

February-08

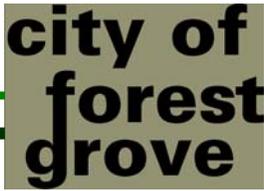
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						2 COUNCIL RETREAT 9am Abbott Ctr
3	Planning Comm 7pm (Canceled) CITY COUNCIL WORK SESSION - TBA	4	5	6	7	8
		Fire Bd 7pm		EDC Noon McMenamins		9
10	CITY COUNCIL 6:00 PM - WORK SESSION (Business Lic) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	11	12	13	14	15
		CCI 4pm	Water Providers EC 5:30	<i>Thompson out</i>		
17	Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	18	19	20	21	22
		Library 7pm	P&R 7am CFC 5:15pm	PAC 5pm Fernhill Wetlands 6pm		23
<i>Thompson out</i>						
24	CITY COUNCIL 6:00 PM - EXECUTIVE SESSION (Labor) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	25	26	27	28	29
		HLB 7pm	PSAC 7:30am			

March-08

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 COUNCIL W/S 8am-10am Coffee Hour
2	Planning Comm 7pm CITY COUNCIL - RETREAT 4:00 PM - 6:00 PM COMMUNITY AUDITORIUM	3	4	5	6	7
		Fire Bd 7pm	Water Providers CB 7:00	EDC Noon	<i>Mayor Kidd out</i>	
9	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	10	11	12	13	14
Daylight Savings Begins		CCI 4pm		PAC 5pm	Police Chief Retirement Reception 3:30 pm-Comm Aud	15
<i>Mayor Kidd out</i>						
16	Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	17	18	19	20	21
		Library 7pm	P&R 7am CFC 5:15pm			22
<i>Mayor Kidd out</i>						
23	CITY COUNCIL 5:00 PM - TRANSPORTATION OPEN HOUSE 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	24	25	26	27	28
		HLB 7pm	PSAC 7:30am	Fernhill Wetlands 6pm		29
30	CEP Apps Due	31				

April-08

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				2 BUDGET MEETING INFORMATIONAL 7:00 PM - COMM AUD		5 COUNCIL W/S 8am-10am Coffee Hour
		Fire Bd 8pm		EDC Noon		
6	Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	7	8	9	10	11
		CCI 4pm		PAC 5pm		12
13	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	14	15	16	17	18
		Library 7pm	P&R 7am CFC 5:15pm			19
20	Planning Comm 7pm CITY COUNCIL - SPECIAL MEETING CEP PRESENTATIONS 6:00 PM - COMM AUD	21	22	23	24	25
		HLB 7pm	PSAC 7:30am			26
27	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	28	29	30		



FOREST GROVE CITY COUNCIL

Monday, February 25, 2008

6:00 PM – Executive Session (Labor Negotiations)
7:00 PM – Regular Meeting

Community Auditorium
1915 Main Street
Forest Grove, OR 97116

Thomas L. Johnston
Victoria J. Lowe
Camille Miller

Richard G. Kidd, Mayor

Ronald C. Thompson
Peter B. Truax
Elena Uhing

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

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

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

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

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

A G E N D A

6:00 ***EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC.*** Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

The City Council will convene in the Community Auditorium - Conference Room at 6:00 p.m. to hold the following executive session:

In accordance with ORS 192.660(2)(D) to conduct deliberations with person designated by the governing body to carry on labor negotiations.

- 7:00 1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance
1. A. **RETIREMENT AWARD PRESENTATION:**
- Police Chief VanBlarcom
1. B. **PROCLAMATION:**
- National Community Development Week
2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer.* In the interest of time, please limit comments to two minutes. Thank you.
3. **CONSENT AGENDA:** See Page 3
4. **ADDITIONS/DELETIONS:**

PRESENTATIONS:

- 7:20 5. A. Washington County Mayor Tom Hughes and Washington County Commissioner Tom Brian:
Washington County Fairgrounds Revitalization
- 7:40 5. B. Paul Nielson, ISLER, CPA:
Financial Audit Report for Period Ending June 30, 2007
- 8:00 5. C. Committee for Citizen Involvement Chair, Jolynne Pena:
Annual Town Meeting Report

Paul Downey
Administrative Services
Director

Susan Cole
Assistance Finance
Director

Jeff King
Economic
Development
Coordinator

- 8:15 6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2008-01 REPEALING AND REENACTING CHAPTER 7 OF THE FOREST GROVE CODE, ENTITLED "BUSINESS" TO ESTABLISH AN ANNUAL BUSINESS LICENSE PROGRAM**

Rob Foster
Public Works Director

Derek Robbins
Civil Engineer

- 8:45 7. **RESOLUTION NO. 2008-17 SUPPORTING IMPLEMENTING THE EXTENSION OF HIGH CAPACITY TRANSIT (HCT) FROM THE CITY OF HILLSBORO, THROUGH WASHINGTON COUNTY, AND THE CITY OF CORNELIUS, TO THE CITY OF FOREST GROVE**

Rob Foster
 Public Works Director

 Derek Robbins
 Civil Engineer

9:00

8. STAFF REPORT REQUESTING CITY COUNCIL SUPPORT ON MAJOR STREETS TRANSPORTATION IMPROVEMENT PROGRAM (MSTIP) AND TRAFFIC IMPACT FEE (TIF)

Janet Lonneker
 Light & Power Director

9:15

9. STAFF REPORT REQUESTING CITY COUNCIL APPROVAL TO HIRE A GROUNDSMAN/APPRENTICE LINEMAN POSITION FOR THE LIGHT AND POWER DEPARTMENT

Michael Sykes
 City Manager

9:30

10. CITY MANAGER'S REPORT:

9:45

11. COUNCIL COMMUNICATIONS:

10:00

12. ADJOURNMENT

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

- A. Approve City Council Work Session (Business License Program) Meeting Minutes of February 11, 2008.
- B. Approve City Council Regular Meeting Minutes of February 11, 2008.
- C. Approve City Council Executive Session (Litigation) Meeting Minutes of February 11, 2008.
- D. Accept Committee for Citizen Involvement Meeting Minutes of January 8, 2008.
- E. Fire Department Monthly Statistics Report for January 2008.
- F. Library Department Monthly Circulation Statistics Report for February 2008.
- G. Endorse Liquor License Annual Renewals for 2008:
 - 1. Grampy's Deli and Pub, 1918 Main Street (Limited-On and Off-Premises).
 - 2. Half Moon Sports Bar, 1927 Main Street (Full-On Premises).
 - 3. Mini Mart, 2705 Pacific Avenue (Off-Premises).
 - 4. Pacific Avenue Bar and Grill, Inc. (Full-On Premises).
 - 5. Plaid Pantry #20, 2436 19th Avenue (Off-Premises).
 - 6. Plaid Pantry #99, 1340 Thatcher Road (Off-Premises).
 - 7. Urban Decanter, 2030 Main Street (Off-Premises).
 - 8. Winners Connection, 2748-L 19th Avenue (Limited-On and Off-Premises).

PROCLAMATION

NATIONAL COMMUNITY DEVELOPMENT WEEK

March 24 - March 30, 2008

WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of persons of low and moderate income; and,

WHEREAS, Community Development Block Grant funds are used by a vast number of cities, counties and neighborhood-based nonprofit organizations throughout the Nation to address pressing neighborhood and human service needs; and,

WHEREAS, the City of Forest Grove, Oregon and other local governments have clearly demonstrated the capacity to administer and customize the CDBG program to identify and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, flood relief, job creation and retention, and physical redevelopment; and,

WHEREAS, the week of March 24 - March 30, 2008, has been reserved for recognition and appreciation of the **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM THE WEEK OF MARCH 24 - MARCH 30, 2008, as

COMMUNITY DEVELOPMENT WEEK

in Forest Grove, Oregon and urge all citizens to join in recognizing the Community Development Program and the importance it serves to our community.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon to be affixed this 25th day of February, 2008.

Richard G. Kidd, Mayor
City of Forest Grove

**FOREST GROVE CITY COUNCIL WORK SESSION
(BUSINESS LICENSE PROGRAM)
FEBRUARY 11, 2008 – 6:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by the Council.

1. ROLL CALL

Mayor Richard Kidd called the Work Session to order at 6:10 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Jack Hammond, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Assistant Finance Director; Jeff King, Economic Development Coordinator; Robert Mills, Fire Chief; and Anna Ruggles, City Recorder.

2. BUSINESS LICENSE PROGRAM:

Downey, Cole, and King facilitated the work session, noting the purpose of the work session was to provide Council an update on the proposed language amendments that were made to proposed Ordinance No. 2008-01, Repealing and Reenacting Chapter 7 of the Code to Establish a Business License Program. Staff reported Council held a Public Hearing on January 14, 2008, and considered the first reading of the ordinance; however, concerns were voiced and staff was asked to re-evaluate the language pertaining to rental properties, solicitors, independent contractors, events held on private property, and fee structure and renewal dates. Staff reported they re-drafted the proposed ordinance to address concerns, noting the revised ordinance clarifies definitions; addresses treatments of solicitors, rental properties, and independent contractors; changes the annual renewal date to an anniversary date; and simplifies the calculation for determining the number of employees. Additionally, staff reported the revised ordinance proposes to rename and restructure the General Occupancy Permit to a Site Usage Permit. Staff explained the Site Usage Permit would be required in addition to a business license, noting the fee would remain the same as the current General Occupancy Permit. Staff indicated the purpose of the Site Usage Permit is to ensure that businesses comply with city, zoning, fire and parking codes. The Site Usage Permit would be valid until use of the facility or ownership changes. Staff proposed to grandfather in those businesses with a valid General Occupancy Permit into the new Site Usage Permit requirements. In conclusion, the City Attorney recommended that Council consider rescinding the motion on the floor and the first reading of Ordinance No. 2008-01, due to the significant changes made to the ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the

**FOREST GROVE CITY COUNCIL WORK SESSION
(BUSINESS LICENSE PROGRAM)
FEBRUARY 11, 2008 – 6:00 P.M.
COMMUNITY AUDITORIUM
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purpose of implementing an annual business license program; purpose of the business license fees and revenue; maintenance of the computer database; and the Site Usage Permit.

Discussion ensued pertaining to setting the business license fees based on cost of service, and not on the number of employees. Johnston stressed that workload, such as data entry would be the same regardless of the number of employees. Miller indicated that a business with 100+ employees has a greater chance of injury and has a greater impact on public safety. Thompson concurred that businesses with more employees could be a higher risk. Mayor Kidd concurred that the risk factor increases depending on the type of business, and noted that people who work in Forest Grove normally do not live in Forest Grove.

Discussion ensued pertaining to whether a new computer database would improve the current method business records are maintained. Johnston stressed that a database is only as worthy as the information it contains. Staff indicated the new database would allow multiple users to access and share the database, and an annual license renewal would help ensure that records are current, noting the database would have the ability to track expired business licenses making enforcement efforts easier. Mills indicated that the 911-dispatch center needs updated information readily available, noting an annual license renewal would ensure that responsible party information is current, especially in situations where a business has changed management.

Discussion ensued pertaining to the proposed revenue. Staff explained the first year revenues would be used to implement the program and after the first year, a portion of the revenues would be used to maintain costs to administer the program and remaining revenues would accrue in the General Fund to support public safety and economic development.

Discussion ensued pertaining to independent contractors and solicitors who conduct business in Forest Grove. Thompson stressed that it was important to know who is conducting business in Forest Grove. Staff explained that based on the proposed ordinance, independent contractors who have a Metro permit would be exempt; however, solicitors would be required to obtain a license.

Discussion ensued pertaining to staff's proposal to require a Site Usage Permit (General Occupancy Permit) in addition to a business license. Staff explained based on the proposed ordinance, the ten-year General Occupancy Permit would

**FOREST GROVE CITY COUNCIL WORK SESSION
(BUSINESS LICENSE PROGRAM)
FEBRUARY 11, 2008 – 6:00 P.M.
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be replaced with a Site Usage Permit that would be valid until use of the facility or ownership of the business changes. Staff explained that a business license does not have a regulatory component; whereas, a Site Usage Permit retains the regulatory component that allows the City to ensure that various codes are met at the time the permit is issued. In response to Uhing's concern pertaining to businesses being in compliance of code requirements, staff explained based on the proposed ordinance, businesses would be required to answer a series of code compliance questions before a renewal would be issued.

Lowé commented she remains neutral on whether to implement a business license program, noting Council has heard they need to do something more to secure revenue. Lowé added that she sees the business license program as a small way to raise revenue and support public safety efforts.

Hearing no further discussion from the Council, Mayor Kidd advised the public that Council would convene in open session and take public comment on Agenda Item 6, Ordinance No. 2008-01, Repealing and Reenacting Chapter 7 of the Forest Grove Code, Entitled "Business" to Establish an Annual Business License Program.

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

3. ADJOURNMENT

Mayor Kidd adjourned the work session at 6:56 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Richard Kidd called the regular City Council meeting to order at 7:05 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; John Hammond, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Assistant Finance Director; Rob Foster, Public Works Director; Tom Gamble, Parks and Recreation Director; Nick Kelsay, Project Engineer; Jeff King, Economic Development Coordinator; and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS:

Michael Rigik, Forest Grove, asked Council for assistance in placing a higher priority in bring into compliance a chronic nuisance complaint. Rigik reported he addressed Council on May 22, 2006, regarding the same complaint. Rigik presented current photographs of the property in question and provided a letter describing his frustrations and the actions the City has taken, including assessing fines; however, Rigik indicated the defendant/property owner is not responding and as a result, the City has turned the fines over to collections. Rigik commended the Community Service Officer for removing vehicles from the property in question; however, Rigik stated the property still remains a “garbage dump”.

Alan Hershman, Forest Grove, thanked Council for proposing to draft a resolution opposing the proposed Liquid Natural Gas (LNG) terminal and pipeline. Truax advised Hershman that Council plans to take formal action on the proposed resolution at the March 10, 2008, Council meeting.

David Morelli, Forest Grove, deferred testimony, noting his testimony was the same as Alan Hershman’s testimony.

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

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

- A. Approve City Council Work Session (Urban and Rural Reserves) Meeting Minutes of January 28, 2008.
- B. Approve City Council Regular Meeting Minutes of January 28, 2008.
- C. Approve City Council Work Session (Council Retreat) Meeting Minutes of February 2, 2008.
- D. Accept Public Safety Advisory Commission Meeting Minutes of January 23, 2008.
- E. Endorse Liquor License Annual Renewals for 2008: **ITEM REMOVED, REFER BELOW.**
 - 1. Bi-Mart Corporation, 3225 Pacific Avenue (Off-Premises).
 - 2. Circle Inn Tavern, 3007 Pacific Avenue (Limited-On Premises).
 - 3. Cork and Barrel Wine Shop, 2004 Main Street (Off-Premises).
 - 4. Cost Mart, 1905 Birch Street (Limited-On and Off-Premises)
 - 5. El Torero Restaurant, 3300 Main Street (Full-On Premises).
 - 6. Forest Grove Elks Lodge #2440, 2810 Pacific Avenue (Full-On Premises).
 - 7. Forest Grove Food Market, LLC (DBA: David Ok), 2248 Main Street (Off-Premises).
 - 8. Forest Grove Theater, 1911 Pacific Avenue (Limited-On Premises).
 - 9. **Forest Grove Theater, 1911 Pacific Avenue (Limited-On Premises).**
 - 10. Frenchy's Billiards, 2036 Pacific Avenue (Limited-On Premises).
 - 11. Godfather's Pizza/Players Pub, 2834-A Pacific Avenue (Full-On Premises).
 - 12. Hello Market, 1917 19th Avenue (Off-Premises).
 - 13. Jordy's, 2104 Main Street (Limited-On Premises).
 - 14. Mandarin China Restaurant, 2338 Pacific Avenue (Limited-On Premises).
 - 15. My Place Tavern, 1930 21st Avenue (Limited-On Premises).
 - 16. Next Generation (Forest Grove Senior Center), 2037 Douglas Street (Full-On Premises).

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17. Phil's 1500 Subs, 2834-D Pacific Avenue (Limited-On Premises).
18. Pizza Schmizza, 2042 Main Street (Limited-On Premises).
19. Prime Time Sports Bar & Restaurant, 4202 Pacific Avenue (Full-On-Premises).
20. Rainbow Lanes, 2748 19th Avenue (Limited-On Premises).
21. Safeway Store #0406, 2836 Pacific Avenue (Off-Premises).

MOTION: Councilor Truax moved, seconded by Councilor Lowe, to approve the Consent Agenda as amended. MOTION CARRIED 7-0 by voice vote.

3. E. 9. Endorse Liquor License Annual Renewals for 2008:

Uhing removed the above item from the Consent Agenda and indicated she was unsupportive of allowing Forest Grove Theater (E. 3. 9.) to serve alcohol, because minors are present. Johnston noted that several establishments serve alcohol where minors are present.

Hearing no further discussion from the Council, Mayor Kidd asked for a motion and vote to approve Consent Agenda Item 3. E. 9. as presented.

MOTION: Councilor Johnston moved, seconded by Councilor Truax, to approve Consent Agenda Item 3. E. 9. as presented. NOES: Councilors Lowe and Thompson. MOTION CARRIED 5-2 by voice vote.

4. ADDITIONS/DELETIONS:

Sykes added an Executive Session in accordance with ORS 192.660(2)(h) to discuss Council's legal rights and duties with regard to current litigation or litigation likely to be filed, which was held after the regular meeting.

5. PRESENTATIONS: None.

6. PUBLIC HEARING (CONTINUANCE FROM JANUARY 14, 2008):

**CONSIDER RESCINDING FIRST READING OF ORDINANCE NO. 2008-01
REPEALING AND REENACTING CHAPTER 7 OF THE FOREST GROVE CODE,
ENTITLED "BUSINESS" TO ESTABLISH AN ANNUAL BUSINESS LICENSE
PROGRAM**

**FOREST GROVE CITY COUNCIL REGULAR MEETING
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The first reading of Ordinance No. 2008-01 by title and motion to adopt occurred at the meeting of January 14, 2008.

Staff Report:

Downey, Cole, and King reported staff met earlier in work session with Council and presented a revised copy of Ordinance No. 2008-01, Repealing and Reenacting Chapter 7 of the Code to Establish a Business License Program, noting the ordinance has been amended to address concerns heard at the meeting of January 14, 2008. Staff reported the revised ordinance clarifies definitions and treatments of solicitors, rental properties, and independent contractors; changes the renewal date from an annual date to an anniversary date; and simplifies the calculation for determining the number of employees. Additionally, staff reported the ordinance proposes to rename and restructure the General Occupancy Permit to a Site Usage Permit. The Site Usage Permit would be required in addition to a business license and the fee would remain the same as the current General Occupancy Permit. Staff explained the purpose of the Site Usage Permit is to ensure that businesses comply with city, zoning, fire and parking codes, noting the Site Usage Permit would be valid until the use of the facility or business ownership changes. Staff advised that businesses with a valid General Occupancy Permit would be grandfathered into the Site Usage Permit requirements. In conclusion, staff advised that the City Attorney has recommended Council consider rescinding the motion on the floor and the first reading of Ordinance No. 2008-01, due to the significant changes made to the ordinance.

Public Hearing Continued:

Mayor Kidd continued the Public Hearing from the meeting of January 14, 2008.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

Rod Fuiten, 1832 Pacific Avenue, testified in opposition and cited concerns pertaining to the purpose of establishing a business license program and imposing business license fees, noting the requirement of an annual business license renewal would increase his business's paperwork. Fuiten questioned why Council would consider imposing business license fees when the City

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
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recently passed a levy. Fuiten indicated that imposing fees for revenue purposes is a tax. Fuiten stated he opposes imposing fees that are not based on cost of service and referenced Measure 50, citing that Measure 50 requires fees to be based on cost of service. In addition, Fuiten cited various language concerns, which staff addressed.

Bob Browning, Attorney, PO Box 430, Forest Grove, testified in opposition and cited concerns pertaining to the purpose of establishing a business license program and imposing business license fees. Browning referenced Measure 50, citing that imposing fees for revenue purposes is a tax. Browning cautioned that imposing fees for the purpose of raising revenue is a breach of faith to the citizens. Browning indicated his business has not had a fire inspection in over five years and voiced concern of increasing staff responsibilities when current responsibilities, i.e., code enforcement issues, are not being addressed.

Others:

Teri Koerner, Chamber of Commerce Director, testified on behalf of the Chamber of Commerce members and thanked Council for allowing additional time for public input. Koerner indicated she welcomes going back to the first reading of the proposed ordinance and voiced concern that requiring a Site Usage Permit in addition to a business license may cause confusion.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

Council Response to Testimony:

Johnston referenced PSAC meeting minutes of January 23, 2008, and pointed out that the PSAC questioned the purpose of the business license fees.

Uhing responded to testimony heard pertaining to the levy, noting the Public Safety Advisory Commission (PSAC) approved submitting a levy for \$1.35; however, PSAC realized at the time that more revenue was needed.

Miller responded to testimony heard pertaining to the levy, noting that PSAC agreed to a lesser levy amount.

Truax responded to testimony heard pertaining to the levy and advised that raising revenue is a way to get away from levy requests.

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Hearing no further discussion from the Council, Mayor Kidd asked for a motion to rescind the motion on the floor and first reading of Ordinance No. 2008-01.

MOTION: Councilor Lowe moved, seconded by Councilor Miller, to approve rescinding the motion on the floor and first reading of Ordinance No. 2008-01 Repealing and Reenacting Chapter 7 of the Forest Grove Code, Entitled “Business” to Establish an Annual Business License Program.

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

In conclusion, Mayor Kidd advised the public that Council would be considering, at the meeting of February 25, 2008, a new first reading and motion to adopt the proposed revised Ordinance No. 2008-01, Repealing and Reenacting Chapter 7 of the Forest Grove Code, Entitled “Business” to Establish an Annual Business License Program.

7. RESOLUTION NO. 2008-15 ADOPTING THE COMMUNITY ENHANCEMENT PROGRAM PROCESS FOR 2008-09 AND REPEALING RESOLUTION NO. 2007-13

Staff Report:

Downey presented the above-proposed resolution and recommended approving the Community Enhancement Program (CEP) process for 2008-09. Downey outlined the process and the significant changes made to the last CEP process, noting the current process establishes clear expectations for both the public and Council on how the projects will be selected. Downey noted the Council set the following percentages of available funds for each funding category as follows:

- | | |
|-------------------------------|------------------|
| - Infrastructure | 35 percent (35%) |
| - Social and Educational | 30 percent (30%) |
| - City Promotions and Tourism | 20 percent (20%) |
| - Beautification | 15 percent (15%) |

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In addition, the Council authorized setting aside \$4,000 of available Beautification category funds for the hanging flower baskets program. Downey indicated the current year enhancement fees to be collected are projected to be \$80,000.

Before proceeding with a motion to adopt Resolution No. 2008-15, Mayor Kidd asked for Council comments pertaining to the CEP application process.

Council Comments:

In response to Mayor Kidd's inquiry pertaining to Council removing or amending the set percentages of available funds for each funding category, Council collectively agreed to keep the percentages as noted above.

Truax suggested setting aside \$5,000 of available Beautification category funds for the hanging flower baskets program.

MOTION TO AMEND: Councilor Truax moved, seconded by Councilor Lowe, to set aside \$5,000 of available Beautification category funds for the hanging flower baskets program.

ROLL CALL VOTE: AYES: Councilors Lowe, and Truax. NOES: Councilors Miller, Thompson, Uhing, Johnston, and Mayor Kidd. MOTION FAILED 2-5.

Johnston suggested requiring the hanging flower baskets program to be part of the CEP application selection process.

MOTION TO AMEND: Councilor Johnston moved, seconded by Councilor Uhing, to amend Resolution No. 2008-15 by removing and strike out Section 3. ~~That the City Council authorizes putting \$4,000 of available Beautification category funds aside for the completion of the hanging flower baskets project.~~

ROLL CALL VOTE: AYES: Councilors Johnston, Miller, Thompson, Uhing, and Mayor Kidd. NOES: Councilors Truax and Lowe. MOTION CARRIED 5-2.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to approve Resolution No. 2008-15 as amended.

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FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
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Hammond read Resolution No. 2008-15 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Johnston, to approve Resolution No. 2008-15 Adopting the Community Enhancement Program Process for 2008-09 and Repealing Resolution No. 2007-13 as amended.

Council Discussion:

In response to Uhing's inquiry pertaining to conducting a Public Hearing, Downey indicated as part of the CEP application process, Council is required to hold a Public Hearing to determine the funding allocations. In response to Uhing's concern pertaining to Council knowing if prior funds have been spent and how the CEP projects benefited the community, Downey indicated the CEP application process includes a question asking the applicant to answer if the funds have been spent and how the CEP project benefited the community. In addition, Downey indicated he would prepare a summary report.

In response to Johnston's inquiry pertaining to what happens to CEP funds that remain unspent, Downey indicated the applicant may ask for an extension if needed, and the unspent funds are redistributed into the CEP program.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Miller, Thompson, Uhing, and Mayor Kidd. NOES: Councilors Truax and Lowe. MOTION CARRIED 5-2.

8. RESOLUTION NO. 2008-16 AUTHORIZING CITY MANAGER TO ENDORSE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND METRO FOR TRAIL DEVELOPMENT

Gamble presented the above-proposed resolution and recommended approving the Intergovernmental Agreement (IGA) between the City and Metro so the City could successfully complete the B Street Trail. Gamble reported the City received a grant from the Oregon Parks and Recreation Department to construct a bicycle and pedestrian trail along a route that includes the City right-of-way and Metro property, noting the IGA would provide the City with access and authority to enter certain portions of

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 9**

Metro's property to construct the trail. The IGA also requires Metro to provide a recordable easement at no cost to the City, upon completion of the trail, granting the City the right to use, maintain, repair, and reconstruct the trail.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-16.

Hammond read Resolution No. 2008-16 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Johnston, to adopt Resolution No. 2008-16 Authorizing City Manager to Endorse Intergovernmental Agreement between the City of Forest Grove and Metro for Trail Development.

Council Discussion:

In response to Uhing's concern pertaining to the costs to the City for repairing Metro's property to pre-work conditions, Gamble indicated the repair costs are unknown at this time; however, he did not anticipate the costs to be significant.

In response to Johnston's inquiry pertaining to the trail being designated as a City park, Hammond indicated the trail would be for public use and would not be designated as a City park.

In response to Mayor Kidd's proposal to change the trail width to 12' instead of 10' to allow sufficient width, Gamble supported a 12' trail width, noting he would propose this request to Metro.

Lowe commended staff for achieving the right to access Metro's property.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

9. **APPROVE TOWN CENTER PEDESTRIAN IMPROVEMENTS PLANS AND SPECIFICATIONS (21ST AVENUE, PACIFIC AVENUE AND 19TH AVENUE)**

**FOREST GROVE CITY COUNCIL REGULAR MEETING
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PAGE 10**

Staff Report:

Foster and Kelsay presented the above-proposed revised Town Center Pedestrian Plans and Specifications for Council consideration, noting the original plans and specifications were submitted to Council on March 12, 2007, and at that time, it was apparent that available funding would not cover all the proposed improvements. Consequently, staff and consultant pared back the scope of the project to fit budget constraints while still achieving the maximum benefit. The total estimated cost is \$1,760,000, including City match of \$210,000.

Council Discussion and Questions of Staff:

In response to Johnston's concern pertaining to length of time businesses would be impacted by the construction, Kelsay indicated staff would have a better idea after the successful bidder submits a work schedule.

Uhing voiced concern the City needed to look into an aggressive contract requirement that holds contractors accountable for underestimating and exceeding the project funds allocated.

In addition, staff responded to various inquiries pertaining to the specifications of the plans, change orders, asphalt requirements, streets configuration, storm water runoff, and the location of street signs and light poles.

Hearing no further discussion from the Council, Mayor Kidd asked for a motion and roll call vote to approve the plans and specifications as presented.

MOTION: Councilor Uhing moved, seconded by Councilor Johnston, to approve the Town Center Pedestrian Improvements Plans and Specifications (21st Avenue, Pacific Avenue and 19th Avenue) as presented.

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

10. **WORK SESSION: CITY COUNCIL GOAL SETTING FOR FISCAL YEAR 2008-09**
The above work session occurred after Agenda Item 13, at which time, Sykes facilitated the work session, noting the purpose of the work session was to discuss setting the City Council key goals for Fiscal Year 2008-09. Sykes

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 11**

reported Council collectively agreed to postpone discussing the Council key goals, Council goal objectives, and presentation of the department accomplishments, at the Council Retreat, held February 2, 2008.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to setting the Council key goals for Fiscal Year 2008-09.

Johnston suggested amending Goal 3 to read: Promotingge the Interests of Forest Grove in Regional Affairs.

Truax suggested amending Goal 3 to read: Promotingge the ~~Interests~~ Needs of Forest Grove in Regional Affairs.

Lowe suggested revisiting the Vision Statement and Action Plans before proceeding with setting the key goals to ensure Council goals are in line with the Vision Statement.

Uhing suggested the Council also review the City Manager's performance evaluation form.

At the conclusion of the above discussion, Mayor Kidd scheduled a Council Retreat for Saturday, March 1, 2008, to allow Council time to revisit the Vision Statement and Action Plans before setting Council goals for Fiscal Year 2008-09.

11. ADOPT CITY COUNCIL TEAM AGREEMENT

Sykes reported the Council met at the Council Retreat, held February 2, 2008, and discussed the amendments proposed in the Council Team Agreement.

Hearing no concerns from the Council, Mayor Kidd asked for a motion and vote to adopt the Council Team Agreement as amended.

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to adopt the Council Team Agreement as amended. **MOTION CARRIED 7-0 by voice vote.**

12. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 12**

reported he appointed Jeff Williams, as Interim Police Chief, and Ian O'Connor, as Interim Fire Chief, noting both have demonstrated leadership to take on the challenges and prepare their departments for the transition of new leadership. In addition, Sykes reported the Gales Creek water right permit has been approved, noting staff is currently working to achieve certification of Gales Creek. Sykes announced the City is holding an Open House, co-sponsored with TriMet and Ride Connection, on March 24, 2008, Community Auditorium, 5:00 pm - 7:00 pm, to seek citizen input relating to the expansion of public transportation in Forest Grove, noting a Public Hearing will follow during the regular Council meeting. Sykes indicated Adelante Mujeres is requesting to expand the Farmers' Market onto Main Street (closing Main Street), noting he would like to seek Council feedback before making a recommendation. In addition, Sykes reported the Forest Grove Post Office plans to submit construction plans in 2009 for a new retail post office, noting mail sorting will remain at the existing location.

13. COUNCIL COMMUNICATIONS:

Johnston reported he plans to attend the upcoming Public Safety Advisory Commission meeting. In addition, Johnston reported he has been appointed to serve as Chair on the Washington County Consolidated Communications Agency Budget Committee.

Lowe reported Fernhill Wetlands submitted a Metro grant application for construction of its interpretive center.

Miller reported she plans to attend the upcoming Committee for Citizen Involvement meeting. In addition, Miller reported on various upcoming community events.

Thompson reported Oregon State University is working on a Bio-fuel proposal. In addition, Thompson reported statistics showed that over 30,000 people from Forest Grove rode Ride Connection in 2007.

Truax reported he plans to attend the upcoming Library Commission meeting. In addition, Truax reported on the Forest Grove Rural Fire Protection District meeting, noting he briefed the Board on the Fire Chief recruitment process and Council's intent to draft a resolution opposing the proposed Liquid Natural Gas (LNG) terminal and pipeline. Truax also reported on the various projects that were selected for Community Development Block Grants pending Board approval.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
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Uhing reported she plans to attend the upcoming Historic Landmarks Board meeting. In addition, Uhing reported on a complaint regarding the closure of the library drop box on weekends.

Mayor Kidd reported on various Metro and Washington County meetings and tours he attended and upcoming meetings and events he was planning to attend. In addition, Mayor Kidd reported on various regional and local transportation issues and reported on various community events.

14. ADJOURNMENT:

Mayor Kidd adjourned the meeting at 9:58 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

30

**FOREST GROVE CITY COUNCIL EXECUTIVE SESSION
ORS 192.660(2)(H) LITIGATION
FEBRUARY 11, 2008 – 9:30 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. **ROLL CALL:**

Mayor Richard Kidd called the Executive Session to order at 9:31 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Jack Hammond, City Attorney; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; and Anna Ruggles, City Recorder.

2. **EXECUTIVE SESSION:**

The City Council met in Executive Session in accordance with:

ORS 192.660(2)(H) to discuss Council's legal rights and duties with regard to current litigation or litigation likely to be filed.

3. **ADJOURNMENT**

Mayor Kidd adjourned the Executive Session at 9:46 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

APPROVED

3D

COMMITTEE for CITIZEN INVOLVEMENT

Tuesday, January 8, 2008

Community Auditorium Meeting Room

Attendees:

Members: Deborah Delfs, Michelle Ashton, Dennis Stoddard, Ed Nighbor, Wendell Weber, Jerry VanderHout, Aaron Savage, Mo Nkiwane
Absent: Jolynne Pena
City Staff: Jon Holan, Community Development Director, and Kerstin Cathcart, Senior Planner
City Council: Camille Miller

Call To Order: The meeting was called to order at 4:10 p.m. There were enough members present for a quorum.

Minutes of Last Meeting: Minutes from the December 11, 2007, meeting were approved.

Community Inbox: None.

Land Use Activities: None.

Other Business: None.

New Business:

- Kerstin talked about the News-Times article, and the bi-weekly meetings in February for the Comprehensive Plan. There will be no CCI meeting on February 14, 2008.
- CCI will have a booth at the Farmer's Market for twenty-two Wednesdays throughout the summer at the rate of \$375.00. Jolynne will put together a package to send to Michael Sykes for the Farmer's Market.
- ATM – Mayor Kidd drafted an introduction for ATM, which was reviewed by the committee, and the agenda was updated.
 - What do the Council members think will be the biggest changes facing Forest Grove?
 - What are the biggest challenges facing Forest Grove?
 - What other challenges and opportunities is Forest Grove facing?
 - 3"x5" Cards will be handed out, so citizens can write down their questions. Jon Holan will read the questions.
 - Jerry Vanderhout volunteered to be the narrator.
 - Seating will be in aisle format with no tables.

Next Meeting: Next meeting will be held on February 11, 2008.

Adjourn: Meeting was adjourned at 5:00 p.m.

Respectfully Submitted
Marcia Phillips
City of Forest Grove Permit Coordinator

FIRE DEPARTMENT MONTHLY REPORT

January 2008

ALARM RESPONSE	THIS MONTH			7 AM - 4:59 PM			5 PM - 6:59 AM	
TOTAL CALLS	246			128			118	
TYPES OF ALARMS	City	THIS MONTH Dist	Total	City	THIS Y-T-D DIST	Total	THIS MONTH LAST YEAR	LAST Y-T-D
Rescue & First Aid	127	24	151	127	24	151	162	162
Structure Fire	2	2	4	2	2	4	5	5
Vehicle Fire (mobile property)	1	0	1	1	0	1	0	0
Brush, Grass, Leaves	0	0	0	0	0	0	0	0
Trash, Rubbish	0	0	0	0	0	0	0	0
Smoke & Odor Investigation	0	2	2	0	2	2	6	6
Illegal Burn	1	1	2	1	1	2	4	4
Hazardous Mat/Situation	4	5	9	4	5	9	1	1
Public Service/Good Intent	40	2	42	40	2	42	22	22
Mutual Aid	0	0	10	0	0	10	4	4
False Alarm/Alarm Malfunctions	21	4	25	21	4	25	33	33
Other	0	0	0	0	0	0	1	1
TOTAL CALLS	196	40	246	196	40	246	238	238
CAUSES OF FIRES	City	Dist	Total	City	Dist	Total	Last Year	Last Y-T-D
Matches,smoking,discarded mat	-	-	-	-	-	-	1	1
Electrical	-	-	-	-	-	-	2	2
Appliance Malfunction	-	-	-	-	-	-	-	-
Chimneys – pellet stoves	1	2	3	1	2	3	-	-
Spontaneous Combustion,Rekindle	-	-	-	-	-	-	1	1
Machinery/Mechanical	-	-	-	-	-	-	-	-
Ignition of Hot Grease/Cooking	-	-	-	-	-	-	1	1
Explosions	-	-	-	-	-	-	1	1
Fuel System Malfunction	-	-	-	-	-	-	-	-
Sparks, Embers, Rekindle	-	-	-	-	-	-	-	-
Fireworks	-	-	-	-	-	-	-	-
Contact W/Heating Device	1	-	1	1	-	1	-	-
Incendiary/Suspicious	-	-	-	-	-	-	-	-
Undetermined	-	-	-	-	-	-	-	-
Juveniles Playing W/Fire	-	-	-	-	-	-	-	-
Burning Out of Control	-	-	-	-	-	-	-	-
Vehicle Problems, oil, trans, etc.	1	-	1	1	-	1	-	-
Other	-	-	-	-	-	-	-	-

LEADING CAUSE THIS MONTH: Chimneys-Stoves
 LEADING CAUSE THIS Y-T-D: Chimneys-Stoves

CAUSE LAST YEAR: Electrical
 LAST YEAR TO DATE: Electrical

FIRE DEPARTMENT MONTHLY REPORT

January 2008

	This Month	This Y-T-D	Last Year	Last Y-T-D
Calls occurring at same time	42	42	33	33
FIRE COSTS	This Month	This Y-T-D	Last Year	Last Y-T-D
Persons Injured by Fire	0	0	1	1
Fatalities by Fire	0	0	0	0
Estimated Fire Loss	\$ 51,000	\$ 51,000	\$ 67,100	\$ 67,100
TRAINING	This Month	This Y-T-D	Last Year	Last Y-T-D
Total Hours	hrs	hrs	990.25 hrs	990.25 hrs
COMPANY ACTIVITIES	This Month	This Y-T-D	Last Year	Last Y-T-D
Assemblies	3	3	17	17
Educational Inspections	1	1	10	10
Institutional Inspections	2	2	2	2
Residential/Apts.,Motels,etc.	0	0	18	18
Stores & Offices	35	35	16	16
Industrial & Mfg Inspection	0	0	1	1
Storage/Farm,wrhses,etc.	1	1	2	2
Special/Bridges,vacant blds	10	10	1	1
Complaint Inspections	2	2	1	1
Home Business	1	1	1	1
Driveway Inspections	2	2	5	5
Smoke Alarms	11	11	0	0
Self Inspected Businesses	0	0	4	4
Total Inspections	68	68	78	78
PERSONNEL		This Month	Last Month	Last Year
Total Paid Personnel		21	18	19
Volunteer Roster		43	43	37
Total Hours Lost for Sickness (paid)		268.25 hrs	48.50 hrs	60 hrs
Total Hours Lost for Injury		25.55 hrs	16 hrs	0 hrs
APPARATUS		This Month	Last Month	Last Year
Gasoline		gals	29.70 gals	10.90 gals
Diesel		gals	628 gals	507.20 gals
Total Fuel Usage		gals	657.70 gals	518.10 gals
Total Pump Hours		2.25 hrs	6.50 hrs	10 hrs
REMARKS:				
46 calls to Assisted Living Facilities				
1 Firefighter on Family Medical Leave. 1 Firefighter on light duty				

