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City Council Regular Meeting Minutes

Monday, January 10, 2022
Zoom Community Auditorium

***Minutes are unofficial until approved by City Council.
Council approved minutes as presented January 24, 2022.***

A. Call to Order:

Mayor Truax called the regular City Council meeting to order at 7:00 p.m. via Zoom Webinar Video Conference. The meeting was held in a “hybrid” format allowing the public to attend both virtual and in-person in the Community Auditorium. Members of the public could observe the meeting **LIVE on Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

1. **ROLL CALL: COUNCIL PRESENT ATTENDED BY ZOOM WEBINAR:** Donna Gustafson; Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT ATTENDED BY ZOOM WEBINAR: Jesse VanderZanden, City Manager; Jim Geering, Fire Chief; Anne Lane, Parks and Recreational Director; Gregory Robertson, Public Works Director; Bryan Pohl, Community Development Director; and Paul Downey, Assistant City Manager/Finance Director, recorded meeting.
STAFF ABSENT: Anna Ruggles, City Recorder.

2. **RESOLUTION NO. 2022-01 ELECTING CITY COUNCIL PRESIDENT**

Staff Report:

Mayor Truax reported pursuant to City Charter Chapter 3, §9 and Council Rules of Procedure §4.2, the Council must elect a Council President from its membership at the first meeting of each year. The Charter and Council Rules further state the Council President presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform mayoral duties. As outlined in the staff report, Mayor Truax read the script and opened the nominations, noting a nomination does not require a second.

Nominations from the floor: Kottkey nominated Wenzl, no second required.

Hearing no other nominations from the floor, Mayor Truax asked for motion.

MOTION: Councilor Uhing moved, seconded by Councilor Kottkey, to approve Resolution No. 2022-01 Electing Malynda Wenzl as Council President. **VOICE VOTE:** **AYES:** Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, Wenzl, and Mayor Truax. **NOES:** None. **MOTION CARRIED 7-0.**

B. Public Comment:

1. CC01-10-2022 Written Public Comments received by 3:00 p.m. on the day of the meeting were published in the Council Packet.

Zoom Attendee:

Stephanie Rose, addressed Council via Zoom and read her written testimony, which was submitted January 10, 2022, 7:18 p.m.

No other testimony was heard via Zoom.

C. Consent Agenda:

1. Approve City Council Work Sessions (Mayor's Youth Advisory Council and Eastside Park) Meeting Minutes of November 22, 2021.
2. Approve City Council Executive Session (Exempt Records) Meeting Minutes of December 13, 2021.
3. Community Development Department Monthly Building Activity Informational Report for December 2021.
4. Endorse Liquor License Application, Change of Ownership, Off-Premises Sales (Forest Grove Liquor Store, 3130 Pacific Avenue).
5. Endorse Scoggins Dam Safety of Dams (SOD) Joint Letter of Support to Commissioner of Bureau of Reclamation.
6. **RESOLUTION NO. 2022-02 DESIGNATING CITY COUNCIL MEETINGS FOR 2022.**
Item Removed

MOTION: Councilor Uhing moved, seconded by Councilor Rippe, to approve the Consent Agenda as amended. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

6. **RESOLUTION NO. 2022-02 DESIGNATING CITY COUNCIL MEETINGS FOR 2022**
Council President Wenzl removed Item 6 from the Consent Agenda and made the following motion to amend. Wenzl advised scheduling the second meeting in August allows Council and staff to take a longer summer break. Mayor Truax added the Council holds one meeting in March due to the National League of Cities Conference, which will be held March 14-16, 2022, and one meeting in the months of July, August and December, noting Council has the option to schedule meetings if needed.

MOTION: Council President Wenzl moved, seconded by Councilor Kottkey, to amend Resolution No. 2022-02, Section 2 as follows: Section 1. Strikethrough ~~August 8~~ and Insert August 22. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

D. Additions/Deletions:

1. City Manager – none.
2. Proposed by Councilors – none.

E. Presentations:

1. TV Highway Transit and Equitable Development—Metro/TriMet

Staff: Bryan Pohl, Community Development Director

Eryne Deeming Kehe, Project Manager, Metro; and Jamie Snook, Director of Capital Projects, TriMet, presented a PowerPoint presentation overview of TV Highway HOPE Grant; Metro's Grant – TV Highway; public transit planning; equitable development; corridor needs; history of planning; partnership; and committee structure, noting there are further plans for the Bus Rapid Transit components of the Get Moving 2020 concept for TV Highway. There will be an opportunity for the City to review the transit design recommended by the Steering Committee and review and acknowledge or accept the Equitable Development Strategy.

2. 26th Avenue Improvements

Staff: Derek Robbins, Engineer, Gregory Robertson, Public Works Director

Presenter: Tony Roos, Kittelson & Associates, presented a PowerPoint presentation overview of 26th Avenue Improvements (Sunset Drive to Hawthorne Street), noting Engineering is finalizing design of 26th Avenue Improvements and is preparing to host a public virtual open house. The project scope includes constructing sidewalks; on-street parking (south side); stormwater drainage infrastructure; and safe access to Stites Park. The conceptual design diagrams were shown of the areas between Sunset Drive to Bourbon Street; Bourbon Street to Williams Street; Williams Street to Hawthorne Street; Hawthorne Street to Boyd Land; and Stites Park Water Quality. The project is estimated to cost \$3.1 million and will be funded by Transportation System Development Charges. The cost estimate will likely change due to inflationary market pressures.

3. Fern Hill Road/Maple Street/Hwy 47 Intersection Project

Staff: Gregory Robertson, Public Works Director

Presenter: Renus Kelfken, Senior Project Manager, Washington County, presented a PowerPoint presentation overview of the Fern Hill Road/Maple Street/Hwy 47 Intersection Project Update, noting three design concepts were reviewed: 1) Traffic signal; 2) Single-lane Roundabout; and 3) R-cut intersection (restricted crossing U-turn). The pros and cons of each concept were outlined in the presentation. The next steps are to select a preferred alternative in early 2022, host an open house; begin design of preferred alternative; and identify construction funding. The following attachments were included in the Council Packet:

- Kathryn Harrington, Washington County Board of Commissioners Chair, letter dated January 4, 2022 (OR 47/Maple Street-Fernhill Road Intersection).
- Mayor Peter Truax, letter dated January 6, 2022, addressed to Rian Windsheimer, Regional Manager, Oregon Department of Transportation, Statewide Transportation

Improvement Program Scoping Fiscal Year 2024-2027 (Yew Street and Adair Street Intersection).

4. Council Recess

F. Public Hearings, Ordinances, and Resolutions:

1. ORDINANCE NO. 2021-06 SECOND READING; RENEWING A FRANCHISE FOR ZIPLY FIBER NORTHWEST, LLC, A DELAWARE LIMITED LIABILITY CORPORATION, TO CONDUCT A GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC RIGHTS OF WAY WITHIN THE CITY

The first reading of Ordinance No. 2021-06 by title and motion to adopt occurred at the meeting of December 13, 2021.

Staff Report:

Downey had nothing further to report.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of December 13, 2021.

VanderZanden read Ordinance No. 2021-06 by title for second reading.

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

2. RESOLUTION NO. 2022-03 APPROVING THE ADDITION OF A 1.0 FTE FIREFIGHTER FOR THE FIRE DEPARTMENT WITHIN THE GENERAL FUND FOR FISCAL YEAR 2021-22

Staff Report:

Downey and Geering presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting the addition of 1.0 full-time equivalent (FTE) firefighter to address a staffing imbalance on the three shifts the Fire Department currently operates. The City applied for a Staffing for Adequate Fire and Emergency Response (SAFER) grant for two additional firefighter positions and the grant was unsuccessful. During the Fiscal Year 2021-22 budget process, staff reported if the grant was unsuccessful, staff would review adding one firefighter during the fiscal year. This additional firefighter will allow all three shifts to have six personnel available for each shift. In conclusion of the above-noted staff report, Downey advised staff is recommending Council approve the proposed resolution, as outlined in Exhibit A, noting staff has concluded the General Fund's Fund Balance is projected to be at or slightly above the minimum Fund Balance (25 percent of operating expenditures) at the end of the next levy period. The Forest Grove Rural Fire Protection District will pay for its proportionate share.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2022-03.

VanderZanden read Resolution No. 2022-03 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Valenzuela, to adopt Resolution No. 2022-03 Approving the Addition of a 1.0 FTE Firefighter for Fire Department within the General Fund for Fiscal Year 2021-22.

Council Discussion:

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

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

3. **RESOLUTION NO. 2022-04 AUTHORIZING MEMBERSHIP IN THE OREGON LATINOS IN LOCAL GOVERNMENT, AN AFFILIATE OF THE LOCAL GOVERNMENT HISPANIC NETWORK OF ICMA**

Staff Report:

VanderZanden presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing a city-sponsored membership in the Oregon Latinos in Local Government (Oregon LLG), a recently formed organization of the Local Government Hispanic Network, an affiliation of ICMA. VanderZanden reported the Oregon LLG is a membership organization focused on the advancement of Latino professionals in local government and the promotion of cultural awareness for local government employees who serve communities with a significant Latino population. In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council approve the proposed resolution, as outlined in Exhibit A, noting the Full Membership Fee is \$500/annually.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2022-04.

VanderZanden read Resolution No. 2022-04 by title.

MOTION: Councilor Valenzuela moved, seconded by Councilor Uhing, to adopt Resolution No. 2022-04 Authorizing Membership in the Oregon Latinos in Local Government, an Affiliate of the Local Government Hispanic Network of ICMA.

Council Discussion:

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

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

4. **RESOLUTION NO. 2022-05 AUTHORIZING EXPENDITURE OF GRANT FUNDS FROM THE NATIONAL FITNESS CAMPAIGN IN THE CAPITAL PROJECTS FUND AND AMENDING ADOPTED FY 2021-26 CAPITAL IMPROVEMENT PLAN TO PERMIT SYSTEM DEVELOPMENT CHARGE FUNDS TO BE USED FOR A FITNESS COURT IN BARD PARK IN FISCAL YEAR 2021-22**

Staff Report:

Lane and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing expenditure of grant funds from the National Fitness Campaign in the Capital Projects Fund and amending Adopted FY 2021-26 Capital Improvement Plan to permit System Development Charge Funds to be used for a Fitness Court in Bard Park in Fiscal Year 2021-22. Lane presented a PowerPoint presentation overview of the proposed outdoor Fitness Court at Bard Park, noting the City was awarded a \$30,000 grant from NFC to participate in their 2022 initiative to install and activate outdoor Fitness Courts® in 200 cities and schools across the country. Bard Park was selected because of its proximity to a densely populated and underserved eastside area of the community. The City will collaborate with NFC to implement the outdoor Fitness Court® and make fitness free to residents and visitors. The estimated project cost is \$190,000. In conclusion of the above-noted staff report, Lane and Downey advised staff is recommending Council approve the proposed resolution, as outlined in Exhibit A, noting the City is proposing to use Parks SDC (\$160,000) to pay for the City's portion to complete the project.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2022-05.

VanderZanden read Resolution No. 2022-05 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Valenzuela , to adopt Resolution No. 2022-05 Authorizing Expenditure of Grant Funds from the National Fitness Campaign in the Capital Projects Fund and Amending Adopted FY 2021-26 Capital Improvement Plan to Permit System Development Charge Funds to be used for a Fitness Court in Bard Park in Fiscal Year 2021-22.

Council Discussion:

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

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

G. Council Communications:

1. Councilor Reports

Gustafson briefed on the effects that the COVID pandemic has had on businesses.

Kottkey's written report was distributed in the Council Packet. Kottkey briefed on League of Oregon Cities Women's Caucus.

Rippe briefed on Forest Grove Rural Fire Protection District meeting.

Valenzuela briefed on Centro Cultural vaccination clinic and reported on upcoming meetings.

Uhing briefed on upcoming meetings and reported Westside Economic Alliance was hosting a Virtual Legislative Reception on January 19, 2022, 7:30 a.m., noting registration is required.

Council President Wenzl briefed on the effects that the COVID pandemic has had on the school district. Wenzl reported on Parks and Recreation Commission (P&R)-related matters of interest, noting Committee for Community Involvement (CCI) is partnering with P&R on the Annual Town Meeting on the topic of recreation. Wenzl noted CCI is seeking questions from Council to poll for the Annual Town Meeting.

2. City Manager's Report

VanderZanden briefed on the various department-related projects and activities and Council calendar updates. VanderZanden reported the levy focus groups have completed their work and the results and proposed levy renewal rate will be presented to Council in work session on January 24, 2022. In addition, VanderZanden reported staff will be presenting an update on the Goals and Objectives Accomplishments in work session on January 24, 2022, in preparation for the upcoming Council Retreat on Saturday, January 29, 2022.

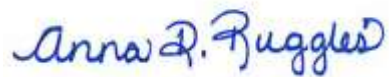
3. Mayor's Report

Mayor Truax reported he is planning to attend the upcoming CPAC meeting, noting he would like to attend B/C meetings by invitation. In addition, Mayor Truax briefed on various meetings he attended, community-related events, Washington County-related matters of interest; and gave an update on recruitment of the League of Oregon Cities' Executive Director and Pacific University's President.

H. Adjournment:

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

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder