

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

***Minutes are unofficial until approved by Council.
Council approved minutes as presented November 10, 2014.***

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena, Uhing; and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Chris Crean, City Attorney; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Michael Kinkade, Fire Chief; Janie Schutz, Police Chief; Nick Kelsay, Project Engineer; Rich Mead, Building Official; Dan Riordan, Senior Planner; George Cress (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 Work Session (Light and Power Rate Design and Cost of Services Study Preliminary Presentation) Meeting Minutes of October 13, 2014.
- B. Approve City Council Executive Session (Real Property) Meeting Minutes of October 13, 2014.
- C. Approve City Council Regular Meeting Minutes of October 13, 2014.
- D. Accept Community Forestry Commission Meeting Minutes of June 18, 2014.
- E. Accept Economic Development Commission Meeting Minutes of July 10 and September 11, 2014.
- F. Accept Library Commission Meeting Minutes of September 9, 2014.
- G. Accept Parks and Recreation Commission Meeting Minutes of September 17, 2014.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

- H. Accept Public Arts Commission Meeting Minutes of September 11, 2014.
- I. Accept Resignation on Public Safety Advisory Commission (Laura Hale, At-Large, Term Expiring December 31, 2017).
- J. Fire Chief's Report for September 22 – October 10, 2014.
Library Department Monthly Circulation Statistics Report for October 2014.

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

- 4. **ADDITIONS/DELETIONS:** None.
- 5. **PRESENTATIONS:** None.
- 6. **ORDER NO. 2014-05 REQUESTING CITY COUNCIL APPROVE SETTING A DE NOVO PUBLIC HEARING ON NOVEMBER 10, 2014, TO CONSIDER A REVISED APPLICATION FOR GALES CREEK TERRACE PLANNED DEVELOPMENT (FILE NO. PRD-14-00181). APPLICANT: GALES CREEK DEVELOPMENT, LLC (MORGAN WILL AND TRIPTI KENZER)**

Staff Report:

Holan and Riordan presented the above-proposed Order requesting City Council consider setting a de novo Public Hearing on November 10, 2014, to consider a revised application for Gales Creek Terrace Planned Residential Development (File No. PRD-14-00181), noting City Council TABLED the Public Hearing at the Council meeting of September 8, 2014, because the applicant submitted a 90-day extension to revise the site plan and supporting documents. Riordan reported the applicant and staff have met and discussed site plan revisions and development concept, noting the City Attorney is recommending City Council to hold a de novo Public Hearing at the meeting of November 10, 2014, to allow interested parties an opportunity to review the new material and prepare testimony and evidence. In conclusion of the above-noted staff report, Riordan advised staff is recommending adoption of the Order, noting Council's final decision, including any local appeals, must be completed no later than December 7, 2014.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

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

Uhing disclosed her employer works with the applicant's consultant and she resides within a couple of blocks from the proposed development. Uhing declared no financial benefit or conflict of interest.

Sykes read Order No. 2014-05 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Order No. 2014-05 Requesting City Council Approve Setting a De Novo Public Hearing on November 10, 2014, to Consider a Revised Application for Gales Creek Terrace Planned Residential Development (File No. PRD-14-00181).

Council Discussion:

In response to Kidd's concern pertaining to remanding the revised application to the Planning Commission, Riordan advised remanding the revised application to the Planning Commission may result in the applicant filing a Writ of Mandamus against the City because remanding to the Planning Commission could not be accomplished prior to the deadline of December 7, 2014. In response to Kidd's concern pertaining to providing sufficient notice for the de novo hearing, Riordan advised staff has mailed 20-day advance notice in anticipation to all property owners within the required notification area and all interested persons pursuant to the Development Code.

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

VOICE VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0 by voice vote.

