



# FOREST GROVE CITY COUNCIL

## Monday, January 24, 2011

5:30 PM – Work Session (B&C Interviews)

Community Auditorium

6:00 PM – Work Session (Watershed Mgmt Plan)

1915 Main Street

7:00 PM – Regular Meeting

Forest Grove, OR 97116

Forest Grove City Council Meetings are broadcast by Tualatin Valley Community Television (TVCTV) Government Access Programming. To obtain the monthly programming schedule, please contact TVCTV at 503.629.8534 or call the City Recorder at 503.992.3235.

PETER B. TRUAX, MAYOR

Thomas BeLusko, Jr.  
Thomas L. Johnston, Council President  
Victoria J. Lowe

Camille Miller  
Ronald C. Thompson  
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.

## A G E N D A

Anna Ruggles  
City Recorder

5:30

**WORK SESSION: B&C INTERVIEWS**

Rob Foster  
Public Works Director  
Paul Downey  
Administrative Services Director  
Susan Cole  
Administrative Services  
Assistant Director

6:00

**WORK SESSION: WATERSHED MANAGEMENT PLAN**

The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).

7:00

1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance

Jon Holan  
Community Development  
Director

Michael Kinkade  
Fire Chief

1. A. **INTRODUCTIONS:**
- *Community Development Department Interns*

1. B. **AWARD PRESENTATIONS:**
- *Volunteer Firefighters*

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 4

4. **ADDITIONS/DELETIONS:**

5. **PRESENTATIONS:**

Rob DuValle  
Human Resources Manager  
Bev Maughan  
Exe. Asst. to City Manager

7:15

5. A. • *City of Forest Grove Website and Social Media Communications Update*

Tom Gamble  
Parks and Recreation  
Director

7:30

5. B. • *Pacific University Football Update*

Jon Holan  
Community Development  
Director

8:00

6. **CONTINUE PUBLIC HEARING FROM JANUARY 11, 2011, AND SECOND READING OF ORDINANCE NO. 2011-01 ADOPTING AMENDMENT TO PACIFIC UNIVERSITY MASTER PLAN TO INCORPORATE SIGNAGE AND LANDSCAPE PROVISIONS**

Rob Foster  
Public Works Director

8:15

7. **CONTINUE PUBLIC HEARING FROM JANUARY 11, 2011, AND SECOND READING OF ORDINANCE NO. 2011-02 CREATING A PROCESS FOR DEVELOPMENT OF REIMBURSEMENT DISTRICTS AS A FINANCIAL DEVICE FOR PUBLIC IMPROVEMENTS, AMENDING FOREST GROVE CITY CODE BY ADDING NEW CODE CHAPTER 3.10.005 THROUGH 3.10.075 "REIMBURSEMENT DISTRICTS"**

Derek Robbins  
Civil Engineer

- |  |       |  |
|--|-------|--|
| Rob Foster<br>Public Works Director<br><br>Susan Cole<br>Administration Services<br>Assistant Director<br><br>Paul Downey<br>Administrative Services<br>Director | 8:30  | 8. <b><u>PUBLIC HEARING AND FIRST AND SECOND READING OF ORDINANCE NO. 2011-03 SPECIFYING THE ASSESSMENTS TO BE MADE ON PROPERTIES SPECIALLY BENEFITED BY THE CONSTRUCTION OF CERTAIN SIDEWALK IMPROVEMENTS; SETTING SIXTY (60) MONTH AND ONE HUNDRED TWENTY (120) MONTH PERIODS FOR INSTALLMENT PAYMENTS; SETTING THE INSTALLMENT FINANCING RATE AT FOUR AND ONE-QUARTER PERCENT (4.25%) AND SIX AND ONE-HALF PERCENT (6.50%) RESPECTIVELY; AND DECLARING AN EMERGENCY</u></b> |
| Paul Downey<br>Administrative Services<br>Director   | 8:45  | 9. <b><u>PUBLIC HEARING AND RESOLUTION 2011-13 ADOPTING SUPPLEMENTAL BUDGET AND TRANSFERRING CONTINGENCY TO INCREASE CAPITAL OUTLAY APPROPRIATIONS WITHIN THE FIRE EQUIPMENT REPLACEMENT FUND</u></b>  |
| Paul Downey<br>Administrative Services<br>Director   | 9:00  | 10. <b><u>RESOLUTION NO. 2011-14 AUTHORIZING THE EXPENDITURE OF HOMELAND SECURITY GRANT FUNDS FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS IN THE GENERAL FUND AND THE FIRE EQUIPMENT REPLACEMENT FUND</u></b>   |
| Paul Downey<br>Administrative Services<br>Director   | 9:15  | 11. <b><u>RESOLUTION NO. 2011-15 AUTHORIZING THE EXPENDITURES OF FUNDING FROM THE BONNEVILLE POWER ADMINISTRATION FOR INDUSTRIAL CONSERVATION INCENTIVE REIMBURSEMENTS IN THE LIGHT AND POWER FUND</u></b>   |
| Michael Sykes<br>City Manager  | 9:30  | 12. <b><u>CITY MANAGER'S REPORT:</u></b>   |
|  | 9:45  | 13. <b><u>COUNCIL COMMUNICATIONS:</u></b>  |
|  | 10:00 | 14. <b><u>ADJOURNMENT</u></b>  |

---

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 (B&C Interviews) Meeting Minutes of January 11, 2011.
  - B. Approve City Council Work Session (Retirement Plan) Meeting Minutes of January 11, 2011.
  - C. Approve City Council Regular Meeting Minutes of January 11, 2011.
  - D. Accept Community Forestry Commission Meeting Minutes of November 17 and December 15, 2010.
  - E. Accept Parks and Recreation Commission Meeting Minutes of December 15, 2010.
  - F. Accept Public Safety Advisory Commission Meeting Minutes of December 1, 2009.
  - G. Endorse New Liquor License Application (Distillery) for Dogwood Distilling, LLC., located at 1835 19<sup>th</sup> Avenue (Applicant: Matt Hottenroth).
  - H. **RESOLUTION NO. 2011-11 MAKING APPOINTMENT TO COMMUNITY FORESTRY COMMISSION (APPOINT SEBASTIAN BANNISTER-LAWLER, TERM EXPIRING DECEMBER 31, 2011.**
  - I. **RESOLUTION NO. 2011-12 MAKING APPOINTMENT TO PARKS AND RECREATION COMMISSION (APPOINT GLENN VANBLARCOM, REPRESENTING NNW, TERM EXPIRING DECEMBER 31, 2012.**
-

**TO:** Mayor Peter Truax and City Councilors

**PROJECT TEAM:** Anna D. Ruggles, CMC, City Recorder  
Michael Sykes, City Manager

**DATE:** January 24, 2011

**SUBJECT:** B&C Recruitment Interviews

---

Attached you will find the following items for the Citizen Advisory Boards, Committees, and Commissions interviews that are scheduled for January 24, 2011.

- Boards, Committees, and Commissions Applicant List and Vacancy.
- Possible Interview Questions; and
- Applications

---

**RECOMMENDATION:** Conduct interview of the applicants who expressed interest in serving on the various Boards, Committees, and Commissions. Determine new appointments. Based on Council's recommendation, resolutions making formal appointment(s) will be presented for Council consideration at the next regular Council meeting.



## 2011 – BOARDS, COMMITTEES & COMMISSIONS VACANCY

COMMISSION	REQUIREMENTS	# VACANCIES	TERM EXPIRES
<b>BUDGET</b> Meets in April/May	7-Members 3-Year Term All members must live in City per ORS	1 – Vacancy	12/31/2013
<b>COMMITTEE FOR CITIZEN INVOLVEMENT</b> Meets 3 <sup>rd</sup> Tuesday 5:00 pm	7-Members 4-Year Term	1 – Vacancy 1 – Vacancy 1 – Student Vacancy	12/31/2011 12/31/2014
<b>COMMUNITY FORESTRY COMMISSION</b> Meets 3 <sup>rd</sup> Wednesday 5:15 pm	7-Members 3-Year Term Three members may live outside City – Currently four (one exception)	0 – Vacancies 1 – Student Vacancy	
<b>ECONOMIC DEVELOPMENT COMMISSION</b> Meets 1 <sup>st</sup> Thursday Noon	19-Members 3-Year Term 6 Public & Non-Profit 12 Business 1 At-Large	0 – Vacancies 1 – Student Vacancy	
<b>HISTORIC LANDMARKS BOARD</b> Meets 4 <sup>th</sup> Tuesday 6:00 pm	7-Members 4-Year Term Two members may live outside City – Currently none	0 – Vacancies 1 – Student Vacancy	
<b>LIBRARY</b> Meets 2 <sup>nd</sup> Tuesday 6:30 pm	7-Members 2-Year Term	0 – Vacancies 1 – Student Vacancy	
<b>PARKS &amp; RECREATION COMMISSION</b> Meets 3 <sup>rd</sup> Wednesday 7:00 am	9-Members 4-Year Term Two members may live outside City – Currently one	0 – Vacancies 1 – Student Vacancy	
<b>PLANNING COMMISSION</b> Meets 1 <sup>st</sup> and 3 <sup>rd</sup> Monday 7:00 pm	7-Members 4-Year Term Two members may live outside City – Currently one One member in real estate for profit – Currently one Two members same trade/occupation – Currently none	0 – Vacancies	
<b>PUBLIC ARTS COMMISSION</b> Meets 2 <sup>nd</sup> Thursday 5:00 pm	9-Members 3-Year Term Three At-Large Voting reps Chamber; School Dist; Pacific University; Senior Center; Theater In The Grove; and Valley Art	0 – Vacancies	
<b>PUBLIC SAFETY ADVISORY COMMISSION</b> Meets 4 <sup>th</sup> Wednesday 7:30 am	7-Members 4-Year Term Two members within Rural Fire Dist – Currently two Non-voting reps Rural Fire Dist; Chamber; School Dist; and Pacific University	0 – Vacancies 1 – Student Vacancy	

January 24, 2011

## TIMBER AND WATERSHED MANAGEMENT

**PROJECT TEAM:** Rob Foster, Director of Public Works  
Susan Cole, Assistant Director of Administrative Services  
Paul Downey, Director of Administrative Services  
Michael Sykes, City Manager

**ISSUE STATEMENT:** To seek Council direction on managing the City's watershed and marketing timber products for 2011 and beyond.

**BACKGROUND:** The City's watershed is currently managed under a stewardship plan that was adopted in December of 2001. This plan has served the City well and has enabled the City to steward its watershed in a sustainable manner while still yielding revenue from timber products such that the Water Fund's debt service has been covered.

The City has contracted out for the management of its watershed according to the Watershed Stewardship Management Plan adopted in 2001. The City has used the same forester, Trout Mountain, since that time. Trout Mountain has done an excellent job for the City; managing the watershed according to the 2001 plan, keeping its costs reasonable, and guiding the City through a changing and challenging lumber product market. Best management practices suggest, however, that such consultant contracts should be reviewed and advertised periodically to ensure the City is getting the best services at the best price. For reasons discussed below, staff would like to develop and issue a request for proposal (RFP) for watershed management in time for the harvest of 2012, and use Trout Mountain for one more year in 2011.

Over the last decade, the City has benefited from marketing its timber products in two basic categories: 1) utilizing the conventional market where mills buy the City's product; and 2) utilizing the "green" market, where the City has realized a market premium by selling FSC (Forest Stewardship Council) certified timber products. The City has been able to sell its products as FSC Certified due to the sustainable nature of its Watershed Stewardship Management Plan and because its current contracted forester, Trout Mountain, maintains a group FSC certification, which includes the City. The City is not separately certified. One consideration in thinking ahead to the RFP and the 2012 harvest and beyond is whether the City should pursue FSC certification in order to broaden its options for watershed management and timber marketing.

The Watershed Stewardship Management Plan is based on a forest inventory dating from 1994, and in December of 2011, the plan will be ten years old. The City should consider updating these items. Staff believe that updates to the forest inventory and stewardship plan may show that more quantity can be sustainably harvested from the watershed,

thereby benefiting the water fund through increased sales. Stewardship plans are typically updated every ten years, and 2011 represents the tenth year of the plan. At the time the plan is updated, the City could consider pursuing its own FSC certification, in order to continue to have the option of marketing its timber products into the green market in the event that market is deemed more profitable than the conventional market, instead of relying on its contracted forester for that certification. The sequence for sustainable management is that generally a forester relies on a relatively current stewardship plan, and that plan in turn relies on a relatively current inventory. To maintain optimal stewardship of the watershed, both the plan and inventory should be updated soon.

A forest inventory and update to the Watershed Stewardship Management Plan can be scheduled in time for the harvest of 2012. Staff would like to prepare an RFP to select a forester to manage the forest inventory, as well as to update the Watershed Stewardship Management Plan, and then to manage the watershed and timber products from three to five years hence, beginning with the 2012 harvest.

Staff considered issuing an RFP for a forester now, in time for the 2011 harvest. The challenge for the City is that its Watershed Stewardship Management Plan will be nearly ten years old. Typically, such plans are updated every 10 years, so 2011 represents the last year of this plan. Also, since the watershed inventory will be 17 years old, potential foresters may be limited in their management of the watershed. An additional consideration is that if the City changes foresters for 2011, selling to the green market may not be an option unless the selected forester has a group FSC certification, and it would be nice to keep that option open since the City has realized a market premium by selling FSC certified products. Even if the City chooses to do an RFP for the 2011 harvest, most likely the City would still issue an RFP in the next couple of years in order to update the inventory and plan, and staff thought it reasonable to combine these efforts for 2012 instead of separating them. This would mean one more year with Trout Mountain, for the 2011 harvest, before an RFP is issued.

A proposed timeline displaying the activities as staff recommends can be seen in the following table:

<b>Timeline</b>	<b>Activity</b>	<b>Comments</b>
March or April 2011	Select logger for 2011 harvest	Trout Mountain remains forester/watershed manager under previous contract.
April or May 2011	Develop RFP for watershed manager/forester to coordinate inventory & plan update, and then to manage the watershed & harvest	
May 2011	Develop RFP for forest inventory	While the City will issue an RFP and select a company to perform the inventory, the inventory will be coordinated by the selected forester.
May or June 2011	Consider RFP responses, select watershed manager/forester and company to do forest	Potentially new forester/watershed manager

	inventory.	selected.
June – Oct. 2011	2011 harvest proceeds	Trout Mountain remains forester/watershed manager under previous contract.
June or July 2011	Proceed with selected forester; forester arranges for and coordinates forest inventory of watershed	Work would be completed under a new contract with selected forester/ watershed manager.
Aug. or Sept. 2011	Forest inventory complete	
August 2011	Staff draft parameters for update to Watershed Management Plan	
Sept '11– Jan 2012	Forester updates Watershed Management Plan	Work would be completed under a new contract with selected forester/ watershed manager.
Jan. 2012	Update to Watershed Management Plan complete	
Spring of 2012	Begin implementation of updated Watershed Management Plan, select logger for 2012 harvest	Work would be completed under a new contract with selected forester/ watershed manager.

**FISCAL IMPACT:** Updating the watershed forest inventory and the Watershed Stewardship Management Plan will have associated costs, not known at this time. Staff would recommend building these costs into the Water Fund's FY 2011-12 budget. Staff project that an updated inventory and plan will demonstrate that the annual harvest can be sustainably increased, and if so, these costs would be recovered through additional revenue from the sale of additional quantity of timber products.

**RECOMMENDATION:** Staff recommend issuing an RFP to coordinate and manage the City's watershed and resultant timber products, including updating the forest inventory and Watershed Stewardship Management Plan, in time for the 2012 harvest. Staff recommends the City select a forester from this process to manage the City's watershed for a three to five year period, commencing with the 2012 harvest. Additionally, staff recommend budgeting for a watershed forest inventory and an update to the Watershed Stewardship Management Plan in the Water Fund's FY 2011-12 budget.

**FOREST GROVE CITY COUNCIL WORK SESSION  
(BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEWS)  
JANUARY 11, 2011– 5:30 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 5:32 p.m. **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, and Anna Ruggles, City Recorder.

**2. WORK SESSION: BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEW**

Council interviewed the following applicants for the following positions:

- Sebastian Bannister-Lawler                      Community Forestry Commission
- Jen Warren    Community Forestry Commission

In addition, Ruggles reported Len Hua was scheduled to be interviewed this evening; however, Hua was unable to attend. Council asked Ruggles to reschedule another interview date/time for Hua.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the above applicant interviews. After Council deliberation, Council collectively made recommendation to appoint Sebastian Bannister-Lawler to the Community Forestry Commission (CFC), term expiring December 31, 2011, and made recommendation to ask Jen Warren if she would consider serving on the Community for Citizen Involvement due to there are no more vacancies available on CFC. Resolutions making formal appointments will be considered at the next regular Council meeting.

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 6:20 p.m.

Respectfully submitted,

\_\_\_\_\_  
Anna D. Ruggles, CMC, City Recorder

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 6:25 p.m. **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; Rob DuValle, Human Resources Manager; and Anna Ruggles, City Recorder.

