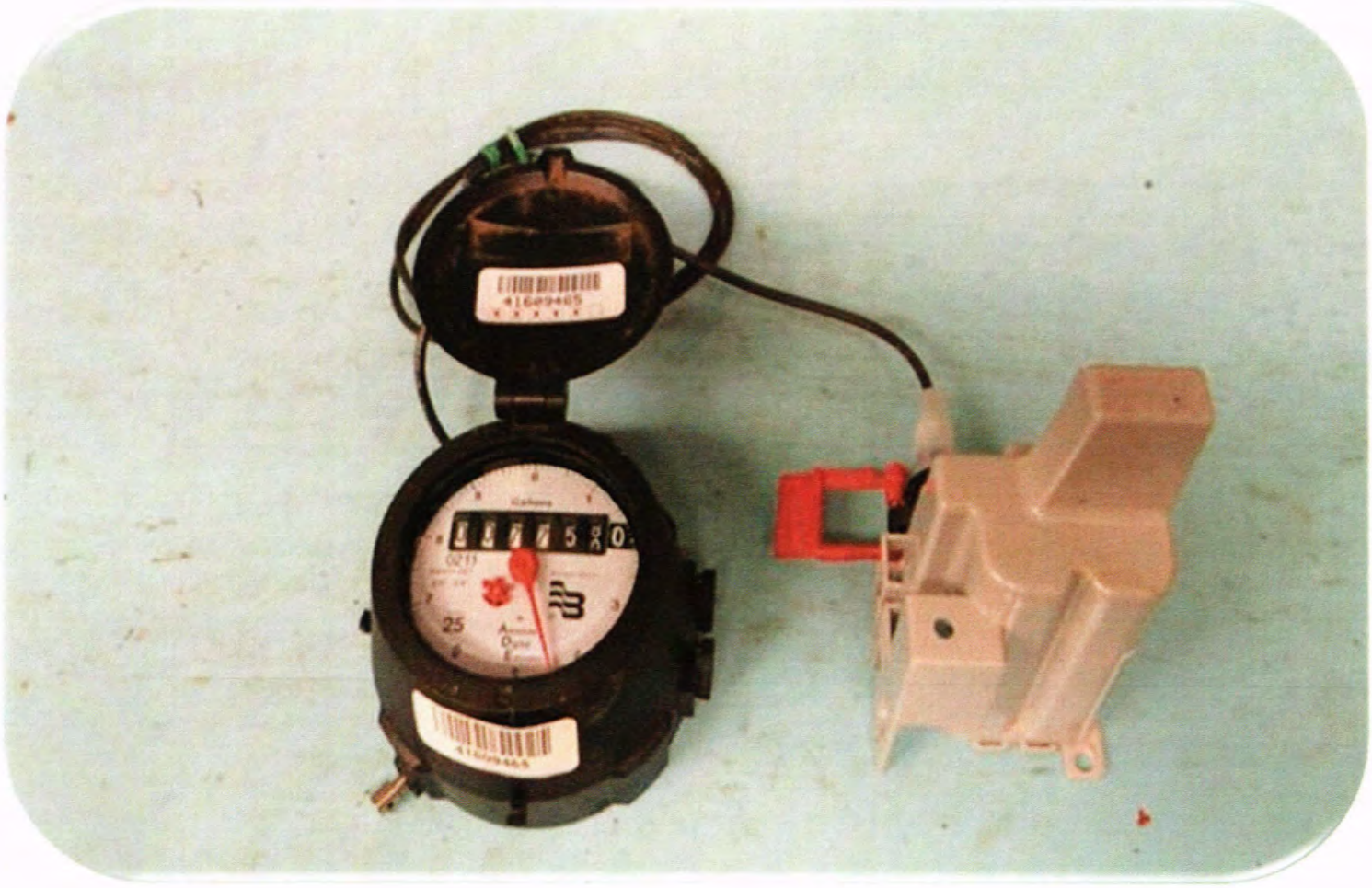
2.1.1 Nameplate Information

The nameplate information is shown in Figure 2-2. The following numbered list coincides with the numbers in the figure.

1. Meter serial number
2. Utility information and bar code area
3. AMR ID
4. Month and two digit year of manufacture
5. Assembly location

A place where families and businesses thrive.

Water Meter with ERT add-on



Water Meter – New ERT Style

Water Meter – ERT Compound Meter

Hand Held Meter Reading Console - Itron

Benefits from Radio-Read Meters...

- Quicker meter-reading process;
- More productive meter-reading staff;
- Less re-reads of meters due to less human error;
- More accurate in registering use of electric and water resources;
- Easily read meters in hard to reach locations (e.g. in basements);
- Won't have to hire additional meter-reading staff as City grows;
- Replacing aging equipment.

Myths of Radio-Read meters...

- Myth: These meters enable two-way communication.
- Truth: These meters are one-way communicators for the residential AMR meters.

The meters the City is installing utilize automatic meter reading (AMR) technology based on radio frequency.

"Smart meters" installed by other utilities utilize advanced metering infrastructure (AMI) that enable two-way communication over a wireless communication network.

Myths Continued...

- Myth: These radio-read meters emit harmful radiation that negatively impacts health.
- Truth: These meters emit very low levels of radiation, similar to or less than a baby monitor.

When the meters the City is installing transmit usage data, the exposure to radio frequency energy at a distance of 8 inches is one-tenth of the exposure limit set by the Federal Communications Commission (FCC).

Myths Continued...

- Myth: These radio-read meters are costing rate-payers more money for no reason.
- Truth: Because these meters are more accurate, electric and water usage is being measured more precisely.

On average, the prior electric meters were under-reporting usage by 5% to 10%. In some cases, the City found that the prior electric meters were barely functioning.

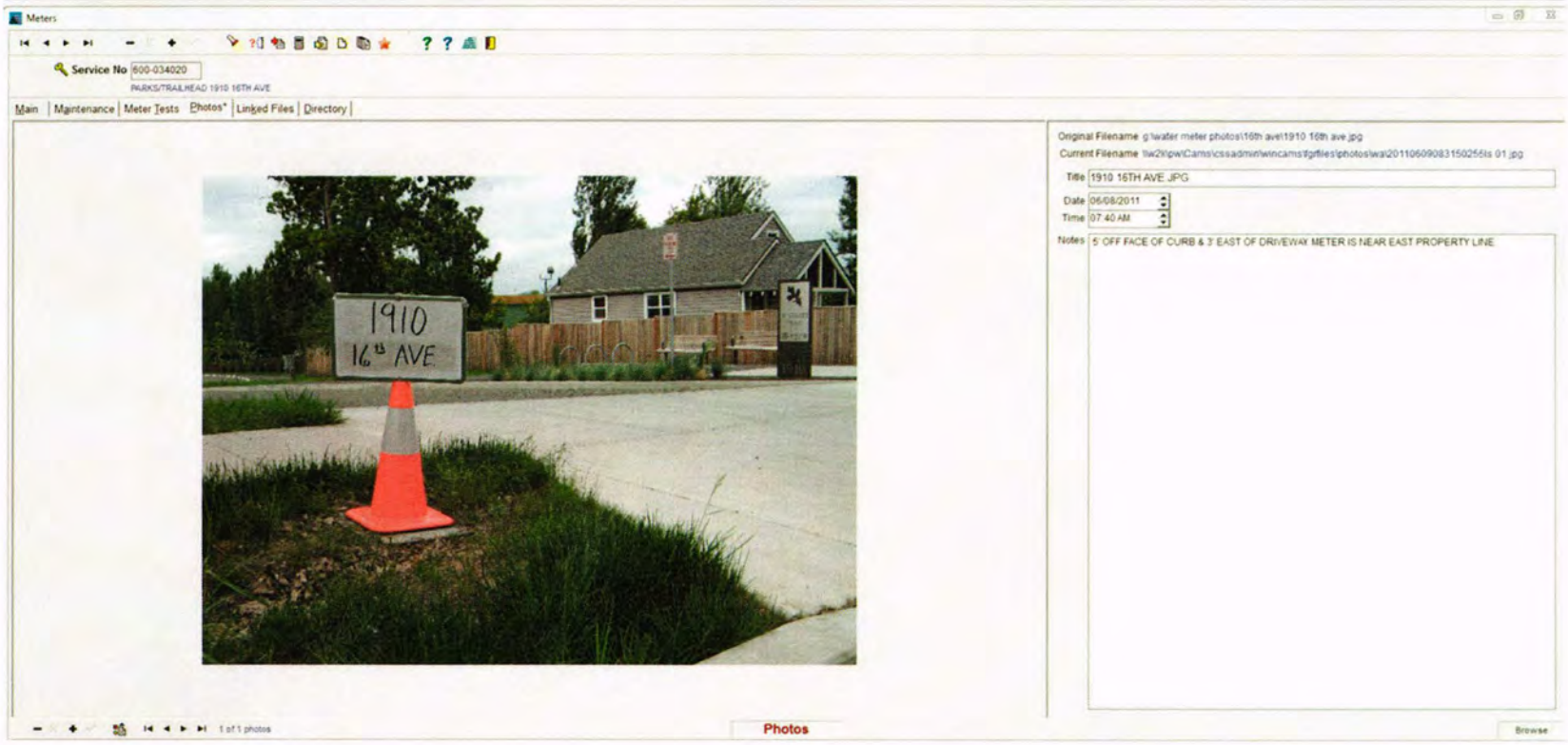
Facts of Implementation

- A more advanced utility software program installed in 2005 and the purchase of updated hand-held meter reading consoles made the use of radio-read technology feasible.
- Implementing radio-read meters means that as the City grows and adds more customers, the City can read meters without adding additional staff.
- About 9,000 of the 9,300 electric meters are now radio-read meters.
- About 5,627 of the 6,254 water meters are now radio read meters.

Water Meter – As Built Process

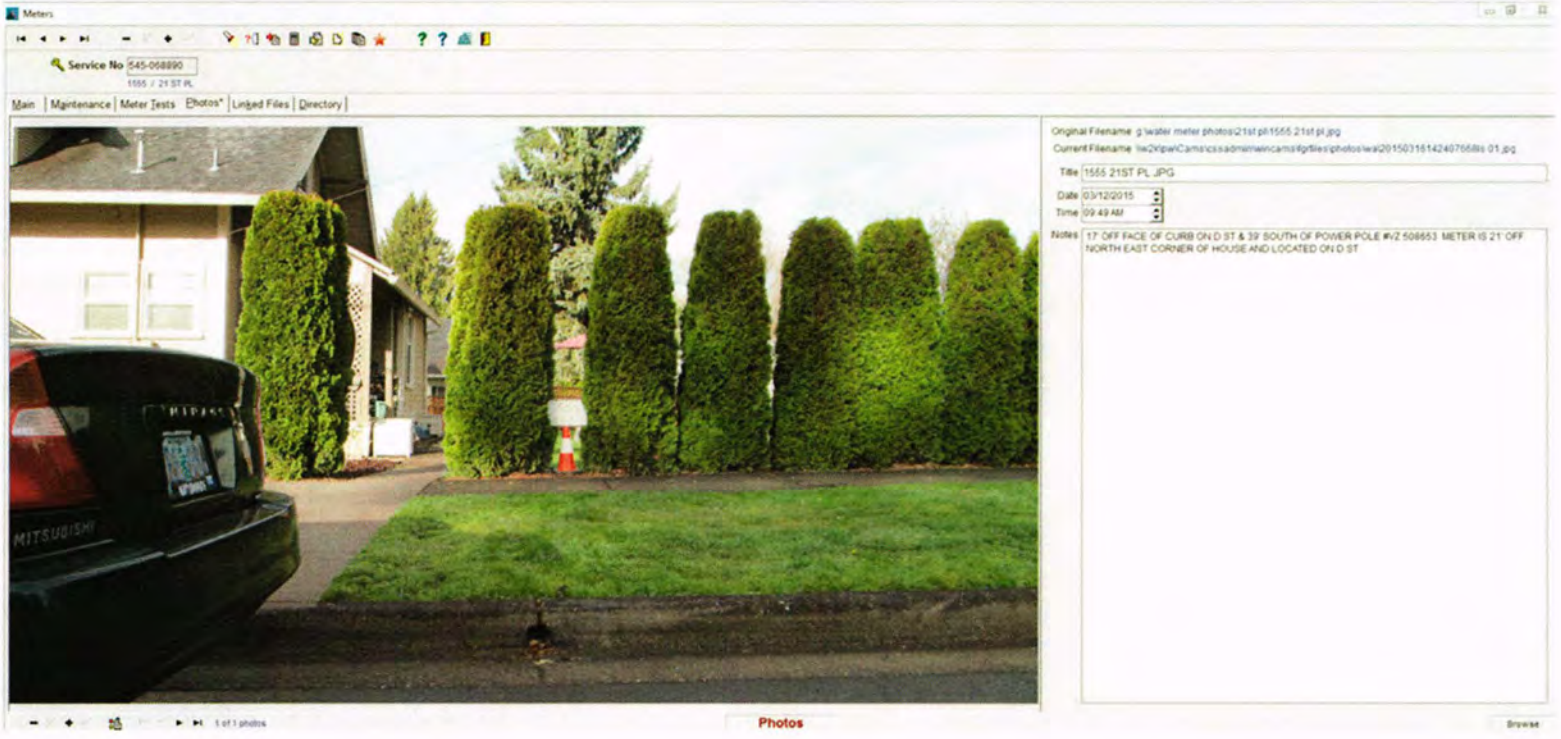
- Locating of lost or buried meters in the future
  - Photo taken of location site, accompanied by temporary address board
  - Measurements taken from property landmarks (i.e. utility poles, face of curb, etc.)
  - Data input to MMIS (CAMS) software system
    - Locators are then able to pull this location information on their laptops from MMIS in the field.

MMIS Software – As built information



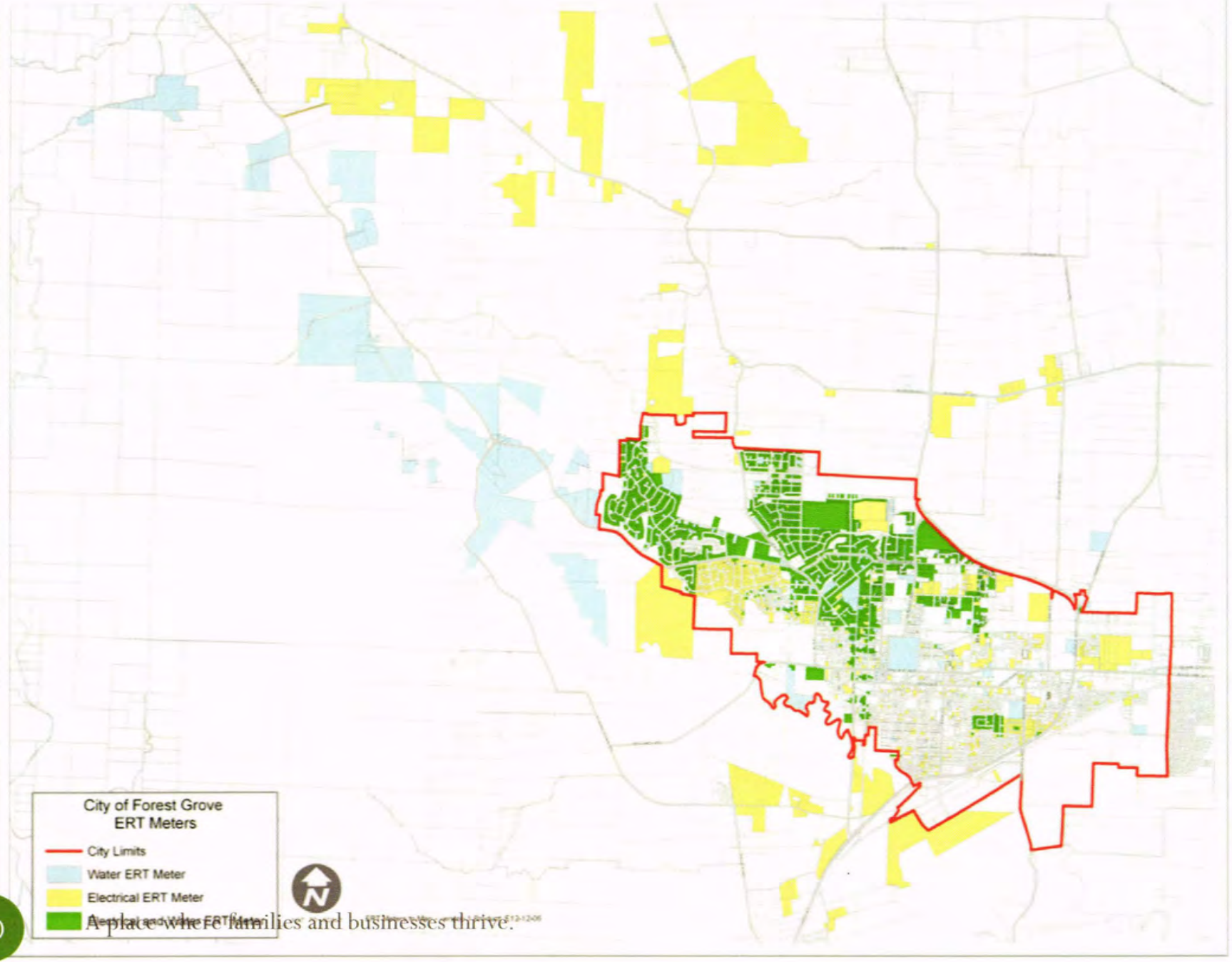
Challenges of future locates

MMIS Software – As built information



A place where families and businesses thrive.

Challenges of future locates


City of Forest Grove
ERT Meters
City Limits
Water ERT Meter
Electrical ERT Meter
Electrical and Water ERT Meter

Questions....

This page is intentionally blank.

5B

EMERGENCY 9-1-1 Communications System Bond Measure

Primary Election • May 17, 2016

This material reviewed by the Oregon Secretary of State's Elections Division (ADV. 16-004)

EMERGENCY 9-1-1 Communications System Bond Measure

Summary

- When the public calls 911 for help, Washington County's emergency communications system is used to dispatch first responders countywide.
- Communications equipment in the system is reaching the end of serviceable life and buildings and towers need room for growth and more strengthening for earthquakes and other hazards.

EMERGENCY 9-1-1 Communications System Bond Measure

Summary (Continued)

- Voter-approved bonds would pay for $77 million in capital costs for emergency and 911 facilities, including:
  - Converting the existing system to current technology
  - Improving countywide coverage by installing more towers
  - Strengthening facilities for earthquakes, storms and other emergencies
  - Providing for efficient expansion of the 911 center and emergency response facilities
  - Replacing approximately 3,000 analog radios currently used by first responders countywide.
- Projected levy rate is not expected to exceed 8¢ per $1,000 of assessed value. Estimated cost for an average county home = $20 in the first year.* Levy period would be less than 21 years.

* Average assessed value for residential property in FY 2016-17 is $255,408

EMERGENCY 9-1-1 Communications System Bond Measure

What is the emergency communications system?

The system is comprised of radio equipment, towers and buildings, radios, fire station alerting systems, and other technology.

The system allows first responders to:

- Coordinate
- Request backup
- Get aid to victims

Who uses the emergency communications system?

- Banks Fire District No. 13
- City of Banks
- City of Beaverton
- City of Cornelius
- City of Durham
- City of Forest Grove
- City of Gaston
- City of Hillsboro
- City of North Plains
- City of Sherwood
- City of Tigard
- City of Tualatin
- Cornelius Fire Department
- Forest Grove Fire & Rescue
- Gaston Rural Fire District
- King City
- Tualatin Valley Fire & Rescue
- Washington County
- Washington County Fire District No. 2

- Also usage by partner agencies such as:
  - Hospitals
  - Life Flight Network
  - MetroWest Ambulance
  - School districts
  - Public works departments/agencies

- The system is operated by the Washington County Consolidated Communications Agency (WCCCA)

EMERGENCY 9-1-1 Communications System Bond Measure

Why does the system need to be updated?

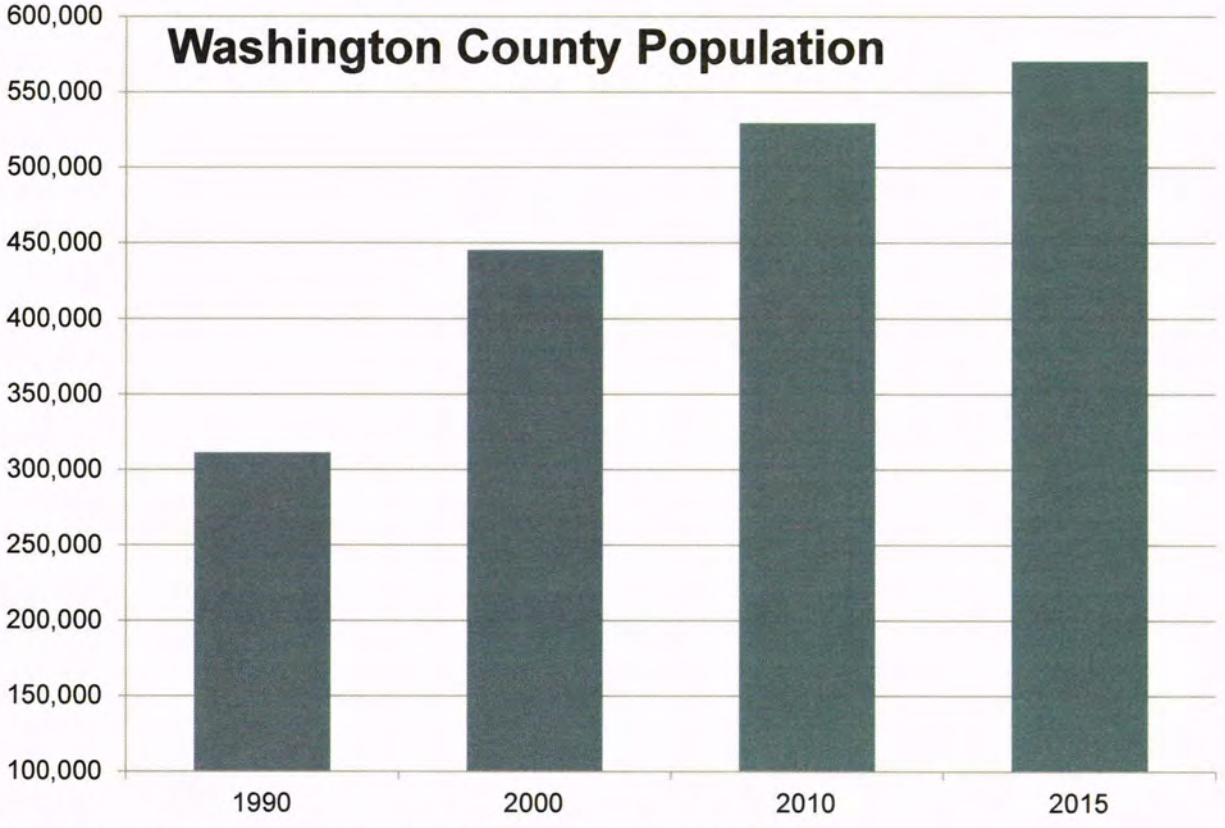
- Changes in emergency communications technology
- Growing demand for emergency services
- Need to improve reliability during major disasters

Changes in emergency communications technology

- Nationwide focus on interoperability since 9/11 terror attack
  - Hurricanes Katrina, Rita and Sandy also underscored this need
- Transition to digital standard for interoperability and efficient use of radio spectrum
  - encryption and data transmission capability
  - improved capability for simultaneous two-way conversations
  - prioritization of calls
  - withstands severe storms

EMERGENCY 9-1-1 Communications System Bond Measure

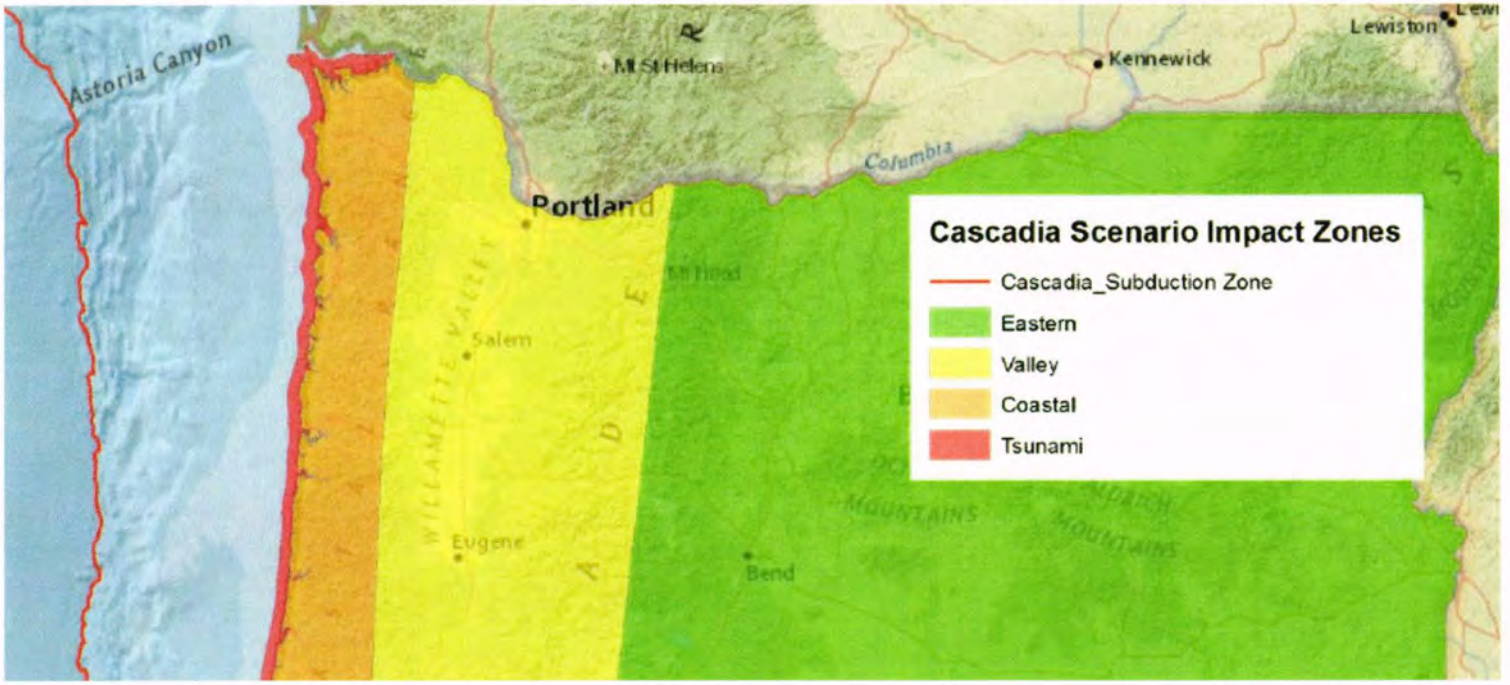
Growing demand for emergency services



Sources: PSU Population Research Center, U.S. Census Bureau

EMERGENCY 9-1-1 Communications System Bond Measure

Risk of Earthquakes: Cascadia Subduction Zone



Impact zones for the magnitude 9.0 Cascadia earthquake scenario. Damage will be extreme in the Tsunami zone, heavy in the Coastal zone, moderate in the Valley zone, and light in the Eastern zone. **Source:** The Oregon Resilience Plan, Reducing Risk and Improving Recovery for the Next Cascadia Earthquake and Tsunami, Report to the 77th Legislative Assembly, Oregon Seismic Safety Policy Advisory Commission (OSSPAC), February 2013.

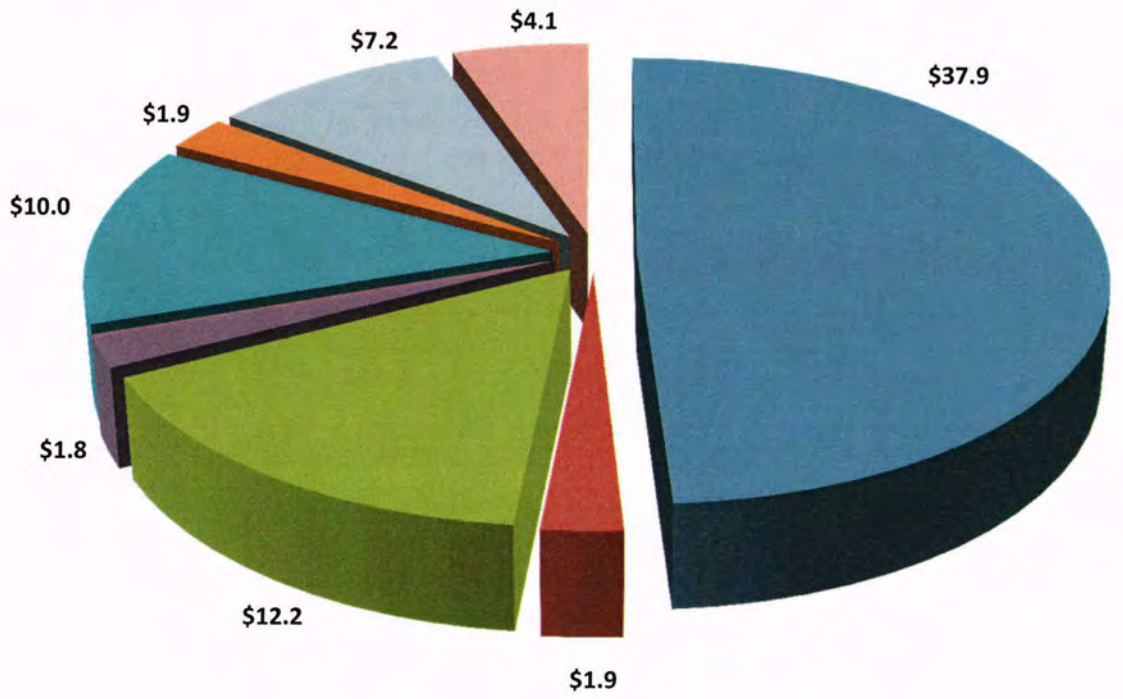
EMERGENCY 9-1-1 Communications System Bond Measure

Project Goals

- Convert existing system to current technology
- Improve countywide coverage by installing more towers
- Strengthen facilities for earthquakes, storms and other emergencies
- Provide for efficient expansion of the 911 center and emergency response facilities
- Replace approximately 3,000 analog radios used by first responders

EMERGENCY 9-1-1 Communications System Bond Measure

Expenditure Plan
(in millions of dollars)



- Radio Infrastructure
- Issuance Costs & Misc. Comm. Equip.
- Radio's for First Responders
- Fire Station Alerting
- Earthquake Retrofit & Other Bldg. Improvements
- Console Equipment
- Contingency
- Communication System Refresh/Upgrade

Project Total = $77 million

EMERGENCY 9-1-1 Communications System Bond Measure

Summary of Proposal

21-Year Bond Measure for Emergency Communications System Replacement	
21-year Estimated Expenditures	$77 million
Estimated 1st-year Levy Amount	$4.6 million
Cost per $1,000 Assessed Value	Est. not to exceed 8 cents
Est. 1st-year Cost for Avg. Residential Property*	$20
Estimated 1st-year Cost per Month	$1.70

* Average assessed value for residential property in FY 2016-17 is $255,408

Communications System Bond Measure

Primary Election • May 17, 2016

This material reviewed by the Oregon Secretary of State's Elections Division (ADV. 16-004)

This page is intentionally blank.

Communications System Bond Measure

DRAFT
OUTREACH PLAN

VERSION DATE: DECEMBER 10, 2015

OVERALL GOAL:

To effectively communicate core content about the 2016 Emergency Communication System Bond Measure to Washington County voters prior to the Primary Election on May 17, 2016.

OVERALL OBJECTIVES AND DEFINITIONS:

- **The core content of the public outreach effort will be succinct, will be the same for all audiences, will be integrated into every aspect of the effort and will be repeated at every opportunity during the outreach phase of this plan.** Core content refers to the most important information the outreach effort seeks its audiences to remember. Providing up to nine separate opportunities for an audience to hear or see the core content is a common benchmark for outreach efforts of this scale. Including the core content in all materials and presentation is called message discipline. Repeating the core content at every reasonable opportunity is called message repetition.

- **The core content will be communicated in alignment with voter information preferences, not organizational preferences.** Information preferences refer to the content voters find most useful and the form of communication voters currently choose to engage in or respond to. In this case, a "brand identity" of first-responding agencies and their personnel will serve as the public face of the outreach effort.

- **A coalition of first-responding agencies will form a unity of effort around these objectives in order to maximize flow of useful public information to the voters.** This coalition will coordinate actively and maintain a policy of "no surprises" with respect to their communications activities. Combining content and sharing audiences across this coalition is intended to foster a symbiosis to help advance the overall outreach goal.

- **The coalition's communications effort will be supported by evidence of effectiveness to the extent possible.**

- **All aspects and all phases of the outreach effort will maintain compliance with Oregon statutes restricting the political activities of public employees.** (ORS 260.432)

SUMMARY OF PROPOSAL:

Washington County has worked with the Washington County Consolidated Communications Agency (WCCCA) and its member agencies to propose a bond measure for voter consideration at the Primary Election on May 17, 2016. The proposal would raise $77 million for the capital improvements and equipment upgrades that would allow for continued, reliable response for police, fire and medical emergencies as the county's population grows and in the face of storms, earthquakes or other major emergencies. These funds would be generated through the County's issuance of general obligation bonded debt with associated principal and interest payments beginning in fiscal year 2016-17 and ending by fiscal year 2036-37. Revenue supporting these payments would be derived from an annual property tax levy over approximately 20 years of no more than 8 cents per $1,000 of assessed value. For the average-valued Washington County home, the tax impact in the levy's first year would be approximately $20.

AUDIENCE ANALYSIS:

The following analysis is rooted in a survey of voters conducted in July of 2015 by Campbell DeLong Resources, Inc. (CDRI). For purposes of strategic outreach, three audiences will be identified in this plan: Agency Employees, Leadership and Primary. Although the news media will not be considered an audience unto themselves, news organizations will be considered conduits of important information for voters.

Agency Employees

Collectively, the 19 member agencies of WCCCA have nearly 2,000 full-time equivalent employees, a significant portion of whom provide the "branded" service to the community of emergency response operations. Those employees living throughout the county may be asked by friends, family and/or neighbors about any number of issues related to their agencies. Neutral, factual information about the bond measure that is delivered to employees in an educational and non-pressured manner could empower them to informally assist with the overall outreach effort.

Timing: Many employees are already engaged in national trends regarding the analog-to-digital transition for emergency communication systems. Others may become interested as the topic emerges from the technical and policy-making realm and becomes an overall agency priority at the direction of management.

Outreach Components: The full array of internal communication tools available to each agency should be used to reach this audience. Supportive products would include Intranet postings, employee newsletter articles, staff presentations supported (in some cases) by PowerPoint and basic collateral.

Leadership Audience

The Leadership Audience consists of those who shape public opinion in the community, including city and special district elected and appointed officials, newspaper editorial boards, chambers of commerce and their member businesses, community groups, the faith community, citizen participation organizations, neighborhood groups, etc. Members of the Leadership Audience frequently seek out information at a higher volume and in finer detail than the larger Primary Audience.

Timing: The attention of the Leadership Audience turns to matters related to the Primary Election much sooner than the Primary Audience. For example, members of the Leadership Audience who

are members of agency budget committees and other advisory groups will pursue information about the bond measure as part of the spring budget cycle. Other members of the Leadership Audience will seek information as political activity for local, state and national offices takes shape throughout the winter and spring.

Outreach Components: This audience requires face-to-face contact via presentations in group settings. Supportive products would include PowerPoint presentations, financial data and basic collateral.

Primary Audience

The Primary Audience for the coalition's communications effort will be Washington County voters likely to participate in the Presidential Primary Election on May 17, 2016. Because Oregon's primary occurs toward the end of the national cycle, frequently after the likely nominees for the major political parties have been identified, turnout will probably be concentrated among motivated voters who consistently participate in the elections process.

Profile: The telephone survey conducted by CDRI screened for individuals who indicated that they participate consistently in all general and primary elections. The demographic profile for this audience indicates that these voters:

- Have a median age of 58,
- Have no child living at home,
- Have lived in the county for 25 years,
- Have a high level of educational attainment (62 percent reported having at least a college degree).

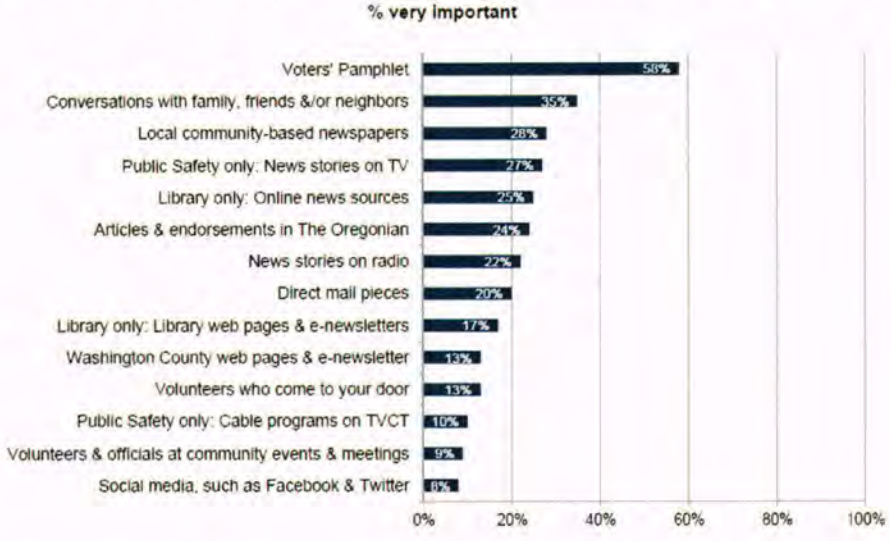
Agency-Voter Contact: Day-to-day contact with the Primary Audience equated to 34 percent of the sample. Of this amount, roughly two-thirds indicated support for the bond measure. The majority of this contact (58 percent) said first responders came to their homes or offices due to a medical, law enforcement or fire emergency. The next largest type of contact (28 percent) was described as "called 911," which at the very least would mean interaction with a WCCCA dispatcher but could also imply contact with fire, police or emergency medical resources or all of the above.

Information Preferences: According to CDRI, the most important source of information for the Primary Audience about local ballot measures (63 percent) was statements and endorsements in the voters' pamphlet. Conversations with family, friends and neighbors came next (34 percent) followed by an array of traditional media sources (31 to 26 percent). Direct mail was important to 22 percent of respondents.

IMPORTANCE OF INFORMATION SOURCES

Q. *Now I want you to think specifically about how you learn about Washington County ballot measures. I am going to read you a list of possible sources of information and I want to know how important each is to you during that process. Please tell me if each source of information is very, somewhat, or not important when you are deciding how to vote on a local ballot measure.*

n=403 for all sources except for those asked only of Public Safety (n=202) or Library (n=201) respondents



Through earlier voter research conducted by the County in January 2015, we know that age matters when it comes to preferred media sources. When comparing those younger than 55 to those 55 and older, the following differences were seen:

1. The voters pamphlet is still the strongest preference, but by a smaller margin (52 percent vs. 60 percent).
2. Conversations with family and friends is significantly more important for younger voters (41 percent vs. 31 percent)
3. Traditional media sources are even less relevant to younger voters (average of 21 percent vs. average of 29 percent).
4. Direct mail is more important to the older group (16 percent vs. 23 percent).
5. Although ranked toward the bottom, social media sources are described as very important to a much larger degree by younger voters (43 percent vs. 5 percent).

Additional findings that can impact outreach strategies were the low ratings for community events and meetings (15 percent) and door-to-door contacts (8 percent).

Timing: The Primary Audience is likely to focus on matters related to the May Primary Election as the actual election date draws near. This "tuning in" phenomenon is likely to depend on the outcomes of presidential primary races elsewhere in the country, particularly after the combination of primaries on and just after "Super Tuesday" during the first week in March. Should there be a tight race among the candidates of either political party after this point, a larger and more attentive Primary Audience will be likely.

SUMMARY OF STRATEGY:

To achieve the overall goal and objectives of this outreach plan, the following elements will be activated over a three-phased period of implementation. Each element will be calibrated with one or more audiences in mind. The amount and timing of resource deployment will be arranged strategically in accord with the information preferences of each audience cohort.

Outreach Components

The following elements of outreach activity and the agency/agencies taking a lead role are anticipated in this plan:

- **Ballot Material** – The Title, Question, Summary and Explanatory Statement for a given ballot measure. *Lead:* Washington County Administrative Office
- **Direct Mail** -- Countywide mailing illustrating the services and costs associated with the bond measure. *Lead:* Washington County Administrative Office
- **Earned Media Coverage** – Articles and broadcasts from news organizations about the use of the emergency communications system by first-responding agencies. *Lead:* Tualatin Valley Fire and Rescue
- **Agency Employee Communication** – Sharing public information about the bond measure with employees via Intranet, newsletter, staff meeting briefings, etc. *Lead:* Each agency's liaison
- **Editorial Board Visits** – Briefings with the publisher/editorial writers of the major print news organizations. *Lead:* Washington County Administrative Office
- **Coalition Agency Outreach Team –** Public information and public affairs staff from WCCCA and its member agencies working together to plan and implement the bond measure outreach effort. *Lead:* Washington County Administrative Office
- **Speakers Bureau** – A clearing house for training, coordinating and matching authorized spokespeople associated with the bond measure with requests from community organizations for presentations. *Lead:* WCCCA
- **Community Engagement** – Agency staff and partners will be scheduled to have a presence at established community events (e.g., safety fairs, etc.). In some cases it will be appropriate to have a "tabled" presence complete with bond measure information, in others simply walking around and conversing with the public will be sufficient. *Lead:* WCCCA
- **Social Media** – Content designed for dissemination through Facebook and Twitter accounts established with bond measure branding. Coalition agency social media accounts can then share this content through their more-established feeds. An ongoing social media presence is anticipated beyond the timeline of this outreach plan. Content would focus on key messages, including the role of the emergency communications system in response, resilience planning for major weather and earthquake events, etc. *Lead:* Washington County Administrative Office
- **Stakeholder Meetings** – Special meetings convened by the coalition to provide updates and share public information with organizations with a direct interest in the outcome of the bond measure. These organizations would include non-member users of WCCCA, such as the major hospitals, school districts, public works departments and so forth. *Lead:* Washington County Administrative Office
- **Website** – A bond measure branded blog site where coalition agencies can contribute content in keeping with the bond measure outreach themes. Content specific to the measure itself would first be vetted through the Oregon Secretary of State's Office for compliance with restrictions on political activity. *Lead:* Washington County Administrative Office

CORE CONTENT:

Background

The current 911 emergency communications system for Washington County was built in the early 1990s as a result of a multi-agency effort to assist the public in quickly receiving aid from law enforcement, fire and rescue, and emergency ambulance providers serving the community. The system is used by every city police department, the County Sheriff's Office, all fire and rescue responders and all emergency medical and ambulance responders operating countywide. The system is run by the Washington County Consolidated Communications Agency (WCCCA), also known as 911 Dispatch. When a call is made to 911, the communications system allows dispatchers to get all necessary responders to the caller's location as quickly as possible. The system also provides a vital link among these first responders as they coordinate, request backup or get aid to victims.

The Challenge

Three key factors are prompting the need for system and facilities upgrades:

- *Changes in Emergency Communications Technology* – Equipment composing the current system is aging and reaching the end of its serviceable life. While the system has worked for decades, manufacturers no longer make key parts because they have transitioned to newer technology, and finding quality used parts for the current system has become increasingly difficult.
- *A Growing Demand for Emergency Services* – Population growth and emergency call volume are anticipated to increase together over the coming decades. Updated equipment and room for expanded facilities would enable the 911 dispatch center to remain effective as population grows. By using bond funding to co-locate 911 emergency communications dispatchers with County law enforcement facilities, the County could more efficiently provide space for expansion.
- *A Need to Improve Reliability during Major Disasters* – The emergency communications system is designed, built and maintained to a much higher standard than consumer telecommunications. For example, the system must continue to work reliably even when a storm, earthquake, or other major emergency causes landline or cell phone networks to overload or fail. Updating equipment and strengthening facilities would improve the reliability of the system during severe weather, major earthquakes and other potential hazards.

Cost and Taxpayer Impact

To address these challenges, Washington County has worked with the 911 dispatch center and its member agencies to propose a bond measure at the Primary Election on May 17, 2016.

- The proposal would raise an estimated $77 million for capital improvements and equipment upgrades. These funds would be generated through the County's issuance of general obligation bonds beginning in fiscal year 2016-17 and ending no later than fiscal year 2036-37.
- The projected levy rate is not expected to exceed 8¢ per $1,000 of assessed value. This rate would be levied over a period no longer than 20 years. The actual rate may vary depending on changes in bond interest rates and assessed values. The estimated cost for an average county home with an assessed value of $255,408 would be $20 per year in the first year of the levy.

Desired Outcomes

With voter approval, bonds would pay for infrastructure and equipment upgrades to:

- Convert the existing system to current technology;
- Improve countywide coverage by installing more towers;
- Strengthen facilities for earthquakes, storms, other emergencies;
- Provide additional space for expansion as population grows;
- Allow for ability to co-locate dispatch center with county law enforcement; and
- Replace approximately 3,000 analog radios currently used by responders countywide.

MASTER EVENTS LIST:

Primary Election 17 May 2016 Emergency Communications System Bond Measure		
Phase I: Proposal Development and Public Opinion Research		
Days Prior to Election	**Date**	**Event**
	Apr to Sep 2015	Staff-level development of draft bond measure proposal.
	May 2015	Review of proposal by Fire Defense Board.
E -361	22 May 2015	Review of proposal by Law Enforcement Council.
E -328	24 June 2015	Convene agency work group and develop voter survey questionnaire.
E -313 to -303	9 July to 19 July 2015	Conduct voter survey.
E -295 to -291	27 July to 31 July	Preliminary findings from voter survey available.
E -274	17 Aug 2015	Agency work group briefing on voter survey findings.
E -253	7 Sep 2015	*Labor Day*
E -246 to -242	14 Sep to 18 Sep 2015	Target week to convene recurring bond measure Outreach Team meetings.
E -232 to -228	28 Sep to 2 Oct	Target week to finalize bond measure outreach plan.
Phase II: "Ownership" Development		
E -229	1 Oct 2015	WCCCA Board review and consideration.
E -215	15 Oct 2015	Briefing for County Criminal Justice Leaders.
E -209	21 Oct 2015	Briefing for City Managers.
E -196	3 Nov 2015	*Election Day*

E -189	**10 Nov 2015**	**Transmittal and presentation of bond measure proposal to Board of Commissioners in Extended Worksession.**
E -179	20 Nov 2015	Briefing for Public Safety Coordinating Council.
E -173	26 Nov 2015	*Thanksgiving Day*
	15 Dec 2015	Presentation to BCC in Worksession.
E -146	23 Dec 2015	Staff deadline to submit agenda item for Board consideration of bond measure proposal and to direct County Counsel to draft ballot material.
E -145 to -138	24 Dec 2015 25 Dec 2015 1 Jan 2016	*Christmas Eve* *Christmas* *New Year's Day*
E -190 to E-151	Jan to mid-Feb 2016	Begin internal briefings for agency employees. Conduct briefings for contracted, non-members users of WCCCA, including Washington County Land Use & Transportation, Juvenile Department, Tuality, Providence and Kaiser Permanente and school districts. Begin conducting briefings for City Councils.
	Jan to March 2016	*State of the City/County speeches*
E -133	**5 Jan 2016**	**Board to approve bond measure proposal and direct County Counsel to draft ballot material for bond measure.**
E -131	7 Jan 2016	Staff deadline to submit agenda item for Board consideration of ballot material. Begin Speakers Bureau Training
E -119	**19 Jan 2016**	**Board to adopt ballot material for bond measure. County Counsel to file measure.**
E -106	1 Feb 2016	*Iowa Caucuses*
E -99 to -95	8 Feb to 12 Feb 2016	Finalize and submit "core content" for bond measure and send to Oregon Secretary of State, Elections Division, for review. Target week to begin speakers' bureau training.
E -98	9 Feb 2016	*New Hampshire Primary*

Phase III: Levy Public Outreach		
E -92	15 Feb 2016	*Presidents' Day*
E -92 to -88	15 Feb to 19 Feb 2016	Response back from Oregon Secretary of State's Office. Initial print runs of rack cards, pocket cards, factsheets, etc. Begin printing. Web content goes live. Finalize and submit direct mail pieces for bond measure to Oregon Secretary of State, Elections Division, for review.
E -78 to -74	29 Feb to 4 Mar 2016	Target week for direct mail to printer. Activate speaker's bureau.
E -77	1 Mar 2016	*Super Tuesday primaries in 13 states*
E -70	8 Mar 2016	*Possible Special Election*
E -71 to -67	7 Mar to 11 Mar 2016	Target week for editorial board visits.
E -63	15 Mar 2016	Last possible BCC meeting date (under regular schedule) for Board to adopt Ballot Measure & Explanatory Statement.
E -61	17 Mar 2016 (61 days before election)	Deadline for Board to file Ballot Measure & Explanatory Statement with County Elections Office. (Use form SEL 801)
E -57 to -53	21 Mar to 25 Mar 2016	*Spring Break*
E -56	22 Mar 2016 (2nd bus. day after measure filing)	Last day to file Arguments with County Elections Office supporting or opposing measure for publication in the Voters' Pamphlet. (Washington Co. will forward Arguments to the Secretary of State's Elections Division to be inserted in the state's Voters' Pamphlet.)
E -50 to -46	28 Mar to 1 Apr 2016	Outreach activity to reach max. level this week, continuing on to E-Day. Begin conducting earned media/VIP tours of 911 dispatch system. Target week for editorials to appear regarding bond measure.
E -22 to -18	25 Apr to 29 Apr 2016	Target week for pre-sort vendor to drop direct mail pieces to all registered voting households in county.

E -21	26 Apr 2016 (21 days before election)	Last day for voters to register for election.
E -20	27 Apr 2016 (20 days before election)	Last day to mail state Voters' Pamphlet to voters.
E -18	**29 Apr 2016 (18 days before election)**	**First day to mail ballots to voters.**
E -5	12 May 2016	Last day for voters to mail completed ballots. All unmailed ballots must be delivered to drop sites.
E-Day	**17 May 2016**	**Primary Election Day**

This page is intentionally blank.

FOREST GROVE OREGON

A place where families and businesses thrive

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	6.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2016*

PROJECT TEAM: *Michael Kinkade, Fire Chief, and J. F. Schutz, Police Chief*

SUBJECT TITLE: *Council Resolution Supporting Washington County Bond Measure*

ACTION REQUESTED:		Ordinance		Order	X	Resolution	X	Motion		Informational

X all that apply

ISSUE STATEMENT:
Washington County is pursuing a bond measure in May 2016 to fund necessary public safety communications infrastructure.

BACKGROUND:
Washington County has worked with the Washington County Consolidated Communications Agency (WCCCA) and its member agencies to propose a bond measure for voter consideration at the Primary Election on May 17, 2016. The proposal would raise $77 million for the capital improvements and equipment upgrades that would allow for continued, reliable response for police, fire and medical emergencies as the county's population grows and in the face of storms, earthquakes or other major emergencies. These funds would be generated through the County's issuance of general obligation bonded debt with associated principal and interest payments beginning in fiscal year 2016-17 and ending by fiscal year 2036-37. Revenue supporting these payments would be derived from an annual property tax levy over approximately 20 years of no more than 8 cents per $1,000 of assessed value. For the average-valued Washington County home, the tax impact in the levy's first year would be approximately $20.

FISCAL IMPACT:
Failure of the bond to pass would result in a severe economic impact to the City of Forest Grove to fund the required replacement of public safety radios.

RECOMMENDATION: Consider adopting the attached Council resolution following the County's levy presentation.

ATTACHMENT(s):
PowerPoint Presentation
Draft Outreach Plan
Resolution

6.

RESOLUTION NO. 2016-15

RESOLUTION OF THE FOREST GROVE CITY COUNCIL SUPPORTING WASHINGTON COUNTY'S ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY FOR $77 MILLION IN CAPITAL COSTS FOR EMERGENCY AND 9-1-1 EQUIPMENT AND FACILITIES

WHEREAS, Washington County has a population of over 570,000 residents and is expected to continue growing over the next 20 years, creating additional demand and stress on the current 911 system; and

WHEREAS, the current emergency communications system is built on obsolete technology reaching the end of its serviceable life; and

WHEREAS, manufactures of equipment used in the current system have stopped making key parts because they have transitioned to newer technology; and

WHEREAS, all county first responders plus additional users such as schools, public works departments, and hospitals rely on the emergency communications system; and

WHEREAS, there is a nationwide push to move all 911 dispatch centers to a standard digital technology that would allow interoperability between emergency communications systems, and more efficient use of the radio spectrum reserved for emergency communications; and

WHEREAS, the current emergency communications system equipment and facilities need to be strengthened to improve reliability during severe weather, major earthquakes and other hazards; and

WHEREAS, alternate funding mechanisms, such as individual user agencies paying a proportionate share of the $77 million in capital costs, would have placed an untenable financial burden on these user agencies and their cities; and

WHEREAS, the projected levy rate is not expected to exceed 8¢ of assessed value.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the City Council of the City of Forest Grove does hereby endorse its support and urges the passage of the Washington County Emergency Communications System Bond Measure on the ballot May 17, 2016, Primary Election.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____

Attested: Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____

Peter B. Truax, Mayor

FOREST GROVE OREGON

A place where businesses and families thrive

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	7.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2016*

PROJECT TEAM: *Paul Downey, Director, Administrative Services*
Rob Foster, Director of Public Works
Derek Robbins, Project Engineer

SUBJECT TITLE: *Staff Report and Resolution to Authorize the Mayor and City Manager to Endorse the Local Agency Agreement between the City and ODOT for Disbursement of Funds for the OR 8/OR47 Intersection Improvement Project*

ACTION REQUESTED:		Ordinance		Order	X	Resolution	X	Motion		Informational

X all that apply

ISSUE STATEMENT: Consider resolution authorizing the Mayor and City Manager to endorse IGA between the City and ODOT for disbursement of funds for the next phase of the OR 8/OR 47 Intersection Improvements project. This proposed resolution, if enacted by the Forest Grove City Council, would take effect immediately.

BACKGROUND: In January 2012, the City was awarded federal funds for the OR 8/OR 47 Intersection Improvements project. This is the third and final IGA between the City and ODOT for this OR 8/OR 47 project. In November of 2012 the City entered into agreement with ODOT for the planning phase of the project. In May of 2015 another IGA was authorized for the phases of preliminary engineering, right of way acquisition, and utility work. This current IGA authorizes funding for completion of the OR 8/ OR 47 Project.

The goal or main outcome of the project is to improve safety, operations, and capacity where the intersection of Regional Freight Corridors 23 (Highway 47 or Quince Street) and Regional Freight Corridor 24 (Highway 8 or Pacific Avenue) come together. The project will construct a westbound right-turn lane on OR-8 and a southbound right-turn lane on OR-47. Attached is an updated site plan map of the project (Exhibit A).

FISCAL IMPACT: The total estimated project cost is $4,171,381. The project was awarded MTEP funding in the amount of $2,341,382 for completion of the improvements. The City of Forest Grove is responsible for providing the match and any non-participating costs, including all costs in excess of the available federal funds. Match funding requirement for the entire project includes $200,000 from City's Street Fund, paid by the Walmart development specifically for this intersection improvement. In addition $318,000 from the Washington County MSTIP3 program will be used for

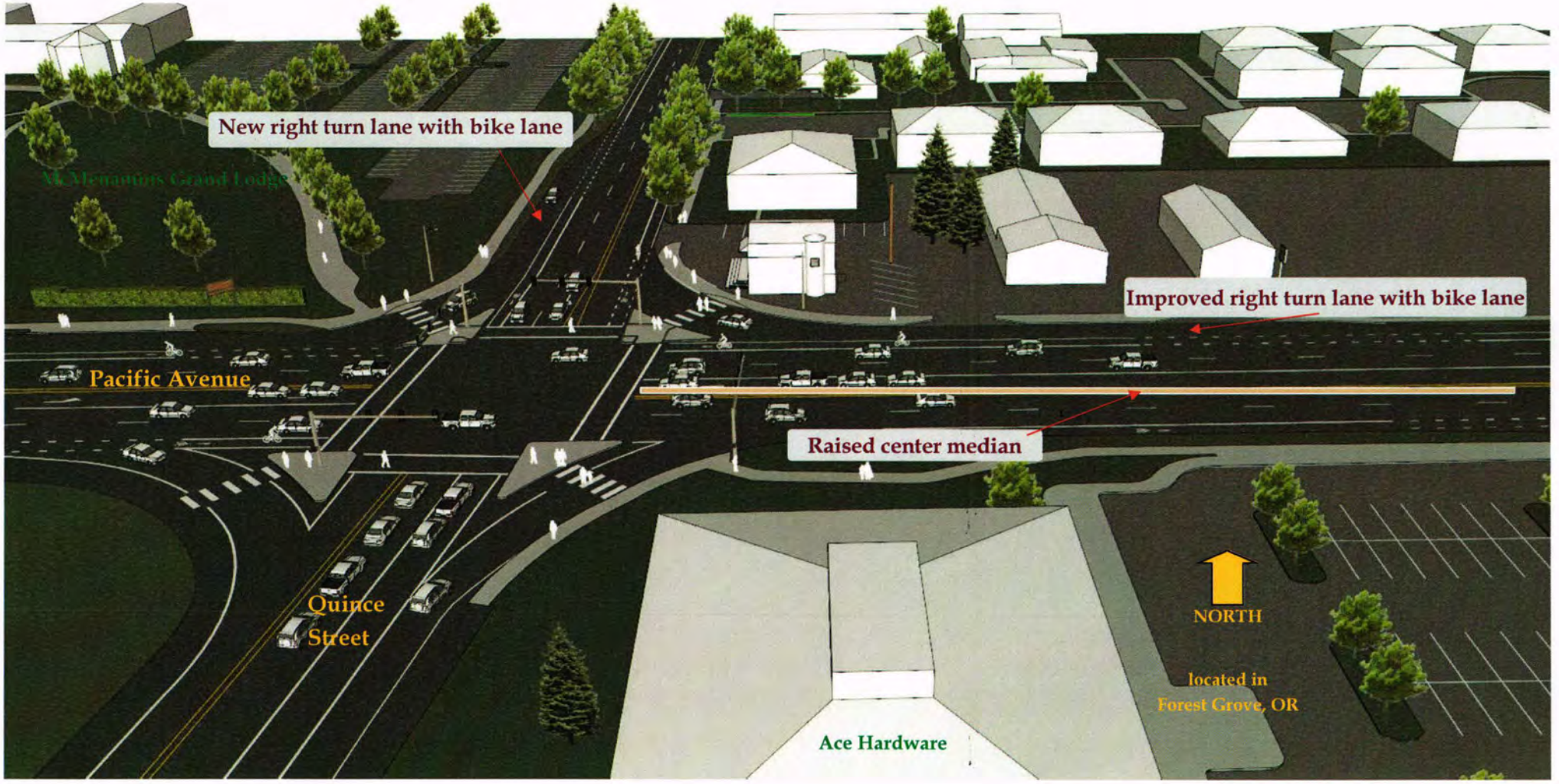
match funding. Forest Grove and Washington County have established a separate agreement to transfer the MSTIP3 match funds to ODOT.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution authorizing the Mayor and City Manager to endorse the Local Agency Agreement between the City and ODOT for disbursement of funds for the next phase of the OR 8/OR 47 Intersection Improvements Project.

ATTACHMENT(s):

(1) Exhibit A, OR 8/OR 47 Project Site Plan
(2) Resolution
(3) IGA

Depiction of completed project



Pacific Avenue (OR 8) at Quince Street (OR 47)
IMPROVEMENT PROJECT

Note: This is a draft rendering of the completed road construction project. Not all project elements are included and is subject to change. Visit ODOT's website for more information at www.oregon.gov/ODOT/HWY/REGION1/Pages/PacificQuince.aspx

Nov. 2015

Oregon Department of Transportation

city of forest grove

This page is intentionally blank.

7.

RESOLUTION NO. 2016-16

RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENDORSE THE LOCAL AGENCY AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR OR8/OR47 INTERSECTION IMPROVEMENTS; CONTRACT NO. 31034

WHEREAS, The Oregon Department of Transportation (ODOT) accepted the City's application submitted in August 2011, for funding the OR 8/OR 47 Intersection Improvements; and

WHEREAS, ODOT and City entered into Intergovernmental Agreement on November 7, 2012 to enable the City to work on the planning process of the OR8/OR47 intersection improvements.

WHEREAS, ODOT and City entered into Intergovernmental Agreement on May 11, 2015 to enable the City to work on the Preliminary Engineering, Right of Way Acquisitions, and Utility Relocation work of the OR8/OR47 intersection improvements.

WHEREAS, City desires to enter into Intergovernmental Agreement (Exhibit A) with ODOT for final phases of work to complete the OR8/OR47 intersection improvement project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council of the City of Forest Grove hereby approves the Local Agency Agreement between the City of Forest Grove and Oregon Department of Transportation as stated in the Agreement and subject to the conditions of this Agreement (Exhibit A).

Section 2. The Mayor and City Manager are hereby authorized to endorse the Agreement (Exhibit A) on behalf of the City of Forest Grove.

Section 3. That the City of Forest Grove is prepared to contribute funding as specified in the Agreement.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____
Peter B. Truax, Mayor

This page is intentionally blank.

LOCAL AGENCY AGREEMENT
MULTIMODAL TRANSPORTATION ENHANCE PROGRAM (MTEP)
Project Name OR47 at OR8 Intersection Improvements

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State;" and the City of Forest Grove, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually or collectively as "Party" or "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

2. Tualatin Valley Highway (OR8, Pacific Avenue) and Nehalem Highway (OR47, Quince Street) are both a part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission. State and Agency entered into Intergovernmental Agreement No. 28768 on November 7, 2012. The purpose of the said agreement was to enable the City to participate in the planning process of the OR8/OR47 intersection improvements.

3. State and Agency entered into Local Agency Agreement No. 30523 on May 26, 2015. The purpose of said agreement was to provide funding for the design, acquisition of right of way, and Utility Relocate work for the OR8/OR47 intersection improvements.

4. State and Agency entered into Agreement No. 5118 on September 25, 1974 for the installation of a traffic signal at the intersection of OR 8 and Quince Street. Maintenance and power responsibilities outlined in said agreement shall remain in effect.

5. Agency has been awarded MTEP funding in the amount of $2,341,382 for completion of the OR-47 at OR-8 Intersection Improvements; hereinafter referred to as "Project".

6. Agency has agreed that ODOT will oversee completion of this Project on behalf of the Agency.

NOW THEREFORE the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

DEFINITIONS

1. "Contract Award" (construction projects) means the issuance of a Notice to Proceed (NTP) to the construction contractor.

2. "Funding Ratio" means the relationship between MTEP funds and Total Project Cost and

Other Funds. This ratio is established at the time the agreement is executed and does not change during the course of the project. The ratio governs the obligation of MTEP funds at the time of construction/consultant award or Project Closeout.

3. "Match" means the minimum amount State or Agency must contribute to match the federal aid funding portion of the project.

4. "MTEP" means Multimodal Transportation Enhance Program and may be funded by a combination of federal and state funds.

5. "Other Funds" means other funding required to complete the project including but not limited to state, federal, and agency funds.

6. "Project Closeout" means project is ready to close as there are no more expenditures associated with project.

7. "Project Overruns" means the final cost estimate at Contract Award exceeds the estimated Total Project Cost estimate in this Agreement, or the final actual project costs exceed the final cost estimate at Contract Award.

8. "Project Underrun" means the final cost estimate at Contract Award is below the estimated Total Project Cost in this Agreement, or the final actual project costs are below the final cost estimate at Contract Award.

9. Total Project Cost means the estimated amount as show in this Agreement. This amount will include MTEP funds, local matching funds, and other funds as required to complete project as stated in this Agreement.

TERMS OF AGREEMENT

1. Under such authority, Agency and State agree to State performing the OR-47 at OR-8 Intersection Improvements on behalf of Agency and is further defined below. The location of the Project is approximately as shown on the map attached hereto, marked "Exhibit A," and by this reference made a part hereof.

2. The Project Description and Deliverables are as follows:

   a. Description: Construct westbound right-turn lane on OR-8 and a southbound right-turn lane on OR-47.

   b. Deliverables:

      - Widen southbound and westbound right-turn lanes
      - Install planter strips and buffered sidewalks on the west side of OR47
      - Install a stormwater treatment facility, as needed

3. Both Parties agree that an amendment to this Agreement is required if any changes are made to the Project as described in Project Description and Deliverables above.

4. Work for the Project, as described under this Agreement, shall be conducted as a part of the Multimodal Transportation Enhance Program (MTEP) with funds provided under Title 23, United States Code and may include a combination of federal and state funds. The Total Project Cost is estimated at $4,171,381, which is subject to change. In addition to funding provided through previous agreements, MTEP funding shall be provided for the Project under this Agreement and is limited to $2,341,382. Agency shall be responsible for all remaining costs, including 10.27 percent match for all eligible costs, any non-participating costs, and all costs in excess of the available federal or state funds.

5. The Funding Ratio for this Project is 56.13% of MTEP funds to 43.87% Agency funds and applies to Project Underruns. The Funding Ratio for this Project does not apply in the case of Project Overruns.

6. If, at the time of Contract Award or Project Closeout, the Project Underruns the estimated Total Project Cost in this Agreement, MTEP funding and Other Funds will be obligated proportionally based on the Funding Ratio. Any unused MTEP funds, will be retained by State, and will not be available for use by Agency for this Agreement or any other projects.

7. Project Overruns which occur at the time of Contract Award, and or at the time of Project Closeout are the responsibility of the Agency.

8. State shall consult with Agency on project decisions regarding design standards, design exceptions, risks, schedule, utility relocation expenses, right of way needs, preliminary engineering charges, construction engineering charges, and Contract Change Orders, as these decisions may impact the Total Project Cost. State may award a construction contract at ten percent (10%) over engineer's estimate without prior approval of Agency.

9. State will submit the requests for federal funding to Federal Highway Administration (FHWA). The federal funding for this Project is contingent upon approval of each funding request by FHWA. Any work performed prior to acceptance by FHWA or outside the scope of work will be considered nonparticipating and paid for at Agency expense.

10. State considers Agency a subrecipient of the federal funds it receives as reimbursement under this Agreement. The Catalog of Federal Domestic Assistance (CFDA) number and title for this Project is 20.205, Highway Planning and Construction.

11. The term of this Agreement shall begin on the date all required signatures are obtained and shall terminate upon completion of the Project and final payment or ten (10) calendar years following the date all required signatures are obtained, whichever is sooner.

12. This Agreement may be terminated by mutual written consent of both Parties.

13. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:

a. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.

b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

c. If Agency fails to provide payment of its share of the cost of the Project.

d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.

e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or if State is prohibited from paying for such work from the planned funding source.

14. Information required by 2 CFR 200.331(a), except for (xiii) Indirect cost rate, shall be contained in the USDOT FHWA Federal Aid Project Agreement for this Project, a copy of which shall be provided by ODOT to Agency with the Notice to Proceed. The indirect cost rate for this project at the time the agreement is written is zero percent (0%).

15. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

16. The Special and Standard Provisions attached hereto, marked Attachments 1 and 2, respectively, are by this reference made a part hereof. The Standard Provisions apply to all federal-aid projects and may be modified only by the Special Provisions. The Parties hereto mutually agree to the terms and conditions set forth in Attachments 1 and 2. In the event of a conflict, this Agreement shall control over the attachments, and Attachment 1 shall control over Attachment 2.

17. Agency, as a recipient of federal funds, pursuant to this Agreement with the State, shall assume sole liability for Agency's breach of any federal statutes, rules, program requirements and grant provisions applicable to the federal funds, and shall, upon Agency's breach of any such conditions that requires the State to return funds to FHWA, hold harmless and indemnify the State for an amount equal to the funds received under this Agreement; or if legal limitations apply to the indemnification ability of Agency, the indemnification amount shall be the maximum amount of funds available for expenditure, including any available contingency funds or other available non-appropriated funds, up to the amount received under this Agreement.

18. State and Agency hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not

contain the particular term or provision held to be invalid.

19. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Agency.

20. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

21. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. In the event of conflict, the body of this Agreement and the attached Exhibits will control over Project application and documents provided by Agency to State. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

22. State Contact for this Agreement is Kelly Brooks, Interim Policy and Development Manager, or assigned designee upon individual's absence. State shall notify the other Party in writing of any contact information changes during the term of this Agreement.

23. Agency's Contact for this Project is Robert Foster, Public Works Director for the City of Forest Grove, or assigned designee upon individual's absence. Agency shall notify the other Party in writing of any contact information changes during the term of this Agreement.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

The Project is in the 2015-2018 Statewide Transportation Improvement Program (STIP), (Key#18003) that was adopted by the Oregon Transportation Commission on December 18, 2014 (or subsequently approved by amendment to the STIP).

CITY OF FOREST GROVE, by and through its elected officials

By _____

Title Mayor

Date _____

By _____

Title City Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By N/A
Agency Counsel

Date _____

Agency Contact:
Rob Foster, Public Works Director
1928 Council Street
Forest Grove, OR 97116
503.992.3228
rfoster@forestgrove-or.gov

State Contact:
Kelly Brooks, Interim Policy and Development Manager
123 NW Flanders Street
Portland, OR 97209
503.731.3087
Kelly.BROOKS@odot.state.or.us

STATE OF OREGON, by and through its Department of Transportation

By _____
Highway Division Administrator

Date _____

APPROVAL RECOMMENDED

By _____

Date _____

By _____
Region 1 Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By_____
Assistant Attorney General

Date_____

EXHIBIT A – Project Location Map

OR-47 AT OR-8 INTERSECTION IMPROVEMENTS

HIGHWAY MOBILITY

02-20-15
Key No. 18003

ATTACHMENT NO. 1 to Agreement No. 31034
SPECIAL PROVISIONS

1. State, or the consultant, shall conduct the necessary field surveys, environmental studies, traffic investigations, foundation explorations, hydraulic studies, acquire necessary right of way and easements; obtain all required permits and arrange for all utility relocations/adjustments.

2. Upon State's award of the construction contract, State, or the consultant, shall be responsible for all required materials testing and quality documentation; and prepare necessary documentation with ODOT-qualified personnel, and State will make all contractor payments. Contract administration, construction engineering and inspection will follow the most current version of the ODOT Construction Manual and the ODOT Inspector's Manual.

3. Agency guarantees the availability of Agency funding in an amount required to fully fund Agency's share of the Project.

4. State will perform work throughout the duration of the Project and shall provide a preliminary estimate of State costs for this work. Prior to the start of each Project phase State shall provide an updated estimate of State costs for that phase. Such phases generally consist of Preliminary Engineering, Right of Way, Utility, and Construction. Agency understands that State's costs are estimates only and agrees to reimburse State for actual cost incurred per this Agreement.

5. State and Agency agree that the useful life of this Project is defined as (**20** years).

6. Agency grants State the right to enter onto Agency right of way for the performance of duties as set forth in this Agreement.

7. If Agency fails to meet the requirements of this Agreement or the underlying federal regulations, State may withhold the Agency's proportional share of Highway Fund distribution necessary to reimburse State for costs incurred by such Agency breach. Agency will be ineligible to receive or apply for any Title 23, United States Code funds until State receives full reimbursement of the costs incurred.

ATTACHMENT NO. 1
FEDERAL STANDARD PROVISIONS

PROJECT ADMINISTRATION

State (ODOT) is acting to fulfill its responsibility to the Federal Highway Administration (FHWA) by the administration of this Project, and Agency (i.e. county, city, unit of local government, or other state agency) hereby agrees that State shall have full authority to carry out this administration. If requested by Agency or if deemed necessary by State in order to meet its obligations to FHWA, State will act for Agency in other matters pertaining to the Project. Prior to taking such action, State will confer with Agency concerning actions necessary to meet federal obligations. Agency shall, if necessary, appoint and direct the activities of a Citizen's Advisory Committee and/or Technical Advisory Committee, conduct a hearing and recommend the preferred alternative. State and Agency shall each assign a person in responsible charge "liaison" to coordinate activities and assure that the interests of both Parties are considered during all phases of the Project.

1. Any project that uses federal funds in project development is subject to plans, specifications and estimates (PS&E) review and approval by FHWA or State acting on behalf of FHWA prior to advertisement for bid proposals, regardless of the source of funding for construction.

2. Non-certified agencies must contract with State or a State certified local public agency to secure services to perform plans, specifications and estimates (PS&E), construction contract advertisement, bid, award, contractor payments and contract administration. Non-certified agencies may use a State-approved consultant to perform preliminary engineering, and construction engineering services.

PROJECT FUNDING REQUEST

3. State shall submit a separate written Project funding request to FHWA requesting approval of federal-aid participation for each project phase including a) Program Development (Planning), b) Preliminary Engineering (National Environmental Policy Act - NEPA, Permitting and Project Design), c) Right of Way Acquisition, d) Utilities, and e) Construction (Construction Advertising, Bid and Award). Any work performed prior to FHWA's approval of each funding request will be considered nonparticipating and paid for at Agency expense. Agency shall not proceed on any activity in which federal-aid participation is desired until such written approval for each corresponding phase is obtained by State. State shall notify Agency in writing when authorization to proceed has been received from FHWA. All work and records of such work shall be in conformance with FHWA rules and regulations.

FINANCE

4. Federal funds shall be applied toward Project costs at the current federal-aid matching ratio, unless otherwise agreed and allowable by law. Agency shall be responsible for the entire match amount for the federal funds and any portion of the Project, which is not covered by federal funding, unless otherwise agreed to and specified in the intergovernmental Agreement (Project Agreement). Agency must obtain written approval from State to use in-kind contributions rather than cash to satisfy all or part of the matching funds requirement. If federal funds are used, State will specify the Catalog of Federal Domestic Assistance (CFDA) number in the Project Agreement. State will also determine and clearly state in the Project Agreement if recipient is a subrecipient or vendor, using criteria in 2 CFR 200.330.

5. If the estimated cost exceeds the total matched federal funds available, Agency shall deposit its share of the required matching funds, plus 100 percent of all costs in excess of the total matched federal funds. Agency shall pay one hundred (100) percent of the cost of any item in which FHWA will not participate. If Agency has not repaid any non-participating cost, future allocations of federal funds or allocations of State Highway Trust Funds to Agency may be withheld to pay the non-participating costs. If State approves processes, procedures, or contract administration outside the *Local Agency Guidelines Manual* that result in items being declared non-participating by FHWA, such items deemed non-participating will be negotiated between Agency and State.

6. Agency agrees that costs incurred by State and Agency for services performed in connection with any phase of the Project shall be charged to the Project, unless otherwise mutually agreed upon by the Parties.

7. Agency's estimated share and advance deposit.

   a) Agency shall, prior to commencement of the preliminary engineering and/or right of way acquisition phases, deposit with State its estimated share of each phase. Exception may be made in the case of projects where Agency has written approval from State to use in-kind contributions rather than cash to satisfy all or part of the matching funds requirement.

   b) Agency's construction phase deposit shall be one hundred ten (110) percent of Agency's share of the engineer's estimate and shall be received prior to award of the construction contract. Any additional balance of the deposit, based on the actual bid must be received within forty-five (45) days of receipt of written notification by State of the final amount due, unless the contract is cancelled. Any balance of a cash deposit in excess of amount needed, based on the actual bid, will be refunded within forty-five (45) days of receipt by State of the Project sponsor's written request.

   c) Pursuant to Oregon Revised Statutes (ORS) 366.425, the advance deposit may be in the form of 1) money deposited in the State Treasury (an option where a deposit is made in the Local Government Investment Pool), and an Irrevocable Limited Power of Attorney is sent to State's Active Transportation Section, Funding and Program Services Unit, or 2) an Irrevocable Letter of Credit issued by a local bank in the name of State, or 3) cash.

8. If Agency makes a written request for the cancellation of a federal-aid project; Agency shall bear one hundred (100) percent of all costs incurred as of the date of cancellation. If State was the sole cause of the cancellation, State shall bear one hundred (100) percent of all costs incurred. If it is determined that the cancellation was caused by third parties or circumstances beyond the control of State or Agency, Agency shall bear all costs, whether incurred by State or Agency, either directly or through contract services, and State shall bear any State administrative costs incurred. After settlement of payments, State shall deliver surveys, maps, field notes, and all other data to Agency.

9. Agency shall follow the requirements stated in the Single Audit Act. Agencies expending $500,000 or more in Federal funds (from all sources) in its fiscal year beginning prior to December 26, 2014, shall have a single organization-wide audit conducted in accordance with the Single Audit Act of 1984, PL 98-502 as amended by PL 104-156 and subject to the requirements of 49 CFR Parts 18 and 19. Agencies expending $750,000 or more in federal funds (from all sources) in a fiscal year beginning on or after December 26, 2014 shall have a single organization-wide audit conducted in accordance with the provisions of 2 CFR part 200, subpart F. Agencies expending less than $500,000 in Federal funds in a fiscal year beginning prior to December 26, 2014, or less than $750,000 in a fiscal year beginning on or after that date, is exempt from Federal audit requirements

for that year. Records must be available for review or audit by appropriate officials based on the records retention period identified in the Project Agreement. The cost of this audit can be partially prorated to the federal program.

10. Agency shall make additional deposits, as needed, upon request from State. Requests for additional deposits shall be accompanied by an itemized statement of expenditures and an estimated cost to complete the Project.

11. Agency shall present invoices for one hundred (100) percent of actual costs incurred by Agency on behalf of the Project directly to State's Liaison for review, approval and reimbursement to Agency. Costs will be reimbursed consistent with federal funding provisions and the Project Agreement. Such invoices shall identify the Project by the name of the Project Agreement, reference the Project Agreement number, and shall itemize and explain all expenses for which reimbursement is claimed. Invoices shall be presented for periods of not less than one-month duration, based on actual expenses to date. All invoices received from Agency must be approved by State's Liaison prior to payment. Agency's actual costs eligible for federal-aid or State participation shall be those allowable under the provisions of the Federal-Aid Policy Guide (FAPG), Title 23 CFR parts 1.11, 140 and 710. Final invoices shall be submitted to State for processing within forty-five (45) days from the end of each funding phase as follows: a) preliminary engineering, which ends at the award date of construction b) last payment for right of way acquisition and c) contract completion for construction. Partial billing (progress payment) shall be submitted to State within forty-five (45) days from date that costs are incurred. Invoices submitted after 45 days may not be eligible for reimbursement by FHWA. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to the Project Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period ending on the later of six (6) years following the date of final voucher to FHWA or after resolution of any disputes under the Project Agreement. Copies of such records and accounts shall be made available upon request. For real property and equipment, the retention period starts from the date of disposition ((2 CFR 200.333(c)).

12. Agency shall, upon State's written request for reimbursement in accordance with Title 23, CFR part 630.112(c) 1 and 2, as directed by FHWA, reimburse State for federal-aid funds distributed to Agency if any of the following events occur:

    a) Right of way acquisition is not undertaken or actual construction is not started by the close of the twentieth federal fiscal year following the federal fiscal year in which the federal-aid funds were authorized for right of way acquisition. Agency may submit a written request to State's Liaison for a time extension beyond the twenty (20) year limit with no repayment of federal funds and State will forward the request to FHWA. FHWA may approve this request if it is considered reasonable.

    b) Right of way acquisition or actual construction of the facility for which preliminary engineering is undertaken is not started by the close of the tenth federal fiscal year following the federal fiscal year in which the federal-aid funds were authorized. Agency may submit a written request to State's Liaison for a time extension beyond the ten (10) year limit with no repayment of federal funds and State will forward the request to FHWA. FHWA may approve this request if it is considered reasonable.

13. Agency shall maintain all Project documentation in keeping with State and FHWA standards and specifications. This shall include, but is not limited to, daily work records, quantity documentation, material invoices and quality documentation, certificates of origin, process control records, test

results, and inspection records to ensure that the Project is completed in conformance with approved plans and specifications.

14. State shall submit all claims for federal-aid participation to FHWA in the normal manner and compile accurate cost accounting records. State shall pay all reimbursable costs of the Project. Agency may request a statement of costs-to-date at any time by submitting a written request. When the actual total cost of the Project has been computed, State shall furnish Agency with an itemized statement of final costs. Agency shall pay an amount which, when added to said advance deposit and federal reimbursement payment, will equal one hundred (100) percent of the final total actual cost. Any portion of deposits made in excess of the final total costs of the Project, minus federal reimbursement, shall be released to Agency. The actual cost of services provided by State will be charged to the Project expenditure account(s) and will be included in the total cost of the Project.

STANDARDS

15. Agency agrees that minimum design standards on all local agency jurisdictional roadway or street projects on the National Highway System (NHS) and projects on the non-NHS shall be the American Association of State Highway and Transportation Officials (AASHTO) standards and be in accordance with *State's Oregon Bicycle & Pedestrian Design Guide* (current version). Agency shall use either AASHTO's A Policy on Geometric Design of Highways and Streets (current version) or State's Resurfacing, Restoration and Rehabilitation (3R) design standards for 3R projects. Agency may use AASHTO for vertical clearance requirements on Agency's jurisdictional roadways or streets.

16. Agency agrees that if the Project is on the Oregon State Highway System or State-owned facility, that design standards shall be in compliance with standards specified in the current *ODOT Highway Design Manual* and related references. Construction plans for such projects shall be in conformance with standard practices of State and all specifications shall be in substantial compliance with the most current *Oregon Standard Specifications for Highway Construction* and current *Contract Plans Development Guide*.

17. Agency agrees that for all projects on the Oregon State Highway System or State-owned facility any design element that does not meet *ODOT Highway Design Manual* design standards must be justified and documented by means of a design exception. Agency further agrees that for all projects on the NHS, regardless of funding source; any design element that does not meet AASHTO standards must be justified and documented by means of a design exception. State shall review any design exceptions on the Oregon State Highway System and retains authority for their approval. FHWA shall review any design exceptions for projects subject to Focused Federal Oversight and retains authority for their approval.

18. Agency agrees all traffic control devices and traffic management plans shall meet the requirements of the current edition of the *Manual on Uniform Traffic Control Devices and Oregon Supplement* as adopted in Oregon Administrative Rule (OAR) 734-020-0005. Agency must obtain the approval of the State Traffic Engineer prior to the design and construction of any traffic signal, or illumination to be installed on a state highway pursuant to OAR 734-020-0430.

19. The standard unit of measurement for all aspects of the Project shall be English Units. All Project documents and products shall be in English. This includes, but is not limited to, right of way, environmental documents, plans and specifications, and utilities.

PRELIMINARY & CONSTRUCTION ENGINEERING

20. Preliminary engineering and construction engineering may be performed by either a) State, b) Agency, c) State-approved consultant, or d) certified agency. Engineering work will be monitored

by State or certified agency to ensure conformance with FHWA rules and regulations. Project plans, specifications and cost estimates shall be performed by either a) State, b) State-approved consultant or c) certified agency. State shall review and approve Project plans, specifications and cost estimates. State shall, at project expense, review, process and approve, or submit for approval to the federal regulators, all environmental statements. State or certified agency shall, if they prepare any of the documents identified in this paragraph, offer Agency the opportunity to review and approve the documents prior to advertising for bids.

21. Agency may request State's two-tiered consultant selection process as allowed by OAR 137-048-0260 to perform architectural, engineering, photogrammetry, transportation planning, land surveying and related services (A&E Services) as needed for federal-aid transportation projects. Use of the State's processes is required to ensure federal reimbursement. State will award and execute the contracts. State's personal services contracting process and resulting contract document will follow Title 23 CFR part 172, 2 CFR part 1201, ORS 279A.055, 279C.110, 279C.125, OAR 137-048-0130, OAR 137-048-0220(4) and State Personal Services Contracting Procedures as approved by the FHWA. Such personal services contract(s) shall contain a description of the work to be performed, a project schedule, and the method of payment. No reimbursement shall be made using federal-aid funds for any costs incurred by Agency or the consultant prior to receiving authorization from State to proceed.

22. The party responsible for performing preliminary engineering for the Project shall, as part of its preliminary engineering costs, obtain all Project related permits necessary for the construction of said Project. Said permits shall include, but are not limited to, access, utility, environmental, construction, and approach permits. All pre-construction permits will be obtained prior to advertisement for construction.

23. State or certified agency shall prepare construction contract and bidding documents, advertise for bid proposals, and award all construction contracts.

24. Upon State's or certified agency's award of a construction contract, State or certified agency shall perform quality assurance and independent assurance testing in accordance with the FHWA-approved Quality Assurance Program found in State's *Manual of Field Test Procedures*, process and pay all contractor progress estimates, check final quantities and costs, and oversee and provide intermittent inspection services during the construction phase of the Project.

25. State shall, as a Project expense, assign a liaison to provide Project monitoring as needed throughout all phases of Project activities (preliminary engineering, right-of-way acquisition, and construction). State's liaison shall process reimbursement for federal participation costs.

REQUIRED STATEMENT FOR United States Department of Transportation (USDOT) FINANCIAL ASSISTANCE AGREEMENT

26. By signing the Federal-Aid Agreement to which these Federal Standard Provisions are attached, Agency agrees to adopt State's DBE Program Plan, available at http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/pages/sbe/dbe/dbe_program.aspx#plan. Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. Agency agrees to take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. State's DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Project Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Project Agreement. Upon notification to the recipient of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under

part 26 and may, in appropriate cases, refer the matter for enforcement under 18 United States Code (USC) 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

Disadvantaged Business Enterprises (DBE) Obligations

27. State and Agency agree to incorporate by reference the requirements of 49 CFR part 26 and State's DBE Program Plan, as required by 49 CFR part 26 and as approved by USDOT, into all contracts entered into under this Project Agreement. The following required DBE assurance shall be included in all contracts:

    "*The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of Title 49 CFR part 26 in the award and administration of federal-aid contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Agency deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).*"

28. Agency agrees to comply with all applicable civil rights laws, rules and regulations, including Title V and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and Titles VI and VII of the Civil Rights Act of 1964.

29. The Parties hereto agree and understand that they will comply with all applicable federal, state, and local laws, regulations, executive orders and ordinances applicable to the work including, but not limited to, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270, incorporated herein by reference and made a part hereof; Title 23 CFR parts 1.11, 140, 635, 710, and 771; Title 49 CFR parts 24 and 26; 2 CFR 1201, Title 23, USC, Federal-Aid Highway Act; Title 41, Chapter 1, USC 51-58, Anti-Kickback Act; Title 42 USC; Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended, the provisions of the FAPG and FHWA Contract Administration Core Curriculum Participants Manual & Reference Guide. State and Agency agree that FHWA-1273 Required Contract Provisions shall be included in all contracts and subcontracts verbatim and not by reference.

RIGHT OF WAY

30. Agency and the consultant, if any, agree that right of way activities shall be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35, FAPG, CFR, and the *ODOT Right of Way Manual*, Title 23 CFR part 710 and Title 49 CFR part 24. State, at Project expense, shall review all right of way activities engaged in by Agency to ensure compliance with all laws and regulations.

31. State is responsible for proper acquisition of the necessary right of way and easements for construction and maintenance of projects. Agency may perform acquisition of the necessary right of way and easements for construction and maintenance of the Project provided Agency or the consultant are qualified to do such work, as required by the *ODOT Right of Way Manual*, and Agency has obtained prior approval from State's Region Right of Way office to do such work.

32. Regardless of who acquires or performs any of the right of way activities, a right of way services agreement shall be created by State's Region Right of Way office setting forth the responsibilities and activities to be accomplished by each Party. If the Project has the potential of needing right of way, to ensure compliance in the event that right of way is unexpectedly needed, a right of way services agreement will be required. State, at Project expense, shall be responsible for requesting the obligation of project funding from FHWA. State, at Project expense, shall be responsible for

coordinating certification of the right of way, and providing oversight and monitoring. Funding authorization requests for federal right of way funds must be sent through State's Liaison, who will forward the request to State's Region Right of Way office on all projects. Agency must receive written authorization to proceed from State's Right of Way Section prior to beginning right of way activities. All projects must have right of way certification coordinated through State's Region Right of Way office to declare compliance and project readiness for construction (even for projects where no federal funds were used for right of way, but federal funds were used elsewhere on a project). Agency shall contact State's Liaison, who will contact State's Region Right of Way office for additional information or clarification on behalf of Agency.

33. Agency agrees that if any real property purchased with federal-aid participation is no longer needed for the originally authorized purpose, the disposition of such property shall be subject to applicable rules and regulations, which are in effect at the time of disposition. Reimbursement to State and FHWA of the required proportionate shares of the fair market value may be required.

34. Agency ensures that all project right of way monumentation will be conducted in conformance with ORS 209.155.

35. State and Agency grants each other authority to enter onto the other's right of way for the performance of non-construction activities such as surveying and inspection of the Project.

RAILROADS

36. Agency shall follow State established policy and procedures when impacts occur on railroad property. The policy and procedures are available through the State's Liaison, who will contact State's Railroad Liaison on behalf of Agency. Only those costs allowable under Title 23 CFR part 140 subpart I, and Title 23 part 646 subpart B shall be included in the total Project costs; all other costs associated with railroad work will be at the sole expense of Agency, or others. Agency may request State, in writing and at Project expense, to provide railroad coordination and negotiations. However, State is under no obligation to agree to perform said duties.

UTILITIES

37. Agency shall follow State established statutes, policies and procedures when impacts occur to privately or publicly-owned utilities. Policy, procedures and forms are available through the State Utility Liaison or State's Liaison. Agency shall provide copies of all signed utility notifications, agreements and Utility Certification to the State Utility Liaison. Only those utility relocations, which are eligible for reimbursement under the FAPG, Title 23 CFR part 645 subparts A and B, shall be included in the total Project costs; all other utility relocations shall be at the sole expense of Agency, or others. Agency may send a written request to State, at Project expense, to arrange for utility relocations/adjustments lying within Agency jurisdiction. This request must be submitted no later than twenty-one (21) weeks prior to bid let date. However, State is under no obligation to agree to perform said duties. Agency shall not perform any utility work on state highway right of way without first receiving written authorization from State.

GRADE CHANGE LIABILITY

38. Agency, if a County, acknowledges the effect and scope of ORS 105.755 and agrees that all acts necessary to complete construction of the Project which may alter or change the grade of existing county roads are being accomplished at the direct request of the County.

39. Agency, if a City, hereby accepts responsibility for all claims for damages from grade changes. Approval of plans by State shall not subject State to liability under ORS 105.760 for change of grade.

40. Agency, if a City, by execution of the Project Agreement, gives its consent as required by ORS 373.030(2) to any and all changes of grade within the City limits, and gives its consent as required by ORS 373.050(1) to any and all closure of streets intersecting the highway, if any there be in connection with or arising out of the Project covered by the Project Agreement.

MAINTENANCE RESPONSIBILITIES

41. Agency shall, at its own expense, maintain operate, and provide power as needed upon Project completion at a minimum level that is consistent with normal depreciation and/or service demand and throughout the useful life of the Project. The useful life of the Project is defined in the Special Provisions. State may conduct periodic inspections during the life of the Project to verify that the Project is properly maintained and continues to serve the purpose for which federal funds were provided. Maintenance and power responsibilities shall survive any termination of the Project Agreement. In the event the Project will include or affect a state highway, this provision does not address maintenance of that state highway.

CONTRIBUTION

42. If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Agency with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.

43. With respect to a Third Party Claim for which State is jointly liable with Agency (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Agency in such proportion as is appropriate to reflect the relative fault of State on the one hand and of Agency on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Agency on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.

44. With respect to a Third Party Claim for which Agency is jointly liable with State (or would be if joined in the Third Party Claim), Agency shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Agency on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Agency on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Agency's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

ALTERNATIVE DISPUTE RESOLUTION

45. The Parties shall attempt in good faith to resolve any dispute arising out of this Project Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

WORKERS' COMPENSATION COVERAGE

46. All employers, including Agency, that employ subject workers who work under this Project Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability Insurance with coverage limits of not less than five hundred thousand ($500,000) must be included. Agency shall ensure that each of its contractors complies with these requirements.

LOBBYING RESTRICTIONS – pursuant to Form FHWA-1273, Required Contract Provisions

47. Agency certifies by signing the Project Agreement that:

a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed one hundred thousand dollars ($100,000), and that all such subrecipients shall certify and disclose accordingly.

d) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31, USC Section 1352.

e) Any person who fails to file the required certification shall be subject to a civil penalty of not less than ten thousand dollars ($10,000) and not more than one hundred thousand dollars ($100,000) for each such failure.

This page is intentionally blank.

FOREST GROVE OREGON

A place where businesses and families thrive

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	8.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2016*

PROJECT TEAM: *Paul Downey, Director, Administrative Services*
Rob Foster, Director of Public Works
Derek Robbins, Project Engineer

SUBJECT TITLE: *Staff Report and Resolution to Authorize the Mayor to Endorse IGA Between the City and Washington County for Disbursement of Funds for the OR 8/OR47 Intersection Improvement Project*

ACTION REQUESTED:		Ordinance		Order	X	Resolution	X	Motion		Informational

X all that apply

ISSUE STATEMENT:
Consider resolution authorizing the Mayor to endorse IGA between the City and Washington County for disbursement of matching funds for the OR 8/OR 47 Intersection Improvements project. This proposed resolution, if enacted by the Forest Grove City Council, would take effect immediately.

BACKGROUND:
In January 2012, the City was awarded federal funds for the OR 8/OR 47 Intersection Improvements project. In late 2012 the City was award $318,000 in additional funds from a component of the Washington County MSTIP 3d program as a match for the project.

The goal or main outcome of the project is to improve safety, operations, and capacity where the intersection of Regional Freight Corridors 23 (Highway 47 or Quince Street) and Regional Freight Corridor 24 (Highway 8 or Pacific Avenue) come together. The project will construct a westbound right-turn lane on OR-8 and a southbound right-turn lane on OR-47. Attached is an updated site plan map of the project (Exhibit A).

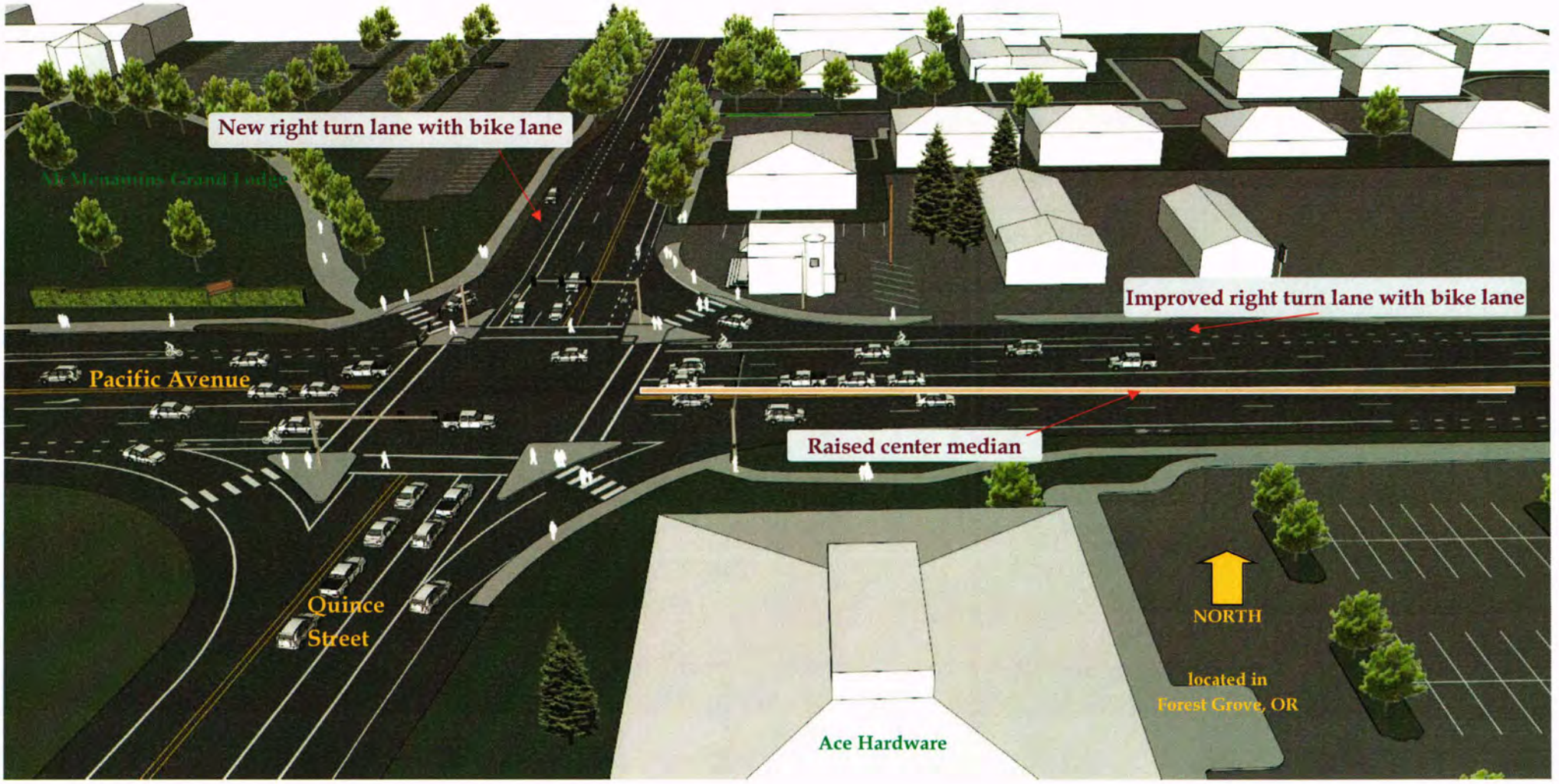
FISCAL IMPACT:
The total estimated project cost is $4,171,381. The City of Forest Grove is responsible for providing the match and any non-participating costs, including all costs in excess of the available federal funds. Match funding requirement for the entire project includes this $318,000 Washington County MSTIP3 program funds. $200,000 from the City's Street Fund is also being used for the match. Forest Grove and ODOT have established separate agreements for additional federal funds needed to cover total estimated project cost.

STAFF RECOMMENDATION:
Staff recommends the City Council approve the attached resolution authorizing the Mayor to endorse the IGA between the City and Washington County for disbursement of matching funds for the OR 8/OR 47 Intersection Improvements project.

ATTACHMENT(s):

(1) Exhibit A, OR 8/OR 47 Project Site Plan
(2) Resolution
(3) IGA

Depiction of completed project



Pacific Avenue (OR 8) at Quince Street (OR 47)
IMPROVEMENT PROJECT

Note: This is a draft rendering of the completed road construction project. Not all project elements are included and is subject to change. Visit ODOT's website for more information at www.oregon.gov/ODOT/HWY/REGION1/Pages/PacificQuince.aspx

Nov. 2015

Oregon Department of Transportation

city of forest grove

This page is intentionally blank.

8.

RESOLUTION NO. 2016-17

RESOLUTION AUTHORIZING THE MAYOR TO ENDORSE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND WASHINGTON COUNTY FOR OR8/OR47 INTERSECTION IMPROVEMENTS; NO. 100206 MSTIP OPPORTUNITY FUND

WHEREAS, The Oregon Department of Transportation (ODOT) accepted the City's application submitted in August 2011, for Enhance funding the OR 8/OR 47 Intersection Improvements; and

WHEREAS, Washington County (COUNTY) approved the MSTIP 3d program in July 2012 that contained a $5,000,000 Opportunity Fund component, hereinafter referred to as "FUND".

WHEREAS, City requested a $318,000 distribution from the FUND as a match for a MTIP and Enhance funded project to improve the Hwy 8 and Hwy 47 Intersection, hereinafter referred to as "PROJECT".

WHEREAS, Washington County Coordinating Committee approved the FUND distribution requested by CITY in November 2012.

WHEREAS, City has entered into a separate agreement with the ODOT for the MTIP and Enhance funds.

WHEREAS, ORS 190.010 authorizes agencies to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform.

WHEREAS, City desires to enter into Intergovernmental Agreement (Exhibit A) with COUNTY for match funding on the OR8/OR47 intersection improvement project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council of the City of Forest Grove hereby approves the Agreement between the City of Forest Grove and Washington County as stated in the Agreement and subject to the conditions of this Agreement (Exhibit A).

Section 2. The Mayor is hereby authorized to endorse the Agreement (Exhibit A) on behalf of the City of Forest Grove.

Section 3. That the City of Forest Grove is prepared to comply with obligations as specified in the Agreement.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of February, 2016.

_____

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of February, 2016.

_____

Peter B. Truax, Mayor

AGREEMENT
BETWEEN
Washington County and City of Forest Grove

FOR A DISTRIBUTION FROM THE MAJOR STREETS TRANSPORATION IMPROVEMENT PROGRAM (MSTIP) OPPORTUNITY FUND

THIS AGREEMENT is entered into between Washington County, a political subdivision of the State of Oregon, acting by and through its elected officials, hereinafter referred to as "COUNTY"; and the City of Forest Grove, a political subdivision of the State of Oregon, hereinafter referred to as "CITY."

RECITALS

1. COUNTY approved the MSTIP 3d program in July 2012 that contained a $5,000,000 Opportunity Fund component, hereinafter referred to as "FUND".

2. CITY requested a $318,000 distribution from the FUND as a match for a MTIP and Enhance funded project to improve the Hwy 8 and Hwy 47 Intersection, hereinafter referred to as "PROJECT".

3. Washington County Coordinating Committee approved the FUND distribution requested by CITY in November 2012.

4. CITY has entered into a separate agreement with the State of Oregon for the MTIP and Enhance funds.

5. ORS 190.010 authorizes agencies to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform.

AGREEMENT

NOW, THEREFORE, in consideration of the terms, conditions and covenants set forth below, the parties hereto agree as follows:

1. COUNTY OBLIGATIONS

1.1 COUNTY shall distribute up to $318,000 from the FUND within sixty (60) calendar days of receipt of an invoice from CITY.

2. CITY OBLIGATIONS

2.1 CITY shall invoice COUNTY for the necessary distribution from the FUND upon receipt of a Local Government Investment Pool (LGIP) invoice from ODOT.

3. FINANCIAL OBLIGATIONS

3.1 COUNTY and CITY will each bear the cost of performance of their respective obligations under this AGREEMENT.

4. GENERAL PROVISIONS

4.1 LAWS OF OREGON

The parties shall comply with all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be construed and enforced in accordance with the laws of the State of Oregon. All relevant provisions required by ORS Chapter 279A and 279C to be included in public contracts are incorporated and made a part of this Agreement as if fully set forth herein.

4.2 DEFAULT

Time is of the essence in the performance of the Agreement. Either party shall be deemed to be in default if it fails to comply with any provisions of this Agreement. The non-defaulting party shall provide the other party with written notice of default and allow thirty (30) days within which to cure the defect.

4.3 INDEMNIFICATION

This Agreement is for the benefit of the parties only. Each party agrees to indemnify and hold harmless the other party, and its directors, officers, employees, and agents, from and against all claims, demands and causes of actions and suits of any kind or nature for personal injury, death or damage to property on account of or arising out of services performed, the omissions of services or in any way resulting from the negligent or wrongful acts or omissions of the indemnifying party and its officers, employees and agents. To the extent applicable, the above indemnification is subject to and shall not exceed the limits of liability of the Oregon Tort Claims Act (ORS 30.260 through 30.300). In addition, each party shall be solely responsible for any contract claims, delay damages or similar items arising from or caused by the action or inaction of the party under this agreement.

4.4 MODIFICATION OF AGREEMENT

No waiver, consent, modification or change of terms of this Agreement shall be binding unless in writing and signed by both parties.

4.5 DISPUTE RESOLUTION

The parties shall attempt to informally resolve any dispute concerning any party's performance or decisions under this Agreement, or regarding the terms, conditions or meaning of this Agreement. A neutral third party may be used if the parties agree to facilitate these negotiations. In the event of an impasse in the resolution of any dispute, the issue shall be submitted to the governing bodies of both parties for a recommendation or resolution.

4.6 REMEDIES

Subject to the provisions in paragraph 4.5, any party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Washington County Circuit Court. The parties, by signature of their authorized representatives below, consent to the personal jurisdiction of that court.

4.7 EXCUSED PERFORMANCE

In addition to the specific provisions of this Agreement, performance by any party shall not be in default where delay or default is due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of GOD, governmental restrictions imposed on or mandated by governmental entities other than the parties, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulation, litigation or similar bases for excused performance that are not within the reasonable control to the party to be excused.

4.8 SEVERABILITY

If any one or more of the provisions contained in this Agreement is invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of the Agreement will not be affected or impaired in any way.

4.9 INTEGRATION

This Agreement is the entire agreement of the parties on its subject and supersedes any prior discussions or agreements regarding the same subject.

5. TERMS OF AGREEMENT

5.1 This Agreement becomes effective on the last date signed below and shall terminate three (3) years from the effective date except as provided in Paragraph 5.2 below.

5.2 This Agreement may be amended or extended for periods of up to one (1) year by mutual consent of the parties. It may be canceled or terminated for any reason by either party. Termination or cancellation shall be effective thirty (30) days after written notice to the other party, or at such time as the parties may otherwise agree. The parties shall, in good faith, agree to such reasonable provisions for winding up the PROJECT as necessary.

DATED this _____ day of _____, 2016.

CITY OF FOREST GROVE, OREGON

_____
Mayor

ATTEST:

_____

APPROVED AS TO FORM:

N/A

_____
CITY ATTORNEY

WASHINGTON COUNTY, OREGON

_____
CHAIR, Board of County Commissioners

_____
RECORDING SECRETARY

APPROVED AS TO FORM:

_____
COUNTY COUNSEL

Sustainability Commission Public Education Efforts for Plastic Bag Ordinance 2016-

Activity	Contact person	Deadline	Notes
Write articles (3-5) for News Times, Leader	John and Elaine	completed	6+ articles already in papers
Place two articles regarding plastic bags on Sus Website	Elaine and John	Sept 2015-completed	Email Bev
Table at Farmers Market First Wednesday-take public comment	July 1-Edgar, Deke, EJ, Jacob Aug 8-John, Mitch, (need more)	July 1, August 5-completed	City has a table-EJ will get clipboard, draft ordinance, hats, bag samples, comment sheet, John H bullet points
Plan Open Forum at FG Community Auditorium-collaboration with CCI	Sebastian (CCI Chair) Brian	July 7, 5:30pm CCI meeting Sept.2, 7-8:30-Completed	Coordinate with CCI to plan dates & outline ~45+ people in attendance
Educate & enlist Chamber of Commerce	Hope, John	Attend June meeting-completed	Requested list of businesses from Mr. Sullivan to talk to about ordinance
Draft local business support letter and ask them to sign on	Elaine, John, Dale and Karin	September 2015-ongoing	Addressing President Johnstone's concerns, Route through Chamber of Commerce
Broad public notification - utility mailer	Jon	Completed	Elaine is crafting FAQ for yet another utility bill insert
Submit CEP grant for reusable bags	John	completed	RFP for bags-we have 3 quotes, Companies; Green Solutions, Chico bag, Discount Mugs
Plan educational component for reusable bag campaign	Elaine and John	Title selected, ongoing education	***City of Forest Grove-Sustainability is in the Bag!***
Talk to businesses to advertise on reusable bags	John	ongoing	As we talk to businesses about the ordinance we can have this discussion too
Decide on two educational efforts to take to FGSD-High School	Edgar and Sierra G	Complete and getting survey results now	Roll out at beginning of school club fair
Commission engagement - Public Safety Commission	Include Paul & Jon to discuss complaint process	When we have compliance language written we will email Commission	Discuss complaint driven responses
Engagement with WA Co., City of Hillsboro and City of Cornelius-Rob Drake	Elaine will call and email colleagues	~July-Sept-ongoing	Sus colleagues & Partners for a Sustainable WA CO community meeting, met with Cornelius City Council, Talked with WA CO Sustainability colleagues (Robin and Leah)
Talk with Major retailers in FG	Elaine, John, Dale, Tom	ongoing	Safeway-Env. Project Manager-Jay Feeney 503-305-9642

Council criteria (template)

- public hearings - 3
- public notification (utility mailer) - 1
- newspaper articles - 5
- Commission engagement - Public Safety
- Civic engagement - Chamber of Commerce (survey local businesses)

Look into

- Template for cigarette ban (who knows?)
- Ban at county-level, local cities (need contacts)
- Can we infer the desired discretion from Councilor comments at our June 8 work session? (i.e., what we SHOULD do without Council permission): engage all relevant stakeholders, including commissions, city departments, civic organizations, county and local city officials. And inform the Council about our findings.

To Members of the City Council **February 7, 2016**

Plastic Bag Ordinance 2015 Outreach and Education Summary

Outreach and Education. The following is a list of public outreach and education we did in 2015 and in particular, since our last work group session on June 8, 2015. We will also summarize our outreach to businesses and a meeting we had with the Chamber of Commerce Executive Director and President.

- Wrote articles for *News Times, Leader*; plastic bag articles appeared about 5 times
- Wrote successful CEP grant for reusable bags
- Placed two articles regarding plastic bags on the City of FG Sustainability Commission website
- Took public comment at two First Wednesday Farmers' Markets
- Held an Open Forum at FG Community Auditorium in collaboration with CCI; 50 participants
- Discussed ordinance with Economic Development Commission on April 2, 2015; EDC expressed no opposition to plastic bag ban (but not the 5-cent charge for paper)
- Spoke with about 60 local business owners in Forest Grove regarding ordinance
- Included two informational write-ups in utility bill inserts; responded to residents who emailed after reading the inserts
- Decided on a title for the reusable bag campaign: ***City of Forest Grove-Sustainability is in the Bag!*** (overwhelming choice of survey at Farmers' Markets)
- Spoke with business owners about advertising on reusable bags
- Conducted educational effort at FG High School, including a fall survey
- Conducted outreach to Washington County, Cornelius, Hillsboro, Partners for a Sustainable Washington County Committee
- Spoke with major retailers in Forest Grove

Proposed Change to Ordinance. A majority of individuals and businesses in Forest Grove support a ban on plastic bags. The only major controversial piece is the proposed charge of 5 cents for paper bags. The Economic Development Commission, the Chamber Board of Directors, many business owners, and about half of the participants at the Open Forum expressed concern about the proposed 5-cent charge. In a meeting we had with the Chamber Director and President, they said that the Chamber Board was not opposed to the plastic bag ban if small businesses could avoid charging 5 cents for paper. Consequently, the Sustainability Commission took up a proposal to recommend to the City Council that the proposed ordinance be changed so that businesses with 10 or fewer full-time-equivalent employees would be given the option to charge or not to charge for paper but not be required to do so. The commission voted unanimously for this recommendation.

The commission strongly feels that the 5-cent charge for paper remain for larger businesses because use of paper is not great for the environment, and consumers need some incentive to use reusable bags. In addition, the National Grocers Association supports plastic bag bans if a 5-cent charge for paper is included.

Summary of Outreach to Businesses. We have contacted about 60 Forest Grove businesses about the proposed plastic bag ban. Of the 45 that have indicated an opinion, 70% supported the ban. An additional 7 have said that they might support the ban, while 6 more are still considering it. Some businesses that we contacted early on did not support the ban because of the 5-cent charge for paper, which has now changed for small businesses.

Summary and Recommendation. Single-use plastic checkout bags are very harmful for the environment and, as the most used consumer item, serve as a symbol of a throwaway society. The Sustainability Commission and, indeed, most residents and businesses in Forest Grove believe that it is time to enact an ordinance banning single-use bags.

We believe that we have done due diligence in providing more education and getting public input and feedback. We would like to submit this ordinance for council's approval at this time. We hope that you would consider putting this on an upcoming Council meeting.

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY RECORDER USE ONLY:	10.
AGENDA ITEM #: WORK SESSION:	
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jon Holan, Community Development Director; Janie Schutz, Police Chief; Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2015*

PROJECT TEAM: *Jon Holan; Janie Schutz; Kevin Ellingsburg*

SUBJECT TITLE: *Continued Work Session on possible Marijuana Regulations*

ACTION REQUESTED:		Ordinance		Resolution		Motion	X	Informational

X all that apply

ISSUE STATEMENT: Provide further direction for possible code amendments addressing marijuana related activities.

BACKGROUND: Seven separate marijuana related activities are addressed by State law. The City approved Development and City code amendments on one of those activities: medical marijuana dispensaries. On September 14th and November 9th the City Council held work sessions to discuss further direction on the other marijuana related activities. At that time, the Council gave direction that marijuana related facilities should not be banned in the City but should be properly placed in the community. They also directed that no regulated marijuana activities should be allowed in residential districts. Further, the Council expressed the desire to allow dispensaries and retail outlets in both the Town Center zone districts as well as Community Commercial District.

At the last work session, the Council began the discussion of whether to require a separation distance between retail outlets. Currently, state law only requires a 1000 foot separation between marijuana dispensaries but does not require such separation for other marijuana related activities. At the request of the Council at the last work session, staff has attempted to find out if other jurisdictions state-wide have established such requirements. Staff contacted the League of Oregon Cities which does not have a comprehensive list at this time. However, they did indicate that to their knowledge that six jurisdictions either have or are considering separation requirements. Such cities as Bend, Medford, Ashland and Hillsboro are included in that list. In addition, several jurisdictions in Washington County with the exception of Beaverton appear to require separation between facilities as well as from schools and parks in several instances (see attached matrix).

In response to Council direction and number of marijuana related inquires staff has received; staff has prepared a set of code revisions that will be heard by the Planning Commission on Tuesday, January

19th. The amendments focus on prohibiting marijuana related activities in residential districts. In addition, it includes prohibiting establishments to allow consumption of marijuana related products such as vape lounges. It also includes establishing development and operational requirements for marijuana related activities beyond medical dispensaries.

To facilitate discussions, staff has prepared a set of potential code amendments as well as possible options. The attachment contains those possible amendments with options. To facilitate the review, the following is a summary of that attachment:

Locational Options

Prohibit marijuana activities as a home occupation. (Included in current code update being considered by the PC)

Commercial Retail Marijuana Facilities

- Propose similar location as medical marijuana dispensaries: allow in the Community Commercial zone district and prohibit in residential districts, Neighborhood Commercial and Town Center districts. (Proposed code amendment will allow dispensaries and retail outlets in the Town Center districts but prohibit retail outlets in Neighborhood Commercial district – medical dispensaries already prohibited in Neighborhood Commercial)

- Commercial Retail Options:
    - Allow commercial retail marijuana sales in all commercial zone districts including:
        - Neighborhood Commercial
        - Town Center districts (Included in current code update being considered by the PC)
        - Community Commercial (Included in current code update being considered by the PC)

Commercial Grow Sites

- Propose to prohibit grow sites (both for medical and recreational purposes) in all residential districts. They would still remain permitted in the industrial districts. (Included in current code update)
- Grow Site Options:
    - Allow all marijuana grow sites in residential districts (will be prohibited in current code update)
    - Allow medical marijuana grow sites in residential districts (will be prohibited in current code update being considered by the PC)
    - Prohibit all grow site operations in the industrial districts
    - Prohibit grow sites regulated by the OLCC in industrial districts (which would continue to allow grow sites for medical marijuana)

Marijuana Processors and Wholesale Operations

- No proposed change – allow in industrial districts – (at last work session, there was direction not to change)
- Processor and Wholesale Options:

- Allow processors and/or warehousing in:
  - Town Center districts
  - Community Commercial district

Development Requirements

Spacing **(where to start discussion)**

- Propose to apply spacing requirements for dispensaries (1000 foot separation between dispensaries) to Commercial Retail (see below)
- Options
  - Reduce the distance for the spacing requirement:
    - No requirement
    - 100 feet
    - 500 feet
    - Some other specific distance
  - Apply spacing requirements to other marijuana related activities:
    - Processors
    - Wholesalers
    - Grow Operations

Other Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities as follows:
  - Apply same requirements to Commercial Retail Marijuana facilities plus include 1000 foot separation between dispensaries and/or retail facilities unless on the same site
  - Apply modified requirements to other marijuana activities (processors, wholesale and grow sites) (Included in current code update before the PC except the 1000 foot separation requirement)
    - Compliance with state law
    - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
    - Located in permanent buildings with the exception of outdoor grow facilities
    - The dispensary must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
    - Marijuana facilities shall be separated by 1,000 feet from other marijuana related facilities unless at the same site.
    - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor.
- Options –
  - Require 100 foot setback from residential districts for processing and grow activities as part of odor control.

- For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
- The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)
- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements – City Code

- Apply requirements adopted for medical marijuana dispensaries. The adopted requirements are as follows (Included in current code update being considered by the PC):

  A. A medical marijuana dispensary must comply with all applicable requirements of State law.

  B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.

  C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.

  D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.

  E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.

- Apply appropriate requirements to:

  - Commercial retail facilities (all of the above requirements)
  - Wholesale (Items A, B and E of the above requirements)
  - Processors (Items A, B and E of the above requirements)
  - Grow Sites (Items A, B and E of the above requirements)

  - All marijuana related facilities

- Options:
  - Require all personal and commercial grow activities indoors (from San Mateo County)
  - Properties shall be maintained so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the immediate area. (from San Mateo County)
  - Establish other operational requirements as yet not identified

Sales Tax

It must be at 3% and must be approved by voters in a jurisdiction before it can be imposed. It can't be applied to either early sales of recreational marijuana at medical dispensaries or to any sales generate from medical marijuana related activities (sales, processing, wholesale and grow). However, the State is imposing a 25% sales tax on early sales which will be shared with local jurisdictions initially based on population (this will be reduced to 17% after early sales). If the City is to impose a sales tax, the following modifications need to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:

- Change tax from 10% to 3%
- Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
- Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)

Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

ATTACHMENT(s):

Marijuana Activities - Proposed Development Code Amendments with Options

The following table identifies additional local time, place, and manner regulations established by Washington County jurisdictions.

	Beaverton	Cornelius[1]	Forest Grove	Hillsboro	Sherwood[3]	Tigard	Tualatin	Wilsonville	WaCo[4]
Growing Operations	Not Allowed								
Zones?	N/A			I-G, I-P, SC-BP			ML, MG, MBP		
Permit Type?	N/A			Development Review		Type 1			
Buffers?	N/A			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	N/A		Entrance must be facing street; Must air filtration system	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL		
Processing Operations									
Zones?	OI and IND only			I-G, I-P, SC-BP, SCI			ML, MG, MBP		
Permit Type?	None, permitted use			Development Review		Type 1			
Buffers?	None			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	None		Entrance must be facing street; Must air filtration system	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL; Production thru butane prohib.		
Wholesale Operations									
Zones?	OI and IND only			I-G, I-P, SC-BP, SCI			ML, MG, MBP		
Permit Type?	None, permitted use			Development Review		Type 1			
Buffers?	None			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	None		Entrance must be facing street	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use		

					colocation; entrances facing street; no odor at PL	
Retail Sales						
Zones?	CS, CC, GC only	TC-C, TC-T, TC-S	C-G, SCC-SC, SCC-MM, I-G	Must have frontage on 99W w/ entrance visible from 99W;	ML, MG, MBP	CBD, GC, IND, R-COM, TO:RC, TO:BUS, TO:EMP, NCMU-NB
Permit Type?	None, Permitted use		Development Review	Type 1		Type 2
Buffers?	1,000 feet from any marijuana sales use including dispensary use,		1,000 feet from schools (defined more expansively than OLCC); 1,000 feet from other recreational sales use; 2,000 feet from medical dispensary; 1,000 feet from public plaza or active use park	2,000 feet from any other marijuana facility 500 feet from library of park zone	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility	2,000 feet from any other marijuana facility.
Other local use restrictions?	Sales 7AM - 10PM	Sales 8AM-10PM; entrances facing street; Drive thru prohib;	Sales 10AM - 8PM (M-TH) 10AM - 10PM F-SU); No Mobile or temp businesses; No drive-in / through facilities;	Sales 8AM - 10PM; Prohib in MU-CBD; drive through prohib; Comply w/odor & security lighting standards; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL Sales 10AM - 8PM drive thru prohib	Sales 8AM - 10PM Max Floor Area in IND, GC, R-COM zones is 3,000 sf.
Laboratory Testing						
Zones?	OI and IND only		I-G, I-P, SC-BP, SCI			
Permit Type?	CUP in OI zone, permitted in IND zone		Development Review	Type 1		
Buffers?	None		100 feet from residential, mixed use, urban center or institutional zone	None		
Local use restrictions?	None		See NOTE 2 below	Prohib in MU-CBD; Must be inside permanent bldg.		
Specific Prohibition in Residential Zones	Yes, all marijuana uses.	Yes, all marijuana uses.	Home Occupation for recreational marijuana facilities prohibited	No	No	No

NOTES:

1. Cornelius provided ordinance for medical marijuana facilities.

2. Hillsboro has extensive list of restrictions on production, processing, testing, and wholesale activities. The restrictions include no outdoor production, no public access permitted, additional security measures for landscaping, lighting, and security bars on windows, odor mitigation measures, and waste security measures.

3. Sherwood sent materials but Beaverton's ridiculously paranoid firewall specifications prevented viewing their regulations.

4. Washington County code only identifies and defines "Marijuana Facilities". Marijuana facilities includes medical marijuana dispensaries and recreational retail sales. Growing, processing, wholesale, and testing are not specifically included in the definition of marijuana facilities.

Marijuana Work Session
(Continuation from 9/14/15 and 11/9/15)

City Council Work Session

February 8, 2016

FOREST GROVE OREGON

FOREST GROVE OREGON

Previous Work Sessions

- Decided not to ban any marijuana related activities (previous voter information confirmed)
- Avoid activities in residential areas
- Allow Dispensaries and Retail Outlets in both Community Commercial and Town Center districts
- Staff is requesting direction in four areas:
  - Location (distance requirements)
  - Development Requirements
  - Operational Requirements
  - Sales Tax

Locational Requirements

- Spacing (State law only pertains to Dispensaries)
  - Apply 1000 foot spacing to:
    - Commercial Retail
    - Grow Sites
    - Processors
    - Wholesale
    - All activities
  - Type
    - Separation from all others
    - Separation from similar activities
  - Extent
    - 100 feet
    - 500 feet
    - Some other specific distance
  - Other Cities
    - Most all other cities in Washington County has requirements as well as 5 others around the state
    - All activities
    - Also from parks (active vs passive recreational areas)

Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities (retail, grow, processor, wholesale)
  - Compliance with state law
  - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
  - Located in permanent buildings with the exception of outdoor grow facilities
  - The facility must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
  - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor. (new)

Development Requirement Options (Continued)

- Require 100 foot setback from residential districts for processing and grow activities as part of odor control. (Hillsboro; Tigard is 500 feet)
- Filtration system for grow and processor operations.
- For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
- The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)
- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements

- The adopted requirements for Dispensaries are as follows:
  - A. A medical marijuana dispensary must comply with all applicable requirements of State law.
  - B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.
  - C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.
  - D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.
  - E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.

- Apply appropriate requirements to:
  - Commercial retail facilities (all of the above requirements)
  - Wholesale (Items A, B and E of the above requirements)
  - Processors (Items A, B and E of the above requirements)
  - Grow Sites (Items A, B and E of the above requirements)
  - All marijuana related facilities

Sales Tax

- Modifications needed to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:
  - Change tax from 10% to 3%
  - Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
  - Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)
- Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

This page is intentionally blank.

FOREST GROVE OREGON

A place where families and businesses thrive

CITY MANAGER'S REPORT TO COUNCIL — February 5, 2016

Dates to Remember:

Feb 11: URA Open House, 6 to 8 pm, Community Auditorium
Feb 18: URA Open House, 6 to 8 pm, Community Auditorium
Feb 20: Council Goal-Setting Retreat, 8:30 am, L&P conference room
Feb 22: State of the City Address, noon, Chamber Luncheon
Feb 23: Porter Road Bridge Replacement Project Open House, 5-7 pm, Community Auditorium
Feb 24: Chehalem Ridge Master Plan Kickoff, 6 pm, Centro Cultural, Cornelius

CITY MANAGER:

- The JWC Executive Committee met on February 8 to consider approval of the design contract for retrofit the existing water treatment facility to 75 million gallons per day (mgd) and to expand it to 85 mgd. Forest Grove is only participating in the retrofit portion of the project. The design contract is expected to cost approximately $5 million of which Forest Grove's share is expected to cost under $300,000. Councilor Lowe represented Forest Grove on the Executive Committee.
- I was appointed to the LOC Community Development Policy Committee. There are four committee meetings scheduled March – May in Salem. If you have any issues that you'd like addressed, please contact myself or Erin Doyle at edoyle@orcities.org as the agenda is being put together.
- The master planning process for Metro's Chehalem Ridge Natural Area will be kicking off Wednesday, February 24, 2016, between 6:00 p.m. – 8:00 p.m. at Centro Cultural (1110 N Adair Street) in Cornelius. At the event, Metro staff will introduce the project, the timeline, and will ask people to share their hopes, dreams and ideas for the project.

ADMINISTRATIVE SERVICES:

- Times-Litho Redevelopment: Negotiating the Disposition and Development Agreement (DDA) and preparing to participate in the URA 101 open houses is the current focus of staff's efforts.
- CEP Process: The CEP subcommittee met to discuss last year's process and what changes, if any, the subcommittee members wanted to propose for the coming the year. The one change that will be proposed to the entire CEP Committee is that each City Board/Commission be limited to two grant applications and that the commission be asked to prioritize the applications. The other item discussed for which a change is not required is that there be more time for the committee members to discuss funding allocations as a committee.
- Senior Center: Staff is getting additional quotes to replace the Senior Center roof excluding the addition. The issue is that nails used in the 1998 roof replacement are rusting away so the shingles are coming up. A portion of the roof which is covered by a tarp is already leaking. The quotes are to replace either just the leaking section or the whole roof. Staff is recommending replacing the whole roof.
- FY 2016-17 Budget Preparation: Process will formally commence this month as departments will be asked to prepare their projection for FY 2015-16 revenues and expenditures.
- Annual Financial Audit: The audited financial statements are being finalized and will be issued shortly. The auditors will present the audited financial statements to the City Council at an upcoming meeting.
- Retirement Activity: The Coverage Agreement with PERS was effective February 1, 2016, as it was approved by both parties. PERS is setting up the City with a membership number and staff will be implementing the required changes to the payroll system. The City's retirement plan attorney is working on the necessary modifications to the City's Defined Benefit Plan. Staff is discussing the defined benefit

CITY OF FOREST GROVE P.O. BOX 326 FOREST GROVE, OR 97116-0326 503-992-3200 www.forestgrove-or.gov

plan's actuarial assumptions with the actuary. The actuary is proposing modifications to the actuarial assumptions as part of their preparation of the annual valuation report. The proposed modifications would increase the cost of the defined benefit retirement plan. A work session is planned to discuss the proposed changes is scheduled for March 2016.

- Accounting/Utility Billing System Replacement Reviews: Staff is reviewing the contract with Tyler Technologies to replace the accounting and human resources system.
- Police Facility: The request for proposal (RFP) for architectural and other design services from pre-design through final construction is being finalized. Other work has slowed the development of the RFP.
- Recruitments: Current recruitments underway include: Police Officer, Code Enforcement Officer, Police Reserve Officer. Recruitments will commence soon to replace: Parks Supervisor, Youth Services Librarian, Adult Services Librarian, and Building Inspector.

PARKS and AQUATICS:

- The Aquatic Center hosted the second invitational swim meet of the year last weekend. The center was closed beginning Friday evening at 5 and remained closed for regular programs through Sunday evening. 400 swimmers from around the state participated in the three-day event.
- The Parks, Recreation and Open Space study made the following progress the past two weeks:
  - The City hosted a Latino outreach session in the Rogers Room on January 28. Fourteen attendees were present and held a lively discussion in Spanish regarding program needs in Forest Grove. Staff received a number of compliments about the evening and thanks for the opportunity to give input.
  - The Recreation Center survey will begin this week. Voters who reside in the City limits will be asked a series of questions specifically regarding the desire to build and fund a recreation center.
- The parks staff has identified a number of birch trees at the East Entry area that are dying of Birch Borer. Staff has removed several trees to date effected by the insect. The infestation is not treatable and will kill the trees. Staff will be removing the trees and then begin a replanting project.

LIBRARY:

- We spent the month of January celebrating BEAR month and the week of January 25 celebrating our favorite li-bear-ian Ann Dondero. The library had a public celebration on January 28 that included a Storytime, Teddy Bear Parade, Shadow Puppet Theatre, and visits from Mayor Truax and others. Russ Dondero shared a letter, entered into the congressional record by Senator Jeff Merkley, celebrating Ann's career and legacy here in Forest Grove.
- The Library will be closed to the public on Monday, February 15, for staff in-service training.
- On Tuesday, February 23, we'll be having the first lecture in our Sustainability Series. This series will take place the fourth Tuesday of each month through April. This month Master Recycler Cecilia Warner will talk about Recycling and how to make the best use of your curbside container.
- March 2nd is Read Across America Day in honor of Dr. Seuss' birthday. The library's celebration will be from 4-5 PM, In addition to games and activities, children will have a chance to win a free Dr. Seuss book and meet the Cat in the Hat!

POLICE:

- Pat Hess, a lateral from Hillsboro PD, began his employment 1/29/2016.
- 2015 Annual Departmental Reports and Inventories are being completed.
- Working with IT in the installation of a new recording system for the interview room.
- Citizens Academy begins February 10, 2016, with an abbreviated 5-week program.
- Early planning of NNO with PSAC's direct involvement has begun.
- The PD is working with WCCCA and other county officials on Washington County Emergency Communications System Bond Measure 34-243 in educating the public.

LIGHT & POWER:

- Widespread substation outage update: On Friday, January 22, at approximately 1:45 PM, a witness reported seeing a large flock of birds that were sitting in Forest Grove Substation on Oak Street. Something startled these birds and they flew off in a group formation. As the flock of birds rose contact was made with the 12,000 volt substation buss work through the birds. The cross phasing through the birds contacting buss work at the same time resulted in severe damage to the substation apparatus and bird fatalities. Due to the location of the contact and resulting explosion, damage was done to both main line circuits feeding from Bank 1 & Bank 2 transformers at the substation. At this point, approximately 4500 customers were without power, located mostly in the east and central portion of the City. The City is normally fed from four separate power transformers and with the loss of these two, crews began back feeding circuits from the remaining two transformers. The last of the customers were re-energized at approximately 3:40 PM. Crews then began the work of repairing the damage to the substation apparatus and testing of the transformers to see if there was any damage incurred due to the high fault current. At approximately 5:00 PM on Saturday, January 23, crews were able to re-energize transformer Bank 1 and transfer load back onto it from the heavily loaded transformers at Thatcher & Filbert Substation. On Tuesday, January 26, crews were able to re-energize transformer Bank 2 and transfer all load back to its normal feed locations. Staff requested BPA's event report to analyze the extent of the fault.
- Crews have started a work order replacing the failing high voltage underground cable feeding an apartment complex at 2521 Main Street which has experienced multiple failures.
- Engineering met with Comcast on January 22 to discuss coordination of raising and refeeding a house on the NW corner of Verboort/Purdin and HWY 47 as part of the roundabout project.
- Engineering met with Power Design, Inc., to view the completed substation control house. Light and Power will tentatively take delivery of the structure the week of February 8. The ATS (auto-transfer switch) will be order this week.

ECONOMIC DEVELOPMENT:

- Made presentation to Washington County CDBG application for Senior Center Kitchen Improvements.
- Assisted Kama 'aina – a Hawaiian fine food restaurant at 1910 Main Street and Bites Restaurant at 2014 Main Street (formerly Stecchino) featuring new American, tapas and Asian fusion cuisine. Kama'aina held their grand opening and Bites is expected to open next week.
- Developing a one-day small business resources workshop in Forest Grove to be held in late March.
- Continued work on several early stage industrial and commercial development projects and business leads and making progress on industrial expansion project for food processor.
- Attended workshop and began working on re-authorization application of the Forest Grove Enterprise Zone which is set to expire on June 30 of this year.
- Continued work with local food and beverage processers to develop a consortium approach to better address their workforce training and recruitment needs.
- Continued making process assisting two property owners of large lot industrial land in the UGB to improve marketability and bring sites into city.

COMMUNITY DEVELOPMENT:

- Planning Commission: Next meeting is scheduled for February 15 and will include an amendment to the Transportation System Plan (TSP) to incorporate the Council Creek trail, and establish a new comprehensive plan designation for the Haworth property recently brought into the UGB.
- Metro: Beginning the multi-year process for the next update to the Regional Transportation Plan. Several staff members in Engineering and Community Development will participate on six technical work groups to assist in developing the plan. Meetings for work groups will begin in 2016. It is anticipated the plan will be considered for adoption in 2018.

- Times Litho: The City Council approved the development agreement, design review and site plans for the Tokola project at their meeting on January 25. The next step in the process is the negotiation for a Disposition and Development Agreement (DDA). This action involves the Urban Renewal Agency (URA) establishing the terms for the conveyance of property to Tokola Development and defines any financial assistance the URA may provide to the developer. Staff is targeting a discussion on this at the URA/City Council meeting on February 22. As a lead up to the February 22 meeting, a presentation of Urban Renewal 101 can be viewed on the City's website. In addition, CCI is sponsoring two open houses where interested citizens can hear and ask questions about Urban Renewal and the broad financial terms of the Times-Litho project. These open houses will be held at 6:00 pm on February 11 and 18 in the Community Auditorium. The City is providing this information so that the public has a better understanding about urban renewal discussions on February 22.
- Westside Planning Project: Staff recently received the final infrastructure analysis from the consultants for the David Hill and Purdin Road areas. After staff review of the final document, a work session will be scheduled with the Planning Commission sometime in March. The Technical Advisory Committee meeting prior to PC meeting. Upon completion of those tasks, a land use plan and infrastructure program will be prepared for public hearing.
- CCI – Annual Town Hall Meeting: The ATM was held on Saturday, January 30, at the Community Auditorium. The topic was "Back to the Future" and revisited the 2010 ATM theme, Forest Grove: Complete or Bedroom Community. About 60 to 70 persons attended and many good comments and observations were provided by the participants. CCI members will be transcribing written comments and City staff has compiled comments from the evaluation form. These will be transmitted to the Council in the near future in time for the retreat.
- Sustainability Commission – The second Latino Community Summit will be held on Wednesday, May 18, at the UCC Church from 6:00 to 8:00 pm.

ENGINEERING / PUBLIC WORKS:

- Porter Road Bridge Replacement Project: An open house for the Porter Road Bridge replacement project will be held from 5-7 pm February 23 at the Forest Grove Community Auditorium. Information about the OR 47/Verboort Roundabout project will also be available at this open house. The event is a chance for the public to learn more about the proposed design for the upcoming bridge replacement project. Project staff will be on hand to answer questions and solicit comments. No formal presentation is planned.
- New City Limit Welcome Signs: The new city limit signs with the City logo have arrived and crews will be installing them soon.
- Firwood Lane Sewer Extension: Stuntzner Engineering is working on topo survey work.
- Annual Timber Harvest: Banks Rock Products is actively hauling logs from the watershed again. The tree fallers have been cutting and stacking logs but trucks were unable to reach the landing site for the last few weeks due to a road closure at Scoggins Valley Road. The harvest is approximately 75% complete.
- JWC Executive Committee: The JWC Commissioners will be executing a design contract for the seismic improvements and capacity expansion to the JWC Water Treatment Plant.
- Westside Redi Mix and Rock: The contractor completed extending pipe to stormwater system according to plans. Staff is performing construction and erosion control inspections.
- Pacific Crossings Phase III: The contractor completed building and landscaping of water quality facility, paving roads, installing curbs, crosswalks, ADA ramps, utilities and street signs. Staff is performing construction and erosion control inspections.
- Farmers Market Electrical Outlet: Public Works and Light & Power are working together to install an electrical outlet that can be used for functions on Main Street. It will be especially helpful for the

Wednesday Market. Currently, the Market runs extension cords in the UCC Church and adjacent businesses. This has led to problems in the past. The idea is to have a safe and metered power supply available.

- Children's Clean Water Festival – March 8: The Children's Clean Water Festival is a one-day environmental education event for 4th and 5th grade students from around the Portland Metro area. The Festival reinforces STEM, Common Core and Next Generation Science concepts through water-focused classroom presentations, exhibits and stage shows. Each year more than 1,400 students from local schools come to a college campus for a day of learning and fun! The Clean Water Festival is put together by a coalition of municipal government agencies, water providers and non-profits. The City of Forest Grove is a festival sponsor and Sheila Lardy is a committee member and volunteer for the event.

- JWC EEC (Education & Events Committee): This Committee delivers events and education to the public all around the local area. There are several events scheduled in 2016 (*Farmers Market in Hillsboro and Forest Grove, Washington County Fair, and the Air* Show are the biggest attractions). At each event, the "Hometown Tap" – JWC drinking water spigot table is setup along with educational information and water conservation items for the public. Sheila Lardy is a committee member and volunteer at many of the events.

This page is intentionally blank.

FOREST GROVE OREGON

Forest Grove Cooperative Fire Services Study Next Action

City Council

February 8, 2016

GASTON Est. 1913 FIRE DISTRICT

FOREST GROVE FIRE & RESCUE

CORNELIUS OREGON FIRE RESCUE EST. 1912 FIRE DEPARTMENT

A place where businesses and families thrive.

FOREST GROVE OREGON

History

- Cooperative Services Study performed by ESCI December 2014-May 2015
- An in-depth analysis of our fire departments operational, financial and logistical needs was done, and recommendations were made.
- Five agencies participated:
  - City of Forest Grove
  - Forest Grove Rural Fire Protection District
  - City of Cornelius
  - Cornelius Rural Fire Protection District
  - Gaston Rural Fire Protection District
  - Banks Fire District

FOREST GROVE OREGON

Study Recommendations

- Phase 1: Expand existing IGA to include Gaston (complete)
- Phase 2:
  - Establish a fire authority to test the concept of a future fire district
  - If successful, establish a fire district

FOREST GROVE OREGON

Implementation Recommendations

- First step, conduct vision session with policy makers to answer the question, "Do we want to move forward or not?"
- Visioning session conducted in October 2015
  - Facilitated by ESCI consultant Sheldon Gilbert
    - Representatives:
      - Mayor Pete Truax, Forest Grove
      - Mayor Jef Dalin, Cornelius
      - Chair Cleo Howell, Forest Grove Rural Fire Protection District
      - Chair Wes Van Dyke, Cornelius Rural Fire Protection District
      - Chair Michael Piedmonte, Gaston Rural Fire Protection District

FOREST GROVE OREGON

Vision Session Consensus Recommendations

- Immediately work with participating agencies to pursue a comprehensive IGA "Western Washington County Fire Authority" with participation from all five agencies present at the visioning process.
- Long Term, all five agencies will work toward the development, approval and implementation of a single integrated fire district to serve all participating jurisdictions.

FOREST GROVE OREGON

What could an IGA look like?

- Intergovernmental Agreement establishing a operational, administrative and financial framework of all participating agencies.
- Volunteers and Administrative Assistant Example

FOREST GROVE OREGON

Advantages of this Proposal

- Increased operational, administrative and financial network.
- Non-permanent – participants can withdraw
- Modular, can be expanded or contracted as we move forward
- Demonstration project, offering proof of concept to elected officials and public
- Demonstrates good governance

FOREST GROVE OREGON

Disadvantages of this Proposal

- Time and effort to create the proposals

FOREST GROVE OREGON

Needed Tonight:

- The following agencies have reviewed the proposal and have directed the Fire Chief to move forward with the development of a draft IGA
  - Gaston Rural Fire Protection District (December 2015)
  - Cornelius City Council (January)
  - Forest Grove Rural Fire Protection District (January)
  - Cornelius Rural Fire Protection District
- Question to Forest Grove City Council:
  - Should the Fire Chief develop a draft IGA to form the Fire Authority?
  - Are there know concerns or questions we would like him to research further?

FOREST GROVE OREGON

Staff Recommendation

- Direct the Fire Chief to create a draft IGA for consideration by the Forest Grove City Council

City of Forest Grove

City of Cornelius

Forest Grove Rural Fire District

Cornelius Rural Fire District

Gaston Fire District

Oregon

Cooperative Services Visioning Process

Emergency Services Consulting International

As a result of the recently presented cooperative service delivery study, a recommendation was made to conduct a visioning process with local officials to answer the question: "Do we want to move forward or not?" It is extremely important that, at this stage of the process, it is clearly recognized that this is a public policy decision on the part of the governing entities involved. A decision to consider altering the way in which a critical public safety service is provided, in some cases even permanently altering the governance of those services, is clearly in the purview of the elected bodies. While senior management input should be considered, the final decision should not rest at any level lower in the organization than those who are elected to represent the customers.

For this reason, a visioning process was conducted on October 20, 2015, for elected representatives of the cities of Forest Grove, Cornelius and the Forest Grove Rural, Cornelius Rural and Gaston Fire Districts. The Mayors of Forest Grove and Cornelius and Fire District Presidents from the Forest Grove Rural, Cornelius Rural and Gaston Fire Districts met together for the initial discussion of the feasibility study and its projected operational and fiscal outcomes.

The policymakers met and developed the following visioning priorities and next steps to include all the elected officials assigned to represent each governing entity. During this visioning process, involvement by staff was limited to the fire chief for the sole purpose of providing technical support. During the visioning process, it was identified that stakeholder input is vitally important; there was consensus that plentiful opportunity in multiple forums would be provided for this once the policy bodies have determined what is in the best interest of their citizens as a matter of public policy.

The visioning group agreed it is equally important that the policy bodies recognize exactly what decision is being considered in the initial vision meeting. The purpose of this meeting was to weigh the strategies, operational advantages, fiscal outcomes, and potential impediments of the feasibility to determine whether to commit local resources to move the process forward. The decision is not, at this point, a final decision to "flip the switch". The final commitment to take legal actions necessary to finalize implementation of any given strategy will come much further into the process.

This initial vision meeting can be likened to the court process known as a probable cause hearing. The purpose of such a hearing is for a judge or grand jury to determine if sufficient evidence exists to warrant an arrest and a trial. The probable cause hearing does not determine the final verdict or sentence. That occurs after the much more thorough process and deliberation of the trial. Likewise, the vision meetings are for the policymakers to judge whether sufficient evidence exists to warrant moving forward. The final verdict on whether to take legal or contractual actions to implement will come after weeks, months, or even years of additional detailed planning work involving stakeholders, operations staff, legal counsel, finance personnel, and others. As this actual implementation planning work moves forward, there may be several points at which new information or significant obstacles arise that cause one or more communities to decide not to finalize and implement the plan.

The term "vision session" is used here because the policymakers assembled to determine their joint decision on a future vision toward which the additional work of implementation will be directed. In many cases, several legal, operational or functional strategies are presented as being feasible in the study. These recommendations involve various options for governance, finance, and organizational structure. The recommended direction and priorities presented from this visioning session will be sent to the full governing bodies for further refinement with the intent of becoming the joint vision of the policymakers.

Each entity representative was asked to present a short description of those critical issues, service gaps, or service redundancies that might be concerning them relative to their provision of public safety services as they relate to the cooperative service study recommendations. As each entity took its turn presenting these issues, a picture emerged of those shared critical issues the entities have in common. This brainstorming session assisted in focusing the discussion on which of the feasible options from the study best address those critical common issues and how. The following were the common general impressions and themes relating to how these agencies can move to the next steps:

- Supportive of moving forward to the "next steps".
- Acknowledged the challenge and need to maintain individuality.
- Felt the volunteer work forces are supportive of moving forward.
- Financially sustainability is a big driver and must be thoroughly addressed in the process and selected regional model.
- Current response times and service levels are seen as good.
- Supportive of standardized equipment and functions.
- Desire to build upon current efficiencies and enhanced effectiveness.
- Agreement that the current model is not financially sustainable into the future.
- Fire agencies are seen as a core element of each community's identity.
- Pursue a model that provides increased efficiency and effectiveness and is sustainable.
- Ensure local identity, local control, and community interactions are preserved.
- Agree that all participating agencies are interdependent upon one another and need to move forward together.
- The timing is good and all agencies are optimistic for a smooth transition to the next steps based on past experience of working together.

Next the discussion focused on those feasible options with the greatest opportunity to positively impact shared critical issues; the discussion centered around the strengths and weakness of the strategies relative to the conditions, financial abilities, and cultural attitudes of the communities involved. There was a concerted effort to remain at a policy level without becoming overly embroiled in operational discussions of implementation details. The participating policy makers agreed they would be addressed once a common vision has been established that is in the best interest of all the communities involved. The participating policy makers were asked to share what they feel are the strengths and weaknesses of a comprehensive intergovernmental agreement (IGA) and the formation of a

common fire district (Single Fire District Solution). The following themes were identified based on these approaches:

Intergovernmental Agreement (IGA):

- Serves as a good initial step to serve a "proof of concept" for a fully integrated fire service delivery system between all five agencies.
- Maintains individual financial, fiduciary, and service delivery authority for each governing body.
- Personalities and local politics will always play a big role in the policy and contract development as well as implementation.
- The strength of the IGA is proportional to how well the contract is written, how well the scope of work is defined and how well compliance is measured and monitored.
- If one agency opts out, it can impact operational and financial feasibility for the whole system.
- The IGA, if not created and implemented well, can be a single point of failure for future regional efforts and initiatives.
- A well written IGA can serve as a great public education framework to ensure adequate information flow to and from the community.

Single Fire District Solution:

- In a district, no one agency can exclude the other or easily break the coalition.
- Cleary exposes financial differences and forces a integrated financial solution.
- A degree of loss of financial and service delivery control that is transferred to a new fire district board with proportional representation.
- Will require multiple and simultaneous ballot measures.
- Requires a significant public education and voter information campaign.
- Once established very hard to turn back.
- Need to address perceived revenue expenditure and revenue equity to all the communities served.

