



Malynda Wenzl, Mayor

Timothy A. Rippe, Council President
Donna Gustafson, Councilor
Michael Marshall, Councilor

Karen Martinez, Councilor
Elena Uhing, Councilor
Mariana Valenzuela, Councilor

[TVCTV Livestream](#)

[Zoom Webinar](#) Meeting ID: 850 7572 2488 Passcode: 97116

Americans with Disabilities Act (ADA) Notice: The City is committed to providing equal access to public meetings. Requests for accommodation can be sent to the City Recorder's Office at least 48 hours before the meeting at: mwoods@forestgrove-or.gov or 503-992-3235.

CITY COUNCIL WORK SESSION

No public comment will be taken. The Council will take no formal action.
This Work Session will be held at the School District Offices at 1728 Main St.

5:30 Joint Work Session: Recreation Collaboration

Staff: City of Cornelius, City of Forest Grove, FG School District, Pacific University

CITY COUNCIL MEETING

A. 7:00 Call to Order

1. Roll Call
2. Land Acknowledgement
3. Pledge of Allegiance
4. Proclamation: Child Abuse Prevention Month, Sexual Assault Awareness Month, and Crime Victims' Rights Week
5. Proclamation: National Library Week

B. Public Comment: Time provided for anyone wishing to speak to City Council on an item not on the agenda or on the agenda but not scheduled for a public hearing. Comments are limited to 2 minutes unless additional time is granted by the Presiding Officer. The public comment period shall not exceed 30 minutes unless a majority of Councilors present vote to extend the time. Zoom attendees may use the "Raise Hand" option to be called on.

1. Written Public Comment

C. Consent Agenda: Items under the Consent Agenda are considered routine and will all be adopted with a single motion, without separate discussion. Councilors who wish to remove an item from the Consent Agenda may do so prior to the motion. Any item(s) removed will be discussed and acted upon following the approval of the remaining item(s).

1. Approve CRC Minutes of 8.14.2023
2. Approve CRC Minutes of 8.30.2023
3. Approve CRC Minutes of 9.13.2023
4. Approve CRC Minutes of 9.27.2023
5. Approve CRC Minutes of 10.25.2023
6. Approve CRC Minutes of 11.08.2023
7. Approve CRC Minutes of 12.13.2023
8. Approve CRC Minutes of 12.27.2023
9. Approve CRC Minutes of 1.18.2024
10. Approve CRC Minutes of 1.24.2024
11. Approve CRC Minutes of 2.07.2024
12. Approve CRC Minutes of 3.13.2024
13. Accept Resignation on the Library Commission (Hatfield Krebsbach, Appointed 01/21, Term Expiring 12/31/24)
14. Approve City Council Meeting Minutes of 03.18.2024
15. Approve City Council Work Session Minutes of 03.18.2024 (PR Joint Session)
16. Approve City Council Work Session Minutes of 03.18.2024 (CM Evaluation Process)
17. Approve Annual Liquor License Renewal
18. Approve New Liquor License
19. Informational: Monthly Building Report for March

D. Additions/Deletions

1. City Manager
2. Proposed by Councilors

E. Presentations: The Council will hold questions until the end of each presentation. A two-minute reminder will be given to the presenter to conclude remarks.

1. 7:15 **Family Justice Center**
Staff: Rachel Schutz, Family Justice Center Executive Director
2. 7:30 **Library Commission Annual Report**
Staff: Colleen Winters, Library Director
3. 7:45 **Hazel Sills Park: Universally Accessible Playground Replacement**
Staff: Anne Lane, Parks & Recreation Director

F. Public Hearings, Ordinances, and Resolutions

1. 8:00 Public Hearing Second Reading
ORDINANCE NO. 2024-04 ADDING TO AND AMENDING FOREST GROVE CODE OF ORDINANCES TITLE I (GENERAL PROVISIONS) §10.09; TITLE VII (TRAFFIC CODE) §73.055 (IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES); §74.01 (DEFINITIONS); §74.05 (TOWING AND STORAGE LIENS); §74.06 (PRE-TOWING NOTICE); §74.07 (POST-TOWING NOTICE); §74.09 (CHARGES AND RELEASE OF VEHICLE OR TRAILER); §74.10 (SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED AND §74.11 (SALE OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT \$500 OR LESS)
Staff: Paul Downey, Assistant City Manager/Finance Director
2. 8:10 **RESOLUTION NO. 2024-10 ADOPTING CITY MANAGER PERFORMANCE EVALUATION AND SELF-EVALUATION FORMS AND REVIEW CRITERIA; REPEALING RESOLUTION NO. 2023-11**
Staff: Brenda Camilli, Human Resources Director
3. 8:15 **RESOLUTION NO. 2024-11 ADDING APPROPRIATIONS TO THE FIRE DEPARTMENT BUDGET WITHIN THE GENERAL FUND IN THE FISCAL YEAR 2023-24 FOR REIMBURSEMENTS FOR UNANTICIPATED EXPENDITURES INCURRED FOR SUPPLIES AND APPARATUS REPAIR**
Staff: Paul Downey, Assistant City Manager/Finance Director

G. 8:20 Council Communications:

1. Councilor Reports
 - a. Timothy A. Rippe (EDC, RWPC, TVHSC, Chamber of Commerce)
 - b. Donna Gustafson (PAC, JWC)
 - c. Michael Marshall (CFC, P&R, CCESC)
 - d. Karen Martinez (FGRFPD, SCC, WCCCA)
 - e. Elena Uhing (CCE, FGSCC)
 - f. Mariana Valenzuela (LC, CDBGPAD)
2. City Manager's Report
3. Mayor's Report (HLB, WCCC, R1ACT, MMC, WCC&MG, WCMG, MYAC)

H. 8:45 Adjournment

CITY COUNCIL WORK SESSIONS

No public comment will be taken. The Council will take no formal action.

8:45 Parks Conduct Policy

Staff: Anne Lane, Parks & Recreation Director

9:00 Tourism Events Sponsorship Program

Staff: Bryan Pohl, Community Development Director

I. 9:30 Adjournment

MEMORANDUM

TO: City Council

MEETING DATE: April 8, 2024, Community Auditorium, 5:00 PM

FROM: Jesse VanderZanden, City Manager
Anne Lane, Parks and Recreation Director
Ashley Sonoff, SSW Consulting

SUBJECT TITLE: City Council Recreation Joint Work Session

BACKGROUND:

In response to City Council's goal to "Enhance Recreation Opportunities for All" and to develop a long-term approach for recreation services, the City is participating in a joint 1.5 hour work session in collaboration with the City of Cornelius, the Forest Grove School District, and Pacific University. To facilitate the work session, the organizations have collaborated to hire SSW Consulting, who have prepared the agenda and format.

The purpose and objective of the work session is to build awareness of each organization's challenges, find areas of shared interest and collaboration, and identify "quick wins" and next steps forward. It is also an opportunity to connect with elected officials and staff from each organization.

The agenda (attached) begins with a networking dinner at 5:00 at the School District main offices, followed by a welcome, environmental scan, and the core activity of a small group discussion focused on three key questions: 1) opportunities to collaborate, 2) what is holding us back and 3) how to move forward. After the small groups, there will be a report out followed by a wrap-up. The meeting will end at 6:50 to allow time for attendees to be present for other regularly scheduled meetings by 7:00.

ATTACHMENTS:

1. Joint Work Session Agenda

RECREATION JOINT WORK SESSION

MONDAY, APRIL 8, 2024

5:00 PM TO 6:50 PM

**GROVE ROOM, FOREST GROVE SCHOOL DISTRICT
1728 MAIN STREET, FOREST GROVE, OR 97116**

WORK SESSION PURPOSE

Develop a shared awareness around the recreation needs, challenges, and opportunities facing each organization in the Forest Grove/Cornelius community.

PARTICIPATING ORGANIZATIONS

- City of Cornelius
- City of Forest Grove
- Forest Grove School District
- Pacific University

AGENDA

- | | |
|----------------|---|
| 5:00 PM | Dinner + Networking |
| 5:30 PM | Agenda Overview + Warm-up (15 minutes) <ul style="list-style-type: none">• Welcome and Agenda Overview (5 minutes)• Vision Warm-up Exercise (10 minutes) |
| 5:45 PM | Recreation Environmental Scan (15 minutes) <ul style="list-style-type: none">• Discuss the needs, challenges, and opportunities facing each organization |
| 6:00 PM | Small Group Discussion (25 minutes) <ul style="list-style-type: none">• Where are there opportunities to collaborate?• What is holding us back?• What are some easy wins/next steps to move forward? |
| 6:25 PM | Report Out (15 minutes) |
| 6:40 PM | Wrap-up + Next Steps (10 minutes) |
| 6:50 PM | Adjourn |

PROCLAMATION

Child Abuse Prevention Month and Sexual Assault Awareness Month and Crime Victims' Rights Week

WHEREAS, Oregon sees higher rates of domestic violence, sexual assault, and childhood trauma than the national average; and

WHEREAS, child abuse and sexual violence are some of the most serious public health issues with numerous studies documenting the link between trauma and a wide range of medical, emotional, psychological, and behavioral experiences with both short-and long-term effects; and

WHEREAS, children who experience abuse are uniquely affected because they are still developing and therefore suffer lifelong effects to their physical and emotional health; and

WHEREAS, sexual violence, childhood abuse, and interpersonal crime affect all people, but disproportionately affect those impacted by systemic inequities; and

WHEREAS, when harm does occur, we are determined to respond by helping survivors find not only safety, healing, and justice, but also equitable access to services, a sense of hope for their future, and the tools to rebuild their lives.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM APRIL, 2024, AND APRIL 22 – APRIL 26, 2024, AS

**“Child Abuse Prevention Month” and “Sexual Assault Awareness Month”
and
“Crime Victims' Rights Week”**

In Forest Grove, Oregon, Washington County, and reaffirms our commitment to supporting a coordinated and collaborative community of providers that deliver intervention and prevention services of violence and abuse all year long.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 8th day of April, 2024.

Malynda H. Wenzl, Mayor, City of Forest Grove

PROCLAMACIÓN

Mes de la Prevención del Abuso Infantil y Mes de la Concientización de la Agresión Sexual y Semana de los Derechos de Víctimas del Delito

CONSIDERANDO QUE, Oregon registra tasas más altas de violencia doméstica, agresión sexual y trauma infantil que el promedio nacional; y

CONSIDERANDO QUE, el abuso infantil y la violencia sexual son algunos de los problemas de salud pública más serios y que numerosos estudios documentan el vínculo entre el trauma y una amplia gama de experiencias médicas, emocionales, psicológicas y conductuales con efectos tanto a corto como a largo plazo; y

CONSIDERANDO QUE, los niños que sufren abuso se ven especialmente afectados porque aún se están desarrollando y, por lo tanto, sufren efectos permanentes en su salud física y emocional; y

CONSIDERANDO QUE, la violencia sexual, el abuso infantil y los delitos interpersonales afectan a todas las personas, pero afectan de manera desproporcionada a quienes se ven afectados por desigualdades sistémicas; y

CONSIDERANDO QUE, cuando ocurre un daño, estamos decididos a responder ayudando a los sobrevivientes a encontrar no sólo seguridad, curación y justicia, sino también acceso equitativo a los servicios, un sentido de esperanza para su futuro y las herramientas para reconstruir sus vidas.

AHORA, POR LO TANTO, EL AYUNTAMIENTO DE LA CIUDAD DE FOREST GROVE POR LA PRESENTE PROCLAMA AL MES DE ABRIL 2024, Y A LA SEMANA DEL 22 AL 26 DE ABRIL, 2024, COMO

“Mes de la Prevención del Abuso Infantil” y “Mes de la Concientización de la Agresión Sexual”

y

“Semana de los Derechos de Víctimas del Delito”

En Forest Grove, Oregon, Condado de Washington, y reafirma nuestro compromiso de apoyar una comunidad coordinada y colaborativa de proveedores que brindan servicios de intervención y prevención de violencia y abuso durante todo el año.



EN TESTIMONIO DE LO CUAL, he suscrito la presente y he hecho que el sello de la Ciudad de Forest Grove, Oregon, se emplace en este día 8 de abril de 2024.

Malynda H. Wenzl, Alcalde, Ciudad de Forest Grove

PROCLAMATION

National Library Week

WHEREAS, libraries provide the opportunity for everyone to pursue their passion and engage in lifelong learning, allowing them to live their best life; and

WHEREAS, libraries have long served as trusted institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

WHEREAS, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and

WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to Celebrate National Library Week with the theme “Ready, Set, Library!”.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM APRIL 7 – APRIL 13, 2024, as

National Library Week

During this week, we encourage all residents to visit their local library to explore the wealth of resources available.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 8th day of April, 2024.

Malynda H. Wenzl, Mayor, City of Forest Grove

PROCLAMACIÓN

Semana Nacional de la Biblioteca

CONSIDERANDO QUE, las bibliotecas brindan la oportunidad para que todos persigan su pasión y participen en el aprendizaje permanente, lo que les permite vivir su mejor vida; y

CONSIDERANDO QUE, las bibliotecas han servido durante mucho tiempo como instituciones de confianza para todos los miembros de la comunidad, independientemente de su raza, etnia, credo, capacidad, orientación sexual, identidad de género o condición socioeconómica; y

CONSIDERANDO QUE, las bibliotecas se esfuerzan por desarrollar y mantener programas y colecciones que sean tan diversas como las poblaciones a las que sirven y garantizar la igualdad de acceso para todos; y

CONSIDERANDO QUE, las bibliotecas desempeñan un papel fundamental en la vitalidad económica de las comunidades al proporcionar acceso a Internet y tecnología, habilidades de alfabetización y apoyo para quienes buscan trabajo, pequeñas empresas y empresarios; y

CONSIDERANDO QUE, las bibliotecas son lugares accesibles e inclusivos que promueven un sentido de conexión local, fomentando la comprensión, el compromiso cívico y los objetivos comunitarios compartidos; y

CONSIDERANDO QUE, las bibliotecas, los bibliotecarios y los trabajadores de las bibliotecas se unen a los partidarios y defensores de las bibliotecas de todo el país para celebrar la Semana Nacional de la Biblioteca con el tema "En sus marcas... Listos... ¡Biblioteca!"

AHORA, POR LO TANTO, EL CONCEJO MUNICIPAL DE LA CIUDAD DE FOREST GROVE POR LA PRESENTE PROCLAMA DEL 7 AL 13 DE ABRIL DE 2024, como

SEMANA NACIONAL DE LA BIBLIOTECA

Durante esta semana, alentamos a todos los residentes a visitar su biblioteca local para explorar la gran cantidad de recursos disponibles.



EN TESTIMONIO DE LO CUAL, firmo la presente y hago que se coloque el sello de la ciudad de Forest Grove, Oregon este 8 de abril de 2024.

Malynda H. Wenzl, Alcalde, Ciudad de Forest Grove

Mariah Woods

From: noreply@civicplus.com
Sent: Friday, March 22, 2024 12:25 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Contact City Council

First Name	Tessie
Last Name	Murakami
Address	
City	Lake Oswego
State	OR
Zip	97035
Email	tessie.murakami@acomconsultinginc.com
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	Yes
Question / Comment	Acom Consulting Inc. provides site acquisition and planning services for Verizon Wireless. Verizon is in the process of upgrading its network to improve their wireless services to the roads and neighborhoods in the vicinity of property owned by City of Forest Grove. As such, Verizon is interested in possibly putting in a new wireless facility in the power substation property (R776609, Tax Lot 1N436AC07500). Also note that site designs are unique to each property since Verizon does consider the aesthetics of the neighborhood and surrounding areas. Verizon has similar installations within city and county neighborhoods nationwide. If you are interested, there would be a site lease rental agreement with Verizon. Also, if you are not the right person, we would appreciate it if you could put us in contact with the right individual.

Please let me know as to whether this would be of interest to
City of Forest Grove.

Thank you,
Tessie Murakami

Consultant for Verizon Wireless

Real Estate Specialist

[REDACTED]

Lake Oswego, OR 97035

[REDACTED]

Tessie.Murakami@acomconsultinginc.com

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Mariah Woods

From: Clear Well Research <ianclark01@clearwellresearch.com>
Sent: Saturday, March 23, 2024 7:31 PM
To: City Councilors
Subject: Notice: ORS 14.270 ("removing a judge") is not Constitutional

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Oregon's Judicial Dictatorship Oregon Revised Statute (ORS) 14.270 Prevents the Removal of Judges

Please take a few minutes to completely digest this information. It is your Constitutional right to expect a fair trial. But this is not the actual reality in Oregon. The most obvious feature of a fair hearing is Due Process. Due Process is the most important Constitutional right. It refers to your right to expect impartial decisions by honest judges, without exception. At this time, ORS 14.270 is worded to prevent the process of filing your objections against judges that you know to be partial or biased. ORS 14.270 allows judges the discretion to make malicious exceptions and destroy the predictability of the legal system.

Look carefully at what you need to do to remove a corrupt judge in Oregon by the operation of ORS 14.270:

1.You must inform the court of your concerns about a judge on the exact same day that the judge is assigned to the case. Of course, there is no way that a member of the public would know this. There is no mechanism for this to occur and, as the illegal rule itself indicates, it is the court's strategy to mislead the public; 2.You must file complex legal documents. You must do so within 24 hours of the day of your initial complaint (see 1.). One of those documents is an affidavit. An affidavit requires that you visit a notary public, perhaps at a UPS store or similar offices. Appointments with notaries need to be made in advance. It is a process that can take 48 hours or more. The other of these documents is a motion. This is a lengthy document that contains a full statement of facts and must include the legal basis for the complaint. It takes many days to write. There are also a host of formatting issues to contend with, all inside 24 hours; 3.To continue is unnecessary, but by this rule you must then find the time to hand-deliver these documents to the relevant clerks' office.

All this in 24 hours. Obviously, there is no member of the public that could complete these tasks. But, it is a public law. You must be able to use it. Remember, you pay the salaries of Oregon's judges. ORS 14.270 excludes your 5th, 6th and 14th Amendment rights. It may also exclude your 7th Amendment right to a jury trial. This is because the courts can "railroad" your case by dismissing it well before that. What can you do? At this time, you cannot complain because ORS 14.270 prevents it. Reform is required.

Multnomah County Circuit Court. Multnomah's county court is a heinous example of the judicial corruption at work in Oregon. In Multnomah County. it is SLR 7.045 (SLR meaning "supplementary local rule") that explains what the public and lawyers must do to remove a biased judge. As you would expect SLR 7.045 is similar to ORS 14.270 from where it came. But, in Multnomah County's case (and no doubt in other counties) a special effort has been made to deter the public from acting against corrupt court officials. In addition to the illegal terms stated in ORS 14.270, SLR 7.045 requires an additional document (an order). Most shocking is that if you attempt to file a complaint at Multnomah, but make an error, 7.045 threatens to sanction you with "economic sanctions" (fines). Such threats are heinous and totally illegal.

Judge Judith Matarazzo. It is not surprising that Multnomah is a remarkably corrupt courthouse. The Presiding Judge is Judith Matarazzo. In 2017, the County DA's office decided to remove Ms. Matarazzo from all criminal cases, saying publicly that she is not impartial and cannot be trusted (OregonLive, June 21, 2017). The DA's complaints stretched back to 2008. Yet, after all that, Ms. Matarazzo thought it appropriate to run for the state's Supreme Court. Her bid failed,

and in the new spiral of “failing upwards” she became the Presiding Judge at Multnomah in March of 2022. It is then well worth remembering that local governments and elected officials defer to these corrupt local courts.

PUBLIC ACTION IS REQUIRED:

Challenging the rule in the Courts

ORS 14.270 and its local strains (e.g. SLR 7.045) injure everybody in the same way. An unconstitutional rule affects all the people in the same way so these illegal rules invite something called a facial challenge. You do not need to have suffered loss personally, so you (as an Oregonian) may challenge ORS 14.270 at any time. Consider contacting a lawyer to discuss how you can complain about ORS 14.270 by way of “facial challenge”. (I would be interested to hear about it).

Challenging the rule by use of the Ballot There is another very constructive way to support reform. The matter of illegal rules may be addressed by way of the public ballot. In this case, members of the public vote on the rule’s legality. In the future, please consider adding your name to any petition that seeks to reform ORS 14.270, SLR 7.045 and any similar rules at state courts around Oregon. Why not begin your own action-group, and put this matter on the ballot?

Your signature on such a petition and then your vote are very potent weapons.
Please share this information.

Regards,
Ian Clark, PhD
(Oregon resident)

=====

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Our mailing address is:

AiFL Laboratory
12395 SE Oatfield Rd
Milwaukie, OR 97222-6954
USA

Our telephone:

5036833166

Forward this email to a friend:

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Update your profile:

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Mariah Woods

From: noreply@civicplus.com
Sent: Sunday, March 24, 2024 11:04 AM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Contact City Council

First Name	Eric
Last Name	Jewett
Address	
City	Forest grove
State	OR
Zip	97116
Email	ericjewett5@gmail.com
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	Yes
Question / Comment	I was just wondering if the students of Pacific University parents get a news letter sent to them of all concerning events that have taken place in Forest grove or people who are wanted for premeditated first degree attempted murder and also how accurate the news letters are thanks Eric Jewett PS: I'm healing good from being stabbed in the stomach with a ice pick and spending a week in half at OHSU trauma center

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Mariah Woods

From: Chris Billman <chrisb.billman@gmail.com>
Sent: Saturday, March 30, 2024 9:34 AM
To: City Councilors; Jesse VanderZanden; Henry Reimann
Subject: Facebook posts , FYI

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A **civil conspiracy** is a form of [conspiracy](#) involving an agreement between two or more parties to deprive a third party of legal rights or deceive a third party to obtain an illegal objective.[1] A form of [collusion](#), a conspiracy may also refer to a group of people who make an agreement to form a partnership in which each member becomes the agent or partner of every other member and engage in planning or agreeing to commit some act. It is not necessary that the conspirators be involved in all stages of planning or be aware of all details. Any voluntary agreement and some [overt act](#) by one conspirator in furtherance of the plan are the main elements necessary to prove a conspiracy. A conspiracy may exist whether legal means are used to accomplish illegal results, or illegal means used to accomplish something legal.[2] "Even when no crime is involved, a civil action for conspiracy may be brought by the persons who were damaged." [1]

This would be the case between the police department, city council and city management. Because the police are responsible for lawfully protecting everyone including cyclists in the same manner as property owners and auto drivers.

Another example is that the public works director has been involved and doing the work that the police department refuses to do. Per officer Hall's comments and order in changed with the responsibility to ensure the public safety.

BICYCLES

814.400 Application of vehicle laws to bicycles. (1) Every person riding a bicycle upon a public way is subject to the provisions applicable to and has the same rights and duties as the driver of any other vehicle concerning operating on highways, vehicle equipment and abandoned vehicles, except:

- (a) Those provisions which by their very nature can have no application.
- (b) When otherwise specifically provided under the vehicle code.
- (2) Subject to the provisions of subsection (1) of this section:
 - (a) A bicycle is a vehicle for purposes of the vehicle code; and
 - (b) When the term "vehicle" is used the term shall be deemed to be applicable to bicycles.
- (3) The provisions of the vehicle code relating to the operation of bicycles do not relieve a bicyclist or motorist from the duty to exercise due care. [1983 c.338 §697; 1985 c.16 §335]

814.405 Status of electric assisted bicycle. An electric assisted bicycle shall be considered a bicycle, rather than a motor vehicle, for purposes of the Oregon Vehicle Code, except when otherwise specifically provided by statute. [1997 c.400 §4]

As you can read in 1 cyclist have the same rights to the road as any other vehicle. This applies to having a clear and safe unimpeded road protected in the same manner as the police protecting the rights of the automobile lanes. This applies to being included in infrastructure investments under transportation planning because it's has the same rights. This is included in the agreement with the League of Cities in the transportation section.

You would believe that the police department would understand this responsibility and for sure after it's been addressed many times in writing. It's their job and it's defined in the laws they pledge to enforce. The police department doesn't hesitate to issue a citation for inappropriate conduct to cyclists but refuse to enforce the laws in the same manner as they do when dealing with automobile operators. The city code says it's a violation against the city residents and all of the tax payers who expect inclusion of all service standards granted everyone else.

THIS IS FROM CITY CODE

§ 70.01 APPLICABILITY OF STATE TRAFFIC LAWS.

(A) O.R.S. Chapter 153 and the State Vehicle Code, O.R.S. Chapters 801 through 826 (2013), are adopted by reference. Violation of an adopted provision of those chapters is an offense against the city.
(B) Fines for violations of the State Vehicle Code are set in accordance with O.R.S. Chapter 153.

(Prior Code, § 6.005)

VEHICLE. Any device in, upon or by which persons or property is or may be transported upon a street, including all vehicles that are propelled or powered by any means.

(Prior Code, § 6.010) This date shows when the city long ago took the rights to be included in transportation projects for non drivers and people with disabilities and our children from safe use of the public streets.