7. **RESOLUTION NO. 2014-77 AUTHORIZING CITY MANAGER TO ENDORSE AN INTERGOVERNMENTAL PARTNERSHIP AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF CONSUMER AND BUSINESS SERVICES, BUILDING CODES DIVISION, FOR ePERMIT SYSTEM AND SERVICES**

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 4**

Staff Report:

Holan and Mead presented the above-proposed resolution authorizing the City Manager to endorse an Intergovernmental Agreement (Exhibit A) between City and the Oregon Department of Consumer and Business Services (DCBS), Building Code Division (BCD), noting the agreement would allow the City to implement the State's ePermit (Accela) online system at no cost to the City. Mead reported the City would join other local jurisdictions who are offering online access to apply, pay for and receive building permits (building, plumbing, mechanical, grading, etc.) 24/7 through the statewide ePermit online system, noting the online system is also available to contractors working within jurisdictions who are participating agencies. Mead advised there are other anticipated costs to the City, noting the software will save the City approximately 180 staff hours annually if all over-the-counter permits are submitted electronically. If permits are paid by credit card, the City would absorb bank charges depending on percentage (between 1 to 3%), which would be recouped through permit fees. Mead indicated staff is also anticipating implementing the ePermit system using iPads or similar devices out in the field and upgrading desktop computers and monitors, noting funds are available in the Building Fund to cover anticipated costs. In conclusion of the above-noted staff report, Holan and Mead advised staff is recommending adoption of the resolution, noting this partnership would allow the City to ensure that construction-related development activities proceed in a manner as quickly and efficiently as practical.

Sykes read Resolution No. 2014-77 by title.

MOTION: Councilor Miller moved, seconded by Council President Johnston, to adopt Resolution No. 2014-77 Authorizing City Manager to Endorse an Intergovernmental Partnership Agreement between the City of Forest Grove and the Oregon Department of Consumer and Business Services, Building Codes Division, for ePermit System and Services (Regional IGA No. PA717915-01).

Council Discussion:

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

VOICE VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0 by voice vote.

8. **RESOLUTION NO. 2014-78 AUTHORIZING CITY MANAGER TO ENDORSE THE NORTHWEST INTERGOVERNMENTAL ENERGY SUPPLY (NIES) JOINT RESOURCE PLANNING AND ACQUISITION AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND NIES**

Staff Report:

Cress introduced Blake Weather, Northwest Intergovernmental Energy Supply (NIES) representative, who was present to address concerns. Cress presented the above-proposed resolution authorizing the City Manager to endorse an Agreement (Exhibit A) between City and NIES, noting the new agreement will replace the existing 2009 Load Commitment Agreement and the Joint Pooling Agreement. Cress and Weather reported the purpose of the new agreement is to codify the updated rights and obligations between NEMS, NIES and its members, noting the agreement no longer includes a mandatory load placement obligation by the members and generally provides more flexibility for the member in regards to termination rights and resource support services. In conclusion of the above-noted staff report, Cress advised the annual NIES membership fee is \$9,066, which is approved in the budget for Fiscal Year 2014-15, noting there are no other additional costs by endorsing the proposed agreement.

Sykes read Resolution No. 2014-78 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Thompson, to adopt Resolution No. 2014-78 Authorizing City Manager to Endorse the Northwest Intergovernmental Energy Supply (NIES) Joint Resource Planning and Acquisition Agreement between the City of Forest Grove and NIES.

Council Discussion:

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

VOICE VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0 by voice vote.

9. **RESOLUTION NO. 2014-79 AUTHORIZING THE EXPENDITURE OF**

**HOMELAND SECURITY GRANT FUNDS FOR THE DEVELOPMENT
OF CONTINUITY OF OPERATIONS PLANS AND INCREASING
APPROPRIATIONS FOR THE GENERAL FUND FOR FISCAL YEAR
2014-15**

Staff Report:

Fire Chief Kinkade and Downey presented the above-proposed resolution requesting authorization for the expenditure of Homeland Security Grant Funds of \$40,300 for the development of continuity of operations plans for the cities of Forest Grove and Cornelius. Kinkade reported the City was awarded the grant to pay for a consultant and the Fire Department will coordinate the preparation of the plans, noting the plan will include all departments for each city as the plans are designed to be citywide continuity of operation plans. In conclusion, Downey advised an appropriation of funds is needed before the City can expend the grant funds, noting a supplemental budget hearing is not required pursuant to budget law.

Sykes read Resolution No. 2014-79 by title.

MOTION: Councilor Miller moved, seconded by Councilor Kidd, to adopt Resolution No. 2014-79 Authorizing the Expenditure of Homeland Security Grant Funds for the Development of Continuity of Operations Plans and Increasing Appropriations for the General Fund for Fiscal Year 2014-15.

Council Discussion:

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

VOICE VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0 by voice vote.

10. **RESOLUTION NO. 2014-80 AUTHORIZING THE MAYOR AND CITY MANAGER TO ENDORSE THE AMENDMENT TO THE LOCAL AGENCY AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL PROGRAM GRANT FUNDING FOR HARVEY CLARKE ELEMENTARY (B STREET) SIDEWALK PROJECT,**

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 7**

CONTRACT NO. 28167

Staff Report:

Foster and Kelsay presented the above-proposed resolution authorizing the City Manager to endorse an amendment to the Local Agency Agreement (Exhibit A) between City of Forest Grove and the Oregon Department of Transportation (ODOT) Safe Routes to School Program Grant Funding for Harvey Clarke Elementary (B Street) Sidewalk Project Contract No. 28167, noting that ODOT has authorized an additional \$31,000 in funding for the project. In conclusion of the above-noted staff report, Kelsay advised staff is recommending adoption of the resolution, noting the agreement must be endorsed in order to receive the increased funding.

Sykes read Resolution No. 2014-80 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Resolution No. 2014-80 Authorizing the Mayor and City Manager to Endorse the Amendment to the Local Agency Agreement between the City of Forest Grove and the Oregon Department of Transportation Safe Routes to School Program Grant Funding for Harvey Clarke Elementary (B Street) Sidewalk Project, Contract No. 28167.

Council Discussion:

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

VOICE VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0 by voice vote.

11. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and community-wide events as noted in the City Manager's Report. Sykes distributed copies of the GroveLink Summit survey results, which was held October 21, 2014, noting there were 20 attendees who participated in the survey. Sykes noted GroveLink ridership increased from 40 riders to 128 riders as of October 7, 2014. In addition, Sykes distributed a copy of his written

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 8**

report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and upcoming city-wide events.

12. COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Mayor's Ball, which was held at the Forest Grove Senior and Community Center, and thanked Mayor Truax for his outstanding presentation. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported on upcoming meetings he was planning to attend.

Lowe reported on upcoming meetings she was planning to attend.

Miller reported attending the Chamber of Commerce board meeting, noting the Chamber Auction has been set for March 14, 2015. Miller took a moment to thanked everyone who has stepped up to help with the Holiday Light Parade and gave kudos to the Fire Chief and Western Washington County Firefighters Association for taking over the Holiday Light Parade, noting Forest Grove is wonderful community.

Thompson gave an overview of the GroveLink Summit survey questions and responses, noting 14 multiple questions were asked and 20 persons participated in the survey. Thompson noted the survey showed 95% of the participants agreed Grovelink was very important to the community. Thompson thanked the Committee for Citizen Involvement for doing an outstanding job organizing the summit. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported on upcoming meetings she was planning to attend.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax gave an overview of the GroveLink Summit survey responses and thanked the Committee for Citizen Involvement for organizing the summit. Mayor Truax reported attending the Mayor's Ball, which was held at the Forest Grove Senior and Community Center, noting he presented a check to the Senior Center for \$30,000. Mayor Truax reported the Nyuzen Student Delegation is scheduled to arrive October 30 and depart

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 9**

November 3, 2014. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended and community-related events he was planning to attend.

13. ADJOURNMENT:

Mayor Truax adjourned the meeting at 8:07 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder