

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JUNE 27, 2011 – 7:00 P.M.
COMMUNITY AUDITORIUM
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented July 11, 2011.***

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:12 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Council President, Victoria Lowe, Camille Miller, Ronald Thompson, Elena Uhing, and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Brenda Camilli, Human Resources Manager; Rob Foster, Public Works Director; Jon Holan, Community Development Director; James Reitz, Senior Planner; Michael Kinkade, Fire Chief (in the audience); Aaron Ashbaugh, Police Captain (in the audience); Richard Matzke, Interim Light and Power Director (in the audience); and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS: None.

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 Regular Meeting Minutes of May 23, 2011 (Resubmitted).
- B. Approve City Council Executive Session (City Manager Evaluation) Meeting Minutes of June 13, 2011.
- C. Approve City Council Work Session (Jurisdictional Transfer of Roadways) Meeting Minutes of June 13, 2011.
- D. Approve City Council Regular Meeting Minutes of June 13, 2011.
- E. Accept Planning Commission Meeting Minutes of May 16, May 31, and June 6, 2011.
- F. Accept Public Arts Commission Meeting Minutes of February 10, April 14, and May 12, 2011.
- G. Accept Public Safety Advisory Commission Meeting Minutes

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of May 25, 2011.

H. **RESOLUTION NO. 2011-64 MAKING APPOINTMENT TO THE PLANNING COMMISSION (APPOINT RICHARD KIDD, TERM EXPIRING DECEMBER 31, 2014).**

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to approve the Consent Agenda as presented. **MOTION CARRIED 7-0 by voice vote.**

4. **ADDITIONS/DELETIONS:** None.
5. **PRESENTATIONS:** None.
6. **CONTINUE PUBLIC HEARING FROM JUNE 13, 2011: FIRST READING OF ORDINANCE NO. 2011-08 AMENDING FOREST GROVE CITY CODE SECTION 3.910 TO ALLOW OFFSITE TEMPORARY AND PORTABLE SIGNS AND REPEALING CODE SECTION FROM ORDINANCE NO. 2009-13**

Staff Report:

Holan, Foster, and Reitz presented the above-proposed amended ordinance (Exhibit A) for Council consideration, noting in addition to the amendments adopted by Council at the meeting of June 13, 2011, staff is proposing two additional amendments for Council consideration: 1) amend Code Section 3.910(2)(ii) to allow up to two temporary signs (i.e., garage sale signs) to be placed anywhere within the public rights-of-way with each sign not exceeding 4' in area from Noon on Friday to 6:00 p.m. on Sunday, noting staff is proposing the same time limitations as real estate signs, because the time provision of eight (8) calendar days per year is difficult to enforce. 2) amend Code Section 3.910(2)(iii) to allow up to two temporary signs (i.e., real estate signs) during the time of sale, lease or rental of a lot or structure to be placed anywhere in a residential, commercial or industrial zone district within the public rights-of-way with each sign not exceeding 6' in size and 30" in height from 6:00 a.m. on Friday to 6:00 p.m. on Sunday. Holan reported the proposed ordinance (Exhibit A) incorporates the amendments made by Council at the meeting of June 13, 2011, and incorporates the two proposed amendments as noted above. In addition, Holan reported staff is proposing an alternative amendment (presented as Option 1), which would allow tourist-oriented businesses the

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option of having either a portable (i.e., sandwich boards) or a city erected tourist sign (blue blade signs) (adding Code Section 3.905(11), 3.910(g) and (j) to the proposed ordinance). Holan advised that signs erected by the City (governmental agencies) in public rights-of-way are exempted pursuant to the existing Code, noting the proposed Option 1 would establish requirements and limitations for erecting City signs. In conclusion, Holan asked Council to review the above-noted amendments and determine if the City should limit offsite signage to tourist-oriented businesses only; or should the City allow offsite portable signage only; and/or should the City allow the option of either offsite portable signage or City erected signage.

Before proceeding with a motion for First Reading, Mayor Truax opened the continuance of the Public Hearing from the meeting of June 13, 2011.

Declaration of Ex-parte Contacts, Conflicts of Interest, or Abstentions:

BeLusko disclosed ex-parte contacts and declared no conflict that would affect his decision.

Johnston disclosed ex-parte contacts and declared no conflict that would affect his decision.

Miller disclosed ex-parte contacts and declared no conflict that would affect her decision.

Thompson disclosed ex-parte contacts and declared no conflict that would affect his decision.

Uhing disclosed ex-parte contacts and declared no conflict that would affect her decision.

Mayor Truax disclosed ex-parte contacts and declared no conflict that would affect his decision.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of June 13, 2011.

Written Testimony Received:

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Portland Metropolitan Association of Realtors (PMAR), 825 NE Multnomah, Suite 1145, Portland, OR 97232, submitted a letter dated June 27, 2011, proposing language amendments that would enhance clarity of identifying the owner of the property and a proposed recommendation to include language that would allow leaving a card with contact information if the owner of the abutting property cannot be contacted as outlined in the above-referenced letter.

Proponents:

Roberta Nickels, 2629 17th Avenue, urged Council to adopt the proposed ordinance and thanked Council and staff for listening and publicly addressing garage sales signs within public rights-of-way.

No one else testified and no other written comments were received.

Opponents:

Bruce Clark, 2405 Pacific Avenue, reiterated comments heard at the meeting of June 13, 2011, stating the Council is dealing with one remote business. Clark urged Council to consider placement of garage sale and real estate signs on private property only instead of allowing placement of signs within public rights-of-way, noting he encountered problems last weekend when he tried to mow due to a garage sale sign was posted in the area in front of his business.

Others:

Teri Koerner, Chamber of Commerce Director, testified on behalf of the Chamber of Commerce and voiced concern the proposed ordinance, Option 1, as written would preclude offsite signs commonly used by little leagues and offsite signs for businesses that are not tourist-related.

Tammy Clark, 2405 Pacific Avenue, urged Council to ensure the ordinance clearly identifies who is legally responsible in case of injury caused by offsite signage and voiced concern that businesses may take advantage of posting multiple signs, such as a business could post an A-frame and a temporary sign if the sign meets size restrictions and is posted during the time limitations.

No one else testified and no other written comments were received.

Public Hearing Recessed:

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Mayor Truax recessed the Public Hearing until the next Council meeting of June 27, 2011.

Council Discussion:

In response to Miller's concern pertaining to potential proliferation of blue tourist-oriented signs if no sign limit is set, Holan advised the proposed ordinance gives the Public Works Director the discretion to approve and determine the number of tourist-oriented signs allowed per pole.

In response to Thompson's concern pertaining to PMAR's request to leave a business card as a form of notifying the property owner, Holan advised there is no written requirement in the proposed ordinance to notify the abutting property owner to post a garage sale or real estate sign within the public rights-of-way, noting the written permission applies only to offsite signage.

In response to Johnston's concern pertaining to property that is rented or leased, Holan advised the owner of the property, not the leaser or renter, would be the responsible party to give written permission to allow an offsite sign adjacent to their property, noting no written permission is required for garage sale or real estate signs.

In response to Uhing's concern pertaining to allowing temporary signage for little leagues and other events, Holan affirmed temporary signs are allowed pursuant to the size restrictions and only during the time limitations set in the proposed ordinance.

Lowe voiced concern of amending the existing Code, stressing that every attempt made for a solution creates even more confusion and bigger problems and stated not all laws (ordinances) are going to please 100 percent of the people. Lowe advised she is voting no on the proposed ordinance, because she is opposed to allowing offsite signage. In response to Lowe's concern pertaining to who is responsible for the offsite signage, Holan affirmed the liability and legal responsibility would fall upon the property owner granting the written permission.

Uhing stated if the agreement between the business and property owner does not work out, the property owner can revoke the privilege of allowing a sign adjacent to their property.

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Mayor Truax indicated the responsibility and discussions are between the business and property owner and stated he does not want the City to inject itself into the discussion or situation between the business and property owner. Mayor Truax advised the City's job is to protect the public rights-of-way and to ensure that signs increase economic vitality for businesses in the community, stressing the City does not need to thread upon other peoples' rights to control the property in front of their place of business.

BeLusko stated he supports the action taken at the last meeting to allow an additional offsite sign within the public rights-of-way in front of another property with written permission from the adjacent property owner, stressing by allowing this provision, it does not create a proliferation of signs. In addition, BeLusko stressed that he wants to provide an option for Cynthia Smith, 22nd Street Station.