(Ord. 2020-01, passed 1-27-2020) see in 2020 was when the city adopted the law some 30 years later! Another oddity is the changes made during the prior code 6.005 does not document what changes were made just like the 2020 changes does not indicate what the wording was changed. only in FG does this happen, incomplete public records documentation.

814.410 Unsafe operation of bicycle on sidewalk; penalty. (1) A person commits the offense of unsafe operation of a bicycle on a sidewalk if the person does any of the following:

(a) Operates the bicycle so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(b) Operates a bicycle upon a sidewalk and does not give an audible warning before overtaking and passing a pedestrian and does not yield the right of way to all pedestrians on the sidewalk.

(c) Operates a bicycle on a sidewalk in a careless manner that endangers or would be likely to endanger any person or property.

(d) Operates the bicycle at a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp. This paragraph does not require reduced speeds for bicycles at places on sidewalks or other pedestrian ways other than places where the path for pedestrians or bicycle traffic approaches or crosses that for motor vehicle traffic.

(e) Operates an electric assisted bicycle on a sidewalk.

(2) Except as otherwise specifically provided by law, a bicyclist on a sidewalk or in a crosswalk has the same rights and duties as a pedestrian on a sidewalk or in a crosswalk.

(3) The offense described in this section, unsafe operation of a bicycle on a sidewalk, is a Class D traffic violation. [1983 c.338 §699; 1985 c.16 §337; 1997 c.400 §7; 2005 c.316 §2]

814.420 Failure to use bicycle lane or path; exceptions; penalty. (1) Except as provided in subsections (2) and (3) of this section, a person commits the offense of failure to use a bicycle lane or path if the person operates a bicycle on any portion of a roadway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.

(2) A person is not required to comply with this section unless the state or local authority with jurisdiction over the roadway finds, after public hearing, that the bicycle lane or bicycle path is suitable for safe bicycle use at reasonable rates of speed.

(3) A person is not in violation of the offense under this section if the person is able to safely move out of the bicycle lane or path for the purpose of:

(a) Overtaking and passing another bicycle, a vehicle or a pedestrian that is in the bicycle lane or path and passage cannot safely be made in the lane or path.

(b) Preparing to execute a left turn at an intersection or into a private road or driveway.

(c) Avoiding debris or other hazardous conditions.

(d) Preparing to execute a right turn where a right turn is authorized.

(e) Continuing straight at an intersection where the bicycle lane or path is to the right of a lane from which a motor vehicle must turn right.

(4) The offense described in this section, failure to use a bicycle lane or path, is a Class D traffic violation. [1983 c.338 §700; 1985 c.16 §338; 2005 c.316 §3]

814.430 Improper use of lanes; exceptions; penalty. (1) A person commits the offense of improper use of lanes by a bicycle if the person is operating a bicycle on a roadway at less than the normal speed of traffic using the roadway at that time and place under the existing conditions and the person does not ride as close as practicable to the right curb or edge of the roadway.

(2) A person is not in violation of the offense under this section if the person is not operating a bicycle as close as practicable to the right curb or edge of the roadway under any of the following circumstances:

(a) When overtaking and passing another bicycle or vehicle that is proceeding in the same direction.

(b) When preparing to execute a left turn.

(c) When reasonably necessary to avoid hazardous conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or other conditions that make continued operation along the right curb or edge unsafe or to avoid unsafe operation in a lane on the roadway that is too narrow for a bicycle and vehicle to travel safely side by side. Nothing in this paragraph excuses the operator of a bicycle from the requirements under ORS 811.425 or from the penalties for failure to comply with those requirements.

(d) When operating within a city as near as practicable to the left curb or edge of a roadway that is designated to allow traffic to move in only one direction along the roadway. A bicycle that is operated under this paragraph is subject to the same requirements and exceptions when operating along the left curb or edge as are applicable when a bicycle is operating along the right curb or edge of the roadway.

(e) When operating a bicycle alongside not more than one other bicycle as long as the bicycles are both being operated within a single lane and in a manner that does not impede the normal and reasonable movement of traffic.

(f) When operating on a bicycle lane or bicycle path.

(3) The offense described in this section, improper use of lanes by a bicycle, is a Class D traffic violation. [1983 c.338 §701; 1985 c.16 §339]

The police department has the duty to ensure that the bike lane is not blocked or obstructed by traffic control devices or waste cans in the bike lane. The homeowner offender's might get a code enforcement officer mention to place the can in the driveway but it's never mentioned in the police logs the inform the whole community about the safety concerns. Remember children are being placed in danger because of their negligence and biased application of laws.

814.440 Failure to signal turn; exceptions; penalty. (1) A person commits the offense of failure to signal for a bicycle turn if the person does any of the following:

(a) Stops a bicycle the person is operating without giving the appropriate hand and arm signal continuously for at least 100 feet before executing the stop.

(b) Executes a turn on a bicycle the person is operating without giving the appropriate hand and arm signal for the turn for at least 100 feet before executing the turn.

(c) Executes a turn on a bicycle the person is operating after having been stopped without giving, while stopped, the appropriate hand and arm signal for the turn.

(2) A person is not in violation of the offense under this section if the person is operating a bicycle and does not give the appropriate signal continuously for a stop or turn because circumstances require that both hands be used to safely control or operate the bicycle.

(3) The appropriate hand and arm signals for indicating turns and stops under this section are those provided for other vehicles under ORS 811.395 and 811.400.

(4) The offense described under this section, failure to signal for a bicycle turn, is a Class D traffic violation. [1983 c.338 §703; 1985 c.16 §341]

814.450 Unlawful load on bicycle; penalty. (1) A person commits the offense of having an unlawful load on a bicycle if the person is operating a bicycle and the person carries a package, bundle or article which prevents the person from keeping at least one hand upon the handlebar and having full control at all times.

(2) The offense described in this section, unlawful load on a bicycle, is a Class D traffic violation. [1983 c.338 §704]

814.460 Unlawful passengers on bicycle; penalty. (1) A person commits the offense of unlawful passengers on a bicycle if the person operates a bicycle and carries more persons on the bicycle than the number for which it is designed or safely equipped.

(2) The offense described in this section, unlawful passengers on a bicycle, is a Class D traffic violation. [1983 c.338 §705]

814.470 Failure to use bicycle seat; penalty. (1) A person commits the offense of failure to use a bicycle seat if the person is operating a bicycle and the person rides other than upon or astride a permanent and regular seat attached to the bicycle.

(2) The offense described in this section, failure to use a bicycle seat, is a Class D traffic violation. [1983 c.338 §706; 2003 c.341 §13; 2015 c.138 §26]

814.484 Meaning of “bicycle” and “operating or riding on a highway.” (1) For purposes of ORS 814.485, 814.486, 815.052 and 815.281, “bicycle” has the meaning given in ORS 801.150 except that:

(a) It also includes vehicles that meet the criteria specified in ORS 801.150 (1) to (4) but that have wheels that are 14 inches or less in diameter.

(b) It does not include tricycles designed to be ridden by children.

(2) For purposes of the offenses defined in ORS 814.485, 814.486 and 815.281 (2), a person shall not be considered to be operating or riding on a bicycle on a highway or on premises open to the public if the person is operating or riding on a three-wheeled nonmotorized vehicle on a beach while it is closed to motor vehicle traffic. [1993 c.408 §§3a,3b; 2015 c.138 §28]

814.486 Endangering bicycle operator or passenger; penalty. (1) A person commits the offense of endangering a bicycle operator or passenger if:

(a) The person is operating a bicycle on a highway or on premises open to the public and the person carries another person on the bicycle who is under 16 years of age and is not wearing protective headgear of a type approved under ORS 815.052; or

(b) The person is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child under 16 years of age and the child operates or rides on a bicycle on a highway or on premises open to the public without wearing protective headgear of a type approved under ORS 815.052.

(2) Exemptions from this section are as provided in ORS 814.487.

(3) The offense described in this section, endangering a bicycle operator or passenger, is a specific fine traffic violation. The presumptive fine for endangering a bicycle operator or passenger is \$25. [1993 c.408 §3; 1995 c.581 §2; 2011 c.597 §104]

814.488 Citations; exemption from requirement to pay fine. (1) If a child in violation of ORS 814.485 is 11 years of age or younger, any citation issued shall be issued to the parent, legal guardian or person with legal responsibility for the safety and welfare of the child for violation of ORS 814.486, rather than to the child for violation of ORS 814.485.

(2) If a child in violation of ORS 814.485 is at least 12 years of age and is under 16 years of age, a citation may be issued to the child for violation of ORS 814.485 or to the parent, legal guardian or person with legal responsibility for the safety and welfare of the child for violation of ORS 814.486, but not to both.

(3) The first time a person is convicted of an offense described in ORS 814.485 or 814.486, the person shall not be required to pay a fine if the person proves to the satisfaction of the court that the person has protective headgear of a type approved under ORS 815.052. [1993 c.408 §§3c,7]

Chris Billman

[REDACTED]

Forest Grove, Oregon

97116-9128

[REDACTED]

ChrisB.Billman@gmail.com

Mariah Woods

From: noreply@civicplus.com
Sent: Wednesday, April 03, 2024 1:05 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Contact City Council

First Name	Linda
Last Name	Taylor
Address	
City	Forest Grove
State	OR
Zip	97116
Email	greengrovecoho@gmail.com
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	No
Question / Comment	Greetings Mayor & Councilors- Green Grove Cohousing Community is hosting an Open House for the public for the first time since 2019. We wanted to invite you to attend as an opportunity to experience the only cohousing community in Western Washington County. Cohousing is a form of intentional community where residents actively participate in the design and operation of their neighborhood. It combines private homes with shared spaces, fostering a strong sense of community and collaboration among residents, and has been rapidly growing in popularity across the United States. Located on the Northern boundary of Forest Grove, Green Grove Cohousing Community is an example of neighborhood reimagined. The five acre community features 9 energy-efficient homes, shared gardens, chickens, a workshop, and a

large Common House for guests and community activities.
National Cohousing Open House Day at Green Grove will take place on Saturday, May 4th, from 1pm-4pm. Admission is free and all are welcomed to attend, but please leave all animals but service pets at home. Children's activities, refreshments, informal tours, and a live bluegrass jam will be featured.
For more info. about Green Grove, visit: greengrovecoho.org
For more info. about cohousing in general, visit: cohousing.org

Email not displaying correctly? [View it in your browser.](#)

Mariah Woods

From: Chris Billman <chrisb.billman@gmail.com>
Sent: Friday, April 05, 2024 11:34 AM
To: City Councilors; Henry Reimann; Gregory Robertson; Jesse VanderZanden
Subject: Bike lanes issue

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Another trash can day for cyclists on Gales Creek Road forced to play frogger . We have something wrong here, the police officers are biased or blind or just plain ignorant about the bike lane laws or don't care about the home owners that would be responsible for injuries or death because of their actions . Ask the police department why this is a problem every week.

Today is no different than every other trash pick up days. Cyclist have to leave their lane and dodge cars. I guess maybe they never patrol this side of town. .

Chris Billman

[REDACTED]
Forest Grove, Oregon
97116-9128

[REDACTED]
ChrisB.Billman@gmail.com

Mariah Woods

From: Chris B. Billman <arthriticoldman@icloud.com>
Sent: Friday, April 05, 2024 1:59 PM
To: City Councilors; Gregory Robertson; Henry Reimann; Jesse VanderZanden
Subject: Bike lanes
Attachments: equityreport2015-1.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I don't know if you have any different legal details about bike lanes, in my experience when I took my driving test for my CDL it seemed clear to me that I can cross over a bike lane when entering or leaving a driveway or making a turn. It was also clear that if I would be parked in a bike lane for 15 minutes I was required to put proper safety signs in place.

They were very clear about driving on a bike lane that any ticket was the driver's responsibility. Just like the responsibility of homeowners to place their trash cans out of the street FYI a bike lane is the same thing a street for everyone on bicycles .

No different than if I parked on the street and had two feet between the car and curb so it impede auto traffic or if I parked on the sidewalks and it blocked pedestrians including those using wheelchairs or some other mobility devices.

So why is it okay doing this to the people who ride bike's or wheelchairs in the bike lanes.

Think how many times are children affected by your choice to ignore the laws and give homeowners a free pass to continue their placing their neighbors at risk?

Not much different than providing a bike trail with bollards that are spaced about the same size opening as a house doorway at the same time navigating a turn.

Especially when all the standards outlined in every manual say otherwise. One bollard 20 feet after the turn in the middle of the path.

Every study the city has conducted and paid big bucks for said the same thing. Bicycles are the best way to mitigate traffic congestion in this city.

<https://bikeleague.org/wp-content/uploads/2023/03/equityreport2015-1.pdf>

Chris Billman

[REDACTED]
Forest Grove, Oregon
97116-9128

[REDACTED]
ChrisB.Billman@gmail.com

Mariah Woods

From: Chris Billman <chrisb.billman@gmail.com>
Sent: Saturday, April 06, 2024 12:00 PM
To: Gregory Robertson; Henry Reimann
Cc: City Councilors; Jesse VanderZanden
Subject: Re: Bike lanes issue

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Gregory I found your response to be part of the problem. You said the waste disposal cans only taking up a foot or so of a 3 foot wide traffic lane for cyclists and pedestrians. Figure it out yourself one foot of three feet is one third of the road is blocked.

You stated that I am overacting to the traffic concerns and the rights of the people using the road as attended . You probably forgot that when I pointed out the bollards on Gales creek road you public works employee's shaved of an inch on one side and declared that now were in compliance!

So this is your response to all of the safety concerns around public access of the bike lanes. You would serve the public better if you just implemented the laws in the manner that isn't so .

When the city government is the biggest offender of the rights to have safe access to the public rights of way.

People for bikes report on equity, something that should be addressed.

<https://bikeleague.org/wp-content/uploads/2023/03/equityreport2015-1.pdf>

The standard that is used in every state including Washington and Oregon and even Idaho so your point that you prefer someone else standards to apply here doesn't matter because the standard is the same.

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/network_report/page02.cfm

This is a list of every law that was passed and is in effect in the state of Oregon . I believe that any police department or any city attorney can point out what law gives any homeowners or waste management company the rights to occupy any part of the bike lane. Please provide any evidence that it's acceptable and legal or appropriate.

https://rosap.ntl.bts.gov/view/dot/14456/dot_14456_DS1.pdf?

Chris Billman

[REDACTED]

Forest Grove, Oregon

97116-9128

[REDACTED]

ChrisB.Billman@gmail.com

On Apr 5, 2024, at 1:24 PM, Henry Reimann <hreimann@forestgrove-or.gov> wrote:

Chris,

Carol is actually out there and will also be connecting with Waste Management.

Regards,

Henry
Henry Reimann
Chief
Forest Grove Police Department
2102 Pacific Ave
Forest Grove, OR 97116
503-992-3260

-----Original Message-----

From: Chris B. Billman <chrisb.billman@gmail.com>
Sent: Friday, April 5, 2024 12:50 PM
To: Gregory Robertson <grobertson@forestgrove-or.gov>
Cc: City Councilors <CityCouncilors@forestgrove-or.gov>; Henry Reimann <hreimann@forestgrove-or.gov>; Jesse VanderZanden <jvanderzanden@forestgrove-or.gov>
Subject: Re: Bike lanes issue

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Ok move them into the automobile lane of traffic and make the cars dodge them instead of making cyclists dodge them. Let's be real about the fact they are interfering with traffic flow. The homeowners have no business forcing people out into traffic moving at 40 mph. It's clearly written in the state law bike are vehicles and have the same rights to travel without obstructing their use of the road. If you have any information that is different from the state laws provide it otherwise provide the proper protection do the community. It's interesting that public works is doing this instead of the police department.

Chris B. Billman

[REDACTED]

Forest Grove Oregon 97116

[REDACTED]

On Apr 5, 2024, at 12:39 PM, Gregory Robertson <grobertson@forestgrove-or.gov> wrote:

Two were moved approximately one foot each by me at approximately 12:20 p.m.

-----Original Message-----

From: Chris Billman <chrisb.billman@gmail.com>

Sent: Friday, April 5, 2024 11:34 AM

To: City Councilors <CityCouncilors@forestgrove-or.gov>; Henry Reimann
<hreimann@forestgrove-or.gov>; Gregory Robertson
<grobertson@forestgrove-or.gov>; Jesse VanderZanden
<jvanderzanden@forestgrove-or.gov>

Subject: Bike lanes issue

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Another trash can day for cyclists on Gales Creek Road forced to play frogger . We have something wrong here, the police officers are biased or blind or just plain ignorant about the bike lane laws or don't care about the home owners that would be responsible for injuries or death because of their actions . Ask the police department why this is a problem every week.

Today is no different than every other trash pick up days. Cyclist have to leave their lane and dodge cars. I guess maybe they never patrol this side of town. .

Chris Billman

[REDACTED]

Forest Grove, Oregon

97116-9128

[REDACTED]

ChrisB.Billman@gmail.com

Mariah Woods

From: Chris B. Billman <arthriticoldman@icloud.com>
Sent: Sunday, April 07, 2024 8:43 AM
To: Gregory Robertson; Jesse VanderZanden; City Councilors; Henry Reimann
Subject: Three Decades After the ADA, Many Local Governments May Still Not Have Strong Plans to Remove Pedestrian Access Barriers | National Rehabilitation Information Center

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hey there , more information about the subject affecting the community members that are never included in the discussion on how accessible this city is.

Sidewalks to end in a muddy dirt ditch, bollards that only impede access of moms with twins, Jesse you made a comment about the mom you observed with a tandem stroller and still nothing has changed. Accessibility has solutions to make this community better for everyone, it's all dependent upon your perspective and if you're willing to take responsibility for the decades of being biased and negative towards those who don't have the same ability as travel around this community. City council members roll around town on a bicycle or a wheelchair and explore the community yourself. Get out of your car and experience all of the obstacles that previous councilors left in place. Roll in a wheelchair and look out for turtles in your path. Imagine being in an affordable housing development and you can't afford a car, drive to one of those places park and go shopping. Leaving the car behind and enjoy your city's streets and ask yourself is there something better we can do.

Three Decades After the ADA, Many
Local Governments May Still Not Have
Strong Plans to Remove Pedestrian
Access Barriers | National Rehabilitation
Information Center
naric.com



Chris Billman

[REDACTED]
Forest Grove, Oregon
97116-9128

[REDACTED]
ChrisB.Billman@gmail.com



A place where families and businesses thrive.

**Charter Review Committee
Meeting Minutes**

**August 14, 2023
Zoom & Community Auditorium**

Minutes approved by CRC on August 30, 2023

1. Called to Order

The meeting was called to order at 6:03 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Isaac Echeverria, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Bryan Dennis, Tammi McLaughlin, Adolph “Val” Valfre, Kate MacDonald

Absent: Tacy Steele, Nina Davis

2. Public Comment: N/A

3. Consent Agenda: N/A

4. Additions/Deletions: None.

5. Discussion Items

a) Introductions

- A round table of introductions of those present at the meeting occurred.

b) City Charter 101

- City Attorney Ashley Driscoll presented a PPT, reviewing the history of the Charter Review Committee, the City constitution, the responsibilities, and the purpose of the Charter Review. The packet included the FG 2009 Charter, resolution no. 2023-06, the League of Oregon model Charter, and the FG Charter Review Committee Chart.
-
- Ashley suggested keeping emails separate regarding this committee and creating a specific account just for CRC.
- Briefed the committee on public record law, information discussed in this forum may not be discussed outside of public meetings

c) Review Council's Expectations of the CRC:

- City Attorney Ashley Driscoll presented the recommended focused topics:
 - o Term limits
 - o Wards or districts for voting
 - o Duties of the Council President
 - o City Manager residency requirement

d) Selection of Chair (and Vice-Chair)

- City Attorney Ashley Driscoll explained the roles and responsibilities of the Chair and Vice-Chair positions. The Chair will be responsible for running meetings and assisting with planning and research. The Vice-Chair will step in place should the Chair not be present. Discussion ensued, and Ashley opened nominations. Val Valfre was nominated but declined due to personal reasons. Wolanda Groombridge motioned Dale Thaler and Dale suggested possibly LaAna Littlefield or Wolanda Groombridge as chair. Elysha Johnson asked to be considered for the Chair position. Kate moved to nominate Elysha Johnson, Tammi McLaughlin seconded. Val Valfre offered to Vice-Chair, in Elysha's absence. Motioned and seconded. Ashley will follow up with these recommendations to the Mayor.

e) Additional Areas for Review

- Section 31 – Vacancies (Section 31(b)(A))
- Section 12 – Quorum
- Section 29 - Terms
- Suggested that we propose a housekeeping amendment to clean up grammar and capitalization in the Charter document
- Section 7 - Council
 - o Wards or districts for voting

f) Meeting Schedule

- Discussed the best days for the meetings and the length of the gathering. Agreed that meeting time should be 1.5 hours and held twice a month.
 - o Focused topics for the next meeting:
 - Geographic representation
 - Review of Bend model

- Wards/Districts
- Council Concerns

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:43 p.m. The next CRC meeting will be held on Wednesday, August 30, 2023, at 6:00 p.m. Additional meeting dates were decided for September 13 and 27, 2023.

Respectfully submitted,
Joyce Phillips, Staff Liaison



A place where families and businesses thrive.

**Charter Review Committee
Meeting Minutes**

**August 30, 2023
Zoom & Community Auditorium**

Minutes approved by CRC on September 13, 2023

1. Called to Order

The meeting was called to order at 6:00 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Isaac Echeverria, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Bryan Dennis, Tammi McLaughlin, Adolph “Val” Valfre, Kate MacDonald

Absent: Tacy Steele, Nina Davis

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from August 16, 2023 meeting - approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed.

a) Identify specific concerns with the council description (Section 7)

- A round table discussion ensued, with each committee member polled for their ideas and concerns regarding this topic. Many members had the same thought process and were in agreement regarding equal representation.

b) Forest Grove voter data review

- A statistical analysis of the past five years of voter participation and a geographical map identifying voting precincts and City quadrants was presented and discussed.

c) Wards – compare and contrast:

- City Attorney Ashley Driscoll presented the focused topics for discussion:
 - o Do we want wards?
 - o Are we affecting change?
 - o Common challenges among minority groups
 - o What if no candidates apply within specific geography?

The above items were

d) Wards pros and cons:

- City Attorney Ashley Driscoll explained the ward elections' four options
 1. Councilors nominated by ward, but voted on at large (everyone votes on all the councilors, each ward has one or more dedicated representatives from that ward)
 2. Councilors nominated by ward, voted on only by ward (i.e one only votes on the councilor in their own ward)
 3. Some councilors nominated by ward, some at large, all voting at large
 4. Some councilors nominated by ward, voted on by ward, others at large and voted on at large

Factors in Drawing Ward Boundaries

- Legal overview
 - o U.S. Constitution
 - o Federal Voting Rights Act of 1965
 - o Oregon law, ORS 188.010
- General Criteria
 - o Equal Population Requirement → objective
 - No ward can be more than 10% larger than others (can be smaller)
 - o Factors a local government needs to consider → subjective
 - Contiguous
 - Equal population – actual population or registered voters
 - Geography
 - Political subdivisions (i.e. counties, school districts)
 - Transportation links
 - Not divide communities of common interest

- Can't intentionally dilute minority voting or favor a political party or any person
 - There can be many different configurations that meet these criteria
- How often?
 - At least every 10 years after the census (as population grows)

Who Makes the Decision?

- Options
 - Council makes a decision
 - Committee reviews and makes recommendations to council
 - Subcommittee to make recommendations to council
 - City staff recommends to council
 - Outside consultant recommends to council

A vote was called for moving forward on creating wards or districts. Unanimously decided to not move forward on further discussion of creating electoral wards for the City of Forest Grove. A report will be created for submission to council for their consideration.

e) Next sections for review

- Section 3
 - Mayor
 - Council President
 - Quorum
 - Number of councilors

f) Meeting Schedule

- Discuss future meeting dates at the next meeting.

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:35 p.m. The next CRC meeting will be held on Wednesday, September 13, 2023, at 6:00 p.m. Additional meeting dates were decided for September 27, 2023.

Respectfully submitted,
Joyce Phillips, Staff Liaison



A place where families and businesses thrive.

