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FOREST GROVE CITY COUNCIL MEETING AGENDA
MONDAY, OCTOBER 11, 2021
ZOOM WEBINAR
COMMUNITY AUDITORIUM, 1915 MAIN STREET

Zoom Video Conferencing
Public Webinar ID: 813 0162 2685
Pass Code: 101121
Click Link:

<https://us06web.zoom.us/j/81301622685?pwd=YmlzeHZFMXdaRG15L3lPWdVLZHQvUT09>

For help with Zoom: <https://support.zoom.us/hc/en-us/articles/115004954946>

5:30 PM CITY COUNCIL WORK SESSION: LEVY POLLING
6:15 PM CITY COUNCIL WORK SESSION: WAUNA CU REIMBURSEMENT DIST
7:00 PM CITY COUNCIL REGULAR MEETING
8:00 PM URBAN RENEWAL AGENCY (URA) REGULAR MEETING
8:30 PM URBAN RENEWAL AGENCY (URA) WORK SESSION: SITE B

During the pandemic, all public meetings are held in a “hybrid” format allowing the public to attend meetings both virtual and in-person. The Community Auditorium is open and has limited availability and social distancing measures. The public can observe the meetings **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming or **LIVE Channel 30** on their website: <http://208.71.205.11/CablecastPublicSite/?channel=15>. Written comments may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov.

PETER B. TRUAX, MAYOR

Malynda H. Wenzl, Council President
Donna Gustafson, Councilor
Kristy L. Kottkey, Councilor

Timothy A. Rippe, Councilor
Elena Uhing, Councilor
Mariana Valenzuela, Councilor

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

Public Hearings: Hearings are held on each matter required by state law or City policy. Sign in before the meeting on the Public Hearing form posted in the foyer. The presiding officer will review the 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), provide your full name and please limit your remarks to three (3) minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action. All testimony is electronically recorded. Written testimony may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov.

Public Comment: This is a time provided for anyone wishing to speak to the City Council on an item not on the agenda or on the agenda, and not scheduled for a public hearing. Sign in before the meeting on the form posted in the foyer. The presiding officer will review the instructions prior to public comment. 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), provide your full name. Please limit your comments to two (2) minutes unless the presiding officer grants an extension. All testimony is electronically recorded. Written comments may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov.

Accommodations: In accordance with the Americans with Disabilities Act, the City of Forest Grove will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting City Recorder's Office, aruggles@forestgrove-or.gov, 503-992-3235, at least 48-hours advance notice of the meeting.

PowerPoint Presentation Paul Downey, Assistant City Manager/Finance Director Jesse VanderZanden, City Manager	5:30 6:15	<u>WORK SESSION: LEVY POLLING</u> No public comment will be taken. The Council will take no formal action during the work session.
PowerPoint Presentation Gregory Robertson, Public Work Director Jesse VanderZanden, City Manager	6:15 6:50	<u>WORK SESSION: WAUNA CREDIT UNION PROPOSED PUBLIC IMPROVEMENT REIMBURSEMENT DISTRICT</u> No public comment will be taken. The Council will take no formal action during the work session.
	7:00	1. <u>CITY COUNCIL REGULAR MEETING:</u> Call to Order and Roll Call.
	7:05 5mins	2. <u>PUBLIC COMMENT:</u> Anyone wishing to speak to the City Council on an item not on the agenda or on the agenda but not scheduled for a public hearing may be heard at this time. Please limit comments to two (2) minutes. Written comment may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov . • Zoom Attendees: Please use the "Raise Hand" option. Please introduce yourself and ask your question or provide your comment. Click the "Chat" tab to type a question or comment.
	7:10 5mins	3. <u>CONSENT AGENDA:</u> See Page 4
	7:15 5mins	4. <u>ADDITIONS/DELETIONS:</u> • <i>City Manager</i> • <i>Proposed by Councilors</i>
		5. <u>PRESENTATIONS:</u> NONE Each presenter is limited to ten (10) minutes to present, followed by five (5) minutes for questions and answers, unless additional time is granted by the Presiding Officer. The Council has reviewed each presentation, so highlight key points only. The Council will hold questions until the end. A two-minute reminder will be given to conclude remarks.
Jesse VanderZanden, City Manager	7:20 10mins	6. <u>ORDINANCE NO. 2021-03 EXTENDING THE 60-DAY PROTECTION PERIOD IN SB 278 (2021) TO 90 DAYS; DECLARING AN EMERGENCY</u>

City Councilors 7:30
25mins

7. A. **COUNCIL COMMUNICATIONS:**
Please limit reports to three (3) minutes per person. A brief summary of matters of interest to the Council and to present Boards and Commission liaison reports.

Jesse VanderZanden, City Manager

7. B. **CITY MANAGER'S REPORT:**

Peter Truax, Mayor

7. C. **MAYOR'S REPORT:**

- 7:55 8. **ADJOURNMENT:**
-

8:00

URBAN RENEWAL AGENCY (URA) MEETING

The URA Board will convene and be video conferencing remotely during the meeting. *(Refer to separate meeting agenda and packet)*

8:30

**URBAN RENEWAL AGENCY (URA) WORK SESSION:
SITE B**

The URA Board will convene and be video conferencing remotely during the meeting. *(Refer to separate meeting agenda and packet)*

9:30

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. Accept Public Arts Commission Meeting Minutes of August 19, 2021.
 - B. Community Development Department Monthly Building Activity Informational Report for September 2021.



URBAN RENEWAL AGENCY MEETING AGENDA
MONDAY, OCTOBER 11, 2021
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PETER B. TRUAX, DIRECTOR BOARD CHAIR

Malynda H. Wenzl, Director Board President
Donna Gustafson, Director
Kristy L. Kottkey, Director

Timothy A. Rippe, Director
Elena Uhing, Director
Mariana Valenzuela, Director

All regular meetings of the Urban Renewal Agency are open to the public and persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Urban Renewal Agency Board as follows:

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FOREST GROVE URBAN RENEWAL AGENCY AGENDA
OCTOBER 11, 2021
Page 2 of 2

- | | | |
|--|----------------|---|
| 8:00 | 1. | <u>URBAN RENEWAL AGENCY REGULAR MEETING:</u>
Call to Order and Roll Call. |
| 8:05
5mins | 2. | <u>PUBLIC COMMENT:</u> Anyone wishing to speak to the Board on an item not on the agenda or on the agenda but not scheduled for a public hearing may be heard at this time. Please limit comments to two (2) minutes. Written comment may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov . <ul style="list-style-type: none">• Zoom Attendees: Please use the "Raise Hand" option. Please introduce yourself and ask your question or provide your comment. Click the "Chat" tab to type a question or comment. |
| 8:10
5mins | 3. | <u>CONSENT AGENDA:</u> Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Board 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). <p style="margin-left: 40px;">A. Approve Urban Renewal Agency Meeting Minutes of June 28, 2021.</p> |
| | 4. | <u>ADDITIONS/DELETIONS:</u> <ul style="list-style-type: none">• <i>Executive Director</i>• <i>Proposed by Directors</i> |
| | 5. | <u>PRESENTATIONS:</u> |
| Bryan Pohl, Community Development Director | 8:15
10mins | 5.A. <ul style="list-style-type: none">• <i>Open Aire Gallery Art Selection</i> |
| | 8:25 | 6. <u>ADJOURNMENT:</u> |
-
- | | | |
|--|------|--|
| PowerPoint Presentation
Dan Riordan, Senior Planner
Bryan Pohl, Community Development Director
Jesse VanderZanden, Executive Director | 8:30 | <u>URBAN RENEWAL AGENCY (URA) WORK SESSION:
SITE B</u>
No public comment will be taken. The Urban Renewal Agency will take no formal action during the work session. |
| | 9:30 | <u>ADJOURNMENT:</u> |
-

LEVY POLLING

WORK SESSION

PAUL DOWNEY, ASST. CM
JESSE VANDERZANDEN, CM

10/11/2021



PURPOSE

- Respond to Goal 4: maintain financial and organizational sustainability.
- Discuss other revenue alternatives.
- Discuss past outreach efforts.
- Discuss polling.
- Discern whether to conduct a poll and if so what rate and services.

RECAP

- Work Sessions March 15 and September 13, 2021.
- Consensus to look at replacement v. renewal.
- Consensus to consider polling to obtain more info.
- Questions about timing, outreach, and other funding sources.

RECAP

- Levy contributes \$2.8 million per year and comprises 14% of the General Fund.
- The Levy is for police, fire, parks/rec and library.
- Police and fire account for 80% of the LOL revenues.
- Forest Grove has the 2nd highest adjusted tax rate in Washington County.
- Forest Grove has the 2nd lowest assessed value per capita in Washington County.

TIMELINE

- Levy expires June 30, 2023. Staff recommends balloting at least two election cycles prior to expiration. Election cycles prior to expiration:
 - May, 2022
 - November, 2022
 - May, 2023
- Tentative Work Sessions assuming May, 2022 ballot:
 - Nov-Dec Review poll results
 - Dec-Jan Consensus on timing, rate, message
 - Feb-March Approve and file
- If not May, 2022 timeline bumps back 6 months.

HISTORY

<u>Year</u>	<u>Action</u>	<u>Rate</u>	<u>Outcome</u>
2002	First passed	\$.99	Passed 58% to 41%
2006	Increase \$.36	\$1.35	*Failed 49% to 51%
2007	Increase \$.36	\$1.35	Passed 63% to 37%
2012	Increase \$.25	\$1.60	Passed 61% to 39%
2017	Renewal	\$1.60	Passed 80% to 20%

*post-election survey indicated failure due to unclear messaging and too many other fiscal measures on the ballot.

NEEDS ASSESSMENT

Summary Findings:

- Industry metrics show Fire and Police are and will increasingly become deficit staffed over the levy period unless staff is added.
- If additional parks space or amenities added over levy period, service will decline.
- Library seeking to stabilize programming funding through General Fund instead of donations.

SCENARIO'S

- Scenario's are for planning purposes only. They include assumptions about the future that will change over time and are dependent on Council priorities.
- The rates are “fully loaded” and illustrative only. They do not account for potential other funding sources, changes in timing, or changes in positions.
- Three scenario's were presented:
 - Renew levy at \$1.60
 - Replace levy at \$1.76 to maintain services
 - Replace levy at \$2.04 to enhance services

SCENARIO'S - THRU 2028

Scenarios are not cumulative and are increases from current staffing levels.

Renew at \$1.60

- Add 2 police officers / Add 1 firefighter

Replace at \$1.76 to maintain services

- Add 4 police officers / Add 2 firefighters

Replace at \$2.04 to maintain and enhance services

- Add 6 police officers / Add 4 firefighters
- Add Recreation Coordinator
- Add part-time Parks maintenance
- Add part-time Library Associate

OTHER POTENTIAL REVENUE

- If the levy was to remain at \$1.60, the following additional annual revenue from other sources would be needed:
 - For the \$1.76 levy, an additional \$320,000/year.
 - For the \$2.04 levy, an additional \$880,000/year.
- These additional revenues would need to increase by 3% per year over the life of the levy.
- Various other potential revenue sources are listed on the next two pages.

OTHER POTENTIAL REVENUE

- **Public Safety Utility Bill Fee**
 - A fee for public safety can be charged on the utility bill. If the fee was similar to the CIP Excise Tax fee, it would bring in about \$125,000 annually for each dollar charged per electric meter.
- **Right of Way (ROW) Utility Bill Fee**
 - The fee can be charged in lieu of doing a franchise fee. For example, if a 5% ROW fee was charged, the City could collect about \$170,000 annually from Clean Water Services for a Sewer ROW fee. This would increase monthly sewer charges by about \$2 per month for a single-family residence as CWS would raise its rates to cover the fee.
- **Urban Renewal Agency**
 - Ending the URA after the debt to the City is repaid would bring in about \$170,000 per year. Revenue would increase as growth continues within the URA boundaries.

OTHER POTENTIAL REVENUE

- Payment in Lieu of Taxes (PILT)
 - The City could try to negotiate PILT from non-profits who would have to agree to pay it. The concept is non-profits should pay for the services they receive similar to for-profit tax-paying businesses. Some cities have negotiated these payments with tax-exempt universities within their City. Estimate of revenue is unknown as the non-profits have to agree to make the payment.
- Property Tax Exemption Programs
 - Not having these exemption programs (e.g. non-profit low income housing and vertical housing tax credit) would increase property taxes by about \$57,000/year.
- Enterprise Zone (EZ) Tax Exemption
 - Revenue estimates are speculative for not allowing future EZ tax exemptions. There are current EZ tax exemptions, but the expiration of current EZ tax exemptions are already included in future property tax revenue projections so any estimate would be based on new, unknown, applications.

OUTREACH

Some commonalities to all efforts:

- Messaging starts 2-4 months prior to the election. The official Measure and Explanatory Statement upon which the outreach is based on is approved by the County 2 months prior to the election.
- Studies show most voters decide based on the voters pamphlet. Pamphlet mailed 3 weeks before election.
- Outreach has included all venues and all forms, from brochures in utility bills to social media.
- Once the measure is approved, all city communications must remain neutral.
- Elected officials are free to campaign for or against the measure at any time.

OUTREACH

*Assuming May 17, 2022 election:

- Council approval: Feb 14
- General outreach Feb-Mar 21
- First and last day to file: Feb 17 - Mar 17
- County assigns Measure #: Mar 21
- Specific outreach Mar 21—May 17

*above dates are based on past official dates. Official 2022 dates have not been published and may vary slightly.

POLLING

- Staff has talked to a potential polling firm who is developing a proposal for staff review.
- This firm indicated traditional polling methods, i.e., 300 likely voters by telephone, will be very difficult and more expensive due to cell phone use only.
- New methods blend some calling with other methods to get the information that is needed while still targeting likely voters.
- If May, 2022 ballot, need to start polling soon. Poll typically takes 2-3 months.

DISCUSSION

- Consensus on whether to pursue other funding sources that may impact the levy rate. Consider timing of potential efforts.
- Consensus on whether to poll and if so what rate and message. Staff recommends Council consider polling:
 - Renewal at \$1.60
 - Replacement at \$1.95
 - Questions centered on a) increase rate to add police to maintain service; b) increase rate to add fire to maintain service; c) increase rate to add parks maintenance to maintain service; c) increase rate to add recreation opportunities; d) increase rate to increase library programming.

Scenarios

	-----Next Levy Cycle-----					Total Costs	Additional Levy Rate (cents)
	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28		
Within \$1.60 Levy Rate							
Add 2 Police Officers	228,924	243,820	263,072	295,108	317,226	1,348,150	-
Add Firefighter			153,961	163,407	173,296	490,664	-
Total Costs Within Current Levy Rate						1,838,814	
Maintain Existing Services							
Add Firefighter	145,992	154,936	164,978	174,678	184,848	825,432	7.78
Add Police Officer		117,892	126,070	142,428	151,864	538,254	5.00
Add Police Officer			120,924	128,789	145,542	395,255	3.62
Additional Levy to Maintain Services						1,758,941	16.41
Enhance Services							
Add Firefighter			153,961	163,407	173,296	490,664	4.50
Add Firefighter			153,961	163,407	173,296	490,664	4.50
Add Police Officer				124,030	132,394	256,424	2.32
Add Police Officer				124,030	132,394	256,424	2.32
Recreation Coordinator	106,044	112,748	119,905	127,548	135,710	601,955	5.68
Recreation Supplies	50,000	51,000	52,020	53,060	54,122	260,202	2.46
Add 0.42 Parks UW	44,249	45,577	46,944	48,352	49,803	234,924	2.22
Add 0.375 to Library Asst. - Bilingual	36,045	48,214	50,603	53,134	55,783	243,779	2.29
Programming Expenses	25,000	25,500	26,010	26,530	27,061	130,101	1.23
Additional Levy to Enhance Services						2,965,137	27.52
Total Additional Levy						4,724,078	43.93

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CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Greg Robertson, Director of Public Works
Derek Robbins, Project Engineer*

MEETING DATE: *October 11, 2021*

SUBJECT TITLE: *Wauna Credit Union Proposed Public Improvement Reimbursement
District Work Session*

ACTION REQUESTED:

☐	Ordinance	☐	Order	☒	Resolution	☐	Motion	☒	Informational
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X all that apply

This agenda item was considered on January 25, 2021 as Resolution 2020-85 and was tabled from the agenda to allow staff and the property owner to address issues of mutual concern. During this time, staff has been working with the City Attorney and stakeholders to address issues raised during public testimony. The result is a scaled down proposal that strikes a balance between attempts to address the concerns and being fair to all parties.

BACKGROUND:

On January 11, 2011, City Council adopted Ordinance No. 2011-02, which allows the City to create a process for development of reimbursement districts as a means to finance public improvements. The process is described in Sections 151.110 to 151.124 of the Forest Grove Municipal Code.

The City can form a reimbursement district when one party constructs and pays for certain infrastructure (sewer, water, storm, or street) that will benefit another property. If during the life of the reimbursement district (typically 10 years), the benefitted property owner makes use of the improvements, then reimbursement is due to the party that constructed the improvements. The benefitted property owner makes use of an improvement by developing adjacent to a street improvement, or by connecting to sewer, water or storm pipelines included in the reimbursement district.

The process includes preparation of a report by the City Engineer that outlines the improvement costs, method of distributing the costs to the benefitting properties, the properties involved, and includes details of the reimbursement agreement. The Engineer's Report is presented to the City Council at a public hearing and owners of property in the district are given the opportunity to provide input. Once

approved by City Council, a resolution is recorded against properties in the district. Reimbursements are collected by the City and turned over to the developer that constructed the improvements when property in the district develops or makes use of the improvements. See City Code section 151.110 pertaining to reimbursement districts.

The Wauna Credit Union (WCU) was constructed and included necessary new storm service extensions (900 feet) to the site through a Public Improvement Agreement with the City. A majority of this public storm sewer constructed by WCU will benefit other undeveloped properties as shown below. Therefore, WCU submitted application for a reimbursement district to potentially recoup some of its improvement costs from the other benefitting properties. A majority of the surrounding properties shown below have been included in a recent development application accepted by the City. Furthermore, that development (Reserve at Fern Hill Apartments) was conditioned to participate in the reimbursement district once it is formed.

ISSUE STATEMENT:

Wauna Credit Union has constructed public improvements and would like an opportunity to recover some of its costs pursuant to City Ordinance No. 2011-02 and City Code sections 151.110 to 151.124. The following are the necessary steps for creating this reimbursement district.

SECTION 151.115. PUBLIC HEARING:

(A) Within a reasonable time after the City Engineer has completed the report, the City Council shall hold an informational public hearing in which persons impacted by the creation of the Reimbursement District shall be given the opportunity to comment thereon.

(B) Notice of the hearing shall be given not less than ten (before January 15th) nor more than 30 days prior to the public hearing date. Notice shall be given to the applicant and all owners of property within the proposed District with notification by certified mail, return receipt requested, or by personal service.

(C) Formation of a District does not result in an assessment or lien against property. As a result, the hearing is informational only and the District is not subject to termination as a result of remonstrances to the formation thereof. The City Council has the sole discretion, after the public hearing, to decide whether the District is to be formed or not. If a District is to be formed, a resolution approving and forming the Reimbursement District shall be adopted.