**2. WORK SESSION: RETIREMENT PLAN UPDATE**

Downey, DuValle, and Sykes facilitated the work session, noting the purpose of the work session was to discuss proposed changes to the City's current retirement plan and options. Downey reported the Budget Committee held a meeting on November 29, 2010, and conducted a SWOT analysis of the City's General Fund finances and how to address the future operating budget deficits projected by City staff. Downey advised controlling personnel costs was one of the four key items the Budget Committee identified in the SWOT analysis, noting retirement costs are part of the total personnel costs. Downey reported three of the four employee unions (Police, Fire, & AFSCME) contracts expire on June 30, 2011, which presents the City an opportunity to propose changes to the City's retirement plan. Downey and DuValle explained the City's current retirement plan, noting the Plan is a defined benefit plan which promises a retiree a benefit based on a formula that calculates the benefit by a multiplier times the employee's highest 36-months average salary over the last ten years times the years of service. There are other factors that can increase retirement benefits, such as the conversion of sick leave at retirement. Downey explained the Plan is funded by a combination of contributions from the City and earnings, noting the retirement plan contributions made by the City include both the employer and employee portions as required by the retirement plan document. Downey noted all regular full-time employees are covered by the City's current Plan. In addition, Downey and DuValle outlined the City's current plan, options for current employees and options for future employees, and staff's recommendation as noted in the staff report. Downey reported staff reviewed potential options for retirement plans with the intent of trying to control future retirement plan costs, noting staff considered the following overall options: 1) not making any changes; 2) a defined contribution plan, 3) moving certain employees to PERS; and 4) changing the City's plan by reducing benefits or having employees pay all or part of their contribution. In addition to controlling costs, staff had the actuary estimate the value of

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 2**

retirement benefits under various options so staff could consider the effects on employees' retirement. Next, Downey and DuValle reviewed the following findings as follows:

Current Employees

The options for future employees that staff considered are as follows:

1. Leave City's current retirement plan unchanged. Leaving most of these employees in the current plan is probably the best option as it is fairest to the current employees.
2. Negotiate reduced retirement benefits within the City's plan so benefits would pass an Equal-to-or-Better Than (ETOB) test or have employees contribute part or all of the employee contribution currently paid by the City. This option would require negotiation and it is doubtful the unions would agree to reduce benefits for current employees. Having employees contribute part or all of the employee contribution could cause issues. For example, the market salary comparison with other jurisdictions includes the employee retirement contribution is the gross salary computations since whether the employer or employee pays the contribution varies by jurisdiction. If the employee paid the whole 7% employee contribution, it could have an impact on future salary negotiations. Also, part of the reason the City passed the last ETOB was that the retirement plan requires the City to pay the employee contribution so that contribution was counted as part of the employer-paid benefits.
3. Terminate City's current retirement plan and negotiate a new plan for all employees. This option would require negotiation and it is doubtful the unions would agree to reduce benefits for current employees.
4. Put current employees who are inactive PERS members into PERS. For current employees who are inactive, vested PERS members, the City could consider electing to put these employees into PERS. These employees would not receive any PERS service credit for the time that they are in the City's plan. If this option is a consideration, the City would have to evaluate each eligible employee as some employees would be adversely impacted in their retirement benefits by going back to PERS while others, chiefly recent hires, could benefit by going back into PERS. This option may have merit because it could encourage these employees to remain with the City if they went back to PERS. Their time in the City's plan would have to be addressed. Again this would

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 3**

have to be negotiated with the unions. How this would impact an ETOB test is uncertain.

5. Evaluate if there is an option to allow current General employees to elect to go into a retirement plan, such as a defined contribution plan, which is presumably lower cost. Staff considered if there could be an option to allow current employees to elect to go into the new retirement plan such as a defined contribution plan. The level of the contribution would have a major impact on an employee's decision. Based on discussions with the City's retirement plan attorney, few, if any current employees, would probably elect to change to the new retirement plan once the differences in the new plan was explained to them.
6. Wait and see if the State makes changes to PERS and negotiate similar changes to the City's retirement plan. This option for current employees is to wait to see what changes, if any, are proposed for the PERS system and change the City's plan to reflect those changes. PERS has provided the State with a wide list of possible modifications to PERS but it is unknown what changes, if any, will be proposed and adopted.

Future Employees

The options for future employees that staff considered are as follows:

1. Put new employees in current plan with no changes in benefits. Staff considered whether to consider different types of plans for new general and public safety employees. Leaving new employees in the current plan does not address controlling retirement costs in the future.
2. Revise the City's plan to reduce retirement benefits for new employees, and/or have employees contribute part or all of the employee contribution currently paid by the City. Revising the City's plan to offer future employees lower retirement benefits than current employees is an option that could lower future plan costs. A lower multiplier for retirement benefits will lower the plan's normal costs and over time slow down the rate of growth in the Unfunded Accrued Actuarial Liability (UAAL). Other changes in plan benefits, such as increasing the age when employees can start drawing benefits with no reduction in benefits, could also help to lower the costs.
3. Put some or all new employees into PERS so they are covered by OPSRP (Tier 3).

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 4**

A defined benefit plan is designed to last over a long period of time. New employees into the plan help to continue funding of the plan. One risk of stopping new employees entering the City plan is over time the payroll base used to fund the obligations of the plan will decrease. The liabilities for the employees in the plan will continue to grow. There is the risk that the contribution rate to the current plan could increase in the short-term if new employees stop going into the City's current plan. As more employees leave and are replaced, this risk will lessen.

The City also considered putting new employees into PERS which would put most new employees into OPSRP. If new employees do go into PERS, a presumption is being made that a new hire who is currently a Tier 1 or Tier 2 member would remain in that tier when hired by the City. The City has corresponded with PERS to find out what rates the City would be charged for general and public safety employees in OPSRP. The rate estimated by PERS included funding for the UAAL of the current PERS system which added several percentage points to the rates charged by PERS. If the City joined PERS, the City would be assuming a share of the PERS liabilities while having to pay the unfunded liabilities of its own plan.

If the City did put new public safety employees into PERS, the benefits would include: 1) they would be in the same system as their peers in other jurisdictions which could benefit recruiting; 2) the switch would not require another ETOB test since the City would be putting the employees into the system on which the test is based; and 3) OPSRP rates are currently lower than the City's rates.

4. Put some or all new employees into defined contribution plan. The current IBEW contract requires a defined benefit plan. Putting new employees into a defined contribution plan was an option that was considered. A defined contribution plan provides no assurance of a certain benefit level as benefits are a combination of contributions and earnings. The positive aspect for the City is that once the contributions are funded the City's obligation to provide future benefits is over. The risk for the employee is the long-term performance of the investments of the defined contribution plan. Downey referenced an attached memorandum from the City's actuary discussing the differences between a defined benefit plan and defined contribution plan, and other things to consider as the City moves forward.

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 5**

A concern of a defined contribution plan is how the contributions for the employees will be invested. A key policy decision to consider is whether the individual employee will make the investment decisions or will the City manage the investment selections. Investment decisions are critical in defined contribution plan because that is how the final benefits are determined. Based on studies reviewed by the City's actuary and the City's retirement plan attorney, most individuals do better over time if the investments are managed on their behalf than if they make their own investment decisions.

In conclusion of the above-noted staff report presentation, Downey, DuValle and Sykes made the following recommendations for Council to consider:

1. For current employees, staff recommends that the Council wait to see what changes, if any, the Legislature make to the PERS system for current PERS employees.
2. For new public safety employees, staff recommends that the City place those employees into the PERS system. This will need to be negotiated with the police and fire associations. Most of the new employees would go into the OPSRP (Tier 3) benefit structure. The OPSRP rate will be lower than the City's current contribution rate. New employees who are Tier 1 or Tier 2 employees would remain in those tiers. This recommendation puts the new public safety employees into the same system as their peers in other jurisdictions and reduces the risk to the City of future ETOB tests.
3. For new general employees, staff is recommending that the City place those employees into a defined contribution plan. The change will have to be negotiated with AFSCME whose current contract expires on June 30, 2011. New IBEW employees will have to be put into the City's current plan until the contract expires in on June 30, 2013, and then the change will have to be negotiated.
4. Have Council direct staff to determine the projected effect of these changes on the City's retirement plan.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to above-noted staff recommendations and proposed changes to the City's current

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 6**

retirement plan. Staff responded to various inquiries, concerns, and scenarios the Council presented, noting the current total contribution rate is 20.3% of base pay of which 7% is the employee contribution and the remaining 13.3% is the employer contribution. The 20.3 % is a blended rate for all employees. Downey explained if the rate was divided into employee groups, the estimated rates would be 22.3% of base pay for public safety employees and 19.2% of base pay for general employees. Downey referenced Exhibit B, which showed the contribution rate for FY 2003-04 through FY 2010-11 and the expected contribution rate for FY 2011-12. The assumed rate of return for the Plan is currently 7.5% annually. Downey noted the actuary uses this percentage as the long-term rate that the Plan will earn while calculating the Annual Required Contribution (ARC) to the Plan. Downey explained if the Plan can earn more than that rate on an extended basis, the required contribution will be lower. If the Plan earns less, the City has to make up the difference through increased contributions. In addition, Downey referenced Exhibit C, which showed the changes to UAAL from July 1, 2001, through July 1, 2010. As of July 1, 2010, the City's retirement plan was 65.5% funded for meeting the current obligations of the plan. Assuming the City would have terminated this pension plan as of July 1, 2010, the City would have needed to put \$11,842,248 additional funds into this plan to meet the unfunded obligations of this plan. The funding of UAAL would be done by future plan earnings and/or City contributions if earnings are insufficient to meet this obligation. Downey noted for certified Police Officers and Firefighters, the City is required by State law to have retirement benefits that are ETOB than PERS. An ETOB study was completed by PERS in September, 2010. The study compared only the value of employer-funded benefits with any benefits funded by employee contributions, such as the Individual Account Plan or Tier 1/Tier 2 member contributions, excluded from the calculations. The City passed the ETOB test for each PERS Tier as noted in the staff report. Downey also referenced the other attachments to the staff report showing the various plan scenarios.

In conclusion of the above-noted discussion, Council voiced concern of making a hasty decision without thoroughly reviewing the information provided by staff and collectively determined to direct staff to wait and see what changes, if any, the Legislature makes to the PERS system for current PERS employees before staff makes a formal proposal or recommendation for Council consideration.

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

**3. ADJOURNMENT**

**FOREST GROVE CITY COUNCIL WORK SESSION  
(RETIREMENT PLAN UPDATE)  
JANUARY 11, 2011 – 6:10 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 7**

Mayor Truax adjourned the work session at 7:03 p.m.

Respectfully submitted,

---

Anna D. Ruggles, CMC, City Recorder



**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**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; Jon Holan, Community Development Director; Rob Foster, Public Works Director; Derek Robbins, Civil Engineer; Aaron Ashbaugh, Police Captain (in the audience); and Anna Ruggles, City Recorder.

**1. A. COUNCIL PRESIDENT NOMINATION AND APPOINTMENT FOR 2011:**

Mayor Truax advised that pursuant to City Charter, Chapter III, Section 9, the Council must elect a Council President at its first meeting in January of each year. The Council President will act as Mayor when the Mayor is unable to perform mayoral duties.

**Council Discussion:**

After brief Council discussion, the following motion was made to elect Councilor Johnston as Council President.

**MOTION:** Councilor Uhing moved, seconded by Councilor BeLusko, Jr., to elect Councilor Johnston as Council President for 2011. **MOTION CARRIED 6-0** by voice vote with Councilor Johnston abstaining.

**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 Joint Western Washington County Legislative Work Session Meeting Minutes of December 9, 2010.
- B. Approve City Council Work Session (B&C Interviews) Meeting Minutes of December 13, 2010.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 2**

- C. Approve City Council Work Session (Reimbursement District) Meeting Minutes of December 13, 2010.
- D. Approve City Council Regular Meeting Minutes of December 13, 2010.
- E. Accept Committee for Citizen Involvement Meeting Minutes of June 15, July 20, August 17, September 21, and October 19, 2010.
- F. Accept Economic Development Commission Meeting Minutes of August 8, September 9, October 7, and November 4, 2010.
- G. Accept Historic Landmarks Board Meeting Minutes of September 28, 2010.
- H. Accept Parks and Recreation Commission Meeting Minutes of October 20 and November 17, 2010.
- I. Accept Public Arts Commission Meeting Minutes of November 4, 2010.
- J. Community Development Department Monthly Building Activity Informational Report for December 2010.
- K. Library Department Monthly Circulation Statistic Report for December 2010.
- L. RESOLUTION NO. 2011-01 DESIGNATING CITY OF FOREST GROVE CITY COUNCIL MEETINGS FOR YEAR 2011.
- M. RESOLUTION NO. 2011-02 MAKING APPOINTMENTS TO BUDGET COMMITTEE (REAPPOINT CHÈRE SANDUSKY, TERM EXPIRING DECEMBER 31, 2013).
- N. RESOLUTION NO. 2011-03 MAKING APPOINTMENTS TO COMMUNITY FORESTRY COMMISSION (REAPPOINT STEPHANIE BEALL, MARK NAKAJIMA, AND DALE WILEY, TERMS EXPIRING DECEMBER 31, 2013).
- O. RESOLUTION NO. 2011-04 MAKING APPOINTMENTS TO ECONOMIC DEVELOPMENT COMMISSION (APPOINT STEVE LACH, VIASYSTEMS, LARGE MANUFACTURER, TERM EXPIRING DECEMBER 31, 2013; AND HOPE KRAMER, PRIMARY, DANIELLE FRENCH, ALTERNATE, URBAN DECANter, DOWNTOWN RETAIL BUSINESS, TERMS EXPIRING DECEMBER 31, 2012; AND REAPPOINT MARK FRANDSEN, NEW SEASONS FOODS, FOOD/BEVERAGE PROCESSOR; LOIS HORNBERGER, PACIFIC UNIVERSITY, HIGHER EDUCATION; DON JONES, BANK OF THE WEST, FINANCIAL INSTITUTION; AND BRIAN WILBUR, PACIFIC INSURANCE PARTNERS, SMALL COMMERCIAL, TERMS EXPIRING

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 3**

DECEMBER 31, 2013).

- P. RESOLUTION NO. 2011-05 MAKING APPOINTMENTS TO HISTORIC LANDMARKS BOARD (APPOINT JENNIFER RANDALL, TERM EXPIRING DECEMBER 31, 2012, AND REAPPOINT KEVIN KAMBERG AND LARRY WADE, TERMS EXPIRING, DECEMBER 31, 2014).
- Q. RESOLUTION NO. 2011-06 MAKING APPOINTMENTS TO LIBRARY COMMISSION (REAPPOINT NANCY COMBS, DOUGLAS MARTIN, AND KATHLEEN POULSEN, TERMS EXPIRING DECEMBER 31, 2012).
- R. RESOLUTION NO. 2011-07 MAKING APPOINTMENTS TO PARKS AND RECREATION COMMISSION (APPOINT ANNA MARIE LUND, TERM EXPIRING DECEMBER 31, 2014).
- S. RESOLUTION NO. 2011-08 MAKING APPOINTMENTS TO PUBLIC ARTS COMMISSION (REAPPOINT LINDA TAYLOR, AT LARGE, TERM EXPIRING DECEMBER 31, 2013, AND LIAM COOPER, NON-VOTING STUDENT ADVISOR, TERM EXPIRING DECEMBER 31, 2011).

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

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

5. A. Reserves Update:

Holan provided an update on Reserves, noting the area north of the City of Cornelius was remanded to remove from Urban Reserves and the area north of the Forest Grove was remanded to provide additional information to support Urban Reserves designation and the entire Rural Reserves were remanded. Holan distributed a map titled "Attachment A", showing the areas of adjustment since June 10, 2010, previously-adopted Urban and Rural Reserves in Washington County; a map titled "Attachment B", showing Urban and Rural Reserves in Washington County; and a map titled "Purdin Road Urban Reserves Area", showing the reduced Urban Reserves north of Forest Grove, east of Council Creek, noting 28 acres will be removed from Forest Grove Urban Reserves as undesignated. In conclusion, Holan addressed

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 4**

Council inquiries pertaining to Forest Grove's proposed reserves area and Council discussed future aspirations for the proposed Purdin Road/Thatcher Road boundary area.

**6. CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2010-10 GRANTING A FRANCHISE TO ELECTRIC LIGHTWAVE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO CONDUCT A GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC RIGHTS OF WAY WITHIN THE CITY**

The first reading of Ordinance No. 2010-10 by title and motion to adopt occurred at the meeting of December 13, 2010.

**Staff Report:**

Downey had nothing further to report.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of December 13, 2010.

**Written Testimony Received:**

No written testimony was received.

**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:**

Low voiced concern of entering into a five-year term agreement, to which Downey explained most franchise agreements have up to a 15-year term. In addition, Downey addressed Lowe's inquiries pertaining to the type of services provided by the franchisee and pole and underground installation

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 5**

requirements as outlined in the agreement.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of December 13, 2010.

Sykes read Ordinance No. 2010-10 by title for second reading.

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

**7. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2011-01  
ADOPTION OF AMENDMENT TO PACIFIC UNIVERSITY MASTER PLAN TO  
INCORPORATE SIGNAGE AND LANDSCAPE PROVISIONS**

**Staff Report:**

Holan presented the above-proposed ordinance for Council consideration, noting Pacific University is requesting a second amendment to its Master Plan to incorporate signage and landscaping provisions. Holan referenced new Section V, titled Landscape Master Plan, and new Section VI, titled Signage, and outlined the significant proposed amendments to Pacific University's Master Plan, noting Pacific University is requesting an exception to allow wall signs, which is consistent with the City's sign code for commercially-zoned properties (Pacific University campus is located in a residential zone) and an exception to allow temporary signs of unlimited size or quantity for up to 45 days, in relation to special events or activities on campus, noting the current sign code allows up to 100 square foot temporary signs twice a year (per event) for up to 30 days. Holan reported the Planning Commission, at its meeting of November 15, 2010, approved the second amendment to Pacific University's Master Plan as presented, noting the Commission found the needs of the University to be generally different than those found in a residential district. Holan noted the Commission concluded the City's standard and size allowable for temporary signs would not be appropriate for the University due to the number and reoccurrence of events and activities held at the campus throughout the year. In conclusion, Holan advised that staff's recommendation is to approve the proposed landscape and signage amendments as presented or with changes the Council finds appropriate.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2011-01.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 6**

Sykes read Ordinance No. 2011-01 by title for first reading.

**MOTION:** Councilor Johnston, moved, seconded by Councilor Thompson, to adopt Ordinance No. 2011-01 Adoption of Amendment to Pacific University Master Plan to Incorporate Signage and Landscape Provisions. The second reading of Ordinance No. 2011-01 by title and final vote will occur at the meeting of January 24, 2011.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Proponents:**

Teri Koerner, Forest Grove Chamber of Commerce Executive Director, testified on behalf of the Chamber, noting the Board fully supports Pacific University's Master Plan proposed landscape and signage amendments as presented, noting the University provides a gateway into the City and wayfinding for the betterment of the community. Koerner cited the purpose and reason of having an adopted Master Plan is to allow flexibility, noting the University is an entity different from the business community and the University's signage needs serve a different purpose than that of a sign advertising a business.

No one else 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.

**Council Discussion:**

Low indicated she could not support the proposed temporary signage amendments as presented by the University and voiced concern of not applying the City's adopted sign code equally and consistently within the business community, noting the University's proposed temporary signage amendments conflict with other similar cases that were reviewed and discussed by the Planning Commission and Council.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 7**

Miller replied the one case she recalls involved a single business entity and she finds that business's request to be different from the University's request, noting the temporary signage amendments the University is requesting are necessary for the proper operation of the multitude of events and activities that occur on campus throughout the year.

Uhing indicated she would like Pacific University to try to comply with the City's adopted sign code before considering implementing changes. In addition, Uhing voiced concern that Pacific University was further isolating themselves from the City and voiced concern of safety around the campus with all the foliage and trees the University was proposing in its landscape design plan. Uhing also voiced concern of the parking assessment plan and overflow-parking issues caused by sport-related events and increased usage since the original Master Plan was adopted in 2006, and wondered if the City should go back and readdress usage and overflow-parking issues.

Johnston referenced Section II, titled Master Plan Access and Circulation Concepts and Approach, and voiced concern the University was proposing street changes and connectivity that affect the City's circulation system plan and designs that could potentially further delay public safety response times. In addition, Johnston voiced concern of the parking assessment plan and overflow-parking issues onto Main Street and Sunset Drive during sport-related events, noting there is no available residential parking during these events.

BeLusko commented that he lives within the vicinity of the University and Lincoln Park and he has not experienced parking issues on his street.

In response to Council concerns pertaining to parking and vehicular access, Holan advised the proposed landscape and signage amendments have no impact on the previously-adopted circulation and parking plan, noting staff would need to review the provisions outlined in the Lincoln Park parking agreement and the original 2006 adopted Master Plan to determine if amendments are necessary to accommodate increased usage.

In response to Mayor Truax's reference pertaining to the Planning Commission's Findings, outlined on Page 3 of the staff report, Holan affirmed the Planning Commission found that by allowing the wall sign exception for the Tennis Courts, this provision would not create a precedence for this type

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 8**

and size of sign to be located elsewhere in a residential zone district. In addition, Mayor Truax commented on the landscape design plan, pointing out that landscape is sometimes used as a visual buffer.

**Public Hearing Recessed:**

Mayor Truax recessed the Public Hearing until the next Council meeting of January 24, 2011.

**8. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2011-02  
CREATING A PROCESS FOR DEVELOPMENT OF REIMBURSEMENT DISTRICTS  
AS A FINANCIAL DEVICE FOR PUBLIC IMPROVEMENTS, AMENDING FOREST  
GROVE CITY CODE BY ADDING NEW CODE CHAPTER 3.10.005 THROUGH  
3.10.075 “REIMBURSEMENT DISTRICTS”**

**Staff Report:**

Foster and Robbins presented the above-proposed ordinance for Council consideration, noting the proposed ordinance that would amend City Code by adding a new Code Section to create a process for development of reimbursement districts. Robbins reported the purpose of creating a Reimbursement District would allow the City the ability to offer another means for financing construction of public infrastructure for the City as well as private developers. Robbins indicated the City is currently working on a proposal from Oregon Rehabilitation Association (ORA) to extend sewer to its facility, located at 2632 Willamina Avenue, noting a Reimbursement District would allow ORA to be reimbursed for incurred construction and capital improvement costs during the life of the Reimbursement District (typically 10 years, although, it can be extended). In conclusion, Foster and Robbins recapped the process for creating a Reimbursement District, as outlined in the proposed ordinance, noting the process includes preparation of a report by the City Engineer that outlines the improvement costs; the methodology for allocating the costs among the properties deemed to be benefitted by the particular improvement and the properties involved; and adoption of Reimbursement Agreements.

**Questions of Staff:**

In response to Lowe’s concern pertaining to allocating costs, Foster and Robbins referenced an illustration, as attached to the staff report, showing how reimbursement costs would be shared among benefitting properties located within a Reimbursement District, noting only those properties that

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 9**

connect to the service during the life of the Reimbursement District would be assessed. In response to Lower's inquiry pertaining to other jurisdictions, Foster concurred there are a multitude of jurisdictions who have successfully created Reimbursement Districts.

Sykes read Ordinance No. 2011-02 by title for first reading.

**MOTION:** Councilor Thompson, moved, seconded by Councilor Miller, to adopt Ordinance No. 2011-02 Creating a Process for Development of Reimbursement Districts as a Financial Device for Public Improvements, Amending Forest Grove City Code by Adding New Code Chapter 3.10.005 through 3.10.075 "Reimbursement Districts". The second reading of Ordinance No. 2011-02 by title and final vote will occur at the meeting of January 24, 2011.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Proponents:**

Teri Koerner, Chamber of Commerce Executive Director, 2417 Pacific Avenue, testified on behalf of the Chamber, noting the Board wholeheartedly supports the City's approach and desire to create Reimbursement Districts.

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 Recessed:**

Mayor Truax recessed the Public Hearing until the next Council meeting of January 24, 2011.

9. **ORDER NO. 2010-03 ADOPTING COUNCIL FINDINGS; DENYING APPEAL FILED BY THE APPELLANT AND AFFIRMING PLANNING COMMISSION'S DENIAL OF AN APPLICATION FOR A THIRD, ONE-YEAR EXTENSION TO FILE FINAL PLAT FOR SMITH'S ORCHARD PLANNING RESIDENTIAL DEVELOPMENT (PRD-06-05)**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 10**

**Staff Report:**

Holan presented the above-proposed Order for Council consideration, noting the proposed Council Findings, attached as Exhibit A, were prepared based on Council action at the meeting of December 13, 2010. Holan reported the Council held a Public Hearing at the meeting of December 13, 2010, on the appeal filed by the appellant, and subsequently, the Council voted to deny the appellant's appeal and affirmed the Planning Commission's decision to deny the applicant's request for a third, one-year extension, in which to file the final plat for Smith's Orchard Planning Residential Development (PRD) (File No. PRD-06-05).

**Questions of Staff:**

In response to Johnston's concern pertaining to parliamentary procedure, Ruggles affirmed the action taken by the Council at the meeting of December 13, 2010, was preliminary and directed staff to prepare Council Findings to deny the appeal and affirm the Commission's decision, advising the vote becomes final upon Council's adoption of the Order, including Findings.

In response to BeLusko's concern pertaining to Findings 6 and 7, Holan affirmed the votes were not unanimously and suggested striking out the word "unanimously" from the above-noted Findings.

In response to Lowe's concern pertaining to striking out language pertaining to the adoption of the new Development Code and proposed Historic District, Finding 11, Holan affirmed the Council Findings could be amended and/or language stricken at Council's discretion.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Order No. 2010-03 as amended.

Sykes read Order No. 2010-03 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Miller, to adopt Order No. 2010-03 Adopting Council Findings; Denying Appeal Filed by the Appellant and Affirming Planning Commission's Denial of an Application for a Third, One-Year Extension to file Final Plat for Smith's Orchard Planning Residential Development (PRD-06-05) as amended (strike out the word "unanimously" in Findings 6 and 7 and delete in its entirety Finding 11).

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 11**

**Council Discussion:**

BeLusko commented that he based his decision on testimony heard at the meeting of December 13, 2010, noting he also felt that some form of progress should have occurred by now and because the applicant told Council at the meeting of December 13, 2010, that he was planning to sell the property.

In response to BeLusko's inquiry directed at Johnston, Johnston replied that he is basing his decision on the economic conditions and job creation and helping people get through the economic turndown and indicated he also feels precedence has been set because a third extension has been granted in the past. Johnston added that if Smith's Orchard built one house or sells the property, regardless, there is still investment in the community.

Thompson reiterated his concern from the meeting of December 13, 2010, noting that Smith's Orchard was one of the last developments to be approved and Smith's Orchard had the shortest period to accomplish progress before the economic turndown. Thompson added that Smith's Orchard has a significant investment in the community and referenced testimony heard at the meeting of December 13, 2010, noting a 30 percent reduction in building permits in his opinion is a significant drop in economic conditions.

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., Lowe, Miller, and Mayor Truax. NOES: Councilors Johnston, Thompson, and Uhing. MOTION CARRIED 4-3.**

10. **RESOLUTION NO. 2011-09 AUTHORIZING THE CITY OF FOREST GROVE TO APPLY FOR OREGON DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL FUNDS TO CONSTRUCT SIDEWALKS AROUND HARVEY CLARKE ELEMENTARY SCHOOL**

**Staff Report:**

Foster and Robbins presented the above-proposed resolution requesting authorization to submit an application to the Oregon Department of Transportation (ODOT) for a Safe Routes to School Grant to fund sidewalk gaps around Harvey Clarke Elementary School, noting the City is proposing to

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 12**

construct approximately 3,200' of sidewalk on both sides of B Street, from 23<sup>rd</sup> Avenue to Primrose Lane, to fill in existing sidewalk gaps. In conclusion, Foster and Robbins reported the total project is estimated to cost \$376,000, noting the grant application is for \$326,000 and the City's match is \$50,000 and most likely will be paid using the City's Bike/Pedestrian Funds and/or Street Funds.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-09.

Sykes read Resolution No. 2011-09 by title.

**MOTION:** Councilor Johnston moved, seconded by Councilor Lowe, to adopt Resolution No. 2011-09 Authorizing the City of Forest Grove to Apply for Oregon Department of Transportation Safe Routes to School Funds to Construct Sidewalks around Harvey Clarke Elementary School.

**Council Discussion:**

Council collectively commended staff for applying for the grant, noting this project has been identified as a Council priority goal objective for the last four or five years.

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. 2011-10 MAKING CITY COUNCIL LIAISON APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS, AND OTHER REGIONAL APPOINTMENTS**

**Staff Report:**

Mayor Truax presented the above-proposed resolution for Council consideration, noting pursuant to City Council Rules of Procedures, Section 14. 4., Council Liaison Appointments to the Citizen Advisory Boards, Committees, and Commissions must be made every two years at the first meeting in January. In conclusion, Mayor Truax referenced the resolution, which outlined the liaison positions and named the appointments.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 13**

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-10.

Sykes read Resolution No. 2011-10 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2011-10 Making City Council Liaison Appointments to Various Boards, Committees, and Commissions, and Other Regional Appointments.

**Council Discussion:**

In response to Lowe's inquiry, Mayor Truax confirmed the new liaison appointments would be effective immediately.

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.

**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 briefly updated Council on the upcoming Boards and Commissions (B&C) Annual Recognition Reception, noting approximately 100 people plan to attend. Ruggles briefed Council on the expectations and layout of the B&C reception program. In addition, Sykes distributed various handouts pertaining to upcoming seminars and events and other information of interest. In conclusion, Sykes reported on various meetings he attended and provided updates on various City department-related activities and projects.

**SIDEWALK IMPROVEMENTS PROGRAM UPDATE:**

Foster provided an update on the Citywide Sidewalk Improvements Program, noting 68 property owners are participating in the current program, and of the 68 participants, 20 are planning to finance using the City's program and the remainder will pay in full for the sidewalk improvements. Foster referenced a map showing the progress of the work, noting the contractor started repairing sidewalks in the southeast section of town and has now

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 14**

moved into the Forest Gale Heights area and will work its way back to the east in the areas north of 19<sup>th</sup> Avenue. In conclusion, Foster reported staff is planning to present at upcoming Council meetings the proposed assessment ordinances for Council consideration.

**13. COUNCIL COMMUNICATIONS:**

BeLusko reported on Public Arts Commission and Parks and Recreation Commission-related meetings and projects and other information of interest. BeLusko reported on various meetings and events he attended and reported on various upcoming meetings he was planning to attend.

Johnston inquired about Fernhill Wetlands prohibiting dogs and voiced concern how the decision came about, to which Lowe replied and explained the Fernhill Wetlands Council, a non-profit Board of Directors, made the decision to prohibit dogs when the City developed Thatcher Dog Park, noting Fernhill Wetlands is not owned by the City and is privately-owned and is considered a bird sanctuary that is open for public access and use. In addition, Johnston reported on various meetings and events he attended and other information of interest and reported on various upcoming meetings he was planning to attend. In conclusion, Johnston commended emergency response personnel for the excellent service he and his family received recently involving services from Fire and Police.

Lowe reported on upcoming Forest Grove Senior and Community Center-related activities and events and other information of interest. In addition, Lowe reported on various upcoming meetings she was planning to attend.

Miller reported on Committee for Citizen Involvement-related activities and briefed Council on the expectations and layout of the Annual Town Meeting program. In addition, Miller reported on various upcoming meetings she was planning to attend.

Thompson reported on Community Forestry Commission-related activities and projects and reported on Ride Connection-related activities and services. In addition, Thompson reported on various upcoming meetings he was planning to attend.

Uhing reported on Historic Landmarks Board-related activities and projects and spoke briefly on homelessness awareness, noting communities are

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JANUARY 11, 2011 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 15**

experiencing a huge increase in homelessness due to the economic turndown. In addition, Uhing reported on various upcoming meetings she was planning to attend.

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. In addition, Mayor Truax reported he plans to present the *State of the City Address* at the Chamber of Commerce luncheon, scheduled for Monday, February 28, 2011, at noon. In conclusion, Mayor Truax advised he would e-mail the rest of his report due to the late hour.

**14. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 9:50 p.m.

Respectfully submitted,

---

Anna D. Ruggles, CMC, City Recorder

November 17, 2010

Members in Attendance: Stephanie Beall, Steve Huffman, Lance Schamberger, Mindy Laird-Garcia, Mark Nakajima, David Hunter, Dale Wiley

Members Absent: none

Staff in Attendance: Steve Huffman, Dan Riordan

1. Call to Order and Approval of Minutes. The meeting was called to order at 5:32 PM by Stephanie Beall. Mark Nakajima made a motion, seconded by Dale Wiley to approve the October 20, 2010, meeting minutes noting the correction to the word "char" to "chair", and David's name to "Dale". The motion passed unanimously.

2. Citizen Communication. No citizen communication.

### 3. New Business

#### (1) Farmer's Market

Stephanie Beall and Mindy Laird-Garcia volunteered to hold a booth at the June 30<sup>th</sup> Farmers market. The commission will review further dates at the next meeting. Steve suggested offering free T-shirts for attendees ability to ID Forest Grove's top 10 street tree varieties.

#### (2) CEP Grant Update

Dan announced that we meet the qualifications again this year.

### 4. Project Reports

(1) Arbor Day Run Subcommittee. Stephanie said that she hasn't heard back from the School Board on coordinating a run. David suggested tabling the run. The majority agreed.

#### (2) Tree Growth Award Activities 2010:

- Calendar Publication –
- Tree Care Workshop – set for November 20<sup>th</sup>. There was one call phone call received from the advertisements distributed.
- Tree Inventory and Analysis – Last inventory was 2005. Dan said there were 300 trees to put into the database as a sample, and roughly 200 have been entered. Once the GPS is acquired we will begin re-inventorying.
- The oak tree planting in Clark Historic District should qualify for some points for the grant.

(3) City Wood Ornament Project: Steve actually has the wood, which should be cured in time to use in Farmer's Market in May. Dale suggested everyone comes next meeting with 3 ideas for what to do with it.

(4) Commemorative Tree Project: There are spaces available to replant on Main St. Mark suggested charging \$350 - \$400 per spot. A draft will be ready by the next meeting.

5. Other Business

(1) None.

6. Adjourn

Dale Wiley made a motion and Mark Nakajima seconded to adjourn the meeting at 6:10 PM. The motion passed unanimously.

Respectfully submitted by: Lance Schamberger, commission member



**Community Forestry Commission  
Meeting Minutes**

**December 15, 2010**

Members in Attendance: Stephanie Beall, David Hunter, Mindy Laird-Garcia, Dale Wiley, Councilor Thompson.

Members Absent: Lance Schamberger

Staff in Attendance: Steve Huffman, Dan Riordan

1. Call to Order and Approval of Minutes. Noting a quorum present, the meeting was called to order at 5:38 PM by Stephanie Beall. Approval of the November meeting minutes was deferred to the January meeting.

2. Citizen Communication. No citizen communication.

3. New Business

(1) Review of Tree City USA and Tree Growth Award Applications

Dan Riordan provided an overview of the City's Tree City USA and Tree Growth Award applications. Dan noted the City exceeds the minimum requirements for award qualification. Dan also noted the application is due by December 31<sup>st</sup>. Dale Wiley offered a motion, seconded by Mark Nakajima to approve the application and submit it to Arbor Day Foundation.

(2) Calendar Year 2011 Planning Retreat

The Commission discussed ideas for the annual planning retreat. The commission agreed to hold the retreat at the Parks Office. Dale Wiley offered a motion, seconded by David Hunter to purchase a main dish for the retreat and take-up a collection for a side dish. The motion passed unanimously.

4. Project Reports

(1) Tree Growth Award Activities 2010:

- Calendar Publication – Stephanie reported that work continues on compiling photos for the calendar.
- Tree Care Workshop – David provided an overview of the first tree care workshop held on November 20<sup>th</sup>. The workshop was attended by eight community members and was very successful. The Commission expressed the desire to draft an article/guest opinion for the newspaper about the event. The Commission discussed the possibility of holding another workshop in conjunction with the annual Arbor Day celebration on April.
- Tree Inventory and Analysis – Dan provided an overview of the initial inventory work completed so far. The inventory includes approximately 300 trees included on the Register of Significant Trees, trees inspected through the Neighborwoods program and the oak trees at Rogers Park. Dan also presented the results of an analysis of tree benefits using the iTree software. The inventory will be expanded during the upcoming year using the help of Commission members and student volunteers.

(3) City Wood Ornament Project: The Commission discussed ideas for use of the wood that's available. Ideas included creating nameplates for City Council members, wood boxes to raffle at the Farmers Market, pens or letter openers, gavel for the Mayor, and drink coasters. Dale offered to make a sample drink coaster. Mark offered to contact the Forest Grove High School to find out if they are interested in producing the wood ornament.

(4) Commemorative Tree Project: Mark noted that a framework for the commemorative tree project has been developed in Publisher. More information will be presented at the next meeting.

#### 5. Other Business

- (1) The Commission engaged in brief discussion about the City's branding strategy and logo. The Commission expressed interest in using an oak leaf logo on the City's letterhead.

#### 6. Adjourn

David Hunter made a motion, seconded by Dale Wiley to adjourn the meeting at 6:17 PM. The motion passed unanimously.

Respectfully submitted by: Dan Riordan, staff liaison

**APPROVED****RECREATION COMMISSION  
MINUTES**

Wednesday, December 15, 2010  
7:00 a.m. – Park Shop

- 1) **ROLL CALL:**
  - a) **Commissioners** – Susan Taylor (chair), Quinn Johnson, Mike Olson, Brian Seitz and Stephanie Vasquez. Absent members: Ralph Brown, Dick Kover and Paul Waterstreet.
  - b) **Staff** – Tom Gamble and Steve Huffman
  - c) **Council Liaison** – Tom BeLusko, Jr.
  - d) Stephanie Vasquez' term is ending and Anna Lund will be filling one of the vacant at large positions.
  
- 2) **CITIZEN COMMUNICATIONS:** None
  
- 3) **APPROVAL OF MINUTES:** The minutes of the November 17, 2010 meeting were approved.
  
- 4) **ADDITION/DELETIONS:** None
  
- 5) **OLD BUSINESS:**
  - a) **“B” Street Willow Structure**
    - i) Anna, Tom, Steve and Rich VanBuskirk (Associate Professor of Biology at Pacific) walked the site.
    - ii) Anna flagged the site showing where different components would be located including the type of structure, size and location of benches.
    - iii) An artist friend is drawing up more complete rendering of the project.
    - iv) Anna is filling out the application to adopt the trail by Pacific, which would be overseen by Rich VanBuskirk.
    - v) Rich is working with the university to draw up a contractual agreement involving the project.
    - vi) Anna would like to incorporate workshops as part of their commitment, such as a basket weaving workshop to coincide with the trimming of the willows.
    - vii) Pacific will contact the Argus to arrange for some media attention which will hopefully include interviews and the design renderings.
  
  - b) **Volunteers (Adopt-A-Park)**
    - i) Kari is fine tuning the documents. Once things get going there are bound to be a few changes.
    - ii) She is working on matching up groups with particular skill sets to specific projects in the city.
    - iii) Kari is involved with all the volunteers throughout the city including volunteer fire fighters.

**c) Master Plan**

- i) It may be wise to hold off revamping our Master Plan until the Urban Reserve study is completed, so we have a better idea of where we stand. Including acreage the City may have to take over.
  - (1) The study is projected to be completed by the end of the year. Then it goes to the State commission for review which could take a year or two.
- ii) Metro doesn't know if they want to continue operating parks over 9000 acres. They may turn over some of those acres to local jurisdictions. That raises the question of how it's all funded and maintained.
- iii) Intertwine Network: Two years ago all the park directors and Metro met for a two day summit. They felt that citizens don't really care whose jurisdiction a trail lies in, so it makes sense to connect the trails and provide regionally significant facilities.
  - (1) Things are starting to piece together and the logo is being placed on the trail signs.
- iv) The Recreation Commission feels it would be wise to wait. The biggest changes would be in our vision statement, looking at things such as a Community Center.

**6) NEW BUSINESS:**

**a) Forest Grove Community School Grant Proposal**

- i) Vanessa Gray, principal at the Forest Grove Community School, spoke to the commission about a Metro grant opportunity (Nature In Neighborhoods) in which they would like to partner with the Parks & Rec. department to make enhancements to the "B" Street path.
- ii) The grant would fund three activities.
  - (1) Classroom Projects
  - (2) Interpretive Signage
  - (3) Presentations and Workshops
- iii) They would like to put a display case at the trailhead which could feature a different classroom project every month. They could also have permanent panels made if the rotating displays didn't work out. The case could also contain general information and guidelines.
- iv) Workshops could feature local experts on various topics.
- v) The Community school has partnered with Metro on a couple of projects in the past.

**7) COMMISSIONER'S REPORTS:**

- a) The budget committee and city council met on November 29 to start the budgeting process. They are starting early to prevent problems.
- b) The current Safety Levy will be up in two years.

**8) STAFF REPORTS:**

- a) Tom noted that the signage at our parks is getting old and starting to rot. We should probably think about replacing them.

- i) We could go through a design process or just copy the sign designed for the “B” Street Trail.
- ii) The City’s’ new website features an oak leaf which we could include.
- iii) Signs last about 20 years.
- iv) We could budget for one or two signs a year.
- v) It was decided to wait until the City finalizes their logo and then base the signs on the “B” Street Trail sign.
- b) Steve said the Parks crew is finishing up with the leaves. There was some storm damage in Forest Glen Park that they will be tending to.
- c) The Dog Park remains popular. The winter area is open and the grass area has not yet closed.
  - i) Plastic bag donations are still coming from Greg Bean, a local veterinarian. Usage is less than expected. The bags cost \$80 for a box of 3200.
- d) Steve feels we may need improved signage on the “B” Street Trail dealing with keeping dogs on leashes.
- e) The Boards and Commissions reception will be held on January 13, 2011.
- f) The pool will be closed from December 13 thru December 19 for budget reduction.

9) **ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be Wednesday, January 19 at 7:00 a.m.

10) **ADJOURNMENT:** The meeting was adjourned at 8:35 a.m.

APPROVED

1. **ROLL CALL:**

Chair Russ Redmond called the meeting to order at 7:30 am

**MEMBERS PRESENT:** Randall Roedl, Russell Redmond, Bob Mills, John Rinier, Chere Sandusky, Bryan Luciani, and Susan Aguilar

**LIAISONS PRESENT:** Matt Pool, Rob Dahl, Byron Schmildkofer, and City Councilor Tom Johnston

**STAFF PRESENT:** Police: Captain Ashbaugh, Captain Williams, Chief Aleshire, Carol Lorenz; Fire Chief Kinkade.

**MEMBERS NOT PRESENT:** Drue Garrison, and Tim Dierickx,

**LIAISONS NOT PRESENT:** Brandon Hundley, Naomi Montelongo, and Harold Roark

2. **CITIZEN COMMUNICATIONS:** None

3. **APPROVAL OF MINUTES:** December 1, 2010 Russell Redmond approved minutes and was seconded by Bob Mills

4. **ADDITIONS/DELETIONS:** None

5. **ACTION ITEMS/DISCUSSION:** None

6. **COMMISSIONER'S REPORTS:** None

7. **STAFF REPORT:**

**Police:**

**Monthly Department Report:** See attached

**Council Meeting:** Two new officers will be sworn in at the December 13 council meeting and two reserve officers will be introduced.

**Citizens Academy:** The Citizens Academy will be starting up again on February 16, 2011

**Noise Ordinance:** The noise ordinance is scheduled to be sent to council in January for the first reading.

**Boards and Commission Dinner:** The Boards and Commission Dinner is set for January 13<sup>th</sup> where the chairman is to give a report in regards to PSAC.

**Press Releases:** All PSAC members should now be receiving press releases.

**Fire:**

**Fire monthly activity report:** Fire Chief's Report. See attached

**Fire Department Ambulance Transport Study:** The Forest Grove Fire Department continues to work with Metro West to provide backup transport at times of system overload.

**Forest Grove/Cornelius Intergovernmental Services agreement for Fire Chief Services:**

The final step is official approval by the Cornelius City Council, which is expected to occur (they have already approved this in a work session). Implementation date is scheduled for January 1, 2011.

**PSAC:**

**Breakfast:** PSAC thanked fire for the nice breakfast.

**Levy:** PSAC talked about a sub-committee in order to begin strategic planning for the levy. The current levy expires 2013 therefore the new levy will have to be on the ballot in May or November 2012.

**Public Safety Levy vs General Fund Levy:** It was suggested sending a survey in the light bill to determine how the citizens of Forest Grove would like the levy to read on the ballot. However, any changes made would have to be approved by the council.

**Budget Information:** It has been requested that Paul Downey present to PSAC information regarding the budget for the next 3 years for public safety.

**Email notifications:** PSAC would like to be notified by email regarding any special meetings, council meetings, etc that would be helpful if they would attend.

**Levy Fails:** PSAC would like to be educated on what it means to Fire/Police if the levy fails. PSAC would also like to know what can be done if the levy does not pass.

8. **OLD BUSINESS:** Nothing new discussed
9. **ANNOUNCEMENT OF NEXT MEETING:** January 26, 2011
10. **ADJOURNMENT:**  
Russ Redmond adjourned the meeting at 8:57 a.m.  
Respectfully submitted by:  
Carol Lorenz

# Department Summary

Forest Grove Police  
Department

November 2010

## Department Highlights

### Significant Cases/Events:

#### Events:

- ◆ Received notification of conditional award for Homeland Security Grant application in the amount \$34,065 for Mobile Data Computers and air card service. Formal award documents and forms are expected within the next week or two. Funding dates to be announced.
- ◆ Department participated in presenting landlord training in Beaverton. 80 landlords attended, including landlords from Forest Grove.
- ◆ Assisted KATU with special on fraud against the elderly.
- ◆ Department recognition held on 11/8— Sergeant Hart promotion and several other awards (attached on following pages).
- ◆ Department personnel participated in "Lunch Buddy" program at Joseph Gale Elementary School – had lunch with two students interested in law enforcement careers.
- ◆ Department personnel conducted mock interviews at Forest Grove High School in support of career planning curriculum.
- ◆ Department hosted Law Enforcement Career Day in support of the Forest Grove High School School-to-Work program.
- ◆ Presentation regarding GREAT and School-to-Work programs at joint Forest Grove, Cornelius, and FG School Board meeting.



Officer Griffith receiving Letter of Commendation

#### Training:

- ◆ Administrative/Investigations Range Training Day at Tri-County Range in Sherwood.
- ◆ Sergeants attended Leadership Training hosted at Milwaukie PD.
- ◆ Sergeant Hart completed NIMS/ICS PIO Training.

#### Investigations:

- ◆ On 11/4/10, Michael Frick, a registered sex offender living in Forest Grove, was indicted by a Washington County Grand Jury on four counts of Sexual Abuse in the Second Degree, three counts of Rape in the Third Degree, and one count of Sodomy in the Third Degree. This was the culmination of a two-month investigation involving two underage females.
- ◆ On 11/24/10, Gordon Cronk, a Forest Grove resident was arrested after he burglarized a Forest Grove residence. He was ultimately charged with two counts of Burglary I and numerous other misdemeanor property crimes.



Captain Ashbaugh and Detective Sergeant Herb at the Outdoor Range (11/17).

### By the Numbers:

Original  
Reports:

203

Dispatched  
Calls:

618

Self-Initiated  
Calls:

935

Total Calls for  
Service:

1553

Forest Grove Police Department

2102 Pacific Avenue

Forest Grove, OR 97116

Office: (503) 992-3260

Dispatch: (503) 629-0111

Fax: (503) 359-3519





## Forest Grove Police Department

---



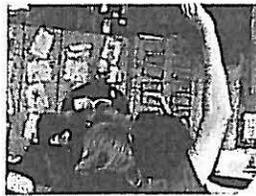
and

## School to Work Program



### at Tom McCall Upper Elementary School

---



- o 165 contact hours with 6<sup>th</sup> Grade Students.
- o 49 sessions already conducted; 42 remaining this semester.
- o 104 sessions anticipated during 2<sup>nd</sup> semester.



## **School to Work**

---

- Ride-Along Program
- Mock Interviews with Forest Grove High School Students
- 2010 Citizen's Academy Participation



## **School to Work**

---

- 2010 School to Work Event
  - ↳ Law Enforcement Career Day
  - ↳ November 18<sup>th</sup> 9:00am-Noon
- Station Tour
- Presentation – Police Procedures and Investigations
- Evidence Collection Exercise



---

- Questions
- Comments

# Forest Grove Police Department

## Letter of Commendation

The Forest Grove Police Department takes pride in presenting this Letter of Commendation to Detective Matthew Smith for his actions while serving as a Detective with the Forest Grove Police Department from December 2009 through March 2010. During this time frame, a string of gang-related violence erupted in Forest Grove and Cornelius, including numerous shootings, assaults, and robberies. Detective Smith immediately recognized the criticality of collaborating with investigators from the Cornelius Police Department and Washington County Sheriff's Office. As part of the investigative strategy, Detective Smith conducted a highly professional and detailed briefing, involving agency administrators and investigators from a number of Washington County and Federal law enforcement agencies. Throughout these investigations, Detective Smith conducted countless interviews, surveillance, and authored search warrant affidavits. As a result of Detective Smith's efforts and leadership, numerous individuals were held accountable for their lawless actions, ultimately improving the safety of our communities. Detective Smith's efforts are recognized and appreciated and are in keeping with the finest traditions of the law enforcement profession.

# Forest Grove Police Department

## Letter of Commendation

The Forest Grove Police Department takes pride in presenting this Letter of Commendation to Officer Ernesto Villaraldo for his actions while serving as a Patrol Officer with the Forest Grove Police Department on August 29, 2010. While on patrol, Officer Villaraldo located a suspicious vehicle parked behind several other vehicles and not readily visible from the roadway in the 3700 Block of Pacific Avenue. While checking the vehicle, Officer Villaraldo contacted the lone occupant and quickly recognized the occupant was having a medical problem. He then summoned emergency medical service personnel. Without Officer Villaraldo's keen skills of observation, inquisitiveness, and dedication to duty, the occupant would not have been located quickly and would have most likely suffered serious medical consequences. The occupant commented she probably would have died without Officer Villaraldo's timely actions. Officer Villaraldo's actions are in keeping with the finest traditions of the law enforcement profession.

## **Public Safety Advisory Committee**

### **Fire Chief's Report**

**December 1, 2010**

**Reporting Period: October 27, 2010 – November 30, 2010**

### **Notable Calls and Events**

1. Residential fire and Main and Hartford. Fire caused by a candle left unattended, loss contained to \$10,500.
2. FGFR firefighter/paramedics transported a critical shortness of breath patient to Tuality Hospital when we received two simultaneous critical calls in the city. Also provided transport for Hillsboro fire when system reached critical overload.
3. Football player at Forest Grove High School was injured in a helmet-to-helmet injury. Standby crew of intern firefighters Jake Stone and Damian Peters provided appropriate stabilization and care. Patient ended up having a C-4 fracture that he fully recovered from.

### **Training**

1. Two volunteer recruit firefighters graduated from the WWCTA Firefighter academy.
2. Division Chief O'Connor assisted Cornelius Fire with internal promotional process.
3. The following firefighter certifications were achieved:
  - a. Fire Officer II – Karen Hendrix-Nordstrom
  - b. Oregon Fire and Life Safety Specialist I – Matt Johnston
  - c. NFPA Emergency Driver – Victor Haney, Chris Eubanks
  - d. NFPA Mobile Water Supply Operator – Ivan Bratchuck, Steve Prichard
  - e. NFPA Wildland Interface Firefighter – Jonathan Zalaski and Joel Redwine
  - f. Fire and Life Safety Awareness – Ian O'Connor
4. Captain Nemeyer, Captain Lanter and Lieutenant Buckingham attended Exercising Leadership course in Hillsboro.
5. Dr. Daya provided ECG and 12 lead training to the crews.

### **Fire Prevention/Community Risk Reduction**

1. Fire prevention conducted inspections for five residential dorms participating in Pacific University's "Hall-O-Safe" event – four code violations corrected.
2. Reviewed fire alarm plans for new LDS church, water supply issues for industrial site at 24<sup>th</sup> and Yew.
3. Reviewed plans for crematory furnace at Fuiten, Rose and Hoyt Funeral Home.
4. Captain Nemeyer served as "Principle of the Day" at Gales Creek School.

## **Projects and Administration**

1. Provided standby coverage at annual Verboort Sausage and Kraut dinner event.
2. Firefighter's handed out 1500 light-sticks at annual "Be Seen at Halloween" event. Funding provided by the Forest Grove Firefighter's Association and the Police and Fire unions.
3. Completed proposed intergovernmental agreements with Cornelius Fire. Cornelius City Council approval expected December 6, operational date of January 1, 2011.
4. Currently conducting the annual toy drive.
5. Established dispatch zone for Pacific University for closer coordination with Pacific University Campus security.
6. Received new Bendix King Radios (grant funded) that are field programmable and used on wildland fire and large incidents.
7. Began planning work with other Washington County agencies on countywide disaster drill in May.
8. Received notification of award for Station 7 generator and satellite phones through State Homeland Security Grant program.
9. Fire Chief participated in interviews for Light and Power director, worked with City of Cornelius representatives on Chief Asanovic retirement ceremonies.
10. Continued work on strategic plan, completing internal and external factor evaluation and competitive profile matrix.
11. Completed promotional process for new Fire Marshal – Dave Nemeyer will be promoted in mid-December with a ceremony in January.

Forest Grove Fire & Rescue

Incident Type Report (Summary)

Alarm Date Between {10/27/2010} And {11/30/2010}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>1 Fire</b>				
111 Building fire	1	0.40%	\$10,500	100.00%
	1	0.40%	\$10,500	100.00%
<b>2 Overpressure Rupture, Explosion, Overheat(no fire)</b>				
221 Overpressure rupture of air or gas	1	0.40%	\$0	0.00%
	1	0.40%	\$0	0.00%
<b>3 Rescue &amp; Emergency Medical Service Incident</b>				
300 Rescue, EMS incident, other	5	2.04%	\$0	0.00%
311 Medical assist, assist EMS crew	47	19.18%	\$0	0.00%
321 EMS call, excluding vehicle accident with	115	46.93%	\$0	0.00%
322 Motor vehicle accident with injuries	5	2.04%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	4	1.63%	\$0	0.00%
	176	71.83%	\$0	0.00%
<b>4 Hazardous Condition (No Fire)</b>				
412 Gas leak (natural gas or LPG)	1	0.40%	\$0	0.00%
424 Carbon monoxide incident	1	0.40%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	3	1.22%	\$0	0.00%
443 Breakdown of light ballast	1	0.40%	\$0	0.00%
444 Power line down	2	0.81%	\$0	0.00%
	8	3.26%	\$0	0.00%
<b>5 Service Call</b>				
510 Person in distress, Other	1	0.40%	\$0	0.00%
511 Lock-out	1	0.40%	\$0	0.00%
520 Water problem, Other	1	0.40%	\$0	0.00%
522 Water or steam leak	1	0.40%	\$0	0.00%
531 Smoke or odor removal	1	0.40%	\$0	0.00%
550 Public service assistance, Other	1	0.40%	\$0	0.00%
552 Police matter	1	0.40%	\$0	0.00%
554 Assist invalid	12	4.89%	\$0	0.00%
561 Unauthorized burning	2	0.81%	\$0	0.00%
	21	8.57%	\$0	0.00%
<b>6 Good Intent Call</b>				
611 Dispatched & cancelled en route	2	0.81%	\$0	0.00%

Forest Grove Fire & Rescue

Incident Type Report (Summary)

Alarm Date Between {10/27/2010} And {11/30/2010}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>6 Good Intent Call</b>				
611A Cancelled en route - Automatic Fire Alarm	11	4.48%	\$0	0.00%
611B Cancelled en route - Medical Calls	4	1.63%	\$0	0.00%
611C Cancelled en route - Motor Vehicle	5	2.04%	\$0	0.00%
611E Cancelled en route - Medical Alarm	1	0.40%	\$0	0.00%
611F Cancelled en route - Mutual Aid Fire	1	0.40%	\$0	0.00%
622 No Incident found on arrival at dispatch	2	0.81%	\$0	0.00%
631 Authorized controlled burning	1	0.40%	\$0	0.00%
652 Steam, vapor, fog or dust thought to be	2	0.81%	\$0	0.00%
	29	11.83%	\$0	0.00%
<b>7 False Alarm &amp; False Call</b>				
700 False alarm or false call, Other	2	0.81%	\$0	0.00%
733 Smoke detector activation due to	2	0.81%	\$0	0.00%
734 Heat detector activation due to malfunction	1	0.40%	\$0	0.00%
735 Alarm system sounded due to malfunction	1	0.40%	\$0	0.00%
743 Smoke detector activation, no fire -	3	1.22%	\$0	0.00%
	9	3.67%	\$0	0.00%

Total Incident Count: 245

Total Est Loss:

\$10,500



**FOR CITY USE ONLY**  
 (Please return to City Recorder)  
 The City of Forest Grove  
 Recommends that license be

Granted  Denied

\$100.00 Original App Fee: Paid: \_\_\_\_\_  
 \$ 75.00 Change App Fee:  
 \$ 35.00 Renewal or Temp App Fee  
 \$ 20.25 Special Event

Acct No. 100-21-10-450050 Receipt#: \_\_\_\_\_

**FOREST GROVE POLICE DEPARTMENT**  
**LIQUOR LICENSE RECOMMENDATION**

**NAME OF APPLICANT/BUSINESS:** Dogwood Distilling, LLC (Matt Hottenroth)

**APPLICANT/BUSINESS ADDRESS:** 1835 19<sup>th</sup> Avenue – Forest Grove

**EVENT DATE/LOCATION:** \_\_\_\_\_

**CITY BUSINESS LICENSE:** Pending issuance Jan 2011

**TYPE OF LICENSE REQUESTED:**  
*Application is being made for*

<p><b>ACTION:</b></p> <p><input type="checkbox"/> Change in Application</p> <p><input checked="" type="checkbox"/> <b>New Application (Distillery)</b></p> <p><input type="checkbox"/> Renewal</p> <p><input type="checkbox"/> Special Event</p> <p><input type="checkbox"/> Temporary</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> <b>FULL ON-PREMISES SALES:</b>          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"/> <b>BREWERY – PUBLIC HOUSE</b>          This license allows the holder to manufacture malt beverages and sell to patrons and wholesalers and allows the holder to sell malt beverages, wine and cider for consumption at the business and "to go".</p>	<p><input type="checkbox"/> <b>LIMITED ON-PREMISES SALES:</b>          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"/> <b>OFF-PREMISES SALES:</b>          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>
<p><input type="checkbox"/> Business</p> <p><input type="checkbox"/> Change in Ownership</p> <p><input type="checkbox"/> Greater Privilege</p> <p><input type="checkbox"/> Additional Privilege</p> <p><input type="checkbox"/> Other _____</p>	<p><input type="checkbox"/> F – CAT Caterer</p> <p><input type="checkbox"/> F – COM Commercial Establishment</p> <p><input type="checkbox"/> F – PC Passenger Carrier</p> <p><input type="checkbox"/> F – CLU Private Club</p> <p><input type="checkbox"/> F – SEW or SEG Special Event</p> <p><input type="checkbox"/> F – PL Other Public Location</p>	<p><input type="checkbox"/> Brewery Public House</p> <p><input type="checkbox"/> Fuel Pumps</p> <p><input type="checkbox"/> Grower</p> <p><input type="checkbox"/> Warehouse</p> <p><input type="checkbox"/> Winery/Grower</p> <p><input type="checkbox"/> Other: _____</p>

**APPLICABLE CRIMINAL/DRIVING RECORD:**

NONE  SUPPORTING DOCUMENTATION ATTACHED

**RECOMMENDED ACTION:**

FORWARD WITH APPROVAL  REJECT APPLICATION (Memorandum Required)

Kerry P. Aleshire  
 Kerry Aleshire, Chief of Police  
 - or Designee

1-18-11  
 Date



OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION



Application is being made for:

**LICENSE TYPES**

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: Distillery \$100-

**ACTIONS**

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other !

**90-DAY AUTHORITY**

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

**APPLYING AS:**

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

**CITY AND COUNTY USE ONLY**

Date application received: \_\_\_\_\_

The City Council or County Commission:

\_\_\_\_\_  
(name of city or county)

recommends that this license be:

- Granted
- Denied

By: \_\_\_\_\_  
(signature) (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**OLCC USE ONLY**

Application Rec'd by: [Signature]

Date: 1-7-11

90-day authority:  Yes  No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Matthew Hottenroth ③ \_\_\_\_\_

② Dogwood Distilling LLC ④ \_\_\_\_\_

2. Trade Name (dba): Dogwood Distilling LLC

3. Business Location: 1835 19th Ave. Forest Grove Washington OR 97114  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 37065 SW Goddard Rd Cornelius, OR 97113  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-789-7203 n/a  
(phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: \_\_\_\_\_ Type of License: \_\_\_\_\_

8. Former Business Name: \_\_\_\_\_

9. Will you have a manager?  Yes  No Name: \_\_\_\_\_  
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? City of forest Grove  
(name of city or county)

11. Contact person for this application: Matthew Hottenroth  
(name) (phone number(s))

37065 SW Goddard Rd, Cornelius, OR 97113 [Redacted]  
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 11-7-10 ③ \_\_\_\_\_ Date \_\_\_\_\_

② \_\_\_\_\_ Date \_\_\_\_\_ ④ \_\_\_\_\_ Date \_\_\_\_\_



# OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type Dogwood Distilling LLC  
 Applicant Name: ~~Matthew Hottenroth~~ Phone: 503.789.7203  
 Trade Name (dba): Dogwood Distilling LLC  
 Business Location Address: 1835 19th Ave  
 City: Forest Grove, OR ZIP Code: 97116

### DAYS AND HOURS OF OPERATION

Business Hours: n/a see below Outdoor Area Hours: n/a The outdoor area is used for: n/a  
 Food service Hours: \_\_\_\_\_ to \_\_\_\_\_  
 Alcohol service Hours: \_\_\_\_\_ to \_\_\_\_\_  
 Enclosed, how \_\_\_\_\_  
 The exterior area is adequately viewed and/or supervised by Service Permittees.  
 \_\_\_\_\_ (Investigator's Initials)

\* Processing hours will vary ~~single~~ single owner/operator. 10-4pm most days.

Seasonal Variations:  Yes  No If yes, explain: \_\_\_\_\_

### ENTERTAINMENT

Check all that apply: n/a

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: \_\_\_\_\_

### DAYS & HOURS OF LIVE OR DJ MUSIC

n/a  
 Sunday \_\_\_\_\_ to \_\_\_\_\_  
 Monday \_\_\_\_\_ to \_\_\_\_\_  
 Tuesday \_\_\_\_\_ to \_\_\_\_\_  
 Wednesday \_\_\_\_\_ to \_\_\_\_\_  
 Thursday \_\_\_\_\_ to \_\_\_\_\_  
 Friday \_\_\_\_\_ to \_\_\_\_\_  
 Saturday \_\_\_\_\_ to \_\_\_\_\_

### SEATING COUNT

n/a

Restaurant: \_\_\_\_\_ Outdoor: \_\_\_\_\_  
 Lounge: \_\_\_\_\_ Other (explain): \_\_\_\_\_  
 Banquet: \_\_\_\_\_ Total Seating: \_\_\_\_\_

OLCC USE ONLY	
Investigator Verified Seating: _____(Y) _____(N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 11-7-10

**RESOLUTION NO. 2011-11**

**RESOLUTION MAKING APPOINTMENT  
TO THE CITY OF FOREST GROVE  
COMMUNITY FORESTRY COMMISSION**

**WHEREAS**, the City of Forest Grove has provided for a Community Forestry Commission; and

**WHEREAS**, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees and Commissions brought about by resignation or removal shall be filled by appointment to fill the full unexpired term of that seat by the City Council; and

**WHEREAS**, there currently exist a vacancy on the Community Forestry Commission; and

**WHEREAS**, the City Council has received an application from a citizen desiring to serve on the Community Forestry Commission, and subsequently interviewed this citizen making application for service on this Commission.

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

**Section 1.** That the following person is hereby appointed to the City of Forest Grove Community Forestry Commission for the following term (new appointment noted in **CAPS** and **BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>
Beall	Stephanie	December 31, 2013
Hunter	David	December 31, 2011
Laird-Garcia	Mindy	December 31, 2012
Nakajima	Mark	December 31, 2013
Schamberger	Lance	December 31, 2012
<b>BANNISTER-LAWLER</b>	<b>SEBASTIAN</b>	<b>DECEMBER 31, 2011</b>
Wiley	Dale	December 31, 2013

**Section 2.** This resolution is effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Peter B. Truax, Mayor

**RESOLUTION NO. 2011-12**

**RESOLUTION MAKING APPOINTMENTS  
TO THE CITY OF FOREST GROVE  
PARKS AND RECREATION COMMISSION**

**WHEREAS**, the City of Forest Grove has provided for a Parks and Recreation Commission;  
and

**WHEREAS**, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

**WHEREAS**, there currently exist vacancies on the Parks and Recreation Commission; and

**WHEREAS**, the City Council has received applications from citizens desiring to serve on the Parks and Recreation Commission, and subsequently interviewed citizens making application for service on this Commission.

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

**Section 1.** That the following person is hereby appointed to the City of Forest Grove Parks and Recreation Commission for the following term (new appointment noted in **CAPS** and **BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>District</u>	<u>Term Expires</u>
Brown	Ralph	School Board	December 31, 2013
Johnson	Quinn	At Large	December 31, 2011
Kover	Richard	NE	December 31, 2011
Lund	Anna Marie	At Large	December 31, 2014
Olson	Michael	At Large	December 31, 2013
Seitz	Brian	SW	December 31, 2013
Taylor	Susan	NW	December 31, 2012
<b>VANBLARCOM</b>	<b>GLENN</b>	<b>NNW</b>	<b>DECEMBER 31, 2012</b>
Waterstreet	Paul	SE	December 31, 2012

**Section 2.** This resolution is effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Peter B. Truax, Mayor

---

## Memorandum

---

**TO:** Mayor Truax and City Councilors

**FROM:** Rob DuValle, Human Resource Manager  
Michael Sykes, City Manager

**DATE:** January 24, 2011

**SUBJECT:** PUBLIC COMMUNICATIONS TEAM UPDATE

---

**BACKGROUND:**

The Public Communications Team was chartered in May of 2010 in response to the Council Goal #9:

“Increase public relations and marketing to better communicate City services and accomplishments (Develop Public Communications Strategy Plan).”

The team is comprised of representatives from the various City Departments who held roles that provided them access to vital information on programs and services of their Department, who were passionate about improving the City’s ability to effectively engage our audiences, and who also demonstrated familiarity with both traditional and emerging forms of media. The team has worked diligently to produce a plan, research options, and take implementation steps toward this end. This presentation will report on the plan and the corresponding objectives that have been realized to date.

**Team Members:** Aaron Ashbaugh, Police Department  
Rob DuValle, Human Resources Manager  
Anna Ruggles, City Recorder / City Council  
Bev Maughan, City Manager’s Office  
Dave Nemeyer, Fire Department  
Gretchen Roberts, IT  
Sheryl Bunker, Utility Billing / Passports / Municipal Court  
Mara Houck, Light and Power  
Marcia Phillips, Community Development  
Shannon Romtvedt, Library  
Sheila Lardy, Engineering / Water Treatment Plant / Public Works

# City of Forest Grove Communication Plan

## Introduction

The City of Forest Grove recognizes the value of citizen involvement and the wealth of information and resources that citizens contribute. It is important to increase the City's understanding of citizen concerns, ideas and values so that they can be utilized in the decision-making process. The City must identify, create and budget adequate resources to engage citizens and citizen groups to enable them to effectively become a part of the City's success.

The City's overall success is influenced by the quality of its communication efforts. The City endeavors to provide diverse venues for information to be shared.

## Guiding Principles

Two-Way Communication – Ensure that information is shared throughout the community and the organization emphasizing two-way informational flow and transparency.

Community Informational Resources – Provide citizens with complete, accurate and timely information enabling them to make informed judgments.

Proactive – Provide the City with the opportunity to tell its story directly, rather than rely on other sources to interpret the City's actions, issues and decisions.

Decentralized – Strengthen direct communication between elected officials, City departments and citizens. This provides for more knowledgeable discourse, strengthens accountability and also leverages the existing Departmental staff talent.

Inclusive – Including everyone in the process improves teamwork and understanding. The goal is to include everyone who desires to participate and to encourage those who are not engaged to become involved.

Unified and Consistent Messages – A successful communication plan is built on a unified theme and is more effective than one with unrelated and scattered messages. The communication plan should support, reinforce and reflect the goals of the City government as established by the City Council.

## Targeted Audiences

Identifying and prioritizing target audiences are key components of a communication plan in order to engage the widest possible audience with limited resources.

### Target Audiences

- **Citizens of Forest Grove**

Citizens of Forest Grove are the highest priority audience. Strengthening the relationship between City government and our residents is the primary focus of our plan.

- **Members of City boards, commissions and committees.**

Citizen participation groups are important based on their personal commitment to improving our community and the government services we provide.

- **Potential Businesses, Visitors, and Job Applicants**

Businesses who are exploring the potential establishment and/or relocation to Forest Grove. Visitors, tourists and job applicants interested in exploring the opportunities and amenities that the City and community has to offer.

- **City Employees**

Staff employed by the City of Forest Grove are an integral part of the success of the communication plan and our ambassadors to the community.

- **News Media**

The media are important because their coverage of the City government can have significant influence on the image of government by the public.

- **Partner Organizations**

The public, private, and non-profit organizations that the City routinely collaborates with to provide services are instrumental in supporting the City's goals.

### **Goals of the Communication Plan**

- Ensure the City Council is an active and integral part of the overall City Communication Plan.
- Improve City communication to-and-from Forest Grove citizens, businesses and organizations.
- Enhance and improve communication during emergency situations.
- Improve communication within the City organization.
- Enhance and improve community and media relations.
- Increase awareness, interest and participation of the citizens of Forest Grove in governmental goals and activities.
- Improve the understanding that City government is accountable to the Citizens.
- Increase awareness, interest and participation of all City employees in the goals and activities of the City.
- Build organizational pride and positive identification with the City as a whole.

### **Strategies and Actions**

#### Strategies

- Expand our communication program by improving the existing avenues of communication and exploring new avenues.
- Continue to employ a multi-media and multi-level communication approach. Monitor and fine-tune the existing communication tools and seek additional tools. Be sure that communication tools are diverse in both audience and format in order to reach all segments of the targeted audiences.
- Use interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communication process and increase their commitment to the goal of community involvement and problem solving.

#### Actions

- **Identify and Prioritize Communication Tools**

1. Audit all existing communication tools and prepare a list of the tools, audiences, and known effectiveness based on historical method(s).
2. Research best practices for additional communication tools; identify potential audiences, and the anticipated effectiveness.
3. Prioritize the list of summarized tools into a ranking based on the anticipated success of the tool and the target audience priority.
4. Identify resource needs to establish additional communication tools and prioritize them based on anticipated outcomes.

5. Prepare a written recommendation on action steps to take in order to implement the tools, establish relevant timelines, goals, and potential hurdles.
6. Assign project team leads for each communication tool in order to research, develop, and establish a method to evaluate the performance of the tool.
7. Review findings of each tool as reported from the team leads to the Public Communications Team (PCT).
8. Authorize the establishment of finalized recommendations; formalize process to deploy the actual tools or modifications to existing ones.
9. Evaluate the ongoing performance of the communication tools by the PCT on a recurring schedule.
10. Periodically, revisit the list of tools with emphasis on emerging tools and technologies.

- **Establish Content Delivery Procedures**

1. Determine specific tools to reach targeted audiences.
2. Determine categories of information (e.g., all Citizens, Department specific audience, etc.) and criteria for selection of audience.
3. Determine placement authority of Information Officers (see below).
4. Establish guidelines for collaboration between Departments to maintain unified approach.

- **Establish Department Information Officers**

1. Formalize authority regarding Departmental Information Officers
2. Establish roles and responsibilities;
3. Identify resource needs to accomplish goals;
4. Recommend procedures to ensure that information is presented in a unified manner that builds the reputation of the City as an organization but also reflects the unique cultural differences of the Department and their specific audience requirements.

- **Communications Training**

1. Provide communication counseling and training for City officials and staff based on specific tools developed, content authority, and target audience considerations.

## MEMORANDUM

---

**TO:** Mayor Peter Truax and City Councilors

**PROJECT TEAM:** Tom Gamble, Parks and Recreation Director  
Michael Sykes, City Manager

**DATE:** January 24<sup>th</sup>, 2011

**SUBJECT:** Pacific University Football Update

---

Staff will update the City Council on the first year, authorizing Pacific University to practice and play football games at the City's Lincoln Park facilities.

The presentation/update will review items in the University's proposal (dated January 25<sup>th</sup>, 2010) that were heard at the March 8<sup>th</sup>, 2010, City Council meeting. The Recreation Commission reviewed and discussed at the Commission meeting held on January 19<sup>th</sup>, 2011. Commission comments from that meeting will be reported to the Council this evening.

This presentation will be the first of two presentations evaluating the terms and conditions of the agreement between the City of Forest Grove and Pacific University. The second presentation and report will occur early in 2012, as football has been allowed for a two year trail period before final agreement is reached to authorize changes to the easements for joint use of Lincoln Park.

**ORDINANCE NO. 2011-01****ORDINANCE ADOPTION OF AMENDMENT TO  
PACIFIC UNIVERSITY MASTER PLAN TO  
INCORPORATE SIGNAGE AND LANDSCAPE PROVISIONS**

**WHEREAS**, the City Council of the City of Forest Grove adopted the Pacific University Master Plan pursuant to Ordinance Number 2006-25 on December 11, 2006; and

**WHEREAS**, Pacific University submitted amendments to the Master Plan to address signage and landscaping on September 22, 2010; and

**WHEREAS**, the notice of this request was mailed to property owners and residents within 300 feet of the area covered by the Master Plan on October 8, 2010, and published in the *NewsTimes* on October 27, 2010, as required by Development Code Section 10.1.710; and

**WHEREAS**, the Planning Commission held a duly-noticed Public Hearing on the proposed Master Plan amendments on November 1, 2010; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on the proposed Master Plan amendments on January 11, 2011.

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

**Section 1.** The City of Forest Grove City Council does hereby adopt the proposed amendment to the Pacific University Master Plan (attached as Exhibit A) to incorporate signage and landscape provisions making the following specific findings in support of this decision:

(1) The Master Plan Zone complies with the review criteria for a zone change set forth in Section 10.2.750. The Zone Change criteria with assessment are as follows:

- The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

**Analysis:** This criterion applies to zoning map changes since that is the only instance where the Comprehensive Plan map would apply. The proposed amendment is not a zoning map amendment.

- The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

**Analysis:** Residential Goal 1 of the Comprehensive Plan is the only Comprehensive Plan goal or policy applicable to the proposed amendment. It specifies that residential areas shall be developed in a safe, aesthetically pleasing, and efficient manner. Staff finds that the provision for landscaping as proposed by the amendment to the Master Plan would establish improvements to the campus to improve its aesthetics. Further, the plan amendments address potential safety issues for landscaping. The signage program would also promote aesthetics by establishing standards that are generally consistent with the city's sign code provisions as it may be interpreted. Due to the unique character and special needs of the University, there is no need to establish size limits on temporary signs.

- The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.

**Analysis:** Alternative sites are appropriate where a determination of the best applicable zone district is under consideration (i.e. a map amendment). As noted above, this is not applicable for this proposed amendment since it is addressing landscaping and signage.

- The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

**Analysis:** The proposed amendment would not change transportation impacts since it only addresses landscape and signage requirements. As a result, the criterion is not applicable.

- Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

**Analysis:** The only public service that could be impacted would be water service due to the landscape requirements. However, there would be water demand with or without the proposed amendment since landscaping would be on campus to maintain. Further, Goal 6 for landscaping promotes sustainability which in part

would promote water conservation uses such as integrating stormwater water design into the landscaping to reduce water usage from the city.

- The establishment of a zone district is not subject to the meeting of conditions.

**Analysis:** Not applicable since no conditions are proposed.

(2) The master plan provides adequate open space, landscaping, circulation and parking to accommodate the planned uses;

**Analysis:** The provision of the landscape program into the Master Plan helps assure that the provision of open space and landscaping will be adequate in terms of design and maintenance in the future. The proposed amendments have no impact on circulation and parking.

(3) The development and design standards assure that adverse impacts of the proposed development on the surrounding neighborhood and community are addressed and mitigated;

**Analysis:** Generally, the signage program would establish provisions similar with the City requirements. The one exception is the wall sign provision for the tennis courts. Since the sign has gone up, the City has not received any complaints. It is set back from the street to reduce its visual impacts. Further, the University has needs not generally found in residential districts and with the proposed Master Plan provision, would not create a precedent for these size signs to be located elsewhere in residential districts. Establishing a maximum size for temporary signs could help address potential adverse visual impacts from such signs if the Commission finds it necessary to address.

The landscape provisions are intended to mitigate potential adverse visual impacts by promoting proper long-term maintenance of the campus.

(4) The master plan assures that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare; and

**Analysis:** The proposed amendments pertain to landscaping and signage. The one possible impact is a potential use of electronic, changeable copy signs. Except for marquee signs, no changeable copy signs are allowed. For marquee signs, they are intended for buildings that regularly host public events. This could include the PAC and halls with auditoriums. Changeable copy signs are typically found with these type of facilities and the standards of the City sign code for electronic changeable copy would have to be met. Thus, any potential public nuisance impact would be to the level already found appropriate by the City.

(5) The master plan complies with the purpose and requirements of the Master Plan Zone.

**Analysis:** As noted above, the purpose of the Master Plan is to promote and facilitate the coordinated development of larger-scale institutional facilities through the Master Plan. The provision of a signage and landscape program promotes coordinated the development of the facilities by establishing goals, programs and standards that enhances the long-term look of the facility. This would also apply to the only applicable development standard in the Master Plan zone, landscape develop and design standards.

**Section 2:** This ordinance is effective 30 days following its enactment by the City Council.

**PRESENTED AND PASSED** the first reading this 11<sup>th</sup> day of January, 2011.

**PASSED** the second reading this 24<sup>th</sup> day of January, 2011.

---

Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

---

Peter B. Truax, Mayor

**ORDINANCE NO. 2011-02****ORDINANCE CREATING A PROCESS FOR DEVELOPMENT OF REIMBURSEMENT DISTRICTS AS A FINANCING DEVICE FOR PUBLIC IMPROVEMENTS, AMENDING FOREST GROVE CITY CODE BY ADDING A NEW CODE CHAPTER 3.10.005 THROUGH 3.10.075 "REIMBURSEMENT DISTRICTS"**

**WHEREAS**, the City Council recognizes the City has a limited financial ability and resources to construct all appropriate infrastructure necessary for development of all private property throughout the City;

**WHEREAS**, the City Council recognizes the need to have an array of financing vehicles at the City's disposal to assist in paying for capital costs associated with installing and constructing the various types of public infrastructure needed for the City's health and welfare and that of its residents;

**WHEREAS**, state law provides an array of financing devices to pay for public improvement and infrastructure including local improvement districts and system development charges;

**WHEREAS**, the City Council recognizes that Forest Grove, as an Oregon home rule municipality, has the plenary authority to develop, implement and use other types of financing devices or vehicles for public improvements than those provided for under state law;

**WHEREAS**, the City Council knows that public bodies, including the City, may construct or install public improvements of various types that would benefit privately owned properties that have (as of the date of the installation or construction of the particular public improvement) not yet been fully developed and as a result have no immediate use (at the time of the installation or construction) for the City's newly installed or constructed public improvement;

**WHEREAS**, the City Council recognizes that private property owners may, in the course of developing their respective properties, be either required by City Code or may independently choose to construct street, water, sewer or other improvements which have the potential to benefit other privately owned properties and thereby relieve the owners of those other properties of the requirement for installing or constructing those self-same improvements as their properties develop; and

**WHEREAS**, the City Council finds that a process or device should be created to allow for the imposition of a charge on property owners who benefit by and through the construction of such improvements - be they constructed by the City or a private party - in order to allow for the equitable reimbursement thereof for capital and other costs associated with the construction of the beneficial improvements; and

**WHEREAS**, the City of Forest Grove published notice of this proposed ordinance in the *News Times* on January 5, 2011; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on the proposed ordinance on January 5, 2011, 2011.

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

**Section 1.** The Forest Grove City Council hereby approves creating a process for development of reimbursement districts as a financing device for public improvements.

**Section 2.** Chapter 3 of the City of Forest Grove Code, titled Public Improvements, is hereby amended to add a new Code Chapter 3.10.005 through 3.10.075 "Reimbursement Districts" to read as set out in Exhibit A, attached hereto.

**Section 3.** The City Council finds that the fees imposed by this Ordinance are not taxes subject to the property tax limitations of Article XI, section 11(b) of the Oregon Constitution.

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

**PRESENTED AND PASSED** the first reading this 11<sup>th</sup> day of January, 2011.

**PASSED** the second reading this 24<sup>th</sup> day of January, 2011.

---

Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

---

Peter B. Truax, Mayor

**ORDINANCE NO. 2011-02**

**EXHIBIT A  
REIMBURSEMENT DISTRICTS**

<b>3.10.005</b>	<b>Purpose</b>
<b>3.10.010</b>	<b>Definitions</b>
<b>3.10.015.</b>	<b>Application for Reimbursement District</b>
<b>3.10.020</b>	<b>City Engineer's Report</b>
<b>3.10.025</b>	<b>Amount to be Reimbursed</b>
<b>3.10.030</b>	<b>Public Hearing</b>
<b>3.10.035</b>	<b>City Council Action</b>
<b>3.10.040</b>	<b>Reimbursement Agreement</b>
<b>3.10.045</b>	<b>Annual Fee Adjustment</b>
<b>3.10.050</b>	<b>Notice of Adoption</b>
<b>3.10.055</b>	<b>Recordation</b>
<b>3.10.060</b>	<b>Challenging Creation of the District</b>
<b>3.10.065</b>	<b>Obligation to Pay</b>
<b>3.10.070</b>	<b>Public Improvements Become Property of City</b>
<b>3.10.075</b>	<b>Collection and Payment</b>

**3.10.005**     **Purpose.**

The purpose of this Chapter is to provide the process and means by which a person who is required to make certain public improvements to serve their property may recover a portion of the cost of such improvements when the improvements benefit, within a specified time period, other properties.

**3.10.010**     **Definitions.**

The following terms are definitions for the purposes of this Chapter (Chapter 3.10).

1.     City Engineer or Engineer means the person holding the position of Director of Public Works or such other officer, employee or agent designated by the Council or City Manager to perform the duties set out for the City Engineer in this Chapter.
2.     City means the City of Forest Grove.
3.     Person means a natural person, firm, partnership, corporation, association or any other legal entity, be it public or private and/or any agent, employee or representative thereof.
4.     Applicant means a person who is required or chooses to finance some or all of the cost of a street, water or sanitary sewer or storm water improvement, which improvement is also available to serve or benefit property other than that of the applicant, and who in turn

applies to the City for reimbursement of the expense of the improvement.

5. Street Improvement, Water Improvement, Sewer Improvement and Storm Water Improvement mean respectively:
  - a. A street or street improvement, including but not limited to streets, storm drains, curbs, gutters, sidewalks, bike paths, traffic control devices, street trees, lights and signs and public rights-of-way;
  - b. A water facility or water line improvement, including but not limited to, extending a water line to property (other than property owned by the applicant) so that water service can be provided for such other property without further extension of the line;
  - c. A sanitary sewer, sewer line, or other facility improvement, including but not limited to extending a sewer line to property (other than property owned by the applicant) so that sewer service can be provided for such other property without further extension of the line; and
  - d. A storm water improvement, including but not limited to extending a storm water line to property (other than property owned by the applicant) so that stormwater disposal for such other property can be provided without further extension of the line; conforming with standards and specifications set by the City.
6. Public Improvement means (as appropriate) all capital facilities (including plant facilities) associated with water, sanitary sewer, storm water, street (including bicycle lanes), and/or sidewalk facilities or the undergrounding of public utilities.
7. Reimbursement Agreement means the agreement between an Applicant and the City (as authorized by the City Council and executed by the City Manager) providing for the installation of and payment for public improvements within a Reimbursement District.
8. Reimbursement District means the area determined by the City Council to derive a benefit from the construction of public improvements financed in whole or in part by an Applicant.
9. Reimbursement Fee means the fee established by resolution of the City Council and required to be paid by persons within a Reimbursement District once they utilize the Public Improvement.
10. Utilize means to use or benefit from a Public Improvement, to apply for a building or other permit which will allow for the use or increase in the use of a Public Improvement or to connect to a Public Improvement.

**3.10.015**

**Application for a Reimbursement District.**

1. Any Applicant who finances some or all of the cost of a Public Improvement available to provide service or benefit to property other than property owned by that person may, by written application filed with the City Engineer, request the City establish a Reimbursement District. The improvement(s) must be in a size greater than that which would otherwise ordinarily be required and must be available to provide service to property other than that owned by the applicant. Examples include (but are not limited to):
  - a. Full street improvements instead of half street improvements;
  - b. Off-site sidewalks;
  - c. Connection of street sections for continuity;
  - d. Extension of water lines; and
  - e. Extension of sewer lines.
2. All applications shall include the following:
  - a. A description of the location, type, size and cost of the Public Improvement eligible for reimbursement;
  - b. A map showing the properties to be included in a proposed reimbursement district;
  - c. The zoning for the properties;
  - d. The front or square footage of said properties (or similar data appropriate for calculating the apportionment of the cost of the improvement among the properties); and
  - e. A listing of the property(ies) owned by applicant.All applications shall be accompanied by a fee in an amount sufficient to cover the cost of administrative review and notice required by this Chapter as established by City Council resolution.
3. In the event an application is submitted after the construction of the Public Improvement, the application shall also include information as to when the City accepted the Public Improvement as well as the actual cost of the improvements, evidenced by receipts, invoices or other similar documents. Until receipt of said information, the affected application will be deemed incomplete.
4. In the event an application is submitted prior to the construction of the improvements, the application shall be accompanied by an estimate of the cost of the improvements as evidenced by bids, projections, or similar data. The application shall also include the estimated date of completion of the public improvement(s). Until the receipt of said information, the affected application will be deemed incomplete.
5. An application may be submitted at any time prior to the installation of the Public Improvement but in no event later than 180 days after acceptance of the improvement for which reimbursement is sought, unless the City Engineer, in his/her sole discretion waives this requirement.

**3.10.020**

**City Engineer's Report.**

The City Engineer shall review the application and other material submitted therewith and prepare a written report for the Council which will address (to the extent relevant) the following factors:

1. Whether the Public Improvement for which reimbursement is sought has capacity sufficient to allow use thereof by property other than property owned by the applicant;
2. The area proposed to be included in the reimbursement district;
3. The actual or estimated cost of the improvements within the area of the proposed Reimbursement District and the portion thereof for which the applicant should be reimbursed;
4. A methodology for allocating the cost among the parcels within the proposed district and, where appropriate, defining a "unit" for applying the Reimbursement Fee to property which may be partitioned, subdivided or otherwise modified at some future date. The methodology should include consideration of the cost of the improvement(s), prior contributions by property owners, the value of the unused capacity, rate-making principles associated with the financing of public improvements, and such other factors as deemed relevant by the City Engineer;
5. The amount to be charged by the City for administering the Agreement, to be fixed by City Council and included in the resolution approving and forming the Reimbursement District. The fee is due and payable to the City at the time the Reimbursement Agreement is signed;
6. The period of time that the right to reimbursement exists if that period is less than ten (10) years; and
7. Whether the street, water and sewer improvements will meet or have met City standards.

**3.10.025 Amount to be Reimbursed.**

1. The potential amount of the reimbursement is limited to the following:
  - a. The costs of construction;
  - b. Engineering (including surveying and inspection) costs in an amount not to exceed fifteen (15%) percent of the construction costs;
  - c. Off-site right-of-way purchase costs, limited to the reasonable market value of land or easements purchased by the applicant from third parties to complete off-site improvements;
  - d. Financing costs associated with the improvement to the extent the financing costs are not attributable to the applicant's property or project; and
  - e. Legal and other expenses incurred by the applicant to the extent said expenses relate to the preparation and filing of the application, the preparation of the Report required by 3.10.020 and the hearing process set out in 3.10.030 and 3.10.035.

2. Regardless of amount or category, costs reimbursable or eligible for traffic impact fee credits or systems development charge credits which cannot be clearly documented or which are attributable to the applicant's property or project are not reimbursable.
3. By submitting an application that seeks reimbursement of legal expenses, the applicant thereby waives any attorney/client or attorney work product privilege that may exist in attorney billing statements or records in support thereof.
4. A reimbursement fee shall be determined for all properties which fall within the proposed Reimbursement District, including applicant's; however, the applicant shall not be reimbursed for that portion of the fee representing the benefit to the applicant's property.
5. The applicant shall not be reimbursed for the portion of the reimbursement fee computed for property owned by the City or other governmental body.

**3.10.030 Public Hearing.**

1. Within a reasonable time after the City Engineer has completed the report required in 3.10.020, the City Council shall hold an informational public hearing in which persons impacted by the creation of the Reimbursement District shall be given the opportunity to comment thereon.
2. Notice of the hearing shall be given not less than 10 nor more than 30 days prior to the public hearing date. Notice shall be given to the applicant and all owners of property within the proposed District, with notification by certified mail, return receipt requested or by personal service. Notice shall be deemed complete as of the date notice is mailed or served; failure to receive actual notice of the hearing shall not invalidate or otherwise affect any action of the City relative to the creation of the Reimbursement District and/or the costs associated therewith.
3. Formation of a District does not result in an assessment or lien against property; as a result, the hearing is informational only and the District is not subject to termination as a result of remonstrances to the formation thereof. The City Council has the sole discretion, after the public hearing, to decide whether the District is to be formed or not. If a District is to be formed, a resolution approving and forming the reimbursement district shall be adopted.
4. If a reimbursement district is formed prior to construction of the improvement(s), a second public hearing shall be held after the improvement has been accepted by the City when the Council may modify the resolution to reflect the cost of the improvement(s).

**3.10.035 City Council Action.**

At the conclusion of the hearing, the City Council shall approve, reject or modify the recommendations contained in the City Engineer's Report and

manifest its action in a resolution. If a Reimbursement District is established, the resolution shall include a copy of the City Engineer's report as approved or modified and specify that payment of the appropriate fee as determined by the Council for each parcel is a precondition to receipt of any City permit necessary for development of that parcel. If a reimbursement district is established it shall be deemed formed as of the date the Council adopts the resolution referred to in 3.10.030 above.

**3.10.040 Reimbursement Agreement.**

If the Council approves the City Engineer's Report and thereafter creates a District, the City Manager shall cause the creation of an Agreement between the Applicant and City containing (at a minimum) provisions relating to the following:

1. That the public improvement(s) will or do meet all applicable City standards;
2. The amount of the potential reimbursement the applicant can expect along with a caveat that the total amount of any reimbursement will not exceed the actual cost of the public improvement(s);
3. The annual fee adjustment, if any;
4. That the applicant will guarantee the quality of the public improvement(s) for a period of not less than twelve (12) months after the date of their installation;
5. That the applicant will defend, indemnify and hold the City harmless from any and all losses, claims, damage, judgments or other costs or expense arising as a result of or related to the City's establishment of the District; and
6. That the applicant acknowledges the City is not obligated to collect the reimbursement fee from affected property owners.

The City may include other provisions as the City Council determines necessary to ensure compliance with this Ordinance.

**3.10.045 Annual Fee Adjustment.**

The City Council may, in its discretion, grant an annual adjustment to the amounts established as the Reimbursement Fee at the time of the hearing on the Engineer's Report. In the event such an adjustment is deemed appropriate, it shall be applicable to the fee beginning on the first anniversary of the date of the Council's approval of the application, be fixed and computed against the reimbursement fee as simple interest, and remain the same for each year the District exists.

**3.10.050 Notice of Adoption of Resolution.**

The City shall notify all property owners within the District (as well as the Applicant) of the adoption of the Resolution manifesting creation of the District. The notice shall include a copy of the Resolution, the date of its adoption and a short explanation of when the property owner would be obligated to pay the reimbursement fee, the amount thereof as well any if there will be any adjustments thereto.

**3.10.055 Recording the Resolution.**

The City Recorder shall cause notice of the formation and nature of the Reimbursement District to be filed in the office of the Clackamas County Recorder in order to provide notice to potential purchasers of property within the District of its existence. Failure to make such recording shall affect neither the legality of the resolution nor the obligation to pay any fee.

**3.10.060 Contesting the Reimbursement District.**

Any legal action intended to contest the formation of the Reimbursement District or fee must be filed, within sixty (60) days of the Council's hearing on the application consistent with the terms of ORS 34.010 to 34.100 (Writ of Review).

**3.10.065 Obligation to Pay Reimbursement Fee.**

1. A person applying for a permit related to property within a Reimbursement District shall pay to the City, in addition to all other applicable fees and charges, the Reimbursement Fee established by the City Council under the terms of this Ordinance if, within the time specified in the Resolution establishing the District, the person applies for and receives approval from the City for any of the following activities:
  - a. A building permit for a new building or a permit for an addition, modification, repair or alteration to an existing building exceeding 25% of the value thereof within any 12-month period (not due to damage or destruction of the building by fire or natural disaster). "Value" as used above means the amount shown on the County's Department of Assessment and Taxation for the building's Real Market Value;
  - b. Any alteration, modification or change in the use of real property, which increases the number of parking spaces required under the Forest Grove Municipal Code in effect at the time of permit application;
  - c. Connection to or use of a water, sanitary sewer, storm water or street improvement, if the district is based on that improvement.
2. The obligation to pay the reimbursement fee arises and accrues as of the time property within the District utilizes the affected Public

- Improvement regardless of whether a person applies for and/or receives a permit connected with that utilization.
3. The City Council's determination of which properties shall be liable for payment of the fee is final. Neither the City nor any officer or employee of the City shall be liable for payment of any reimbursement fee or portion thereof as a result of this determination.
  4. A permit applicant whose property is subject to payment of a reimbursement fee receives a benefit from the construction of street improvements, regardless of whether access is taken or provided directly onto such street at any time. Nothing in this ordinance is intended to modify or limit the authority of the City to provide or require access management.
  5. No person shall be required to pay the reimbursement fee on an application or upon property for which the reimbursement fee has been previously paid, unless such payment was for a different type of improvement.
  6. The right to reimbursement shall not extend beyond ten (10) years from the District's formation date, subject to renewal at the option of the Council for one additional ten (10) year period.

**3.10.070 Public Improvements Become Property of the City.**

Public improvements installed pursuant to Reimbursement District agreements shall become and remain the sole property of the City. More than one public improvement may be the subject of a Reimbursement District.

**3.10.075 Collection and Payment; Other Fees and Charges.**

1. Applicants shall receive all reimbursement monies collected by the City for the public improvements they install. Such reimbursement shall be delivered to the developer for as long as the Reimbursement District agreement is in effect. Such payments shall be made by the City within 90 days of receipt of the reimbursements monies.
2. The reimbursement fee is not intended to replace or limit any other existing fees or charges collected by the City.

January 24, 2011

**SIDEWALK IMPROVEMENT PROGRAM  
ORDINANCE SPECIFYING THE ASSESSMENTS TO BE MADE ON PROPERTIES  
SPECIALLY BENEFITED BY THE CONSTRUCTION OF CERTAIN SIDEWALK  
IMPROVEMENTS; SETTING SIXTY (60) MONTH AND ONE HUNDRED TWENTY (120)  
MONTH PERIODS FOR INSTALLMENT PAYMENTS; SETTING THE INSTALLMENT  
FINANCING RATE AT FOUR AND ONE-QUARTER PERCENT (4.25%) AND SIX AND ONE-  
HALF PERCENT (6.50%) RESPECTIVELY; AND DECLARING AN EMERGENCY**

**PROJECT TEAM:** Rob Foster, Director of Public Works  
Susan Cole, Assistant Director of Administrative Services  
Paul Downey, Director of Administrative Services  
Michael Sykes, City Manager

**ISSUE STATEMENT:** Assess benefitting properties for the cost of improving sidewalks abutting those properties.

**BACKGROUND:** In August of 2010, via Resolution No. 2010-66, the City Council created a City-wide, voluntary, improvement district to facilitate the repair of sidewalks. Since that time, staff have signed up property owners to participate, hired a contractor, and commenced repairing sidewalks. The sidewalk repairs began in December, 2010, and are expected to continue through April, 2011. Rather than wait until all sidewalk repairs are completed in April, 2011, those repairs that are completed will be batched monthly and brought to the City Council for final assessment. This will keep the project moving in an efficient way, and enable the City to be paid back on a more timely basis. Once the assessments are placed on the properties via the attached ordinance, the City will then bill the property owners.

**FISCAL IMPACT:** To date, the City has spent just over \$21,000 for sidewalk repairs. The attached ordinance allows the City to collect repayment from those property owners that have benefited from the completed sidewalk repairs.

**RECOMMENDATION:** Staff recommends Council adopt Ordinance No. 2011-03 as an emergency so staff can assess those properties that benefitted from sidewalk repairs completed through December, 2010.

**NewsTimes**

**Legal Ads/Public Notice:**

**To be published: Wednesday, January 19, 2011**

**NOTICE OF PUBLIC HEARING  
City of Forest Grove, Oregon  
City-Wide Voluntary Sidewalk Local Improvement District  
Notice of Proposed Final Assessment**

As required by the terms of Forest Grove Municipal Code Section 3.440, notice is hereby given that a Public Hearing will be held on **Monday, January 24, 2011, at 7:00 p.m. or thereafter**, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a proposed ordinance concerning the proposed final assessments for the City-Wide Voluntary Sidewalk Local Improvement District (LID). The proposed ordinance, if enacted by the Forest Grove City Council, would take effect on the thirtieth day (30<sup>th</sup>) after enactment unless the City Council declares an emergency.

The proposed final assessments for each affected lot are as follows:

Property Owner	Tax Lot Number	Amount of Proposed Final Assessment
O'NION DONALD E AND CAROLYN S	1S306AC08200	\$ 2,885.30
SULLIVAN BRUCE & DEBORAH	1S305BD02300	\$ 335.50
PITT, SHERYL GIBSON REV LIVING TRUST	1S306AC09900	\$ 1,555.42
TSCHIDA LINDA L	1S305BC01000	\$ 335.70
HARRIS TERRY L & GAIL D	1S306BD08300	\$ 1,380.10
GROZMANN, MAXILMILIAN & GROZMANN, MAXIMILIAN P/SUSAN	1S306BD08200	\$ 932.50
LILLY JAMES A	1S306BD01200	\$ 1,344.26
SHORES JUDITH A	1S305AB06400	\$ 335.50
BRUMMETT, DALE & ELIZABETH	1S305AB04600	\$ 436.15
WEBER DAVID A & CHERIE L	1S305AA02600	\$ 907.80
HENRY NORMA	1S306AC07700	\$ 1,677.50
HENRY NORMA	1S306AC07701	\$ 6,562.33
BERGEE BEVERLY JOAN	1S306DB07300	\$ 1,677.50
HATHAWAY NEDRA F	1S306AC03602	\$ 335.50
BUNDY, RICHARD DALE TRUSTEE BUNDY, DOLORES T TRUSTEE	1S306AC02200	\$ 493.19
STUDER, KEVIN J & MARY E & FUITEN FAMILY PARTNERSHIP LIMITED	1S306AB09500	\$ 462.00
NOREN DAVID C & JEAN K	1S305BB00204	\$ 167.75

The calculation of the proposed final assessment(s) was made consistent with the methodology adopted by the Forest Grove City Council at its meeting of August 23, 2010. That methodology and allocation scheme is available for public inspection at Forest Grove City Hall.

Owners of property within the LID who have objections to the proposed final assessment must present those objections in writing and set out the reason(s) for the objections with specificity.

Those written objections must be received by 7:00 p.m. on January 24, 2011, prior to the Council's hearing on the proposed final assessments.

In the event a property owner elects not to pay the final assessment in whole within thirty (30) days after City Council certifies the final assessments, property owners will be offered the chance to make monthly installment payments on the assessment over a period of sixty (60) months or one hundred twenty (120) months, provided the affected property owner has timely completed an installment application.

It is currently anticipated that the interest rates on the installment plans will be 4.25% and 6.50% respectively.

A copy of the report and proposed ordinance is also available for inspection prior to the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). Questions concerning this notice and its contents should be directed to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, 503.992.3235, or e-mail [aruggles@forestgrove-or.gov](mailto:aruggles@forestgrove-or.gov).

Anna D. Ruggles, CMC, City Recorder  
City of Forest Grove

**To be published January 19, 2011**

**ORDINANCE SPECIFYING THE ASSESSMENTS TO BE MADE ON PROPERTIES SPECIALLY BENEFITED BY THE CONSTRUCTION OF CERTAIN SIDEWALK IMPROVEMENTS; SETTING SIXTY (60) MONTH AND ONE HUNDRED TWENTY (120) MONTH PERIODS FOR INSTALLMENT PAYMENTS; SETTING THE INSTALLMENT FINANCING RATE AT FOUR AND ONE-QUARTER PERCENT (4.25%) AND SIX AND ONE-HALF PERCENT (6.50%) RESPECTIVELY; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City Council, by its adoption of Resolution No. 2010-66 on August 23, 2010, created the City-Wide Voluntary Sidewalk Local Improvement District (LID) for the purpose of repair and rehabilitation of sidewalks throughout the City. Those property owners who voluntarily consent to sidewalk repairs and assessments shall be assessed a share of the costs associated with said repair and rehabilitation;

**WHEREAS**, the City Council, through the adoption of Resolution No. 2010-67 on August 23, 2010, set the repayment terms for payment of assessments for sidewalk improvements under the LID;

**WHEREAS**, the City Council has now received an assessment report from the Public Works Director and the share of the costs attributable to the Local Improvement District has been set by the Report to be \$21,823.98;

**WHEREAS**, the City Recorder has, consistent with FGMC 3.440, sent notice to each affected property owner the necessary information and has received no timely objections to the assessments; and

**WHEREAS**, the City Council has held a duly-noticed Public Hearing on January 24, 2011, and reviewed the objections timely received by the City Recorder and has determined that the methodology adopted by the terms of Resolution 2010-67 was a fair, just and appropriate approach to determine the assessments.

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

**Section 1.** The City Council has determined that the total cost noted above (\$21,823.98) for the construction of the improvements is to be borne by the properties specially and peculiarly benefited thereby.

**Section 2.** The final assessment for each property is as shown on the Assessment Roll attached hereto as Exhibit A. The assessments are spread consistent with the methodology approved by Resolution No. 2010-67.

**Section 3.** For those property owners who chose payment option 1B of Resolution No. 2010-67, the installment period shall be sixty (60) months at an interest rate of four and one-quarter percent (4.25%) with the first payment due by the 1st of March with payments thereafter due and payable on the 1st of each month for a period of fifty-nine (59) months, with no pre-payment penalty.

**Section 4.** For those property owners who chose payment option 1C of Resolution No. 2010-67, the installment period shall be one hundred twenty (120) months at an interest rate of six and one-half percent (6.50%) with the first payment due by the 1st of March with payments thereafter due and payable on the 1st of each month for a period of one hundred nineteen (119) months, with no pre-payment penalty.

**Section 5.** Payments become delinquent if not received by the due date according to the payment option selected.

**Section 6.** Property owners whose payments become delinquent shall pay a penalty of ten dollars (\$10.00) per every thirty (30) day period payments are or remain delinquent.

**Section 7.** The assessments paid over the times described in Sections 3 and 4 above shall be listed in the City's lien docket and if unpaid (together with accrued and unpaid interest and penalties) are a lien in favor of the City as set out in ORS 223.230.

**Section 8.** Liens shall be adjusted for penalties assessed for delinquent payments.

**Section 9.** Within ten (10) days of the adoption of this ordinance, the City Recorder shall send notice of assessment to each property owner shown on the Assessment Roll and publish notice of the assessment in the newspaper in accordance with FGMC 3.450.

**Section 10.** So that the assessments can be timely filed with the County, the City Council hereby declares that an emergency exists, and this ordinance is and shall be effective from and after its passage by the Council.

**PRESENTED AND PASSED** the first reading this 24<sup>th</sup> day of January, 2011.

**PASSED** the second reading this 24<sup>th</sup> day of January, 2011.

---

Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

---

Peter B. Truax, Mayor

Exhibit A  
Sidewalk Assessment Roll

**Sidewalk Completion Report**

<b>Tax Lot ID</b>	<b>Address</b>	<b>Owner</b>	<b>Assessment</b>
1S306AC08200	1504 ELM ST	O'NION DONALD E AND CAROLYN S	\$ 2,885.30
1S305BD02300	1605 POPLAR ST	SULLIVAN BRUCE & DEBORAH	\$ 335.50
1S306AC09900	1608 ELM ST	PITT, SHERYL GIBSON REV LIVING TRUST	\$ 1,555.42
1S305BC01000	1631 MAPLE ST	TSCHIDA LINDA L	\$ 335.70
1S306BD08300	1633 CEDAR ST	HARRIS TERRY L & GAIL D	\$ 1,380.10
1S306BD08200	1643 CEDAR ST	GROSZMANN, MAXILMILIAN & GROSZMANN, MAXIMILIAN P/SUSAN	\$ 932.50
1S306BD01200	1720 DOUGLAS ST	LILLY JAMES A	\$ 1,344.26
1S305AB06400	1807 REDWOOD CT	SHORES JUDITH A	\$ 335.50
1S305AB04600	1820 TAMARACK WAY	BRUMMETT, DALE & ELIZABETH	\$ 436.15
1S305AA02600	1843 YEW CT	WEBER DAVID A & CHERIE L	\$ 907.80
1S306AC07700	2402 16TH AVE	HENRY NORMA	\$ 1,677.50
1S306AC07701	2408 16TH AVE	HENRY NORMA	\$ 6,562.33
1S306DB07300	2412 12TH AVE	BERGEE BEVERLY JOAN	\$ 1,677.50
1S306AC03602	2508 17TH AVE	HATHAWAY NEDRA F	\$ 335.50
1S306AC02200	2523 17TH AVE	BUNDY, RICHARD DALE TRUSTEE BUNDY, DOLORES T TRUSTEE	\$ 493.19
1S306AB09500	2611 18TH AVE	STUDER, KEVIN J & MARY E & FUITEN FAMILY PARTNERSHIP LIMITED	\$ 462.00
1S305BB00204	3307 19TH AVE	NOREN DAVID C & JEAN K	\$ 167.75
<b>TOTAL</b>			<b>\$ 21,823.98</b>

**REPORT ON RESOLUTION ADOPTING SUPPLEMENTAL BUDGET AND TRANSFERRING  
CONTINGENCY TO INCREASE APPROPRIATIONS WITHIN THE  
FIRE EQUIPMENT REPLACEMENT FUND**

**Project Team:** Paul Downey, Director of Administrative Services  
Michael Sykes, City Manager

**ISSUE STATEMENT** The City and the Forest Grove Rural Fire Protection want to purchase two used brush fire trucks to increase the Fire Departments ability to fight brush and field fires. The funds to purchase those trucks were not budgeted in Capital Outlay in the Fire Equipment Replacement Fund. That Fund's Contingency does have sufficient funds to permit the City's half of the two trucks. A budget resolution adopting the supplemental budget and authorizing the transfer of funds from Contingency to Capital Outlay has been prepared.

**DISCUSSION** The Fire Department has been looking to increase its firefighting capability for off-road fires as the regular fire trucks are not designed for that purpose. To purchase the two fire trucks capable of off-road firefighting, funds will have to be transferred within the Fire Equipment Replacement Fund from Contingency to Capital Outlay. All of the Fund's Contingency Funds are being transferred to Capital Outlay. Local Budget Law allows that transfer of general operating contingency in excess of fifteen percent of the total appropriations of the fund may be made only after the adoption of a supplemental budget for that purpose (ORS294.450(2)). A supplemental budget hearing notice has been prepared and a budget hearing will be held as part of the consideration of the resolution.

The total cost of the vehicles is \$95,000 with the City and the District each paying half of the costs as required by the agreement. The City's share of the purchase price is \$47,500. A total of \$50,000 is being transferred from Contingency to pay for costs such as transporting the vehicles and putting the appropriate decals on the vehicles.

**FISCAL IMPACT** The Fire Department was going to replace three pick-up trucks with small water tanks for three heavier-duty trucks of the type used by the Department of Forestry (cost of \$110,000 each) and then purchase a new truck (cost of about \$300,000) with the capability of the two used trucks in two or three years. The purchase of these two used trucks will delay purchases of the new vehicles for several more years and allow the City and the District more time to add the replacement of these vehicles into the normal replacement cycle.

**RECOMMENDATION** Staff is recommending that the City Council approve the resolution so the contingency transfer can be made and trucks can be purchased in accordance with Local Budget Law.

# NOTICE OF SUPPLEMENTAL BUDGET HEARING

## City of Forest Grove, Oregon

- For supplemental budgets proposing a change in any fund's expenditures by **10 percent or more**.

---

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on a proposed supplemental budget for City of Forest Grove, Washington County, State of Oregon, for Fiscal Year July 1, 2010, to June 30, 2011.

This hearing will take place on **Monday, January 24, 2011**, at 7:00 pm. in the Community Auditorium, 1915 Main St, Forest Grove

The purpose of the hearing is to discuss the supplemental budget with interested persons.

A copy of the supplemental budget document may be inspected or obtained on or after January 19, 2011, at

City of Forest Grove, 1924 Council St., Forest Grove, Oregon, between the hours of 8:00 am and 5:00 pm.

---

### SUMMARY OF SUPPLEMENTAL BUDGET

#### FUND: FIRE EQUIPMENT REPLACEMENT

Requirement	Amount
1 Capital Outlay	50,000
2 Contingency	(50,000)
3	
<b>Revised Total Requirements</b>	<b>553,082</b>

**Comments:**

This supplemental budget is to transfer \$50,000 from the Fund's Contingency appropriation to the Fund's Capital Outlay appropriation so the City can purchase its 50% share of two used off-road fire trucks designed to fight brush fires. The Forest Grove Rural Fire Protection District will be paying for the other 50% of the vehicles. The Fund's total appropriation will not change as a result of this transfer between categories.

Anna D. Ruggles, CMC, City Recorder  
City of Forest Grove

To be published in NewsTimes, Wednesday, January 19, 2011



**RESOLUTION NO. 2011-13**

**RESOLUTION ADOPTING SUPPLEMENTAL BUDGET AND TRANSFERRING CONTINGENCY TO INCREASE CAPITAL OUTLAY APPROPRIATIONS WITHIN THE FIRE EQUIPMENT REPLACEMENT FUND**

**WHEREAS**, the Local Budget Law allows that transfer of general operating contingency in excess of fifteen percent of the total appropriations of the fund may be made only after the adoption of a supplemental budget for that purpose (ORS294.450(2)); and

**WHEREAS**, the City of Forest Grove Fire Equipment Replacement Fund has the opportunity to purchase two used brush fire trucks that were not available when the budget was adopted; and

**WHEREAS**, the purchase of these used trucks will save funds that would have been spent on new similar equipment over the next two to three years; and

**WHEREAS**, the Forest Grove Rural Fire District has agreed to pay half of the cost of the trucks; and

**WHEREAS**, the City of Forest Grove published notice in the *NewsTimes* and held a Public Hearing on January 24, 2011, for this supplemental budget as required by Oregon Budget Law.

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

**Section One.** Appropriations are changed as follows:

1. In the Fire Equipment Replacement Fund, appropriations for Contingency (225-23-10-580206) is reduced by \$50,000 to \$0 and appropriations for Equipment Replacement Capital Outlay (225-23-10-551261) is increased by \$50,000. Total appropriations for the Fire Equipment Replacement Fund remain unchanged at \$153,082.

**Section Two.** This resolution is effectively immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Peter B. Truax, Mayor

**REPORT ON RESOLUTION AUTHORIZING THE EXPENDITURE OF HOMELAND SECURITY GRANT FUNDS FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS IN THE GENERAL FUND AND THE FIRE EQUIPMENT REPLACEMENT FUND**

**Project Team:** Paul Downey, Director of Administrative Services  
Kerry Aleshire, Police Chief  
Michael Kinkade, Fire Chief  
Michael Sykes, City Manager

**ISSUE STATEMENT** The City will receive grant funding from the Office of State Emergency Management for Homeland Security Grant funds to purchase mobile data terminals (MDTs) in the Police and Fire Department and portable VHF radios in the Fire Department. The expenditure of these funds needs to be appropriated before the funds can be spent.

**DISCUSSION** The City has been looking to upgrade its current MDTs with toughbook computers for more versatility and to address the departments' increasing technology requirements. These grants will allow the City to purchase more computers for use in the departments' vehicles. The Fire Department also received funding for portable VHF radios as part of its grant.

Local Budget Law requires that grant funds received for a specific purpose cannot be expended until after enactment of an ordinance or resolution authorizing the expenditure (ORS 294.326(3)). A supplemental budget including a public hearing is not required because the receipt of these types of grant funds is an exception to the supplemental budget process.

**FISCAL IMPACT** This grant will have a positive impact for the City as it purchases needed upgrades without the use of City funds for the original purchase. The City will set aside funds each year so the MDTs can be replaced at the end of their useful lives.

**RECOMMENDATION** Staff is recommending that the City Council approve the resolution so the additional funds can be expended in accordance with Local Budget Law.

**RESOLUTION NO. 2011-14****RESOLUTION AUTHORIZING THE EXPENDITURE OF HOMELAND SECURITY  
GRANT FUNDS FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT  
FOR THE POLICE AND FIRE DEPARTMENTS IN THE GENERAL FUND  
AND THE FIRE EQUIPMENT REPLACEMENT FUND**

**WHEREAS**, the Local Budget Law (ORS 294.326(3)) allows the expenditure of proceeds from grant or gifts to be made during the current fiscal year after the enactment of a resolution or ordinance; and

**WHEREAS**, the City of Forest Grove (City) has received a grant of \$34,065 from the Office of State Emergency Management to purchase mobile data terminals (MDTs) for the Police Department; and

**WHEREAS**, the City has received a grant of \$43,900 from the Office of State Emergency Management to purchase MDTs and Bendix King Portable VHF Radios for the Fire Department; and

**WHEREAS**, the expenditure of the additional grant funds needs to be appropriated before the funds can be expended.

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

**Section One.** In the General Fund, Police Department Homeland Security Grant Revenue (revenue line item 100-21-10-430214) will be increased by \$34,065 and appropriations expenditure account titled Police Department Homeland Security Capital Outlay (expenditure line item 100-21-10-550185) will be increased by \$34,065 to pay for the equipment costs. Total Police Department Appropriations will increase to \$4,267,847.

**Section Two.** In the Fire Equipment Replacement Fund, Homeland Security Grant Revenue (revenue line item 225-23-10-430214) will be increased by \$43,900 and appropriations expenditure account titled Major Tools and Work Equipment (expenditure line item 225-23-10-550181) will be increased by \$43,900 to pay for the equipment costs. Total Fire Equipment Replacement Fund appropriations will increase to \$196,982.

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

**PRESENTED AND PASSED** this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Peter B. Truax, Mayor



**REPORT ON RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDING FROM THE  
BONNEVILLE POWER ADMINISTRATION FOR INDUSTRIAL CONSERVATION  
INCENTIVE REIMBURSEMENTS IN THE LIGHT & POWER FUND**

**Project Team:** Paul Downey, Director of Administrative Services  
Richard Matzke, Interim Light & Power Director  
Michael Sykes, City Manager

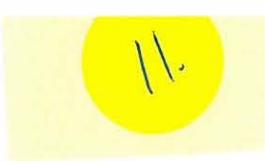
**ISSUE STATEMENT** The City will receive additional industrial conservation augmentation funding from the Bonneville Power Administration (BPA). The expenditure of these additional funds needs to be appropriated before the funds can be spent.

**DISCUSSION** The City has been informed by BPA that it is making additional funding available for industrial conservation initiatives. The City has been successful working with companies to use these funds for energy conservation projects at their businesses. The City works with the companies on various projects, such as lighting improvements, and determines what funding can be provided on these projects. The City will issue a check to the company and BPA reimburses the City.

Local Budget Law requires that grant funds received for a specific purpose cannot be expended until after enactment of an ordinance or resolution authorizing the expenditure (ORS 294.326(3)). A supplemental budget including a public hearing is not required because the receipt of these types of grant funds is an exception to the supplemental budget process.

**FISCAL IMPACT** This grant provides energy conservation assistance to local companies without using Light & Power funds. The companies receive funding to do the projects and can lower their utility bills as a result of the project.

**RECOMMENDATION** Staff is recommending that the City Council approve the resolution so the additional funds can be expended in accordance with Local Budget Law.



**RESOLUTION NO. 2011-15**

**RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDING FROM THE BONNEVILLE POWER ADMINISTRATION FOR INDUSTRIAL CONSERVATION INCENTIVE REIMBURSEMENTS IN THE LIGHT & POWER FUND**

**WHEREAS**, the Local Budget Law (ORS 294.326(3)) allows the expenditure of proceeds from grant or gifts to be made during the current fiscal year after the enactment of a resolution or ordinance; and

**WHEREAS**, the City of Forest Grove (City) has received notice from the Bonneville Power Administration of additional funding available for industrial conservation incentive reimbursement; and

**WHEREAS**, the expenditure of the additional grant funds needs to be appropriated before the funds can be expended.

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

**Section One.** In the Light & Power Fund, Conservation Incentive Reimbursement Revenue (revenue line item 610-41-10-480020) will be increased by \$340,000 and appropriations expenditure account titled Industrial Conservation Augmentation (expenditure line item 610-41-30-520555) will be increased by \$340,000 to pay for the equipment costs. Total Light and Power Fund Materials and Services Appropriations will increase to \$10,822,009.

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

**PRESENTED AND PASSED** this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Peter B. Truax, Mayor