**Charter Review Committee
Meeting Minutes**

**September 13, 2023
Zoom & Community Auditorium**

Minutes approved on 9/27/2023 by CRC

1. Called to Order

The meeting was called to order at 5:59 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Isaac Echeverria, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Bryan Dennis, Tammi McLaughlin, Adolph “Val” Valfre, Kate MacDonald, Tacy Steele, Nina Davis (via Zoom)

Absent: N/A

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from September 13, 2023 meeting

4. Additions/Deletions: None.

5. Discussion Items –

- Meeting decorum was revisited and reviewed.
- Meeting minutes from August 30, 2023 – approved unanimously

a) 8.30.23 Meeting recap

- Concerns about all communities of FG having a voice and equitable representation. Consider the future as the City continues to grow and expand. Also, consider the economic disparities within our community.
- Reviewed the FG Charter Review Committee Chart progress, what has successfully been addressed and decided.
- Reviewing the number of council members to add to the agenda: majority vote of committee to keep council number as is

b) Section 7 (continued)

- Compared Cities by Population – discussion ensued regarding a council of equals
- Reviewed council representation by quadrant and precinct graphic

c) Section 8 – Should the Mayor vote on all questions before the Council?:

- City Attorney Ashley Driscoll presented the focused topics for discussion:
 - o An explanation of what “political” voting of the Mayor means
 - o Defined the definition of a “strong” mayor
 - o She answered the question, “How often are votes 4/3?” Mostly Council comes to a consensus.
- Mayor Voting Role Opinion was presented by the Chair, Elysha Johnson.
 - o Vote only in case of a tie
 - The mayor’s role is to create and facilitate a collaborative council
 - Mayor can still pose questions and provide opinion
 - Fostering rich conversation allows for greater representation of varying perspectives
 - Mayor meets with many stakeholders, it’s important to be able to share their thoughts as well
 - o Vote on all questions
 - Mayor is first among equals on the council
 - Mayor needs to be part of the vote
 - Mayor being part and parcel of the process is important
 - Mayor not voting lessens authority
 - Mayor needs a chance to be “in the arena”
 - Mayor is not an observer or a facilitator
- A round table discussion occurred, reviewing each individual committee members opinions and concerns on the aforementioned voting pros and cons. Specifics were discussed from how this impacts the ability to lead, the transparency of the process, and if it impacts the collaboration of the Council.

Mayor votes on all matters

- Mayor is an equal member of the council and has a voice in every matter
- The community is fully aware of the mayor’s position on all matters before council, which fosters transparency

- Mayor can participate in the discussion and deliberation on all matters
- The Mayor is more than a political figurehead
- No guarantee that the Mayor will avoid political controversy or be seen as more neutral to other members of the council by not voting on all terms

Mayor votes only to break a tie

- Running the Council meetings
 - Presiding over the meetings
 - Preserving order
 - Enforcing the Council Rules
 - Determining the order of business
 - Appointing members of the Boards and Commissions
 - Serving as the political head of the City
 - Setting the agenda
- Mayor may be more effective in building consensus among the other councilors if the mayor is more neutral.
- The CRC vote outcome was in favor of Mayor voting in case of a tie (6 no/5yes)

d) **Next sections for review**

- Continue on Section 8
 - Role of the Mayor
 - Political figurehead
 - Role of the Council President
 - Quorum

e) **Meeting Schedule**

- Future meeting dates established:
 - October 11, 2023
 - October 25, 2023
 - November 8, 2023
 - TBD

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:31 p.m. The next CRC meeting will be held on Wednesday, September 27, 2023, at 6:00 p.m.

Respectfully submitted,
Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**September 27, 2023
Zoom & Community Auditorium**

Minutes approved as amended by CRC 10/25/2023

1. Called to Order

The meeting was called to order at 6:00 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge (via Zoom), Bryan Dennis, Tammi McLaughlin, Adolph “Val” Valfre (via Zoom), Kate MacDonald

Absent:, Isaac Echeverria, Nina Davis

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the September 13, 2023 meeting - approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed.

a) 9.13.23 Meeting Recap

- 6 to 5 vote in favor of mayor voting in case of tie
- Council vote history in relation to 2009 CRC recommendation
- Neutrality
- Shared equity among council perspectives
- How often is there a 4;3 vote
- Council should be elevated by the mayor
- Ratio of votes to be mayor vs. council member

b) Forest Grove Mayor Voting Language

- A round table discussion ensued, with language examples for the voting role of the Mayor. Each committee member was polled for their ideas and concerns regarding this topic. The vote on the suggested language slide was opposed by only one.
- A request was made regarding information requests. Information requests need to be brought to the CRC meetings and discussed in this format. The committee will decide collectively what information will be researched and presented to the CRC.
- Defining the CRC was presented; the intent of the Charter was discussed and how Council rules impact the Charter. Why and when the Charter changes. The impact of changing the Charter and the question – can this be solved another way? Has the issue in review been problematic with multiple placeholders in a particular position?
- Vote on Suggested Language: The Mayor shall vote only in case of a tie and has no veto authority. Unanimously passed.

c) Section 8 – Role of the Mayor

- What does it mean to be the political figurehead? Discussed the policy role, administrative role, and the liaison role. The phrase “The Mayor is first among equals”, the political head of the city was deliberated. Discussed policy head vs. political head. Currently serves as the political figurehead with the consent of the Council. Why change the language? Does this change the role? It was stated that the current language does not represent the times.
- Consensus of updating the language of Political Figurehead.
- Non-partisan vs. Governing language. Does a modification of language change anything and what is the impact? Round table discussion replacing Political Head with Civic Leader.
- Motion: to change Political Head to Civic Leader – 8 to 1 vote.

d) Next sections for review

- Section 9 & 12
 - o Council President
 - o Quorum

e) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 p.m.

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:52 p.m. The next CRC meeting will be held on Wednesday, October 11, 2023, at 6:00 p.m.

Respectfully submitted,
Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**October 25, 2023
Zoom & Community Auditorium**

Minutes approved by CRC on November 8, 2023

1. Called to Order

The meeting was called to order at 5:58 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Bryan Dennis, Isaac Echeverria, Adolph “Val” Valfre

Absent: Kate MacDonald, Tammi McLaughlin

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the September 27, 2023 meeting – amended and approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed.

a) 9.27.23 Meeting Recap

- Defining CRC – intent of the Charter
- Understanding the role of the mayor
- Policy head vs. Political head
- Current charter language not representative of the times
- Not changing the role
- Non-partisan vs. governing

b) Section 9 - Council President

- A round table discussion ensued, with language examples for the role of Council President (CP). What if the Mayor was attending the Council Meeting via Zoom and not physically present? Would the CP run the meeting because they are attending in person? Each committee member was polled for their ideas and concerns regarding this topic. The language of the McMinnville charter was close to correct but needs modification to work for Forest Grove.
- Should the Council President retain their vote? After the discussion, there was a consensus that the CP should retain their vote. A unanimous vote of 8-0.
- The length of time and the actual role of the CP was deliberated. Each committee member was polled on their opinion. Two-year term, one year off. Consensus to rotating the CP every two years, with a break in between.
- More discussion on the Mayor's or Councilor's presence in meetings, either virtual or in person.
- Motion to amend Section 9: CP retains right to vote when acting as mayor, rotate every two years: passed 7 - 1.

c) Section 12 - Quorum

- A brief discussion preparing for the next meeting to discuss Section 12 – Quorum
- Ashley briefed the group on the Baker City situation and will follow up with more information.

d) Next section for review

- Section 12
 - o Quorum

e) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- No meeting on November 22, 2023, due to the Thanksgiving holiday
- Next meeting dates: December 13 and 27

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:30 p.m. The next CRC meeting will be held on Wednesday, November 8, 2023, at 6:00 p.m.

Respectfully submitted,
Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**November 8, 2023
Zoom & Community Auditorium**

Minutes approved by CRC on December 13, 2023

1. Called to Order

The meeting was called to order at 6:00 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Bryan Dennis, Tammi McLaughlin, Adolph “Val” Valfre

Absent: Kate MacDonald, Isaac Echeverria, Tacy Steele

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the October 25, 2023 meeting – amended and approved after correction

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed.

a) 10.25.23 Meeting Recap

- Section 9: Council President
- Mayor’s responsibility – virtual vs. real presence
- Council President carries mayoral duties temporarily
- Council rules address the mayor’s extended absence
- The Council President should retain the right to vote
- CP should run meetings when the Mayor is attending virtually
- CP may hold a position for no more than two consecutive years

b) Section 9 - Council President Language examples

- At its first meeting each year, the Council must elect a President from its membership.
- The President shall not serve more than two consecutive years.
- The President presides in the absence of the Mayor and acts as Mayor when Mayor is unable to perform duties.
- The President retains the right to vote while acting as Mayor but does not have an additional vote to break a tie.
- Should the Council President retain their vote? After the discussion, there was a consensus that the CP should retain their vote. A unanimous vote of 8-0.
- The length of time and the actual role of the CP was deliberated. Each committee member was polled on their opinion. Two-year term, one year off. Consensus to rotating the CP every two years, with a break in between.
- More discussion on the Mayor's or Councilor's presence in meetings, either virtual or in person.
- Voted to amend Section 9: CP retains right to vote when acting as mayor, rotate every two years: passed 6 – 1 (Yes = Johnson, Littlefield, Groombridge, Valfre, McLaughlin, Dennis) (No = Thaler)

c) Section 12 - Quorum

- Forest Grove Charter vs. LOC Model Charter
 - o FG Charter – four members to hold a meeting
 - o FG Charter – Ordinance – the majority of the council to pass
 - o FG Charter – Resolution – approval of the Council at one meeting
 - o LOC Model Charter – a majority of council members is a quorum
 - o LOC Model Charter -
- Ashley briefed the group on the Baker City situation

d) Next section for review

- Section 12 Continued
 - o State Law
 - o Reduce Quorum by vacancies
 - o Reduce Quorum (only for filling vacancies)

e) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- No meeting on November 22, 2023, due to the Thanksgiving holiday
- Next meeting date: December 13, 2023

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:17 p.m. The next CRC meeting will be held on Wednesday, December 13, 2023, at 6:00 p.m.

Respectfully submitted,
Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**December 13, 2023
Zoom & Community Auditorium**

Minutes approved by CRC.

1. Called to Order

The meeting was called to order at 6:01 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Wolanda Groombridge, Isaac Echeverria, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald

Absent: Bryan Dennis

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the November 8, 2023 meeting – amended and approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed. Meeting minutes from September 27, 2023, reviewed committee member requests for information procedure and discussed continuing to use this process going forward. The City of Forest Grove Livability Survey City Charter question results were presented. Satisfied the committee has covered the ward issue and does not need to revisit it. Term limits will be discussed soon.

a) 11.08.23 Meeting Recap

- Mayor Voting role and Council President Language
- Quorum – Forest Grove Charter Language
- Model Charter Language Section 3.6 Quorum

b) CRC Conversation Timeline

- Substantive Areas to Cover: Quorum, Ordinance Enactment, Order Adoption, Term Limits, Ranked Choice Voting, Vacancies, and Residency Requirements.
- The timeline was discussed to outline the meeting schedule:
 - o December 13 & 27
 - o January 17, 24, & 31
 - o February 14 & 28
 - o March 13 & 27 (completion goal)
 - o April – to Council

c) Section 12 - Quorum

- A brief review and the question asked: Should the quorum language be amended to allow city business to continue in the event of multiple council seat vacancies?
- The talking points were as follows:
 - o State Law
 - o Reduce Quorum by vacancies
 - o Reduce Quorum only for filling vacancies
- **State Law**
 - o Pros
 - Language exists in statute
 - Everyone resigns and the county board appoints a new council
 - If council members are still present, a special election is required to fill vacancies to achieve a quorum
 - o Cons
 - Time consuming
 - Costly
 - Decision powers repositioned from community to county board
 - Stalls city business
- State law discussion: multiple questions were asked regarding how quickly the county would move to appoint. Will the county appoint up to a quorum? Yes, they appoint to meet the quorum. When Forest Grove appointed council seats, they interviewed applicants within 30 days. The City does not have an official process for replacing councilors but has successfully managed appointments in the past. The State law is always the fallback plan.
- **Reduce Quorum by vacant seat**
 - o Pros
 - Avoids costly election
 - Avoids delays in meeting

- Cons
 - Consolidates power
- Reduce Quorum by vacant seat discussion: Reviewed chart presented in the PowerPoint. No questions.
- **Reduce Quorum only to fill vacancies**
 - Pros
 - The charter language for a quorum (section 12) does not change, except as provided in section 32
 - Avoids delays in meeting
 - Cons
 - Consolidates power for filling vacancies
- Reduce Quorum on to fill vacancies discussion: Referenced the memo provided by Ashley. Reduce Quorum – Section 32 Language slide was reviewed and discussed. The first language example is consistent with the Forest Grove Charter language. The second language example is much clearer.
- A vote was implemented regarding which Quorum Options of the three options. A consensus was decided that #3 – Reduce Quorum only to fill vacancies.
- It was asked: “Do we want to pursue appointment language?” All members agreed unanimously – yes. Examples will be presented from Fairview and Corvallis.

d) Section 16 (b) – Ordinances

- Forest Grove language vs. LOC model charter language review
- Staff recommendation – keep the current language
- Motion to leave ordinances as is, no change – unanimous

e) Section 19(b) – Resolutions

- Forest Grove language vs. LOC model charter language review
- Staff recommendation – change to LOC language “Can be read aloud or made available in writing before adoption.”
- Motion to change to LOC model charter language for resolutions – unanimous

f) Section 22(b) – Orders

- Forest Grove language vs. LOC model language review
- Staff recommendation – change to LOC language “Any substantive amendments are either read aloud or made available in writing prior to adoption.”
- Motion to change to LOC model charter language for orders – unanimous

g) Next Meeting

- Appointment language
- Concluding Section 12
- Section 32 language (quorum)
- Ashley will send out information on Ranked Choice Voting, including videos

h) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on December 27, 2023
- Upcoming meeting dates: January 17, 24 and 31st

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:30 p.m. The next CRC meeting will be held on Wednesday, December 27, 2023, at 6:00 p.m.

Respectfully submitted,
Joyce Phillips, Staff Liaison



Minutes approved by CRC on 1.18.2024.

1. Called to Order

The meeting was called to order at 6:00 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler (arrived at 7:10 pm), Wolanda Groombridge, Isaac Echeverria, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald, Bryan Dennis

Absent: LaAna Littlefield

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the December 13, 2023 meeting – approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed. The CRC updated timeline was discussed. The next meeting dates of January 17, 24, and 31 were mentioned regarding discussing Ranked Choice Voting and the CM Residency.

a) 12.13.23 Meeting Recap

- Agreed to address the Quorum issue through Section 32
- Quorum adjusted under Section 32 to fill vacancies
- Appointment and procedures

b) CRC Conversation Timeline

- Substantive Areas to Cover: Term Limits, Ranked Choice Voting, Vacancies, and Residency Requirements.

- The timeline was discussed to outline the meeting schedule:
 - o January 17, 24, & 31
 - o February 14 & 28
 - o March 13 & 27 (completion goal)
 - o April – to Council

c) Term of Appointments – Current Language

- Current language provides that the appointee fill the full remaining term
- This could be up to 3+ years

d) Terms of Appointment – Alternative to FG

- Fairview Language
 - o If an individual is appointed to a vacant council seat, they serve in that position until the next general election.
 - o Appointee will not serve more than two years without an election.
 - o If the original term is expiring, the election is for a four-year term.
 - o If the original term is not expiring, whoever is elected fills the remainder of the original term.
- Staff comment – impacts the election cadence
- Motion to amend
- to the Fairview language – unanimous

e) Appointment Procedure

- Does the committee want an appointment process included in the Charter?
- Or left to other methods such as resolutions or ordinances?
 - o Option 1 – Corvallis Model
 - o Option 2 – Immediate/ASAP
 - o Option 3 – Council Adopted Process
- A round table discussion occurred to vet all three options presented.
- Motion to add a requirement to adopt an ordinance when making appointments – unanimous

f) Councilor Term Limits

- A policy matter
- Forest Grove has no term limits
- Average tenure: Councilor = 7.3 years, Mayor = 13 years
 - o Questions: Are you for term limits? What are you hoping to accomplish with term limits?

- Term Limits – Pros and Cons
 - o Pros
 - May reduce potential abuse of power
 - Limits may also encourage the political participation of newcomers
 - Infringement on the democratic process
 - o Cons
 - Infringement on the democratic process
- Is there a trend that supports changing term limits? If there were in place where the Charter needs to be reviewed every 10 years, would that reduce the need to change the current charter?
- Motion – to leave the term limit section the same, no change - unanimous.

g) Section 31 – Vacancies

- Forest Grove vs. LOC language compared side by side
 - o Review subsection 2 concerning absences
- Staff recommendation – keep the language the same as excused absences are addressed in Council Rules. The process is completely outlined in Council Rules.
- Motion – to keep language, no change - unanimous
 - o Review of subsection 5 – to amend FG Charter to the LOC language to LOC Model Charter
 - Conviction of misdemeanor or felony crime
- Motion to change language to LOC model - all say I, except for Kate.

h) Next Meeting

- Ranked Choice Voting

i) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on January 17, 2024
- Upcoming meeting dates: January 24 and 31st

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:27 p.m. The next CRC meeting will be held on Wednesday, January 17, 2023, at 6:00 p.m.

Respectfully submitted,

Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**January 18, 2024
Zoom & Community Auditorium**

Minutes approved by CRC on January 24, 2024.

1. Called to Order

The meeting was called to order at 6:01 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald, Bryan Dennis

Absent: Wolanda Groombridge, Isaac Echeverria

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the December 27, 2023 meeting – approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed. The CRC updated timeline was discussed. The next meeting dates of January 24, 31, and February 14 were mentioned regarding discussing Ranked Choice Voting and the CM Residency.

a) 12.27.23 Meeting Recap

- Term of Appointment
- Appointment Procedure
- No term limits
- Amendments to Vacancies

b) CRC Conversation Timeline

- Substantive Areas to Cover: Ranked Choice Voting and Residency Requirements.

- The timeline was discussed to outline the meeting schedule:
 - o January 24, & 31
 - o February 14 & 28 (Public Hearing on 28th)
 - o March 13 & 27 (Public Hearing on 13th & Final Meeting On 27th)
 - o April – to Council

c) **Section 32 – Filling Vacancies Language**

- (a) A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members, **notwithstanding any quorum or voting requirements of this Charter.** ~~The term of office for the appointee runs from appointment until expiration of the term of office of the last person elected to that office.~~
- (b) **The appointee's term of office shall begin immediately upon appointment and qualification and shall continue until after the next general election is certified by county election officials; and if the term of office does not then expire, the remainder of the term shall be filled by election at such general election.**
- (c) **The Council must adopt by ordinance a process for appointing members to vacant council positions.**
- (d) If a disability prevents a Council member from attending Council meetings or a member is absent from the City, a majority of the Council may appoint a Councilor pro tem.

d) **How Voting Currently works in FG**

- General election – three council seats filled
- Separate contest every four years for Mayoral seat
- Selection of three candidates from the total pool
- Zero ranking with no minimum thresholds
- The top three candidates with the most votes are elected
 - o Example of three open seats with 100 total votes presented and discussed.

e) **Ranked Choice Voting – Implementation Options**

- Can be implemented through an ordinance
- Or through a Charter amendment

f) **Ranked Choice Voting - Background**

- Single Winner RCV
 - o To select a consensus candidate with broad support – needs over 50% to win
- Proportional RCV

- More complicated. The threshold would be 25% + 1 vote
- Several videos were presented and a round table discussion, reviewing election history of Forest Grove, answering questions and discussing both Single Winner RCV and Proportional RCV.
- Proportional RCV
 - Option #1 – the Surplus/Transfer/Minnesota Method
 - Option #2 – Bottoms up
 - If a candidate wins more votes than they need (above the threshold) they are elected
 - If other candidates do not reach the threshold
 - The active candidate with the fewest votes is defeated
 - Votes counted for defeated candidate are transferred to each ballot's next highest ranked active candidate and
 - A new round of vote tallying begins with ballots retallied
- How to Implement RCV
 - The threshold is determined by the number of positions open
 - Specific instructions would be provided to the County on how FG would execute its election
- Implementation - RCV
 - If the voter approves the RCV charter amendments, Council would need to evaluate if a new chapter of the FGMC is necessary
 - Amendments should be effective no sooner than the 2026 election (Ashley's recommendation)
 - Council and City staff will have 2 years to adopt a new code chapter, and coordinate the ballot and election process while implementing a public education program
 - City obligations vs. County obligations

g) Oregon Ballot Measure HB 2004 (Nov. 2024)

- November 2024 election
- If approved, the law would authorize cities, counties, school districts, other local governments to use ranked-choice voting for local elections unless home rule charters preempt. Would require a program to educate voters on RCV.
- Would take effect January 1, 2028
- If RCV amendments are on the November 2024 ballot, could create confusion for FG voters
- If HB 2004 passes, the state would pay for the education campaign

h) CRC Questions

- a.** Do we need to consider RCV? Consensus – Yes
- b.** Should RCV be amended in Charter? – still too many unanswered questions, more discussion necessary
- c.** Single RCV for electing Mayor? Consensus – Yes
- d.** RCV in the Charter vs. an Ordinance? Need more discussion
- e.** Proportional vs. bottoms up – More discussion necessary

i) Next Meeting

- Ranked Choice Voting continued
- CM Residency requirement

j) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on January 24, 2024
- Upcoming meeting dates: January 31 and February 14

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:52 p.m. The next CRC meeting will be held on Wednesday, January 24, 2023, at 6:00 p.m.

Respectfully submitted,

Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**January 24, 2024
Zoom & Community Auditorium**

Minutes approved by CRC 2.07.2024

1. Called to Order

The meeting was called to order at 6:02 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald, Bryan Dennis, Isaac Echeverria

Absent: Wolanda Groombridge

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the January 18, 2024 meeting – approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed. The CRC updated timeline was discussed. The next meeting dates of January 31 (canceled), and February 7 were mentioned regarding discussing the Final Report Draft.

a) 01.18.24 Meeting Recap

- Section 32 – Filling Vacancies Language
- How voting currently works in FG
- RCV – Single Winner & Proportional
- Implementation of RCV
- Oregon Ballot Measure 2004 (Nov. 2024)

b) CRC Conversation Timeline

- Substantive Areas to Cover: Ranked Choice Voting and Residency Requirements.
- The timeline was discussed to outline the meeting schedule:
 - o January 31 - **CANCELED**
 - o February 7 – FINAL REPORT DRAFT DISCUSSION
 - o March 13 & 20 (Public Hearings)
 - o March 27 – FINAL MEETING
 - o April – to Council

c) City Manager Residency

(a) Forest Grove language:

- The Manager need not reside in the City at the time of employment, but must within six months become and remain a resident of the City while appointed as Manager. A majority of the Council may modify the contract to extend the time to comply.

(b) LOC Model language:

- The Manager need not reside in the City ⁽⁵⁴⁾
- (54): If the city wants the charter to require the manager to live in the city, the following may be added: “but must become and remain a resident of the city while manager.” In the alternative, if a residency requirement is desired but is not practicable due to a housing shortage or other conditions, the following may be added: “but must live within 30 miles of the city.” Either requirement can be imposed more flexibly by ordinance or contract.

(c) Staff recommendation: Remove from Charter as this does not allow for flexibility; creates a barrier and very difficult to locate a candidate. Candidate should have expertise in policy management and execution.

(d) The current FG language was added to the Charter in 2009.

(e) A round table discussion ensued regarding CM residency requirement. Many current employees do not reside in the city. Other cities, do not make this requirement. Out of all the cities researched, Tualatin is the only city that requires their CM to live in the city.

(f) Motion to amend removing this requirement from the Charter – consensus, all participants yes.

d) Ranked Choice Voting - continued

- Four articles were provided in the meeting packet for review.

- Ashley discussed how Corvallis was able to manage to educate their voters with press releases, social media campaigns, and materials created in-house. Corvallis had no budget for this project.
- Forest Grove estimated voter education costs: \$25k-\$35K.
- Committee members discussed their thoughts on RCV.
- Consensus not to move forward with an RCV recommendation to the council.

e) Next Meetings

- Draft of Final Report
- Public Hearings
- Finalize report/last meeting

f) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on February 7, 2024
- Upcoming Public Hearing dates: March 13 and 20

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:21 p.m. The next CRC meeting will be held on Wednesday, February 7, 2024, at 6:00 p.m.

Respectfully submitted,

Joyce Phillips, Staff Liaison



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**Charter Review Committee
Meeting Minutes**

**February 7, 2024
Zoom & Community Auditorium**

Minutes approved by CRC on 3.13. 2024

1. Called to Order

The meeting was called to order at 6:00 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Stephanie Fleisher (FG Communications & Program Manager), Tacy Steele, Wolanda Groombridge, Dale Thaler, LaAna Littlefield, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald, Bryan Dennis, Isaac Echeverria

Absent: Elysha Johnson

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the January 24, 2024, meeting – approved

4. Additions/Deletions: None.

5. Discussion Items – The CRC updated timeline was discussed. The next meeting dates of February 14 (canceled), and March 13 & 20 were discussed as the CRC Public Listening Sessions dates.

a) Consider amendments to Section 16(c) regarding substantive amendments to ordinances

- Ashley reviewed this section with the committee and asked for input.

b) Consider and vote on the draft Charter

- The Charter draft was included in the agenda packet and sent to the committee for review.
- Section 16: Ordinance Enactment; “or made available in writing to the public before the council adopts the ordinance.” Vote – 10 yes, 0 no
- Section 29: Terms; “begins at the first Council meeting of the year, immediately after the election.” Vote – 10 yes, 0 no
- Section 32: Filling Vacancies; “notwithstanding any quorum or voting requirements of this Charter. The appointee’s term of office shall begin immediately upon appointment and qualification and shall continue until the next general election is certified by county election officials; and if the term of office does not then expire, the remainder of the term shall be filled by election at such general election. The Council must adopt by ordinance a process for appointing members to vacant council positions.” Vote – 10 yes, 0 no
 - o Val asked what creates/constitutes an absence from the city? What is the definition of absence? Reminded that this is addressed in Council Rules.
- Section 8: Mayor; “shall vote only in case of a tie and have no veto authority.”
 - o Dale asked specifically if should we add language “to meet quorum.” LaAna thought we discussed this concept in a prior meeting and had come to a consensus on the final language.

c) Discussion and vote on the draft final report

- Kate asked if a recommendation could be included regarding a Charter Review every 10 years. The council can create an ordinance to address this issue. Dale suggested that due to the cost investment, a 15 to 20-year reconvene to review.
Recommendation to Council: Not place this in the charter and allow the City Council to consider needed/necessary review timelines.
- Question as posed; when it goes to the public vote, is it presented as a whole package or by like subjects? Still have time to decide how to package proposed changes.
- A vote for approval of draft recommendations. 10 yes, 0 no

d) Discussion regarding publicizing the draft Charter and final report

- Forest Grove Communications & Program Manager, Stephanie Fleischer, lead the discussion on initial ideas:
 - o Community Engagement Page on FG website
 - o Social media posts
 - o What’s Growing On
 - o Add to the FG Utility Billing Statement
 - o Senior Center, Rotary, Valley Art, Committee for Community Engagement
 - o Forest Grove City Club, Peach Jar

- Posters in Library
 - Faith-based postings in bulletins
- Snacks for the listening sessions. Wolanda offered to bring refreshments.
- The discussion included the role of the Charter Review Committee in the listening sessions. It can be as formal or informal as the committee determines. An explanation of the Charter process will begin the listening sessions, delivered by either Ashley or Elysha.
 - Dale suggested the committee needs to acknowledge the comments.
 - Tammi suggested a time limit on comments.
 - Val suggested no more than 3 minutes.
- Consensus that the listening sessions should be at 6:00 PM in the Community Auditorium.

e) Next Meetings

- Public Listening Sessions

f) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on March 13, 2024
- Upcoming Public Hearing dates: March 13 and 20

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:15 p.m. The next CRC meeting will be held on March 13, 2024, at 6:00 p.m.

Respectfully submitted,

Joyce Phillips, Staff Liaison



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**Charter Review Committee Listening Session
Meeting Minutes**

**March 13, 2024
Zoom & Community Auditorium**

Minutes approved by CRC on March 20, 2024.

1. Called to Order

The meeting was called to order at 6:05 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Adolph “Val” Valfre, Tammi McLaughlin, Wolanda Groombridge, Bryan Dennis, Isaac Echeverria (via Zoom)

Absent: Kate MacDonald

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee 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).

1. Approve/review meeting minutes from the February 7, 2024, meeting – approved as stands.

4. Additions/Deletions: None.

5. Discussion

a) Meeting decorum

Was presented and reviewed. The CRC timeline and process overview was given by the chair. The next meeting/listening session date of March 20 was mentioned.

b) CRC Suggested Amendments Recap

City Attorney, Ashley Driscoll reviewed the process of establishing the Charter Review Committee. The committee was kicked off last February with an open recruitment. Then applicants were interviewed by the Council and hand-selected to serve; at least two members from each of the four quadrants of the City. The three remaining members were at large. A total of eleven members were originally selected. One member eventually resigned, so the committee currently remains at ten. Elysha Johnson was

voted as the Chair and Val Valfre was voted as Vice-Chair. Meetings began in August 2023, and to date, 12 public noticed meetings have occurred. The scope of the review included reviewing the entire Charter, in addition to making specific recommendations on the following: geographic representation for council members, term limits for the mayor and council members, the role of the mayor and council president, and the necessity of the city manager residency requirement. Ranked choice voting; appointing councilors when there are a large number of vacancies; as well as the council appointing process was evaluated.

The process included an in-depth review of the League of Oregon Cities Model Charter and a comparison to other Washington County jurisdictions (such as Hillsboro, Tualatin, Sherwood, Tigard, Newberg, and Cornelius.) The committee's approach was to first review what problem, issue, or inequity they would address with amendments. Matters were approached first asking if the issue was a "charter issue" or if it could be addressed through a different avenue, such as an ordinance, policy, or change in council or administrative personnel. The CRC considered historical patterns, long-standing concerns, and current issues facing the city, to draft deliberate recommendations for the future of the city.

c) Public Comment

Peter Truax – voiced concerns about several of the recommendations. Most specifically, the vote of the mayor. Not allowing the mayor a vote (only in a tiebreaker) eliminates the ability to track the accountability of the mayor. Denying the mayor a vote does not make sense as it communicates to the community their vision. He also disagrees with the language change: Political Head of the City to the Civic Leader.

Kristy Kottkey – voiced concerns about not having term limits. Would prefer term limits to provide more opportunities for community members to get involved. Suggested that the CRC listening session format be more of an open discussion with the community members.

Richard Kidd – voiced concerns about the language change of the role of the mayor from Political Head to Civil Leader. The community views the mayor as the political head, not a civic leader. Also, he does not agree with the mayor only voting in case of a tie. The mayor's vote is goal based on their intentions in this role. This takes away the constituent's ability to track the response of the mayor and is one reason why they voted for them into office. Richard was adamant that we consider his suggestions so he could support and back the changes going forward to the ballot.

d) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- The next CRC listening session is on March 20, 2024, at 6:00 PM at the Community Auditorium
- Next Charter Review Committee Meeting: April 3, 2024, at 6:00 PM

6. Adjournment and Announcement of Next Meeting: The listening session was closed at 6:34 PM. The meeting adjourned at 6:35 PM. The next CRC listening session will be held on Wednesday, March 20, 2024, at 6:00 PM.

Respectfully submitted,

Joyce Phillips, Staff Liaison



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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Mariah Woods, City Recorder*

MEETING DATE: *April 8, 2024*

SUBJECT TITLE: *Accept Boards/Commissions Resignation – Library Commission*

ACTION REQUESTED:	☐ Ordinance	☐ Order	☐ Resolution	☐ Motion	☒ X	☐ Informational
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X all that apply

ISSUE STATEMENT

Accept Resignation on the Library Commission (Hatfield Krebsbach, Appointed 01/21, Term Expiring 12/31/24)

STAFF RECOMMENDATION

Staff recommends City Council accept the above-noted resignation and deem seat vacant.

ATTACHMENT

E-mail resignation from Hatfield (Hattie) Krebsbach dated March 28, 2024.

Mariah Woods

From: Colleen Winters
Sent: Thursday, March 28, 2024 1:32 PM
To: Joyce Phillips; Mariah Woods
Subject: FW: Krebsbach- resignation

From: Hatfield Krebsbach [mailto:hat.krebs@gmail.com]
Sent: Thursday, March 28, 2024 11:03 AM
To: Colleen Winters <CWinters@forestgrove-or.gov>
Subject: Krebsbach- resignation

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Colleen,
Please accept this letter as formal notification that I am resigning from my position apart of the Forest Grove Library commission. This to be effective as of 3/28/2024. Thank you again for allowing me to be apart of the board.

Cheers, Hattie

Hatfield Krebsbach
John L Scott Market Center
[REDACTED]
hat.krebs@gmail.com



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City Council Regular Meeting Minutes

Monday, March 18, 2024
Zoom Community Auditorium

Minutes are unofficial until approved by City Council.

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

Mayor Wenzl called the regular City Council meeting to order at 7:01 p.m. via in-person and Zoom Webinar Video Conference. The meeting was held in a “hybrid” format allowing the public to attend both virtually and in-person in the Community Auditorium. Members of the public could observe the meeting **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

1. **ROLL CALL: COUNCIL PRESENT:** Timothy Rippe, Council President; Donna Gustafson (via Zoom); Michael Marshall; Karen Martinez; Elena Uhing (via Zoom); and Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** None.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Anne Lane, Parks & Recreation Director; Brenda Camilli, Human Resources Director; Keith Hormann, Light and Power Director; Mariah Woods, City Recorder.

B. Public Comment:

1. CC03-18-2024 Written Public Comments received by 3:00 pm on the day of the meeting were published in the Council Packet.
No in-person or Zoom testimony was heard.

C. Consent Agenda:

1. Approve CCE Meeting Minutes of 01.02.2024
2. Approve Annual Liquor License Renewals
3. Informational: Monthly Building Report for February
4. Approve Tourism Event Sponsorships
5. Assign Corrected Number to Resolution

Councilor Gustafson removed Item C.4 from the Consent Agenda.

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

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

Item C.4 Discussion: Gustafson recuses herself from voting on this item due to a perceived conflict of interest.

MOTION: Council President Rippe moved, seconded by Councilor Marshall, to approve Item C.4 of the Consent Agenda. VOICE VOTE: AYES: Councilors Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: None. ABSTAIN: Gustafson. MOTION CARRIED 6-0.

D. Additions/Deletions:

1. City Manager: None

1. Proposed by Councilors:

Councilor Uhing proposed a work session to discuss IT security. Consensus was reached to move forward with that work session.

E. Presentations:

1. **Commissioner Jerry Willey:**

Jerry Willey, Washington County Commissioner, presented an update from Washington County. He noted that there will likely be a decrease in the general fund budget next year. He described some of the successes of the County, including the increase of supply of regular affordable housing, and acknowledged some of the ongoing goals relevant to Forest Grove, particularly completing the Marten Rd Roundabout, the Council Creek Trail, and the addiction treatment center. In response to questions from the Council, Commissioner Willey expressed that the County is considering workforce housing, but some funding sources include parameters that limit how they can be used. He also thanked Chief Reimann for working well with the County to address the Hwy 47 encampment. The Council expressed thanks to Commissioner Willey and the County for their work.

2. **Forest Grove Senior Center:**

Sophia Stamatis, FGSCC Executive Director, and Adam Kolb, FGSCC President, presented slides on the Forest Grove Senior & Community Center, primarily noting a shortfall in the center's budget and funding, and ending with questions on what thoughts the Council may have for the future of the FGSCC. Councilor Uhing expressed appreciation for the FGSCC and their work. Mayor Wenzl stated that as the City is in the early stages of creating its own recreation program, it is too early to give a certain answer today. Kolb thanked the Council and acknowledged that the purpose of the presentation was to open a dialogue rather than to obtain a direct response from the City at this time.

F. Public Hearings, Ordinances, and Resolutions

1. **ORDINANCE NO. 2024-04 ADDING TO AND AMENDING FOREST GROVE CODE OF ORDINANCES TITLE I (GENERAL PROVISIONS) §10.09; TITLE VII (TRAFFIC CODE) §73.055 (IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES); §74.01 (DEFINITIONS); §74.05 (TOWING AND STORAGE LIENS); §74.06 (PRE-TOWING NOTICE); §74.07 (POST-TOWING NOTICE); §74.09 (CHARGES AND RELEASE OF VEHICLE OR TRAILER); §74.10 (SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED AND §74.11 (SALE OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT \$500 OR LESS)**
Staff: Paul Downey, Assistant City Manager/Finance Director and Henry Reimann, Chief of Police

Mayor Wenzl opened the public hearing.

Staff Report:

Chief Reimann presented the staff report on the Ordinance. There were no questions from the Council.

There was no testimony from the public.

Mayor Wenzl closed the public hearing and called for a motion to adopt Ordinance 2024-04 by title for second reading.

MOTION: Councilor Martinez moved, seconded by Council President Rippe, to adopt Ordinance 2024-04.

VanderZanden read the resolution by title.

Council Discussion:

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

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

2. **RESOLUTION NO. 2024-08 ADOPTING THE 2024 CITY COUNCIL GOALS AND OBJECTIVES**

Staff: Ashley Sonoff, SSW Consulting; Jesse VanderZanden, City Manager

Staff Report:

Ashley Sonoff presented the staff report. There were no questions from the Council.

MOTION: Council President Rippe moved, seconded by Councilor Valenzuela, to adopt Resolution 2024-08.

VanderZanden read the resolution by title.

Council Discussion:

Mayor Wenzl expressed her appreciation for the work of Sonoff and SSW Consulting. Hearing no concerns from the Council, Mayor Wenzl asked for a roll call vote on the above motion.

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

3. RESOLUTION NO. 2024-09 RESOLUTION ADOPTING REVISIONS TO LIGHT AND POWER DEPARTMENT LINE EXTENSION POLICY AND REPEALING RESOLUTIONS NO. 2019-50, NO. 2022-11, AND NO. 2023-49

Staff: Keith Hormann, Light & Power Director

Keith Hormann presented the staff report on Resolution 2024-09. Council President Rippe asked if this Resolution would simplify staff's work, which Hormann confirmed it would.

MOTION: Council President Rippe moved, seconded by Councilor Martinez, to adopt Resolution 2024-09.

VanderZanden read the resolution by title.

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

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

G. Council Communications:

1. Councilor Reports:

Councilor Gustafson: attended the PAC retreat and had some questions from them:

- They are aware that they cannot fundraise, but can they could accept sponsorships and donations? Paul Downey responded that they can accept donations but cannot seek them, and that the City has sponsored events, but not accepted sponsorships. VanderZanden responded that he would reach out to the City Attorney and enquire about receiving sponsorships.

- Are they subject to the same public meeting rules? Yes.
- Can the City provide a simple process for Boards and Commissions to follow to request subcommittees that includes what information the Council requires to base their decision on? VanderZanden will work on creating a form. The information needed would include: does the subcommittee meet a council goal/objective? What will the demand on staff be? How many meetings will the subcommittee have? What is the specific purpose and outcome of the subcommittee?

Councilor Rippe: attended the TV HWY Steering Committee meeting, where they decided that they will be meeting in smaller groups to discuss general topics such as capital improvement grants and non CIG (state and local funding). He missed EDC due to the NLC conference, and missed the Chamber of Commerce meeting. The Chamber's Gala is March 23rd, and the Council is invited to attend.

Councilor Marshall: both of his meetings are on Wednesday this week so currently has nothing to report.

Councilor Martinez: attended the Rural Fire Protection Board meeting – the fire department awards banquet is April 26th.

Councilor Uhing: CCE has elected a new Chair, Heather Finnegan. They asked if they could have an interpreter at the Annual town Meeting; Paul Downey responded that he would see what process the City used in the past to provide an interpreter. To provide materials in Spanish they just need to send them to staff and staff will get them translated. Uhing expressed interest in Stephanie Fleisher giving an engagement 101 presentation to CCE. The Committee is interested in collaborating more with other Boards and Commissions. They do not have a date for the Annual Town Meeting at this time, but are aiming to finalize the date at their next meeting.

Councilor Valenzuela: Library Commission meeting is coming up, but no news currently. There is not a date for the Library gathering of the groups yet. She visited properties with Climate Justice to spread awareness of available funding to help with the removal of infected trees.

2. City Manager's Report

VanderZanden recapped the City Manager's Report, dated June, 2023.

- Internal budget meetings have begun, so staff is very busy.
- The Charter Review Committee listening session is coming up on March 20th.
- Boards and Commissions recruitment has begun.
- The 2040 plan is out, and the city has already received several proposals.
- Site B is being advertised.

3. Mayor's Report

Mayor Wenzl reported on the following:

- Pacific University's Native American Youth Group is trying to build a longhouse event space. The Pacific University Luau is on April 13th. Pacific has also been invited to the Council's work session on April 8th; SSW Consulting will be coordinating.
- She co-authored an op-ed piece with SHS to show Metro that using SHS funds for affordable housing has been successful.
- The County town hall meeting is on March 21st.
- Forest Grove and Cornelius Chamber of Commerce Gala is on March 23rd
- Heritage Conference is April 18-20th
- State of the City is on April 22nd
- Habitat for Humanity event on April 27th

H. Adjournment

Mayor Wenzl adjourned the regular Council meeting at 8:34 p.m.

Minutes are unofficial until approved by City Council.

1. **ROLL CALL: COUNCIL PRESENT:** Timothy Rippe, Council President; Donna Gustafson (via Zoom); Michael Marshall; Karen Martinez; Elena Uhing (Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** none.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Brenda Camilli, Human Resources Director; Cody Jeffers, Recreation Coordinator; Mariah Woods, City Recorder.
 - A. 8:40 PM – COUNCIL WORK SESSION: Parks & Recreation Commission Joint Work Session- Rates and Fees Part Two

Mayor Wenzl called the work session meeting to order at 5:30 p.m. via in-person and Zoom Webinar Video Conference.

Jamie Sabbach, President and Principle of 110% Inc facilitated the work session. She gave a brief overview of the information reviewed at the last work session, highlighting the importance of considering cost recovery. She defined “service,” “service area,” and “service categories,” and the focus on considering purpose. Rather than determining cost recovery based on more arbitrary divisions such as age group, determine based on service category such as beginner level or private use of public space.

Sabbach provided two handouts, one breaking down Parks & recreation Service categories, and the other including a numbered chart to rank the categories.

Discussion:

Lane clarified that these are broad categories, and only services that are currently offered were included as examples.

Mayor Wenzl stated that equity services should be a lens under which we look at all the categories, rather than its own separate category. Placing it in a separate category risks making individuals feel othered. Jeffers responded that the reason for its inclusion as a category was to give staff the opportunity to inject equity to existing programs to make sure that we consider any additional staffing or resources that needs to be assigned to consider equity.

Sabbach then initiated the Beneficiary of Service Exercise. She distinguished between common good services and exclusive services, and asked the participants to rank the categories from which would be considered common goods to which would be exclusive goods.

The participants split into breakout groups to discuss the exercise, then returned to present their rankings.

Discussion:

It was helpful for her to split the list into general pots of common, exclusive, and mixed, and then sort them from there. It was noted that even coming from different perspectives, there was considerable agreement in the end.

Sabbach asked the participants to complete their worksheets and return them to Anne Lane. The staff completed the same exercise earlier in the day, and it would be completed by members of the public as well. From the collective results, they would then create a general ranking based on all the responses and come back to the Council to continue moving forward based on those findings.

The mayor conveyed a questions she received from a member of the public of why the City charges a different amount for power than the School District charges. Sabbach responded that that was outside of the parameter of what these exercises are doing, but in general the City must prioritize setting fees that recoup their costs irrespective of what other groups may be charging.

B. Adjournment:

Mayor Wenzl adjourned the work session at 6:43 p.m.



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**City Council Work Session Meeting Minutes
City Manager Performance Evaluation Process**

**Monday, March 18, 2024
Community Auditorium**

Minutes are unofficial until approved by City Council.

1. **ROLL CALL: COUNCIL PRESENT:** Timothy Rippe, Council President; Donna Gustafson (via Zoom); Michael Marshall; Karen Martinez; Elena Uhing (Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** none.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Brenda Camilli, Human Resources Director; Mariah Woods, City Recorder.
 - A. 8:40 PM – COUNCIL WORK SESSION: City Manager Performance Evaluation Process

Mayor Wenzl called the work session meeting to order at 8:35 p.m. via in-person and Zoom Webinar Video Conference.

Brenda Camilli presented the staff report and outlined the proposed timeline of meetings and executive sessions.

Councilor Uhing asked if it would be possible for the council to receive the City Manager's self-evaluation before the Council does theirs. There was a discussion about the timing of the evaluation during a busy period due to the Budget Committee meetings.

VanderZanden confirmed that he would be able to complete the evaluation and submit it to the Council by April 19th.

Consensus was reached to move the City Manager Evaluation earlier in the year going forward; The self-evaluation form should be approved by the end of January, with the rest of the process beginning in February.

B. Adjournment:

Mayor Wenzl adjourned the work session at 8:51 p.m.

CITY COUNCIL MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Mariah Woods, City Recorder*

DATE: *April 8, 2024*

SUBJECT TITLE: *Annual Liquor License Renewals 2024*

BACKGROUND:

The Oregon Liquor Control Commission (OLCC) has notified the City of the eligible liquor licenses seeking renewal for 2024. City Code Sections §110.071-110.073 requires any applicant/business requesting endorsement for a new liquor license application or liquor license renewal to submit to a criminal background check and have a valid City business license in accordance with City Code. A first round of renewal application has been received by the City. The Police Chief has reviewed the applicable criminal records check of the licensee and has made recommendation to:

- ***Forward with approval – No legal basis for denial noted.***

The OLCC also conducts its investigation, i.e., if the business location has had problems with OLCC, police or neighbors; the applicant has a criminal history; the applicant has provided false information; and/or the applicant has a history of abusing drugs or alcohol.

STAFF RECOMMENDATION:

Staff recommends City Council authorize endorsement of the attached Annual Liquor License Renewals. The City's endorsement will be submitted to OLCC and OLCC approves, denies, restricts, or makes recommendations to OLCC Commissioners. If application is approved, the OLCC will issue the license. If application is denied or restricted, there is a process by OLCC to contest the decision.

ATTACHMENT(s):

OLCC Reasons to Deny or Restrict a License
Annual Liquor License Renewal

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC **can** consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location.

The problems can include:

- Obtrusive or excessive noise, music or sound vibrations
- Public drunkenness
- Fights or altercations
- Harassment
- Unlawful drug sales
- Alcohol or related litter

OLCC is **not** able to consider the following issues when deciding to renew a liquor license:

- Lack of parking
- Increase in traffic
- Too many licenses in a specific area (saturation)
- Entertainment type - nude dancing, gambling, live bands, etc.
- Increased noise
- Zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.



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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

RECEIVED: _____

MEETING DATE: _____

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: The Lazy Eye

BUSINESS LOCATION ADDRESS: 2036 Pacific Ave

LIQUOR LICENSE TYPE: Full On-Premises Sales

CITY BUSINESS LICENSE: 30662

1. TYPE OF LICENSE:	2. LICENSE FEE:
☒ F-COM – Full On-Premises Sales	☐ L – Limited On-Premises Sales
☐ F- CAT – Full ON-Premises Sales, Caterer	☐ O – Off-Premises Sales
☐ F-FPC/F-CLU – Full On-Premises, Private	☐ SEW – Special Event Winery
☐ F-PL – Full On-Premises Public Location	☐ SEG – Special Event Grower
☐ TSL – Temporary Sales License	☐ SED – Special Event Distillery
☐ BP – Brewery Public House	☐ Distillery
☒ FULL ON-PREMISES SALES	☒ LIMITED ON-PREMISES SALES
☐ OFF-PREMISES SALES	☐ BREWERY – PUBLIC
Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.	Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off licensed premises. Also allows applying for sample tasting on premises.
	Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.

APPLICABLE CRIMINAL RECORDS CHECK:

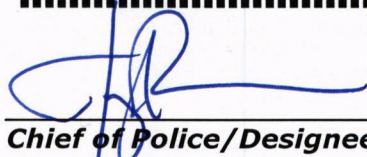
☐ NONE

☒ SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

☒ FORWARD WITH APPROVAL

☐ REJECT APPLICATION (Memorandum Required)


Chief of Police/Designee

3-27-24
Date

CITY COUNCIL MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Mariah Woods, City Recorder*

DATE: *8 April 2024*

SUBJECT TITLE: *Application for New Liquor License*

BACKGROUND:

City Code Sections §110.071-110.073 requires any applicant/business requesting endorsement for a new liquor license application to submit to a criminal background check and have a valid City business license in accordance with City Code. The Police Chief has reviewed the applicable records check of the licensee and has made recommendation to:

- ***Forward with approval – No legal basis for denial noted.***

The OLCC also conducts its investigation, i.e., if the business location has had problems with OLCC, police or neighbors; the applicant has a criminal history; the applicant has provided false information; and/or the applicant has a history of abusing drugs or alcohol.

STAFF RECOMMENDATION:

Staff recommends City Council authorize endorsement of the attached application for a new Liquor License. The City's endorsement will be submitted to OLCC and OLCC approves, denies, restricts, or makes recommendations to OLCC Commissioners. If application is approved, the OLCC will issue the license. If application is denied or restricted, there is a process by OLCC to contest the decision.

ATTACHMENT(s):

Application for a New Liquor License

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC **can** consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location.

The problems can include:

- Obtrusive or excessive noise, music or sound vibrations
- Public drunkenness
- Fights or altercations
- Harassment
- Unlawful drug sales
- Alcohol or related litter

OLCC is **not** able to consider the following issues when deciding to renew a liquor license:

- Lack of parking
- Increase in traffic
- Too many licenses in a specific area (saturation)
- Entertainment type - nude dancing, gambling, live bands, etc.
- Increased noise
- Zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

RECEIVED: _____

MEETING DATE: _____

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: Pelagic Brewing

BUSINESS LOCATION ADDRESS: 2215 Cedar St

LIQUOR LICENSE TYPE: Brewery Public House

CITY BUSINESS LICENSE: 30669

1. TYPE OF LICENSE:		2. LICENSE FEE:	
☐ F-COM – Full On-Premises Sales	☐ L – Limited On-Premises Sales	☒ \$100.00 New Application	
☐ F-CAT – Full ON-Premises Sales, Caterer	☐ O – Off-Premises Sales	☐ \$ 75.00 Change of License	
☐ F-FPC/F-CLU – Full On-Premises, Private	☐ SEW – Special Event Winery	☐ \$ 35.00 Temporary Sales	
☐ F-PL – Full On-Premises Public Location	☐ SEG – Special Event Grower	☐ \$ 35.00 Annual Renewal	
☐ TSL – Temporary Sales License	☐ SED – Special Event Distillery	☐ \$ 20.00 Event License	
☒ BP – Brewery Public House	☐ Distillery	☐ \$ No Charge: Temp Annual Use	
☐ FULL ON-PREMISES SALES	☐ LIMITED ON-PREMISES SALES	☐ OFF-PREMISES SALES	
Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.		Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off licensed premises. Also allows applying for sample tasting on premises.	
☒ BREWERY – PUBLIC			
Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.			

APPLICABLE CRIMINAL RECORDS CHECK:

☐ NONE

☒ SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

☒ FORWARD WITH APPROVAL

☐ REJECT APPLICATION (Memorandum Required)



Chief of Police/Designee

3-27-24

Date

Monthly Building Activity Report

March-24 2023-2024

	Period: March-23		Period: March-24	
Category	# of Permits	Value	# of Permits	Value
Man. Home Setup	2			
Accessory Dwelling Unit			1	47865.6
Res 1 & 2 Family New	7	\$3,042,520	8	\$4,369,357
SFR Addition & Alt/Repair	8	\$55,220	5	\$312,304
Mult. Fam. New				
Multi Family Alterations/Repair/Additions				
Group Care Facility				
Commercial New			1	\$72,059
Commerical Addition				
Commercial Alt/Repair	1	\$3,842	4	\$102,711
Industrial New				
Industrial Addition				
Industrial Alt/Repair	3	\$852,880		
Gov/Pub/Inst (new/add)	1	\$608,414	1	\$10,000
Signs	2	\$8,410	1	\$3,500
Grading	1		2	
Demolitions	1		2	
Total	26	\$4,571,286	25	\$4,917,797

Fiscal Year-to-Date

2022-2023		2023-2024	
Permits	Value	Permits	Value
199	\$29,498,334	195	\$36,548,370

20
23

Annual Report

FAMILY JUSTICE CENTER OF
WASHINGTON COUNTY



YEAR IN REVIEW

DATA REPORT

HIGHLIGHTS

2023 in Review

SERVICES, SUPPORT, COLLABORATION, AND CHANGE

In 2023 we are thrilled to report a year of remarkable growth, impactful outreach, and continued dedication to our mission of ending the cycles of violence and abuse in our community. Similar to the previous year, 2023 witnessed an increase in the number of survivors served, and our scope of services expanded to unprecedented levels. We are proud to share that services were at an all-time high, breaking the 10,000 mark. What's more, individual survivor accessed more services per visit, underscoring the effectiveness and importance of our multifaceted approach.

This expansion can be attributed not only to the reopening of public spaces post-pandemic but also to our heightened and targeted outreach efforts in response to persistently high rates of violence and abuse. Building upon the successes of the previous year, we extended our focus to encompass additional demographics and geographical areas.

Along with the growth in the number of survivors served, our organization expanded the array of services provided. In 2023, we further developed community training initiatives; brought on new partners to meet the service demands, such as Sequoia Mental Health and Oregon Food Bank; and organized events to bring families together with partners, such as Shop With A Cop. These efforts have resulted in a substantial increase in the number and variety of services offered to each survivor, aligning with the Family Justice Center model's effectiveness and showcasing the strength of collaboration among our partners and along.

This year we continued our community-wide collaboration on events aimed at raising awareness, amplifying survivors' voices, and support families. In October we debuted our first ever Run for Hope during Domestic Violence Awareness Month with over 150 participants, built on our Voices of Hope Survivor Art Gallery for Sexual Assault Awareness Month and Child Abuse Awareness Month, and increased the scope of our Fall Family Food Boxes, Holiday Shop, and Back to School Supplies. These events not only united our community but also demonstrated our commitment to creating a safe and supportive environment for survivors and their families.

In response to the 2021 and 2022 where we saw a marked increase in severe violence and homicide, the FJC worked hard with its law enforcement, court, and District Attorney partners to create a high-risk referral program. We also worked among the partners in the center to better identify lethality indicators and reached out into our community to raise awareness. Additionally, our collaborative and VOICES Survivor Committee engaged in legislative advocacy to pass new laws and strengthen current ones to ensure survivor safety and offender accountability. However, the need for such efforts this emphasizes the continued urgency of our mission and the importance of collective efforts to address the root causes of violence and abuse in our community.

In conclusion, 2023 was a year of monumental progress for our organization. As we strive to create a future free from family trauma, we remain steadfast in our commitment to collaboration, advocacy, and systemic change. The journey toward a safer future requires the collective efforts of individuals both inside and outside the Family Justice Center, and together, we take meaningful steps toward the safety, healing, and hope that survivors and our entire community deserve.



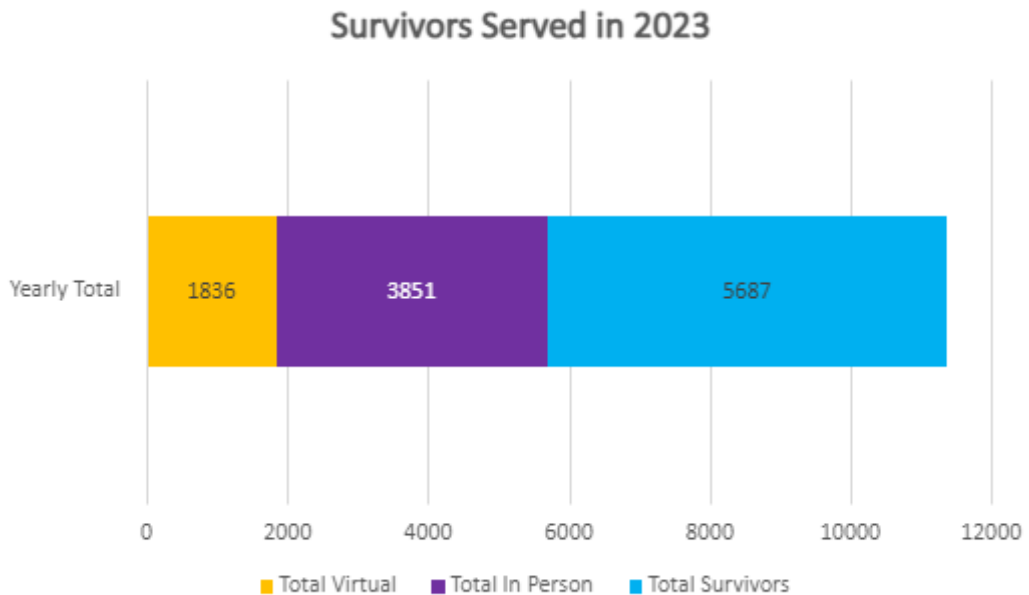
Rachel Schutz
Executive Director
Page 88 of 156

Services

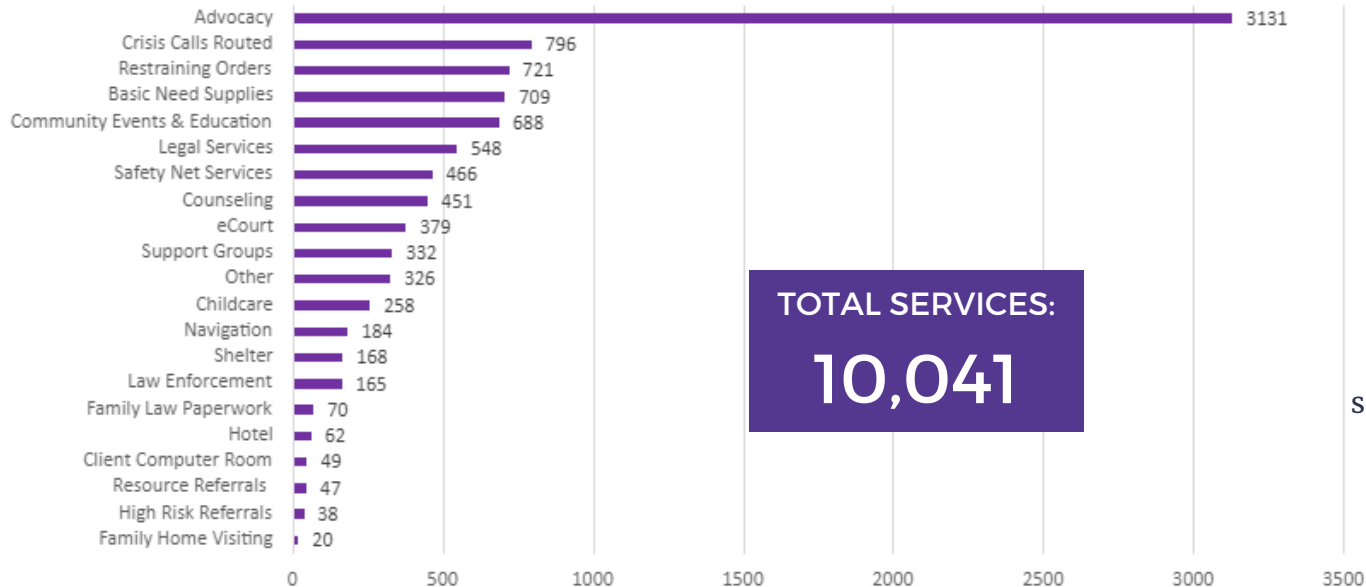
SURVIVORS SERVED AND SERVICES PROVIDED

SURVIVORS SERVED

As awareness of abuse raising in our community, so do survivors seeking services. The FJC served 25% more survivors in 2023 over 2022.



Services Provided in 2023



SERVICES PROVIDED

Services in 2023 increased once again over 2022, 20%. This included the addition of new services to expand support and responsivity.

85%

Of survivors felt they and their children were cared for by staff and partners

100%

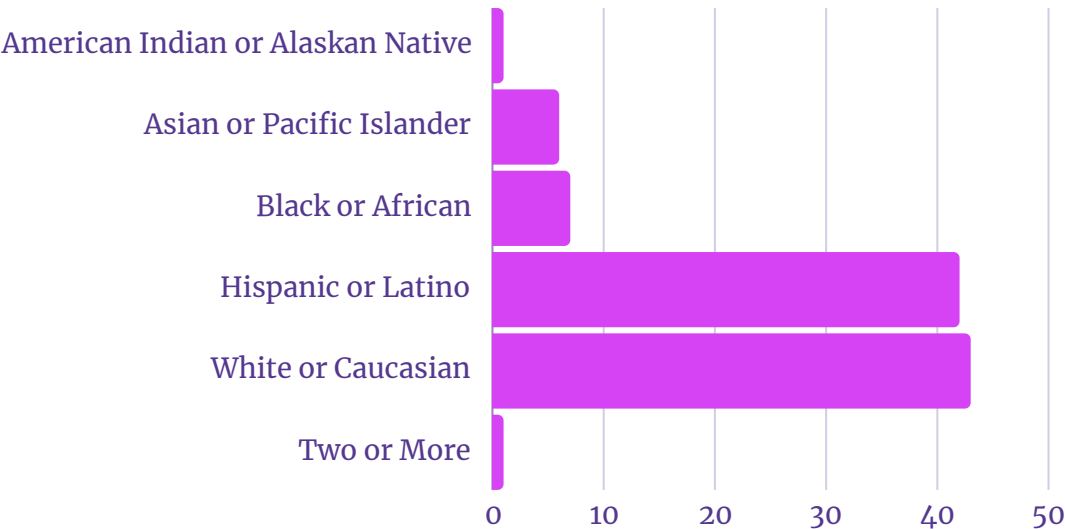
Of survivors reported they experienced trauma informed care at while receiving services.

85%

Of survivors reported that they received the help they needed to keep their family safe.

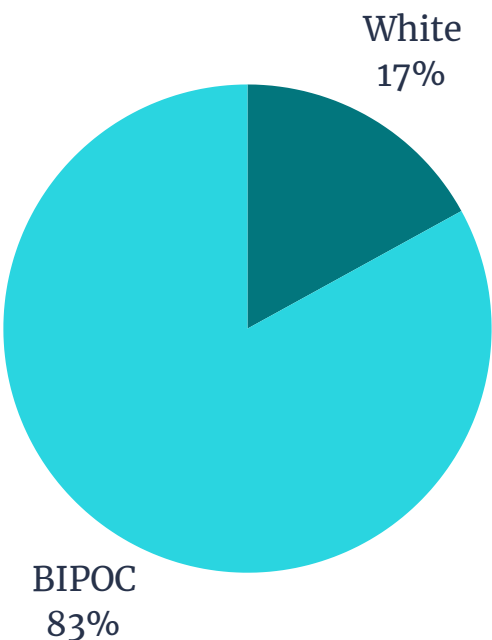
Demographics

SURVIVOR AND STAFF



SURVIVOR DEMOGRAPHICS

Washington County population is 78% white and 22% people of color. The FJC serves 57% people of color, illustrating the disproportionate impact of violence and abuse on marginalized communities.

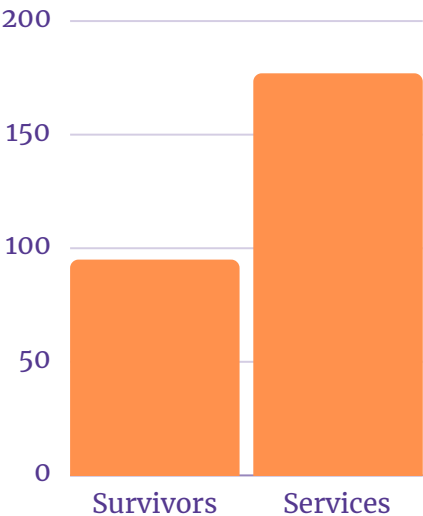


STAFF DEMOGRAPHICS

The FJC seeks to represent the populations it serves, including having survivors on staff and as board members.

CITY OF FOREST GROVE

The FJC provided 95 Forest Grove survivors with 177 services.



57%

BIPOC Survivors served in 2023

25%

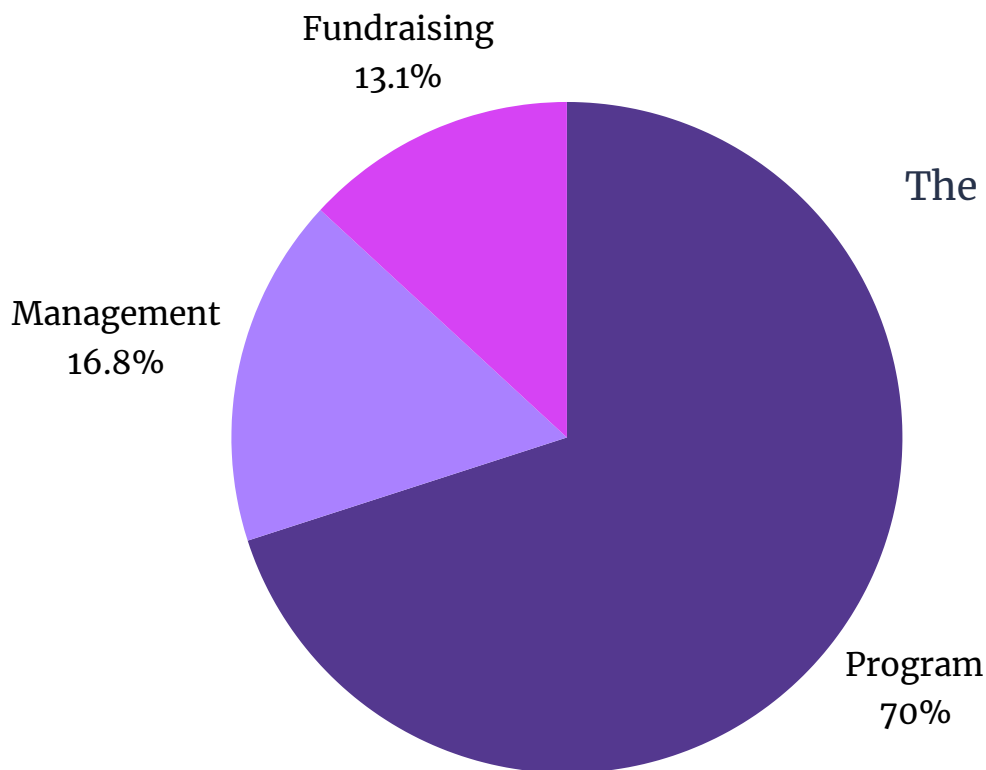
Increase in survivors served in 2023

20%

Increase in services delivered to survivors in 2023

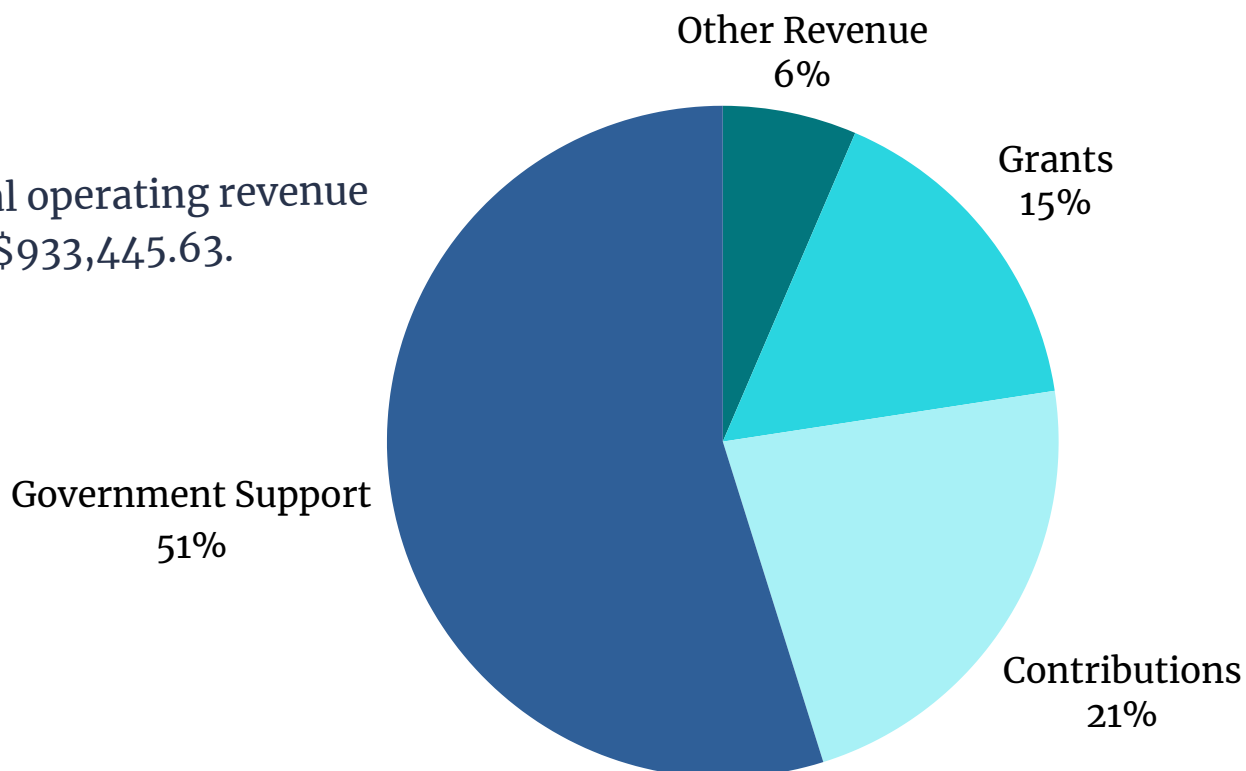
Finances

EXPENSES AND REVENUE



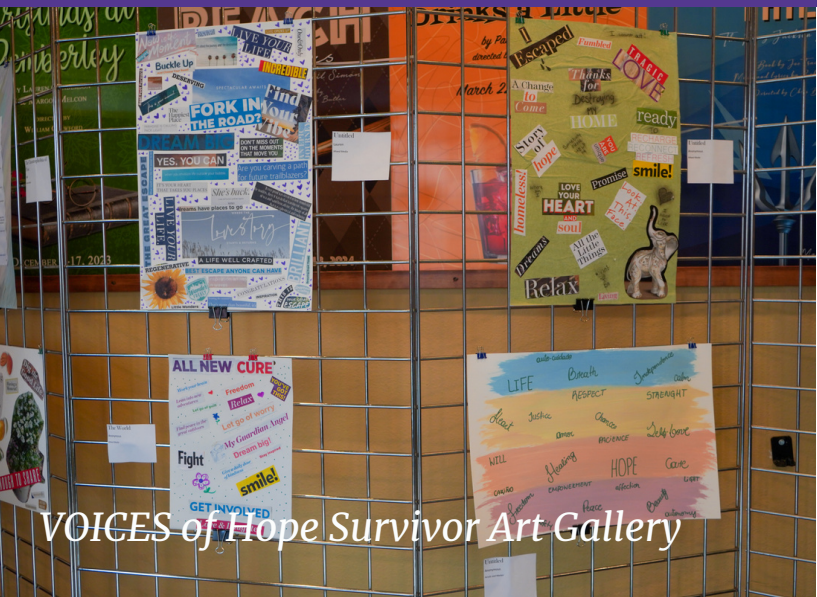
REVENUE

The FJC's total operating revenue for 2023 was \$933,445.63.



Highlights

RAISING AWARENESS, ELEVATING VOICES, SUPPORTING FAMILIES



VOICES of Hope Survivor Art Gallery



VOICES Committee Testifying in Salem



Shop With A Cop



Domestic Violence Awareness Month's Run For Hope



Fall Family Feast Food Boxes



Holiday Shop with Santa

Partners

TOGETHER, WE ARE ENDING THE CYCLES OF VIOLENCE
AND ABUSE IN WASHINGTON COUNTY.

T O G E T H E R,





Library Commission

Annual Report

Pamela Bailey, Commission
Vice-Chair, presenting

April 8, 2024

Commission members

Morgan Knapp, Chair

Kynah Atwood, Pamela Bailey, Kirsten Beier,
Susan Greathouse, Kathleen Poulsen

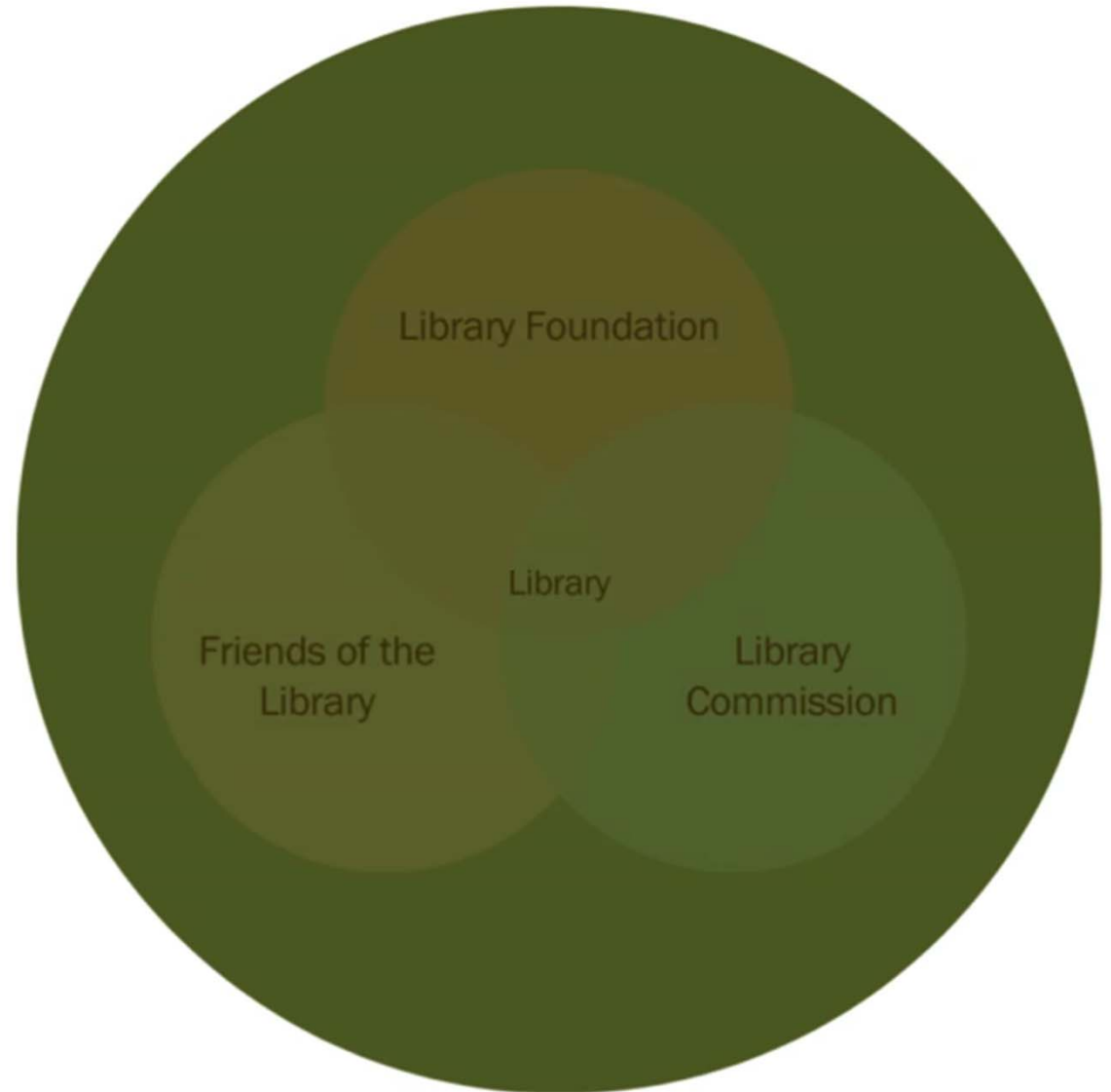
Role of the Commission

The role of the Commission is to advise the City Council and the Library Director on matters pertaining to the library. The Commission also supports and advocates on behalf of the library.

Policy

Collaboration

The Commission works closely with library staff and with the Friends of the Library and the Library Foundation



2024 Goals

The Commission held its annual goal setting meeting on February 20.

The following goals were approved:

- 1. Policy Inventory and Review**
- 2. National Library Week Celebration**
- 3. Library Staff appreciation**

Goals, continued

4. Gathering of the Groups

5. Council/Boards and Commissions

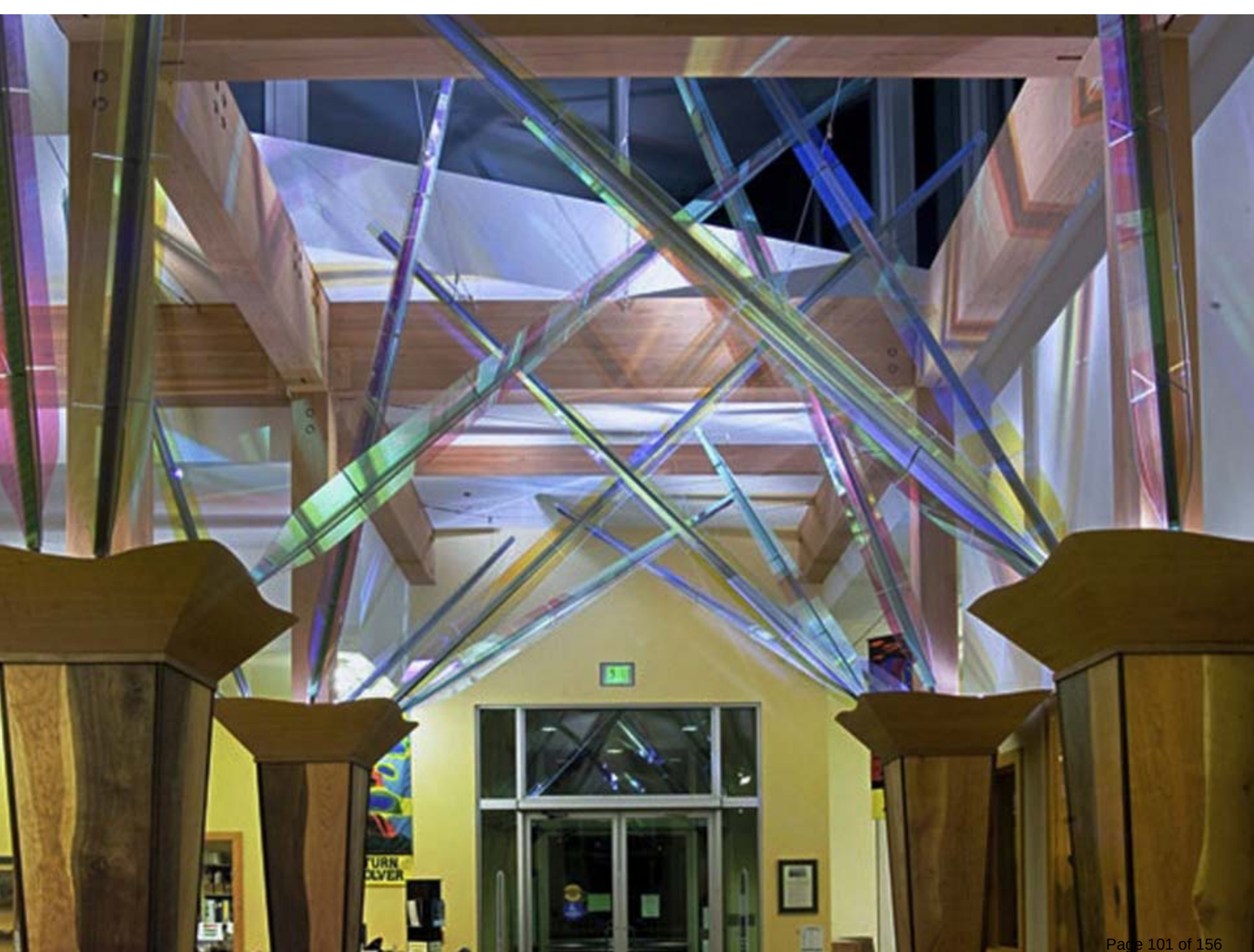
6. Support Friends of the Library Freedom to Read event

7. Develop guidelines for public art in the library

8. WCCLS structure and Governance project



The van is finished & ready for celebrating!



Thank You!







A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Anne Lane, Parks & Recreation Director*

MEETING DATE: *Monday, April 8, 2024*

SUBJECT TITLE: *Presentation: Universally Accessible Playground Replacement – Hazel Sills Park*

ACTION REQUESTED:	Ordinance	Order	Resolution	Motion	X	Informational
--------------------------	------------------	--------------	-------------------	---------------	----------	----------------------

X all that apply

ISSUE STATEMENT:

Hazel Sills Park is a small, half acre neighborhood park located at 1627 Willamina Ave. This project was identified both in the 2016 Parks, Recreation & Open Space Master Plan and on the Capital Improvement Project list for fiscal year 2023-2024. The project is being paid for by Parks Systems Development Charges (SDC).

BACKGROUND:

Hazel Sills Park is the first in a series of playground replacement projects slated to take place over the coming years. Each year a different, already existing, playground will be identified for replacement. We will be addressing playgrounds in the worst overall condition first. That assessment includes an examination of the overall condition, accessibility, and required maintenance of the existing site and amenities.

The intended outcomes of this approach and effort are to provide play structures and play areas for the community that: are universally accessible and inclusive; streamlined for reduced maintenance requirements; address and enhance safety measures; encourage positive use; increase community awareness, support, and trust; is a source of pride and ownership for the community; and encourages park use and interest.

ATTACHMENT(S):

Power Point: 4.8.24 Presentation – Universally Accessible Playground Replacement – Hazel Sills



PARKS & RECREATION

Universally Accessible Playground Replacement: Hazel Sills Park

ANNE LANE, PARKS &
RECREATION DIRECTOR

City Council Meeting 4/8/2024







GRASSTAINS

LANDSCAPE DESIGN & BUILD

503.515.4842

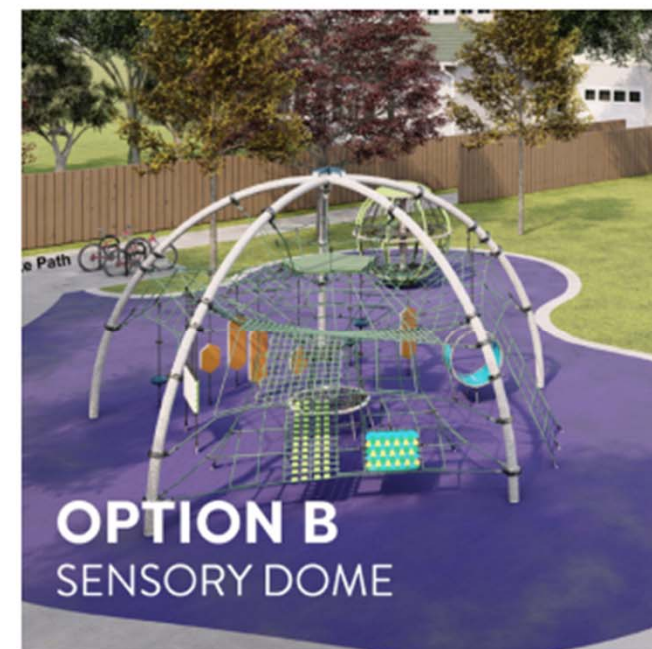
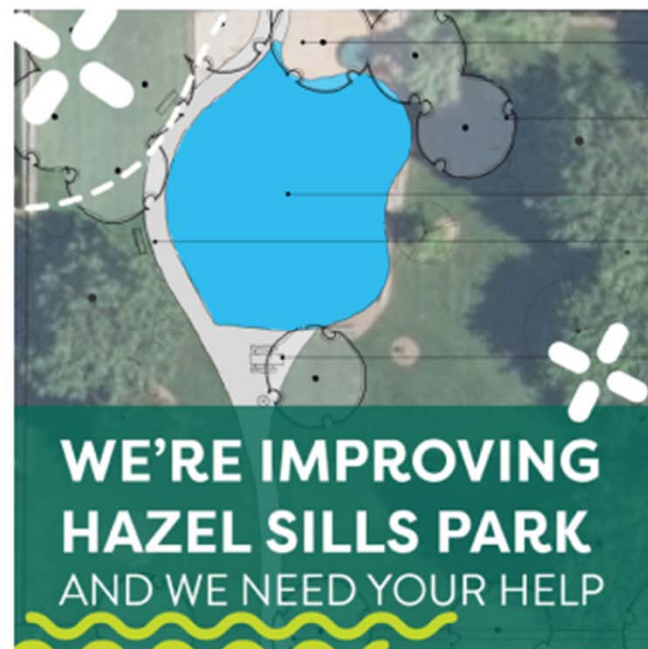


Learning
Landscapes

HAZEL SILLS INCLUSIVE PARK

NEXTDOOR | INSTAGRAM | FACEBOOK | WEBSITE BANNER

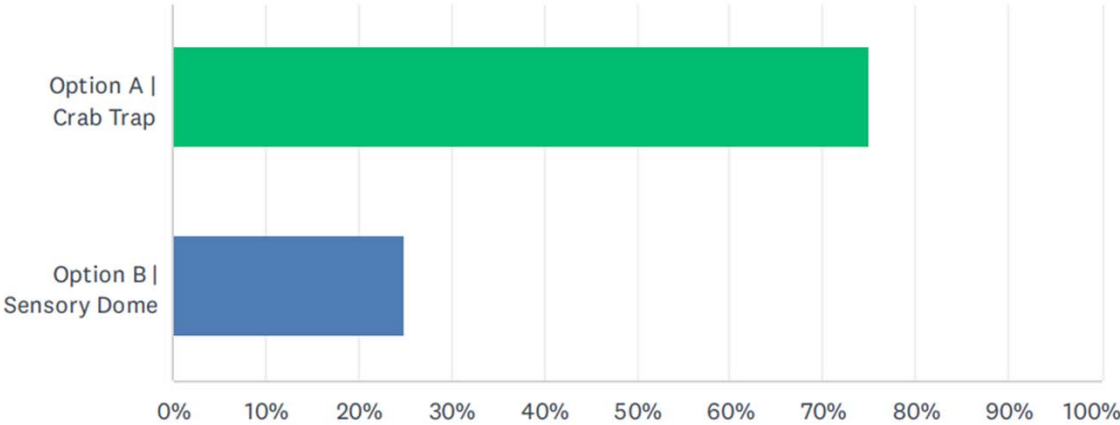
Hazel Sills is getting a makeover! We have two play structure designs and can't decide which option is best. Please help! Which play structure would you like to see in Hazel Sills Park? Both play structures are inclusive. Review the options and cast your vote for your favorite here--> <https://www.surveymonkey.com/r/WJBZMFP>. The survey is only a week long so don't wait.



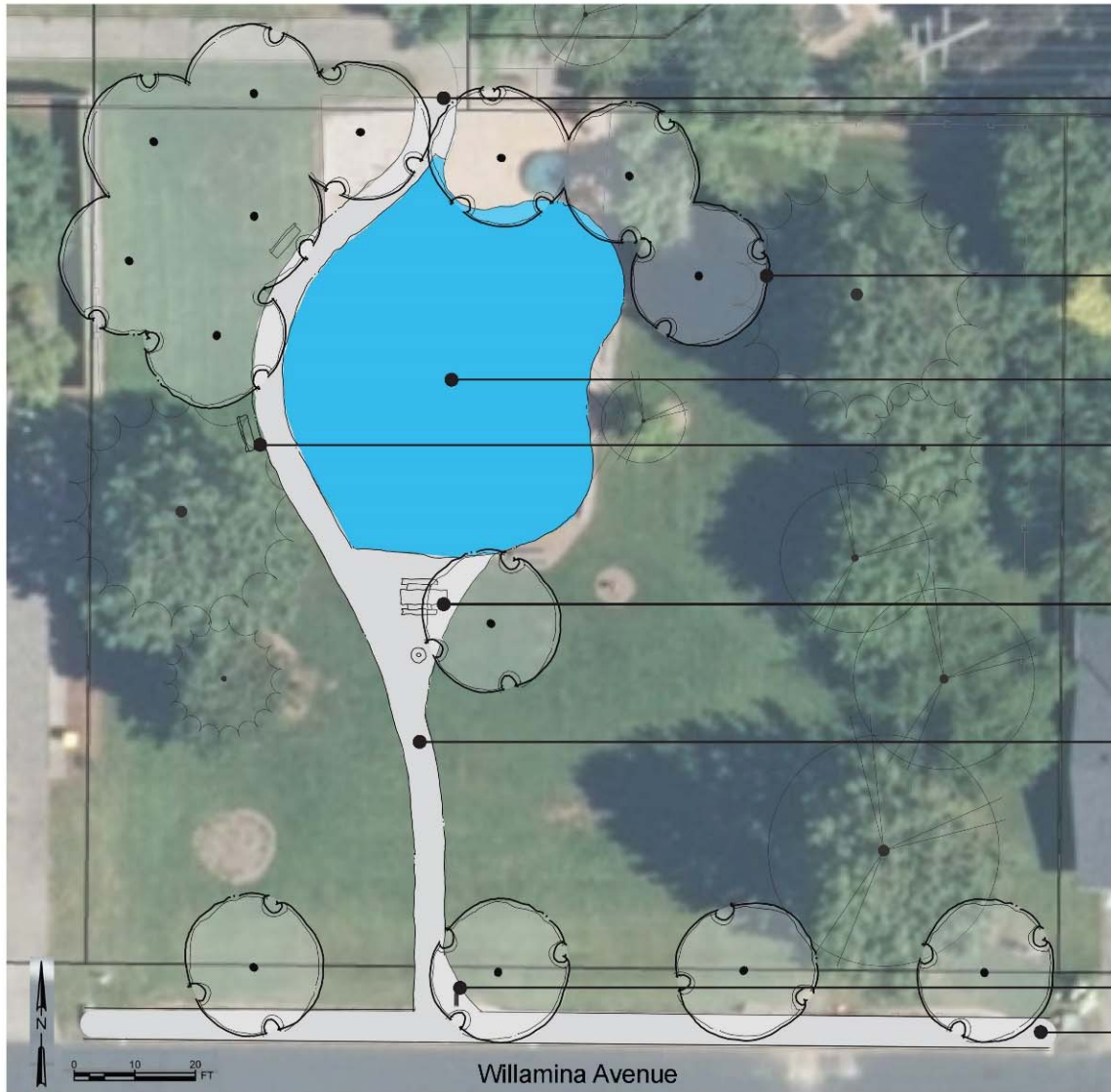
HAZEL SILLS INCLUSIVE PARK

Q1 Which play structure would you like to see in Hazel Sills Park?

Answered: 342 Skipped: 0



ANSWER CHOICES	RESPONSES	
Option A Crab Trap	75.15%	257
Option B Sensory Dome	24.85%	85
TOTAL		342



Pedestrian connection to existing path

Proposed Tree, Typ of 14

Play Area

Bench, Typ of 2

Concrete plaza with Picnic Table & Trash Receptacle

Concrete path

Relocated Hazel Sills Sign

New Sidewalk



0 10 20 FT

Willamina Avenue

WOO HOO !





landscape
structures

Hazel Sills Park

1183492-01-01-02 • 02.23.2024

ROSS
Recreation Equipment

©2024 Landscape Structures. All Rights Reserved.



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: F.1
MEETING DATE: 04.08.2024
ORD 2024-04
FINAL ACTION:

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

PROJECT TEAM: Paul Downey, Assistant City Manager/Finance Director
Sue Hudson Rau, Municipal Court Supervisor

MEETING DATE: April 8, 2024

SUBJECT TITLE: Ordinance Amending City Code, Chapters 10, 73, and 74

ACTION REQUESTED:	☒ Ordinance	☐ Order	☐ Resolution	☐ Motion	☐ Informational
--------------------------	---	--------------------------------	-------------------------------------	---------------------------------	--

X all that apply

ADDENDUM FOR APRIL 8, 2024 COUNCIL MEETING

On March 18, 2024 the Council held the first reading for Ordinance 2024-04, and unanimously advanced the Ordinance to a second reading. If approved, the Ordinance will update vehicle codes and allow for service of citations and complaints via certified mail.

STAFF REPORT FROM MARCH 18, 2024 MEETING:

ISSUE STATEMENT:

Staff is proposing to add new code language and revised existing code language to allow service of citations or complaints by certified mail in Chapter 10 and remove redundant language and update other language of the vehicle codes in Chapters 73 and 74 of the Forest Grove Code of Ordinances.

The proposed new code language is at the request of the Police Department and enables the City to serve code violation citations by certified mail when service cannot be made in person. This is common practice at the State, County, and many cities, however, Forest Grove's code has not been updated to reflect this allowance.

It is also proposed to add code to the Abandoned Vehicle definition addressing vehicles parked on public property that appear to be abandoned and no one in the vicinity of the vehicle claims it. Cleanup language is proposed to address when the Police Department can charge a fee set by Council Resolution when processing a City Code vehicle release. The City Attorney's Office has reviewed and modified the proposed ordinance changes prior to being proposed to City Council.

BACKGROUND:

Serving citations to a property owner who lives outside of the area can be difficult. Not being able to serve the citation on the property owner makes enforcement of the potential code violation difficult. To address the difficulty serving citations on property owners who may live out of the area, a new City Code was written enabling the Police Department to serve City Code Citations or Complaint by certified mail. The proposed code change allows for delivering the citation or complaint by personal service or by certified mail, return receipt requested to the person to be served. If served by mail, staff must provide proof that the person had notice of the citation or complaint either by return receipt confirming delivery or rejection of the citation or complaint.

The Police Department has difficulty taking enforcement against trailers and vehicles that are parked on the street and appear to be abandoned. The change in the ordinance adds language to include “or within 500 feet” of the same location for more than 24 hours and meets one or more of the conditions listed in the ordinance.

For an abandoned vehicle, a condition was added that “the vehicle appears to have been abandoned by its owner and no person residing at a property in the vicinity of the vehicle claims a right of control over it.” That condition already exists for abandoned trailers. This clause enables the Police Department to tag vehicles that clearly look to be abandoned or they determine to be abandoned because no one in the vicinity claims ownership. The other changes are in code sections that address towing that needed cleanup or clarification due to changes in the City fees or clarifying the processes involving the towing of vehicles.

FISCAL IMPACT:

The proposed code amendments have no direct fiscal impact, and no new penalties were added.

STAFF RECOMMENDATION:

Staff recommends the City Council adopt the attached ordinance amending City Code Chapters 10, 73, and 74 as set forth in attached Exhibits A and B.

ATTACHMENT(s):

Ordinance 2024-04
Exhibit A pertaining to City Code Chapter 10
Exhibit B pertaining to City Code Chapters 73 and 74

ORDINANCE NO. 2024-04

**ORDINANCE ADDING TO AND AMENDING FOREST GROVE CODE OF ORDINANCES
TITLE I (GENERAL PROVISIONS) §10.09; TITLE VII (TRAFFIC CODE) §73.055
(IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES); §74.01 (DEFINITIONS); §74.05
(TOWING AND STORAGE LIENS); §74.06 (PRE-TOWING NOTICE); §74.07 (POST-
TOWING NOTICE); §74.09 (CHARGES AND RELEASE OF VEHICLE OR TRAILER); §74.10
(SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED AND §74.11 (SALE
OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT \$500 OR LESS)**

WHEREAS, City Code of Ordinances, Title I, Rules of Construction; General Penalty, authorizes procedures for service of notices for violations of the provisions of the Code; and City Code of Ordinances, Title VII, Traffic Code authorizes enforcement of specified traffic and vehicle regulations within the City; and

WHEREAS, the existing code provisions in Chapter 10 do not provide for serving City Code violation citations or complaints by certified mail when personal service cannot be made, Chapter 73 contains redundant language regarding immobilization of vehicles and outdated language imposing after-hours release fees for those vehicles, Chapter 74 needs clarification on when a vehicle can be considered abandoned and when the vehicle release fee set by council resolution is to be charged; and

WHEREAS, the proposed code amendments consist of adding a new code provision for service of city code violation citations or complaint by certified mail, removing redundant and no longer relevant language, updating the definition of an abandoned vehicle, and clarifying when to charge a vehicle release fee.

WHEREAS, the proposed code amendments have no fiscal impact to the City and no new penalties are proposed;

WHEREAS, the City has provided notice of Public Hearing on March 18, 2024, held public hearing of March 18, 2024, and April 8, 2024, regarding proposed revisions to the Forest Grove Code of Ordinances, afforded all interested parties an opportunity to be heard, and duly considered the subject.

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

Section 1. The City Council hereby amends the Forest Grove Code of Ordinances; TITLE I (GENERAL PROVISIONS) §10.09 as set forth in Exhibit A; and, TITLE VII (TRAFFIC CODE) §73.055 (IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES); §74.01 (DEFINITIONS); §74.05 (TOWING AND STORAGE LIENS); §74.06 (PRE-TOWING NOTICE); §74.07 (POST-TOWING NOTICE); §74.09 (CHARGES AND RELEASE OF VEHICLE OR TRAILER); §74.10 (SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED AND §74.11 (SALE OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT \$500 OR LESS) as set forth in Exhibit B.

Section 2. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 3. This ordinance is effective 30 days following the enactment by the City Council.

PRESENTED AND PASSED this 18th day of March, 2024.

Mariah S. Woods, City Recorder

APPROVED by the Mayor this 8th day of April, 2024

Malynda H. Wenzl, Mayor

EXHIBIT A

§ 10.09 SERVICE AND PROOF OF NOTICE

(A) For notices required by the code:

(1) Except when this code provides a specific procedure for giving notice, whenever oral or written notice is required by this code, the notice may be given either by personal delivery to the person to be notified or by deposit in an official mailbox in a sealed, postage-prepaid envelope, addressed to the last known business or residence address of the person to be notified. The time when the notice is deposited in a mailbox is considered the time when the notice is given.

(2) Proof of giving notice may be made by the certificate of any officer or employee of the city or by affidavit of any person 18 years of age or older.

(Prior Code, § 1.045)

(B) For the service of uniform violation citation or complaint:

(1) Except when this code provides a specific procedure for serving a citation or complaint, service may be made by delivering the citation or complaint by personal service or certified mail, return receipt requested, to the person to be served. The Enforcement Officer shall prepare a declaration as to the method and timing of service. Service shall be considered complete upon such mailing or personal service.

(2) Substitute service may be made by delivering a copy of the citation or complaint to the person's dwelling, usual place of abode or office to any person at such location who can sufficiently prove their age to be 18 years of age or older. If substitute service is used, a true copy of the citation or complaint must be mailed to the person by certified mail, return receipt requested, and a declaration prepared by the Enforcement Officer as to the method and timing of service.

(3) No default shall be entered against any person served by mail without proof the person had notice of the citation or complaint either by return receipt confirming delivery or rejection of the citation or complaint.

§ 10.09 SERVICE AND PROOF OF NOTICE.

(A) For notices required by the code:

(1A) Except when this code provides a specific procedure for giving notice, whenever oral or written notice is required by this code, the notice may be given either by personal delivery to the person to be notified or by deposit in an official mailbox in a sealed, postage-prepaid envelope, addressed to the last known business or residence address of the person to be notified. The time when the notice is deposited in a mailbox is considered the time when the notice is given.

(2B) Proof of giving notice may be made by the certificate of any officer or employee of the city or by affidavit of any person 18 years of age or older.

(Prior Code, § 1.045)

(B) For the service of uniform citation or complaint:

(1) Except when this code provides a specific procedure for serving a citation or complaint, service may be made by delivering the citation or complaint by personal service or certified mail, return receipt requested, to the person to be served. The Enforcement Officer shall prepare a declaration as to the method and timing of service. Service shall be considered complete upon such mailing or personal service.