(D) If a Reimbursement District is formed prior to construction of the improvement(s), a second public hearing shall be held after the improvement has been accepted by the city when the Council may modify the resolution to reflect the cost of the improvement(s).

SECTION 151.116. CITY COUNCIL ACTION:

At the conclusion of the hearing, the City Council shall approve, reject, or modify the recommendations contained in the City Engineer's report and manifest its action in a resolution. If a Reimbursement District is established, the resolution shall include a copy of the City Engineer's report as approved or modified and specify that payment of the appropriate fee as determined by the Council for each parcel is a precondition to receipt of any city permit necessary for development of that parcel.

If a Reimbursement District is established, it shall be deemed formed as of the date the Council adopts the resolution referred to.

SECTION 151.119. NOTICE OF ADOPTION OF RESOLUTION:

The city shall notify all property owners within the District and the applicant of the adoption of a reimbursement district resolution. The notice shall include a copy of the resolution, date it was adopted and short explanation of when the property owner is obligated to pay the reimbursement fee and the amount thereof.

SECTION 151.120. RECORDING THE RESOLUTION:

The City Recorder shall cause notice of the formation and nature of the Reimbursement District to be filed in the office of the County Recorder in order to provide notice to potential purchasers of property within the District of its existence.

LOCATION OF DISTRICT:



The Engineer's Report reflecting the actual construction costs of the project and the reimbursement fee for participating properties is attached.

STAFF RECOMMENDATION:

This report and supporting documentation is for informational purposes only. If you have specific questions about the contents, feel free to direct them to Gregory Robertson in advance of the work session.

ATTACHMENT(S):

Attachment 1 – Engineer's Report.

Attachment 2 – Resolution forming the proposed reimbursement district.

Attachment 3 – Pay request documentation (Big River, Rickenbach and Brix Paving)



A place where families and businesses thrive.

TBD

Dear Property Owner:

Pursuant to City Code Section 151.115, you are receiving this notice because you are an owner of record within a proposed public improvement reimbursement district requested by Forest Grove Wauna Federal Credit Union, 3532 Pacific Avenue. The City Council will hold an Informational Public Hearing to consider forming the district at its regular meeting on **Monday, TBD**, at **7:00 p.m.** or shortly thereafter, in which persons impacted by the creation of the district shall be given the opportunity to comment thereon.

The meeting will be held in a “hybrid” format allowing the public to attend virtual by Zoom and in-person. The Community Auditorium, 1915 Main Street, will be open and has limited seating. Written comments or testimony may be submitted prior to the hearing to the attention of the City Recorder’s Office, P.O. Box 326, 1924 Council Street, Forest Grove, OR 97116, aruggles@forestgrove-or.gov. If you wish to provide verbal testimony by Zoom or in person, please email aruggles@forestgrove-or.gov at least 24 hours prior to the hearing for instructions on how to participate.

Included with this letter is a copy of the staff report, engineer’s report and proposed draft resolution for your review and consideration. It should be noted, that while you may be within the boundary of the district, the reimbursement terms are only applicable should you elect to utilize the infrastructure constructed by Wauna Federal Credit Union within Poplar Street.

In the interim, should you have specific questions, feel free to contact me directly. I can be reached by telephone at (503) 992-3225 or via email at grobertson@forestgrove-or.gov.

Sincerely,

Gregory H. Robertson, P.E., AICP, CFM
Director of Public Works

cc. File

**ENGINEERS REPORT
WAUNA CREDIT UNION
PROPOSED PUBLIC IMPROVEMENT REIMBURSEMENT DISTRICT
By: Gregory H. Robertson, P.E., AICP, CFM
Director of Public Works
September 27, 2021**

The Forest Grove Wauna Credit Union (WCU) at 3532 Pacific Avenue, has made application to enter into an agreement with the City for the establishment of a Reimbursement District associated with the construction of a new public storm service extension (improvement) to the site. Upon future development or redevelopment of properties within the District, the Applicant desires to recoup a portion of the cost of the storm service improvement. Pursuant to Ordinance No. 2011-02 and City Code sections 151.110 to 151.124, the objective of this report is to make a recommendation to Council as to the merit of establishing this Reimbursement District.

Engineering has evaluated an application from WCU and has determined that the storm water improvements proposed will benefit properties that are adjacent to the improvements when they develop. Therefore, the Applicant (WCU) may be entitled to recoup a portion of the improvement costs. City Code sections 151.110 to 151.124 requires the following specific information:

1. Whether the Public Improvement for which reimbursement is sought has capacity sufficient to allow use thereof by property other than property owned by the applicant;

The Applicant has constructed improvements that have sufficient capacity to serve properties other than that owned by the Applicant (see Section 4).

2. The area proposed to be included in the reimbursement district;

The Reimbursement District includes properties south of WCU on either side of Poplar Street (see Section 4). Owner names and tax lot details are on file and based on latest Washington County Assessor information (See Section 4).

3. The actual cost of the improvements within the area of the proposed Reimbursement District and the portion thereof for which the applicant should be reimbursed;

Table 1: Actual Project Cost (submitted by WCU)

	Description	Amount
	Storm (918 Lineal Feet)	
	Design	\$2,670
	Construction	\$260,196
	TOTAL	\$262,866

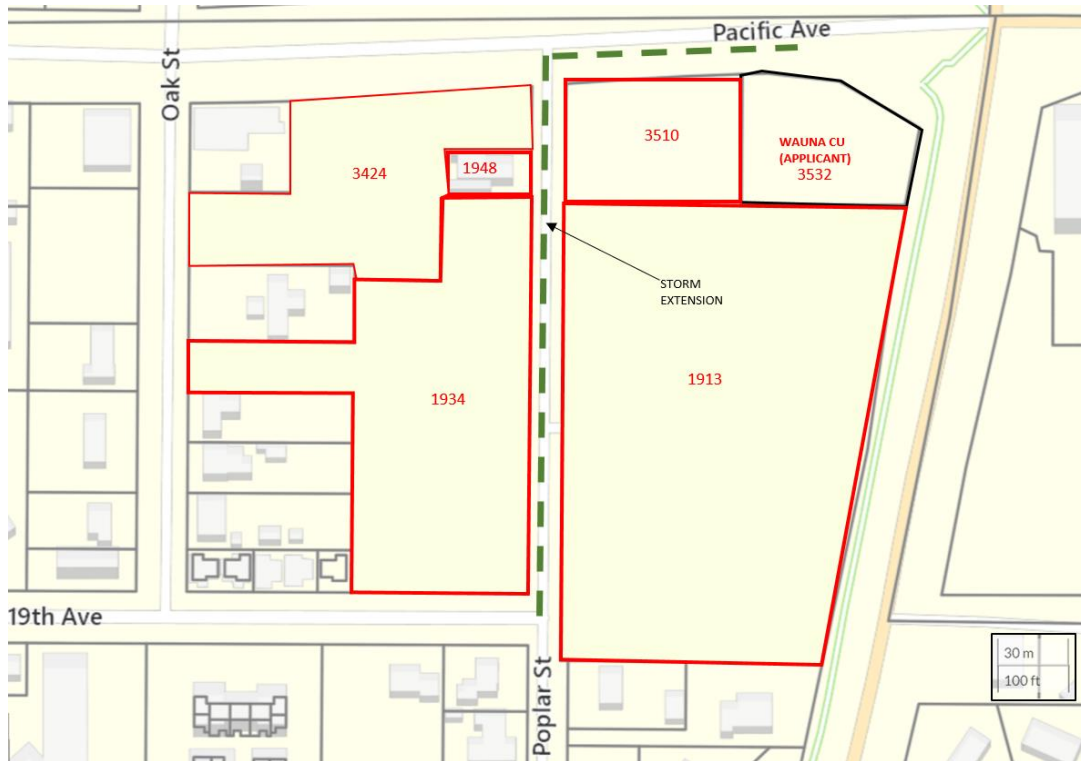
4. A methodology for allocating the cost among the parcels within the proposed district and, where appropriate, defining a "unit" for applying the Reimbursement Fee to property which may be partitioned, subdivided or otherwise modified at some future date;

Improvements have the potential to benefit 17 tax lots; costs for extension were allocated to the tax lots based on what is shown below. The costs were distributed based on the lands current tax lot information. Property owner names and tax lot details are on file and based on latest Washington County Assessor information. This assessment is tied to, or runs with the land. The ownership details may change by the time of actual reimbursement collection.

The cost allocation method proposed for the reimbursement district will utilize the area method which is prorated to the improvement. Wauna Credit Union out of pocket expenditure \$262,866 consisting of a 12 inch, 15 inch and 18 inch stormwater main to accommodate the entire drainage basin (including the Reserve properties). The plans originally approved for the Reserve at Fern Hill Apartments, showed numerous connections to the stormwater main constructed by Wauna Credit Union, requiring the progressively larger main. However, the developer subsequently made design revisions to their internal stormwater management system, significantly reducing the need to utilize the Wauna Credit Union constructed stormwater main. JT Smith Co. argued that their benefit was significantly reduced and, therefore, their reimbursement district cost should be reduced, as well. In order to reconcile the differences and to be fair to all parties, an assumption was made that, because of the developer's design revisions, if the Reserve developer were to be the first to build, they would only be required to build the minimum 12 inch to serve the upstream properties. Progress billings provided by Wauna were examined. Relevant bid item unit rates were applied to match a similar alignment that the Reserve developer would have had to build. As a result, the total equivalent cost is \$191,652. Because of a lot consolidation recorded earlier this year, the proposed district of 9.54 acres now consists of five parcels.

Fern Hill Apartments:	6.78 acres
Wauna Credit Union:	0.64 acres
Fern Hill Apartments (Popeyes)	0.71 acres
Diego et al.:	0.12 acres
<u>Pacific Development Holdings</u>	<u>1.29 acres</u>
Total	9.54 acres

Reimbursement on a per acre basis is \$20,089.31. When applied on a per parcel basis as outlined above, the reimbursable amounts are listed below:



Poplar Street Storm Pipe Extension Reimbursement District

Property Total Amount To be Paid:

1S305BA00100	WAUNA FEDERAL CREDIT UNION	3532 PACIFIC AVE	\$12,857.16
1S305BA00401	DIEGO, JAIME & JUAN, CATARINA AN	1948 POPLAR ST	\$2,410.72
1S305BA01700	PACIFIC DEVELOPMENT HOLDINGS LLC	3424 PACIFIC AVE STE A	\$25,915.21
1S305BA02000	FERNHILL APARTMENTS LLC	1934 POPLAR ST	\$90,401.88
1S305BA00200	FERNHILL APARTMENTS LLC	3510 PACIFIC AVE	\$14,263.41
1S305BA03100	FERNHILL APARTMENTS LLC	1913 POPLAR ST	\$45,803.62
TOTAL			\$191,652.00

5. The period of time that the right to reimbursement exists;

Pursuant to City Code, the right to reimbursement exists for 10 years from the district formation date. Upon application for an extension, the City Council, at its sole discretion may authorize up to 10 more years, for total reimbursement period not to exceed 20 years.

6. Whether the improvements will meet or have met City standards;

The constructed improvements have been reviewed, inspected, and accepted by the City in accordance with City standards.

RESOLUTION NO. 2021-

**RESOLUTION ON FORMATION OF A PROPOSED REIMBURSEMENT DISTRICT,
PURSUANT TO CITY CODE SECTIONS 151.110 THROUGH 151.124,
“WAUNA CREDIT UNION PUBLIC IMPROVEMENT REIMBURSEMENT DISTRICT”**

WHEREAS, Wauna Credit Union constructed public improvements and desires an opportunity to recover some of its costs pursuant to Reimbursement Districts, Ordinance No. 2011-02, and Forest Grove Municipal Code (FGMC) sections 151.110 to 151.124; and

WHEREAS, the City gave notice of an informational public hearing to the applicant and all owners of property within the proposed District in which persons impacted by the creation of the Reimbursement District shall be given the opportunity to comment thereon; and

WHEREAS, the City Engineer, prepared a written report (Engineer's Report) addressing formation of the proposed improvement reimbursement district and presented the Report to the City Council at the TBD meeting; and

WHEREAS, the Engineer's Report identified the specific properties that would be included in the reimbursement district, that will benefit from the improvement, as well as method of establishing a cost allocation for the benefiting properties; and

WHEREAS, because formation of a District does not result in an assessment or lien against a property, the hearing therefore is informational only and the District is not subject to termination as a result of remonstrances to the formation thereof; and

WHEREAS, after the public hearing, the City Council has the sole discretion to decide whether the District is to be formed or not. If a District is to be formed, a resolution approving and forming the Reimbursement District shall be adopted; and

WHEREAS, the City Council has considered the Engineers Report, the evidence in the record and public testimony in making a decision.

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

Section 1. The Wauna Credit Union Public Improvement Reimbursement District as described in the Engineers Report is hereby approved and formed; and

Section 2. The cost of the reimbursement district, the specific parcels that are included in the reimbursement district and benefit from the improvement, as well the method for allocating the cost to the benefiting properties, is described in Attachment 1, Engineers Report; and

Section 3. The City shall notify all property owners within the District and the applicant of the adoption of this resolution. The notice shall include a copy of the

resolution, date it was adopted and short explanation of when the property owner is obligated to pay the reimbursement fee and the amount thereof; and

Section 4. The City Recorder shall cause notice of the formation and nature of the Reimbursement District to be filed in the office of the County Recorder in order to provide notice to potential purchasers of properties within the District of its existence; and

Section 5. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this **TBD**.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this **TBD**.

Peter B. Truax, Mayor



35064 Hwy 101 Business
Astoria OR 97103
503-338-3878

License: OR 147632 / WA BIGRIE*955DW

Unit Billing

Application: 5

Period: 10/31/2019

Owner: Rickenbach Construction
37734 Eagle Lane
Astoria OR 97103

Job Location: Wauna FCU - Forest Grove
3532 Pacific Avenue
Forest Grove OR 97116

Application For Payment On Contract

Contract Sum to Date	771,588.54
Total Complete to Date	754,255.29
 Total Retained	 37,712.78
Total Earned Less Retained	716,542.51
 Less Previous Billings	 677,321.40
 Current Payment Due	39,221.11
 Balance on Contract	 17,333.25

Contractor's Certification of Work

The undersigned contractor certifies that, to the best of the contractor's knowledge, the work on the above named job has been completed in accordance with the plans and specifications to the level of completion indicated on the attached schedule of completion.

Contractor: _____

Date: _____

11-13-19

Terms: Invoices are due and payable 30DY from the date of invoice. All overdue amounts will be charged a service charge of 18.00 % per anum. Please make checks payable to: Big River Construction, Inc.

Thank you for your prompt payment.

Unit Billing

Schedule of Work Completed

Application: 5

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
1	Mobilization,Flaggin EROSION CONTRO	67,000.00	67,000.00	1.00		1.00	67,000.00		67,000.00	3,350.00
2	Construction Entran	2,200.00	2,200.00	1.00		1.00	2,200.00		2,200.00	110.00
3	Concrete Washout	2,000.00	2,000.00	1.00		1.00	2,000.00		2,000.00	100.00
4	Silt Fence	2.25	2,137.50	950.00		950.00	2,137.50		2,137.50	106.88
5	Inlet Protection	60.00	360.00	6.00		6.00	360.00		360.00	18.00
6	Temp Seed & Hay OFF SITE GRADIN	1,800.00	1,800.00	1.00		1.00	1,800.00		1,800.00	90.00
7	Sawcutt & Demo A	0.85	3,825.00	3,250.00		3,250.00	2,762.50		2,762.50	138.13
8	Demo Existing Gau	725.00	725.00	1.00		1.00	725.00		725.00	36.25
9	Remove Existing Si	725.00	725.00							
10	Demo Exisitng Stor	670.00	670.00	1.00		1.00	670.00		670.00	33.50
11	Grubbing	17.00	14,365.00	845.00		845.00	14,365.00		14,365.00	718.25
12	Rock Placement Un	2.00	10,900.00	4,000.00	1,450.00	5,450.00	8,000.00	2,900.00	10,900.00	545.00
13	Prep For Driveway	2.00	250.00	125.00		125.00	250.00		250.00	12.50
14	Prep For Patch on P	3.50	367.50	105.00		105.00	367.50		367.50	18.38
15	Prep for Sidewalks	1.75	5,748.75							
16	Prep for Curb & Gut	5.00	1,910.00							
17	Prep For AC Patch	3.25	7,624.50							
18	Prep For Landscap ONSITE GRADING	0.17	1,343.00	3,950.00	3,950.00	7,900.00	671.50	671.50	1,343.00	67.15
19	Remove Exisitng Tr	5,000.00	5,000.00	1.00		1.00	5,000.00		5,000.00	250.00
20	Grubbing	17.00	23,222.00	1,366.00		1,366.00	23,222.00		23,222.00	1,161.10
21	Excavation to Subgr	28.00	12,124.00	433.00		433.00	12,124.00		12,124.00	606.20
22	Rock Placement to	29.00	43,181.00	1,489.00		1,489.00	43,181.00		43,181.00	2,159.05
23	Rock Placement Un	2.00	25,440.00	11,000.00	1,720.00	12,720.00	22,000.00	3,440.00	25,440.00	1,272.00
24	Prep For Curbs	5.00	4,880.00	976.00		976.00	4,880.00		4,880.00	244.00
25	Prep For Sidewalks	1.75	3,850.00	1,100.00	1,100.00	2,200.00	1,925.00	1,925.00	3,850.00	192.50
26	Backfill Planters & I	0.95	1,045.00		1,100.00	1,100.00	1,045.00	1,045.00	1,045.00	52.25
27	Prep For Landscap	0.50	3,675.00	4,350.00	3,000.00	7,350.00	2,175.00	1,500.00	3,675.00	183.75
28	Prep for Sign Footin	1,500.00	1,500.00		1.00	1.00	1,500.00	1,500.00	1,500.00	75.00
29	Foot Ex & Prep Rat OFFSITE STORM	3.75	15,416.25	4,111.00		4,111.00	15,416.25		15,416.25	770.81
30*	12" Storm 8'-9' Dept	159.00	43,407.00	273.00		273.00	43,407.00		43,407.00	2,170.35
30.1	15" Storm	166.00	71,712.00	432.00		432.00	71,712.00		71,712.00	3,585.60
30.2	18" Storm	187.00	39,831.00	213.00		213.00	39,831.00		39,831.00	1,991.55

Unit Billing

Schedule of Work Completed

Application: 5

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
31	Manholes	5,200.00	15,600.00	3.00		3.00	15,600.00		15,600.00	780.00
32	Prep for AC Patchin	0.40	2,200.00	5,500.00		5,500.00	2,200.00		2,200.00	110.00
33	Storm Testing & TV ONSITE STORM SY	6,650.00	6,650.00	1.00		1.00	6,650.00		6,650.00	332.50
34	Detention System	177.00	42,480.00	240.00		240.00	42,480.00		42,480.00	2,124.00
35	WQCB	10,350.00	20,700.00	2.00		2.00	20,700.00		20,700.00	1,035.00
36	Flow Control Manh	7,250.00	7,250.00	1.00		1.00	7,250.00		7,250.00	362.50
37	Pretreatment Manh	6,600.00	6,600.00	1.00		1.00	6,600.00		6,600.00	330.00
38	10" 3034	107.00	13,589.00	127.00		127.00	13,589.00		13,589.00	679.45
39	8" 3034	90.00	6,210.00	69.00		69.00	6,210.00		6,210.00	310.50
40	6" 3034	88.00	32,560.00	370.00		370.00	32,560.00		32,560.00	1,628.00
41	Clean Outs	540.00	1,620.00	3.00		3.00	1,620.00		1,620.00	81.00
42	Rain Drains Fittings	200.00	1,600.00	8.00		8.00	1,600.00		1,600.00	80.00
43	Foundation Drain & OFFSITE SEWER	52.00	20,800.00	400.00		400.00	20,800.00		20,800.00	1,040.00
44	Connect to Existing	1,750.00	1,750.00	1.00		1.00	1,750.00		1,750.00	87.50
45	6" 3034 8'-11' Deep	138.00	35,328.00	256.00		256.00	35,328.00		35,328.00	1,766.40
45.1	10" 3034	150.00	1,950.00	13.00		13.00	1,950.00		1,950.00	97.50
46*	Manhole	5,200.00	10,400.00	2.00		2.00	10,400.00		10,400.00	520.00
47	Prep For AC Patchi	1.75	262.50							
48	Testing & TV Inspec ONSITE SEWER	2,750.00	2,750.00	1.00		1.00	2,750.00		2,750.00	137.50
49	4" 3034 8' Depth 10 OFFSITE WATER	132.00	12,540.00	95.00		95.00	12,540.00		12,540.00	627.00
50	Connect to Existing	5,800.00	5,800.00	1.00		1.00	5,800.00		5,800.00	290.00
50.1	Relocate Existing Fi	6,000.00	6,000.00	1.00		1.00	6,000.00		6,000.00	300.00
51	Fire Hydrant & Pipin ONSITE WATER	6,000.00	6,000.00	1.00		1.00	6,000.00		6,000.00	300.00
52	Connect to Existing	2,200.00	2,200.00	1.00		1.00	2,200.00		2,200.00	110.00
53*	2" Water Service (5'	60.00	3,660.00	61.00		61.00	3,660.00		3,660.00	183.00
54	Testing DRY UTILITIES	900.00	900.00	1.00		1.00	900.00		900.00	45.00
55*	Power Vault & Con	12,550.00	12,550.00	1.00		1.00	12,550.00		12,550.00	627.50
	CO#3 Waterline rea	39,923.14	39,923.14	1.00		1.00	39,923.14		39,923.14	1,996.16
	CO#5 Storm Manho	5,177.53	5,177.53	1.00		1.00	5,177.53		5,177.53	258.88
	CO#7 Light Pole Co	24.00	10,800.00		450.00	450.00		10,800.00	10,800.00	540.00

Unit Billing

Application: 5

Schedule of Work Completed

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
	CO#8 Gas Line Rel	17,503.87	17,503.87		1.00	1.00		17,503.87	17,503.87	875.19
Totals:			771,588.54	46,143.00	12,772.00	58,915.00	712,969.92	41,285.37	754,255.29	37,712.78

Unit Billing

Schedule of Work Completed

Application: 5

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
1	Mobilization,Flaggin EROSION CONTRO	67,000.00	67,000.00	1.00		1.00	67,000.00		67,000.00	3,350.00
2	Construction Entran	2,200.00	2,200.00	1.00		1.00	2,200.00		2,200.00	110.00
3	Concrete Washout	2,000.00	2,000.00	1.00		1.00	2,000.00		2,000.00	100.00
4	Silt Fence	2.25	2,137.50	950.00		950.00	2,137.50		2,137.50	106.88
5	Inlet Protection	60.00	360.00	6.00		6.00	360.00		360.00	18.00
6	Temp Seed & Hay OFF SITE GRADIN	1,800.00	1,800.00	1.00		1.00	1,800.00		1,800.00	90.00
7	Sawcutt & Demo A	0.85	3,825.00	3,250.00		3,250.00	2,762.50		2,762.50	138.13
8	Demo Existing Gau	725.00	725.00	1.00		1.00	725.00		725.00	36.25
9	Remove Existing Si	725.00	725.00							
10	Demo Exisitng Stor	670.00	670.00	1.00		1.00	670.00		670.00	33.50
11	Grubbing	17.00	14,365.00	845.00		845.00	14,365.00		14,365.00	718.25
12	Rock Placement Un	2.00	10,900.00	4,000.00	1,450.00	5,450.00	8,000.00	2,900.00	10,900.00	545.00
13	Prep For Driveway	2.00	250.00	125.00		125.00	250.00		250.00	12.50
14	Prep For Patch on P	3.50	367.50	105.00		105.00	367.50		367.50	18.38
15	Prep for Sidewalks	1.75	5,748.75							
16	Prep for Curb & Gut	5.00	1,910.00							
17	Prep For AC Patch	3.25	7,624.50							
18	Prep For Landscap ONSITE GRADING	0.17	1,343.00	3,950.00	3,950.00	7,900.00	671.50	671.50	1,343.00	67.15
19	Remove Exisitng Tr	5,000.00	5,000.00	1.00		1.00	5,000.00		5,000.00	250.00
20	Grubbing	17.00	23,222.00	1,366.00		1,366.00	23,222.00		23,222.00	1,161.10
21	Excavation to Subgr	28.00	12,124.00	433.00		433.00	12,124.00		12,124.00	606.20
22	Rock Placement to	29.00	43,181.00	1,489.00		1,489.00	43,181.00		43,181.00	2,159.05
23	Rock Placement Un	2.00	25,440.00	11,000.00	1,720.00	12,720.00	22,000.00	3,440.00	25,440.00	1,272.00
24	Prep For Curbs	5.00	4,880.00	976.00		976.00	4,880.00		4,880.00	244.00
25	Prep For Sidewalks	1.75	3,850.00	1,100.00	1,100.00	2,200.00	1,925.00	1,925.00	3,850.00	192.50
26	Backfill Planters & I	0.95	1,045.00		1,100.00	1,100.00		1,045.00	1,045.00	52.25
27	Prep For Landscap	0.50	3,675.00	4,350.00	3,000.00	7,350.00	2,175.00	1,500.00	3,675.00	183.75
28	Prep for Sign Footin	1,500.00	1,500.00		1.00	1.00		1,500.00	1,500.00	75.00
29	Foot Ex & Prep Rat OFFSITE STORM	3.75	15,416.25	4,111.00		4,111.00	15,416.25		15,416.25	770.81
30*	12" Storm 8'-9' Dept	159.00	43,407.00	273.00		273.00	43,407.00		43,407.00	2,170.35
30.1	15" Storm	166.00	71,712.00	432.00		432.00	71,712.00		71,712.00	3,585.60
30.2	18" Storm	187.00	39,831.00	213.00		213.00	39,831.00		39,831.00	1,991.55

Unit Billing

Schedule of Work Completed

Application: 5

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
31	Manholes	5,200.00	15,600.00	3.00		3.00	15,600.00		15,600.00	780.00
32	Prep for AC Patchin	0.40	2,200.00	5,500.00		5,500.00	2,200.00		2,200.00	110.00
33	Storm Testing & TV ONSITE STORM SY	6,650.00	6,650.00	1.00		1.00	6,650.00		6,650.00	332.50
34	Detention System	177.00	42,480.00	240.00		240.00	42,480.00		42,480.00	2,124.00
35	WQCB	10,350.00	20,700.00	2.00		2.00	20,700.00		20,700.00	1,035.00
36	Flow Control Manh	7,250.00	7,250.00	1.00		1.00	7,250.00		7,250.00	362.50
37	Pretreatment Manh	6,600.00	6,600.00	1.00		1.00	6,600.00		6,600.00	330.00
38	10" 3034	107.00	13,589.00	127.00		127.00	13,589.00		13,589.00	679.45
39	8" 3034	90.00	6,210.00	69.00		69.00	6,210.00		6,210.00	310.50
40	6" 3034	88.00	32,560.00	370.00		370.00	32,560.00		32,560.00	1,628.00
41	Clean Outs	540.00	1,620.00	3.00		3.00	1,620.00		1,620.00	81.00
42	Rain Drains Fittings	200.00	1,600.00	8.00		8.00	1,600.00		1,600.00	80.00
43	Foundation Drain & OFFSITE SEWER	52.00	20,800.00	400.00		400.00	20,800.00		20,800.00	1,040.00
44	Connect to Existing	1,750.00	1,750.00	1.00		1.00	1,750.00		1,750.00	87.50
45	6" 3034 8'-11' Deep	138.00	35,328.00	256.00		256.00	35,328.00		35,328.00	1,766.40
45.1	10" 3034	150.00	1,950.00	13.00		13.00	1,950.00		1,950.00	97.50
46*	Manhole	5,200.00	10,400.00	2.00		2.00	10,400.00		10,400.00	520.00
47	Prep For AC Patchi	1.75	262.50							
48	Testing & TV Inspec ONSITE SEWER	2,750.00	2,750.00	1.00		1.00	2,750.00		2,750.00	137.50
49	4" 3034 8' Depth 10 OFFSITE WATER	132.00	12,540.00	95.00		95.00	12,540.00		12,540.00	627.00
50	Connect to Existing	5,800.00	5,800.00	1.00		1.00	5,800.00		5,800.00	290.00
50.1	Relocate Existing Fi	6,000.00	6,000.00	1.00		1.00	6,000.00		6,000.00	300.00
51	Fire Hydrant & Pipin ONSITE WATER	6,000.00	6,000.00	1.00		1.00	6,000.00		6,000.00	300.00
52	Connect to Existing	2,200.00	2,200.00	1.00		1.00	2,200.00		2,200.00	110.00
53*	2" Water Service (5'	60.00	3,660.00	61.00		61.00	3,660.00		3,660.00	183.00
54	Testing DRY UTILITIES	900.00	900.00	1.00		1.00	900.00		900.00	45.00
55*	Power Vault & Con	12,550.00	12,550.00	1.00		1.00	12,550.00		12,550.00	627.50
	CO#3 Waterline rea	39,923.14	39,923.14	1.00		1.00	39,923.14		39,923.14	1,996.16
	CO#5 Storm Manho	5,177.53	5,177.53	1.00		1.00	5,177.53		5,177.53	258.88
	CO#7 Light Pole Co	24.00	10,800.00		450.00	450.00		10,800.00	10,800.00	540.00

Unit Billing

Schedule of Work Completed

Application: 5

Period: 10/31/2019

Item Code	Description	Price/Unit	Contract Plus Changes	Previous Units Billed	Current Units Complete	Total Units Complete	Previous Value	Current Value	Total Value	Retained
	CO#8 Gas Line Rel	17,503.87	17,503.87		1.00	1.00		17,503.87	17,503.87	875.19
Totals:			771,588.54	46,143.00	12,772.00	58,915.00	712,969.92	41,285.37	754,255.29	37,712.78



35064 Hwy 101 Business
Astoria OR 97103
503-338-3878

License: OR 147632 / WA BIGRIE*955DW

Change Order Request

Order#: 7

Order Date: 10/31/2019

To: Rickenbach Construction
37734 Eagle Lane
Astoria OR 97103

Project: 19027

Wauna FCU - Forest Grove
3532 Pacific Avenue
Forest Grove OR 97116

The contractor agrees to perform and the owner agrees to
pay for the following changes to this contract.

Plans Attached ☐

Submitted By:

Customer Order:

Specifications Attached ☐

Description of Work	Hours/Units	Cost	Mark-up %	Requested
---------------------	-------------	------	-----------	-----------

Work to be done as itemized below: **Light Pole Conduit Trenching**

Reason for Work:

Light Pole Conduit Trenching

10,800.00

Per Alt 8 provided with original contract.

450 LF @ \$24.00 per LF = \$10,800.00

Notes:

Negative changes will lower the overall contract
price requiring no additional payment by owner.

Requested Amount of Change

10,800.00

The original Contract Sum was	698,184.00
Net change by previous Change Orders	62,604.54
The Contract Sum prior to this Change Order	760,788.54
The Contract Sum will be changed by this Change Order	10,800.00
The new Contract Sum including this Change Order will be	771,588.54
The Contract Time will be changed by	0 Days

Owner: _____ Date: _____

Contractor: _____ Date: _____



35064 Hwy 101 Business
Astoria OR 97103
503-338-3878

License: OR 147632 / WA BIGRIE*955DW

Change Order Request

Order#: 8

Order Date: 10/31/2019

To: Rickenbach Construction
37734 Eagle Lane
Astoria OR 97103

Project: 19027

Wauna FCU - Forest Grove
3532 Pacific Avenue
Forest Grove OR 97116

The contractor agrees to perform and the owner agrees to pay for the following changes to this contract.

Plans Attached ☐

Submitted By:

Customer Order:

Specifications Attached ☐

Description of Work	Hours/Units	Cost	Mark-up %	Requested
---------------------	-------------	------	-----------	-----------

Work to be done as itemized below: **Gas Line Relocate/Storm Conflict**

Reason for Work:

Gas Line Relocate/Storm Conflict
See attached

15,220.76

15.00

17,503.87

Notes:

Negative changes will lower the overall contract price requiring no additional payment by owner.

Requested Amount of Change

17,503.87

The original Contract Sum was	698,184.00
Net change by previous Change Orders	45,100.67
The Contract Sum prior to this Change Order	743,284.67
The Contract Sum will be changed by this Change Order	17,503.87
The new Contract Sum including this Change Order will be	760,788.54
The Contract Time will be changed by	0 Days

Owner: _____ Date: _____

Contractor: _____ Date: _____

CM 8 Storm Conflict with Gas & Existing Utilities

	1	Is			
Material:	Quant	Unit		Unit Price	Total
3/4"-0 Rock 7/15	31.1	tn	*	\$ 10.00	\$ 311.00
Dump Fee Dirt Spoils 7/15	20	cy	*	\$ 6.00	\$ 120.00
3/4"-0 Rock 7/16	20.74	tn	*	\$ 10.00	\$ 207.40
Dump Fee Dirt Spoils 7/16	13.5	cy	*	\$ 6.00	\$ 81.00
Level 3 1/2" Asphalt 7/18/19	1	ls	*	\$ 1,218.17	\$ 1,218.17
EZ Street	3.98	tn	*	\$ 125.00	\$ 497.50
				sub total	\$ 2,435.07
Equipment:	Quant	Unit		Unit Price	Total
Excavator Cat 312	15.25	hrs	*	\$ 67.00	\$ 1,021.75
Excavator JD 245	21	hrs	*	\$ 84.70	\$ 1,778.70
				sub total	\$ 2,800.45
Labor:	Quant	Unit		Unit Price	Total
Operator	21.75	hrs	*	\$ 48.00	\$ 1,044.00
Laborer	51.25	hrs	*	\$ 40.00	\$ 2,050.00
Supervisor	6.5	hrs	*	\$ 50.00	\$ 325.00
Laborer OT	34	hrs	*	\$ 63.00	\$ 2,142.00
Supervisor OT	14	hrs	*	\$ 105.00	\$ 1,470.00
				sub total	\$ 7,031.00
Sub & Misc.:	Quant	Unit		Unit Price	Total
Solo Dump Truck 7/15	7.5	hrs	*	\$ 90.00	\$ 675.00
rental roller peterson	1	ls	*	\$ 453.20	\$ 453.20
Shoring Rental (Cascade)	1	ls	*	\$ 1,226.04	\$ 1,226.04
Vac Truck	4	hrs	*	\$ 150.00	\$ 600.00
				sub total	\$ 2,954.24

NOTES: 7/15 Trucking for manhole pick up and delivery.

Cost	\$ 15,220.76
percent	15.0%
profit	\$ 2,283.11
Total	\$ 17,503.87

Unit Price Per

Is

\$ 17,503.87

REQUEST FOR PAYMENT

From: Brix Paving Northwest Inc.
PO Box 2388
Tualatin, OR 97062

To: Rickenbach Construction Inc
37734 Eagle Lane
Astoria, OR 97103

Invoice: 1993473
Draw: 3
Invoice date: 6/15/2020
Period ending date: 6/15/2020

Contract For: Wauna Credit Union

Request for payment:

Original contract amount	\$72,618.00	
Approved changes	\$20,070.66	
Revised contract amount		\$92,688.66
Contract completed to date		\$79,129.50
Add-ons to date	\$0.00	
Taxes to date	\$0.00	
Less retainage	\$1,093.57	
Total completed less retainage		\$78,035.93
Less previous requests	\$57,258.00	
Current request for payment		\$20,777.93
Current billing		\$21,871.50
Current additional charges	\$0.00	
Current tax	\$0.00	
Less current retainage	\$1,093.57	
Current amount due		\$20,777.93
Remaining contract to bill	\$14,652.73	

Project: 199347
Wauna Credit Union

Contract date:

Architect:

Scope:

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner	20,070.66	
Total approved this Month		
TOTALS	20,070.66	
NET CHANGES by Change Order	20,070.66	

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of the accomplishment under the terms of the Contract (and all authorized changes thereof) between the undersigned and the Rickenbach Construction Inc relating to the above referenced project. I also certify that the contractor has paid all amounts previously billed and paid by the owner.

CONTRACTOR: Brix Paving Northwest Inc.

State Of Oregon

County Of Washington

By: WRS

Subscribed and sworn to before me this 23 day of June, 2020

Date: 6-23-20

Notary Public Lisa Marie Smith

My commission expires: 9-15-20



REQUEST FOR PAYMENT DETAIL

Project: 199347 / Wauna Credit Union

Invoice: 1993473

Draw: 3

Period Ending Date: 6/15/2020

Detail Page 2 of 2 Pages

Item ID	Description	Unit of Measure	CONTRACTED			CURRENT		TOTAL TO DATE		Units to Finish
			Bid Quantity	Unit Price	Amount	Quantity	Amount	Quantity	Amount	
10	Mob	EA	2.00	1,125.00	2,250.00	1.00	1,125.00	3.00	3,375.00	-1.00
20	3" AC Paving - One Lift	SF	18,144.00	2.00	36,288.00			18,144.00	36,288.00	
30	4" AC Paving - Offsite Pacific	SF	3,000.00	5.12	15,360.00	132.00	675.84	132.00	675.84	2,868.00
40	4" AC Paving Popular St	SF	4,680.00	4.00	18,720.00			4,680.00	18,720.00	
70	9" Patching	SF	1,152.00	10.24	11,796.48	1,152.00	11,796.48	1,152.00	11,796.48	
80	6" Patching	SF	1,434.00	5.77	8,274.18	1,434.00	8,274.18	1,434.00	8,274.18	

Totals					92,688.66		21,871.50		79,129.50	
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**REVIEWED**

By Ashley Erickson at 3:24 pm, Aug 26, 202

INVOICE

37734 Eagle Lane Astoria, OR 97103 CCB#59660

Date	Invoice #
8/25/2020	3095

Bill To

Wauna Federal Credit Union
PO BOX 67
Clatskanie, Or 97016

RECEIVED

By mike.chapman at 10:32 am, Aug 26, 2020

Terms	Due Date
Due within 14 days of receipt	8/25/2020

Date	Item	Description	Amount
7/31/2020	Labor & Supervision	Pay Application #10 for work performed in July and change orders #1-4	8,550.91
7/31/2020	Retention Withholding	Retention	-427.55
APPROVED By Debi Smiley at 1:26 pm, Aug 26, 2020 APPROVED By Robert Blumberg at 1:59 pm, Aug 26, 2020			GL 130010 Forest Grove ODOT work

Total**Balance Due**

\$8,123.36

Phone	Fax	E-mail
503-325-3749	503-325-6305	debbie@rcibuilds.com



APPLICATION AND CERTIFICATE FOR PAYMENT

APPLICATION #9

PAGE 1 OF 1 PAGES

TO (OWNER)
WAUNA FEDERAL CREDIT UNION
PO Box 67, Clatskanie, OR 97016

PROJECT:
WFCU FOREST GROVE BRANCH
FOREST GROVE OR

APPLICATION TEN
NUMBER:
PERIOD: **JULY 1-31, '20**

Distribution to:
☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

FROM (CONTRACTOR)
Rickenbach Construction Inc.
37734 Eagle Lane, Astoria OR 97103
CONTRACT FOR: Construction Management of New Construction

ARCHITECT/ENGINEER:
Doug Circosta, Partin & Hill Architects, LLC
209 NE Lincoln, Hillsboro OR 97124

ARCH. PROJECT # 1711

Notice to Proceed Date:
CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY

APPROVED IN PREVIOUS MONTHS	ADDITIONS	DEDUCTIONS
	49,960.16	
APPROVED THIS MONTH		
CO #2: Gas Line Reloc	18,562.85	
CO #3: Interior Work	11,066.49	
COLUMN TOTALS	79,589.50	-
Net Change by Change Orders		79,589.50

The undersigned Contractor certifies that to the best of the Contractor's knowledge information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payments shown herein is now due.

CONTRACTOR:
Rickenbach Construction Inc.
37734 Eagle Lane, Astoria, OR 97103

By: Diane A. Rickenbach Date: AUG 22, 2020

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

Application is made for Payment, as shown below, in connection with the Contract
Continuation Sheet, Documents G702A, is attached.

1. ORIGINAL CONTRACT SUM-----	\$	2,322,964.76
2. Net Change by Change Orders-----	\$	79,589.50
3. CONTRACT SUM TO DATE (Line 1+2)-----	\$	2,402,554.26
4. TOTAL COMPLETED & STORED TO DATE (Column G on Continuation Sheet)	\$	2,390,359.22
5. RETAINAGE:		
a. 5% OF Completed Work-----	119,517.96	
(Column D+E on cont. sheet)		
b. RETAINAGE PAID-----	111,888.16	
(Column F on the cont. sheet)		
Total Retainage (Line 5a-5b)-----	\$	7,629.80
6. TOTAL EARNED LESS RETAINAGE-----	\$	2,270,841.26
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (TOTAL line 7 and line 8 on G702#9)-----	\$	2,374,606.06
8. CURRENT PAYMENT DUE----- (line 4 less Line 5 less Line 7)	\$	8,123.36
9. BALANCE OF GMP, INCLUDING RETAINAGE ON APP. 9-----	\$	19,824.84
(Line 3 less Line 7 less Line 8)		

State of: OREGON County of: CLATSOP
Subscribed and sworn to before me this day of , 2020
NOTARY PUBLIC:
My Commission Expires:

AMOUNT CERTIFIED:

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT/ENGINEER

By: *[Signature]* Date: **8/26/20**
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

WAUNA FEDERAL CREDIT UNION, NEW FOREST GROVE BRANCH					ATTACH TO PAY REQUEST COVER SHEET G702				
CONTINUATION SHEET			G703	APPLICATION #10			DATE: AUG 22, 2020		
A	B	C	D	E	F	G	H	I	J
DESCRIPTION OF WORK			SCHEDULED VALUE	WORK PREVIOUS APPLICATIONS	WORK COMPLETED THIS PERIOD	MATERIALS STORED	TOTAL COMPLETED & STORED TO DATE	%	BALANCE TO FINISH (C-G)
	SUPERVISION		128,278.08	108,065.43	2,338.40	-	110,403.83		17,874.25
	PROJECT LOGISTICS		46,334.09	37,162.77	1,081.71	-	38,244.48		8,089.62
1	GENERAL CONDITIONS		174,612.17	145,228.19	3,420.11	-	148,648.31	85	25,963.87
	Dirtwork and Piped Utilites , & AC		864,687.80	853,929.53	-	-	853,929.53		10,758.27
	Landscaping: water feature		111,285.69	111,343.74	-	-	111,343.74		(58.05)
2	SITE CONSTRUCTION		975,973.48	965,273.27	-	-	965,273.27	99	10,700.22
3	CONCRETE		121,230.79	124,258.53	-	-	124,258.53	102	(3,027.74)
4	MASONRY		17,773.98	22,890.82	-	-	22,890.82	129	(5,116.84)
5	METALS		60,441.71	60,087.46	-	-	60,087.46	99	354.25
	ROUGH CARPENTRY		117,715.50	120,533.92	-	-	120,533.92		(2,818.42)
	FINISH CARPENTRY		30,132.92	18,022.56	-	-	18,022.56		12,110.37
	CASEWORK		116,750.45	120,429.85	-	-	120,429.85		(3,679.40)
6	WOOD AND PLASTICS		264,598.87	258,986.32	-	-	258,986.32	98	5,612.54
	INSULATION		20,404.02	19,195.05	-	-	19,195.05		1,208.97
	ROOFING		54,001.72	56,732.53	-	-	56,732.53		(2,730.81)
	SIDING		89,217.74	89,454.88	-	-	89,454.88		(237.14)
7	THERMAL AND MOISTURE PROTECTION		163,623.48	165,382.46	-	-	165,382.46	101	(1,758.98)
	WOOD DOORS & HARDWARE		38,852.62	34,921.50	-	-	34,921.50		3,931.12
	STOREFRONTS & Glass Barn style doors		179,587.19	181,667.89	-	-	181,667.89		(2,080.70)
8	DOORS AND WINDOWS		218,439.81	216,589.39	-	-	216,589.39	99	1,850.42
	SHEETROCK		48,433.25	49,653.11	-	-	49,653.11		(1,219.86)
	T-BAR		10,918.91	9,973.79	-	-	9,973.79		945.12
	FLOORING		32,361.16	33,400.45	-	-	33,400.45		(1,039.29)
	PAINT		27,632.39	29,155.63	-	-	29,155.63		(1,523.24)
9	FINISHES		119,345.70	122,182.97	-	-	122,182.97	102	(2,837.27)
10	SPECIALTIES TRA owner performed		-	-	-	-	-	-	-
	PLUMBING		18,975.53	18,916.86	-	-	18,916.86		58.67
	HVAC		102,048.73	102,101.76	-	-	102,101.76		(53.02)
15	MECHANICAL		121,024.26	121,018.62	-	-	121,018.62	100	5.64
16	ELECTRICAL		85,900.50	86,852.08	-	-	86,852.08	101	(951.58)
	TOTAL BASE CONTRACT		2,322,964.76	2,288,750.12	3,420.11	-	2,292,170.23	99	30,794.53
	CO #1: Site Work Changes 7/26/19		49,960.16	49,960.16	-	-	49,960.16	100	-
	CO #2: Gas Line Relocation for Sewer		18,562.85	18,562.85	-	-	18,562.85	100	-
	CO #3: Interior Work		11,066.49	12,734.78	-	-	12,734.78	115	(1,668.29)
17	CHANGE ORDERS 1,2, 3		79,589.50	81,257.79	-	-	81,257.79		(1,668.29)
	CHANGES FOR TRAFFIC CONTROL			11,800.41	5,130.79		16,931.20		(16,931.20)
	TOTAL		2,402,554.26	2,381,808.31	8,550.91	-	2,390,359.22	99.49	12,195.04

WAUNA FEDERAL CREDIT UNION				DATE: AUG. 22, 2020	
PROJECT WFCU NEW FOREST GROVE BRANCH				PAY REQUEST #10	
DATE	INVOICE	VENDOR	DESCRIPTION	AMOUNT	PLUS MKUP
7/1-31/20	RCI	Project Management & ODOT & City permitting close outs		2,205.00	
SUPERVISION				2,205.00	2,338.40
7/16/20	5574	TerraCalc Land	restake curb offsite to backside of curb, stake walks par.	1,020.00	
PROJECT LOGISTICS (SURVEY)				1,020.00	1,081.71
GENERAL CONDITIONS					3,420.11
AC pavement, striping, , signals, curbs					-
Landscaping: water feature				-	-
SITE CONSTRUCTION					-
CONCRETE				-	-
MASONRY					-
METALS					-
ROUGH CARPENTRY				-	-
FINISH CARPENTRY				-	-
CASEWORK					-
WOOD AND PLASTICS					-
INSULATION				-	-
ROOFING				-	-
SIDING				-	-
THERMAL AND MOISTURE PROTECTION					-
WOOD DOORS & HARDWARE				-	-
STOREFRONTS & Glass Barn style doors				-	-
DOORS AND WINDOWS					-
SHEETROCK				-	-
T-BAR				-	-
FLOORING				-	-
PAINT				-	-
FINISHES					-
SPECIALTIES TRA owner performed					-
PLUMBING				-	-
HVAC				-	-
MECHANICAL					-
ELECTRICAL					-
TOTAL BASE CONTRACT					3,420.11
CHANGE ORDERS					
Change Order #1: Site Work Changes 7/26/19				-	-
Change Order #2: Gas Line Relocation for Sewer				-	-
Change Order #3: Interior Work				-	-
7/16/20	9185 WFCU FG	Hogan Fab, Inc	odot signage	2,750.00	
7/17/20	ccJR	Ace HardwareF	concrete patch	6.49	
7/17/20	48815540	Builders FirstSc	ODOT work: 6) cdx for installing signs	192.00	
7/17/20	JRcc- Ace FG	JARED RICKEI	ODOT sign erection hardwre on personl cc	19.10	
7/1-31/20	RCI labor		erect signs, ground work cleanup after erections	1,870.50	
Change Order Request #4: Additional Traffic Control at ROW				4,838.09	5,130.79
TOTAL CHANGE ORDERS					5,130.79
TOTAL INVOICE					8,550.91
LESS RETENTION					8,123.36



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: 2.
MEETING DATE: 10/11/2021
FINAL ACTION: Public Comment

CITY COUNCIL MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

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

DATE: *October 11, 2021*

SUBJECT: *Item 2. Written Public Comments*

CITIZEN COMMUNICATIONS:

The following attached written correspondence was received via e-mail to:

citycouncilors@forestgrove-or.gov or e-mail to: aruggles@forestgrove-or.gov.

	Name:	Subject:	Date:
1.	Garnet Wilson	Electric rate increase	10/01/2021
2.	Johanna Peeters Weem	"Youth Involvement" Work Session	10/01/2021
3.	Robin Lindsley	Quick Tour available to FG City Councilors: Progress on expansion of Food Pantry Garden	10/04/2021
4.	Laura Watt	Oppose Patriot Act surveillance of CRT opponents by DOJ	10/05/2021

Attachments:

Correspondence attached

Anna Ruggles

From: Garnet Wilson <[REDACTED]>
Sent: Friday, October 1, 2021 8:30 AM
To: Anna Ruggles
Subject: electric rate increase

My name is Garnet Wilson. I moved here with my wife ten years ago to be close to family. We are both seniors with health issues and on fixed incomes like many others in our great not so little town anymore. The proposed rate increase will certainly affect our lives. I,m sure there will be talk of rate increases for water and sewer in the near future. I urge you to reconsider the increase keeping us older limited income folks in mind. Thank you for your attention.

--

Garnet Wilson thirty fifth ave.

Anna Ruggles

From: Johanna Peeters Weem <[REDACTED]>
Sent: Friday, October 1, 2021 9:15 AM
To: Peter Truax; Malynda Wenzl; Anna Ruggles; Bev Maughan
Cc: City Councilors; sam@ruders.org; Anna Terry; Lucie Carriker
Subject: "Youth Involvement" Work Session

Hello Everyone,

After listening in to the Work Session on Monday, I'd like to address some things regarding comments made and communications that happened with the City Council.

First of all, myself and other members of YAC are extremely frustrated with the communication about what the work session was about. In all previous communications, including several emails titled "YAC Bylaws Work Session" we had asked for a meeting dedicated to reviewing the Bylaws and giving any feed back that could improve them as a City Commission, or improve the possibility of the council approving a Commission such as a YAC.

Instead the meeting became about existing and possible youth involvement. This is not a problem in and of itself, but the fact that much of the conversations regarding how many youth were engaged and what it was we were doing was inaccurate, certainly was.

If the members of YAC had been invited to the work session, as had been suggested by previous communications I had with the mayor and city council members, then we could have clarified these confusions. The additional problem that no member of YAC was notified that we would not be able to attend the meeting until hours before the meeting started was also frustrating and unprofessional.

Related to issues in inaccuracy at things discussed at the meeting I'd like to clarify a few things.

Specifically the fact that the membership of YAC isn't 3 or 4 people, as was suggested by the council, but rather 9 members, of which 3 also serve as Student Representatives on various B/Cs. We are certain that we can increase this membership, but we've also had trouble retaining members largely do to the fact that the wait on Bylaws and communications with the City Council has been so lengthy.

Limiting a committee, even if it is an Ad Hoc group, to the 3 or 4 people already serving on commissions puts up unnecessary barriers to community involvement. Many youth are uncomfortable serving on a commission full of adults, and an additional commission of those youth already volunteering in these situations does nothing to help.

We also already follow many Public Meeting law requirements, including having agendas, meeting minutes at each meeting, and a quorum at all meetings in which we make decisions.

We'd like to continue to push for a Youth Advisory Council in some sort, and we'd like to talk about changes to the Bylaws that would make this a possibility.

Existing as a Mayor's Advisory Council is not something that we think is ideal for communication purposes, but, to be frank, we just need this project to get off the ground.

We'd like to communicate with the City Council regarding a version of a Youth Advisory Council which would solve problems suggested by the Council at the September 27th Work Session.

Thanks,
Johanna

Anna Ruggles

From: Robin Lindsley <[REDACTED]>
Sent: Monday, October 4, 2021 8:53 PM
To: ehuing@forestgrove-or.gov; Timothy Rippe; Mariana Valenzuela; Kristy Kottkey; Donna Gustafson; Malynda Wenzl; Peter Truax
Cc: Diane McKinnon; Jude Lichtenstein; epillsbu@aol.com; Ellen Hastay; A. Wentz; Marie Helene Rake
Subject: Quick Tour available for FG City Councilors: Progress on expansion of Food Pantry Garden

Hello Councilors, We'd love to share how we're doing with our Food Pantry Garden at this point. While two of our Dairy Creek Community Food Web members have been planting and maintaining the original Y2020 Food Pantry Garden for a second year, we have now successfully also created our version of a Hoop House as an additional season-extending portion for Y2021. Thanks to you each adding your 2021 CEP grant points to our request, we now have a Hoop House in place to show off what can be done to grow more produce to donate to a very busy food pantry in town: Solid Life Center Food Pantry at 17th & Cedar on Thursday mornings.

While our two hard-working lead gardeners have been bringing tomatoes, eggplant, tomatillos, and many types of squash into Solid Life pantry every week since early June, the creative hours of developing the Hoop House have also given us the chance to show off how fresh produce can start much later in the fall and go on much earlier in the Spring.

If you haven't seen the Solid Life Pantry in action, we recommend at least a drive-by look on any Thursday morning after about 10:30 am, then come on out to see the new Hoop House, where the plants and seeds are just starting their brave efforts to make it through the coming colder season for their grand opening in the Spring.

The weather will determine the results, of course...maybe we'll have a mild winter and harvestable food will be available early in 2022. Or, maybe it will be a harsh, deep freezing kind of winter, and only the garlics will be successful...but that's part of the life of all gardeners and farmers - what will Ma Nature bring us this year?

The Food Pantry Garden is located about 3 miles outside of Forest Grove off Thatcher Rd onto Wildberry Lane, at 452545 NW Wildberry Lane. That's a gravel road, and you'll see the garden's new sign on the gate on your right. Please contact me at lindsley3@frontier.com or 503 313 6104 to confirm your visit and appointment time! We're looking forward to your visit and your questions. Thanks again for investing in local food for hungry people in Forest Grove.

Thanks to these Forest Grove businesses for donations to our garden this summer and fall so far: Sparrow Hawk Farm, West Wind Organics, S&H Landscape Supply, Parr Lumber, Wilco Farm Store, Starkey's Corner Farm & Garden, Miracle Signs, New Season Foods, and to Diane McKinnon, landowner, for water and land space to grow good food.

Robin Lindsley, Secretary, Dairy Creek Community Food Web

Anna Ruggles

From: Laura Watt [REDACTED] >
Sent: Tuesday, October 5, 2021 3:21 PM
To: Peter Truax
Subject: Oppose Patriot Act surveillance of CRT opponents by DOJ

Dear The Honorable Truax,

Please stand against President Biden's Department of Justice's attempt to classify parents fighting against Critical Race Theory as 'terrorists' by invoking the Patriot Act. Americans have a right to petition our elected representatives which is the foundation of our government which derives its power from the consent of the governed. The invoking of the Patriot Act by the Department of Justice allows them to spy on neighborhood meetings concerned about our kid's education.

If you are a member of Congress, you need to begin taking immediate actions to get the Justice Department to rescind this designation. The Justice Department budget is up for review in the weeks ahead, and ending this attack on parents needs to be non-negotiable while making this decision.

If you are a state and local official, please get vocal against this abuse of power and end all state and local funding for teaching Critical Race Theory.

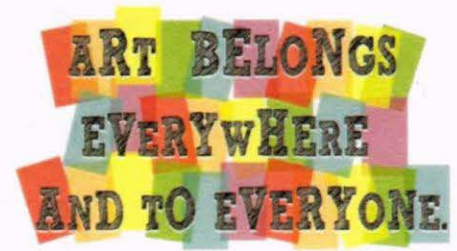
Americans don't get intimidated. Americans don't kneel. I expect you to be a loud, constant voice against this abuse of power by the Justice Department as they try to force silent acceptance of the fundamental transformation of our children's minds.

Sincerely,
Laura Watt
[REDACTED] 35th Ave
Forest Grove, OR 97116
[REDACTED]

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**PUBLIC ARTS COMMISSION
MEETING MINUTES**

**Thursday, August 19, 2021
Library Rogers Room, ZOOM**

Minutes approved by the PAC on September 16, 2021.

1 CALLED TO ORDER:

Dana Eytzen, Chair, called the meeting to order at 5:03 p.m.

ROLL CALL: Dana Eytzen, Pat Truax, Emily Lux, Linda Taylor, Leslie Crandell Dawes, Amy Tracewell, Kathleen Leatham, Brenna Cooper

STAFF PRESENT: Colleen Winters

COUNCILOR PRESENT: Councilor Kristy Kottkey

ABSENT: Anne Lane, Councilor Marianna Valenzuela

2 PUBLIC COMMENT: None.

3 CONSENT AGENDA:

A. Approve PAC Meeting Minutes of June 17, 2021.

MOTION: Motion to approve minutes as written made by Pat. Kathleen seconded.
MOTION CARRIED, UNANIMOUSLY.

4 ADDITIONS/DELETIONS: None.

5 DISCUSSION/DECISION/PRESENTATION ITEMS:

A. Metro's Community Placemaking Grant Application: A budget and overview was provided and discussed. Funding and locations were reviewed. The PAC is waiting to hear back from Brian Pohl regarding the necessity of the City Council to also approve the call for art. The URA has given its approval, and we are also waiting to hear if the URAC needs to as well.

MOTION: Motion to apply for the Community Placemaking Grant and approval of the Mural Festival budget made by Amy. Kathleen seconded. Motion amended to approve the Community Placemaking Grant, Mural Festival budget, and to include

up to \$6,000 from discretionary funds for the project if grant funds do not cover its entirety. MOTION CARRIED, UNANIMOUSLY. Emily abstained from voting.

- B. Open Aire Gallery Call for Art:** The Call for Art went out last Friday. It was submitted to RACC and shared multiple places digitally. The deadline for artists is September 24. A selection committee meeting is scheduled for September 29 at 5:30 pm with a special meeting of the PAC scheduled for September 30 to choose the finalist.
- C. Messages of Hope Subcommittee Report:** Subcommittee members will retrieve the signs that were installed in public places, and then will meet to determine future plans for the signs. If they are to be reinstalled elsewhere, new stakes may need to be purchased.

6 INFORMATION / UPDATE ITEMS:

- A. Finance Report-Reviewed.** No significant changes.
- B. Final Mural Policy Update:** The mural policy was approved by City Council. Compliments to Colleen for presenting and to the PAC for all of their hard work. A News-Times article and press release came out this week. This has been a long road but an exemplary accomplishment.
- C. Artwork Donation Update:** The donor has not been contacted yet, but the plan is to discuss the possibility of an alternate public location with them, such as the senior center. The donor and artist have a special connection to the library, so this may be preferred.
- D. Mural Festival Update:** Information was included in item 5A.
- E. Meet the Artist Dinner Update:** The flyer was reviewed and is beautiful. We need to include COVID safety information to complete it. Discussion/questions regarding how to hold this event safely and appropriately. Colleen spoke with Jesse, who advised that this is a private event in a private home, meaning the rules will be different than that of a truly City sponsored event. Specific concerns include gathering inside the house for the cooking class portion, weather contingency plan in case of rain. Could we find a different location (such as Nana Cardoon) that has a larger, covered outdoor area? Is holding this event the right thing to do? Should we reschedule for a future date instead of planning for September 19th? The consensus is that the PAC should hold this event when we can feel great about it; it will be a wonderful event that we are all looking forward to and should be postponed for a time with fewer COVID concerns.
- F. City's Sesquicentennial Committee:** Chairs of all Boards and Commissions will make up the Sesquicentennial Committee. Dana will update after the August 30th meeting.

7 B/C COMMUNICATIONS:

Emily: Happy Anniversary to Dana and Ian! We should revisit creating Public Arts Commission masks with our "Art Belongs Everywhere and to Everyone" graphic.

Emily is working with Washington Square Mall to create a public art project involving youth in the winter.

Leslie: The documentary “Black Girl in the Woods” has come to an end for this year. The main subject of the film was injured, and plans to return to training after healing. They will begin filming again next summer. The theatre is now live and in person, with masks and vaccinations required. The new season has just been announced, and is housed at Portland Center Stage. A seven million dollar renovation project is commencing!

8 STAFF COMMUNICATIONS: None.

9 COUNCIL LIAISON REPORT: None.

10 ANNOUNCEMENT OF NEXT MEETING: The next meeting will be held on September 16, 2021.

11 ADJOURNMENT: The meeting adjourned at 6:15 p.m.

Monthly Building Activity Report

September-21

2020-2021

	Period: September-20		Period: September-21	
Category	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Res 1 & 2 Family New	6	\$ 1,307,184.00	12	\$ 3,150,598.00
SFR Addition & Alt/Repair	6	\$ 176,404.00	4	\$ 114,039.00
MultiFamily New			2	\$ 5,112,815.00
Multi Family Alterations/Repair/Additions			6	\$ 69,129.00
Group Care Facility Alt/Repair				
Commerical New			2	\$ 178,000.00
Commerical Addition				
Commercial Alt/Repair	1	\$ 110,000.00	4	\$ 20,997.00
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)	1	\$ 850,000.00		
Signs				
Grading				
Demolitions				
Total	14	\$2,443,588	30	\$8,645,578

48 Units

Fiscal Year-to-Date

2020-2021		2021-2022	
Permits	Value	Permits	Value
60	\$7,408,692	100	\$36,918,757



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MEMORANDUM

CITY RECORDER USE ONLY:

AGENDA ITEM #: 6.

MEETING DATE: 10/11/2021

FINAL ACTION: ORD 2021-03
Declaring an
Emergency

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *October 11, 2021*

SUBJECT TITLE: *Ordinance extending the 60-day protection period in SB 278 to 90 days*

PURPOSE OF ORDINANCE:

To extend the 60-day protection period for rental payments in Senate Bill 278 to 90 days.

BACKGROUND:

On September 4, 2020, the Federal Center for Disease Control and Prevention (CDC) issued an Order temporarily halting evictions in the United States. That order was extended to January 31, 2021, in the Consolidated Appropriations Act, and Congress also provided \$25 billion for emergency rental assistance for the payment of rent in arrears. Congress later provided an additional \$21.55 billion in emergency rental assistance in the American Rescue Plan Act.

The order was extended to March 31, 2021, then to July 31, 2021, in an effort to allow the relief monies noted above to be dispersed to state and local jurisdictions. The Supreme Court ruled there could be no further extensions to the order resulting in the moratorium ending July 31, 2021.

The State Legislature extended statewide renter protections by enacting SB 278 in the 2021 Regular Session. SB 278 states that if a tenant provides a landlord with documentation that the tenant has applied for rental assistance, a landlord may not, for a period of sixty days, deliver a termination notice for nonpayment or initiate or continue an action for possession based on a termination notice for non-payment.

Washington County administers the rental assistance program as part of their Housing Division. The Sheriff's office enforces evictions for non-payment. Because the Sheriff's Office enforces evictions, Washington County adopted an ordinance to their police powers extending the 60 days to 90 days. This extension however only applies to unincorporated areas. If cities within Washington County wish to do likewise, they must pass an ordinance allowing the County additional time to process applications within their area.

The County is currently overwhelmed with applications submitted that have not yet been processed or approved for payment, and for that reason, additional time is needed to issue payments to renters

under this program. There are approximately 6,500 applications in process and the average processing time is 65 days or 5 days beyond the 60 day grace period afforded in SB 278.

Approximately \$37.6 million was distributed to Washington County for rental assistance. Of this amount, approximately 17% has been allocated. Community Action is administering the program on behalf of the County and the County has recently brought on additional resources to bring the application processing time down.

This ordinance does not relieve tenants of the obligation to pay rent. It is designed to provide sufficient time for both tenants and landlords to secure emergency financial assistance as provided by funding designed to respond to the economic impacts of the COVID-19 pandemic.

COUNCIL GOALS AND OBJECTIVES:

The ordinance addresses Goal 2: Support housing stability and mitigation of homelessness and Goal 3: Support community recovery from the pandemic.

STAFF RECOMMENDATION:

Staff recommends Council consider adopting the attached ordinance. In accordance with Council Rules Section 9.2 and 9.3, the Council may enact an ordinance at a single meeting by unanimous approval by at least 5 members, provided the proposed ordinance is available to the public at least seven days before the meeting. The ordinance was publicly noticed on October 4, 2021. Lastly, an ordinance may take effect as soon as enacted if the ordinance contains an emergency clause, which this ordinance does.

FISCAL IMPACT:

There is no fiscal impact to the City.

ATTACHMENTS:

- Senate Bill 278

Enrolled Senate Bill 278

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Human Services)

CHAPTER

AN ACT

Relating to residential tenancies; creating new provisions; amending section 2, chapter 3, Oregon Laws 2020 (third special session); and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 90.

SECTION 2. (1) As used in this section:

(a) “Documentation” includes electronic mail, a screenshot or other written or electronic documentation from a rent assistance provider verifying the submission of an application for rental assistance.

(b) “Nonpayment” means the nonpayment of a payment that is due to a landlord, including a payment of rent, late charges, utility or service charges or any other charge or fee as described in the rental agreement or ORS 90.140, 90.302, 90.315, 90.392, 90.394, 90.560 to 90.584 or 90.630.

(2)(a) If a tenant provides the landlord with documentation that the tenant has applied for rental assistance, a landlord may not:

(A) Deliver a termination notice for nonpayment; or

(B) Initiate or continue an action for possession based on a termination notice for nonpayment.

(b) A tenant may provide documentation by any method reasonably calculated to achieve receipt by the landlord, including by sending a copy or photograph of the documentation by electronic mail or text message.

(c) If 60 days have passed since the tenant provided documentation under this subsection:

(A) A landlord may deliver to the tenant a new termination notice for nonpayment, to which this section does not apply, without providing the notice under subsection (4) of this section; or

(B) If a claim for possession was postponed under subsection (5)(b) of this section, the court shall promptly set the matter for trial.

(3) Except as provided in subsection (2)(c)(A) of this section, a landlord shall deliver the notice described in subsection (4) of this section along with:

(a) Any notice of termination for nonpayment; and

(b) Any summons for a complaint seeking possession based on nonpayment given by the landlord or service processor, including a summons delivered under ORS 105.135 (3)(b).

(4) The notice required under subsection (3) of this section must be in substantially the following form:

THIS IS AN IMPORTANT NOTICE ABOUT YOUR RIGHTS TO PROTECTION AGAINST EVICTION FOR NONPAYMENT.

For information in Spanish, Korean, Russian, Vietnamese or Chinese, go to the Judicial Department website at www.courts.oregon.gov.

Until February 28, 2022, if you give your landlord documentation that you have applied for rental assistance at or before your first appearance in court, you may be temporarily protected from eviction for nonpayment. Documentation may be made by any reasonable method, including by sending a copy or photograph of the documentation by electronic mail or text message. "Documentation" includes electronic mail, a screenshot or other written or electronic documentation verifying the submission of an application for rental assistance.

To apply for rental assistance, go to www.oregonrentalassistance.org, dial 211 or go to www.211info.org. To find free legal assistance for low-income Oregonians, go to www.oregonlawhelp.org.

(5)(a) A court shall enter a judgment dismissing a complaint for possession that is based on a termination notice for nonpayment if the court determines that:

(A) The landlord failed to attach the notice as required under subsection (3) of this section.

(B) The tenant's nonpayment was substantially caused by the landlord's failure to reasonably participate with a rental assistance program. This subparagraph does not require that a landlord apply for compensation under section 2, chapter 3, Oregon Laws 2020 (third special session).

(C) The landlord receives rental assistance covering the rent owed under the notice.

(D) The tenant provided the landlord with documentation of application for rental assistance as described in subsection (2) of this section before the claim was filed.

(b) If the tenant provides the landlord or court with documentation of application for rental assistance as described in subsection (2) of this section at any time after the landlord commenced the action for possession and at or before the first appearance, at the first appearance the court shall, on its own motion, postpone the first appearance to a date not earlier than 60 days after the documentation was delivered.

(6) If a landlord violates this section:

(a) A tenant may obtain injunctive relief to recover possession or address any other violation;

(b) The tenant has a defense to an action for possession by the landlord.

(7) Notwithstanding ORS 105.137 (4), if a claim for possession is dismissed under this section, the tenant is not entitled to prevailing party fees, costs or attorney fees if the landlord:

(a) Delivered to the tenant all notices required under subsection (3) of this section as required;

(b) Did not know, and did not have reasonable cause to know, at the time of commencing the action that the tenant had provided documentation of application for rental assistance under subsection (2) of this section; and

(c) Promptly dismissed the action upon becoming aware of the documentation of application for rental assistance.

SECTION 3. Section 2 of this 2021 Act applies only to a notice of termination for non-payment given on or after July 1, 2021.

SECTION 4. Section 5 of this 2021 Act is added to and made a part of ORS 105.105 to 105.168.

SECTION 5. The clerk shall include the notice described in section 2 (4) of this 2021 Act with the summons and complaint mailed to a defendant under ORS 105.135 (3)(a).

SECTION 6. (1)(a) The Judicial Department shall translate the notice form under section 2 (4) of this 2021 Act into the Spanish, Korean, Russian, Vietnamese and Chinese languages and shall display links to the English and translated forms prominently on the main webpage at www.courts.oregon.gov.

(b) Each form on the Judicial Department website must include a statement in English, Spanish, Korean, Russian, Vietnamese and Chinese indicating that the form and translations can be found on the Judicial Department website and the web address where the forms may be found.

(2) The department shall prepare a summary of sections 2 and 3 of this 2021 Act, deliver a copy of the summary to each circuit court in this state for posting at the clerk's counter and publish the summary on the department's website.

SECTION 7. In distributing rental assistance to residential tenants funded by federal, state or local moneys, the Housing and Community Services Department, other public bodies and local governments, along with their subgrantees, shall promptly provide a dated application receipt to each tenant who applies for assistance. The receipt may be in an electronic format.

SECTION 8. Sections 2, 5, 6 and 7 of this 2021 Act are repealed on March 1, 2022.

SECTION 9. The Housing and Community Services Department shall provide a grant to a third party to make distributions to compensate landlords who, under section 2 of this 2021 Act, have delayed termination notices or eviction proceedings. A landlord may apply for compensation for nonpayment that accrued during the delay if the landlord demonstrates that:

(1) The tenant's application for rental assistance was denied; or

(2) Sixty days have passed since the tenant provided documentation of application for rental assistance without the landlord receiving rental assistance.

SECTION 10. Section 9 of this 2021 Act is repealed on March 1, 2023.

SECTION 11. Sections 2, 5, 6, 7 and 9 of this 2021 Act become operative on July 1, 2021.

SECTION 12. Section 2, chapter 3, Oregon Laws 2020 (third special session), is amended to read:

Sec. 2. (1) The Housing and Community Services Department shall make distributions to compensate residential landlords for [80] **100** percent of the past-due rent of qualified tenants that the landlord has not collected after April 1, 2020, **and on or before the earlier of June 30, 2021, or the date of the application,** if the landlord or the landlord's designee:

(a) Submits an application to the department for all of the landlord's tenants who have not paid rent and have delivered to the landlord a signed declaration under section 7 (1)(b) [*of this 2020 third special session Act*], **chapter 3, Oregon Laws 2020 (third special session), as in effect on June 30, 2021;**

(b) Includes in the application a copy of the tenants' declarations;

(c) Provides the department with a description of the unpaid rent for all current tenants;

[(d) *Agrees to forgive the remaining 20 percent of the unpaid rent due from qualified tenants that has accrued between April 1, 2020, and the date of the application, upon receiving a distribution under this subsection;*]

[(e)] **(d)** Agrees to repay to the department any amount [*that was forgiven by the landlord or*] that was paid to the landlord under this section and the landlord later receives from the qualified tenant or on the tenant's behalf, within the period requested by the department;

[(f)] **(e)** Is not a member of the tenant's immediate family, as defined in ORS 90.427;

[(g)] (f) During the pendency of the distribution application, agrees to not give a termination notice without cause or for nonpayment, as those terms are defined in section 3, chapter 13, Oregon Laws 2020 (first special session); and

[(h)] (g) Provides any other information or materials required by the department.

(2)(a) The department shall develop an online application for landlords to apply for distributions under this section.

(b) The application must be made available in languages other than English.

(c) The application period must be open more than once to allow for greater outreach and participation.

(3) The department may establish any qualifications, priorities, restrictions or limits on the distributions made under this section, to prioritize landlords with fewer units and landlords with a higher percentage of unpaid rents. Restrictions or limits may include:

(a) Limits per tenant, per landlord or per time period;

(b) The number of units a landlord must own; or

(c) The percentage or amount of total rent unpaid.

(4) The department may coordinate with local housing authorities to administer this section, including through making distributions to landlords.

(5) The department or local housing authority shall mail to tenants copies of a notice of distribution to their landlords *[and the amount of rent forgiveness agreed to by their landlords]*.

(6) The department may conduct outreach to landlords and tenants, including outreach to non-English speakers.

(7) Notwithstanding ORS 276A.300, 279A.025, 279A.050 (6)(g), 279A.205 and 456.571, the department shall expedite the implementation of the landlord compensation fund.

(8) As used in this section, "landlord" includes a manufactured dwelling park nonprofit cooperative as defined in ORS 62.803.

SECTION 13. (1) The amendments to section 2, chapter 3, Oregon Laws 2020 (third special session), by section 12 of this 2021 Act apply to all applications submitted or approved before, on or after the effective date of this 2021 Act.

(2) The Housing and Community Services Department shall make distributions to adjust the compensation under section 2 (1), chapter 3, Oregon Laws 2020 (third special session), for landlords whose applications were approved before the effective date of this 2021 Act without requiring that the landlord submit an additional application.

SECTION 14. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by Senate March 24, 2021

Repassed by Senate June 22, 2021

.....
Lori L. Bocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House June 17, 2021

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

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PUBLIC MEETING NOTICE

EXTENDING THE 60-DAY MORATORIUM ON RENTAL EVICTIONS ESTABLISHED BY SB 278 TO 90 DAYS FOR THE CITY OF FOREST GROVE

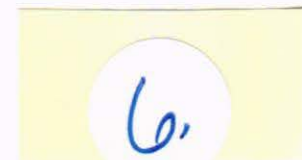
NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a **Public Meeting** on **Monday, October 11, 2021**, at **7:00 p.m.**, or thereafter, to consider adopting an ordinance that would extend the 60-day protection period in SB 278 (2021 OR Legislative Session) to 90 days. If approved by the City Council, the protection period will allow Washington County additional time to process and approve applications for rental assistance under the state and federal ERA programs. The Council finds that this action and this extension is necessary to avoid mass evictions for non-payment of rent directly attributable to the lingering economic impacts of the COVID-19 pandemic, to promote housing stability, and to protect the health, safety, and welfare of the citizens of Forest Grove.

The City Council meeting will be held in a “hybrid” format allowing the public to attend the meeting virtual via Zoom and in-person. The Community Auditorium, 1915 Main Street, is open and has limited availability and social distancing measures. A copy of the meeting agenda with Zoom instructions and staff report are available and published on the City's website at <https://www.forestgrove-or.gov/meetings>. To provide testimony via Zoom, please email aruggles@forestgrove-or.gov at least 24 hours prior to the hearing. The Council encourages that written comments or testimony be submitted at the hearing or sent prior to the hearing to the attention of the City Recorder's Office, P.O. Box 326, 1924 Council Street, 2nd Floor, Forest Grove, OR 97116, aruggles@forestgrove-or.gov. For assistance, please call the City Recorder's Office at 503.992.3235.

###

Anna D. Ruggles, CMC, City Recorder
City of Forest Grove

Published FG City Website 10/04/21



ORDINANCE NO. 2021-03

ORDINANCE EXTENDING THE 60-DAY PROTECTION PERIOD IN SB 278 (2021) TO 90 DAYS; AND DECLARING AN EMERGENCY

WHEREAS, the Governor and Washington County have ongoing declarations of emergency related to the COVID-19 pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has explained that COVID-19 presents a threat to public health and eviction moratoriums can be an effective public health measure to prevent the spread of coronavirus; and

WHEREAS, to address these impacts of COVID-19 on the community, the federal government, the state of Oregon and numerous local communities have imposed limitations on evictions as well as provided funding for rental assistance; and

WHEREAS, on September 4, 2020, the Federal Center for Disease Control and Prevention ("CDC") issued an Order temporarily halting evictions in the United States, and §502 of Title V, Division N of the Consolidated Appropriations Act, 2021 extended the Order until January 31, 2021. With the extension of the Order, Congress also provided \$25 billion for emergency rental assistance for the payment of rent and rental arrears. Congress later provided an additional \$21.55 billion in emergency rental assistance when it passed the American Rescue Plan Act; and

WHEREAS, on January 29, 2021, following an assessment of the ongoing pandemic, the CDC renewed the Order until March 31, 2021. On March 28, the CDC renewed the Order until June 30, 2021, and thereby further extended the prior Eviction Moratorium until July 31, 2021, while the Department of the Treasury disburses the remaining funds to state and local jurisdictions, and those grantees continue to accelerate efforts to deploy rental assistance on behalf of tenants; and

WHEREAS, at the present time, Washington County is administering the funding provided by the state and federal Emergency Rental Assistance (ERA) programs by distributing the funding to eligible renters unable to pay their rent, but it is currently overwhelmed with applications submitted that have not yet been processed or approved for payment, and for that reason, additional time is needed to issue payments to renters under this program; and

WHEREAS, the State of Oregon extended statewide renter protections by enacting SB 278 (2021 Regular Session), which states that if a tenant provides a landlord with documentation that the tenant has applied for rental assistance, a landlord may not, for a period of sixty days, deliver a termination notice for nonpayment or initiate or continue an action for possession based on a termination notice for non-payment; and

WHEREAS, there are approximately 6,500 Washington County households who have applied for rental assistance, which has created a current backlog at the State and local level that is causing delays beyond 60 days (average of about 65 days) for rental assistance application approvals; and

WHEREAS, due to the backlog, individuals who have applied for rental assistance could face eviction if they do not receive approval before the 60-day period set in Senate Bill 278 expires; and

WHEREAS, Washington County adopted Ordinance No. 880, which extends the 60-day protection period in SB 278 to 90 days for unincorporated areas of the County, but the extension does not provide additional protection to renters who live within incorporated cities such as Forest Grove; and

WHEREAS, extending the protection from eviction established by SB 278 will ensure that providers have sufficient time to reach these households and process rent assistance applications, mitigating further disproportionate impacts of the COVID-19 pandemic on local communities; and

WHEREAS, this ordinance does not relieve tenants of the obligation to pay rent. It is designed to provide sufficient time for both tenants and landlords to secure emergency financial assistance as provided by funding designed to respond to the economic impacts of the COVID-19 pandemic; and

WHEREAS, the City of Forest Grove is committed to responding to the impacts of the COVID-19 pandemic; and

WHEREAS, this ordinance is necessary to avoid mass evictions for non-payment of rent directly attributed to the lingering impacts of COVID-19 pandemic, promote housing stability, and protect the health and safety of community members in the City of Forest Grove.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1: Sections 2, 3, and 5 of SB 278 (2021 Regular Session) are hereby adopted and incorporated by reference into this Ordinance; and the timeline of 60 days established by SB 278 in Sections 2(2)(c) and 2(5)(b) is extended to 90 days.

Section 2: The City Council hereby extends the 60-day moratorium on rental evictions established by SB 278 in Sections 2(2)(c) and 2(5)(b) to 90 days to allow Washington County additional time to process and approve applications for rental assistance under the state and federal ERA programs. The Council finds that this action and this extension is necessary to avoid mass evictions for non-payment of rent directly attributable to the lingering economic impacts of the COVID-19 pandemic, to promote housing stability, and to protect the health safety and welfare of the citizens of Forest Grove.

Section 3: Emergency Ordinance. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

PRESENTED AND PASSED first reading this 11th day of October, 2021.

PASSED the second reading this 11th day of October, 2021.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of October, 2021.

Peter B. Truax, Mayor



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CITY MANAGER'S REPORT TO COUNCIL

October 11, 2021

UPCOMING EVENTS:

- Wednesday, October 6, 4 PM to 7 PM Final First Wednesday Outdoor Farmer's Market of the Season
- Saturday, October 23, 10 AM to 2 PM Prescription Drug Take Back, Police Department
- Saturday, October 30, 12 PM to 4 PM Trick or Treat The Merchants, Downtown Forest Grove

CITY HALL / ADMINISTRATIVE SERVICES:

- **American Rescue Plan Act (ARPA) Spending:** The next budget subcommittee will be held in October to discuss the allocation of the ARPA funds. Staff continues to gather information on how the program is being implemented by agencies in surrounding areas.
- **Levy Planning:** Staff has located a potential polling-consultant to conduct the renewal or replacement levy poll. Staff will work with the consultant to develop scope of services after the Council identifies which of the upcoming elections it intends to pursue.
- **Diversity, Equity, and Inclusion (DEI) Plan:** Staff listening sessions with MIG are complete. MIG will now begin the development of materials for the December City Council and Staff training. Community outreach efforts with the frontline staff at several organizations is the next step in the process.
- **Negotiations:** Negotiations continue with the Firefighters' Association.
- **Communication's Policy:** The draft policy remains under review by the City's Communications Team. MIG, the City's DEI consultant, has provided input on the draft plan. The draft will be presented to the Committee for Community Involvement (CCI) for review and additional input.
- **Federal Grant Assistance:** Staff has requested quotes from firms who would like to assist the City with legislative services at the Federal level to help obtain funding for infrastructure projects. One reply was received and is currently under review to determine responsiveness.
- **Proposed Development Services Annex (DSA) and City Hall Remodel:** The architect has commenced work on construction documents and will begin the permitting process through the City in mid-December. A cost estimate is being prepared. Staff is reviewing the construction documents and will be addressing questions as they arise.
- **Current Recruitments:** Administrative Specialist P&R, Administrative Specialist CD, Apprentice Tree Trimmer L&P; Economic Development Program Coordinator; Fire Chief; Fire Division Chief; Firefighter (eligibility list); Program Coordinator L&E; Police Captain; Police Officer; Police Records Specialist; Public Works UW x2

COMMUNITY DEVELOPMENT / URA:

- **TV Highway Improvement Plan:** Work continues on the TV Highway Improvement Plan. The consultant is continuing outreach efforts in order to receive feedback on the proposed safety measures. Staff and the Consultant are scheduled to present at the October 25 Council meeting.
- **Quarterly Town Meeting:** CCI held its second Quarterly Town Meeting on September 30th. The topic was growth and development in Forest Grove and included presentations by City staff, FG School Superintendent Dave Parker, and Assistant City Manager Paul Downey. The meeting was virtually attended by approximately 25 people. Staff has received numerous compliments regarding how the meeting was conducted.

- **HB 2001 Implementation:** The Planning Commission and City subcommittee met on September 20 to discuss relevant provisions to HB 2001 and get feedback on proposed changes to the Forest Grove Development Code. Staff received positive feedback from the Committee and the next meeting is scheduled for October.

ENGINEERING AND PUBLIC WORKS:

- **Grove Link Bus Station:** The Grove Link buses are now being stored on City property, south of the Library. The spaces occupied by the buses have been signed “bus parking only” and there has been excellent compliance. This move has freed up parking spaces at the Senior Center where parking was very crowded.
- **Quince St. Railroad Crossing:** The Engineering staff have been fielding complaints about the roughness of the railroad crossing on Quince St. While ODOT has attempted to repair and smooth the transition, it has proven to be very temporary, due the high volume and speed of vehicles. This week, the railroad conceded that the line is “officially out of service” and gave permission for ODOT to overlay the crossing with asphalt, which will prove to be a long-term and more durable fix to the crossing’s roughness.
- **Rotating Art Plinths:** Plinth installations are complete and are now ready to receive art pieces in both locations.
- **Thatcher Rd. and Gales Creek Rd. Intersection Improvements:** Washington County has completed their virtual open house and has provided an update on their progress; design is approximately 75% complete, and the “Declaration of Necessity” has been completed. Right-of-way acquisition will begin shortly, and is estimated to take 7-9 months to complete. The IGA has been completed and provided to the City for review, and is currently undergoing internal legal review by Washington County. Once this is complete, it will be readied for Council action.
- **Popeye’s Louisiana Kitchen:** The Public Improvement Agreement is nearly complete, pending receipt of the developer’s performance bond and proof of liability insurance.
- **The Valfre at Avenida 26:** As of this week, no work has occurred in the public right-of-way. The contractor is anticipating to implement a temporary pedestrian access route, which will detour pedestrians from the west side of Main St. to the east side, and from the south side of 26th Ave. to north side, along their frontage. This detour will likely be in place for approximately 10 months.
- **Martin Rd. and Highway 47 Intersection Roundabout:** This project is still expected to bid in the fall of 2021, with construction to start in the spring/fall of 2022.
- **Pacific Crossing Phase 5:** An 11-lot residential subdivision near Goff Rd. and Falls St. will complete the entire Pacific Crossing subdivision that was started back in 2005. This project is wrapping up construction and is anticipated to be complete later this year.
- **Wauna Credit Union Reimbursement District:** The Engineer’s report containing the methodology to be used for reimbursement, should the District be formed, has advanced as far as it is going to go. While one of the property owners continues to object, Engineering staff believes it is appropriate to have the City Council make a decision on its merits. In advance of this, staff will be conducting a work session at the October 11 regular meeting to walk through the process, touch on the salient issues with the agenda packet, and answer any questions the City Council may have.
- **Highway 47 at Maple St./Fern Hill Rd. Intersection Improvements:** Washington County’s consultant is finalizing the Alternatives Analysis Report, which was reviewed by City staff and presented to the City. ODOT has given their final comments to Washington County, which will be incorporated into the report. ODOT and Washington County are discussing potential alternatives and perhaps some additional analysis before the report is finalized.
- **Hawthorne Apartments:** An 18-unit apartment complex to be located at 2560 Hawthorne St. is currently under review; staff is preparing the Public Improvement Agreement.

- **19th Ave. Apartments (previously Green Apartments):** A 10-unit apartment complex at 2838 19th Ave. is under new ownership and currently under plan review.
- **The Reserve at Fernhill:** Construction is substantially complete; working on close-out.
- **Kingwood Commons:** Construction has begun on this PUD located between Kingwood and Maple and 22nd Pl. and 25th Ave., consisting of 16 townhome lots.
- **Gales Creek Terrace Phase 4:** The last phase of the Gales Creek Development is complete and in the close-out stage.
- **Farmstead Crossing:** Construction of this 131-lot subdivision north of David Hill Rd. near the High School is underway.
- **'D' Street Public Improvements:** This project will improve 'D' St. to local street standards from Pacific Ave. to 19th Ave., and will include sewer, storm, curb/gutter and sidewalk. Engineering staff is currently designing this project and targeting to bid in the first quarter of 2022.
- **Annual Pavement and Curb Ramp Improvements:** Hoss Paving is continuing the annual street overlay and curb ramp work. The paving work is complete and curb ramp work is nearly complete. In order to avoid pedestrian disruptions, ramp improvements adjacent to Joseph Gale Elementary School will be delayed until school is out.
- **26th Ave. Improvements:** This project is advancing to final design. The team is improving the design to fit within existing public right-of-way and preparing for a neighborhood review later this year.
- **Watershed:** Operations continue to run smoothly, and without any complaints from neighboring property owners. It is anticipated that operations and cleanup will be complete by early October. When the logger has ceased operation, we will be moving a contractor in to regrade Roaring Creek Road.
- **Forest Grove Water System: Cellular Network Communication System:** A specialized contractor in controls systems will be replacing the City's old remote water operation communication controls at several of the water facilities, including at the pump stations, flow control station, and reservoir. Expecting to finalize a contract and begin work in early October.
- **Water System Master Plan (WSMP):** City staff have provided finished water production records to the consultant and are planning to provide consumption records for the years 2018 through 2020 this week.
- **2828 22nd Ave. State Street Homes Sewer Extension:** Construction is underway for a sewer extension on Kappel Ln. and improvement to water service for a 15-unit residential multifamily housing development.
- **17th Pl. Sanitary Sewer Extension:** A Public Improvement Agreement for extension of a sanitary main line from Poplar Pl. west 199' has been approved. Staff is waiting for this work to begin.

LIBRARY:

- **Summer Reading:** This summer the Library hosted a Teen Summer Reading Take & Collaborate Summer Art project. The theme was "Individually, we are one drop. Together, we are an ocean." Which is a quote from Japanese writer Ryunosuke Satoro. This theme helped inspire the teen's color pallet choices of blue, turquoise, green and silver. Ultimately, the project was composed of 104 4"x4" individually painted canvases. The piece was recently installed in the Library and is visible as you enter from the parking lot doors.
- **Outdoor Storytime:** The Children's Librarian has been visiting Rogers Park each week since the beginning of September, and reading stories to children there. During the last session, stories were read to 24 children and 17 adults. This well-received program is planned to continue through October, weather permitting.

- **Banned Book Week:** Banned Books Week is a nationwide celebration of our freedom to read and is celebrated the last Sunday of September through the first Saturday in October every year. The event is sponsored by the American Library Association (ALA). This year the library display focuses on educating the public about the difference between banned and challenged books and helps focus on the ALA's theme of "Books unite us, Censorship divides us". Citizens are encouraged to visit the library and check out the display through October 15.

POLICE:

- **New Hire:** The Department welcomed Officer Bill Balzer to the force. Officer Balzer came to us from Portland Police Bureau where he dutifully served for over 25 years.
- **Training:** Officer Younce attended Communication Spanish, a course provided by Albany PD. Officers McGann and King attended a Search Warrant Class, and Officer Scott attended an Interview and Interrogation class. New hire, Officer Balzer, completed a Defensive Tactics refresher, Firearms, Taser and CPR/AED/Narcan certification training.
- **Detectives:** Currently the Detective Unit has 39 open cases. 7 cases were closed during this update period while 5 others were received for intake. 32 reports were completed. Detectives had 1 callout regarding a sexual assault. Detectives are currently conducting 4 backgrounds and completed 2.
- **Code Enforcement:** Issued 192 parking citations; 12 verbal warnings; 2 vehicle impounds; 5 vehicle boots; 6 reports; 4 supplemental reports and has 0 in-process abatements. Prescription medication delivery has begun to slowly taper off and CEO Wilkins delivered no medical prescriptions during this period.
- **Community Outreach:**
 - COS Quinsland attended the September First Wednesday Artisans Market.
 - Officers participated in a memorial ceremony at the Big Flag to commemorate 9/11.
 - Chief Reimann participated in the dunk tank at Oktoberfest event on September 25.
 - Our primary social media content has moved into autumn safety, back to school, and wet weather safety, in addition to our recurring Police Log posts and regular fraud alerts. Social Media increased by roughly 100 new followers over the month of September bringing our total reach to approximately 11,645 FB followers. We gained 48 new members on Nextdoor, bringing our total to 5,655 members in 43 neighborhoods. Nextdoor estimates that 43% of households in Forest Grove currently follow the FGPD on the Nextdoor platform. We are continuing to develop an editorial calendar for outreach posts via social media, including how we can better utilize Twitter.
 - The FGPD is once again partnering with the Westside Crime Prevention Coalition in facilitating the monthly Landlord Forum which will kick off in October via Zoom.
 - Due to Covid-19 considerations, the Coffee with a Cop scheduled for 10/2 has been cancelled.
 - The FGPD will be participating in Domestic Violence Awareness Month in partnership with other LEA throughout Washington County.

PARKS & RECREATION:

- **Eastside Park Location Planning:** Scoping meeting with PLACE will be scheduled for late October to begin feasibility analysis for preferred alternatives for the Eastside Park location. (Council Goal 7.1)
- **School District Recreation Pilot:** Discussions are underway with Forest Grove School District to define the scope, roles, purpose and cost of a one year pilot project to deliver recreation programming. Cornelius is also folding into the discussions. (Council Goal 7.2)
- **Park Registration:** The CivicRec online recreation registration and parks reservation system is expected to go live by the end of October. (Council Goal 3.3 contribution)

LIGHT & POWER:

- **Outage:** Due to an underground high voltage cable failure, sixty-four customers in the 3300 block of Hillcrest Way were without power for approximately two hours on September 23. Crews were able to identify and isolate the faulted cable, and re-route power to the affected area.
- **Transmission Tie-Line:** Crews have completed all construction on the 115 KV transmission tie-line between Filbert and Thatcher Substations. Coordination efforts are underway with BPA and re-energization is expected October 7.
- **Development Installation:** Power installation continues at the Pacific Crossings Phase 5 Subdivision on Goff Road, Gales Creek Subdivision Phase 4 on 19th Avenue, and also at the Reserves Apartment Complex at the corner of Pacific Avenue and Poplar Street.
- **Proposal Requests:** Request for proposals have been advertised for the electric system master plan study as well as for the wildfire mitigation plan study. Both studies are scheduled for completion May 2022.

CONSTRUCTION PROJECTS IN FOREST GROVE: More information at www.forestgrove-or.gov/projects

NAME	LOCATION	DESCRIPTION	LAND USE PERMIT STATUS	BLDG PERMIT STATUS	CONST.STATUS
Kidd Court	22 nd Place	Subdivision (7 units)	Approved	7 permits issued	Under Construction
Gales Creek Terrace	Pacific Ave/19 th Ave	Subdivision (197 lots)	Approved	132 lots issued	Under construction
Green Grove	Thatcher Rd	Co-Housing (9 lots)	Approved	9 lots issued	Under construction
Forest Grove Apartments	2838 19 th Ave	Apartments (10 units)	Approved	In review	N/A
Hawthorne Gardens Apartments	2560 Hawthorne St	Apartments (18 units)	Approved	Submitted Building Plans	In Grading
Pacific Woods	2345 26 th Ave	Subdivision (21 lots)	Approved	21 lots issued	Under construction
The Reserve at Fernhill	1931 Poplar St, et al.	Apartments (196 units)	Approved	Buildings 1, 2, 3, 4 and 5 issued	Under construction
Old Trapper Distribution & Office Buildings	4115 24 th Ave	Industrial New (144,000 sf)	Approved	N/A	N/A
State Street Homes	2828 22 nd Ave	Apartments (3 buildings, 15 units)	Approved	3 Buildings Issued	Under Construction
Farmstead Crossing Annexation/PUD	3385 NW Hwy 47	PUD (131 lots)	Approved	Grading Permits Issued	In Grading
Apartment Conversion	2320 Pacific Ave	Apartments (3 units)	Approved	Permit Issued	Under construction
Kingwood Commons Subdivision	2344 Kingwood St	Planned Unit Development (20 units)	Approved	Grading Permit Issued	In Grading

The Valfre at Avenida 26	2525 A St/2508 Main St	Affordable Housing Apartments – (36 units)	Approved	All buildings issued	Under construction
Popeye’s Louisiana Kitchen Fast Food Restaurant	3510 Pacific Ave	Site Plan & Design Review	Approved	Permits Issued	In Grading
Pacific Crossing No. 5	Goff Place	Subdivision (11 lots)	Approved	Grading Permit Issued	Model homes submitted
Cannabis Dispensary	2420 Pacific Ave	Conditional Use Application	Approved	N/A	N/A
26 th Avenue Subdivision	2520-2522 26 th Avenue	Subdivision (25 lots)	Approved	N/A	N/A
Stites Park Project	2423 26 th Ave	Public Park and Community Garden	Approved	In review	N/A
Urgent Care Facility	3675 Pacific Ave	Comm New	Approved	N/A	N/A
Annexation	2627 NW Highway 47	Annexation/Zone Change	In review	N/A	N/A
Lee Meadow	1350 Gales Creek Road	Subdivision (12 Lots)	In review	N/A	N/A
Vacation	Adjacent to 4223 Pacific Ave	Vacation	In review	N/A	N/A
Pacific Grove Memory Facility Addition	3334 22 nd Ave	Comm Addition	In review	N/A	N/A
Parkview Terrace	Watercrest/Thatcher	PUD (165 Lots)	In review	N/A	N/A



URBAN RENEWAL AGENCY MEETING AGENDA
MONDAY, OCTOBER 11, 2021
8:00 PM – ZOOM WEBINAR
COMMUNITY AUDITORIUM, 1915 MAIN STREET

Zoom Video Conferencing
Public Webinar ID: 813 0162 2685
Pass Code: 101121
Click Link:

<https://us06web.zoom.us/j/81301622685?pwd=YmlzeHZFMXdaRGi5L3IPWDVLZHQvUT09>

8:00 PM URBAN RENEWAL AGENCY REGULAR MEETING

8:30 PM URBAN RENEWAL AGENCY WORK SESSION (SITE B)

During the pandemic, all public meetings are held in a “hybrid” format allowing the public to attend meetings both virtual and in-person. The Community Auditorium is open and has limited availability and social distancing measures. The public can observe the meetings **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming or **LIVE Channel 30** on their website: <http://208.71.205.11/CablecastPublicSite/?channel=15>.

PETER B. TRUAX, DIRECTOR BOARD CHAIR

Malynda H. Wenzl, Director Board President
Donna Gustafson, Director
Kristy L. Kottkey, Director

Timothy A. Rippe, Director
Elena Uhing, Director
Mariana Valenzuela, Director

All regular meetings of the Urban Renewal Agency are open to the public and persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Urban Renewal Agency Board as follows:

Public Hearings: Hearings are held on each matter required by state law or City policy. Sign in before the meeting on the Public Hearing form posted in the foyer. The presiding officer will review the 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 Board, please use the witness table (center front of the room), provide your full name and please limit your remarks to three (3) minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Board action. All testimony is electronically recorded. Written testimony may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov.

Public Comment: This is a time provided for anyone wishing to speak to the Board on an item not on the agenda or on the agenda, and not scheduled for a public hearing. Sign in before the meeting on the form posted in the foyer. The presiding officer will review the instructions prior to public comment. The presiding officer will call the individual or group by the name given on the sign-in form. When addressing the Board, please use the witness table (center front of the room), provide your full name. Please limit your comments to two (2) minutes unless the presiding officer grants an extension. All testimony is electronically recorded. Written comments may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov.

Accommodations: In accordance with the Americans with Disabilities Act, the City of Forest Grove will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting City Recorder's Office, aruggles@forestgrove-or.gov, 503-992-3235, at least 48-hours advance notice of the meeting.

FOREST GROVE URBAN RENEWAL AGENCY AGENDA
OCTOBER 11, 2021
Page 2 of 2

- | | |
|--|--|
| 8:00 | 1. <u>URBAN RENEWAL AGENCY REGULAR MEETING:</u>
Call to Order and Roll Call. |
| 8:05
5mins | 2. <u>PUBLIC COMMENT:</u> Anyone wishing to speak to the Board on an item not on the agenda or on the agenda but not scheduled for a public hearing may be heard at this time. Please limit comments to two (2) minutes. Written comment may be submitted by 3:00 p.m. the day of the meeting to: CityCouncilors@forestgrove-or.gov . <ul style="list-style-type: none">• Zoom Attendees: Please use the "Raise Hand" option. Please introduce yourself and ask your question or provide your comment. Click the "Chat" tab to type a question or comment. |
| 8:10
5mins | 3. <u>CONSENT AGENDA:</u> Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Board 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). <p style="margin-left: 40px;">A. Approve Urban Renewal Agency Meeting Minutes of June 28, 2021.</p> |
| | 4. <u>ADDITIONS/DELETIONS:</u> <ul style="list-style-type: none">• <i>Executive Director</i>• <i>Proposed by Directors</i> |
| | 5. <u>PRESENTATIONS:</u> |
| Bryan Pohl, Community Development Director | 8:15
10mins
5.A. <ul style="list-style-type: none">• <i>Open Aire Gallery Art Selection</i> |
| 8:25 | 6. <u>ADJOURNMENT:</u> |
-
- | | | |
|--|------|--|
| PowerPoint Presentation
Dan Riordan, Senior Planner
Bryan Pohl, Community Development Director
Jesse VanderZanden, Executive Director | 8:30 | <u>URBAN RENEWAL AGENCY (URA) WORK SESSION:
SITE B</u>
No public comment will be taken. The Urban Renewal Agency will take no formal action during the work session. |
| | 9:30 | <u>ADJOURNMENT:</u> |
-



3A

Monday, June 28, 2021

Urban Renewal Agency Meeting Minutes

9:10 p.m., Community Auditorium

Minutes are unofficial until approved by the Urban Renewal Agency.

1. CALLED TO ORDER AND ROLL CALL:

Peter Truax, Urban Renewal Agency (URA) Director Chair, called the URA meeting to order at 9:51 p.m. via Zoom Webinar Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the Urban Renewal Agency Board of Directors conducted the meeting in a "hybrid" format allowing the public to attend both virtual and in-person in the Community Auditorium as spaced allowed. Members of the public could observe the meeting **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming Channel 30. Written comments were accepted by 3:00 p.m. the day of the meeting.

ROLL CALL: URA DIRECTORS PRESENT ATTENDED BY ZOOM WEBINAR: Donna Gustafson; Kristy Kottkey; Timothy Rippe; Mariana Valenzuela; Malynda Wenzl, Vice Chair; and Peter Truax, Chair. **URA DIRECTORS ABSENT:** Elena Uhing.

STAFF PRESENT ATTENDED BY ZOOM REMOTELY: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; and Bev Maughan, Executive Assistant. **STAFF ABSENT:** Anna Ruggles, City Recorder.

2. PUBLIC COMMENT SIGN-IN: None.

3. CONSENT AGENDA:

- A. Approve Urban Renewal Agency Executive Session (Property Transactions) Meeting Minutes of May 24, 2021.
- B. Approve Urban Renewal Agency Meeting Minutes of May 24, 2021.

MOTION: Director Vice Chair Wenzl moved, seconded by Director Kottkey, to approve the Consent Agenda as presented. **ABSENT:** Director Uhing. **MOTION CARRIED 6-0 by voice vote.**

4. ADDITIONS/DELETIONS:

Executive Director: None.
Proposed by Directors: None.

5. PRESENTATIONS: None.

PUBLIC HEARING AND URA RESOLUTION NO. 2021-03 ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND DECLARING THE TAX INCREMENT FOR FISCAL YEAR COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022

Staff Report:

Downey presented the above-proposed resolution for Board consideration, noting the URA Budget Committee approved at its meeting of June 8, 2021, a proposed budget of \$1,022,287 and declared tax increment be collected for Fiscal Year commencing July 1, 2021, and ending June 30, 2022. In conclusion of the above-noted staff report, Downey advised staff is recommending approval of the proposed URA budget for Fiscal Year commencing July 1, 2021, and ending June 30, 2022, noting staff is not proposing any change to the budget approved by the URA Budget Committee.

Before proceeding with Public Hearing and Board discussion, Director Chair Truax asked for a motion to adopt URA Resolution No. 2021-03.

VanderZanden read URA Resolution No. 2021-03 by title.

MOTION: Director Vice Chair Wenzl moved, seconded by Director Rippe, to adopt URA Resolution No. 2021-03 Adopting the Budget, Making Appropriations, and Declaring the Tax Increment for Fiscal Year Commencing July 1, 2021, and Ending June 30, 2022.

Public Hearing Opened:

Director Chair Truax opened the Public Hearing and explained hearing procedures.

Testimony Heard:

No one testified and no written comments were received.

Public Hearing Closed:

Director Chair Truax closed the Public Hearing.

Board of Directors Discussion:

Hearing no discussion from the Board, Director Chair Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Directors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl and Director Chair Truax. NOES: None. ABSENT: Director Uhing. MOTION CARRIED 6-0

7. **ADJOURNMENT:**

Director Chair Truax adjourned the URA regular meeting at 9:58 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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<u>CITY RECORDER USE ONLY:</u>	
AGENDA ITEM #:	<u>5. A.</u>
MEETING DATE:	<u>10/11/2021</u>
FINAL ACTION:	<u>Presentation</u>

URBAN RENEWAL AGENCY STAFF REPORT

TO: *Urban Renewal Agency Board of Directors*

FROM: *Jesse VanderZanden, Executive Director
Bryan Pohl, Community Development Director
Colleen Winters, Library Director*

MEETING DATE: *October 11, 2021*

SUBJECT TITLE: *Open Aire Art Gallery Selection*

ACTION REQUESTED:

☐	☐	☐	☐	☒	☐	☐
	Ordinance	Order	Resolution	X	Motion	Informational

X all that apply

BACKGROUND:

The Urban Renewal Advisory Committee (URAC) and URA Board of Directors approved the Open Aire Art Gallery as a conceptual program in 2020. At the outset, the program was to incorporate five locations throughout the Urban Renewal Area, with art on loan from the artist, with the City purchasing one piece every couple years. However, after two successive calls for art, no proposals were received. This led the Public Arts Commission (PAC) to re-evaluate the program and consider purchasing art at the onset of the program, instead of later in the program, in an effort to spur the program forward.

On July 22, the PAC approached the URAC about purchasing two pieces of art to spur the program forward, keeping within the original budget of \$20,000. The two locations that were selected for the artwork were the plinth in the Library breezeway and the plinth at the Rotary Garden, near the US flag. These plinths have been constructed. If the program proves successful, additional plinth locations have been identified. The proposal was approved by the URAC and the PAC and was reported to the Council in the City Manager's Report. The call for art was published on August 12, with a September 24th deadline. Five proposals were received. The selection committee, comprised of URAC and PAC members, met on September 29 and selected the attached artwork for approval by the URA Board.

The selection committee, comprised of URAC and PAC members, met on September 29 and selected the attached artwork for approval by the URA Board. While many proposals were received, only one was selected. "Seven Generations" attached has been selected for the plinth location by the Rotary Garden.

RECOMMENDATION:

The Call for Art stipulates the URA Board must approve the proposals. In the past, the PAC has presented the artwork and the Council or Board has consented through no opposition. The other option is the Board could approve the artwork via a voice vote.

ATTACHMENTS:

- 1) Selected proposal

Call for Art: Open Aire Gallery Proposal Submission Form

Lead Artist Name Cat Tweedie Ball
Company.....
Address 3278 Hillside Way
City Forest Grove State OR Zip code 97116
Telephone 617-312-9572 Cell Phone 617-312-9572
E-mail catherine.tweedie@gmail.com
Website www.cattweedieball.com

Names of other participating Artists, if applicable:

.....
.....
.....

1. Project Description:

Specify the types of materials to be used and include technical information regarding the materials durability, longevity and toxicity.

"Seven Generations" is a physical representation of the ancient Haudenosaunee (Iroquois) philosophy that decisions we make today should provide for a sustainable world seven generations in the future. The sculpture includes 126 seven inch bronze cast bodies with each generation holding up the feet of the generation after them. In this way, we see how a single person seven generations from now has 125 direct ancestors in the previous 6 generations. The originals for these bodies would be sculpted and molded in Forest Grove and cast at family-run Firebird Bronze in Troutdale, OR. I would TIG weld together the bronze bodies with bronze filler wire. The 126 figures are 49" tall x 24" x 24", mounted on a bronze plate attached to a mild steel base 4" tall.

This sculpture raises many powerful questions and it is my hope to offer one or more community gatherings around the sculpture to reflect as a community.

* What have our ancestors contributed to the lives we live today? What resources have they offered us through their survival of the challenges of their time? (through DNA, material resources, family culture and history)

* What emotions arise as we reflect on what we've been offered through the lives and energy of our ancestors?

* What world do we want to offer our descendants seven generations from now?

* What decisions today would lead to that desired offering for our descendants?

The sculpture itself is made entirely out of bronze, which is corrosion resistant and will last for decades. The mild steel base will last for many years, especially if an anti-graffiti anti-ultraviolet coating (Sculpt Nouveau's Shields Up Anti-Graffiti Coating) is re-applied every two years to prevent rust from forming. No part of the sculpture should be ingested, but there is no toxicity risk from coming near to or touching the sculpture. Re-application or protective coatings should only be performed in accordance with manufacturer's instructions, and should only be performed with a respirator, gloves and protective eyewear.

2. Brief Description of Related Experience:

I am a sculpture artist, facilitator, and materials scientist living in Forest Grove. I earned a PhD in materials science from MIT and have been designing, creating, and installing commissioned sculpture art indoors for private homes and offices and outdoors in commercial and public spaces for the last ten years. I facilitate a monthly women's group for local women called "Women of the Grove" based in meditation, movement, and speaking and listening from the heart. In this sculpture I wish to combine my work creating connective spaces with my practice of creating beautiful and meaningful art.

3. Artwork Installation Plan:

I will pre-drill holes in the mild steel base for connecting to the concrete base. I will drive the sculpture from my house in our private vehicle and park next to the installation site. With the help of my partner and brother in law (if needed) we will lift the sculpture in place on the concrete base. Once it is well-positioned, we will mark the holes to be drilled in the concrete and then move the sculpture while we use a hammer drill to drill holes appropriately deep. Then we will reposition the sculpture, fill about 75% of hole with anchoring adhesive (like Anchor Fix by Sika), and tighten bolts into place.

4. Artwork Maintenance Plan: See sample plan at the end of the Call for Art.

Public Art Project: Seven Generations, steel and bronze, location TBD, 54" tall x 24" x 24".

Creation of the sculpture was completed in September 2021 and coated with three layers of Sculpt Nouveau's Shields Up Anti-Graffiti Coating applied according to manufacturers instructions on September XX 2021. The spray paint cans were used for even distribution.

Recommended Maintenance

Periodic inspection of sculpture is recommended, at least once a year, to check areas where protective coating might need to be re-applied. A new anti-graffiti and anti-ultraviolet coating should be applied in 2-3 coats every two years. If a new coating is needed in less than two years, you might observe a patina shift in the bronze or the beginning of rust forming on mild steel. Any re-application of the protective coating should be according to the manufacturer's instructions of Sculpt Nouveau's Shield's Up Anti-Graffiti Coating. The sculpture should be wiped clean with a damp cloth and dried fully before applying a new protective coating. If there is a build up of dirt, use a mixture of Dawn dish soap and water to clean the sculpture before rinsing and drying thoroughly.

☐

As a proposer for the opportunity to complete this outdoor art project for the City of Forest Grove, I certify that I am at least eighteen years of age. I also certify that all works submitted represented as my work are the product of my creation and no other. I further certify that all statements made in this proposal are true to the best of my knowledge.

☒

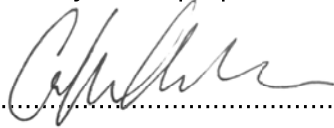
I understand that the City of Forest Grove may make duplicates of my images and proposal materials solely for the purpose of consideration of my proposal.

☒

I understand that any liability for loss or damage to my proposal or images is not the responsibility of the City of Forest Grove or the Selection Committee to review proposal.

☒

I have examined all parts of the Call for Art and understand the costs of submitting a proposal are solely the responsibility of the proposer and the City of Forest Grove is not liable for those costs.

Proposer Signature..........Date..... 26 May 2021

Send Complete Proposal to

1. Mail to:

Public Arts Commission Art Proposal
PO Box 326
Forest Grove, OR 97116

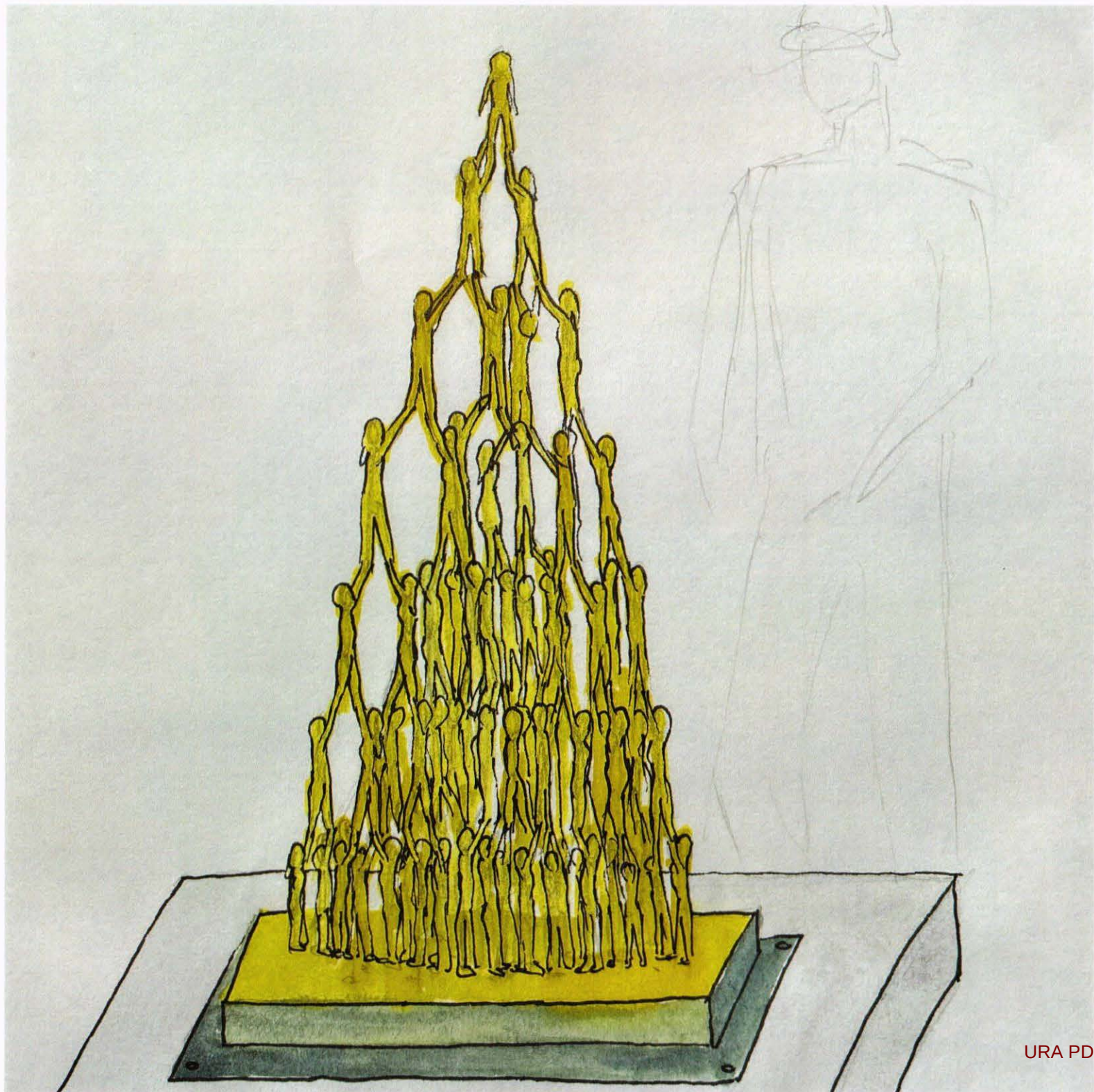
2. Email to:

publicartscommission@forestgrove-or.gov

Submit online at:

<https://www.forestgrove-or.gov/openairegallery>

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COLOR SAMPLES

Mild steel with clear protective coating



Bronze casting (without patina) with clear protective coating



Bronze casting with a blackish-blue patina and clear protective coating





Site B Options

Work Session

Bryan Pohl,
Community Development
Director

Paul Downey,
Asst. City Manager and
Finance Director

PURPOSE

Address objectives in 2021 Urban Renewal Agency (URA) Work Plan:

- **Consider disposition alternatives for Site B**
- **Negotiate a Disposition and Development Agreement for Site B**

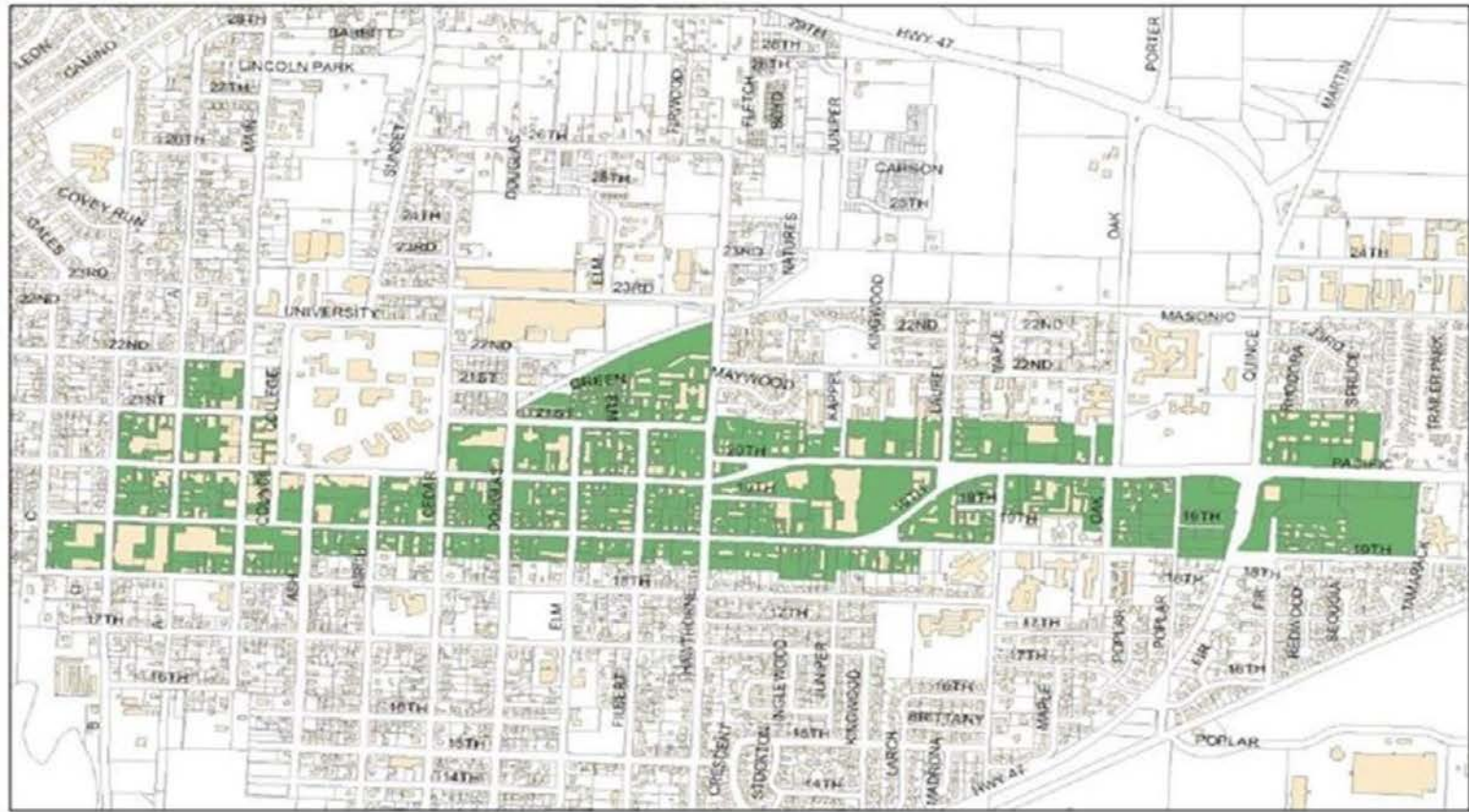
Seek consensus on project next steps

URA PLAN GOALS

- **Increase the taxable value of property within the URA to the eventual benefit of all taxing districts.**
- **Further eliminate blight and blighting influences**
- **Improve the utilization of land within the Urban Renewal Area**
- **Encourage private investment and job creation**



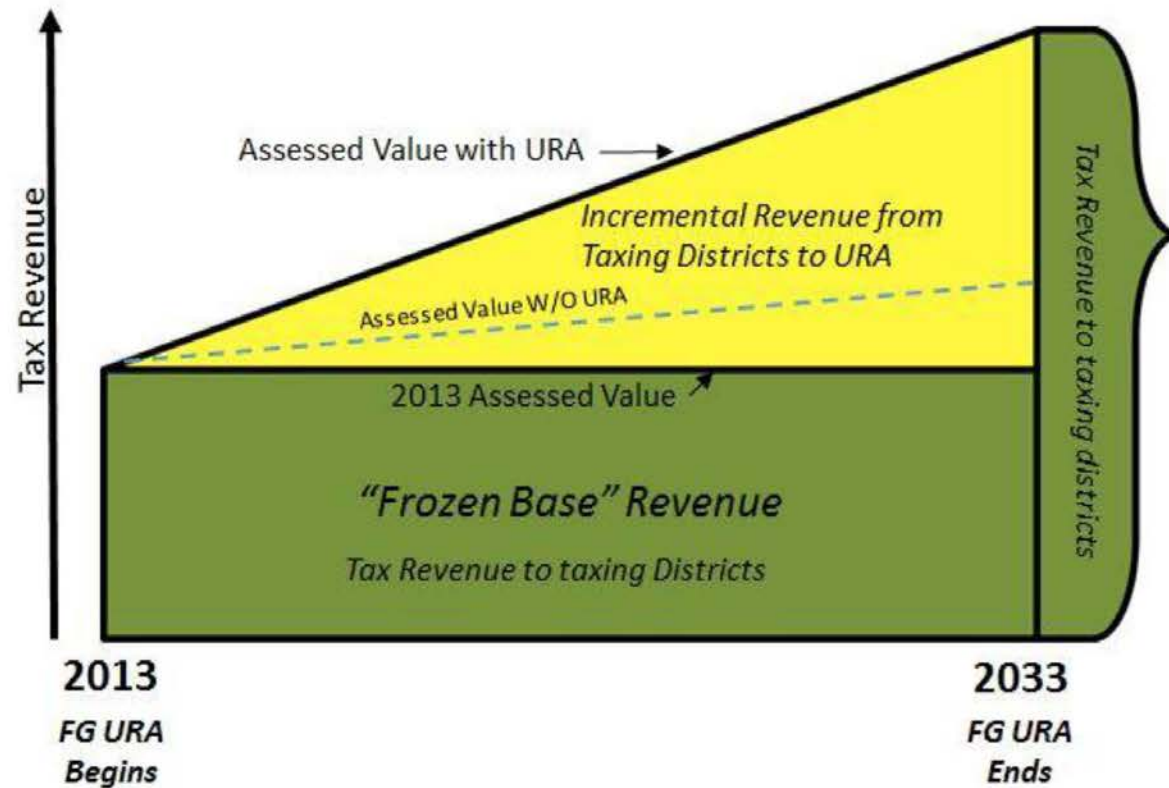
URA Area



Forest Grove Urban Renewal Area

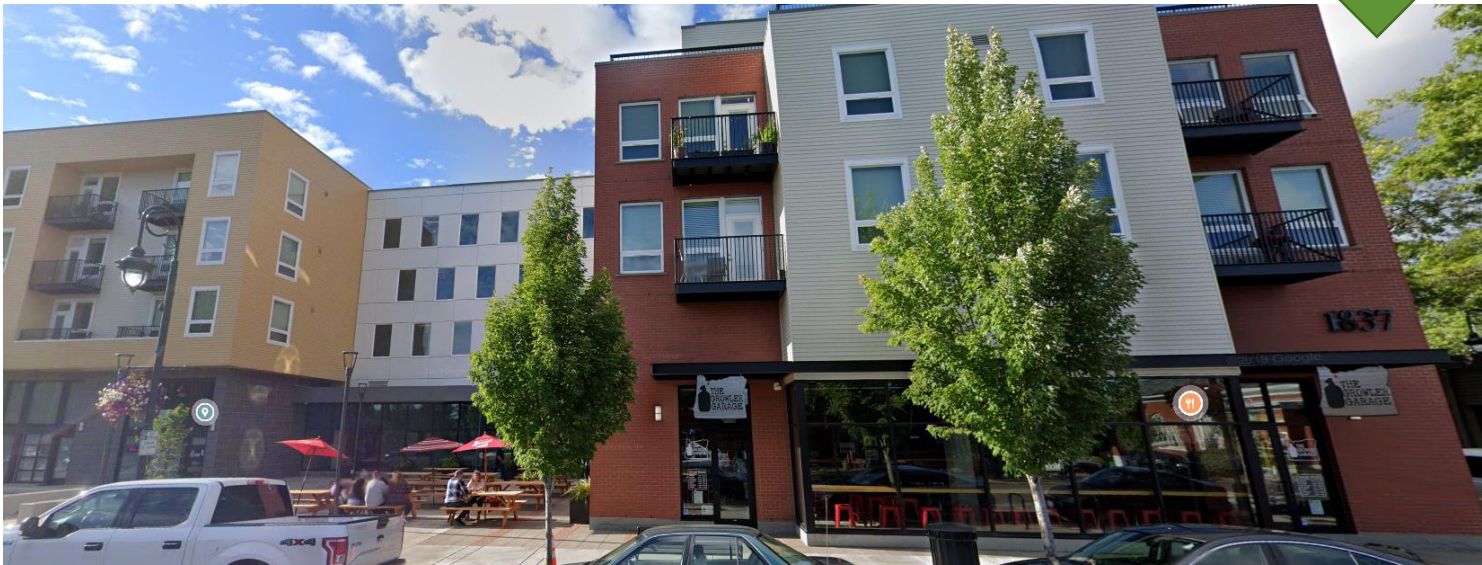


TIF Funds





This + URA Action = THIS



SITE B- THE PROPERTY

2.68-acre overall site acquired by the URA in 2012

- **1.56 acres developed as the Jesse Quinn in 2017.**
- **1.12 acres remain undeveloped - termed “Site B”.**



SITE B VISION

The stated vision for redevelopment of Site B in the RFP is:

- **Enhance the downtown and adjacent neighborhood**
- **Maximize taxable assessed value**
- **Encourage new investment and development that brings people downtown**
- **Provides tangible benefit to the urban renewal area and City such as needed retail, services, housing and/or employment**
- **Provide a transition between the downtown and residential commercial districts**
- **Attracts a mix of uses including retail**
- **May contain a mix of housing types. If housing is proposed, preference will be given to projects with 30% of the housing affordable to households with incomes not exceeding 60% of Washington County's median household income.**

SITE B PROCESS

- **Visioning Session – 11/25/2019**
 - **Discussed an array of possible options for a Request for Proposals (RFP)**
 - **Consensus to openly advertise RFP**
 - **Commercial required / Grocery store preferred**
 - **Housing preferred but not required / if proposed, 30% must be meet affordable requirement of 60% or lower median income.**
- **RFP Review and Approved by URA Board – 1/27/2020**
- **RFP issued – 2/5/2020**

FRESH FOODS PROPOSAL

- One proposal received: Fresh Foods
 - Downtown grocery store of approx. 20,000 sq. feet and providing some products not currently available in FG.
 - 12-16 units of affordable housing



EXCLUSIVE NEGOTIATING AGREEMENT (ENA)

- **Agreement between parties that a specific proposal resulting from the RFP is accepted and if approached by a third party that neither party will enter into negotiations with another party during the term of the agreement.**
- **Usually done when the refinement of a proposal is expected to take significant investment of time and financial resources.**
- **Original ENA approved by Board on July 13, 2020**
- **Signed and effective July 28, 2020.**
- **Automatically Renewed on January 28, 2021 until May 28, 2021**
- **On May 24, 2021, URA Board Approved an extension until October 31, 2021**

CURRENT CONSTRAINTS

During developer's due diligence, the issues arose:

- **Affordable Housing**
 - Not a candidate for Metro Housing Bond funds
 - Banks will not finance
 - Private money will only finance for far higher number of units
- **Potential URA/City incentives are not sufficient for entire project as proposed**
- **Parking**
 - Not required for commercial
 - Required for residential
- **Traffic and Parking Analysis**
 - Completed by DKS
 - Assumed 20 housing units
 - 56 spaces recommended for grocery
 - 24 required for residential
 - Concluded traffic impact not a prime concern; however, parking was a concern.



OPTIONS

- **Developer has stated the grocery store alone can be accomplished but that the housing portion of the project as proposed will not work. URA Board can accept the project as a grocery store with no housing element and direct staff to begin negotiations on a Disposition and Development Agreement (DDA). ENA would not need to be extended as the project has been accepted and DDA negotiations would be occurring.**
- **Extend the current ENA to allow the URA Board more time to consider the grocery store only concept. Developer does not need more time as they indicated housing does not work for them.**
- **Allow the ENA to expire and issue a new RFP if the grocery store only is not an acceptable proposal to the Board. RFP must be based on URA goals. This option would not prevent staff from continuing to work with Fresh Foods on the existing proposal but would also allow the URA to consider other proposals that may be received.**



PURPOSE

**Address objectives in 2021 Urban Renewal Agency (URA)
Work Plan:**

- **Consider disposition alternatives for Site B**
- **Negotiate a Disposition and Development Agreement for Site B**

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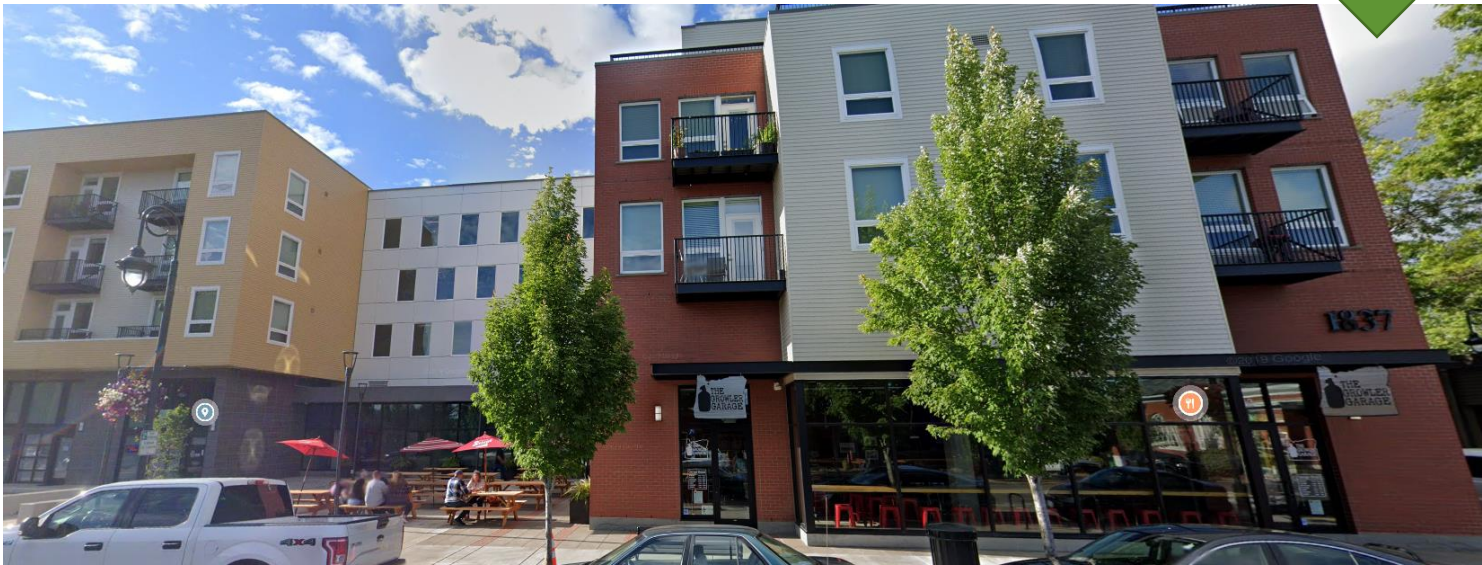
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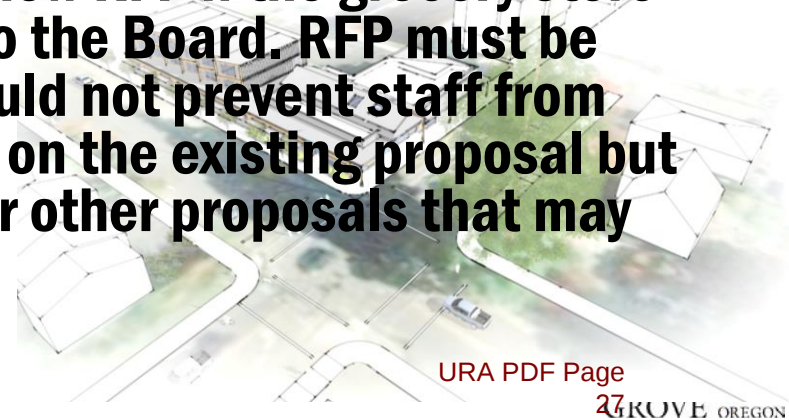
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