Hearing no further discussion from the Council, Mayor Truax asked for a motion from the Council.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to adopt Ordinance No. 2011-08, Exhibit A as presented, Amending Forest Grove City Code Section 3.910 to Allow Offsite Temporary and Portable Signs and Repealing Code Section from Ordinance No. 2009-13. (Exhibit A incorporates Code Section 3.910(2)(ii) to allow up to two temporary signs (i.e., garage sale sign) to be placed anywhere within the public rights-of-way with each sign not exceeding 4' in area from Noon on Friday to 6:00 p.m. on Sunday and incorporates Code Section 3.910(2)(iii) to allow up to two temporary signs (i.e., real estate sign) during time of sale, lease or rental of a lot or structure to be placed anywhere in a residential, commercial or industrial zone district within the public rights-of-ways with each sign not exceeding 6' in size and 30" in height from 6:00 a.m. on Friday to 6:00 p.m. on Sunday).

Council Discussion:

Uhing stressed she could not support the above-proposed motion, because it is eliminating the option of allowing a "blue tourist-oriented sign" and stated it is better to provide both options (tourist-oriented or offsite) in order to allow businesses the opportunity to promote tourism.

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BeLusko replied he supports the “blue tourist-oriented sign” as well and stated but in order to move forward, he is proposing separate motions, noting after the above-noted motion is handled, a motion can be made to allow “blue tourist-oriented signs”.

Johnston stated even though he does not agree with a majority of the ordinance, at this point and time, Council needs to move forward.

Miller spoke about the importance of not losing sight of the fact that this entire exercise over the last two years began as a result of the request of citizens who asked that City streets be cleaned of signs.

Mayor Truax advised that ordinances are living and breathing documents that can be revisited at any time, noting this proposed ordinance is a work in progress.

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

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

MOTION TO AMEND NO. 1: Councilor Johnston moved, seconded by Councilor Uhing, to direct staff to amend Ordinance No. 2011-08 to allow the option of a “blue tourist-oriented blade sign” or an offsite “sandwich board sign” for any business.

Council Discussion:

Miller voiced concern she could not support the above-proposed motion, because it defeats the purpose of what citizens have asked Council to do, which is tidy things up.

Thompson voiced concern he could not support the above-proposed motion, because the motion allows the option of an additional offsite sign and stated the City still has almost the same amount of clutter as it had before. Thompson stressed he gave in to allowing one A-frame adjacent to the business and advised he will support Option 1, because it is more orderly fashioned for tourist-related businesses. In addition, Thompson reported he has spoken to a lot of business people who have told him the

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“blue signs” provide a better option for them and for people driving through the community.

Johnston indicated the clutter sign issue came about most likely from the non-business community not the business community and stressed the City is spending a lot of dollars on economic development, and if the City wants to be viable and strive as a business community, the City needs to have an economic business climate that allows businesses to have signage, which is the same as other communities.

Mayor Truax indicated he has heard from a lot of businesses, especially through the Chamber, who support the new sign regulations because the sign issue was getting out of control, i.e., the proliferation of signs that had been occurring at the shopping centers.

Johnston stressed the proliferation of signs that was occurring was due to the fact that the City has not enforcing the laws and stated if the City does not enforce the new laws there will continue to be a proliferation of signs.

Mayor Truax replied the City has been enforcing the laws, and as a result, staff has been held to public ridicule.

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

ROLL CALL VOTE ON MOTION TO AMEND NO. 1: AYES: Councilors BeLusko, Jr., Johnston, and Uhing. NOES: Councilors Lowe, Miller, Thompson, and Mayor Truax. MOTION FAILED 3-4.

Mayor Truax advised that he could not consciously vote in favor of the above-proposed motion to amend, because “blue signs” should be strictly for tourist-related businesses.

MOTION TO AMEND NO. 2: Councilor BeLusko, Jr., moved, seconded by Councilor Thompson, to adopt Ordinance No. 2011-08, Option 1, to allow “blue tourist-oriented blade sign” for tourist-related businesses only (amending Code Section 3.900, 3.905(11) and 3.910).

In response to Johnston’s point of clarification, Holan clarified the motion

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on the floor adds the definition for tourist-oriented business and allows tourist-oriented businesses the option of either a “blue blade sign” or an offsite portable sign and allows each business to have one offsite “sandwich board” with permission of the adjoining property owner.

ROLL CALL VOTE ON MOTION TO AMEND NO. 2: AYES: Councilors BeLusko, Jr., Johnston, Thompson, Uhing, and Mayor Truax. NOES: Councilors Lowe and Miller. MOTION PASSED 5-2.

Council Discussion:

Hearing no further discussion from the Council, Mayor Truax asked for a motion for first reading of Ordinance No. 2011-08 as amended.

Sykes read Ordinance No. 2011-08 by title for first reading as amended.

MOTION FIRST READING: Councilor Uhing moved, seconded by Councilor BeLusko, Jr. , first reading of Ordinance No. 2011-08 Amending Forest Grove City Code Section 3.900, 3.905, and 3.910 to Allow Offsite Temporary and Portable Signs or City Erected Signs for Tourist-Oriented Businesses and Repealing Code Sections from Ordinance No. 2009-13.

ROLL CALL VOTE ON MOTION FOR FIRST READING: AYES: Councilors BeLusko, Jr., Johnston, Thompson, Uhing, and Mayor Truax. NOES: Councilors Lowe and Miller. MOTION PASSED 5-2.

Mayor Truax announced the motion to amend passed; therefore, staff is directed to submit an amended Ordinance No. 2011-08 for second reading incorporating the revisions for consideration at the next meeting of July 11, 2011.

7. PUBLIC HEARING AND RESOLUTION NO. 2011-56 SETTING CERTAIN FEES FOR WATER AND LIGHT AND POWER, EFFECTIVE JULY 1, 2011, AND REPEALING RESOLUTION NO. 2010-40

Staff Report:

Cole, Foster, and Downey presented the above-proposed resolution setting certain water and Light and Power-related fees for miscellaneous services. Cole outlined the significant changes to the fee schedules as

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noted in the staff report and proposed resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-56.

Sykes read Resolution No. 2011-56 by title.

MOTION: Councilor Miller moved, seconded by Councilor Uhing, to adopt Resolution No. 2011-56 Setting Certain Fees for Water and Light and Power, Effective July 1, 2011, and Repealing Resolution No. 2010-40.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

In response to Lowe's concern pertaining to assessing a fee for water shut off/on, Downey explained staff is proposing effective July 1st that no fee be imposed for water shut off/on during business hours to encourage customers to call in for service to prevent unintended damage to water meters.

In response to Uhing's concern pertaining to waiving the fee for water shut off/on in case of an emergency after business hours, Cole referenced Exhibit A and pointed out language giving the Public Works Director the discretion to waive the fee in case of an emergency or circumstances beyond control.

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Johnston voiced concern the fee for water shut off/on after business hours was too costly, to which Cole and Downey explained the fee is set to recover cost of service and the fee would only be assessed at the meter, noting most homes have an emergency shut-off switch.

In response to Mayor Truax's inquiry pertaining to meter tampering, Cole and Downey explained it is difficult for the City to prove destruction of property, noting staff is proposing to assess a fee, plus cost to repair/replace meter, in lieu of seeking legal action.

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

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

8. PUBLIC HEARING AND RESOLUTION NO. 2011-57 FIXING WATER RATES FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2011, AND REPEALING RESOLUTION NO. 2010-41

Staff Report:

Cole, Foster, and Downey presented the above-proposed resolution increasing water rates for residential and commercial class customers, noting the rates for multi-family and industrial customers are proposed to remain the same. In conclusion, Cole outlined the significant changes to the water rates as noted in the staff report and proposed resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-57.

Sykes read Resolution No. 2011-57 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2011-57 Fixing Water Rates for the City of Forest Grove, Effective July 1, 2011, and Repealing Resolution No. 2010-41.

Public Hearing Opened:

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Mayor Truax opened the Public Hearing.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Mayor Truax advised that the public had every opportunity to comment, noting an open house was held, information was posted on the City's website, information was published in the newspaper and utility billing insert, and information was distributed at the Farmers' Market. In conclusion, Mayor Truax thanked staff for their efforts and encouraged staff to use the same public notification process for future rate increases.

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

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

9. PUBLIC HEARING AND RESOLUTION NO. 2011-58 ADOPTING SUPPLEMENTAL BUDGET AND INCREASING APPROPRIATIONS WITHIN THE SEWER SYSTEM DEVELOPMENT CHARGE FUND

Staff Report:

Downey and Cole presented the above-proposed resolution authorizing the expenditure of additional funds, noting the Sewer System Development Charges (SDC) the City collected for Fiscal Year 2010-11 were higher than anticipated due to heavier than projected building activity. Downey reported the City is contractually obligated to pay 80

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percent of the sewer SDC funds to Clean Water Services. In conclusion, Downey advised an appropriation of \$160,000 from Intergovernmental Services is needed before the City can expend funds, noting a supplemental budget hearing is required pursuant to budget law.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-58.

Sykes read Resolution No. 2011-58 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to adopt Resolution No. 2011-58 Adopting Supplemental Budget and Increasing Appropriations Within the Sewer System Development Charge Fund.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

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

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

10. RESOLUTION NO. 2011-59 AUTHORIZING CITY MANAGER TO

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**ENDORSE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF FOREST GROVE AND WASHINGTON COUNTY
COOPERATIVE LIBRARY SERVICES (WCCLS) “PUBLIC LIBRARY
SERVICES AGREEMENT”**

Staff Report:

Downey and Winters presented the above-proposed resolution and recommended approving the revised Intergovernmental Agreement (IGA) between the City and Washington County Cooperative Library Services (WCCLS) for Public Library Services. Downey and Winters outlined the significant changes to the IGA as noted in the staff report and proposed resolution, noting the new IGA will be effective July 1, 2011, through June 30, 2016, and will replace the existing agreement, which expires June 30, 2011.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-59.

Sykes read Resolution No. 2011-59 by title.

MOTION: Councilor Miller moved, seconded by Councilor Lowe , to approve Resolution No. 2011-59 Authorizing City Manager to Endorse an Intergovernmental Agreement between the City of Forest Grove and Washington County Cooperative Library Services (WCCLS) “Public Library Services Agreement”.

Council Discussion:

In response to Lowe’s concern pertaining to tracking statistics to ensure equitable funding, Downey and Winters affirmed staff will continue to monitor statistics, noting the new funding changes will provide more protection and the additional 0.5 percent increase in funding will result in an additional funds over the five-year period of the IGA.

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

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

11. **RESOLUTION NO. 2011-60 AUTHORIZING CITY MANAGER TO ENDORSE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES (WCCLS) “WCCLS INFORMATION NETWORK AGREEMENT”**

Staff Report:

Downey and Winters presented the above-proposed resolution and recommended approving the revised Intergovernmental Agreement (IGA) between the City and Washington County Cooperative Library Services (WCCLS) for Information Network. Downey and Winters outlined the significant changes to the IGA as noted in the staff report and proposed resolution, noting the new IGA will be effective July 1, 2011, through June 30, 2016, and will replace the existing agreement, which expires June 30, 2011.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-60.

Sykes read Resolution No. 2011-60 by title.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to adopt Resolution No. 2011-60 Authorizing City Manager to Endorse an Intergovernmental Agreement between the City of Forest Grove and Washington County Cooperative Library Services (WCCLS) “WCCLS Information Network Agreement”.

Council Discussion:

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

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

12. **RESOLUTION NO. 2011-61 AUTHORIZING EXECUTION OF A LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE FOREST GROVE POLICE ASSOCIATION (FGPA) EFFECTIVE JULY 1,**

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2011, AND EXPIRING JUNE 30, 2012

Staff Report:

Camilli and Downey presented the above-proposed resolution requesting authorization to execute the labor agreement between the City and the Forest Grove Police Association (FGPA), effective July 1, 2011, through June 30, 2012. Camilli reported staff met with FGPA and negotiated a new labor agreement, noting language modifications to the agreement include officer in charge eligibility; bilingual language and School Resource Officer incentive pay of five percent (5%); clothing allowance increases; and a cost-of-living adjustment (COLA) of 1.3 percent (1.3%), effective July 1, 2011. The Community Service Officer will receive an additional eight percent (8%) adjustment based on market data. Camilli noted the costs to implement the agreement are within the parameters set by Council and funds have been identified in the 2011-12 budget and are within the five-year fiscal plan.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-61.

Sykes read Resolution No. 2011-61 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to adopt Resolution No. 2011-61 Authorizing Execution of a Labor Agreement between the City of Forest Grove and the Forest Grove Police Association (FGPA) Effective July 1, 2011, and Expiring June 30, 2012.