(2) Substitute service may be made by delivering a copy of the citation or complaint to the person's dwelling, usual place of abode or office to any person at such location who can sufficiently prove their age to be 18 years of age or older. If substitute service is used, a true copy of the citation or complaint must be mailed to the person by certified mail, return receipt requested, and a declaration prepared by the Enforcement Officer as to the method and timing of service.

(3) No default shall be entered against any person served by mail without proof the person had notice of the citation or **complaint** either by return receipt confirming delivery or rejection of the citation or complaint.

EXHIBIT B

IMMOBILIZING AND IMPOUNDING VEHICLES

§ 73.055 IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES.

(A) When an Enforcement Officer observes a vehicle parked on a public street or public property with three or more unpaid parking citations outstanding against the vehicle on which the Forest Grove Municipal Court has issued an Immobilization Order, the Officer may immobilize the vehicle and assess an immobilization fee set by Council resolution. An immobilized vehicle shall not be released until all outstanding parking fines and fees have been paid.

(B) If after immobilization, the parking fines and fees remain unpaid or no contact is made with the city within 24 hours the enforcement officer shall affix a pre-tow notice to the vehicle in accordance with 74.06 after which time the vehicle may be impounded at the owner's expense. An impounded or immobilized vehicle shall not be released until all outstanding fines and fees have been paid.

(C) Impoundment of a vehicle under this section does not preclude issuance of a citation for violation of any provision of this code.

(D) The disposition of a vehicle impounded and stored under authority of this section shall be in accordance with §§ [74.07](#) through [74.12](#).

(Prior Code, § 6.500) (Ord. 2020-01, 1-27-2020)

ABANDONED VEHICLES

§ 74.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED TRAILER. A trailer that has remained in or within 500 feet of the same location in excess of 24 hours and one or more of the following conditions exist:

- (1) The trailer is unclaimed or damaged, disabled, or dismantled such that it is inoperable;
- (2) The trailer does not display a current registration plate or trip permit, unless exempt therefrom under law; or
- (3) The trailer is on a public right-of-way and no person residing at a property in the vicinity thereof claims a right of control over it.

ABANDONED VEHICLE. A vehicle that has remained in or within 500 feet of the same location in excess of 24 hours and one or more of the following conditions exist:

- (1) The vehicle appears inoperative or disabled;

- (2) The vehicle appears wrecked, partially dismantled, or junked; or
- (3) The vehicle does not display a current registration plate or trip permit; or
- (4) The vehicle appears to have been abandoned by its owner and no person residing at a property in the vicinity of the vehicle claims a right of control over it.

(Prior Code, § 6.600)

§ 74.02 ABANDONED VEHICLES AND TRAILERS PROHIBITED.

(A) No vehicle or trailer which the Enforcement Officer has reason to believe is abandoned shall be parked or left standing on the right-of-way of a city street or alley or city property for a period in excess of 24 hours.

(B) A vehicle or trailer so parked or left standing may be taken into custody by the Officer and shall be held at the expense of the owner of the vehicle or trailer. The Officer may use city personnel, equipment, and facilities for removal and storage of the vehicle or may hire other personnel, equipment, or facilities for that purpose.

(Prior Code, § 6.605) Penalty, see § [74.99](#)

§ 74.03 VEHICLE LEFT ON PRIVATE PROPERTY.

A person who is the owner or is in lawful possession of private property, on which a vehicle has been abandoned, may have the vehicle towed from the property, providing the owner provides required notice pursuant to O.R.S. 98.830 before towing vehicle from private property.

(Prior Code, § 6.610) (Ord. 2020-01, passed 1-27-2020)

§ 74.04 TOWING WITHOUT NOTICE.

(A) An Enforcement Officer may immediately take custody of and tow a vehicle without prior notice if the vehicle:

- (1) Constitutes a hazard or obstruction to motor vehicle traffic; or
- (2) The vehicle was in possession of a person taken into custody by an Officer and no other reasonable disposition of the vehicle is available and the vehicle constitutes a hazard or obstruction, or is a target for vandalism or theft; or
- (3) The vehicle has been reported stolen; or
- (4) The vehicle bears license plates not issued for the vehicle according to the records of the Department of Transportation; or
- (5) The vehicle is parked in a designated fire lane and prevents access of emergency vehicles.

(B) The owner of the vehicle shall be responsible for the costs of towing and storing the vehicle.

(Prior Code, § 6.615) (Ord. 2020-01, passed 1-27-2020)

§ 74.05 TOWING AND STORAGE LIENS.

(A) A person who, at the request of the Enforcement Officer, takes a vehicle or trailer into custody under provisions of §§ [73.055](#), [74.02](#) and [74.04](#) shall have a lien on the vehicle or trailer and its contents for reasonable towing and storage charges. If the appraised value of the vehicle or trailer is \$500 or less, the vehicle or trailer shall be disposed of in the manner provided in § [74.11](#).

(B) If the vehicle is taken into custody under provisions of § [74.04](#) and held by the city, rather than by a private garage, the vehicle shall be disposed of in the manner provided in §§ [74.10](#) and [74.11](#).

(Prior Code, § 6.620) (Ord. 2020-01, passed 1-27-2020)

§ 74.06 PRE-TOWING NOTICE.

(A) When a vehicle or trailer is found in violation of § [74.02](#), the Enforcement Officer shall affix a pre-tow notice to the vehicle or trailer at least 24 hours prior to taking the vehicle or trailer into custody, excluding holidays, Saturdays, and Sundays.

(B) The pre-tow notice shall state:

(1) The vehicle or trailer is in violation of § [74.02](#);

(2) The vehicle or trailer may be taken into custody and towed if it is not removed before the date set by the city;

(3) The telephone number and address of the Police Department to obtain further information;

(4) If the vehicle or trailer is taken into custody and towed by the city, it will be subject to towing and storage charges and a lien will attach to the vehicle or trailer and its contents;

(5) The vehicle or trailer and its contents may be sold to satisfy the costs of towing and storage if the charges are not paid;

(6) The owner or person having an interest in the vehicle or trailer is entitled to a pre-tow hearing; and

(7) If a pre-towing hearing is requested, the vehicle will not be towed until the Municipal Court makes a determination;

(8) The owner, possessor or person having an interest in the vehicle may also challenge the reasonableness of any towing and storage charges at the hearing;

(9) That a hearing must be requested in writing and delivered to the Municipal Court within 72 hours.

(C) This section does not apply to vehicles towed without notice pursuant to § [74.04](#).

(Prior Code, § 6.625)

§ 74.07 POST-TOWING NOTICE.

(A) After a vehicle or trailer has been towed pursuant to §§ [73.055](#), [74.02](#) and [74.04](#), written notice shall be provided to registered owner(s) and any other person(s) having interest in the vehicle or trailer as shown in the records of the Department of Transportation.

(B) The notice will be mailed by certified mail within 48 hours of the tow, excluding holidays, Saturdays, and Sundays. The post-tow notice shall include the following information:

(1) The vehicle or trailer has been towed by the city pursuant to §§ [73.055](#), [74.02](#) and [74.04](#);

(2) The location of the vehicle or trailer and address and telephone number of the facility that may be contacted for information;

(3) The vehicle or trailer is subject to towing and storage charges and any outstanding parking tickets and administrative fees;

(4) The vehicle or trailer and its contents are subject to a possessory lien for the towing and storage charges;

(5) If the vehicle is not claimed by a specified date, the vehicle or trailer and its contents may be sold by the city or the towing and storage facility where the vehicle or trailer is located, and failure to timely reclaim the vehicle or trailer constitutes a waiver of all interest in the vehicle or trailer;

(6) The vehicle or trailer and its contents may be immediately reclaimed by presentation to the appropriate authority of satisfactory proof of ownership or right to possession and either payment of all towing and storage charges or the deposit of cash security or a bond equal to the charges with the appropriate authority;

(7) The owner, possessor, or person having an interest in the vehicle or trailer is entitled to a prompt hearing contesting the validity of the tow and/or to contest the reasonableness of the towing and storage charges. The request must be submitted in writing to the Municipal Court not more than five days from the mailing date of the notice, excluding holidays, Saturdays, and Sundays.

(C) If no vehicle identification number, registration plates, or other markings on the vehicle or trailer can identify the owner, then no notice need be mailed or provided.

(Prior Code, § 6.630) (Ord. 2020-01, passed 1-27-2020)

§ 74.08 HEARINGS AND DETERMINATION.

(A) If a vehicle or trailer is proposed to be towed pursuant to § [74.02](#), a request for a hearing may be made in writing stating the grounds upon which the person requesting the hearing believes the proposed tow is not justified. The request must be delivered to the Municipal Court after the affixing of the pre-tow notice and prior to the towing of the vehicle or trailer. The Municipal Court shall set a time for the hearing within 72 hours of receipt of the request filed pursuant to this section, excluding holidays, Saturdays, and Sundays.

(B) In the case of a vehicle or trailer towed pursuant to §§ [73.055](#), [74.02](#) or [74.04](#), a written request for a hearing may be made stating the grounds upon which the person requesting the hearing believes the custody and towing of the vehicle or trailer is not justified. The request must be submitted to the Municipal Court not more than five days from the mailing date of the notice, excluding holidays, Saturdays, and Sundays. Upon receipt of a request for a hearing, the Municipal Court shall set a time for the hearing within 72 hours of its receipt of the request and shall provide notice of the hearing to the person requesting the hearing as well any lessors or security interest holders.

(C) If the Municipal Court finds substantial evidence on the record that the custody and towing of the vehicle or trailer was:

(1) Invalid, the Court shall order the immediate release of the vehicle or trailer to the owner or person with right of possession. If the vehicle or trailer is released under this division (C)(1), the person to whom the vehicle or trailer is released is not liable for any towing or storage charges. If the person has already paid the towing and storage charges on the vehicle or trailer, the city shall reimburse the person of the charges. New storage costs on the vehicle will not start to accrue, however, until more than 24 hours after the time the vehicle is officially released to the owner or person under this division (C)(1); or

(2) Valid, the Court shall order the vehicle or trailer to be held in custody until the costs of the hearing, administrative fees, outstanding parking tickets, towing, and storage costs are paid by the owner or person claiming the vehicle. If the vehicle has not yet been towed, the city shall order that the vehicle or trailer be towed if the code violation involving the vehicle or trailer has not been corrected.

(D) A person failing to appear at the hearing is not entitled to another hearing unless the person provides satisfactory reasons to the Municipal Court for the person's failure to appear.

(E) The Court is required only to provide one hearing for each proposed or actual vehicle or trailer custody and/or tow.

(F) A hearing under this section may be used to determine the reasonableness of the charge for towing and storage of the vehicle or trailer. If the vehicle or trailer is towed by city equipment and personnel, the charges shall be fixed by Council resolution. Any private company that tows and stores any vehicle or trailer pursuant to §§ [73.055](#), [74.02](#) or [74.04](#) shall have a lien on the vehicle or trailer, in accordance with O.R.S. 87.152, for the just and reasonable charges for the tow and storage services performed. The tow company may retain possession of that vehicle or trailer until towing and storage charges have been paid.

(G) The determination of a hearings officer at a hearing under this section is final and is not subject to appeal.

(Prior Code, § 6.635) (Ord. 2020-01, passed 1-27-2020)

§ 74.09 CHARGES AND RELEASE OF VEHICLE OR TRAILER.

(A) The vehicle or trailer shall be immediately released to the owner(s) or person(s) entitled to lawful possession thereof upon proof a person with valid driving privileges will be operating the vehicle, proof of valid insurance, proof of payment of any outstanding parking fines and fees and proof all towing and storage charges are paid.

(B) (1) A vehicle or trailer towed pursuant to §§ [73.055](#), [74.02](#) and [74.04](#) may only be released to owner(s) or person(s) entitled to lawful possession or control of the vehicle at the time it was towed, or to a person who purchased the vehicle from the owner and who produces written proof of ownership.

(2) A vehicle or trailer towed pursuant to §§ 73.055 or 74.02 will be subject to a release fee set by council resolution.

(3) In all cases, adequate evidence of the right of possession of the vehicle or trailer, as determined by the Police Department, must be presented prior to issuing the release of the vehicle or trailer.

(Prior Code, § 6.640) (Ord. 2020-01, passed 1-27-2020)

§ 74.10 SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED.

(A) If a vehicle or trailer taken into custody pursuant to §§ [73.055](#), [74.02](#) and [74.04](#) is not reclaimed within 30 days after being taken into custody, the person or tow company who towed the vehicle or trailer shall either:

(1) Sell the vehicle or trailer and its contents at public auction in the manner provided in O.R.S. 87.192 and O.R.S. 87.196; or

(2) If the vehicle is valued at \$500 or less, dispose of the vehicle or trailer and its contents to a dismantler within 15 days of the date of the notice under § [74.11](#).

(B) Sale or disposal of a vehicle or trailer and its contents, as provided in this section, extinguishes all prior ownership and possessor rights.

(C) The contents of any vehicle or trailer sold under this section are subject to the same conditions of sale as the vehicle or trailer in which they are found.

(Prior Code, § 6.645) (Ord. 2020-01, passed 1-27-2020)

§ 74.11 SALE OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT \$500 OR LESS.

(A) If a vehicle or trailer is towed pursuant to §§ [73.055](#), [74.02](#), [74.04](#), or [74.31](#) and is appraised at a value of \$500 or less by a person who holds a certificate issued under O.R.S. 819.480 (2023), the person or tow company who towed the vehicle shall:

(1) Notify the registered owner and secured parties as provided in division (C) below;

(2) Photograph the vehicle or trailer;

(3) Notify the Department of Transportation that the vehicle or trailer will be disposed of; and

(4) Unless the vehicle or trailer is claimed by a person entitled to possession of it within 15 days of the date of notice under division (C) below, dispose of the vehicle and its contents to a person who holds a valid dismantler certificate issued by the Department of Transportation.

(B) The Enforcement Officer shall provide to the person or tow company who tows the vehicle or trailer, at the time of the tow (or as soon as reasonably possible thereafter), a written statement containing the name and address of the registered owner and/or name and addresses of any persons claiming interests in the vehicle or trailer as shown by records of the Department.

(C) Within 48 hours (excluding holidays, Saturdays, and Sundays) after the written statement is provided under division (B) above to the person or tow company towing a vehicle or trailer, the person must give written notice to the persons whose names are furnished in the statement stating that a person entitled to possession of the vehicle or trailer has 15 days from the mailing date of the notice to claim the vehicle or trailer, and that if the vehicle or trailer is not claimed, it will be disposed of as provided in this section.

(D) If an Enforcement Officer requesting towing of an abandoned vehicle or trailer fails to provide the person or Tow Company towing the vehicle or trailer with the written statement within 48 hours after the vehicle is towed, the person may dispose of the vehicle as provided in O.R.S. 819.210.

(E) Disposal of a vehicle or trailer to a dismantler as provided in this section extinguishes all prior ownership and possessor rights.

(Prior Code, § 6.650) (Ord. 2020-01, passed 1-27-2020)

§ 74.12 TOWING AND STORAGE FEES.

The Council may, by resolution, rule, agreement, or contract, set uniform towing and storage charges for abandoned vehicles or trailers that have been towed.

(Prior Code, § 6.655)

IMMOBILIZING AND IMPOUNDING VEHICLES

§ 73.055 IMMOBILIZATION AND IMPOUNDMENT OF VEHICLES.

(A) When an Enforcement Officer observes a vehicle parked on a public street or public property with three or more unpaid parking citations outstanding against the vehicle on which the Forest Grove Municipal Court has issued an Immobilization Order, the Officer may immobilize the vehicle and assess an immobilization fee set by Council resolution. An immobilized vehicle shall not be released until all outstanding parking fines and fees have been paid. ~~A release made after business hours is subject to an After-Hours release fee set by Council resolution.~~

(B) If after immobilization, the parking fines and fees remain unpaid or no contact is made with the city within 24 hours the enforcement officer shall affix a pre-tow notice to the vehicle in accordance with 74.06 after which time the vehicle may be impounded at the owner's expense. An impounded or immobilized vehicle shall not be released until all outstanding fines and fees have been paid.

(C) Impoundment of a vehicle under this section does not preclude issuance of a citation for violation of any provision of this code.

(D) The disposition of a vehicle impounded and stored under authority of this section shall be in accordance with §§ 74.07 through 74.12.

~~(E) When an Enforcement Officer observes a parked vehicle with three or more unpaid violations outstanding against the vehicle, the Officer may impound or immobilize the vehicle. An impounded or immobilized vehicle shall not be released until all outstanding fines and charges have been paid.~~

(Prior Code, § 6.500) (Ord. 2020-01, 1-27-2020)

ABANDONED VEHICLES

§ 74.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED TRAILER. A trailer that has remained in or within 500 feet of the same location in excess of 24 hours and one or more of the following conditions exist:

- (1) The trailer is unclaimed or damaged, disabled, or dismantled such that it is inoperable;
- (2) The trailer does not display a current registration plate or trip permit, unless exempt therefrom under law; or
- (3) The trailer is on a public right-of-way and no person residing at a property in the vicinity thereof claims a right of control over it.

ABANDONED VEHICLE. A vehicle that has remained in or within 500 feet of the same location in excess of 24 hours and one or more of the following conditions exist:

- (1) The vehicle appears inoperative or disabled;
- (2) The vehicle appears wrecked, partially dismantled, or junked; or
- (3) The vehicle does not display a current registration plate or trip permit; or-
- (4) The vehicle appears to have been abandoned by its owner and no person residing at a property in the vicinity of the vehicle claims a right of control over it.

(Prior Code, § 6.600)

§ 74.02 ABANDONED VEHICLES AND TRAILERS PROHIBITED.

(A) No vehicle or trailer which the Enforcement Officer has reason to believe is abandoned shall be parked or left standing on the right-of-way of a city street or alley or city property for a period in excess of 24 hours.

(B) A vehicle or trailer so parked or left standing may be taken into custody by the Officer and shall be held at the expense of the owner of the vehicle or trailer. The Officer may use city personnel, equipment, and facilities for removal and storage of the vehicle or may hire other personnel, equipment, or facilities for that purpose.

(Prior Code, § 6.605) Penalty, see § [74.99](#)

§ 74.03 VEHICLE LEFT ON PRIVATE PROPERTY.

A person who is the owner or is in lawful possession of private property, on which a vehicle has been abandoned, may have the vehicle towed from the property, providing the owner provides required notice pursuant to O.R.S. 98.830 before towing vehicle from private property.

(Prior Code, § 6.610) (Ord. 2020-01, passed 1-27-2020)

§ 74.04 TOWING WITHOUT NOTICE.

(A) An Enforcement Officer may immediately take custody of and tow a vehicle without prior notice if the vehicle:

- (1) Constitutes a hazard or obstruction to motor vehicle traffic; or
- (2) The vehicle was in possession of a person taken into custody by an Officer and no other reasonable disposition of the vehicle is available and the vehicle constitutes a hazard or obstruction, or is a target for vandalism or theft; or
- (3) The vehicle has been reported stolen; or
- (4) The vehicle bears license plates not issued for the vehicle according to the records of the Department of Transportation; or
- (5) The vehicle is parked in a designated fire lane and prevents access of emergency vehicles.

(B) The owner of the vehicle shall be responsible for the costs of towing and storing the vehicle.

(Prior Code, § 6.615) (Ord. 2020-01, passed 1-27-2020)

§ 74.05 TOWING AND STORAGE LIENS.

(A) A person who, at the request of the Enforcement Officer, takes a vehicle or trailer into custody under provisions of §§ [73.055](#), [74.02](#) and [74.04](#) shall have a lien on the vehicle or trailer and its contents for reasonable towing and storage charges. If the appraised value of the vehicle or trailer is ~~\$750~~ **\$500** or less, the vehicle or trailer shall be disposed of in the manner provided in § [74.11](#).

(B) If the vehicle is taken into custody under provisions of § [74.04](#) and held by the city, rather than by a private garage, the vehicle shall be disposed of in the manner provided in §§ [74.10](#) and [74.11](#).

(Prior Code, § 6.620) (Ord. 2020-01, passed 1-27-2020)

§ 74.06 PRE-TOWING NOTICE.

(A) When a vehicle or trailer is found in violation of § [74.02](#), the Enforcement Officer shall affix a pre-tow notice to the vehicle or trailer at least 24 hours prior to taking the vehicle or trailer into custody, excluding holidays, Saturdays, and Sundays.

(B) The pre-tow notice shall state:

(1) The vehicle or trailer is in violation of § [74.02](#);

(2) The vehicle or trailer may be taken into custody and towed if it is not removed before the date set by the city;

(3) The telephone number and address of the Police Department to obtain further information;

(4) If the vehicle or trailer is taken into custody and towed by the city, it will be subject to towing and storage charges and a lien will attach to the vehicle or trailer and its contents;

(5) The vehicle or trailer and its contents may be sold to satisfy the costs of towing and storage if the charges are not paid;

(6) The owner or person having an interest in the vehicle or trailer is entitled to a pre-tow hearing; and

(7) If a pre-towing hearing is requested, the vehicle will not be towed until the Municipal Court makes a determination;

(8) The owner, possessor or person having an interest in the vehicle may also challenge the reasonableness of any towing and storage charges at the hearing;

(9) That a hearing must be requested in writing and delivered to the Municipal Court within 72 hours.

(C) This section does not apply to vehicles towed without notice pursuant to § [74.04](#).
(Prior Code, § 6.625)

§ 74.07 POST-TOWING NOTICE.

(A) After a vehicle or trailer has been towed pursuant to §§ [73.055](#), [74.02](#) and [74.04](#), written notice shall be provided to registered owner(s) and any other person(s) having interest in the vehicle or trailer as shown in the records of the Department of Transportation.

(B) The notice will be mailed by certified mail within 48 hours of the tow, excluding holidays, Saturdays, and Sundays. The post-tow notice shall include the following information:

(1) The vehicle or trailer has been towed by the city pursuant to §§ [73.055](#), [74.02](#) and [74.04](#);

(2) The location of the vehicle or trailer and address and telephone number of the facility that may be contacted for information;

(3) The vehicle or trailer is subject to towing and storage charges and any outstanding parking tickets and administrative fees;

(4) The vehicle or trailer and its contents are subject to a possessory lien for the towing and storage charges;

(5) If the vehicle is not claimed by a specified date, the vehicle or trailer and its contents may be sold by the city or the towing and storage facility where the vehicle or trailer is located, and failure to timely reclaim the vehicle or trailer constitutes a waiver of all interest in the vehicle or trailer;

(6) The vehicle or trailer and its contents may be immediately reclaimed by presentation to the appropriate authority of satisfactory proof of ownership or right to possession and either payment of all towing and storage charges or the deposit of cash security or a bond equal to the charges with the appropriate authority;

(7) The owner, possessor, or person having an interest in the vehicle or trailer is entitled to a prompt hearing contesting the validity of the tow and/or to contest the reasonableness of the towing and storage charges. The request must be submitted in writing to the Municipal Court not more than five days from the mailing date of the notice, excluding holidays, Saturdays, and Sundays.

(C) If no vehicle identification number, registration plates, or other markings on the vehicle or trailer can identify the owner, then no notice need be mailed or provided.

(Prior Code, § 6.630) (Ord. 2020-01, passed 1-27-2020)

§ 74.08 HEARINGS AND DETERMINATION.

(A) If a vehicle or trailer is proposed to be towed pursuant to § [74.02](#), a request for a hearing may be made in writing stating the grounds upon which the person requesting the hearing believes the proposed tow is not justified. The request must be delivered to

the Municipal Court after the affixing of the pre-tow notice and prior to the towing of the vehicle or trailer. The Municipal Court shall set a time for the hearing within 72 hours of receipt of the request filed pursuant to this section, excluding holidays, Saturdays, and Sundays.

(B) In the case of a vehicle or trailer towed pursuant to §§ [73.055](#), [74.02](#) or [74.04](#), a written request for a hearing may be made stating the grounds upon which the person requesting the hearing believes the custody and towing of the vehicle or trailer is not justified. The request must be submitted to the Municipal Court not more than five days from the mailing date of the notice, excluding holidays, Saturdays, and Sundays. Upon receipt of a request for a hearing, the Municipal Court shall set a time for the hearing within 72 hours of its receipt of the request and shall provide notice of the hearing to the person requesting the hearing as well any lessors or security interest holders.

(C) If the Municipal Court finds substantial evidence on the record that the custody and towing of the vehicle or trailer was:

(1) Invalid, the Court shall order the immediate release of the vehicle or trailer to the owner or person with right of possession. If the vehicle or trailer is released under this division (C)(1), the person to whom the vehicle or trailer is released is not liable for any towing or storage charges. If the person has already paid the towing and storage charges on the vehicle or trailer, the city shall reimburse the person of the charges. New storage costs on the vehicle will not start to accrue, however, until more than 24 hours after the time the vehicle is officially released to the owner or person under this division (C)(1); or

(2) Valid, the Court shall order the vehicle or trailer to be held in custody until the costs of the hearing, administrative fees, outstanding parking tickets, towing, and storage costs are paid by the owner or person claiming the vehicle. If the vehicle has not yet been towed, the city shall order that the vehicle or trailer be towed if the code violation involving the vehicle or trailer has not been corrected.

(D) A person failing to appear at the hearing is not entitled to another hearing unless the person provides satisfactory reasons to the Municipal Court for the person's failure to appear.

(E) The Court is required only to provide one hearing for each proposed or actual vehicle or trailer custody and/or tow.

(F) A hearing under this section may be used to determine the reasonableness of the charge for towing and storage of the vehicle or trailer. If the vehicle or trailer is towed by city equipment and personnel, the charges shall be fixed by Council resolution. Any private company that tows and stores any vehicle or trailer pursuant to §§ [73.055](#), [74.02](#) or [74.04](#) shall have a lien on the vehicle or trailer, in accordance with O.R.S. 87.152, for the just and reasonable charges for the tow and storage services performed. The tow company may retain possession of that vehicle or trailer until towing and storage charges have been paid.

(G) The determination of a hearings officer at a hearing under this section is final and is not subject to appeal.

(Prior Code, § 6.635) (Ord. 2020-01, passed 1-27-2020)

§ 74.09 CHARGES AND RELEASE OF VEHICLE OR TRAILER.

(A) The vehicle or trailer shall be immediately released to the owner(s) or person(s) entitled to lawful possession thereof upon proof a person with valid driving privileges will be operating the vehicle, proof of valid insurance, proof of payment of any outstanding parking fines and fees and proof all towing and storage charges are paid.

(B) (1) A vehicle or trailer towed pursuant to §§ [73.055](#), [74.02](#) and [74.04](#) may only be released to owner(s) or person(s) entitled to lawful possession or control of the vehicle at the time it was towed, or to a person who purchased the vehicle from the owner and who produces written proof of ownership.

(2) A vehicle or trailer towed pursuant to §§ 73.055 or 74.02 will be subject to a release fee set by council resolution.

(23) In all cases, adequate evidence of the right of possession of the vehicle or trailer, as determined by the Police Department, must be presented prior to issuing the release of the vehicle or trailer.

(Prior Code, § 6.640) (Ord. 2020-01, passed 1-27-2020)

§ 74.10 SALE OR DISPOSAL OF VEHICLE OR TRAILER NOT RECLAIMED.

(A) If a vehicle or trailer taken into custody pursuant to §§ [73.055](#), [74.02](#) and [74.04](#) is not reclaimed within 30 days after being taken into custody, the person or tow company who towed the vehicle or trailer shall either:

(1) Sell the vehicle or trailer and its contents at public auction in the manner provided in O.R.S. 87.192 and O.R.S. 87.196; or

(2) If the vehicle is valued at ~~\$750~~ \$500 or less, dispose of the vehicle or trailer and its contents to a dismantler within 15 days of the date of the notice under § [74.11](#).

(B) Sale or disposal of a vehicle or trailer and its contents, as provided in this section, extinguishes all prior ownership and possessor rights.

(C) The contents of any vehicle or trailer sold under this section are subject to the same conditions of sale as the vehicle or trailer in which they are found.

(Prior Code, § 6.645) (Ord. 2020-01, passed 1-27-2020)

§ 74.11 SALE OR DISPOSITION OF VEHICLE OR TRAILER APPRAISED AT ~~\$750~~ \$500 OR LESS.

(A) If a vehicle or trailer is towed pursuant to §§ [73.055](#), [74.02](#), [74.04](#), or [74.31](#) and is appraised at a value of ~~\$750~~ \$500 or less by a person who holds a certificate issued under O.R.S. 819.480 (~~2013~~2023), the person or tow company who towed the vehicle shall:

(1) Notify the registered owner and secured parties as provided in division (C) below;

(2) Photograph the vehicle or trailer;

(3) Notify the Department of Transportation that the vehicle or trailer will be disposed of; and

(4) Unless the vehicle or trailer is claimed by a person entitled to possession of it within 15 days of the date of notice under division (C) below, dispose of the vehicle and its contents to a person who holds a valid dismantler certificate issued by the Department of Transportation.

(B) The Enforcement Officer shall provide to the person or tow company who tows the vehicle or trailer, at the time of the tow (or as soon as reasonably possible thereafter), a written statement containing the name and address of the registered owner and/or name and addresses of any persons claiming interests in the vehicle or trailer as shown by records of the Department.

(C) Within 48 hours (excluding holidays, Saturdays, and Sundays) after the written statement is provided under division (B) above to the person or tow company towing a vehicle or trailer, the person must give written notice to the persons whose names are furnished in the statement stating that a person entitled to possession of the vehicle or trailer has 15 days from the mailing date of the notice to claim the vehicle or trailer, and that if the vehicle or trailer is not claimed, it will be disposed of as provided in this section.

(D) If an Enforcement Officer requesting towing of an abandoned vehicle or trailer fails to provide the person or Tow Company towing the vehicle or trailer with the written statement within 48 hours after the vehicle is towed, the person may dispose of the vehicle as provided in O.R.S. 819.210.

(E) Disposal of a vehicle or trailer to a dismantler as provided in this section extinguishes all prior ownership and possessor rights.

(Prior Code, § 6.650) (Ord. 2020-01, passed 1-27-2020)

§ 74.12 TOWING AND STORAGE FEES.

The Council may, by resolution, rule, agreement, or contract, set uniform towing and storage charges for abandoned vehicles or trailers that have been towed.

(Prior Code, § 6.655)



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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____
MEETING DATE: 04/08/2024
FINAL ACTION: RESO 2023-10

CITY COUNCIL STAFF REPORT

TO: Mayor and City Councilors

FROM: Brenda Camilli, Human Resources Director

MEETING DATE: April 8, 2024

SUBJECT TITLE: Resolution Adopting City Manager's Performance Review Criteria

ACTION REQUESTED:

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

X all that apply

BACKGROUND:

Pursuant to the City Manager's Employment Agreement, the City Council shall evaluate the City Manager's performance at least once a year and establish criteria for evaluation in accordance with the State's open meetings law. The evaluation of the City Manager serves two purposes: to evaluate the performance of the City Manager, and to act as a communication bridge for the Mayor, Councilors and the City Manager. Upon conclusion of the evaluation, the Council may make an adjustment to the annual base salary.

Pursuant to the State's open meetings laws:

- The evaluation criteria and policy directives must be adopted in a meeting which is open to the public.
- The Council may hold an executive session "to review and evaluate" the performance of the City Manager.
- The Council may not discuss salary in executive session in connection with the job performance evaluation.
- The Council may not use an executive session "to conduct a general evaluation of goals, objectives, operations or programs."
- The City Manager may request an open hearing for the performance evaluation with advance notice.

During a work session on March 18, 2024, the City Council reviewed and discussed the current City Manager performance evaluation criteria. The City Manager Performance Evaluation & Self-Evaluation Forms are attached with this Staff Report. The agreed upon performance evaluation process and target dates are as follows:

1. Work Session: (3/18/24) **COMPLETE**
 - Council reviews and comments on evaluation criteria and process timeline.
2. Council Meeting: (4/08/24)

1. Council votes on any amendments to the criteria.
2. Council adopts a resolution approving the City Manager performance evaluation forms and criteria.
3. Following weeks: (Due to City Attorney by April 26, 2024)
 1. City Manager fills out self-evaluation and turns it in to City Attorney or sends directly to Council by or around April 19, 2024.
 2. Councilors each fill out the evaluation form and turn it into the City Attorney.
 3. Department Directors send comments to the City Attorney.
 4. City Attorney compiles all the comments/scores into one document and distributes it to the Council for review in executive session to be held on May 13, 2024.
4. First Executive Session: (5/13/24)
 1. Council meets in executive session to discuss how the City Manager has performed under the criteria and to review the first draft of the written evaluation. Council may discuss whether any changes to the written evaluation are necessary or warranted.
 2. City Attorney drafts final evaluation and provides it to the City Manager for review.
5. Second Executive Session: (5/28/24)
 1. Council and City Manager meet in executive session together to discuss performance.
6. Council Meeting (5/28/24)
 2. City Council discusses any merit increase in open session.
 1. City Council approves by resolution in open session the City Manager evaluation and compensation, effective July 1, 2024 through June 30, 2025.

STAFF RECOMMENDATION:

The City Council may approve, deny and/or amend by motion the City Manager Performance Review Criteria attached as Exhibit A.

ATTACHMENTS:

Resolution & Exhibit A: City Manager Performance Evaluation & Self-Evaluation Forms

RESOLUTION NO. 2024-10

**RESOLUTION ADOPTING CITY MANAGER PERFORMANCE EVALUATION
AND SELF-EVALUATION FORMS AND REVIEW CRITERIA;
REPEALING RESOLUTION NO. 2023-11**

WHEREAS, pursuant to Section 33 (a) of the City Charter, the City Manager is the administrative head of the City, which reports directly to the City Council and is supervised by the governing body; and

WHEREAS, pursuant to Section Six of the City Manager's Employment Agreement, the City Council shall evaluate the City Manager's performance at least once a year, and establish criteria for evaluation in accordance with the public meetings law; and

WHEREAS, the City Council reviewed the criteria for evaluation in accordance with public meetings law on March 18, 2024.

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

Section 1. The City Council hereby adopts the City Manager Performance Evaluation and Self-Evaluation forms and review criteria as attached in Exhibit A.

Section 2. Resolution No. 2023-11 is hereby repealed.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of April, 2024.

Mariah S. Woods, City Recorder

APPROVED by the Mayor this 8th day of April, 2024.

Malynda H. Wenzl, Mayor

CITY OF FOREST GROVE

CITY MANAGER SELF EVALUATION

EMPLOYEE:

REVIEW PERIOD:

to

1. What projects or accomplishments are you most enthusiastic about that were completed or are in process during this review period?

2. Describe any areas in which you like to improve in terms of your professional capabilities. List the steps you plan to take and/or the resources you need to accomplish this.

3. Note the challenges you faced during the review period and how you either overcame them and/or how you think they could have been handled more productively.

4. What additional tools, guidance and/or support could the Mayor and City Council provide that would assist you in performing your work?

5. What projects are you passionate about that you would like to work on in the next year?

CITY OF FOREST GROVE

City Manager Performance Evaluation City Council Input

Please complete this form and return to City Attorney by *April 26, 2024*. City Attorney will compile all the comments/scores into one document without names attached to individual comments and distribute it to the Council for review. Council will also consider staff (Director level) input and the City Manager's self-evaluation prior to conducting the review of the City Manager in Executive Session.

Name of person being reviewed:	Date:
Person completing evaluation:	

PERFORMANCE MEASUREMENT CRITERIA

- 1 - Unsatisfactory: The employee's performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- 2 - Improvement Needed: The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- 3 - Meets Job Standards: The employee's work performance consistently meets the standards of the position.
- 4 - Exceeds Job Standards: The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
- 5 - Outstanding: The employee's work performance is consistently excellent when compared to the standards of the job.
- NO – not observed.

CRITERIA	COMMENTS (Attach additional pages if necessary)
Public Service Awareness, foresight, commitment to service of the public. Employee recognizes and respects the value of public service and presents a positive image of the City to the public, including the media. This commitment is demonstrated by the quality of service. Is open and available to the public. Takes their concerns and problems seriously and recognizes citizens right to be informed. Listens openly by asking questions to clarify customer concerns. Takes initiative to resolve problems and accomplish duties.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO
Leadership Builds collaborative trust amongst staff. Makes sound hiring decisions, mentors and motivates a team, provides direction, monitors and adjusts performances as necessary. Leads by example.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO

Interpersonal Skills Thinks logically and utilizes independent thought to make sound decisions. Can reach effective and creative solutions to City problems. Consistently open, straightforward and impartial. Is ethical in actions and conforms to state statute regarding ethics and the high standards of the profession.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO
Budget and Finance Accurately and concisely reports and projects the financial condition. Management practices and policies re designed to achieve and maintain sound long-range financial stability. Uses debt cautiously, plans for the long-term replacement and maintenance of equipment and infrastructure. Obtains the best possible result for the money spent including implementing effective programs to limit liability and loss.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO
Administrative Ability Plans and organizes work so that issues are anticipated, and problems resolved appropriately. Maps effective solutions to problems. In making decisions considers the best available facts, projections and evidence. Demonstrates a solid understanding of all phases of municipal government.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO
City Goal Achievement Employee has effectively led the City in making substantial and meaningful progress on City goals.	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ NO

What do you consider this person's greatest accomplishments this past review period?

Any suggestions which you feel will improve this person's job effectiveness?

Additional comments regarding work performance.



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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

PROJECT TEAM: Paul Downey, Assistant City Manager/Finance Director
Jim Geering, Fire Chief

MEETING DATE: April 8, 2024

SUBJECT TITLE: Fire Department Reimbursements Budget Adjustment

ACTION REQUESTED:

Ordinance

Order

X

Resolution

Motion

Informational

X all that apply

ISSUE STATEMENT:

The City has received two reimbursements for expenditures in the Fire Department that need to be added to the budget to help prevent that department's budget from over-expending. ORS 294.471 allows a supplemental budget for several reasons including: an occurrence or condition that was not known at the time the budget was prepared; and requested services that are to be paid for by a corporation or company, the amount of which could not be accurately estimated at the time the budget was prepared. These reimbursements meet those requirements, so a budget adjustment may be made to add the reimbursements to the current fiscal year's budget. Staff has prepared a resolution for Council consideration.

BACKGROUND:

The Fire Department received a payment of \$14,715.60 from American Medical Response (AMR) to reimburse the City for supplies purchased while Forest Grove Fire and Rescue was doing more ambulance transports than is typical during the transition from MetroWest to AMR for emergency medical transports. Forest Grove initially paid for the supplies, which were not anticipated when the budget was prepared. That reimbursement from AMR must be added to the current budget, so it is available to be spent in the current year.

The City also received \$38,080.96 from its insurance company to reimburse the City to repair damage done to the City's aerial platform in an accident at the Public Works facility in which the gate hit the back of the aerial platform. The gate was repaired, and a sensor was also added to the gate to prevent further incidents of this nature. The unanticipated repairs came out of the Fire Department's maintenance budget. That reimbursement must be added to the current budget, so it is available to be spent in the current fiscal year.

FISCAL IMPACT:

Adding these reimbursements to the budget will give the Fire Department the budget authority to spend these funds on the current year's expenses without over-expending the department's budget. This budget adjustment will allow the department to pay for its originally budgeted expenses. This supplemental budget does not require a public hearing and can be passed by Council resolution.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution to add the reimbursement amounts to the Fire Department's Budget.

ATTACHMENT(S):

Resolution 2024-11

RESOLUTION NO. 2024-11

**RESOLUTION ADDING APPROPRIATIONS TO THE FIRE
DEPARTMENT BUDGET WITHIN THE GENERAL FUND IN THE FISCAL YEAR
2023-24 FOR REIMBURSEMENTS FOR UNANTICIPATED EXPENDITURES
INCCURRED FOR SUPPLIES AND APPARATUS REPAIR**

WHEREAS, the Fire Department has received reimbursement from American Medical Response for medical supplies purchased by the City for transports performed during the transition of emergency medical transport providers; and

WHEREAS, the City received payment from its insurance provider to reimburse the City for damage done to its aerial platform; and

WHEREAS, these reimbursements must be added to the City's budget to prevent over-expenditure of the Fire Department's Adopted Budget; and

WHEREAS, this supplemental budget is allowed under ORS 294.471 and no public hearing is required for this adjustment.

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

Section 1. In the General Fund, Fire Department Reimbursements (revenue line item 1002200 4800) is increased by \$14,716 and appropriations expenditure account titled Operating Supplies (expenditure line item 1002200 6000) is increased by \$14,716 for the reimbursement for medical supplies. Total General Fund Fire Department Appropriations are increased to \$6,081,148.

Section 2. In the General Fund, Fire Department Reimbursements (revenue line item 1002200 4800) is increased by \$38,081 and appropriations expenditure account titled Vehicle Maintenance and Operating Supplies (expenditure line item 1002200 6345) is increased by \$38,081 for the reimbursement from insurance. Total General Fund Fire Department Appropriations are increased to \$6,119,229.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of April, 2024

Mariah S. Woods, City Recorder

APPROVED by the Mayor this 8th day of April, 2024

Malynda H. Wenzl, Mayor



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Anne Lane, Parks & Recreation Director*

MEETING DATE: *Monday, April 8, 2024*

SUBJECT TITLE: *Work Session: Parks & Recreation Patron Code of Conduct Policy*

ACTION REQUESTED:

☐ Ordinance

☐ Order

☐ Resolution

☐ Motion

☐ Informational

X all that apply

ISSUE STATEMENT:

The Parks & Recreation staff and Commission are proposing a Patron Code of Conduct Policy. The proposed policy has been reviewed and approved by the Parks & Recreation Commission, City Attorney and the department leadership team and is presented this evening for Council review. The proposed Patron Code of Conduct Policy would formally establish behavior requirements for patrons.

Tonight's work session provides an opportunity for Council to ask questions about the proposed Patron Code of Conduct Policy prior to the policy coming before Council on April 22, 2024 as a resolution for adoption. It will be necessary for the Council to adopt the policy for the City's exclusion policy to be enforced.

ATTACHMENT(S):

- DRAFT - Parks & Recreation Patron Code of Conduct

City of Forest Grove Parks & Recreation

Patron Rules of Conduct Policy

Parks and Recreation is supported by the community. The community has a right to expect Parks and Recreation operated facilities and surroundings to be clean, pleasant, and safe spaces.

This conduct policy is intended to encourage behavior that supports the Parks and Recreation mission and values of serving and enhancing the lives of all members of the community. Parks and Recreation supports all individuals' freedom to recreate, learn, and grow. Behavior becomes unacceptable when it interferes with this mission, impinges on the rights of others, causes damage to facilities or equipment, or is dangerous to self or others.

Those willing to modify unacceptable behavior are welcome to participate in Parks and Recreation activities. If they are required to leave for a specified period of time due to violations of this rules of conduct they should know they will be welcomed back and treated in a fair, reasonable, and courteous manner.

Nothing in this Rules of Conduct shall be construed to authorized the ejection or exclusion of a person for lawfully exercising free speech rights or other rights protected by the Oregon or United States Constitutions. However, a person lawfully exercising these protected rights but who commits an act that is not protected can be subject to ejection or exclusion as provided by this policy.

The following behaviors are prohibited:

Any conduct, behavior, or activity that endangers the welfare and/or safety of other patrons will not be tolerated. Examples of such actions include, but are not limited to:

1. Engaging in physical altercations including assault and fighting.
2. Deliberately destroying, damaging, or defacing facilities, materials, or property.
3. Displaying firearms or other deadly weapons in a manner calculated to alarm or violating Section 92.09 (Firearms and Fireworks).
4. Engaging in acts of a sexual nature with self or others that include, but are not limited to, indecent exposure, sexual contact, sexual intercourse, and sexually harassing comments or behaviors.
5. Engaging in or committing any activity that would be a violation of any federal, state, or local criminal law, statute, or ordinance.
6. Taking photos and/or videos in a bathroom and/or locker room.

Consequences for violating Rules 1-6:

Persons violating rules 1-6 will be asked to leave immediately and excluded from all Parks and Recreation premises without prior warning for a period of 24 hours. In addition, any person so ejected may also be excluded from some or all Parks and Recreation facilities for a period of up to 90 days as described in Municipal Code 92.30. The incident will also be reported to the appropriate law enforcement agency.

7. Refusing to comply with the direction of City staff.
8. Engaging in hazing, bullying, threatening and/or intimidating actions, rough play or harassing behavior that creates a hostile environment.
9. Bringing animals inside Parks and Recreation facilities other than trained service animals (as defined by law), except as

approved by authorized City programs, or in violation of Municipal Code 92.12 (Animal Prohibited).

10. Engaging in loud, disruptive, destructive, or unsafe behavior that interferes with others' use of a Parks and Recreation facility or involvement in a Parks and Recreation activity or with the ability of the staff to perform their job duties.
11. Smoking, chewing, any use or preparation of tobacco products, or vaping on Parks and Recreation property as described in Municipal Code 92.17.
12. Using profanity.
13. Violating Municipal Code sections 92.04 (Traffic Regulations), 92.05 (Bicycles and Skateboards), 92.06 (Injury to Landscaping), 92.07 (Damaging Park Equipment), 92.08 (Use of Park Equipment), 92.10 (Fires), 92.11 (Model Airplanes and Auto Operations), 92.13 (Dumping Refuse), 92.14 (Placing Pollutants in Pools), 92.15 (Camping), 92.16 (Prohibited Use of Sports Equipment).

Consequences for violating rules 7-13:

Persons violating rules 7-13 will be given up to two warnings at the discretion of City staff (however, City staff may not provide notice if the situation so warrants and such decision not to provide notice shall not impact the City's ability to eject or exclude). If behavior is not altered, then the person(s) will be asked to leave the premises for a period of 24 hours. In addition, any person so ejected may also be excluded from some or all Parks and Recreation facilities for a period of up to 90 days as described in Municipal Code 92.30.

Consequences for repeated behavioral infractions of the same or similar nature may result in cumulative exclusions (i.e. one day, one week, one month, multiple months). If necessary, City staff will contact law enforcement to trespass repeat offenders.

Exclusion Period

In determining the appropriate length of exclusion, the person issuing the exclusion shall consider: the seriousness of the conduct that led to the exclusion; prior instances of violations of the Rules of Conduct by the person to be excluded; and any other facts or circumstances that the person issuing the exclusion deems relevant.

Exclusion Area

Forest Grove Parks & Recreation facilities include:

All park properties owned and managed by the City of Forest Grove and the Forest Grove Aquatic Center. In addition, any area where a Forest Grove Parks & Recreation activity is taking place.

Exclusion Notice

The notice of exclusion shall be in writing, given to the person excluded and signed by law enforcement or the City Manager. It shall comply with Municipal Code 92.31, which includes listing the dates and areas of exclusion. It shall contain a warning of consequences for failure to comply with the notice of exclusion and information concerning the right to appeal the exclusion.

Right of Appeal

Any person receiving a notice of exclusion under Municipal Code 92.31 may file a written appeal with the Municipal Court within five (5) business days of the issuance of the notice to have the exclusion rescinded or the exclusion period shortened.



Tourism Sponsorship Program Refinement

City Council Work Session

Bryan Pohl, Community
Development Director
Miles Glowacki, Economic
Development Coordinator

April 8, 2024



Purpose

The purpose of the work session is to discuss Resolution 2024-06, which would modify the guidelines of the existing Tourism Sponsorship Program.

Background

- The Tourism Sponsorship Program is funded by Transient Lodging Tax and was funded at \$40,000 for FY 23-24.
- Council has approved six applications thus far totaling \$27,500. It is expected that not all of this will be spent, leaving approximately \$22,500 through June 30.
- At current Program levels, the Program is estimated to fund between 8 - 13 events in one year.
- Applications are approved on the consent agenda.

Background

- Oct. 23, 2023: City Council Work Session on the overall Tourism Program.
- November 23, 2023: City Council Resolution creating the Tourism Sponsorship Program.
- February 26, 2024: City Council Resolution 2024-06 proposed modifying the existing Tourism Sponsorship Program.

Background

Resolution 2024-06

- A motion to approve Resolution 2024-06 was made and seconded.
- An amendment to Resolution 2024-06 was passed to have any changes resulting from Resolution 2024-06 take effect July 1, 2024.
- Subsequent to the amendment's passage, a motion was passed to table Resolution 2024-06 to May 28, 2024, and to hold a Council work session prior to that date.
- The purpose of this work session is to seek consensus on any changes to Resolution 2024-06 prior to it be scheduled on the May 28, 2024, agenda.

Background

Resolution 2024-06 sought three clarifications:

1. Only award a sponsorship equal to or less than the maximum sponsorship level of the event. For example, if the maximum sponsorship level is \$3,000, the City would award \$3,000, not the program maximum of \$5,000. Additionally, if the maximum sponsorship level is \$10,000, the City would award the program maximum of \$5,000.

Background

2. If an event lacks a sponsorship program, the maximum award for the event would be \$2,000. This is to encourage organizations to develop a sponsorship program.
3. The event organizer must produce marketing materials and include the City in those marketing materials. The City realized this needed to be a requirement to assure the event was marketed outside of Forest Grove and that the City was recognized as a sponsor.

Other Discussion Items

The following other discussion items were raised:

- Ensure that there is a distribution of funds throughout the community of event organizers by either capping the amount a single organization can receive in a single year and/or by limiting the number of times an event can be sponsored.
- How does the Program reward or restrict year-over-year events and spur new / innovative events?
- Currently an organization can apply any time during the year until the funds run out. The Council discussed having an application period.

Questions for Council

1. Only award a sponsorship equal to or less than the maximum sponsorship level of the event?
2. If the event lacks a sponsorship program, cap the sponsorship to \$2,000?
3. Make it a program requirement to produce marketing materials and include the City in them?
4. Limit the amount of sponsorship funding a single organization can receive in a fiscal year?
5. Limit the number of times an event can receive funding?
6. Rolling application vs. an application period?