MONTHLY RECORD

MONTH/YEAR: January 2008

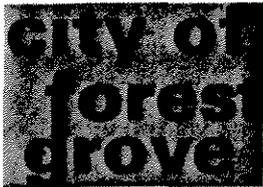
NEW SMOKE ALARMS	11	COMPLAINTS	2	DRIVEWAYS	2
LOANER SMOKE ALARMS	0	INVESTIGATIONS	0	PLANS REVIEWED	
SELF INSPECTED BUSINESSES	0	JUVENILES	0	- COMMERCIAL	2
HOME OCCUPATIONS	1	ADDRESS SIGNS	0	- SUB-DIVISIONS	1

OCCUPANCY	REGULAR INSPECTION	RE-INSPECTION	SPECIAL INSPECTION	HAZARDS NOTED	HAZARDS ABATED	PUBLIC EDUCATION PROGRAMS
ASSEMBLIES Amusement, recreation, churches, restaurants, clubs, etc.	0	2	1	0	4	0
EDUCATIONAL Schools, Colleges, Trade Schools, etc.	0	0	1	0	0	0
INSTITUTIONAL Day care, Hospitals, Assisted Living, Nursing, Jails, etc.	0	2	0	0	1	0
RESIDENTIAL Apartments, Hotels, Dorms, Motels, etc.	0	0	0	0	0	0
STORES AND OFFICES Retail, equipment sales and service, offices, repair shops, etc.	20	15	0	20	19	0
INDUSTRIAL AND MANUFACTURING Labs, Farms, Metal, Wood Products, Petroleum, Textile, Chemical, etc.	0	0	0	0	0	0
STORAGE Farms, Lumber, Petroleum, Chemicals, General Warehouses, etc.	0	0	1	0	0	0
SPECIAL PROPERTIES Vacant property, equipment, vehicles, bridges, etc.	9	0	1	0	0	0

FOREST GROVE CITY LIBRARY
CIRCULATION STATISTICS REPORT: FEBRUARY 2008

	JAN 2008	DEC 2007	JAN 2007
Total Check-outs:	24,338	19,453	22,751
Total Check-ins:	18,619	15,495	17,535
New Registrations:	176	105	166
Intra-library Holds To Forest Grove:	8,874	7,531	8,098
Intra-library Holds From Forest Grove:	6,702	5,708	5,573
Children's Programs:	9	8	11
Average Attendance at Children's Programs:	25	21	27
ILLs (Inter-library loans/out of county):	66	124	89
Self-Check Out* Patrons Accepted	784	527	NA
Self-Check Out* Patrons Denied	197	123	NA
Self-Check Out* Total Items	2,853	1,842	NA
Self-Check Out* Items Denied	47	21	NA
Self Check-Out* Items Renewed	13	8	NA
Reference Questions	NA	NA	NA
Eye Count:	13,292	9,494	17,136
Number of Days Open:	21	19	24
SAM Stats for FGL			
# of users logged	912	774	1,118
# of sessions	2,995	2,450	3,720
Total user hours	1,616	1,324	1,990
Average session time in minutes	32	32	32

RENOVATED AREA/WHOLE LIBRARY OPENED JUNE 21, 2007
***SELF-CHECK OUT MACHINES BEGAN OPERATIONS 3-17-2007**
KH/FGL 2/5/08



36

FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted **Denied**

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT

LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Christopher F. Somers

NAME OF BUSINESS: Grampy's Deli and Pub

BUSINESS ADDRESS: 1918 Main Street, Forest Grove

TYPE OF LICENSE REQUESTED:

Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input checked="" type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

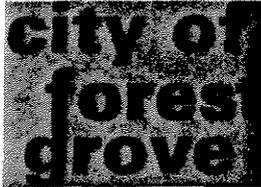
RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Glenn VanBlarcom, Chief of Police
- or Designee

2/7/08
Date

Police Department Recommendation Revised 12/07



FOR CITY USE ONLY

(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____

Acct No. 100-21-10-415035 Receipt#: _____

**FOREST GROVE POLICE DEPARTMENT
LIQUOR LICENSE RECOMMENDATION**

NAME OF APPLICANT Ming Yu Chen

NAME OF BUSINESS: Half Moon Sports Bar (TPC Enterprises, Inc.)

BUSINESS ADDRESS: 1927 Main Street, Forest Grove

TYPE OF LICENSE REQUESTED:

Application is being made for

ACTION: <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.	<input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input checked="" type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

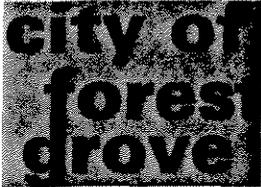
RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Glenn VanBlarcom
Glenn VanBlarcom, Chief of Police
- or Designee

2/12/08
Date

Police Department Recommendation Revised 12/07



FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Jimmie A. Musselwhite

NAME OF BUSINESS: Mini Mart

BUSINESS ADDRESS: 2705 Pacific Avenue, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input checked="" type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

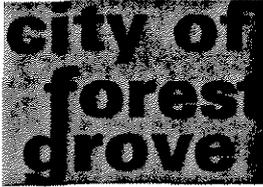


Glenn VanBlarcom, Chief of Police
 - or Designee

2/7/08

Date

Police Department Recommendation Revised 12/07



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Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____

Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT

LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Whitney A. Bangs

NAME OF BUSINESS: Pacific Avenue Bar and Grill, Inc.

BUSINESS ADDRESS: 1923 Pacific Avenue, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input checked="" type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

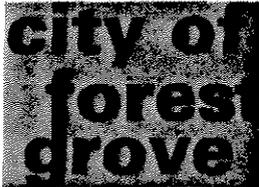
RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Glenn VanBlarcom, Chief of Police
 - or Designee

2/12/08

 Date



FOR CITY USE ONLY
 (Please return to City Recorder)

The Forest Grove City Council
 Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
 Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT
LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Mark B. Conan

NAME OF BUSINESS: Plaid Pantry #20

BUSINESS ADDRESS: 2436 19th Avenue, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

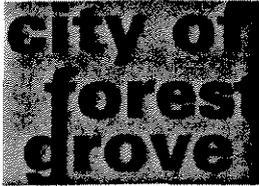
FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Glenn VanBlarcpm, Chief of Police
 - or Designee

2/7/08

Date

Police Department Recommendation Revised 12/07



FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Mark B. Conan

NAME OF BUSINESS: Plaid Pantry #99

BUSINESS ADDRESS: 1340 Thatcher Road, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

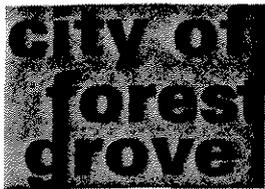
FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)



Glenn VanBlarcom, Chief of Police
 - or Designee

2/7/08

 Date



FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Hope Kramer

NAME OF BUSINESS: Urban Decanter, Inc.

BUSINESS ADDRESS: 2030 Main Street, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

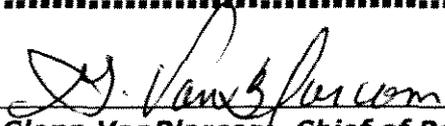
<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

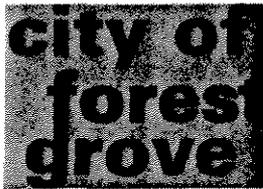
FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)



Glenn VanBlarcom, Chief of Police
 - or Designee

9/17/09

Date



FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-415035 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT

LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Troy J. Sandberg

NAME OF BUSINESS: Winners Connection (Rainbow Lanes)

BUSINESS ADDRESS: 2748-L 19th Place, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.	<input checked="" type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Glenn VanBlarcom, Chief of Police
 - or Designee

2/12/08

Date

Police Department Recommendation Revised 12/07

February 25, 2008

**STAFF REPORT ON ORDINANCE NO. 2008-01 ON PROPOSED TEXT REPLACEMENT TO
CITY OF FOREST GROVE CODE CHAPTER 7 – BUSINESS**

PROJECT TEAM: Susan Cole, Assistant Finance Director
Jeffrey King, Economic Development Coordinator
Paul Downey, Administrative Services Director
Michael Sykes, City Manager

ISSUE STATEMENT: Staff presented a modified business license at a February 11, 2008, Council work session. The City Council took additional public testimony on the proposed business license program at that City Council meeting. Staff has reviewed the work session comments and the discussions during the public hearing and has modified the proposed business license. The ordinance and the fee resolution have been amended and are presented tonight. This is the first reading for the revised ordinance. The resolution will not be considered by the Council until after the ordinance is adopted.

DISCUSSION: The following changes have been made to the ordinance presented at the February 11, 2008, work session:

1. Section 7.005 - Purpose and Scope

Section 7.005(A) has been expanded to describe in detail the purpose and benefits of the information that will be collected as part of the business license program.

2. Section 7.6 - Site Usage Permit

The proposed Site Usage Permit language has been deleted as this concept is being removed from the proposed business license program. The Section is now titled "General Occupancy Permit" and the purpose of the section is to sunset the General Occupancy Permit which will be eliminated. If the business license program is approved, only a business license will be issued.

The General Occupancy permits will be phased out over the first year of the business license program. The current General Occupancy Permits will expire upon issuance of business license or in the month of their issuance in 2009. A credit against the business license fee will be given to businesses with valid General Occupancy Permits. The credit is discussed later in this report.

The departments that have been involved with the General Occupancy Permit will still do their code compliance reviews when an application for a business license is received. A business license will still be issued if a department has a code compliance issue with a business. The appropriate department will handle the code compliance issue separately from the business license process. The business license application will request information that the departments will use to determine if there are any code compliance issues that need to be addressed.

These are the changes to the language that was presented at the February 11, 2008, work session. The resolution, which will be considered upon passage of the new Chapter 7-Business to the City of Forest Grove Code, has also been modified. The changes to the proposed fee resolution are:

- The fee for businesses with 0 to 2 full-time equivalent employees has been reduced from \$50 to \$35.
- The first time application fee has been increased from \$10 to \$25. Businesses with a valid General Occupancy Permit are exempt from paying the first time application fee.
- Businesses with a valid General Occupancy Permit who apply and obtain a business license by December 31, 2008, will receive a prorated credit over the first two years of business license fees owned. The prorated credit will be the remaining balance of the ten-year General Occupancy Permit and will be calculated by multiplying the fee actually paid by the percentage of years remaining on the permit. The credit will be applied to the business license fee in the first year and if there is any credit remaining after that, the credit will be applied against the second year business license fee.

The intent of the credit is to have businesses transition to the business license as quickly as possible. The ordinance will require all businesses to transition to the business license program within the first year of the program. The credit will help that transition to occur faster.

Testimony at the February 11, 2008, public hearing questioned if the proposed business license fee is actually a tax, and as such, the tax would be subject to the limitation of the property tax limitations of Measure 50 and Measure 5. The proposed fee is a privilege tax for the privilege of doing business in Forest Grove.

Staff requested an opinion of the City Attorney's Office on this subject. The conclusion was that the City may impose the proposed license fee as a privilege tax. Further, as a fee ultimately charged against the person conducting business and unrelated to property ownership, the proposed fee is not a property tax under the terms of Measure 5. Measure 50 does not apply to the fee because it is not an ad valorem fee, but rather a graduated flat fee unrelated to property value.

RECOMMENDATION:

Staff recommends that the Council approve the proposed ordinance and after the second reading of the ordinance, staff recommends that Council approve the proposed fee resolution.

PROPOSED FEES:

RESOLUTION NO. 2008-10

**RESOLUTION SETTING BUSINESS LICENSE FEES
AND REPEALING SECTIONS OF RESOLUTION NO. 2007-31**

WHEREAS, the City of Forest Grove has established an annual business license program as defined in Ordinance No. 2008-01; and

WHEREAS, fees for maintaining the annual business license program and providing revenue to the City shall be set by resolution by the City Council; and

WHEREAS, the City Council held a duly notice Public Hearing on March 24, 2008.

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

- Section 1. Business licenses shall be issued by the City of Forest Grove beginning October 1, 2008. The fee are established in Exhibit 1 of this resolution.
- Section 2. The number of employees listed in the attached Exhibit 1 of this resolution shall be calculated by the method described in Code Section 7.030 Fees – Calculation.
- Section 3. Those businesses with a valid General Occupancy Permit are exempt from paying the First Time Application Fee.
- Section 4. Those businesses with a valid General Occupancy Permit who apply and obtain a business license by December 31, 2008, will receive a prorated credit over the first two years of business license fees owed. The prorated credit will be the remaining balance of the ten-year General Occupancy Permit and will calculated by multiplying the fee actually paid by the percentage of years remaining on the permit. The credit will be applied to the business license fee in the first year and if there is any credit remaining after that, the credit will be applied against the second year business license fee.

- Section 5. The following sections of Resolution No. 2007-31 are hereby repealed upon the effective implementation date of the foregoing fees:
- A. Planning Fees: Business Occupancy Permit.
 - B. Administrative Services: Merchant Permit –one day, one week, one month.
- Section 6. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 24th day of March, 2008.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of March, 2008.

Richard G. Kidd, Mayor

ADMINISTRATIVE SERVICES

BUSINESS LICENSE FEES

Effective October 1, 2008

- First Time Application Fee..... \$25.00

Annual/Renewal

- Businesses with 0 to 2 employees..... \$35.00
- Businesses with 3 to 4 employees..... \$50.00
- Businesses with 5 to 10 employees..... \$75.00
- Businesses with 11 to 50 employees..... \$100.00
- Businesses with 51 or more employees..... \$100.00 plus \$1.00 per employee over 50
Capped at \$250.00 annually
- Temporary/Transient businesses
 - a. First Time Application Fee..... \$25.00
 - b. Up to 30 days of operation..... \$15.00
 - c. Between 31 days and 60 days of operation..... \$30.00
 - d. Over 61 days of operation, treated as a regular business.

First Reading

6.

ORDINANCE NO. 2008-01

**ORDINANCE REPEALING AND REENACTING CHAPTER 7
OF THE FOREST GROVE CODE, ENTITLED "BUSINESS", TO
ESTABLISH AN ANNUAL BUSINESS LICENSE PROGRAM**

WHEREAS, the City of Forest Grove desires to repeal and reenact the City's current general regulatory licenses, codified in Chapter 7 of the Forest Grove Code, with procedures and criteria for establishing an annual business license program; and

WHEREAS, the City of Forest Grove desires business contact information to be updated on an annual basis to enhance public safety; and

WHEREAS, the collection of certain business information will enhance economic development strategies; and

WHEREAS, on February 26, 2007, and August 15, 2007, the City Council directed staff to initiate an annual business license program; and

WHEREAS, on February 11, 2008, the City Council held a work session to allow further discussion about initiating an annual business license program; and

WHEREAS, revenue from these programs will support this and other general fund services that serve the City of Forest Grove; and

WHEREAS, the City Council held a duly notice Public Hearing on January 14, 2008, and continued the Public Hearing on February 11, February 25, and March 24, 2008.

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

Section 1. The Forest Grove City Council does hereby approve establishing an annual business license program as defined in the attached Exhibit A, General Business License.

Section 2. Chapter 7 of the Forest Grove Code, entitled Business, is hereby repealed in its entirety and reenacted as shown in the attached Exhibit A, General Business License.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 25th day of February, 2008.

PASSED the second reading the 24th day of March, 2008.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of March, 2008.

Richard G. Kidd, Mayor

ORDINANCE NO. 2008-01
"EXHIBIT A"

PROPOSED TEXT REPLACEMENT
TO
CITY OF FOREST GROVE CODE
CHAPTER 7 - BUSINESS

7.000 Short Title.

The provisions of Sections 7.000 to 7.070 create the terms of the "Forest Grove Business License Code" and is referred to herein as "Business License Code" or "BLC".

7.005 Purpose and Scope.

- A. The BLC facilitates the collection of information about businesses in the City. Emergency responders from the Police and Fire Departments are better able to respond effectively and safely to emergency situations at Forest Grove businesses when they have information about types of businesses and the contents of the structures in the City. Building Code compliance, Planning Code compliance, Fire Code compliance and Wastewater discharge compliance are enhanced by obtaining data from business license applications about structures in which businesses are located. Business demographic information is also necessary to promote economic development. This chapter is designed to obtain that information. The public health, safety and welfare are benefited by this business licensing chapter.
- B. The annual business license fee imposed by the Business License Code is for revenue purposes only for municipal purposes and for the privilege of doing business in the City. The fees imposed shall be in addition to and not in lieu of any other license or permit fee(s), charge(s) or tax(es) required under any other Code section or ordinance of the City or county or any state or federal law.
- C. The annual business license required by the BLC shall not be construed to constitute a permit to engage in any activity prohibited by law nor a waiver of any regulatory or license requirement imposed by other provision(s) of City, federal, state, regional or local law.

7.010 Definitions.

For the purposes of the Business License Code, the following terms shall, unless the context requires otherwise, mean as follows:

- A. Business. Except as limited below, the term "business" means any enterprise, trade, activity, profession, occupation, private educational facility or any kind of calling carried on for profit or livelihood within the City including businesses and Rental Properties that offer to rent or lease three (3) or more residential rooms, units or structures, and commercial building rentals containing two (2) or more businesses. "Business" does not include the noncommercial on-premises sale of used household goods by a person who resides on the premises (a yard or garage sale) so long as the sales are conducted on no more than six (6) days in any twelve (12) month period.
- B. City. The City of Forest Grove.
- C. City Manager. The person appointed by the City Council to act as City Manager and for purposes of this Chapter includes a person designated by the City Manager to perform his or her functions.
- D. Commercial Building Rental. A building, portion of a building, or a group of buildings on a parcel of land within the City containing two (2) or more businesses. A building or portion of a building containing two (2) businesses shall not be considered a "commercial building rental" if the owner of the building conducts or has a majority ownership of a business in a portion of such building.
- E. Community event. An event which is open to the public and which is approved by the City Manager to use City street and sidewalk areas or held on private or public property with the consent of the owner or entity. Such event may involve a portion or all of the Central Business District, may last up to seven (7) consecutive days, or recur not more than once per week, must be determined by the City Manager to provide an overall community benefit, and must be sponsored by a service group or other organization, not an individual business.
- F. Doing Business. An act or series thereof performed in the course or pursuit of a business activity on

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more than one (1) occasion or day in a calendar quarter and not as a one-time or isolated activity or event. A person is presumed to be "doing business" in the City and subject to the BLC if engaged in any of the following:

1. Advertising or otherwise professing to be doing business within the City;
 2. Delivering goods or providing services to customers within the City;
 3. Owning, leasing, or renting personal or real property within the City which is used in a trade or business;
 4. Engaging in any transaction involving the production of income from holding property or the gain from the sale of property, which is not otherwise exempted in this Chapter. Property may be personal, including intangible or real in nature; or
 5. Engaging in any activity in pursuit of gain which is not otherwise exempted in this Chapter.
- G. Employee. A natural person who works for or on behalf of a business in exchange for compensation, not including those employees leased from another business, regardless of the number of hours per pay period or method of compensation. "Employee" includes, but is not limited to, a sales agent who works primarily for or under the direction of a principal or a broker.
- H. Full-time equivalent employees (FTE). The number of employees of a business as calculated under Section 7.030.
- I. Home Business. A business located and operated out of a person's home or domicile.
- J. License or business license. The document issued by the City granting the privilege to carry on a business within the City.
- K. Mobile business. Any business without a fixed location or which is operating from a self-propelled vehicle or which can be pushed or pulled on a sidewalk, street or highway on which food, goods or services is prepared, processed or from which food or other goods and then sold or dispensed to the public.
- L. Non-resident business. A business operating in the City where the headquarters or main branch is located outside the City.

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- M. Person. Includes individuals and all domestic and foreign firms, corporations, associations, partnerships, joint ventures carrying on any business in the City.
- N. Rental Property. A building, portion thereof or group of buildings within the City and which is rented, leased, let or made available for compensation for sleeping or living purposes. The term includes all multi-dwelling unit premises having three (3) or more dwelling units including hotels and motels, automobile or tourist courts, rooming or lodging houses, or mobile home and trailer parks. In the case of a mobile home or trailer park, the term "dwelling unit" refers to the space, pad or stall.
- O. Secondhand dealer. A person engaged in conducting, managing or carrying on the business of selling goods and articles acquired by purchasing secondhand articles from others.
- P. Solicitation. Any oral or written request to purchase or trade any product or thing; to request a contribution or donation of money or property for any purpose or cause; to request opinions or answers to surveys on any subjects; or, to request endorsement or support by petition any product, candidate or cause.
- Q. Solicitor. A person or persons engaged in solicitation.
- R. Special event. An event specifically approved by the City Manager granting privileges for the use of street and sidewalk areas, or held on private or public property where goods or services are purchased or sold, excluding the noncommercial on-premises sale of used household goods by a person who resides on the premises (a yard or garage sale) so long as the sales are conducted on no more than six (6) days in any twelve (12) month period. Such event must be held within a specially defined area for a period of time not exceeding three (3) consecutive days.
- S. Temporary or Transient Business. A person conducting or operating a business within the City for periods of less than sixty (60) consecutive days in any calendar year. Examples of temporary businesses include, but are not limited to:

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Christmas tree lots, fireworks and fruit/
vegetable/plant stands not part of a farmers market.

- T. Temporary or Transient License. A business license issued for a term of up to sixty (60) days.
- U. Transfer. To transfer the name of ownership or name of business. It shall not mean a change in business location.

7.015 License Required.

- A. Except as may otherwise be provided in subsections 7.015(F) through (G) below, any person doing business (including a home business or a temporary business) within the City shall first obtain a license and pay the required annual fee.
- B. Non-resident businesses must obtain a City business license and pay the required fees.
- C. Solicitor(s) must obtain a City business license and pay the required fees, except as may otherwise be provided in subsections 7.015(F) and (G). Additionally, solicitors must comply with Code Sections 7.405 through 7.420.
- D. Temporary Businesses and special events are subject to the provisions of Sections 7.105 through 7.130 and required to obtain a temporary business license and pay the fee specified by Council resolution.
- E. No person shall conduct business within the City as an employee, agent or representative of a business without first having obtained a valid City business license regardless of the locale of the principal office(s) of that business.
- F. The following businesses and activities need not obtain a business license but instead will be issued, at no cost, an "exemption certificate" which shall record the location, purpose and contact information of the business or activity if one is applied for:
 - 1. Churches and governmental agencies including publicly funded schools.
 - 2. Civic leagues or civic organizations operating exclusively for promotion of social welfare which may from time to time conduct business like activities on a temporary basis, the earnings of which are devoted exclusively to social welfare, religious and/or fraternal purposes.
 - 3. Independent contractors (such as medical care providers, beauticians and the like) working in a

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building where the owner has obtained a business license under one business name covering those located in the building engaged in like profession under the business name indicated on the license.

4. Community events where a special event and other applicable permits have been granted by the City;
 5. Any business or occupation specifically exempt from the payment of a business license fee under the state or federal law or constitution;
 6. Any business specifically exempted by Council;
 7. Producers of farm products raised in Oregon, and sold by them or their immediate families.
- G. The following businesses and activities neither need to obtain a business license nor an "exemption certificate":
1. A service business operated by a person under the age of 18, such as lawn mowing, newspaper delivery, lemonade stand and the like;
 2. Solicitations for contributions or donations which are exclusively devoted to charitable, social welfare, religious, educational, political or fraternal purposes;
 3. Owner-occupied residential dwellings where two or fewer units or rooms are rented or leased for sleeping or living purposes;
 4. Utilities currently franchised by and paying a franchise fee to the City;
 5. A household or garage sale conducted consistent with the terms of the Business License Code.
 6. A contractor with a business license from Metro.
 7. Any activity specifically exempt from licensing under the state law or constitution or federal law or constitution.

7.020 Term.

- A. A business license shall have a term of one (1) year.
- B. A business license shall be effective as of the date of issuance and expire on the last day of the same month twelve months therefrom to be renewed annually thereafter not later than the last business day of that month.
- C. An amended application or reapplication for a business shall be made (and be exempt from payment

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of additional fees), prior to the effective date of any of the events listed below:

1. A change in ownership of the business.
 2. A change of business location.
- D. The business license is deemed expired:
1. At the point in time the type of business listed on the business license ceases as a going concern.
 2. As specified in Section 7.020(B).
- E. A new application must be made, and fees paid when:
1. A business license has expired.
 2. A material change in the type of business conducted occurs.

7.025 Fees - Generally.

- A. There is imposed upon all persons doing business in the City the requirement to pay a fee established by Council and obtain a business license for the privilege of doing business in the City.
- B. Each branch of a business shall obtain a separate business license, except for warehouses used in connection with a licensed business.
- C. The fee shall be due and payable on the application date of the business license. A fee shall be deemed delinquent thirty (30) days after it is due. License fees are not refundable.

7.030 Fees - Calculation.

- The annual fee for a business license shall be set by Council resolution and be the combination of both a base amount and a charge for each full-time employee or full-time equivalent ("FTE") employee, or blended into one fee, tiered by the number of FTEs. To determine the number of FTEs, the following apply:
- A. Employees normally working thirty-two (32) or more hours per week throughout the year shall be considered full-time and shall count as one (1) FTE.
 - B. Employees working less than thirty-two (32) hours per week or who are temporary or seasonal employees shall be counted as one-half of an FTE.
 - C. The annual business license fee shall be based upon the number of employees employed at the time of application for or renewal of a business license.
 - D. For purposes of determining the number of full-time equivalent employees when renewing an existing business license, the count shall be based on the

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average of FTE employees during the previous twelve (12) month period.

7.035 Application procedure.

- A. A person seeking a City business license, or renewal, shall submit an application for same on a form provided by the City. Application shall be made at least 30 days prior to the date the license is requested to be effective. The application shall contain information as the City Manager deems appropriate to determine the ownership, location, management, function, operations, contact information and other factors deemed appropriate by the City. A license may be denied if the applicant fails to supply required information or submits false or misleading information.
- B. On the basis of the application, the City Manager shall compute the fee consistent with the schedule of fees established by Council resolution.
- C. If more than one business takes place at the same location and is operated under the same ownership, or majority ownership, but operates under more than one (1) business name, one (1) application may be filed provided each business is clearly identified and all relevant information is included in the unified application.
- D. If a change of business ownership occurs, an amended application or reapplication shall be made and be exempt from payment of additional fees.
- E. A currently licensed business that physically relocates shall file an amended businesses license application, at no charge, to register the change of address.
- F. No such application shall be accepted by the City unless all information contained therein is complete and verifiable.

7.040 License Issuance or Denial.

- A. The City Manager shall issue or renew a business license upon approval of the application and receipt of all required fees and charges.
- B. The City Manager may deny issuance or renewal of a business license if the applicant fails to supply required information, pay required fees and charges or submits false or misleading information.

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7.045 Notice.

In the event any person has failed to obtain a business license and is doing business in the City, the City's code enforcement officer may:

- A. If the license required has an effective period in excess of one (1) day, send notice to such person at the person's place of business or residence notifying the person that a license must be secured within five (5) calendar days. If, after the five-day (5) period, the person has failed to secure the license, the failure constitutes a violation of this the BLC;
- B. If the license required has an effective period of one (1) day, notify the City's police department and the police department shall then notify such person that a license is required immediately. If the notified person refuses to secure a license and attempts to conduct such business, such conduct is a violation of the BLC.

7.050 Limitations.

No license required under this Chapter shall:

- A. Be assignable or transferable.
- B. Authorize a person other than the one named therein to operate the licensed business or activity.
- C. Authorize any other business or activity than set out in the license.

7.055 Revocation of License.

- A. In the event information supplied in the license application is found to be false or misleading, the City Manager may revoke the license issued.
- B. If the City Manager determines that grounds for revocation exist, the City Manager shall cause the licensee be noticed in writing of the revocation, stating the reasons therefor and informing the licensee of the appeal provisions of 7.060. Notice shall be mailed by first class mail, return receipt requested.
- C. The City Manager may discontinue the revocation proceeding if the basis for revocation is corrected.

7.060 Appeal.

- A. An applicant whose application to the City for a license has been revoked may, within ten business (10) days after notice of the revocation is received

by them, appeal said action to the City Council. The appeal shall be in writing, and received by the City Recorder's Office not later than the twelfth (12th) business day after the notice is shown to have been received and set out the following:

1. The name and address of the appellant;
 2. The nature of the determination being appealed;
 3. The reason the determination is incorrect; and
 4. What the correct determination of the appeal should be.
- D. Failure to have the appeal in the City Recorder's Office timely is a jurisdictional bar to the appeal.
- E. If a notice of revocation is timely appealed, the revocation does not take effect until final determination of the appeal. The Council shall hear and determine the appeal on the basis of the written statement and such additional evidence as it considers appropriate.

7.065 Posting of License.

- A. The license shall be posted in a conspicuous place upon the business premises, available for inspection by the public, City enforcement officers, employees and prospective employees of the business.
- B. The license for a mobile business shall be posted in a conspicuous place upon the vehicle or carried on the person doing business and be available for inspection by the public, City enforcement officers, employees and prospective employees of the business.
- C. The license for a solicitor shall be carried on the person doing business and be available for inspection by the public, City enforcement officers, employees and prospective employees of the business.

7.070 Violation - Penalties.

- A. It is unlawful for any person to make any false or misleading statement to the City for the purpose of determining the amount of any license fee to be paid to the City, or to fail or refuse to comply with any of the provisions of this chapter.
- B. All persons doing business within the City for which a business license is required by this Chapter shall make all records showing the number of employees or persons engaged in the business available to the City at its request for purposes of auditing and

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- verifying license fees charged based upon employee counts. Such records shall be held to the extent permitted in confidence consistent with Oregon law.
- C. A business license fee due from any person and not paid in full when due is delinquent, and the City may avail itself of any and all remedies available to it to collect the fee from that person.
 - D. A person required by this Chapter who fails to timely secure a license under this Chapter before becoming delinquent is in violation of this code. The City shall collect, in addition to the appropriate license fee and other fines assessed, an additional penalty of ten percent (10%) of the fee for each calendar month or fraction thereof the license is delinquent, up to a maximum total of fines and penalties of \$1,000.
 - E. In the event any provision of this Chapter is violated by an entity the officer(s) or person(s) in charge shall be personally liable for the penalties imposed by this section.

SPECIAL EVENTS, TEMPORARY AND MOBILE BUSINESSES

7.105 License Required.

- A. No person shall hold a special event or operate a temporary or mobile business (as those terms are defined in 7.010) without first obtaining a temporary business license and paying the required fee.
- B. Applications for a temporary business license shall be on a form provided by the City. Incomplete applications, or applications submitted without the required fee, are subject to denial
- C. Issuance of a temporary business license is not to be construed to mean a permit. The fees prescribed herein are for revenue purposes and are not regulatory permit fees.
- D. The operator of a special event, temporary or mobile business must provide written permission from the property owner, leasing agent, or manager of a site at which the business will operate.

7.110 Fees.

The fee for a temporary business license shall be set by City Council resolution and is not refundable.

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7.115 License Displayed.

- A. The operator of a special event, temporary or mobile business shall post the temporary business license in a conspicuous place at the business and keep it posted during the entire period covered by the license. The temporary business license shall be available for inspection by the public, city enforcement officers, employees and prospective employees of the business.
- B. A special event, temporary or mobile business shall obtain any other required licenses, approvals or permits from the appropriate agency including the City Police and Fire Departments and/or the Washington County Department of Health and Human Services.

7.120 License and Fee Exemptions.

The exemptions described in subsections 7.015 (F) and (G) apply to special events, temporary or mobile businesses.

7.125 Denial, revocation or suspension of temporary License.

If the information supplied in the application or renewal is false, contains a material misrepresentation or omission as to the current condition of the business, the temporary business permit may be denied, revoked or suspended until such time as the applicant provides accurate information.

7.130 Application for a Temporary Business License for a Mobile Business, Temporary Business or Special Event.

An application for a temporary business license shall require payment of the license fee for each location of the business. When a mobile business, temporary business or special event conducts business at any location for more than two (2) hours at one time, the license application shall include the following information:

- A. Tax assessor's map and tax lot numbers for the sites proposed;
- B. Names and locations of adjacent streets;
- C. Addresses and location of any permanent structures on the site;
- D. Locations of all driveways on the sites and on adjacent properties;

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- E. Location of all drive aisles and fire lanes on the sites;
- F. Diagram of on-site parking lot and parking space configuration (i.e., right-angle vs. angled, single-loaded vs. double-loaded);
- G. Proposed location of the business vehicle on the sites;
- H. Dimensions from proposed temporary structure or vehicle location to all structures, drive aisles, and driveways;
- I. Location of any temporary electrical hookups;
- J. Location of any furniture, trash receptacles, etc., to be placed in the immediate vicinity of the vehicle or business operation;
- K. Documentation demonstrating compliance with minimum parking requirements; and
- L. Documentation showing the consent of the property owner.

SECONDHAND DEALERS, DEALERS IN ANTIQUES, GUNS, COINS AND SCRAP

7.205 Purpose and Scope.

- A. Sections 7.205 through 7.265 are designed to provide for regulation of certain business activities the Council believes present an extraordinary risk of being used as a means of concealing criminal behavior involving the theft of property. Despite the best efforts of legitimate dealers to prevent it, this risk is present because of the large volume of goods processed in such businesses.
- B. To reduce criminal activity by providing more timely police awareness of business transactions involving materials which may have been obtained through illegal means.

7.210 Definitions.

As used in Sections 7.205 through 7.265, the singular includes the plural, and the following words and phrases, unless the context requires otherwise, shall have the following meanings:

- A. Antique. An item of property possessed or valued because of its character, craft, style, rarity and association with an earlier period of time that is purchased for more than \$50 by an antique dealer. "Antique" does not include vehicles and/or vehicle components.

- B. Antique dealer. A person engaged in, conducting, managing or carrying on the business of selling antiques acquired by purchasing antiques from any person not representing a bona fide business, who appears with the article at the dealer's place of business, or by acquiring such items by purchasing from another bona fide, legitimate and reputable business.
- C. Article. An antique, secondhand or precious metal and gem, as defined by this section.
- D. Chief of Police. The City Chief of Police, or the Chief's designee.
- E. Dealer. Means a person operating as an antique dealer, precious metal and gem dealer or secondhand dealer or any of them.
- F. Dealer's Permit. A permit issued to an antique dealer, precious metal and gem dealer, or secondhand dealer, pursuant to Sections 7.215 to 7.265.
- G. Person. Any real person, partnership, association or corporation.
- H. Precious metal and gem. Any metal or gem that is valued for its character, rarity, beauty or quality, including gold, silver, platinum, diamonds, rubies, emeralds, sapphires and pearls, and any other gems, whether as a separate item or in combination as a piece of jewelry, but excluding the following items:
 - 1. Gold bullion bars (0.995 fine or better);
 - 2. Silver bullion bars (0.995 fine or better);
 - 3. Coins, whether actual currency or commemorative, from all countries.
- I. Precious metal and gem dealer. A person engaged in, conducting, managing or carrying on the business of selling precious metals and gems acquired by purchasing precious metals and gems from any person not representing a bona fide business, who appears with such article at the dealer's place of business, or by acquiring such items by purchasing from another bona fide, legitimate and reputable business.
- J. Purchase. Transfer of an article from a person or business, including persons not representing a bona fide business, to any dealer regulated by Sections 7.205 to 7.265, for any valuable consideration. Purchase does not include consignment of property for sale.

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K. Secondhand articles. Includes the following used personal property:

1. Video and audio electronic and/or digital devices and their accessories, including recording devices, such as televisions, radios, stereos, speakers, amplifiers, cameras, camcorders, projectors, DVD players, VCRs and the like;
2. Personal computers;
3. Communication devices such as telephones, walkie-talkies, cell phones and the like;
4. Various household items and appliances such as microwave ovens, sewing machines, silverware, dishes, air conditioners, home accessories and the like;
5. Various personal items such as clothing, jewelry, and watches and the like;
6. Guns and equipment;
7. Various maintenance and landscaping items and equipment such as tools and the like;
8. Office equipment, including typewriters, calculators, copy machines, fax machines, and the like.

L. Secondhand dealer. A person engaged in, conducting, managing or carrying on the business of selling goods and articles acquired by purchasing secondhand articles from any person not representing a bona fide business, who appears with such article at the dealer's place of business, or by acquiring items by purchasing from another bona fide, legitimate and reputable business.

7.215 Dealer's Permit Required.

No person shall engage in business as a dealer in the City without first obtaining a permit from the City and paying a Dealer's Permit fee set by council resolution. This Dealer's Permit is separate and apart from the requirement to obtain a business license as required by the terms of 7.015.

7.220 Dealer's Permit Application.

Application for a Dealer's Permit under Section 7.215 shall be made on a form provided by the City.

7.225 Application Review.

Applications for a shall be reviewed by the Chief of Police, or designee, who shall review and then approve

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or deny issuance of a Dealer's Permit consistent with the provisions of 7.230.

7.230 Criteria for Grant or Denial.

Approval or denial of the application shall be based on the following criteria:

- A. No Dealer's Permit shall be issued unless the applicant is operating from a fixed location in the City.
- B. An applicant for a Dealer's Permit shall complete and submit an application (including required personal history forms) that sets forth the following information:
 - 1. The name, address, telephone number, birth date and principal occupation of all owners and any person who will be directly engaged or employed in the management or operation of the business or the proposed business;
 - 2. The name, address and telephone number of the business or proposed business and a description of the exact nature of the business to be operated;
 - 3. The web address of any and all web pages used to acquire or offer for sale articles on behalf of the Dealer, and any and all internet auction account names used to acquire or offer for sale articles on behalf of the Dealer.
 - 4. Written proof that all principals are at least 18 years of age;
- C. Each principal's business occupation or employment for the 3 years immediately preceding the date of application;
- D. The business license and permit history of the applicant in operating a business identical to or similar to those regulated by these provisions;
- E. A brief summary of the applicant's business history in any jurisdiction including:
 - 1. The business license or permit history of the applicant; and,
 - 2. Whether the applicant or any principal has ever had any business-related license or permit revoked or suspended, the reasons therefore and the business activity or occupation of the applicant or principal subsequent to the suspension or revocation.

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- F. Whether the applicant will be a sole proprietorship, partnership, limited partnership, family limited partnership, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business.
1. If a partnership, the application must set forth the names, birth dates, addresses, telephone numbers, and principal occupations, along with all other information required of any individual applicant, of each partner, whether general, limited or silent and the respective ownership shares owned by each;
 2. If a corporation, or limited liability company, the application must set forth the corporate or company name, copies of the articles of incorporation or organization and the corporate by-laws or operating agreement, and the names, addresses, birth dates, telephone numbers, and principal occupations, along with all other information required of any individual applicant, of every officer, director, members or managers, and shareholder (owning more than five percent of the outstanding shares) and the number of shares held by each;
 3. If the applicant does not own the business premises, a true and complete copy of the executed lease (and the legal description of the premises to be permitted) must be attached to the application;
 4. All arrests or convictions of each principal
- G. Upon request, principals and employees shall submit to the Forest Grove Police Department the following information:
1. fingerprints;
 2. passport size photographs; and
 3. a copy of the signature initials to be used by persons on article transaction report forms.
- Principals and employees must submit new photos if requested to do so by the Forest Grove Police Department
- H. Any other information that the Chief of Police may reasonably feel is necessary to accomplish the goals of these provisions.

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7.235 Issuance or Denial.

- A. The City Manager shall issue a Dealer's Permit if the Chief of Police is assured that the dealer applicant and employees of the dealer have satisfied the conditions set out in Section 7.230.
- B. If the Chief of Police determines that the dealer's application should be denied, the Chief shall notify the applicant in writing. The notice shall state the reason for denial and inform the applicant of the review and appeal provisions in Section 7.060.

7.240 Review of Denial.

An applicant for a Dealer's Permit whose application is denied may have the decision reviewed by the City Manager by filing a written request with the City Manager within ten (10) days of the notice of denial from the Chief of Police. The City Manager shall send a written notice of the decision to the applicant. A decision of the City Manager which upholds a denial may be appealed to the Council as provided by Section 7.060.

7.245 Temporary Permit.

Upon receipt of an application for a permit required under Section 7.215, the Chief of Police may issue a temporary permit for operation of an antique, secondhand or precious metal and gem dealer business, not to exceed a period of 30 days.

7.250 Revocation and Suspension.

- A. Along with the other regulatory enforcement authority granted in these provisions, the Chief of Police may revoke or suspend any permit issued to a dealer:
 1. For any cause that would be grounds for denial of a permit; or
 2. Upon a finding any violation of the provisions of the Forest Grove Code relating to dealers; or
 3. Upon a finding of a violation of federal, state or other local law being committed connected with the operation of the dealer's business location so that the person in charge of the business location knew, or should reasonably have known, that violations or offenses were occurring; or
 4. A lawful inspection has been refused; or

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5. If any statement contained in the application for the permit is false.
- B. The Chief upon revocation or suspension of any permit issued pursuant to these provisions shall give the dealer written notice of the revocation or suspension.
 1. Service of the notice will be accomplished by mailing the notice by regular and certified mail, return receipt requested.
 2. Mailing of the notice by regular mail will be prima facie evidence of receipt of the notice.
- C. Revocation will be effective and final ten days after the giving of notice unless the revocation is appealed.
- D. Suspension will be effective immediately upon the giving of notice, for the period of time set in the notice not to exceed 30 days.

7.260 Dealer Register.

- A. Dealers shall keep a book register of all articles purchased by the dealer. The register shall contain a full, true and complete description of the subject article, including any engraved identifying number, mark or symbol.
- B. The register shall show the hour and the day the article was received and the amount paid. In addition, the register shall include the name, address and signature of the person from whom the purchase is made. The name and address shall be verified by obtaining two (2) pieces of identification at the time of purchase.
- C. The register information on a purchase shall be retained by the dealer for a period of not less than one (1) year. Upon request, the Chief of Police shall be allowed to review the register and any articles in possession of the dealer and subject to Sections 7.205 to 7.265. Inspection of register and articles shall be during regular business hours.
- D. Each article identified in the dealer's register shall be identified in the register with a number, letter or symbol. The article itself, while in possession of the dealer, shall be identified by placing that number, letter or symbol on the article.

7.265 Dealer Report and Holding of Article.

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- A. All dealers shall, at the time of purchase of an article, complete the form provided by the Chief of Police. Completed forms must be returned to the Chief of Police not later than the next business day following the purchase. Placing the completed form in the mail not later than the next business day following the purchase shall be considered timely return. Postmark of the mailing of the completed form shall be verification of the timeliness of the return.
- B. Each article, subject to Sections 7.205 to 7.265, shall not be sold or otherwise disposed of for a period of 15 days from date of purchase. Notwithstanding this requirement, the Chief of Police may authorize, in cases in which it is shown that extreme financial hardship will result from holding an article for the 15-day period, sale or transfer of such article before the expiration of this period. Any authorization to sell an article prior to the expiration of 15 days shall be in writing.
- C. If the Chief of Police, upon reasonable belief that an article is the subject of a theft, notifies the dealer in writing not to dispose of any specifically described article, the article shall be retained in substantially the same form and shall not be sold, exchanged, dismantled or otherwise disposed of for a period of time, not to exceed 30 days, as determined by the Chief of Police.

SECURITY SERVICES

7.305 Definitions.

For the purposes of Sections 7.305 to 7.345, the following words and phrases mean:

- A. Chief of Police. The Chief of Police or the Chief's designee.
- B. License. The business license required by Section 7.310.
- C. Security services. Engaging in or performing any of the following activities, or contracting with another for the performance of such activities:
 - 1. Patrol service;
 - 2. Armed courier service.
 - 3. Guard service.
 - 4. Crowd control.

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5. Investigation service.

"Security services" does not include the following

1. Proprietary security wherein persons are employed by one (1) employer to perform such services for that employer only, but does not include crowd control services.
2. Unarmed investigation of a criminal or civil matter for an attorney or insurance company as an employee of that company and not as a contractor.
3. Armored car services solely restricted to institutions governed by the Federal Deposit Insurance Corporation (FDIC or FSLIC).

7.310 License Required

A. No person, whether proprietor or employee, shall engage in the business of security services within the city without first obtaining a city business license according to 7.015 through 7.030 of this Chapter.

7.315 License Application.

In addition to the requirements of Section 7.035 of this Chapter, an applicant for a license or license renewal must demonstrate compliance with The Oregon Department of Public Safety Standards and Training.

SOLICITORS

7.405 Definitions:

As used in this section the following shall mean:

- A. Solicitation. Any oral or written request to purchase or trade any product or thing; to request a contribution or donation of money or property for any purpose or cause; to request opinions or answers to surveys on any subjects; or, to request endorsement or support by petition any product, candidate or cause.
- B. Solicitor. A person or persons engaged in solicitation.
- C. Posted. The placing of a clearly readable sign or placard in English stating "No Solicitors" or "No Solicitation" readily visible to any person attempting to enter the property from the nearest street or public way or conspicuously placed near the primary entrance to the residence or commercial establishment.

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- D. Person. Every natural person, firm, partnership, association, or corporation.
- E. Owner. Any person having the right of possession of residential or commercial property including, but not limited to, the owner, renter, tenant or authorized agent of such person.

7.410 Posted.

No person shall enter onto any residential or commercial property for the purpose of solicitation or conduct solicitation when entrance to the property has been clearly posted by a sign or placard stating "No Solicitors" or "No Solicitation" unless such person has been expressly invited to do so by the owner.

7.415 Hours.

Uninvited solicitation shall not take place before the hour of 9:00 a.m. or after the hour of 8:00 p.m. when local time is Daylight Saving Time or after 7:00 p.m. when local time is Standard Time.

7.420 Removal of signs.

No person shall remove, deface, destroy or otherwise interfere with the posted signs unless authorized to do so by the owner.

TREE SURGERY

7.505 Definitions:

For the purposes of Sections 7.505 to 7.510, "tree surgery" is the work of cutting, trimming, pruning or removing trees; filling cavities in trees; or treating trees or shrubs in any manner to retard or repair decay and to prolong the life of the treated trees or shrubs. "Tree surgery" does not include work performed by city employees or its agents while performing work for the city.

7.510 Notification Required.

No person shall engage in tree surgery when there is a possibility of interference with or obstruction of utility lines, except after notifying and obtaining authorization from the city Light and Power Department.

GENERAL OCCUPANCY PERMITS

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7.605 Definitions

As used in sections 7.605 through 7.606, the following words shall have the meanings set out below:

- A. General Occupany Permit. The permit required under previous code chapter sections 7.505 through 7.520, issued prior to October 1, 2008.

7.606 Permit expired

All General Occupancy Permits issued prior to October 1, 2008, shall expire upon the issuance of a business license or in the month of their issuance in 2009 and shall not be renewed.

February 25, 2008

STAFF REPORT AND RESOLUTION SUPPORTING IMPLEMENTING THE EXTENSION OF HIGH CAPACITY TRANSIT (HCT) TO FOREST GROVE

Project Team: **Rob Foster, Public Works Director**
 Derek Robbins, Civil Engineer
 Michael Sykes, City Manager

ISSUE STATEMENT: The purpose of this report is to update City Council on the HCT extension to Forest Grove and to propose a resolution for Council to consider adopting in support of implementing the extension of HCT from the City of Hillsboro, through Washington County, and the City of Cornelius, to the City of Forest Grove.

BACKGROUND: On February 28, 2007, City staff held a stakeholders meeting on the HCT extension. City staff, Washington County, City of Hillsboro, and City of Cornelius discussed findings and recommendations from the 2006 Engineering Study done by Jerald Fox. Several steps were identified for moving forward including establishing project structure, forming a cooperative group, establishing a single point project manager, forming a strategy, refine engineering study and cost estimates. Since this meeting, City staff has been working towards accomplishing these steps and others, including staff securing a \$1.5M place holder for the extension on the Regional Transportation Plan. Gaining support and passing a resolution among stakeholders was another key step in moving forward. Currently staff is working on establishing a plan for project management expertise to help guide the work. One difficult hurdle is the timing of when this extension may come about. The funding sources are very competitive in this region for HCT and currently there are other projects receiving most of the attention. Metro is expecting to complete a HCT Vision for the region by 2009 that will help to better identify priorities and timing. Staff is planning to work closely with Metro on this Vision. As a way to help maintain forward movement in implementing this HCT extension it was suggested that stakeholders memorialize their support.

RECOMMENDATION: Staff is requesting the City Council consider adopting the attached resolution supporting implementing the extension of High Capacity Transit from the City of Hillsboro, through Washington County, and the City of Cornelius, to the City of Forest Grove.

7.

RESOLUTION NO. 2008-17

**RESOLUTION SUPPORTING IMPLEMENTING THE EXTENSION OF
HIGH CAPACITY TRANSIT FROM THE CITY OF HILLSBORO, THROUGH
WASHINGTON COUNTY, AND THE CITY OF CORNELIUS,
TO THE CITY OF FOREST GROVE**

WHEREAS, TriMet currently operates a High Capacity Transit (HCT) system throughout much of the metropolitan area and currently ending approximately six miles east of the City of Forest Grove; and

WHEREAS, the City of Forest Grove has solicited input on extending HCT and has participation from Partner Agencies, including Metro, TriMet, Washington County, City of Hillsboro, and City of Cornelius; and

WHEREAS, the Partner Agencies currently support HCT to serve as an important part of a successful transportation system; and

WHEREAS, this HCT extension would connect the City of Forest Grove, City of Cornelius, and west Washington County to the regional rail system, and would help to enhance the Westside HCT System; and

WHEREAS, this HCT extension would add mobility and person-carrying capacity in the Highway 8 corridor, currently served by a single arterial street; and

WHEREAS, this HCT extension would enhance transit use by improving service, reduce travel times, and eliminate or reduce mode changes in Hillsboro; and

WHEREAS, this HCT extension would provide a fixed transit infrastructure to encourage more efficient growth patterns in the corridor, as new development and infill occurs; and

WHEREAS, this HCT extension would connect Pacific University's, Forest Grove, and Hillsboro Campuses; and

WHEREAS, this HCT extension would enhance access to jobs, necessary trips and recreation for residents in the corridor; and

WHEREAS, this HCT extension would help to reduce national oil dependency by (a) use of electric propulsion, (b) enhancing transit use, and (c) encouraging new development to be more transit and pedestrian supportive.

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

Section 1. That the City Council of the City of Forest Grove hereby supports the initiative to bring about the extension of HCT from the City of Hillsboro, through Washington County, and the City of Cornelius, to the City of Forest Grove, and calls upon other jurisdictions to support the initiative; and

Section 2. That the City Council of the City of Forest Grove hereby requests that the Partner Agencies, including Metro, TriMet, Washington County, City of Hillsboro, and City of Cornelius, adopt a similar resolution in support of this HCT extension; and

Section 3. That the Partner Agencies consider convening a Task Force consisting of the public and private sector, environmental organizations, local economic and community organizations, and state and federal agencies to begin to refine the engineering, cost, and implementation plan; and

Section 4. That the City Council of the City of Forest Grove calls upon Federal, State, Regional Legislators, and Partnering Agencies, to identify and provide funds to implement this project; and

Section 5. That a copy of this resolution be communicated to the Federal, State, and Regional Legislators, and Partnering Agencies.

Section 6. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 25th day of February, 2008.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 25th day of February, 2008.

Richard G. Kidd, Mayor

8.

February 25, 2008

REPORT ON MAJOR STREETS TRANSPORTATION IMPROVEMENT PROGRAM (MSTIP) AND TRAFFIC IMPACT FEE (TIF)

Project Team: Rob Foster, Public Works Director
Derek Robbins, Civil Engineer
Michael Sykes, City Manager

ISSUE STATEMENT: The purpose of this report is to update City Council on what is happening with MSTIP and TIF.

BACKGROUND/UPDATE: In September of 2007, City staff presented a work session to City Council on transportation and explained that Washington County and Cities agreed to review the two major traditional capital funding programs – MSTIP and TIF – with the idea of better tailoring them to address the identified needs. One item presented on MSTIP during the work session was that the County and Cities agreed to target the next MSTIP at the major system element, and accepted a map of arterials and select collectors called the System of Countywide Interest. Attachment 1 shows the Forest Grove Map of Countywide Interest. Furthermore, at the work session, City staff received City Council support to move forward with development of the next MSTIP and keeping the TIF as is with only minor modifications including an increase. Also, it was explained at the work session that the revised programs would be put on a timeline for 2008 Elections.

MSTIP 4 – Since the City Council work session, City staff identified four road projects in Forest Grove for MSTIP 4 as follows:

RANK	PROJECT	DESCRIPTION	COST ESTIMATE (07 \$)
1	Hwy 8/Hwy 47 Intersection	Add Turn Lanes and modify traffic signal.	\$3,300,000
2	E/Pacific/19th Intersection	Extend 19th Ave west and connect up to E and Pacific.	\$4,800,000
3	Thatcher/Gales Creek	Re-align Thatcher Road at its intersection with Gales Creek Road.	\$3,600,000
4	Highway 8/Pacific/19th Avenue	Retrofit the street with a boulevard design from Quince Street to B Street including wider sidewalks, curb extensions, safer street crossings, bus shelters and benches.	\$6,600,000

The cost for MSTIP 4 has not been finalized and; therefore, each jurisdiction has not concluded which projects will be on the list. At this point Forest Grove is hoping for two and possibly three projects at the final cut.

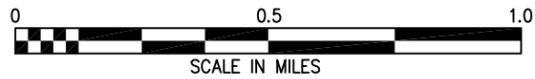
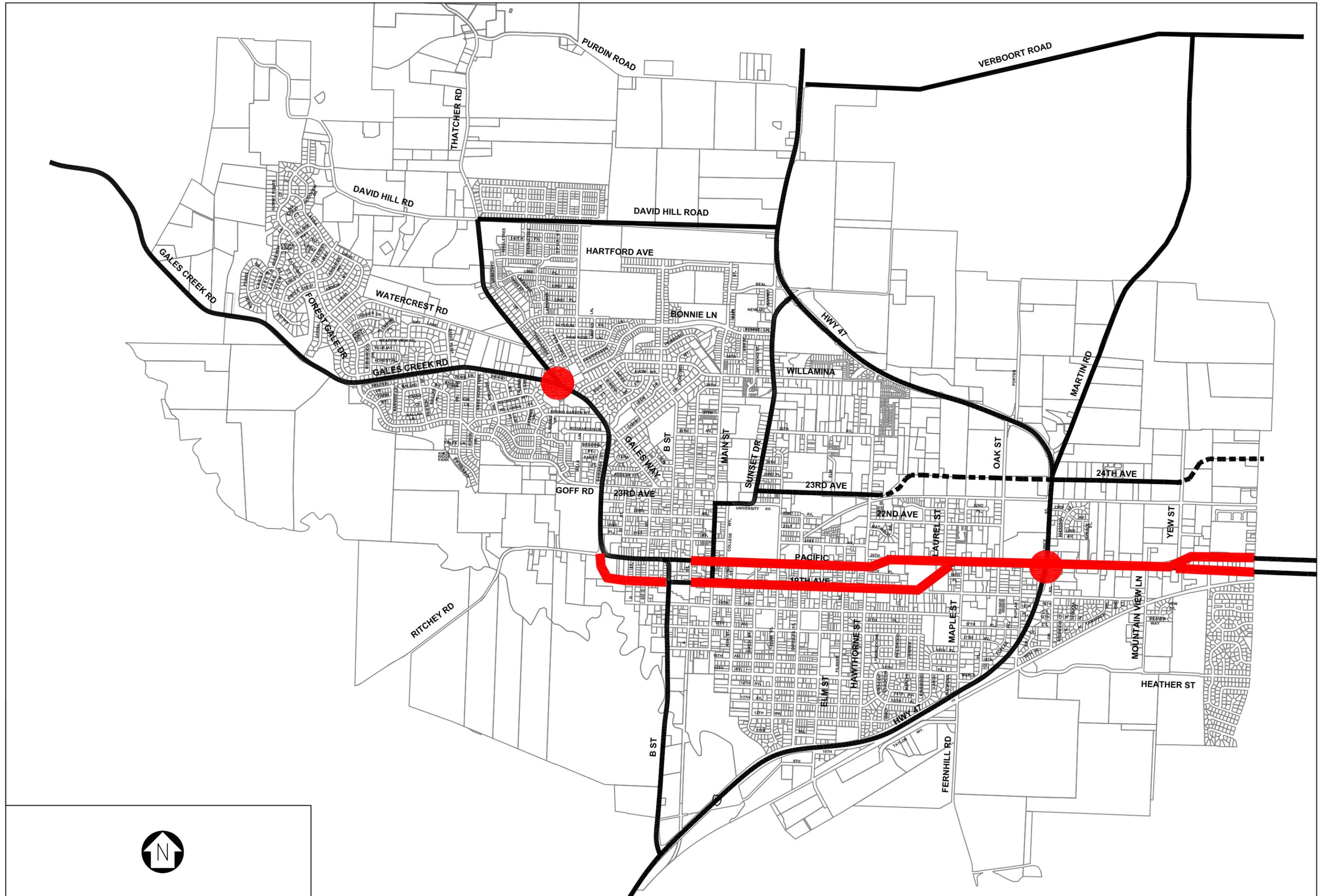
Also, City staff is supporting the Council Creek Regional Trail as a top candidate for the stand-alone bike and pedestrian program in MSTIP 4. The City of Forest Grove along with Oregon State Parks, Washington County, City of Cornelius, City of Hillsboro, and City of Banks has been working hard with Metro to include the Council Creek Regional Trail as a priority and help identify/provide funds to implement the project. Our goal is to plan and construct the Council Creek Regional Trail to serve as a primary transportation and recreational conduit for bicycle and pedestrian travel. The Council Creek Regional Trail would extend from City of Hillsboro, through Washington County, the City of Cornelius, City of Forest Grove, and connecting to the Banks-Vernonia State Trail in the City of Banks.

Attachment 2 shows a MSTIP 4 schedule with key milestones dates.

TIF – Since the work session, the County and Cities have come up with a plan to modify the existing TIF to meet System Development Charge (SDC) statutes, ORS 223.297-223.327 and increase the rate to target an Election date of May 20, 2008. Currently, City staff is working to set an appropriate rate and review necessary changes to meet SDC statutes. Attachment 3 shows the list of TIF projects submitted by Forest Grove staff.

Attachment 4 shows a TIF schedule with key milestone dates.

RECOMMENDATION: Staff is requesting Council support to move forward with the direction the County and Cities are heading with MSTIP and TIF as described above.



CITY OF FOREST GROVE / COUNTY WIDE INTEREST MAP

MSTIP 4 Key Milestone Dates

MSTIP Local Option Levy Ballot Measure Target Election Date: November 4, 2008

MSTIP 4 Development Timeline

Election Date	November 4, 2008
MSTIP 4 Levy Referred to Elections (DEADLINE)	September 5, 2008
Printing and mailing of Voter Information Pamphlet	August 10, 2008
BCC refers levy to Elections	August 5, 2008
Finalize information for Voter Information Pamphlet; begin public information initiative	July 11, 2008
BCC approves project list to be included and described in Voter Information Pamphlet	July 1, 2008 BCC meeting
WCCC finalize MSTIP 4 project list recommendation to BCC	June 9, 2008 WCCC meeting
WCCC TAC finalize MSTIP 4 Project list recommendation to WCCC	May 29, 2008 WCCC TAC meeting
End public review of MSTIP 4 project list options	May 1, 2008
Complete project scope validation and cost estimates	May 1, 2008
Activate Web site, hire PR firm, begin public review and comment on MSTIP 4 project list options	February 15, 2008
Establish 120 percent project list to start project scope validation and cost estimate work	February 11, 2008 WCCC meeting

City of Forest Grove
TIF/SDC
Transportation Project List

Road	From	To	Project	Functional Class	2007 Cost	Portion of Project Related to Capacity (%)	Comments
19th	Poplar	HWY 47	Extend 2 LN	collector	1,374,235	100	2008-2017
23-24	Hawthorn	Quince	Construct 3 LN	collector	15,013,554	100	2008-2017
26th	Juniper	Oak	Construct 3 LN	collector	4,809,823	100	2008-2017
B St	Hartford	David Hill	Extend 2 LN	collector	5,496,941	100	2008-2017
Brooke	Hartford	David Hill	Extend 2 LN	collector			Completed
College	21st	Pacific	Convert 1 way south	collector			Completed
Council	Pacific	19th	Convert 1 way south	collector			Completed
David Hill	East Terminus	HWY 47	Complete 3 LN	collector	5,822,532	100	2008-2017

City of Forest Grove
TIF/SDC
Transportation Project List

Forest Gale	N. Terminus	David Hill	Complete 2 LN	collector			Completed
Goff	E Street	Willamina	Comple 2 LN	collector			Completed
Hartford	B Street	Brook	Complete 2 LN	collector	3,707,150	100	2008-2017
Hawthorn	26th	HWY 47	Complete 2 LN	collector	7,142,738	100	2008-2017
Laurel	22nd	26th	Complete 2 LN	collector	7,788,872	100	2008-2017
Main	Hartford	David Hill	Complete 2 LN	collector	5,496,941	100	2008-2017
Sunset	University	HWY 47	Upgrade to 3 LN	collector			Completed
Thatcher	Gales Creek	Thatcher	Signalize Intersection	arterial	3,626,136	100	\$500,000 to County For Signalization
Yew to Holladay	Holladay	Yew	Construct 2 LN	collector	7,486,296	100	2008-2017
HWY 47	Elm	HWY 47	Signalize Intersection	arterial	271,562	100	2008-2017

City of Forest Grove
TIF/SDC
Transportation Project List

Sunset	Willamina	Sunset	Add turn lanes / signal	collector	1,381,562	100	DKS Cost Estimate
HWY 47	Maple	HWY 47	Signalize Intersection	arterial	271,562	100	2008-2017
TV HWY	Quince	TV HWY	Add turn lanes / signal	arterial	3,330,000	100	2008-2017
Oak	Pacific	HWY 47	Upgrade to 2 LN Collector add Signal	collector	5,616,656	100	2008-2017
Heather	Mountain View	HWY 47	Upgrade to 2 LN Collector	collector	5,775,208	100	2008-2017
West County Rail	Hillsboro	Forest Grove	Extend HCT	HCT	1,500,000	100	2008-2017
E/Pacific/19th	19th	E	Extend 2 Lane couplet	collector	4,768,848	100	2008-2017
			TOTAL Needs		90,680,613		



February 6, 2008

SDC/TIF Key Milestone Dates

2008 SDC / TIF Ballot Measure Target Election Date: May 20 , 2008

Traffic Impact Fee/Systems Development Charge Timeline

Election Date	May 20, 2008
Last Date to Refer County Measure to Election (61 st day before election date; ORS 254.103)	March 20, 2008
Latest Regular BCC Meeting to Refer County Measure; Adopt Ballot Title	March 18, 2008
Third Reading, First BCC Hearing, Engross Ordinance(s)	March 4, 2008 (Continue to March 11, 2008)
March WCCC	March 3, 2008
Second Reading of Ordinance(s)	February 26, 2008
Introduction and First Reading, of Ordinance(s)	February 19, 2008
Proposed Ordinance(s) File with County Records; Available to Public	February 14, 2008
February WCCC	February 11, 2008
January WCCC	January 7, 2008
Mailed Notice of TIF/SDC Methodology Available (60 days prior to 1 st hearing; ORS 223.304(7))	January 3, 2008
Mailed Notice of First BCC Hearing on Revised TIF/SDC (90 days prior; ORS 223.304(7))	December 4, 2007

Light and Power Request for a Groundsman/Apprentice Lineman Position

Project Team: Janet Lonneker, City of Forest Grove Light and Power Director
Paul Downey, Finance Director, City of Forest Grove
Michael Sykes, City Manager, City of Forest Grove

Issue Statement: The Light and Power Department is requesting to renew an apprentice lineman position due to the existing apprentice lineman completing the program and becoming a full journeyman lineman at L&P. Because of a recent change in the State of Oregon Apprentice Electrical Lineman Program requirements, there is a need to renew this position now rather than waiting for the new fiscal year to begin in July.

Background: The Light and Power Department has maintained an apprentice lineman position for the last 10 years. The apprentice lineman begins as a "groundsman" working with our crews to learn the trade. Jointly, the apprentice enters into the State of Oregon apprentice program, which is a 4-year program, to become a full journeyman lineman. The previous two L&P apprentice linemen have successfully completed the State apprentice lineman program and have gone on to be valuable journeyman linemen at Light and Power.

Discussion: Light and Power is coming to the Council now to request renewal of the Apprentice Lineman position because the State of Oregon has changed the apprentice lineman program requirements recently. Previously, Light and Power would request renewal of the position during the budget process, and obtain approval for the upcoming fiscal year July. The Apprentice Lineman would begin in July working as a groundsman on the crews and enter the State Apprentice Program in September of the same year. The change to the program requires the apprentice to work as a groundsman for a minimum of 6 months prior to entering the State Apprentice Lineman program in September. If Light and Power can recruit and hire an Apprentice Lineman now, we will meet the 6-month groundsman requirement for entering into the State program this coming September, 2008. If not, the apprentice would be delayed for one year having to enter into the State program in September 2009. Light and Power currently has a journeyman lineman retiring in the next 2 years, and another two journeyman linemen eligible for retirement in 5 years. Renewing the apprentice lineman position is part of Light and Power's succession plan for our aging workforce. This 4½ year State program will produce a journeyman lineman for L&P in time for the impending retirements. Starting an apprentice lineman at Light and Power gives us a better opportunity of retaining our linemen for the long term.

This position will not impact the current FY 2007-08 budget as Light and Power is under budget in labor due to other positions that have not been replaced as yet. This will impact the FY 2008-09 budget with an increase of \$85,000, subsequently rising to approximately \$110,000 after 3 years. The increase will not affect Light and Power rates as this position has already been factored into 2008 rates.

Recommendation/Request: Light and Power is requesting the City Council approve the Apprentice Lineman position, for the FY 2007-2008 budget year.