This was also the time that participants were asked to make the decision to opt out of further involvement. This may occur for a number of reasons. There may be legitimate concern that an individual community does not truly share an adequate number of common critical issues with the other communities. There may also be a legitimate concern that the feasible strategies do not do enough to benefit a given community and would leave it with too many remaining critical issues. And, of course, there is always the possibility that a given community will not feel that the projected financial outcome is within its ability or provides a cost-benefit that is better than its current situation. All of the participants decided to continue in the process with no one expressing a desire to opt out at this point in the process.

The goal of the vision session was to come out with a decision by the policy bodies on whether to continue with the next steps and, if so, what direction those steps should take. The following consensus vision, policy priorities, and next steps were determined to be

actionable by senior appointed officials and staff. While there will be many, many details to work out in the implementation process, the proposed vision clearly articulates the intention of the agreeing policy bodies on the desired outcome from the specified cooperative service strategy or strategies. Once this vision is refined and adopted by the policy bodies, the real work begins.

Consensus Vision:

- Immediately work with the participating agencies to pursue a comprehensive IGA "Western Washington County Fire Authority" with participation from all five agencies present at the visioning process.
- Long term, all five agencies will work toward the development, approval and implementation of a single integrated fire district to serve all participating jurisdictions.

Consensus Policy Priorities:

- Ensure both the IGA and long-term fire district initiatives are sustainable financially, administratively, and operationally.
- Preserve local identity and responsiveness in the development and implementation of future regional service delivery models.
- Both the IGA and future fire district option must provide same or better service levels than today's delivery system.
- Both options must provide for adequate local determination and accountability.
- Cost and service allocations must be fair, equitable, and measurable.
- All elements of service delivery should be based on locally determined and adopted standards.
- Short and long-term service delivery models should be built to accommodate future participation by additional agencies.

Consensus Next Steps:

- A Vision process document and briefing will be provided to all policy bodies for input, refinement, and approval.
- An IGA workgroup chaired by the fire chief and including operational, administrative and finance representation will be convened to establish an IGA framework for consideration by all participating policy bodies.
- Developed IGA framework will be presented to all policy bodies for review, refinement, and approval of the concept and IGA framework.
- Upon approval of the IGA framework, IGA Development and Implementation Committees will be convened and work on a comprehensive IGA contract and an operational implementation plan will be completed for approval by all policy bodies.

After setting this joint vision, this policymaker group recommended they meet together at set intervals, or as needed, to hear the progress of the Implementation Committee and its Working Groups and refine direction when necessary. The appropriate interval will depend

on the situation and the complexity and length of the process itself but often a quarterly meeting is sufficient.

In closing, all five agencies were very committed to accurately and appropriately addressing their jurisdiction's needs, concerns, and desires. There was good and honest dialogue that allowed each agency to accurately express its perspective and community's thought process relating to this initiative. ESCI feels that all the participating agencies showed a great amount of due diligence and commitment to this process and the next steps. Based on the current level of cooperation and experience with these five agencies, there is a high likelihood these agencies will be successful in pursuing an enhanced and more integrated fire service delivery system.

FOREST GROVE OREGON

A place where businesses and families thrive.

CITY RECORDER USE ONLY:	10.
AGENDA ITEM #: WORK SESSION:	
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jon Holan, Community Development Director; Janie Schutz, Police Chief; Jesse VanderZanden, City Manager*

MEETING DATE: *February 8, 2015*

PROJECT TEAM: *Jon Holan; Janie Schutz; Kevin Ellingsburg*

SUBJECT TITLE: *Continued Work Session on possible Marijuana Regulations*

ACTION REQUESTED:		Ordinance		Resolution		Motion	X	Informational

X all that apply

ISSUE STATEMENT: Provide further direction for possible code amendments addressing marijuana related activities.

BACKGROUND: Seven separate marijuana related activities are addressed by State law. The City approved Development and City code amendments on one of those activities: medical marijuana dispensaries. On September 14th and November 9th the City Council held work sessions to discuss further direction on the other marijuana related activities. At that time, the Council gave direction that marijuana related facilities should not be banned in the City but should be properly placed in the community. They also directed that no regulated marijuana activities should be allowed in residential districts. Further, the Council expressed the desire to allow dispensaries and retail outlets in both the Town Center zone districts as well as Community Commercial District.

At the last work session, the Council began the discussion of whether to require a separation distance between retail outlets. Currently, state law only requires a 1000 foot separation between marijuana dispensaries but does not require such separation for other marijuana related activities. At the request of the Council at the last work session, staff has attempted to find out if other jurisdictions state-wide have established such requirements. Staff contacted the League of Oregon Cities which does not have a comprehensive list at this time. However, they did indicate that to their knowledge that six jurisdictions either have or are considering separation requirements. Such cities as Bend, Medford, Ashland and Hillsboro are included in that list. In addition, several jurisdictions in Washington County with the exception of Beaverton appear to require separation between facilities as well as from schools and parks in several instances (see attached matrix).

In response to Council direction and number of marijuana related inquires staff has received; staff has prepared a set of code revisions that will be heard by the Planning Commission on Tuesday, January

19th. The amendments focus on prohibiting marijuana related activities in residential districts. In addition, it includes prohibiting establishments to allow consumption of marijuana related products such as vape lounges. It also includes establishing development and operational requirements for marijuana related activities beyond medical dispensaries.

To facilitate discussions, staff has prepared a set of potential code amendments as well as possible options. The attachment contains those possible amendments with options. To facilitate the review, the following is a summary of that attachment:

Locational Options

Prohibit marijuana activities as a home occupation. (Included in current code update being considered by the PC)

Commercial Retail Marijuana Facilities

- Propose similar location as medical marijuana dispensaries: allow in the Community Commercial zone district and prohibit in residential districts, Neighborhood Commercial and Town Center districts. (Proposed code amendment will allow dispensaries and retail outlets in the Town Center districts but prohibit retail outlets in Neighborhood Commercial district – medical dispensaries already prohibited in Neighborhood Commercial)

- Commercial Retail Options:
    - Allow commercial retail marijuana sales in all commercial zone districts including:
        - Neighborhood Commercial
        - Town Center districts (Included in current code update being considered by the PC)
        - Community Commercial (Included in current code update being considered by the PC)

Commercial Grow Sites

- Propose to prohibit grow sites (both for medical and recreational purposes) in all residential districts. They would still remain permitted in the industrial districts. (Included in current code update)
- Grow Site Options:
    - Allow all marijuana grow sites in residential districts (will be prohibited in current code update)
    - Allow medical marijuana grow sites in residential districts (will be prohibited in current code update being considered by the PC)
    - Prohibit all grow site operations in the industrial districts
    - Prohibit grow sites regulated by the OLCC in industrial districts (which would continue to allow grow sites for medical marijuana)

Marijuana Processors and Wholesale Operations

- No proposed change – allow in industrial districts – (at last work session, there was direction not to change)
- Processor and Wholesale Options:

- Allow processors and/or warehousing in:
  - Town Center districts
  - Community Commercial district

Development Requirements

Spacing **(where to start discussion)**

- Propose to apply spacing requirements for dispensaries (1000 foot separation between dispensaries) to Commercial Retail (see below)
- Options
  - Reduce the distance for the spacing requirement:
    - No requirement
    - 100 feet
    - 500 feet
    - Some other specific distance
  - Apply spacing requirements to other marijuana related activities:
    - Processors
    - Wholesalers
    - Grow Operations

Other Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities as follows:
  - Apply same requirements to Commercial Retail Marijuana facilities plus include 1000 foot separation between dispensaries and/or retail facilities unless on the same site
  - Apply modified requirements to other marijuana activities (processors, wholesale and grow sites) (Included in current code update before the PC except the 1000 foot separation requirement)
    - Compliance with state law
    - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
    - Located in permanent buildings with the exception of outdoor grow facilities
    - The dispensary must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
    - Marijuana facilities shall be separated by 1,000 feet from other marijuana related facilities unless at the same site.
    - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor.
- Options –
  - Require 100 foot setback from residential districts for processing and grow activities as part of odor control.

- For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
- The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)
- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements – City Code

- Apply requirements adopted for medical marijuana dispensaries. The adopted requirements are as follows (Included in current code update being considered by the PC):

  A. A medical marijuana dispensary must comply with all applicable requirements of State law.

  B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.

  C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.

  D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.

  E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.

- Apply appropriate requirements to:

  - Commercial retail facilities (all of the above requirements)
  - Wholesale (Items A, B and E of the above requirements)
  - Processors (Items A, B and E of the above requirements)
  - Grow Sites (Items A, B and E of the above requirements)

  - All marijuana related facilities

- Options:
  - Require all personal and commercial grow activities indoors (from San Mateo County)
  - Properties shall be maintained so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the immediate area. (from San Mateo County)
  - Establish other operational requirements as yet not identified

Sales Tax

It must be at 3% and must be approved by voters in a jurisdiction before it can be imposed. It can't be applied to either early sales of recreational marijuana at medical dispensaries or to any sales generate from medical marijuana related activities (sales, processing, wholesale and grow). However, the State is imposing a 25% sales tax on early sales which will be shared with local jurisdictions initially based on population (this will be reduced to 17% after early sales). If the City is to impose a sales tax, the following modifications need to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:

- Change tax from 10% to 3%
- Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
- Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)

Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

ATTACHMENT(s):

Marijuana Activities - Proposed Development Code Amendments with Options

The following table identifies additional local time, place, and manner regulations established by Washington County jurisdictions.

	Beaverton	Cornelius[1]	Forest Grove	Hillsboro	Sherwood[3]	Tigard	Tualatin	Wilsonville	WaCo[4]
Growing Operations	Not Allowed								
Zones?	N/A			I-G, I-P, SC-BP			ML, MG, MBP		
Permit Type?	N/A			Development Review		Type 1			
Buffers?	N/A			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	N/A		Entrance must be facing street; Must air filtration system	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL		
Processing Operations									
Zones?	OI and IND only			I-G, I-P, SC-BP, SCI			ML, MG, MBP		
Permit Type?	None, permitted use			Development Review		Type 1			
Buffers?	None			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	None		Entrance must be facing street; Must air filtration system	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL; Production thru butane prohib.		
Wholesale Operations									
Zones?	OI and IND only			I-G, I-P, SC-BP, SCI			ML, MG, MBP		
Permit Type?	None, permitted use			Development Review		Type 1			
Buffers?	None			100 feet from residential, mixed use, urban center or institutional zone		500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility		
Local use restrictions?	None		Entrance must be facing street	See NOTE 2 below		Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use		

					colocation; entrances facing street; no odor at PL	
Retail Sales						
Zones?	CS, CC, GC only	TC-C, TC-T, TC-S	C-G, SCC-SC, SCC-MM, I-G	Must have frontage on 99W w/ entrance visible from 99W;	ML, MG, MBP	CBD, GC, IND, R-COM, TO:RC, TO:BUS, TO:EMP, NCMU-NB
Permit Type?	None, Permitted use		Development Review	Type 1		Type 2
Buffers?	1,000 feet from any marijuana sales use including dispensary use,		1,000 feet from schools (defined more expansively than OLCC); 1,000 feet from other recreational sales use; 2,000 feet from medical dispensary; 1,000 feet from public plaza or active use park	2,000 feet from any other marijuana facility 500 feet from library of park zone	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility	2,000 feet from any other marijuana facility.
Other local use restrictions?	Sales 7AM - 10PM	Sales 8AM-10PM; entrances facing street; Drive thru prohib;	Sales 10AM - 8PM (M-TH) 10AM - 10PM F-SU); No Mobile or temp businesses; No drive-in / through facilities;	Sales 8AM - 10PM; Prohib in MU-CBD; drive through prohib; Comply w/odor & security lighting standards; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL Sales 10AM - 8PM drive thru prohib	Sales 8AM - 10PM Max Floor Area in IND, GC, R-COM zones is 3,000 sf.
Laboratory Testing						
Zones?	OI and IND only		I-G, I-P, SC-BP, SCI			
Permit Type?	CUP in OI zone, permitted in IND zone		Development Review	Type 1		
Buffers?	None		100 feet from residential, mixed use, urban center or institutional zone	None		
Local use restrictions?	None		See NOTE 2 below	Prohib in MU-CBD; Must be inside permanent bldg.		
Specific Prohibition in Residential Zones	Yes, all marijuana uses.	Yes, all marijuana uses.	Home Occupation for recreational marijuana facilities prohibited	No	No	No

NOTES:

1. Cornelius provided ordinance for medical marijuana facilities.

2. Hillsboro has extensive list of restrictions on production, processing, testing, and wholesale activities. The restrictions include no outdoor production, no public access permitted, additional security measures for landscaping, lighting, and security bars on windows, odor mitigation measures, and waste security measures.

3. Sherwood sent materials but Beaverton's ridiculously paranoid firewall specifications prevented viewing their regulations.

4. Washington County code only identifies and defines "Marijuana Facilities". Marijuana facilities includes medical marijuana dispensaries and recreational retail sales. Growing, processing, wholesale, and testing are not specifically included in the definition of marijuana facilities.

Marijuana Work Session
(Continuation from 9/14/15 and 11/9/15)

City Council Work Session

February 8, 2016

FOREST GROVE OREGON

FOREST GROVE OREGON

Previous Work Sessions

- Decided not to ban any marijuana related activities (previous voter information confirmed)
- Avoid activities in residential areas
- Allow Dispensaries and Retail Outlets in both Community Commercial and Town Center districts
- Staff is requesting direction in four areas:
  - Location (distance requirements)
  - Development Requirements
  - Operational Requirements
  - Sales Tax

Locational Requirements

- Spacing (State law only pertains to Dispensaries)
  - Apply 1000 foot spacing to:
    - Commercial Retail
    - Grow Sites
    - Processors
    - Wholesale
    - All activities
  - Type
    - Separation from all others
    - Separation from similar activities
  - Extent
    - 100 feet
    - 500 feet
    - Some other specific distance
  - Other Cities
    - Most all other cities in Washington County has requirements as well as 5 others around the state
    - All activities
    - Also from parks (active vs passive recreational areas)

Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities (retail, grow, processor, wholesale)
  - Compliance with state law
  - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
  - Located in permanent buildings with the exception of outdoor grow facilities
  - The facility must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
  - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor. (new)

Development Requirement Options (Continued)

- Require 100 foot setback from residential districts for processing and grow activities as part of odor control. (Hillsboro; Tigard is 500 feet)
- Filtration system for grow and processor operations.
- For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
- The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)
- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements

- The adopted requirements for Dispensaries are as follows:
  - A. A medical marijuana dispensary must comply with all applicable requirements of State law.
  - B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.
  - C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.
  - D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.
  - E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.

- Apply appropriate requirements to:
  - Commercial retail facilities (all of the above requirements)
  - Wholesale (Items A, B and E of the above requirements)
  - Processors (Items A, B and E of the above requirements)
  - Grow Sites (Items A, B and E of the above requirements)
  - All marijuana related facilities

Sales Tax

- Modifications needed to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:
  - Change tax from 10% to 3%
  - Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
  - Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)
- Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

This page is intentionally blank.

Sustainability Commission Public Education Efforts for Plastic Bag Ordinance 2016-

Activity	Contact person	Deadline	Notes
Write articles (3-5) for News Times, Leader	John and Elaine	completed	6+ articles already in papers
Place two articles regarding plastic bags on Sus Website	Elaine and John	Sept 2015-completed	Email Bev
Table at Farmers Market First Wednesday-take public comment	July 1-Edgar, Deke, EJ, Jacob Aug 8-John, Mitch, (need more)	July 1, August 5-completed	City has a table-EJ will get clipboard, draft ordinance, hats, bag samples, comment sheet, John H bullet points
Plan Open Forum at FG Community Auditorium-collaboration with CCI	Sebastian (CCI Chair) Brian	July 7, 5:30pm CCI meeting Sept.2, 7-8:30-Completed	Coordinate with CCI to plan dates & outline ~45+ people in attendance
Educate & enlist Chamber of Commerce	Hope, John	Attend June meeting-completed	Requested list of businesses from Mr. Sullivan to talk to about ordinance
Draft local business support letter and ask them to sign on	Elaine, John, Dale and Karin	September 2015-ongoing	Addressing President Johnstone's concerns, Route through Chamber of Commerce
Broad public notification - utility mailer	Jon	Completed	Elaine is crafting FAQ for yet another utility bill insert
Submit CEP grant for reusable bags	John	completed	RFP for bags-we have 3 quotes, Companies; Green Solutions, Chico bag, Discount Mugs
Plan educational component for reusable bag campaign	Elaine and John	Title selected, ongoing education	***City of Forest Grove-Sustainability is in the Bag!***
Talk to businesses to advertise on reusable bags	John	ongoing	As we talk to businesses about the ordinance we can have this discussion too
Decide on two educational efforts to take to FGSD-High School	Edgar and Sierra G	Complete and getting survey results now	Roll out at beginning of school club fair
Commission engagement - Public Safety Commission	Include Paul & Jon to discuss complaint process	When we have compliance language written we will email Commission	Discuss complaint driven responses
Engagement with WA Co., City of Hillsboro and City of Cornelius-Rob Drake	Elaine will call and email colleagues	~July-Sept-ongoing	Sus colleagues & Partners for a Sustainable WA CO community meeting, met with Cornelius City Council, Talked with WA CO Sustainability colleagues (Robin and Leah)
Talk with Major retailers in FG	Elaine, John, Dale, Tom	ongoing	Safeway-Env. Project Manager-Jay Feeney 503-305-9642

Council criteria (template)

- public hearings - 3
- public notification (utility mailer) - 1
- newspaper articles - 5
- Commission engagement - Public Safety
- Civic engagement - Chamber of Commerce (survey local businesses)

Look into

- Template for cigarette ban (who knows?)
- Ban at county-level, local cities (need contacts)
- Can we infer the desired discretion from Councilor comments at our June 8 work session? (i.e., what we SHOULD do without Council permission): engage all relevant stakeholders, including commissions, city departments, civic organizations, county and local city officials. And inform the Council about our findings.

To Members of the City Council **February 7, 2016**

Plastic Bag Ordinance 2015 Outreach and Education Summary

Outreach and Education. The following is a list of public outreach and education we did in 2015 and in particular, since our last work group session on June 8, 2015. We will also summarize our outreach to businesses and a meeting we had with the Chamber of Commerce Executive Director and President.

- Wrote articles for *News Times, Leader*; plastic bag articles appeared about 5 times
- Wrote successful CEP grant for reusable bags
- Placed two articles regarding plastic bags on the City of FG Sustainability Commission website
- Took public comment at two First Wednesday Farmers' Markets
- Held an Open Forum at FG Community Auditorium in collaboration with CCI; 50 participants
- Discussed ordinance with Economic Development Commission on April 2, 2015; EDC expressed no opposition to plastic bag ban (but not the 5-cent charge for paper)
- Spoke with about 60 local business owners in Forest Grove regarding ordinance
- Included two informational write-ups in utility bill inserts; responded to residents who emailed after reading the inserts
- Decided on a title for the reusable bag campaign: ***City of Forest Grove-Sustainability is in the Bag!*** (overwhelming choice of survey at Farmers' Markets)
- Spoke with business owners about advertising on reusable bags
- Conducted educational effort at FG High School, including a fall survey
- Conducted outreach to Washington County, Cornelius, Hillsboro, Partners for a Sustainable Washington County Committee
- Spoke with major retailers in Forest Grove

Proposed Change to Ordinance. A majority of individuals and businesses in Forest Grove support a ban on plastic bags. The only major controversial piece is the proposed charge of 5 cents for paper bags. The Economic Development Commission, the Chamber Board of Directors, many business owners, and about half of the participants at the Open Forum expressed concern about the proposed 5-cent charge. In a meeting we had with the Chamber Director and President, they said that the Chamber Board was not opposed to the plastic bag ban if small businesses could avoid charging 5 cents for paper. Consequently, the Sustainability Commission took up a proposal to recommend to the City Council that the proposed ordinance be changed so that businesses with 10 or fewer full-time-equivalent employees would be given the option to charge or not to charge for paper but not be required to do so. The commission voted unanimously for this recommendation.

The commission strongly feels that the 5-cent charge for paper remain for larger businesses because use of paper is not great for the environment, and consumers need some incentive to use reusable bags. In addition, the National Grocers Association supports plastic bag bans if a 5-cent charge for paper is included.

Summary of Outreach to Businesses. We have contacted about 60 Forest Grove businesses about the proposed plastic bag ban. Of the 45 that have indicated an opinion, 70% supported the ban. An additional 7 have said that they might support the ban, while 6 more are still considering it. Some businesses that we contacted early on did not support the ban because of the 5-cent charge for paper, which has now changed for small businesses.

Summary and Recommendation. Single-use plastic checkout bags are very harmful for the environment and, as the most used consumer item, serve as a symbol of a throwaway society. The Sustainability Commission and, indeed, most residents and businesses in Forest Grove believe that it is time to enact an ordinance banning single-use bags.

We believe that we have done due diligence in providing more education and getting public input and feedback. We would like to submit this ordinance for council's approval at this time. We hope that you would consider putting this on an upcoming Council meeting.