Council Discussion:

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

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

13. **RESOLUTION NO. 2011-62 ADOPTING THE IMPLEMENTATION OF GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) 54 BY COMMITTING THE ENDING FUND BALANCES OF THE STREET TREE**

**FUND AND THE FIRE EQUIPMENT REPLACEMENT FUND AND
DELEGATING AUTHORITY TO THE CITY MANAGER OR DIRECTOR
OF ADMINISTRATIVE SERVICES TO ASSIGN ENDING FUND
BALANCES**

Staff Report:

Downey presented the above-proposed resolution requesting to implement the new Governmental Accounting Standards Board (GASB) issue Statement 54, which requires the Council to make certain decisions regarding use of resources and classifications of ending funding balances in order for the Comprehensive Annual Financial Report to be in compliance with generally accepted accounting principles. Downey outlined the specific Fund Accounts, noting GASB 54 requires reclassification of the ending fund balances into five categories and the City has reclassified all the required ending fund balances with the exception of the Street Tree Fund and Fire Equipment Replacement Fund as noted in the staff report and proposed resolution. In addition, Downey reported the proposed resolution authorizes the City Manager or Administrative Services Director to assign resources/fund balances as needed.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-62.

Sykes read Resolution No. 2011-62 by title.

MOTION: Councilor moved, seconded by Councilor , to approve Resolution No. 2011-62 Adopting the Implementation of Governmental Accounting Standards Board (GASB) 54 by Committing the Ending Fund Balances of the Street Tree Fund and the Fire Equipment Replacement Fund and Delegating Authority to the City Manager or Director of Administrative Services to Assign Ending Fund Balances.

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston,

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**Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None.
MOTION CARRIED 7-0.**

**14. RESOLUTION NO. 2011-63 AMENDING CITY MANAGER'S
COMPENSATION PLAN AND EMPLOYMENT AGREEMENT AND
AUTHORIZING COMPENSATION FOR THE CITY MANAGER FOR
FISCAL YEAR 2011-12, EFFECTIVE JULY 1, 2011, THROUGH JUNE
30, 2012**

Staff Report:

Mayor Truax presented the above-proposed resolution authorizing to amend the City Manager's Employment Agreement and setting compensation for the City Manager for Fiscal Year 2011-12, effective July 1, 2011, through June 30, 2012. Mayor Truax reported on the significant findings of the City Manager's evaluation report, noting the Council found the City Manager's performance to be meritorious and is proposing a cost-of-living salary increase of 1.3 percent (1.3%).

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-62.

Sykes read Resolution No. 2011-62 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Johnston, to approve Resolution No. 2011-63 Amending City Manager's Compensation Plan and Employment Agreement and Authorizing Compensation for the City Manager for Fiscal Year 2011-12 (\$10,666/monthly / \$127,992/annually), Effective July 1, 2011, through June 30, 2012.

Council Discussion:

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

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

16. CITY MANAGER'S REPORT:

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Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes thanked Council, noting he is very fortunate and pleased to be working with the Council. In addition, Sykes distributed a copy of his written report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and upcoming city-wide events.

16. COUNCIL COMMUNICATIONS:

BeLusko reported on Public Arts Commission-related activities and upcoming events and upcoming meetings he was planning to attend.

Johnston reported on various Washington County-related meetings he attended and provided a summary of various legislative-related information of interest. Johnston reported he was recently appointed to the Oregon State Forest Lands and has attended his first meeting. In addition, Johnston reported on various upcoming events and meetings he was planning to attend.

Lowe reported on Parks and Recreation Commission and Fernhill Wetlands-related meetings and activities and reported on various upcoming meetings she was planning to attend.

Miller reported the Committee for Citizen Involvement meeting was postponed. In addition, Miller reported on various community-wide events of interest and reported on various upcoming meetings she was planning to attend.

Thompson reported he was unable to attend the Community Forestry Commission meeting and Forest Grove Senior and Community Center Board meeting. In addition, Thompson reported on Ride Connection-related activities and grants awarded and reported on various upcoming meetings he was planning to attend.

Uhing reported on Historic Landmarks Board (HLB)-related activities and reported the HLB would like to extend the opportunity to all boards and commissions to attend a legal training update, to which Mayor Truax noted it would be a good idea having all boards and commissions attend this type of training.

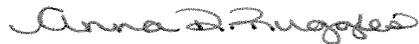
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Mayor Truax reported on various local, regional, Metro, and Washington County meetings he attended and reported on various upcoming meetings and community-related events he was planning to attend. Mayor Truax provided a summary report on the Joint Western Washington County Legislative Session, which was held on June 16, 2011, and distributed thank-you cards received from guests who attended. Mayor Truax reported on League of Oregon Cities legislative-related information. In conclusion, Mayor Truax spoke in remembrance of Arleigh Berget who recently passed away, noting Berget was a long-time resident of Forest Grove and an outstanding public educator.

17. ADJOURNMENT:

Mayor Truax adjourned the meeting at 9:46 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder