

***Minutes are unofficial until approved by Council.
Council approved minutes as presented September 12, 2016.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:07 p.m. and led the Pledge of Allegiance.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; George Cress, Light and Power Director; Rob Foster, Public Works Director; Michael Kinkade, Fire Chief; Mindy Laird-Garcia, Watershed Technician; J. F. Schutz, Police Chief (in the audience); Colleen Winters, Library Director (in the audience); and Anna Ruggles, City Recorder.

1. A. SPECIAL RECOGNITION:

City of Tigard Mayor John Cook presented the Oregon Mayors Association (OMA) Mayor's Leadership Award to Mayor Truax, noting Mayor Truax recently won the Mayor's Leadership Award in the large city category at the OMA summer conference. Mayor Truax was selected for the award to honor his work on Forest Grove's Urban Renewal Agency, advocating for new businesses, forming the city's sustainability commission, and organizing a youth leadership trip to Washington, D. C. Mayor Truax also advocated for funding for public safety and county libraries and participated in discussions about the Legislature's Grand Bargain, a 2013 and 2014 land-use negotiation in the Portland metro area.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA:

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

A. Approve City Council Work Session (Police Body Worn Cameras) Meeting Minutes of June 27, 2016.

B. Approve City Council Regular Meeting Minutes of June 27, 2016.

- C. Approve City Council Executive Session (City Manager Performance Evaluation) Meeting Minutes of June 27 and July 11, 2016.
- D. Approve City Council Regular Meeting Minutes of July 11, 2016.
- E. Accept Historic Landmarks Board Meeting Minutes of June 28, 2016.
- F. Accept Library Commission Meeting Minutes of May 10, 2016.
- G. Accept Public Safety Advisory Commission Meeting Minutes of June 22, 2016.
- H. Accept Resignation on Library Commission (Jane Burch-Pesses, Term Expiring December 31, 2017).
- I. Community Development Department Monthly Building Activity Informational Report for June and July 2016.

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

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

5. A. Affordable Housing

Jennie Proctor, Washington County Office of Community Development (CDBG) Program Manager, presented a PowerPoint presentation highlighting the role of Washington County Office of Community Development in Affordable Housing, noting the Washington County Board of Commissioners has overall responsibility for the programs as the direct grantee/recipient. Proctor reported a Policy Advisory Board (PAB) was formed in 1979 to memorialize the importance of the cities and the county in the formation and implementation of the CDBG program, noting Forest Grove has representatives on PAB. In addition, Proctor's presentation highlighted the CDBG program; Fiscal Year 2016-17 allocations from HUD; five-year strategic plan; Washington County priorities; CDBG competitive annual funding cycle, which includes public services, facilities and infrastructures, and non-competitive program, which includes housing rehabilitation and affordable housing set-aside; and HOME Investment Partnership Program and projects in the pipeline, which include Cornelius Place (44 units of housing for seniors above a community library); Beaverton, Bridge Meadows (41 units of housing for seniors and foster care children reunited with families/guardians); Hillsboro, REACH Orchards at Orenco Phase 3 (52 units for families with children), and Aloha, NHA Blanton Street (20 units of housing for veterans); affordable housing challenges; proposed housing production targets for 2015-2020 (100 new units per year), noting federal funds are decreasing at a time when need for more housing is at critical levels and lack of options in public resources. In conclusion of the above-noted presentation, Proctor addressed various Council inquiries pertaining to HUD loans for veterans and other federal funding programs.

5. B. Metro Quarterly Exchange Update

Kathryn Harrington, Metro Councilor District 4, presented a PowerPoint presentation highlighting District 4 Quarterly Exchange Report. Harrington reported on Metro's Natural Areas Levy Renewal on the November 8, 2016, General Election ballot, noting the ballot is to extend funding for five years at the same cost to homeowners; Chehalem Ridge Planning; Orenco Woods; Regional Snapshot on Transportation; Regional Flexible Funds; Transportation Funding; Corridor Projects; 2018 Regional Transportation Plan Update; Regional Leadership Forums Next Steps; Urban Growth Readiness Task Force; Equitable Housing Grants; and Summer Fun at Regional Venues. In addition, Harrington distributed various program-related handouts, which were referenced in the PowerPoint presentation.

5. C. 2015 Watershed Timber Harvest Report

Foster introduced Laird-Garcia and Scott Ferguson, Watershed Management Consultant, who presented a PowerPoint presentation highlighting the 2015 Watershed Timber Harvest-related activities, noting the 2015 timber harvest resulted in 2,152 MBF, 86 acres harvested, and total net revenue of \$871,000. Laird-Garcia and Ferguson highlighted the work completed, noting projects included grass seeding of slide on Potts Road; noxious weed control; monitoring of rare plants; fining tuning of fish ladder; monitoring of down wood; 10 miles of roadside brushing; and a new gate installed on Potts Road. In addition, staff reported on upcoming activities, which include snorkeling survey of the fingerings in Clear Creek; repairing of main and back gates; and ongoing development of land acquisition process.

5. D. Light and Power Substation Transformer Replacement Project Update

Cress presented a PowerPoint presentation highlighting the substation transformer replacement project, noting the project consisted of replacing an existing transformer with a new transformer at Thatcher Junction Substation and replacing two existing transformers with two new transformers at Forest Grove Substation, providing winter capacity increase of approximately 45 percent. Cress noted the remaining life of the transformer at Filbert Substation is 10 years and no improvements are planned until 2025-26. In addition, Cress highlighted photographs of the new transformers and gave an overview of the capital improvement program 2015-18, noting total expenditures are estimated to be \$3,792,000, with \$2,140,092 total expenditures disbursed to date.

6. RESOLUTION NO. 2016-50 ADOPTING THE FOREST GROVE FIRE AND RESCUE COMMUNITY RISK ANALYSIS AND STANDARDS OF COVER

Staff Report:

Fire Chief Kinkade presented the above-proposed resolution requesting to adopt the Forest Grove Fire and Rescue Community Risk Analysis and Standards of Cover. Chief Kinkade presented a PowerPoint presentation highlighting the components and importance of having Standards of Cover and community risk assessment; system performance; performance objectives and compliance methodology, noting the

purpose of the Standards of Cover is to provide a system which will assist with the following:

- Assessing community fire and non-fire risks;
- Defining baseline and benchmark emergency response performance standards;
- Planning future station locations;
- Determining apparatus and staffing positions;
- Evaluating workload and ideal unit utilization;
- Measuring service delivery performance; and
- Supporting strategic planning and policy development relative to resources procurement and allocation.

In addition, Chief Kinkade advised the Public Safety Advisory Commission at its meeting held April 27, 2016, unanimously recommended Council adopt the Community Risk Analysis and Standards of Cover and its recommendations and the Forest Grove Rural Fire Protection District adopted its resolution at its meeting held May 4, 2016. In addition, Chief Kinkade reported staff held a work session with City Council on May 23, 2016, and presented the Community Risk Analysis and Standards of Cover and its recommendations. In conclusion of the above-noted staff report, Chief Kinkade advised staff is recommending Council approve the above-proposed resolution, noting there is no fiscal impact by adopting the Forest Grove Community Risk Analysis and Standards of Cover and its recommendations.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2016-50.

VanderZanden read Resolution No. 2016-50 by title.

MOTION: Councilor Kidd moved, seconded by Council President Johnston, to approve Resolution No. 2016-50 Adopting the Forest Grove Fire and Rescue Community Risk Analysis and Standards of Cover.

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 Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

7. RESOLUTION NO. 2016-51 OF THE CITY COUNCIL ACCEPTING CITY MANAGER'S ANNUAL PERFORMANCE REVIEW

Mayor Truax presented the above-proposed resolution for Council consideration,

noting Council heard the City Manager's self-evaluation on June 27 and held Executive Sessions on July 11 and August 8, 2016, to review and present the annual performance review to the City Manager. Mayor Truax gave a brief recap of the City Manager's performance, noting Council found the City Manager's performance meritorious. In conclusion of the above-noted report, Mayor Truax advised Council must evaluate the City Manager's performance at least once a year and must authorize by resolution the City Manager's annual base salary upon conclusion of the annual performance review in accordance with City Manager's Employment Agreement, Sections 5 and 6.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2016-51.

Mayor Truax read Resolution No. 2016-51 by title.

MOTION: Councilor Wenzl moved, seconded by Councilor Thompson, to adopt Resolution No. 2016-51 of the City Council Accepting City Manager's Annual Performance Review.

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 Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

8. RESOLUTION NO. 2016-52 OF THE CITY COUNCIL AUTHORIZING COMPENSATION FOR CITY MANAGER FOR FISCAL YEAR 2016-17

Mayor Truax presented the above-proposed resolution for Council consideration, noting Council adopted Resolution No. 2016-51, refer to Item 7 above, accepting the City Manager's Annual Performance Review. Mayor Truax advised Council must authorize by resolution the City Manager's annual base salary upon conclusion of the annual performance review in accordance with the City Manager's Employment Agreement, Sections 5 and 6, noting the City Manager's current salary is \$11,535/monthly, \$138,420/annually. Mayor Truax presented three sets of percentage increases for Council consideration as noted below:

1. 1.2 percent increase = \$11,673/monthly, \$140,076/annually
2. Three percent increase = \$11,881/monthly, \$142,572/annually
3. Five percent increase = \$12,112/monthly, \$145,344/annually

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council discussed

the City Manager's salary.

Mayor Truax supported a three percent increase (\$11,881/monthly, \$142,572/annually), noting he wants to ensure the City Manager is the highest paid person in the City; otherwise, there is risk of narrowing the gap between the highest paid director. Mayor Truax also supported setting the salary effective date retro to July 1, 2016.

In response to Wenzl's inquiry pertaining to cost-of-living salary (COLA) increases, Downey advised department directors received a 1.2 percent COLA increase for Fiscal Year 2016-17. Wenzl requested information pertaining to salary comparison for City Manager position in the City's peer city group, to which Mayor Truax advised he did not have the information readily available. Wenzl added she agrees the City Manager has done a good job and should be recognized for his work, but she would like staff to provide Council with the median or baseline salary for City Manager position in the City's peer city group.

Uhing supported a two percent increase (\$11,766/monthly, \$141,192/annually); however, she concurred she would like to know the median or baseline salary for City Manager position in the City's peer city group. Uhing also noted department directors received 1.2 percent cost-of-living increase, pointing out issues of fairness.

Kidd supported a 2.3 percent increase (\$11,800/monthly, \$141,600/annually), noting he feels this is adequate compensation to retain the City Manager.

Council President Johnston pointed out the Forest Grove School Board just approved pay increases of up to seven percent.

Lowe asked for a motion to TABLE as noted below, noting she supports tabling the proposed resolution to the next Council meeting of September 12, 2016, to allow staff sufficient time to provide information pertaining to the baseline salary for City Manager position in the City's peer city group.

MOTION TO TABLE: Councilor Lowe moved, seconded by Councilor Uhing, to TABLE to the next Council meeting of September 12, 2016, Resolution No. 2016-52 of the City Council Authorizing Compensation for City Manager for Fiscal Year 2016-17.

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: Councilor Kidd. MOTION CARRIED 6-1.

9. CITY COUNCIL COMMUNICATIONS:

Council President Johnston reported on Parks and Recreation Commission and Forest Grove Rural Fire Protection District-related meetings and activities. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported on matters of interest and upcoming meetings he was planning to attend.

Lowe reported on matters of interest and upcoming meetings she was planning to attend.

Thompson reported on matters of interest and upcoming meetings he was planning to attend.

Uhing reported on Economic Development Commission (EDC)-related meeting, noting EDC appointed its chair and vice chair for the year. In addition, Uhing reported on legislative-related ballot measures, other related matters of interest and upcoming meetings she was planning to attend.

Wenzl reported on Committee for Citizen Involvement (CCI)-related activities, noting CCI is holding a joint work session with Council in October to seek feedback on next year's Annual Town Meeting. Wenzl reported on Library Commission-related activities and displayed a photograph of her son who attended a children's face painting event at the Library. In addition, Wenzl reported on other matters of interest and upcoming meetings she was planning to attend.

10. CITY MANAGER'S REPORT:

VanderZanden reported on upcoming meetings and events as noted in the Council calendar and City Manager's Report. VanderZanden reported Forest Grove is hosting the League of Oregon Cities' City Hall Week on September 13, 2016, 9am-Noon, in the Community Auditorium. In addition, VanderZanden referenced the City Manager's Report, which was emailed to Council in advance and outlined various upcoming Council-related meetings; upcoming Council-related agenda; updates on department-related activities and projects, including Administrative Services, Parks and Aquatics, Police, Library, Light and Power, Economic Development, Community Development, and Engineering and Public Works; and other upcoming citywide calendar events.

11. MAYOR'S REPORT:

Mayor Truax announced dates of various upcoming activities, events and meetings as

noted in the Council Calendar. Mayor Truax reported the City's Ballot Measure 34-249, authorizing a tax on recreational retail sales of marijuana items, has been filed and is on the November 8, 2016, General Election ballot. Mayor Truax provided clarification on restrictions on political campaigning by public employees, noting the statutory provisions apply to all non-elected public employees, including board and commission members, when they are acting in their official capacity. Mayor Truax added elected officials can write resolutions but are prohibited from asking or directing employees to assist or prepare advocacy-related materials. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County-related matters of interest and meetings he attended, upcoming community-related events, and upcoming meetings he was planning to attend.

12. ADJOURNMENT:

Mayor Truax adjourned the regular meeting at 9:45 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder