

CITY COUNCIL MONTHLY MEETING CALENDAR

March-11

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		CEP Applications Available 1 Fire Bd 7pm	Mayors Day at Capitol 2	EDC Noon 3 Library 6:30pm	4	5
6	7 Planning Comm 7pm	8 Library Mtg moved to Mar 3	9	10 PAC 5pm	11	12
<i>BeLusko out March 2 - 5</i>						
<i>BeLusko out March 7 - 13</i>						
<i>Mayor Truax out March 8 - 18</i>						
<i>Johnston out March 11 - 17</i>						
<i>Sykes out March 12 - 16</i>						
13 Daylight Savings	14 CITY COUNCIL REGULAR MEETING - CANCELLED	15 CCI 5:30pm	16 P&R 7am CFC 5:15pm	17 Fernhill Wetlands 5pm	18	19
<i>Sykes out March 12 - 16</i>						
<i>Johnston out March 11 - 17</i>						
<i>Mayor Truax out March 8 - 18</i>						
<i>Thompson out</i>						
20	21 Chamber Luncheon Noon at Comm Aud Senior Ctr Bd 6:30pm Planning Comm 7pm	22 HLB 6pm	23 PSAC 7:30am	24	25	26
<i>Thompson out March 19 - 26</i>						
27	28 CITY COUNCIL 5:30 PM - WORK SESSION (B&C Interviews) 6:00 PM - WORK SESSION (BPA Agmt) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	29	30 Town Hall Meeting Sen. Starr & Rep. Lindsay 6:30 pm - Hillsboro Aud	31 CEP Applications Due		

April-11

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 CITY COUNCIL & RURAL FIRE BOARD JT Dinner & Work Session 700 pm - Location TBA Planning Comm 7pm	5	6 Water Consortium CTC 1:30pm Water Consortium EC 5:30pm	7 Budget Committee Work Session (SWOT) 7:00 pm - Comm Aud	8	9
10	11 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	12 Library 6:30pm	13	14 PAC 5pm	15	16 Constituent Coffee Rep. Brewer 9am - BJ's Coffee
<i>BeLusko out April 13 - 17</i>						
17	18 Chamber Luncheon Noon at Comm Aud Senior Ctr Bd 6:30pm Planning Comm 7pm	19 Council Work Session CEP Presentations 5:30 pm - Comm Aud CCI 5:30pm	20 P&R 7am CFC 5:15pm	21 Fernhill Wetlands 5pm	22	23
24	25 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	26 HLB 6pm	27 PSAC 7:30am	28	29 Council CEP Worksheets Due	30

May-11

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Planning Comm 7pm	2	3 Fire Bd 7pm	4 Water Consortium CB 7pm	5 EDC Noon	6	7
8	9 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	10 Library 6:30pm	11	12 PAC 5pm	13	14
15	16 Senior Ctr Bd 6:30pm Planning Comm 7pm	17 CCI 5:30pm	18 Budget Committee 1st Mtg 7:00 pm - Comm Aud P&R 7am CFC 5:15pm	19 Fernhill Wetlands 5pm	20	21 Constituent Coffee Rep. Brewer 9am - BJ's Coffee
22	23 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	24 HLB 6pm	25 Budget Committee 2nd Mtg 7:00 pm - Comm Aud PSAC 7:30am	26	27	28
29	30 CITY OFFICES CLOSED HOLIDAY	31				



FOREST GROVE CITY COUNCIL

Monday, March 28, 2011

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

Community Auditorium

6:00 PM – Work Session (BPA Agreement)

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.

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

PETER B. TRUAX, MAYOR

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.

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

A G E N D A

Anna Ruggles City Recorder	5:30	<u>WORK SESSION: B&C STUDENT ADVISORY INTERVIEWS</u>
Richard Matzke, Interim Light and Power Director	6:00	<u>WORK SESSION: BPA SETTLEMENT AGREEMENT</u> 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

- 7:05 1. **PROCLAMATIONS:**
1. A. • *Child Abuse Prevention Month*
1. B. • *Earthquake and Tsunami Awareness Month*
1. C. • *National Community Development Week*
2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. Please sign-in before the meeting on the Citizen Communications form posted in the foyer. In the interest of time, please limit comments to two minutes. Thank you.
3. **CONSENT AGENDA:** See Page 4
4. **ADDITIONS/DELETIONS:**
5. **PRESENTATIONS:**
- 7:15 5. A. • *Annual Town Meeting Update, Committee for Citizen Involvement Chair*
- 7:30 5. B. • *Recap of 2010 Citywide Sidewalk Improvements Program*
- 7:45 6. **PUBLIC HEARING AND FIRST AND SECOND READING OF ORDINANCE NO. 2011-05 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**
- 8:00 7. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2011-06 VACATING 27TH PLACE, A SEGMENT OF OSBURN STREET AND THE ADJACENT PUBLIC UTILITY EASEMENTS. FILE NO. VAC-11-00105**

Jon Holan
(CCI Staff Liaison)

Rob Foster
Public Works Director
Nick Kelsay
Project Engineer

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

Jon Holan
Community
Development Director
James Reitz
Senior Planner

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- | | | |
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| Jeff King
Economic
Development
Coordinator | 8:15 | 8. <u>PUBLIC HEARING AND RESOLUTION NO. 2011-23 ADOPTING BUSINESS INCENTIVE PROGRAM FOR VACANT SPACE BY WAIVING CERTAIN FEES AND CHARGES AND SETTING AN INSTALLMENT PAYMENT PLAN PROGRAM FOR FINANCING WATER SYSTEM DEVELOPMENT CHARGES</u> |
| Richard Matzke
Interim Light and
Power Director | 8:30 | 9. <u>RESOLUTION NO. 2011-24 AUTHORIZING CITY MANAGER TO ENDORSE THE RESIDENTIAL EXCHANGE PROGRAM (REP) SETTLEMENT AGREEMENT BETWEEN CITY OF FOREST GROVE AND BONNEVILLE POWER ADMINISTRATION (BPA)</u> |
| Mayor Truax | 8:45 | 10. <u>RESOLUTION NO. 2011-25 ADOPTING CITY COUNCIL KEY GOALS AND OBJECTIVES FOR FISCAL YEAR 2011-12</u> |
| Michael Sykes
City Manager | 9:00 | 11. <u>DEPARTMENT WORK PLANS FOR FY 2011-12</u> <ul style="list-style-type: none">• Library Department• Light and Power Department• Parks and Recreation Department• Police Department• Economic Development• Legislative and Executive |
| Michael Sykes
City Manager | 9:30 | 12. <u>CITY MANAGER'S REPORT:</u> |
| | 9:45 | 13. <u>COUNCIL COMMUNICATIONS:</u> |
| | 10:00 | 14. <u>ADJOURNMENT</u> |

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3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
- A. Approve City Council Regular Meeting Minutes of February 14, 2011.
 - B. Approve City Council Work Session (Council Retreat) Meeting Minutes of February 19, 2011.
 - C. Approve City Council Work Session (Council Goals and Objectives) Meeting Minutes of February 28, 2011.
 - D. Approve City Council Work Session (Business Incentives) Meeting Minutes of February 28, 2011.
 - E. Approve City Council Regular Meeting Minutes of February 28, 2011.
 - F. Accept Community Forestry Commission Meeting Minutes of January 19, 2011.
 - G. Community Development Department Monthly Building Activity Informational Report for February 2011.
 - H. Library Department Monthly Circulation Statistics Informational Report for February 2011.
 - I. **RESOLUTION NO. 2011-22 MAKING APPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (APPOINT SUSAN AGUILAR, TERM EXPIRING DECEMBER 31, 2014).**
 - J. Endorse Liquor License Renewal Application Requests for Year 2011:
 - 1. Ballad Town Billiards, 2036 Pacific Avenue (Full On-Premises Sales)
 - 2. La Sierra Mexican Restaurant, 2331 Pacific Avenue (Full On-Premises Sales)
 - 3. McMenamins, 3505 Pacific Avenue (Full On-Premises Sales)
 - 4. My Place Tavern, 1930 21st Avenue (Limited On-Premises Sales)
 - 5. Super Mercado La Montana, 1905 Mountain View Lane, Suite 100 (Off-Premises Sales)
 - 6. The Friend Vine, 2004 Main Street (Limited On-Premises Sales and Off-Premises Sales)
 - 7. Sales and Off-Premises Sales
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PROCLAMATION

Child Abuse Prevention Month Washington County, Oregon

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Washington County; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe and nurturing childhood; and

WHEREAS, Washington County has dedicated individuals and organizations who work daily to counter the problem of child maltreatment and to help parents obtain the assistance they need; and

WHEREAS, our communities are stronger when all citizens become aware of child maltreatment prevention and become involved in supporting parents to raise their children in a safe and nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community;

WHEREAS, all citizens, community agencies, faith organizations, businesses will work to increase their efforts to support families.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM THE MONTH OF APRIL, 2011, as

CHILD ABUSE PREVENTION MONTH

The Forest Grove City Council commends this observance during April, 2011, to the citizens of the City of Forest Grove, Washington County, Oregon.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 28th day of March, 2011

Peter B. Truax, Mayor of City of Forest Grove

PROCLAMATION

Earthquake and Tsunami Awareness Month

WHEREAS, a devastating earthquake struck the northeastern coastline of Japan on March 11, 2011, also generating a massive tsunami which took thousands of lives and wrought massive destruction; and

WHEREAS, the tsunami warnings blanketed the Pacific Coastline, putting areas on alert as far away as South America, Canada, Alaska and the entire U.S. West Coast; and

WHEREAS, the State of Oregon has designated April as Earthquake and Tsunami Awareness Month; and

WHEREAS, Earthquake and Tsunami Awareness Month is designed to remind Oregonians of the earthquake and tsunami threat and the need to take steps to prepare; and

WHEREAS, scientific evidence indicates that the State of Oregon is at risk for a large damaging earthquake and tsunami; and

WHEREAS, the City of Forest Grove and its residents are vulnerable to the impacts of earthquakes; and

WHEREAS, being prepared for earthquakes and other disasters must be undertaken at the individual, family, and business level; and

WHEREAS, the City of Forest Grove offers earthquake and general disaster preparedness information and opportunities throughout the year to encourage our citizens to be prepared, alert and aware of threats to our community's safety and security; and

WHEREAS, the citizens of the City of Forest Grove will benefit from joining this valuable reminder to prepare for an earthquake or other emergency and assist others in the event of a disaster of any size and duration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM THE MONTH OF APRIL, 2011, as

EARTHQUAKE AND TSUNAMI AWARENESS MONTH

in Forest Grove, Oregon, and urges all citizens to seriously contemplate the state of their personal preparedness, strive to meet the challenge of increasing their self-reliance and recognize the need to provide provisions for their families in case of any emergency. Our thoughts and prayers are with the victims, families, and businesses in Japan as they continue to persevere through a disaster of almost unimaginable proportions with courage, resolve and honor.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 28th day of March, 2011.

Peter B. Truax, Mayor, City of Forest Grove

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PROCLAMATION

National Community Development Week April 25 – April 30, 2011

WHEREAS, the Community Development Block Grant (CDBG) program was enacted into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the CDBG program has as its primary objective "the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for person of low and moderate income"; and

WHEREAS, the CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

WHEREAS, throughout its 37-year history, the CDBG program has been a partnership among the federal, state, and local governments, business and the non-profit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and

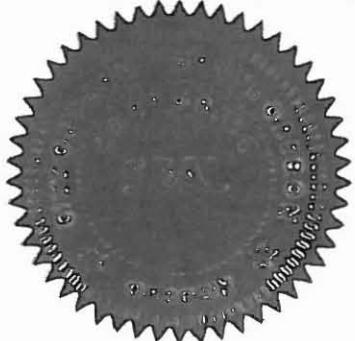
WHEREAS, the City of Forest Grove, since 1979, with CDBG funds in the amount year-to-date of \$3,986,494, has provided housing rehabilitation; neighborhood revitalization; addition or expansion of community facilities and shelters; and physical redevelopment; and

WHEREAS, funding for CDBG has been reduced in recent years; this reduction in funding has had a profound impact on the City of Forest Grove by eliminating improvement to our roads and infrastructure, and community buildings.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF FOREST GROVE, OREGON, that it hereby calls on Congress to provide increased formula funding for CDBG in Fiscal Year 2012 and Fiscal Year 2013, and does hereby proclaim the week of APRIL 25 through APRIL 30, 2011, as

COMMUNITY DEVELOPMENT WEEK

in Forest Grove, Oregon, Washington County, in support of this valued program that has made a tremendous contribution to the viability of the housing stock, neighborhood and infrastructure in Forest Grove, and urges all citizens to join in expressing support for the Community Development Block Grant Program.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 28th day of March, 2011.

Peter B. Truax, Mayor, City of Forest Grove

TO: Mayor Peter Truax and City Councilors

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

DATE: March 28, 2011

SUBJECT: B&C Student Advisory Recruitment Interviews

Attached you will find the following items for the Student Advisory Boards, Committees, and Commissions interviews that are scheduled for March 28, 2011.

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

RECOMMENDATION: Conduct interview of students 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
STUDENT VACANCY**

COMMISSION	REQUIREMENTS	# VACANCIES	TERM EXPIRES
BUDGET Meets in April/May			
COMMITTEE FOR CITIZEN INVOLVEMENT Meets 3 rd Tuesday 5:30 pm	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
COMMUNITY FORESTRY COMMISSION Meets 3 rd Wednesday 5:15 pm	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
ECONOMIC DEVELOPMENT COMMISSION Meets 1 st Thursday Noon	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
HISTORIC LANDMARKS BOARD Meets 4 th Tuesday 6:00 pm	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
LIBRARY Meets 2 nd Tuesday 6:30 pm	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
PARKS & RECREATION COMMISSION Meets 3 rd Wednesday 7:00 am	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011
PLANNING COMMISSION Meets 1 st and 3 rd Monday 7:00 pm			
PUBLIC ARTS COMMISSION Meets 2 nd Thursday 5:00 pm	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	No – Student Vacancy	
PUBLIC SAFETY ADVISORY COMMISSION Meets 4 th Wednesday 7:30 am	Must reside in the City. Must be currently enrolled in high school or homeschooled at sophomore, junior, or senior level. College students must attend an accredited college. 1 Year Term	1 – Student Vacancy	12/31/2011



March 28, 2011

REPORT AND RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE THE RESIDENTIAL EXCHANGE PROGRAM (REP) SETTLEMENT AGREEMENT BETWEEN CITY OF FOREST GROVE AND BONNEVILLE POWER ADMINISTRATION (BPA)

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

ISSUE STATEMENT: The City was presented a copy of the Residential Exchange Program (REP) Settlement Agreement for signature on March 4, 2011. This agreement is the result of a mediation process involving 50 litigants and other parties that began in April of 2010. The agreement will not become effective unless all required parties have signed and returned the agreement to BPA by April 15, 2011.

DISCUSSION: The REP was established by the Pacific Northwest Electric Power Planning and Conservation Act of 1980 to share benefits of the Federal Columbia River Power System with residential and small-farm customers of utilities with high cost of resources relative to BPA. The REP has in general benefitted customers of investor-owned utilities (IOUs) through higher rates to consumer-owned utilities (COUs) and Direct Service Industries (DSIs). The program has a long history of disagreement between participants and issues regarding proper implementation of the REP have been in litigation since May 2007.

The proposed REP Settlement Agreement, if approved will resolve the ongoing challenges over BPA's implementation of the REP in return for a stream of REP benefits to the IOUs for a term of 17 years (end of the current BPA contract in 2028). Following is a summary document prepared by BPA regarding the REP background, key elements of the settlement agreement and next steps.

The region's six IOUs, PUCs for the states of Washington, Oregon, Idaho, the Citizen's Utility Board of Oregon, PPC, PNGC and NRU, and a "critical mass" of COUs accounting for 91% of COU Transition High Water Mark load must sign the agreement and return it to BPA by April 15, 2011, to meet the signing threshold. Finally, BPA must decide in early July if they will sign the Agreement. If approved, the payment period would be effective October 1, 2011, through September 30, 2028.

FISCAL IMPACT: BPA has modeled the cost of the Settlement Agreement compared with cost of the status quo situation and several possible litigation outcomes and predicts that all COUs will have lower costs under the Settlement Agreement. Northwest Requirements Utilities estimates Forest Grove's total savings under the Settlement Agreement (2012 to 2028) will be \$7,741,339.

RECOMMENDATION: Staff has invited a representative from BPA to review the above-noted agreement within City Council in Work Session. It is recommended that the City Council adopt the attached Resolution approving and authorizing the City Manager to endorse the Residential Exchange Program (REP) Settlement Agreement.

3/11/2011

2012 Residential Exchange Program (REP) Settlement Agreement: Background, Key Elements of the Agreement, and Next Steps

This Update reflects the final REP Settlement Agreement dated March 1, 2011.

Background

The Residential Exchange Program (REP) was established in Section 5(c) of the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (known commonly as the Northwest Power Act). The goal of the program has been to provide rate relief to Northwest residential and small-farm customers served by high-cost investor-owned utilities, as well as to residential and small-farm customers served by high-cost utilities with preference rights. At the same time, Congress intended to limit the financial exposure of public utilities to certain costs occurring under the Northwest Power Act.

In crafting Section (5), Congress directed that the benefits of the Federal Columbia River Power System (FCRPS) would be shared with those Northwest utilities whose average system cost or ASC (average cost of resources) was high relative to BPA's applicable Priority Firm Exchange (PFx) rate. The benefits BPA provides through the program must be passed on to each utility's residential and small-farm customers and cannot be used for any other purpose, such as profits or to subsidize other aspects of a utility's business.

Under the REP, a participating utility offers to sell power to BPA, and BPA purchases such power from the utility at its respective ASC. A utility's ASC is established through a formal ASC review process based on a methodology established by BPA. Coincident with purchasing the power from the utility, BPA sells an equivalent amount of power to the utility at BPA's PFX rate. This "exchange" actually transfers no power to or from BPA; rather, it is implemented as an accounting transaction to eliminate real power losses and for administrative ease. The amount of power purchased and sold between BPA and the utility is equal to the utility's qualifying residential and small-farm load. The transaction is reduced to the difference between the amount paid to the utility and the amount paid to BPA, called "REP benefits." The Northwest Power Act requires that all of the REP benefits received by the utility be passed through directly to its residential and small-farm customers.

While REP benefits are potentially available for any high-cost regional utility, utilities receiving REP benefits have primarily been regional investor owned utilities (IOUs). Most consumer owned utilities (COUs) do not receive REP benefits and instead pay the costs, subject to Northwest Power Act's 7(b)(2) rate protections, of the REP benefits through power purchased at the Priority Firm (PF) power rate.

Litigation, Mediation, and Drafting of the Proposed Settlement Agreement

Many issues regarding the proper implementation of the REP have been in litigation since May 2007 when a three-judge panel of the U.S. Court of Appeals for the Ninth Circuit in two cases disallowed a previous REP settlement that BPA began implementing in 2000 for fiscal years 2002-2011.

Beginning in April 2010, over 50 litigants and other parties entered into mediation to resolve their numerous disputes over the REP. Participants reached an agreement in principle in early September 2010 and now have reached a final settlement agreement – the 2012 Residential Exchange Program Settlement Agreement. This agreement is now being offered to the litigants in the pending cases and to the region’s IOUs and COUs. Key elements of the agreement are summarized below.

Key Elements of the 2012 REP Settlement Agreement:

1. The proposed 2012 REP Settlement Agreement would resolve challenges over BPA’s implementation of the REP in return for a stream of REP benefits to the IOUs for a term of 17 years. This stream of REP benefits would establish a limit on the amount of REP benefit costs that BPA could include in the rates of the COUs.
2. The IOUs would receive a fixed stream of REP benefits that (after being adjusted for Refund Amounts as described in (5) below) would begin at \$182.1 million in FY 2012 and increase over time to \$286.1 million in FY 2028.
3. The distribution of these REP payments to the IOUs would depend on each IOU’s respective Average System Cost (ASC) and exchange load, plus adjustments to reflect Lookback Amounts recovered from IOUs in Fiscal Years 2009 through 2011. The IOUs would continue to file ASCs with BPA pursuant to the 2008 Average System Cost Methodology.
4. The settling COUs’ obligation to pay REP benefits in rates is limited to the settling COUs’ share of the stream of REP benefits specified in the REP Settlement Agreement.
5. The outstanding “Lookback Amounts” BPA determined were owed by the IOUs as of the beginning of FY 2012 (approximately \$511 million) would be replaced by the “Refund Amounts” identified in the agreement. Unlike the Lookback Amounts, which are IOU-specific obligations, the Refund Amounts are treated as a corporate refund obligation of the IOUs as a group, *i.e.*, they are an offset against the total amount of REP benefits included in rates. The Refund Amounts of \$76.538 million per year would be returned to the COUs over an eight-year period (FY 2012-2019).
6. Distribution of the Refund Amounts among the COUs would occur as follows: 50 percent of the Refund Amount (\$38.269 million) would be returned to COUs based on the percentages BPA established in the WP-10 rate proceeding to allocate the FY 2010–2011 Lookback Credits to the COUs. The remaining 50 percent of the Refund Amount would be returned to COUs based on each

customer's Tier 1 Customer TOCA Share (expected share of Tier 1 load), with a very small adjustment to address the unique circumstances of Grant PUD.

7. In addition to the stream of REP benefits, the IOUs would receive (i) a percentage of any incremental BPA Renewable Energy Credits (RECs) that might accrue to BPA resources used to serve BPA Tier 1 loads, and (ii) the payment of interim true-ups due under the 2008 Residential Exchange Interim Relief and Standstill Agreements between BPA and four of the IOUs.
8. The Agreement would require the signatories to work together, directly or through associations, to urge the U.S. Congress to pass legislation that would affirm the REP Settlement. If a party concludes that the legislative ratification effort could have a material adverse effect, it can cease supporting and may oppose the ratification effort.
9. For the Agreement to go into effect, BPA must decide in its REP-12 final ROD that BPA will both execute the Settlement Agreement and set rates for all customers (settlement signers and non-signers) based on the Settlement for the 17-year term of the Settlement Agreement.
10. If BPA decides to execute the Agreement and set rates the same for signers and non-signers, parties that do not sign the Agreement can and may challenge application of the Agreement to their rates.
11. If the Agreement is challenged, all parties (IOUs, BPA, Signers and Non-signers) are free to fully argue and defend their positions on the issues and to challenge the positions of others.
12. If these challenges were to succeed, BPA would set rates for *all* non-signers consistent with the Court's ruling, regardless of whether the non-signing party challenged the Agreement. Only parties that sign the REP Settlement Agreement would receive the cost protections and certainty identified in the Agreement. Non-signers would be treated as a group and would pay IOU REP costs consistent with the Court's ruling and BPA's subsequent REP and rate setting decisions implementing the ruling.
13. REP costs in rates for non-signers could be higher or lower than REP costs in rates for signers, depending on the court ruling, BPA's decisions in response to the ruling and results of possible future litigation over BPA's decisions.
14. Section 14 of the Agreement addresses what happens if Congress or the Administration forces BPA to move away from cost-based rates for Preference Customers. If PF rates are no longer set based on embedded costs and this results in an average PF rate greater than 79 percent of average IOU ASCs, the Agreement terminates.

15. Exhibit A of the Agreement is a template for the REP Implementation Agreement that BPA and IOUs would execute if the Agreement becomes effective at the conclusion of the REP-12 proceeding. It would not be signed by COUs and is included so that COUs know what the terms and conditions of the BPA-IOU REP Implementation Agreement will be if the Settlement goes forward.
16. Exhibit H of the Agreement is a revision to COUs' Regional Dialogue Exhibit H that signers agree will replace their current Exhibit H. This revised Exhibit H, combined with Exhibit C that applies to the IOUs, implements the 14 percent sharing of possible future Tier 1 RECs and Carbon Credits that is described in section 5 of the Agreement.

BPA Staff's Initial Proposal Recommends that the Administrator Adopt The Proposed REP Settlement Agreement

BPA Staff has evaluated the proposed 2012 REP Settlement Agreement by comparing the protections and requirements set forth in the Agreement with protections and requirements that would be reasonably expected in the absence of the Agreement. In BPA Staff's REP-12 Initial Proposal, 2012 REP Settlement Evaluation and Analysis Study, REP-12-E-BPA-01, pages 179-183, BPA Staff proposes that the Agreement should be adopted by the Administrator for the following reasons:

1. BPA Staff's analysis demonstrates that the COUs would likely receive more protection from REP benefit costs under the REP Settlement Agreement than would likely occur if BPA were to continue to perform the section 7(b)(2) rate test in each rate proceeding over the next 17 years.
2. BPA Staff's analysis also demonstrates that the REP benefit payments to the IOUs would likely be lower under the REP Settlement Agreement even if the COUs were to prevail on certain outstanding litigated REP issues. The Initial Proposal shows that the COUs would have to prevail on a combination of litigated issues to obtain an equivalent or better amount of protection from REP benefit costs when compared to the REP benefits provided under the REP Settlement Agreement. BPA Staff's analysis also describes the risk the COUs face if the IOUs were to prevail with their REP-related issues in the existing litigation. BPA Staff's analysis shows that if the IOUs were to succeed in their challenges to BPA's REP implementation decisions, REP benefit costs could be significantly higher when compared to the REP Settlement Agreement or even BPA's existing REP methodologies.
3. The REP Settlement Agreement continues to provide REP benefits to the settling IOUs in conformance with section 5(c) of the Northwest Power Act by distributing the REP benefits among the settling IOUs in a manner consistent with ASCs established under BPA's current ASC Methodology and rates established under section 7 of the Northwest Power Act.

4. BPA Staff believes that the REP Settlement Agreement resolves, in a fair and equitable manner, all of the outstanding issues with BPA's development and implementation of the Lookback for the FY 2002–2011 period. The REP Settlement Agreement returns \$610 million to COUs over eight years. These Refund Amounts will be fixed by the Settlement and will not be variable or dependent upon whether an IOU will be receiving REP benefits, as was the case with BPA's return of the Lookback Amount.

Status of the Settlement and Next Steps

1. BPA has commenced the REP-12 proceeding to establish a record to determine whether the BPA Administrator should or should not sign the proposed REP Settlement Agreement drafted by the IOUs, representatives of most Preference Customers (COUs), and others. The Administrator will decide whether to sign the REP Settlement Agreement in a record of decision (ROD) that will be issued at the end of the REP-12 proceeding in early July 2011.
2. Preference Customers and other potential signers have received a signature ready copy of the Agreement and are in the process of determining whether or not to sign the Agreement.
3. The region's six IOUs, PUCs for the states of Washington, Oregon, Idaho; the Citizens' Utility Board of Oregon, PPC, PNGC and NRU, and a "critical mass" of COUs accounting for 91 percent of COU Transition High Water Mark load must sign the Agreement and return it to BPA by April 15, 2011. If the signing threshold is met, then the next decision point would be in early July 2011 when BPA decides whether to sign the Agreement or not based on the REP-12 administrative record and ROD.
4. The Agreement will become effective only if:
 - a. the April 15, 2011 signing threshold is met,
 - b. BPA decides it will sign the Agreement and
 - c. BPA set rates for all customers (signers and non-signers) consistent with the Agreement.

If any of these three conditions is not met, the Agreement becomes void, rates will be set using a traditional calculation of REP benefits, and the parties will proceed with litigation on all REP issues.

5. The *ex parte* rules that apply during BPA rate proceedings prohibit BPA employees and the parties from engaging in off-the-record communications on substantive matters within the scope of a section 7(i) proceeding. Because the REP-12 proceeding is being conducted under the rules of section 7(i), and the

REP Settlement Agreement is within the scope of the REP-12 case, BPA employees cannot have *ex parte* communications on the merits of the REP Settlement Agreement.

6. Not all communications with BPA employees regarding the REP Settlement, however, are prohibited by the *ex parte* rules. Communications are not *ex parte* if they occur during a noticed meeting open to all parties. In addition, BPA employees may clarify, explain, or describe the Initial Proposal presented in the REP-12 proceeding with any party at any time without violating *ex parte*.

RESOLUTION NO. 2011-24

RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE THE RESIDENTIAL EXCHANGE PROGRAM (REP) SETTLEMENT AGREEMENT BETWEEN CITY OF FOREST GROVE AND BONNEVILLE POWER ADMINISTRATION (BPA)

WHEREAS, the City of Forest Grove owns and operates an electric utility for the benefit of its citizens and electric customers; and

WHEREAS, the City of Forest Grove has contracted with Bonneville Power Administration (BPA) to provide electric energy through the year 2028; and

WHEREAS, the BPA Power Contract provides for the Residential Exchange Program (REP); and

WHEREAS, issues regarding BPA's implementation of the REP have been in litigation since May 2007; and

WHEREAS, participants in the REP have negotiated a final Settlement Agreement; and

WHEREAS, the City Council finds that participation in the Settlement Agreement is predicted to have a long-term financial benefit to the City of Forest Grove.

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

Section 1. The City Council of the City of Forest Grove hereby approves the Residential Exchange Program (REP) Settlement Agreement, Contract No. 11PB12322, between the City of Forest Grove and Bonneville Power Administration (BPA), payment period effective October 1, 2011, through September 30, 2028 (attached as Exhibit A).

Section 2. The City Manager is authorized to execute the agreement on behalf of the City of Forest Grove.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter B. Truax, Mayor

**BONNEVILLE POWER ADMINISTRATION
CONTRACT NO. 11PB-12322**

**RESIDENTIAL EXCHANGE PROGRAM (REP)
SETTLEMENT AGREEMENT**

A copy of the above-noted agreement
is available for inspection at:
City Recorder's Office
1924 Council Street, Second Floor
Forest Grove, OR 97116
Phone: 503.992.3235
E-mail: aruggles@forestgrove-or.gov

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Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:03 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 Elsner, City Attorney; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Rob Foster, Public Works Director; Aaron Ashbaugh, Police Captain; Derek Robbins, Civil Engineer; James Reitz, Senior Planner; and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS:

Bill Buck, Forest Grove, addressed Council regarding concerns with the sign code prohibiting portable offsite signage and urged Council to modify the sign code and/or find a compromise for businesses. Buck indicated that businesses are suffering financial losses because of the loss of signage on main thoroughfares, stressing that signage is viable for business advertisement purposes.

Christine Knight, Forest Grove, addressed Council and urged Council to work something out to allow signage for 22nd Street Station and/or find some way to help direct people to the restaurant. Knight indicated she is a patron of the restaurant and she has noticed the restaurant's business has diminished due to lack of signage on main thoroughfares, stressing it is difficult for people to find the restaurant because of its vicinity .

Claude Davis, Forest Grove, addressed Council regarding concerns with the sign code prohibiting offsite real estate open house, directional, and For-Rent signs, noting because of the loss of this type of signage, businesses are financially affected. Davis indicated that he paid over \$176,000 last year in property taxes on his rental properties in Forest Grove and without directional signs, people cannot find the location of his rental properties, stressing that Forest Grove has some street addresses that are very difficult to find. Davis stressed that without signage he is now being forced to use paid advertisement and urged Council to help businesses prosper during this economy turndown.

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Mayor Truax disclosed he had a telephone conversation with Claude Davis.

Tawnya Pole, Forest Grove, addressed Council regarding concerns with the sign code prohibiting offsite real estate directional and open house signs and urged Council to come up with some sort of compromise to allow offsite directional and open house signs on Saturday and Sunday, stressing that without directional and open house signs her business is suffering. Pole indicated that Forest Grove has numerous streets named the same or that crossover and GPS systems do not always show new residential addresses, and as a result, people cannot find the location of the open houses.

Richard Davis, Cornelius, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to do something to support small businesses, stressing that without signage on main thoroughfares no one knows the restaurant is open. Davis indicated the restaurant needs offsite signage for advertisement purposes in order to remain open for business. Davis indicated the owner of 22nd Street Station has permission from other businesses located on the main thoroughfares to place signs at the corner of their property; however, the sign code prohibits offsite signage.

Mike Pearson, Cornelius, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to amend the sign code and/or find a solution for 22nd Street Station and other businesses, who are not allowed to have signs on Pacific Avenue, to stay in business. Pearson stressed that 22nd Street Station has been a landmark of Forest Grove for over 70 years and the restaurant owner pays taxes and has been a loyal resident for many years. Pearson indicated he has been a patron of the restaurant for over 25 years and he has seen the restaurant when it was alive and well and since the sign code was adopted the restaurant seems like a morgue now.

Elizabeth Muncher, Forest Grove, addressed Council voicing support of allowing signage for 22nd Street Station and other small businesses and urged Council to modified the sign code to address issues to allow offsite signage. Muncher referenced the City's Vision Statement, pertaining to small businesses and historic landmarks; tourism-related assessment

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report which pointed out the City's lack of tourism-related signage; and quoted the tagline of Forest Grove being a place "where businesses and families thrive". Muncher distributed a letter, submitted by Tina Reynolds, Forest Grove, voicing support of allowing signage for 22nd Street Station and urging Council to come up with an option of issuing a waiver to allow signs to be placed daily on the corner of 19th Avenue and Douglas Street and Cedar Street and 22nd Avenue or come up with other options to help promote 22nd Street Station.

Johnston disclosed he had a telephone conversation with Elizabeth Muncher.

Uhing disclosed she had conversations with Elizabeth Muncher and Cynthia Smith, owner of 22nd Street Station.

Carl Carmichael, Hillsboro, addressed Council regarding concerns with the sign code prohibiting offsite real estate directional and open house signs and urged Council to reevaluate the sign code and reconsider allowing offsite open house and directional signage to help owners sell their homes and to direct buyers to homes that are for sale, noting GPS systems and maps do not always work when trying to find addresses.

Ed Nigbor, Forest Grove, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to allow signs on Pacific Avenue within a three block radius and/or consider allowing tourism-related signs similar to the State's blue tourism signs and urged Council to reconsider the action taken at the meeting of October 11, 2010, (adopt policy that would have allowed signage on City street signs and other poles). Nigbor referenced a newspaper article celebrating the 70th year that 22nd Street Station has been in business and displayed various placard signs advertising youth-related sport activities as examples of the type of signs the City is removing from the rights-of-way.

Mayor Truax disclosed he had a conversation with Ed Nigbor.

Trevor Lamb, Forest Grove, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to consider the economic job-related aspects of keeping 22nd Street Station in business. Lamb indicated he is employed at 22nd Street Station and since the signs for 22nd Street Station have been removed business has declined, and as

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a result, his work hours have been drastically cut back. Lamb stressed that he is afraid he will be without a job if lack of business at 22nd Street Station continues and urged Council to allow offsite signage so 22nd Street Station can remain in business.

Don Turner, Forest Grove, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to find a way to help 22nd Street Station prosper during this economy turndown.

Cynthia Smith, owner of 22nd Street Station, Forest Grove, addressed Council and spoke in detail of how the sign code has affected her business, 22nd Street Station. Smith indicated she is not trying to harass anyone at the City; she is just trying to survive after 38-1/2 years of being at the restaurant almost every day, stressing that within the last six months, her business has suffered drastically. Smith indicated she would not have come tonight if it were not for her customers and people supporting her, stressing that she would have quit and closed her restaurant if it was not for her daughter, who will be taking over the family business. Smith referenced a newspaper article pertaining to the City's tagline "where small businesses thrive", stressing that the Council was not upholding the meaning of the tagline. Smith addressed comments directly to a Councilmember and indicated the Council was attacking small businesses, stressing that the sign code was absolutely destroying everyone in Forest Grove.

Mike Ross, Forest Grove, submitted written testimony addressed to the Mayor and Council and urged Council to consider amending the sign code to limit the amount of signs within a specific area instead of outright banning signs, noting Council will find there is community support for modifying the sign code. Ross indicated he understands the Council's desire to keep Forest Grove looking good and not tacky; however, Ross indicated he personally believes that the placement of a few signs on sidewalks and street corners does not make the City look ugly. Ross indicated that establishments, such as the 22nd Street Station, a successful local business with a long history, have seen revenues drop and entrance of new customers ceased since the enactment of the sign code. Ross indicated the sign code seems to unfairly favor businesses, located on the main thoroughfares of 19th Avenue and Pacific Avenue, to the detriment of businesses that cannot afford the high rents or high costs of moving to locations with more traffic, stressing that such signs serve a

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useful purpose in attracting customers to smaller, out of the way businesses in the Forest Grove community.

Margo Laur, Forest Grove, addressed Council voicing support of allowing signage for 22nd Street Station and urged Council to help businesses survive by allowing directional signs for those businesses located off the main thoroughfares. Laur indicated she has also noticed a severe decline in business at the restaurant and she indicated that she has given friends the address to the restaurant and they have gotten lost, even while using a GPS system, stressing it is difficult to locate businesses when a person does not know where the businesses are located.

Martha Ross, Forest Grove, addressed Council and asked how the sign code/adoption of ordinance came about and if there were any complaints about the posting of signs and asked if citizens were aware of tonight's Council meeting because she had not heard anyone testify in favor of the sign code ordinance, to which Mayor Truax addressed and explained the process that Council underwent in adopting the sign code ordinance, noting there were complaints about signs that had proliferated along the main thoroughfares.

BeLusko advised Ross that the sign code ordinance was not an agenda item on the printed Council meeting agenda this evening; however, citizens are always welcome to address Council under Citizen Communications for items that are not on the printed agenda.

Uhing explained the lengthy public process that Council underwent during the adopting of the sign code ordinance, noting the citizenry brings about the Council's goals and objectives. Uhing added that she is very committed to reevaluating any adopted ordinance that has unforeseen circumstance. Uhing noted that she hopes to have a discussion on the matter as part of the Council's upcoming Goal Setting Retreat.

Johnston commented that by the turn out of testimony heard this evening it indicates to the Council that they need to reevaluate and support businesses during this economic turndown, noting he was a dissenting vote when the sign code ordinance was adopted. Johnston noted that Council needs to find a level for all businesses not just one business.

Mayor Truax responded to the testimony heard and assured those who

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spoke under Citizen Communications that Council and staff would listen to the testimony levied and would reply to concerns heard about 22nd Street Station and real estate signage, noting the testimony heard would be taken serious and would not be dismissed by Council. Mayor Truax advised that ordinances are living and breathing documents that can be reexamined as needed, noting Council and staff will reexamine the sign code ordinance, and may even ask some of the citizens who testified this evening to participate in the process, and stressed; however, that he could not guarantee that everyone would be happy with the end results.

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 24, 2011.
 - B. Approve City Council Work Session (Watershed Management Plan) Meeting Minutes of January 24, 2011.
 - C. Approve City Council Regular Meeting Minutes of January 24, 2011.
 - D. Accept Historic Landmarks Board Meeting Minutes of December 31, 2010, and January 5, 2011.
 - E. Community Development Department Monthly Building Activity Informational Report for January 2011.
 - F. **RESOLUTION NO. 2011-17 MAKING APPOINTMENT TO BUDGET COMMITTEE (APPOINT THOMAS BECK, TERM EXPIRING DECEMBER 31, 2013).**
 - G. **RESOLUTION NO. 2011-18 MAKING APPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (APPOINT LEN HUA, TERM EXPIRING DECEMBER 31, 2014).**
 - H. Endorse Liquor License Renewal Application Requests for Year 2011:
 - 1. 76 Forest Grove, 2710 19th Avenue (Off-Premises Sales)
 - 2. Aramark Educational Services, LLC, 2043 College Way (Limited On-Premises Sales)
 - 3. Bi-Mart, 3225 Pacific Avenue (Off-Premises Sales)

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4. Circle Inn Tavern, 3007 Pacific Avenue (Limited On-Premises Sales and Full On-Premises Sales)
5. Diamond Palace, 1921 Main Street (Full On-Premises Sales)
6. Forest Grove Sushi, 1905 Birch Street (Limited On-Premises Sales)
7. Grampy's Deli and Pub, 1918 Main Street (Limited On-Premises Sales and Off-Premises Sales)
8. Half Moon Sports Bar / New Chinese Cuisine, 1927 Main Street (Full On-Premises Sales)
9. Hello Market, 1917 19th Avenue (Off-Premises Sales)
10. Izgara Bar and Grill, 2036 Main Street, Suite B (Full On-Premises Sales)
11. Jade Green Palace, 3018 Pacific Avenue (Full On-Premises Sales)
12. Little Monkey Deli, 1919 Pacific Avenue (Limited On-Premises Sales)
13. Mandarin China Restaurant, 2338 Pacific Avenue (Limited On-Premises Sales)
14. Mini Mart, 2705 Pacific Avenue (Off-Premises Sales)
15. Pizza Schmizza, 2042 Main Street (Limited On-Premises Sales)
16. Plaid Pantry #20, 2436 19th Avenue (Off-Premises Sales)
17. Plaid Pantry #99, 2901 Thatcher Road (Off-Premises Sales)
18. Prime Time Sports Bar and Restaurant, 4202 Pacific Avenue (Full On-Premises Sales)
19. Rainbow Lanes, 2748 19th Place (Limited On-Premises Sales)
20. Safeway Store #0406, 2836 Pacific Avenue (Off-Premises Sales)
21. Winners Connection, 2748 19th Place, Suite L (Off-Premises Sales and Limited On-Premises Sales)
22. Cornerstone Pub and Grill, 2307 Pacific Avenue (Limited On-Premises Sales and Off-Premises Sales)
(Added to Consent Agenda)
23. El Torero Restaurant, 2009 Main Street (Full On-Premises Sales) ***(Added to Consent Agenda)***
24. Forest Grove Elks Lodge #2440, 2810 Pacific Avenue

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- (Full On-Premises Sales) (Added to Consent Agenda)
25. Forest Grove Tobacco, 3034 Pacific Avenue, Suite B (Off-Premises Sales) (Added to Consent Agenda)
 26. Godfather's Pizza, 2834 Pacific Avenue, Suite A (Full On-Premises Sales) (Added to Consent Agenda)
 27. Grendel's, 2004 Main Street (Full On-Premises Sales) (Added to Consent Agenda)
 28. Phil's 1500 Subs, 2834 Pacific Avenue, Suite D (Limited On-Premises Sales) (Added to Consent Agenda)
 29. Urban Decanter, 2030 Main Street (Limited On-Premises Sales and Off-Premises Sales) (Added to Consent Agenda)

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

4. **ADDITIONS/DELETIONS:**
Ruggles added Consent Agenda Item H. 22 to 29 (as noted above).
5. **PRESENTATIONS:** None.
6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2010-08 ADOPTING PROVISIONS REGULATING NOISE, REPEALING FOREST GROVE CODE SECTION 5.070, TITLED UNNECESSARY NOISE, AND ADDING NEW CODE SECTION 5.250 THROUGH 5.259, TITLED NOISE REGULATIONS**

Staff Report:

Ashbaugh and Holan presented the above-proposed amended ordinance for Council consideration, noting at the Council meeting of September 13, 2010, City Manager Sykes asked to remove the proposed ordinance from the Council meeting agenda so staff could have additional time to address Council concerns and meet with the Economic Development Commission (EDC) and Public Safety Advisory Commission (PSAC) for the purpose of seeking input on the proposed ordinance. Ashbaugh reported staff met with EDC as directed and EDC supported the overall concept of the

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proposed ordinance and made recommendation to set the maximum dBA sound level of 80 to 85 for commercial and industrial businesses. Staff also met with PSAC as directed and PSAC supported the overall concept of the proposed ordinance and found the ordinance provides better regulatory tools to more effectively enforce and obtain compliance on the various types of chronic noise cases; however, PSAC could not reach a consensus on whether to allow or prohibit construction-related activities to occur on Sunday. Staff referenced Exhibit A of the staff report outlining examples of code regulations for various cities and county, noting at the work session of October 11, 2010, Council directed staff to conduct further research on construction-related activity and hours permitted on Sunday. In conclusion, Ashbaugh and Holan recommended adopting the proposed ordinance as amended, noting if the proposed ordinance is adopted, staff will track and monitor noise complaints and activities during the upcoming summer season to ensure the noise regulations are working and are appropriate for the Forest Grove community.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2010-08.

Elsner read Ordinance No. 2010-08 by title for first reading.

MOTION: Councilor Johnston, moved, seconded by Councilor Thompson, to approve Ordinance No. 2010-08 Adopting Provisions Regulating Noise, Repealing Forest Grove Code Section 5.070, Titled Unnecessary Noise, and Adding New Code Section 5.250 through 5.259, Titled Noise Regulations.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

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Council Discussion:

In response to Lowe's inquiry pertaining to chainsaw-related activity, Ashbaugh addressed the various scenarios posed by Lowe. In response to Lowe's concern pertaining to staff workload, Ashbaugh advised he anticipates staff time will be reduced as a result of ordinance.

Uhing recapped the EDC discussion pertaining to the noise ordinance, noting EDC supported the overall concept of the noise ordinance with a recommendation to increase the dBA for commercial and industrial.

Johnston stressed that Council needs to address unfunded mandates with State legislators, noting the Department of Environmental Quality (DEQ) terminated its Noise Control Program due to revenue cuts and is now relying on local jurisdictions to enact and enforce noise violations, and as result, it is costing cities revenue to enforce laws that should be enforced by DEQ.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of February 28, 2011.

7. CONTINUE PUBLIC HEARING FROM SEPTEMBER 27, 2010, AND SECOND READING OF ORDINANCE NO. 2010-09 ADOPTING THE CITY OF FOREST GROVE 2010 TRANSPORTATION SYSTEM PLAN UPDATE AND REPEALING ORDINANCE NO. 1999-16

The first reading of Ordinance No. 2010-09 by title and motion to adopt occurred at the meeting of September 27, 2010.

Staff Report:

Holan, Foster, and Robbins reported at the Council meeting of October 25, 2010, second reading of Ordinance No. 2010-09, Council remanded back to the Planning Commission the proposed Transportation System Plan Update and directed the Planning Commission review the TSP Appendixes and review the new oral and written testimony heard and received at the Council hearing of September 27, 2010, including letters submitted by Oregon Department of Transportation (ODOT) regarding signalization of Yew Street/Adair Street intersection; a letter and map submitted by Forest Grove School District regarding realignment of Hartford Drive; and oral and written testimony submitted by a citizen. Holan referenced Attachment 1, outlining edits to the TSP as proposed by

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the Planning Commission, noting the Planning Commission held two hearings, focusing on the appropriate street system around the High School and signalization at Yew Street/Adair Street intersection, noting staff has no objections to the Planning Commission's proposed edits with the exception of the Planning Commission's recommendation to retain in the TSP the traffic signal at Yew Street/Adair Street intersection. Holan referenced Attachment 5, outlining a letter submitted by ODOT, dated January 14, 2011, noting ODOT is proposing to install stop bars and create a southbound right-turn lane at Yew Street to improve safety (refer to Attachment 5, illustration); however, Holan noted the Planning Commission still had concerns these improvements would not resolve vehicular and pedestrian safety issues, and as a result, the Planning Commission voted to retain in the TSP as a future study area the traffic signal at Yew Street/Adair Street. Holan noted after listening to all testimony and reviewing the data available, staff continues to believe that instead of focusing on a traffic signal at Yew Street/Adair Street intersection, the City and ODOT should pursue some immediate corrections with pavement markings and accelerate the proposal of extending Mountain View Lane to Yew Street north of Highway 8. Holan referenced Attachment 2, outlining edits to the TSP as proposed by ODOT, noting staff is agreeable with ODOT's disclaimer language as outlined in the attachment. In addition, Holan noted ODOT is proposing to install a pedestrian island and crosswalk at the intersection of Quince Street and Pacific Avenue. Holan reported another issue that has arisen since the Planning Commission hearing is regarding a proposed street connection between Fern Hill Road and Poplar Street, noting the Planning Commission voted to retain the roadway, which is intended to function as a frontage road to reduce local trips on Highway 47. Holan referenced Attachment 8, outlining a letter submitted by Fernhill Wetlands Council, dated January 27, 2011, opposing the above-noted route. In addition, Holan reported the Forest Grove School District submitted a transportation study (Attachment 4 – Kittelson Study) addressing the road network around the High School, noting the Planning Commission and staff accept the recommendations with one addition (continuous sidewalk on one side of Nichols Lane). In conclusion, Holan outlined the various recommendations as outlined in the staff report for Council consideration, noting the Council may adopt the TSP as proposed by the Planning Commission with modifications (Attachment 1 to Exhibit B); adopt the TSP as amended by Council; remand the TSP back to the Planning Commission for specific purposes; or deny the TSP citing reasons for

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denial.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of September 27, 2010.

Written Testimony Received:

Holan referenced a letter submitted by Fernhill Wetlands Council, dated January 27, 2011, which was included as part of the record and mentioned above.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

Elizabeth Muncher, Forest Grove, asked if the proposed TSP included a plan for sidewalk improvements in areas where there are currently no sidewalks, to which Foster addressed, noting the TSP shows the areas lacking sidewalks, but the City does not have funds set aside for sidewalk improvements. Foster advised the City recently implemented a Citywide Sidewalk Improvement District Program, which has been very successful, noting property owners are normally obligated to pay for sidewalk improvements pursuant to City Code.

David Morelli, Forest Grove, posed various scenarios and shared his insights about timing traffic signals, concerns with using painted stop bars, and correcting traffic flow issues, and urged Council to retain the traffic light at Yew Street/Adair Street intersection in the TSP, stressing that extending Mountain View Lane to Yew Street north of Highway 8 as proposed by ODOT and staff, instead of installing a traffic light at Yew Street/Adair Street intersection, is unsafe for pedestrians, citing the area is near low-incoming housing and near Wal-Mart and the area along Highway 8 lacks sidewalks.

No one else testified and no written comments were received.

Public Hearing Closed:

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Mayor Truax closed the Public Hearing.

Council Discussion:

Lowe voiced concern that pedestrians will continue to cross at Yew Street/Adair Street intersection regardless if the City attempts to direct them to Mountain View Lane, noting the same is true for the pedestrian crossing at Safeway.

Thompson indicated he has walked the area, concurring that extending Mountain View Lane to Yew Street was the most natural area for safe pedestrian crossing, noting there is very little residential housing to the north. Thompson also suggested combining the bus stop at Yew Street with the bus stop at Mountain View Lane to reduce pedestrian crossing at Yew Street/Adair Street intersection. In addition, Thompson pointed out that grants could be obtained to complete the sidewalk gap along Highway 8.

Johnston pointed out that B Street, Elm Street, and Martin Road are examples of intersections that have painted stop bars extending 20' in front of the stop sign, noting the painted stop bars are a new ODOT engineering technique.

At the conclusion of the above-noted discussion and hearing no further discussion from the Council, the following motion was made.

MOTION NO. 1: Councilor Miller moved, seconded by Councilor Uhing, to approve Section 1. A. of Ordinance No. 2010-09, adopt the proposed amendments to the TSP as recommended by the Planning Commission as provided in Attachment 1 to Exhibit B.

Council Discussion:

In response to Lowe's point of clarification pertaining to the road connection between Fern Hill Road and Poplar Street, Holan advised the above-noted motion to accept the proposed amendments to the TSP includes the road connection between Fern Hill Road and Poplar Street.

In response to Miller's point of clarification pertaining to the traffic signal at Yew Street/Adair Street intersection, Holan advised the above-noted motion to accept the proposed amendments to the TSP includes retaining in the TSP the traffic signal at Yew Street/Adair Street intersection.

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Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above-noted Motion No. 1.

ROLL CALL VOTE MOTION NO. 1: AYES: Councilors BeLusko, Jr., Johnston, Miller, Uhing, and Mayor Truax. NOES: Councilors Lowe and Thompson. MOTION CARRIED 5-2.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers discussed whether or not to accept the Planning Commission's recommendation of retaining in the TSP the traffic signal at Yew Street/Adair Street intersection.

At the conclusion of the above-noted discussion and hearing no further discussion from the Council, the following motion was made.

MOTION NO. 2: Councilor Thompson moved, seconded by Councilor Lowe, to approve Section 1. B. of Ordinance No. 2010-09, to not accept the Planning Commission recommendation of the traffic signal at the intersection of Yew Street and Adair Street (because the signal would be too close to an existing signal at Mountain View Lane and Adair Street; testimony received from ODOT indicates that it is unlikely the signal would be approved, improvements to the intersection proposed by ODOT would improve safety of the intersection and there exists an alternative pedestrian way in close proximity at Mountain View Lane that would be safer for pedestrian movement).

Council Discussion:

In response to BeLusko's point of clarification directed at Thompson, Thompson explained that a study was conducted of the area with a recommendation of not having a traffic signal at Yew Street/Adair Street intersection, noting staff is also making the same recommendation. Thompson advised that he rarely overturns the Planning Commission's recommendation but he feels in this instance that this is a traffic-related issue rather than planning-related issue.

Uhing stressed that she would prefer retaining in the TSP as a placeholder the traffic signal at Yew Street/Adair Street intersection, noting she does

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not feel she has sufficient information to make a long-term decision of extending Mountain View Lane to Yew Street.

Johnston stressed that he too would prefer retaining in the TSP as a placeholder the traffic signal at Yew Street/Adair Street intersection, noting he has concerns that pedestrian traffic will significantly increase in the area as soon as the Rose Grove Recreational Vehicle (RV) Park is developed.

Lowe made a MOTION TO AMEND MOTION NO. 2 to expand the future study area in the TSP to include Mountain View Lane connection and the traffic signal at Yew Street/Adair Street intersection; however, MOTION DIED DUE TO LACK OF A SECOND.

In conclusion of the above discussion, Mayor Truax recalled a fatal traffic accident involving a student that occurred in 1983 when there was no traffic signal at Mountain View Lane intersection, reliving the pressure it took to get the State to install a traffic signal at this intersection, noting he will be voting in support of the Planning Commission's recommendation to retain in the TSP the traffic signal at Yew Street/Adair Street intersection.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above-noted Motion 2.

ROLL CALL VOTE MOTION NO. 2: AYES: Councilors Lowe, Miller, and Thompson. NOES: Councilors BeLusko, Jr., Johnston, Uhing, Mayor Truax. MOTION FAILED 3-4.

Mayor Truax announced the above-noted motion failed, and as a result, the Council approved Section 1. B. of Ordinance No. 2010-09, to accept the Planning Commission's recommendation of the traffic signal at the intersection of Yew Street and Adair Street.

Council Discussion:

Hearing no further discussion from the Council, the following motion was made.

MOTION NO. 3: Councilor Uhing moved, seconded by Councilor Lowe, to amend Section 1. C. of Ordinance No. 2010-09, to not adopt the proposed amendments to the TSP, submitted by the ODOT, as

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provided in Attachment 2 to Exhibit B.

Council Discussion:

Mayor Truax advised that he would be voting to support ODOT's proposed disclaimer language as provided in Attachment 2 to Exhibit B, noting the City has an obligation to include this proposed language in the TSP.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above-noted Motion 3.

ROLL CALL VOTE MOTION NO. 3: AYES: Councilors Lowe and Uhing. NOES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, and Mayor Truax. MOTION FAILED 2-5.

Mayor Truax announced the above-noted motion failed, and as a result, the Council approved Section 1. C. of Ordinance No. 2010-09, to adopt the proposed amendments to the TSP, submitted by ODOT, as provided in Attachment 2 to Exhibit B.

Council Discussion:

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of September 27, 2010, as amended pursuant to the above-noted motions.

Elsner read Ordinance No. 2010-09 by title for second reading as amended pursuant to the above-noted motions.

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

8. STAFF REPORT REQUESTING COUNCIL APPROVAL TO INITIATE A STREET VACATION VACATING A SEGMENT OF OSBURN STREET AND 27th PLACE

Staff Report:

Holan, Reitz, and Sykes presented the above-noted staff report requesting Council approval to initiate a street vacation, vacating a segment of Osburn Street and a segment of 27th Place. Reitz reported the segments

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were deeded in 2008 as a public right-of-way as part of Karen's Glenn Planned Residential Development (PRD); however, the project is now defunct and the property site has been sold to a new developer who is proposing to use the site for an apartment project, noting staff believes the right-of-way should be redesigned to provide better traffic flow in the neighborhood. As a result, staff is requesting Council approval to allow staff to initiate the vacation instead of the applicant filing a petition with the City. Reitz explained if the City does not initiate the vacation, the existing right-of-way would remain as deeded and the applicant would be required to design the apartment project accordingly. In addition, Reitz referenced a letter, dated February 3, 2011, submitted by Bienstar, new property owner, which was attached to the staff report. In conclusion, Reitz explained if the City initiates the vacation, a Public Hearing on the vacation would be required and notice of the proposal would be posted on and near the site as well as public legal notice published at least twice and a notice mailed to property owners within 300' of the proposal, noting neighbors would then have the opportunity to express concerns on the merits of the proposed right-of-way vacation.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers discussed whether the City should initiate the vacation as proposed by staff. Staff addressed various points of clarification, noting a vacation is a legislative action and does not require a land use decision by the Planning Commission. City Attorney Elsner added that by the City initiating the vacation it would allow Council the opportunity to hear testimony before considering whether to vacate the segments.

Hearing no further discussion from the Council, Mayor Truax asked for a motion to direct staff to proceed with initiating the street vacation as requested.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to direct staff to initiate a street vacation, vacating a segment of Osburn Street and a segment of 27th Place.

Council Discussion:

In response to Uhing's concerns pertaining to the urgency of initiating the vacation, Sykes advised that in order to help resolve some of the traffic issues on 26th Avenue, staff felt it would be best if the City initiated the

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vacation to help move the project forward and to reconfigure the street grid to address traffic flow issues.

Mayor Truax advised that staff's request to initiate vacating the public right-of-way is an important enough issue to merit a Public Hearing in front of Council.

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, and Mayor Truax. NOES: Councilor Uhing. MOTION CARRIED 6-1.

9. RESOLUTION NO. 2011-19 APPROVING TO CANCEL MARCH 14, 2011, REGULAR CITY COUNCIL MEETING

Staff Report:

Mayor Truax presented the above-proposed resolution requesting that Council consider cancelling the March 14, 2011, regular City Council meeting due to Councilmembers and management staff who are unable to attend.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-19.

Elsner read Resolution No. 2011-19 by title.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to adopt Resolution No. 2011-19 approving to cancel March 14, 2011, Regular City Council Meeting.

Council Discussion:

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

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

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10. 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. In addition, Sykes distributed various handouts pertaining to Citizen Survey and other information of interest. In conclusion, Sykes reported he would provide a more detailed report at the upcoming Council retreat due to the hour being so late.

11. COUNCIL COMMUNICATIONS:

BeLusko advised that he would hold his report until the Council retreat.

Johnston advised that he would hold his report until the Council retreat.

Lowe reported on the Fernhill Wetlands meeting, reported on various water-related issues, and referenced a study conducted by the Regional Water Providers Consortium, noting she would provide a copy of the study to each Councilmember. In addition, Lowe reported the Regional Water Providers Consortium is giving away free water-saving kits.

Miller advised that she would hold her report until the Council retreat.

Thompson advised that he would hold his report until the Council retreat.

Uhing advised that she would hold her report until the Council retreat.

Mayor Truax advised that he would hold his report until the Council retreat as well.

12. ADJOURNMENT:

Mayor Truax adjourned the meeting at 10:16 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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1. ROLL CALL

Mayor Peter Truax called the Council Retreat to order at 9:07 a.m. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Elena Uhing, and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director (dismissed following presentations of Agenda Item 3); Jon Holan, Community Development Director (dismissed following presentation of Agenda Item 2); and Anna Ruggles, City Recorder.

2. ISLAND ANNEXATION DISCUSSION:

Sykes and Holan facilitated this portion of the work session, noting the purpose of the above presentation was to give Council an overview of the alternatives for annexing the remaining unincorporated "islands" within the Urban Growth Boundary (UGB). Holan addressed questions and gave an overview of the staff report, outlining various State law methods of annexation available to the City to pursue island annexations. Holan reported the Council offered incentives to property owners to encourage annexation during the 2006 annexation process, noting there are 148 tax lots, comprising of 341 acres that remain unincorporated in the UGB. Holan explained there are 120 tax lots, totaling 83 acres that meet the definition of an island or enclave under the ORS, noting the island/enclave tax lots have a combined estimated total market value of approximately \$25 million. The estimated tax assessed value of these properties is approximately \$12,578,000. Holan noted if the properties were annexed into the City, and based on the City's current tax rate, the City could begin collecting \$72,000 in additional taxes per year after annexation. Holan referenced a map showing the location of the unincorporated tax lots, noting there are 11 distinct island areas within the UGB and the greatest concentration of unincorporated land surrounded by the City limits is located between Willamina Avenue and 26th Avenue. In conclusion, Holan reported staff is asking Council to review the policy questions, outlined below, and provide feedback so staff knows how the Council wishes to proceed.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers discussed the pros and cons of pursuing island annexation.

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Discussion ensued pertaining to the burden of unincorporated property owners who are receiving city emergency response services but who are not paying for these services; discussion ensued pertaining to the City already offering incentives during the 2006 voluntary annexation; and discussion ensued pertaining to property owners who have horses or other livestock that are currently prohibited within the city limits. In addition, Councilmembers studied the map showing the island areas within the UGB and staff reviewed the following policy questions with Council as follows:

1. Should the City adopt the expedited annexation process provided for in the Metro Code?
2. Should City proceed with annexation of remaining unincorporated islands through a voluntary approach?
3. Should the City offer incentives to encourage voluntary annexation, and if so, what incentives should be provided? Such incentives could include: waiving the annexation and zone change filing fees; phasing in property taxes over time; offering a discount for sewer connection fees; and educating the property owners about lower costs for City services. As part of the 2006 annexation process, staff prepared a parcel-by-parcel analysis showing potential benefits associated with annexation. Should Council decide to proceed within an incentive program, staff would update the analysis for the remaining islands.
4. Should Council initiate annexation of the remaining unincorporated islands without property owner consent under ORS 222.750 (Annexation of Unincorporated Territory Surrounded by City)?
5. Should the annexation be submitted to the voters, and if so, should it include unincorporated territories rather than just the island areas?
6. Should the City proceed with an advisory annexation vote as an alternative to binding election?

In conclusion of the above-noted discussion and review, Council collectively voiced support of proceeding with an Open House before Council makes any formal decision to pursue island annexation. Council collectively agreed to direct staff to hold an Open House, mailing notices inviting affected property owners to the Open House, publishing the Open House in the utility billing insert, and asked staff to accept testimony from citizens during the Open House.

Council recessed at 10:05 a.m. for a break and reconvened at 10:17 a.m.

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3. REVIEW COMMUNITY ENHANCEMENT PROGRAM (CEP) PROCESS:

Sykes and Downey facilitated this portion of the work session, noting the purpose of the above presentation was to review the CEP process and CEP funding allocation with Council. Downey addressed questions and gave an overview of the CEP process and funding allocation methodology proposed by staff, noting after the process for funding the CEP projects for Fiscal Year 2010-11, Council asked staff to review the CEP process and come back with a proposal that provided a correlation between scoring and funding allocation. Downey referenced the staff report, outlining the CEP Funding Allocation Methodology Proposal, noting staff has developed a proposed methodology for Fiscal Year 2011-12 funding process in which the allocation of funds to projects is the scoring process. Downey referenced a copy of last year's CEP packet, consisting of Application Instructions, Application, Sample Evaluation Worksheet, and Sample Agreement, noting the only change to the CEP packet is to the Evaluation Worksheet; the score page will be removed and replaced with a sheet for each Councilor to indicate how much funding, if any, each project will receive. In conclusion, Downey reported staff is asking Council to review the proposed process and provide feedback so staff can finalize the CEP process for adoption at the next Council meeting, noting the proposed scoring process does not modify the overall program requirements set by Metro.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers reviewed staff's proposed CEP funding methodology for Fiscal Year 2011-12. In response to various scenarios and questions, Downey explained essentially, the scoring process will divide the funding available into an equal allocation for each Councilor, noting each Councilor will propose funding allocations with their funds to projects. Downey gave the following example; if \$70,000 is available for funding, each Councilor will get \$10,000 to allocate to projects, noting no Councilor can allocate more than one-seventh of any individual project's requested funding. Downey explained a project must ultimately receive funding from at least four Councilors to be funded, noting if a project does not receive funding allocation from at least four Councilmembers, the project is dropped from further consideration. In addition, Downey explained the reallocation of funds to other projects cannot cause a project to receive more than one-seventh of its funding from any individual Councilmember. In conclusion, Downey noted that Metro's fee revenue is significantly declining each year due to less tonnage being collected at the

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transfer station, to which Mayor Truax indicated he would have a discussion with Councilor Harrington to discuss the matter.

In conclusion of the above-noted discussion and review, Council collectively agreed to ask staff to proceed with a resolution to adopt the proposed CEP process for Fiscal Year 2011-12 and asked staff to remove the annual hanging baskets program out of the CEP funding and find another funding source. In addition, discussion ensued about removing the holiday lighting program from CEP funding; however, Downey clarified a funding request for this project does not occur annually, noting last year, funding was requested to purchase new holiday lighting.

4. CITY MANAGER EVALUATION TOOL DISCUSSION:

Mayor Truax facilitated this portion of the work session, noting the purpose of the above discussion was to review and/or, if necessary, refine the City Manager evaluation form and process, noting he is proposing to schedule the City Manager evaluation process to occur earlier in the year in an effort to allow more time to gather and compile data and information from Department Directors and is proposing to include, as part of the performance measurement, the Council's adopted goals and objectives.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers reviewed the current City Manager evaluation form and process. Mayor Truax distributed a sample of another city's evaluation form and process for review and discussion. Discussion ensued pertaining to how best to incorporate the Council's adopted goals and objectives as part of the overall City Manager's performance measurement. Mayor Truax suggested distributing the Council adopted goals and objectives to each Board, Committee, and Commission so the pertinent Council goals and objectives could be incorporated into the B&C's annual goals as well. Discussion ensued pertaining to asking the City Manager to submit a monthly written report updating Council on various department happenings or issues that are occurring and/or that have occurred, to which Sykes advised he provides an oral report, including department updates twice a month at Council meetings; however, Sykes recognized that there is not sufficient time to provide detailed reports and noted he likes the concept of a written monthly report. Sykes added that he is looking at requiring each department director to provide an annual report and incorporating into the annual report the department's year-end work plan

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accomplishments and status of the adopted Council goals and objectives. Discussion ensued pertaining to the importance of keeping Councilmembers abreast of meetings or discussions that have occurred so individual councilors know what has already been discussed with other officials, such as with Metro and Washington County officials. Discussion ensued pertaining to scheduling the City Manager evaluation process earlier in the year, to which Sykes suggested scheduling the evaluation period to occur after he presents the department's year-end work plan accomplishments and status of the Council goals and objectives, to which Council collectively concurred. Discussion ensued pertaining to whether the current City Manager evaluation form needed to be refined, to which Mayor Truax suggested no changes to the current City Manager evaluation form, noting the evaluation form seems to work well for each Councilor. In addition, Council collectively supported allowing more time to gather and compile data and information from Department Directors. Mayor Truax indicated he would send a personal note to each director asking for their input.

In conclusion of the above discussion, Council collectively asked Ruggles to reassign the calendar dates for the 2011 City Manager evaluation process and to proceed with a proposed resolution requesting to adopt the City Manager evaluation process for evaluation period May 1, 2010 to May 31, 2011, so the City Manager's evaluation could be completed by the end of June, 2011.

Council recessed at 11:24 a.m. for a break and reconvened at 12:22 p.m.

5. **STATUS/ACTION PLANS FOR 2010 COUNCIL GOALS AND OBJECTIVES**
Sykes referenced each of the department Action Plans included in the packet and outlined the significant accomplishments pertaining to the Council Goals and Objectives identified for January 2010, through December 2010, noting staff successfully accomplished a majority of the significant objectives.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the status identified in the Action Plans as being on hold, in progress, or ongoing. At the conclusion of the above-noted discussion and review, Council collectively agreed to carryover 23 pending objectives (17 out of 40 identified objectives for 2010 were successfully completed) that were identified as being on hold, in progress, or ongoing into the 2011-12 work plan (refer below to Agenda Item 7).

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6. COUNCIL TEAM AGREEMENT:

Mayor Truax facilitated this portion of the work session, noting this is an opportunity for Councilmembers to discuss, review, and/or amend their team agreement.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers reviewed their existing team agreement. At the conclusion of the above-noted discussion and review, Council collectively agreed to change one word (~~beware~~ to be aware) noted in bullet number 7 for clarity purposes and asked Ruggles to proceed with a proposed resolution requesting to adopt the Council Team Agreement.

7. IDENTIFY KEY GOALS AND OBJECTIVES FOR FISCAL YEAR 2011-12:

Mayor Truax and Sykes facilitated this portion of the work session, noting the purpose of this exercise was to review the existing Council goals and to identify any new goal objectives for Fiscal Year 2011-12. Sykes noted each year the Council is asked to set broad goals to help guide City administration and departments as they plan for the upcoming budget year.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Councilmembers reviewed their three existing Council Key Goals. At the conclusion of the above-noted discussion and review, Council collectively agreed to keep and amend the three existing Council Key Goals as follows:

Goal 1:

- Promote Safe, Livable and Sustainable Neighborhoods and a Prosperous Dynamic, Green City;

Goal 2:

- Promote a Prudent Financial Plan to Maintain Effective Service Levels of a Full-Service City; and

Goal 3:

- Promote the Interests and Needs of Forest Grove in Local, State, and National Regional Affairs.

Next, Mayor Truax opened the floor and roundtable ensued as Councilmembers

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reviewed the 2010 objectives that were identified by staff as being on hold, in progress, or ongoing. At the conclusion of the above-noted discussion and review, Council collectively agreed to carryover 23 pending objectives (17 out of 40 identified objectives for 2010 were successfully completed) and identified four new objectives for 2011-12 (listed in no specific order):

Goal 1:

1. Create Sustainability Committee (proposed by Lowe)
2. Explore Downtown Façade Improvement Program (awning) (proposed by Johnston)
3. Explore Evergreen Road Extension (bypass) (proposed by Johnston)
4. Explore Downtown Corridor Transportation Flow (emergency response) (proposed by Johnston)

At the conclusion of the above-noted discussion and exercise, Sykes explained the process of Councilmembers individually ranking each of the 27 identified objectives based on their merit of the objective, noting the final tallied scores will be discussed and assessed in work session at the next Council meeting. In addition, Sykes noted that staff recognizes that not all of the objectives can be financially accomplished; however, the list of objectives provides a framework for each department to focus their activities and prioritize resources during budget preparations for the upcoming fiscal year.

8. OPEN DISCUSSION:

Sign Code:

Ruggles distributed copies of seven letters and a petition signed by 51 people petitioning to amend the adopted sign code ordinance to allow offsite signage for 22nd Street Station, because the restaurant is located blocks from the main thoroughfares and on a side street with no visible presence to traffic flow.

Ruggles distributed a copy of a letter submitted by Cynthia Smith, owner of 22nd Street Station, citing she would like to see the sign code changed and/or modified to allow signage for her business, and cited at the request of Mayor Truax, she submitted the letters and signed petitions voicing support on behalf of her business.

Mayor Truax opened the floor and roundtable discussion ensued pertaining to adopted sign code and citizen communications heard at the Council meeting of February 14, 2011. In conclusion of the above-noted discussion and review,

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Council collectively asked Sykes to put together a proposed plan for Council reviewed.

Citizen Survey:

Sykes distributed copies of the 2010 Citizen Attitude Survey results for Council to review at their leisure, noting 710 citizens responded to the survey, which was slightly higher than previous years.

2010 Guide for Public Officials:

Ruggles distributed copies of the 2010 Guide for Public Officials, Oregon Government Ethics Commission (OGEC) (adopted October 26, 2010), noting the guide was revised to reflect changes to Oregon Government Ethics laws enacted by the Oregon Legislative Assembly in 2009. Ruggles encouraged Councilmembers to review the guide as it discusses how the provisions of ORS Chapter 244 apply to public officials and summarizes OGEC reporting procedures. Ruggles noted the publication was also available on the OGEC's website at www.oregon.gov/ogec.

Hearing no further discussion from the Council, Mayor Truax adjourned the Council Retreat.

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

9. ADJOURNMENT

Mayor Truax adjourned the Council Retreat at 3:40 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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Minutes are unofficial until approved by the 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; Paul Downey, Administrative Services Director (present in the audience); Richard Matzke, Interim Light and Power Director (present in the audience); and Anna Ruggles, City Recorder.

2. COUNCIL GOALS AND OBJECTIVES FOR FISCAL YEAR 2011-12:

Sykes facilitated the above-noted work session, noting the purpose of the work session was so Council could review the scoring results of the goals/objectives identified at the Council Retreat, held on February 19, 2011, noting Council collectively agreed to carryover 23 pending objectives that were identified by staff as being on hold, in progress, or ongoing and identified four new objectives (shown in bold, attached as Exhibit A). Sykes reported the Council was asked to rate each of the goals/objectives using a Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority), noting Council has ranked the goals/objectives in the order that they believed were the most important. Sykes noted staff has grouped the goals/objectives within one of the three key City Council Goals. In conclusion, Sykes explained the intent of asking for Council priority goals/objectives for the coming fiscal year is to know if there are specific goals/objectives that require budget resources in order to be accomplished, noting it is recognized that not all of the goals/objectives can be financially accomplished; however, the list provides a framework for each department to focus their activities and prioritize resources during their budget preparations for the fiscal year.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council participated in assessing the scoring results of each of the goals/objectives (attached as Exhibit A). Discussion ensued as Council assessed the goals/objectives that received a score of 14 or below. Council discussed Goal Objective 21, Create a Sustainability Committee, at length. Lowe shared her reasons and justifications for seeking Council support to create a sustainability committee, noting there are Pacific University professors, Pacific University

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students, high school students, Intel retirees, and several citizens who have expressed strong support of participating and serving on a sustainability committee. Lowe noted creating a sustainability committee was inline with City Council Key Goal No. 1, "sustainable, green city", and City's adopted Vision Statement. Council discussion continued pertaining to the definition of "sustainability" and "committee", and if a sustainability committee was practical for Forest Grove and what the role and purpose would be of such a committee as well as staff workload. At the conclusion of the above-noted discussion, Council collectively supported amending Goal Objective 21 to read "Create Explore the need for a sustainability committee". Council collectively supported developing an interest group, Ad-Hoc Committee, similar to the Charter Review Ad-Hoc Committee, to bring back a recommendation to Council on the role and purpose of a sustainability committee. Goal Objective 19 was discussed briefly (Johnston to review with Public Safety Advisory Commission) and Goal Objective 20 was discussed briefly; however, no other amendments were suggested.

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

3. ADJOURNMENT:

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

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

2011-12 CITY COUNCIL GOALS AND OBJECTIVES

Each year, the City Council determines its goals and objectives for the coming year. These goals and objectives are adopted by City Council and becomes the City's Work Plan and guide for City Council and City Staff as they move forward throughout the year. City Council identified four (4) new objectives (shown in bold and italics) for 2011-12 and carried over 23 pending objectives from the previous year. The City Council ranked these objectives in the order that they believed were the most important. The objectives have been grouped within one of the three key City Council Goals. The City Manager will assign each of the Council goal objectives accordingly. The proposed City Council Goals and Objectives for Fiscal Year 2011-12 are as follows:

GOAL 1									
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY									
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)									
									Total Pts:
1.	Examine methods to enhance pedestrian/safe routes to Thatcher Park and Thatcher Road/Forest Gale Drive (flashing yellow light/crosswalks)								24
2.	Examine installing sidewalks near schools, bus #57 stop, and TV Hwy (east end of Mtn View Lane; Karen's Corner)								22
3.	Continue strengthening public relations and marketing to better communicate City services and accomplishments								22
4.	Complete Watershed Master Plan and Logging Contracts								22
5.	Continue maintaining a livable community through code enforcement with emphasis on graffiti and crime prevention								20
6.	Complete Periodic Review								20
7.	Pursue completion of Emerald Necklace (grant monies)								19
8.	Pursue Electric Charging Stations and other alternate energy sources								19
9.	Continue encouraging support of FG Senior and Community Center								19
10.	Continue improving Council/Citizen Outreach (table at Farmers' Market)								18
11.	Continue pressure for Light Rail; high capacity transit; and other transportation modes								18
12.	Complete Parks Master Plan Update								18

**2011-12 CITY COUNCIL
GOALS AND OBJECTIVES**

GOAL 1 (Continued)										
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY										
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)										
										Total Pts:
13.	Continue pressure for new Post Office or Retail Store									16
14.	Continue coordinating efforts for promoting Public Art									16
15.	<i>Explore Evergreen Road Extension (bypass)</i>									16
16.	Pursue holding a Council meeting at High School									14
17.	Evaluate an area for a Town Center Plaza									14
18.	Survey banning backyard burning and draft proposed ordinance									14
19.	<i>Explore Downtown Corridor Transportation Flow</i>									13
20.	<i>Explore Downtown Facade Improvement Program (awning)</i>									9
21.	<i>Create Explore the need for a Sustainability Committee</i>									8
GOAL 2										
PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE CITY										
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)										
										Total Pts:
22.	Prepare a balanced budget									28
23.	Support business retention and promote recruitment efforts									26
24.	Continue Sidewalk Improvement District Program (LID)									25
25.	Pursue Island Annexation Program									20

**2011-12 CITY COUNCIL
GOALS AND OBJECTIVES**

GOAL 3									
PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE IN LOCAL, STATE AND NATIONAL AFFAIRS									
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)									
									Total Pts:
26.	Support Legislative Agenda and Regional, Local, State, and Metro Partnerships (WC Forum)								25
27.	Promote Tourism Opportunities and Marketing Efforts (wineries, Fernhill, local events, branding logo, external marketing)								21

Draft

**FOREST GROVE CITY COUNCIL WORK SESSION
(BUSINESS INCENTIVE PROGRAM)
FEBRUARY 28, 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 6:20 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; Jeff King, Economic Development Coordinator; Richard Matzke, Interim Light and Power Director (present in the audience), and Anna Ruggles, City Recorder.

2. WORK SESSION: BUSINESS INCENTIVE PROGRAM

King and Sykes facilitated the work session, noting the purpose of the work session was to seek Council approval to implement a Business Incentive Program to encourage occupancy of vacant commercial and industrial space and to help support business attraction and local expansion and retention in Forest Grove. King reported staff is proposing the City offer a temporary financial incentive program to help reduce financial barriers for businesses occupying vacant space. King advised the current recession has resulted in significant job loss and failed businesses and will continue to have an impact on Forest Grove and Oregon's economy over the next several years, noting other cities in the metro region are offering incentives for occupying vacant buildings. King reported the City has 16 industrial buildings, accounting for 631,530 square feet (sf) of vacant space, three buildings account for over half of that number; and another 16 commercial/retail spaces, totaling 53,640 sf, are also vacant, noting the program will help encourage more business activity in Forest Grove. King outlined the following incentive elements and Business Incentive Program eligibility as follows:

Incentives:

- Waiver of Business License fee (maximum \$250)
- Fee waiver of Building Permit fee up to \$5,000
- Fee waiver of Site Plan Review fee up to \$1,000
- Fee waiver of planning services fee up to \$1,000
- Water System Development Fee can be paid over a period up to 5 years; a low interest rate would be charged.
- Reduction of sign/permit fee up \$1,000 if the applicant meets certain design standards.

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Eligibility:

- Receive a permanent Certificate of Occupancy for a commercial/industrial tenant between April 1, 2011, and June 30, 2013.
- Occupy a vacant building or space.
- Be new to the City OR the business currently exists within the City and is:
 - expanding into adjacent commercial/industrial space; or
 - opening a new additional satellite location; or
 - relocating from a former location and will increase square footage by at least 10%
- Sign an agreement with the City covering terms, obligations and timeliness.

King noted the following would not qualify for incentives:

Not Eligible:

- Expands by new construction either as a new building or new addition.
- Government office or agency;
- Relocates or expands but occupies less than 10 percent additional square footage at the new or expanded location.
- Applies for permits limited to the repair and/or maintenance of structures at the business's existing location without expanding.
- Fails to begin construction within 30 days of issuance of a commercial/industrial tenant improvement building permit or fails to obtain a permanent Certificate of Occupancy within 180 days of issuance of permit and before June 30, 2013.

In conclusion, King advised the maximum incentive a business could receive under the above-proposed program would be \$3,775, noting the proposed Business Incentive Program has been reviewed and approved unanimously by the Economic Development Commission.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the above-proposed Business Incentive Program. King responded to various inquiries, concerns, and scenarios the Council presented, noting the incentive program would be temporary until the area's economy more fully recovers and is designed to last until June 30, 2013, and then the program will automatically sunset unless Council chooses to continue the program. King reported the program is expected to appeal mostly to smaller businesses occupying 7,500 sf

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or less; however, King noted the program will be of value to the entire business community, including large and medium-size businesses. King explained the above-proposed incentives could be packaged with other incentives, such as enterprise zones, energy conservation funding and state programs, noting the program would also provide an opportunity to provide a sustained message that Forest Grove continues to provide a supportive environment for business and values new jobs.

In conclusion of the above-noted discussion, Council collectively voiced support of implementing a Business Incentive Program and asked staff to bring back a proposed resolution for Council consideration at a later date.

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

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:45 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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FEBRUARY 28, 2011 – 7:00 P.M.
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Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:03 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; Aaron Ashbaugh, Police Captain; and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS:

David Morelli, Forest Grove, addressed Council pertaining to comments heard at the last Council meeting of February 14, 2011, and urged Council to ask ODOT to paint stop bars at intersections under the City's control in a location that reflects and respects state laws, stating that ODOT is violating state laws by painting stop bars to advance vehicular traffic over and in front of marked pedestrian crosswalks.

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 Executive Session (Labor Negotiations) Meeting Minutes of February 14, 2011.
- B. Approve City Council Meeting Minutes of February 14, 2011. **(ITEM REMOVED, REFER BELOW.)**
- C. Accept Historic Landmarks Board Meeting Minutes of January 25, 2011.
- D. Accept Planning Commission Meeting Minutes of January 18 and February 7, 2011.
- E. Accept Public Arts Commission Meeting Minutes of January 22, 2011.
- F. Accept Public Safety Advisory Commission Meeting Minutes of January 26, 2011.

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- G. Library Department Monthly Circulation Statistic Report for January 2011.
- H. Endorse Liquor License Renewal Application Requests for Year 2011:
 - 1. 7-11 Store #20715C, 2001 Yew Street (Off-Premises Sales)
 - 2. Forest Theater, 1911 Pacific Avenue (Limited On-Premises Sales)
 - 3. Maggie's Buns, 2007 21st Avenue (Limited On-Premises Sales)
 - 4. Mama Jiah's, 2248 Main Street (Off-Premises Sales)
 - 5. Marbec Mexican Trade Products, Inc., 3012 Pacific Avenue, Suite F (Off-Premises Sales)
 - 6. Stecchino Bistro, 2014 Main Street (Full On-Premises Sales)
 - 7. The Masonic Lodge of Oregon, 2300 Masonic Way (Full On-Premises Sales)

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

4. ADDITIONS/DELETIONS:

Ruggles asked to remove Consent Agenda Item 3. B., noting the above-noted minutes will be presented at the next regular Council meeting.

5. PRESENTATIONS:

- 5. A. Kathryn Harrington, Metro Councilor District 4, presented a PowerPoint presentation outlining her District 4 Quarterly Exchange Report and provided updates on Metro's Urban Growth Capacity Ordinance; Forest Grove Comprehensive Plan – Periodic Review; Beaverton Civic Plan; Regional Investments in District 4; Impact on Amenities on Development Feasibility; Climate Smart Communities; and reported on various upcoming events and distributed various handouts. In conclusion, Harrington addressed various Council inquiries, and Council thanked Harrington for her support of Forest Grove's Urban and Rural Reserves.
- 5. B. Audit Report for Fiscal Year Ending June 30, 2010
Downey introduced Gary Iskra, ISLER, CPA, who presented a PowerPoint

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presentation outlining the audit process and presented the Financial Audit Report for period ending June 30, 2010, noting the management advisory suggestions include to consider updating investment policies; review segregation of duties assigned for internal accounting control; evaluate Light and Power Department's inventory system; and prepare for GASB 54 implementation; otherwise, Iskra noted the City's accounting records were in very good condition. In conclusion of the above-noted presentation, Iskra commended staff for their assistance and support during the audit process.

Council Discussion:

Downey addressed Council inquiries pertaining to suggestions made in the audit report, noting staff is reviewing payroll and accounting control to ensure adequate segregation of duties; staff is working with Light and Power Department to perform an assessment of its inventory tracking needs; staff is planning to revise the investment policy in the fall of 2011; and staff is preparing a resolution for Council consideration to adopt a policy for the City to comply with new GASB 54 standard. In addition, Downey addressed various inquiries pertaining to declining revenues and the economic-related factors to consider during budget preparations for Fiscal Year 2011-12.

6. **CONTINUE PUBLIC HEARING FROM FEBRUARY 14, 2011, AND SECOND READING OF ORDINANCE NO. 2010-08 ADOPTING PROVISIONS REGULATING NOISE, REPEALING FOREST GROVE CODE SECTION 5.070, TITLED UNNECESSARY NOISE, AND ADDING NEW CODE SECTION 5.250 THROUGH 5.259, TITLED NOISE REGULATIONS**

The first reading of Ordinance No. 2010-08 by title and motion to adopt occurred at the meeting of February 14, 2011.

Staff Report:

Ashbaugh presented an amended copy of proposed Ordinance No. 2010-08, noting staff made an amendment to Page 9, Section 5.255(3), to clarify "discharge of legal explosive devices" and referenced Page 3 of the staff report, dated February 14, 2011, noting the report should have stated "Washington County allows construction-related activity to occur 7:00 a.m. to 7:00 p.m., Monday through Sunday Saturday". In addition, Ashbaugh advised that staff is recommending to allow construction-related activities to occur on Sunday within the time limitations cited in the proposed

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ordinance, noting staff believes the provisions should be the same for homeowners and contractors. In conclusion, Ashbaugh referenced written testimony received as noted below.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of February 14, 2011.

Written Testimony Received:

John Rinier, Forest Grove, submitted an e-mail, dated February 18, 2011, urging Council to consider prohibiting construction-related activity from occurring after 7:00 p.m. on weekdays and after 5:00 p.m. on Saturday and to consider prohibiting construction-related activity from occurring on Sunday and holidays.

Proponents:

Teri Koerner, Forest Grove Chamber of Commerce Director, testified on behalf of the Chamber and asked Council to keep in mind the equity issue and economic factors, noting the small business community liked the flexibility of allowing construction-related activities to occur on weekends so they could oversee home projects. Koerner pointed out the construction-related activity occurring across the street from the Community Auditorium as an example, noting she would rather Council keep the provision in the Code and perhaps limit the construction-related activity hours from 8:00 or 9:00 a.m. to 5:00 p.m. on Sunday.

No one else testified and no written comments were received.

Opponents:

John Rinier, Forest Grove, addressed Council and urged Council to prohibit allowing any construction-related activity to occur on Sunday and holidays, noting the reasons he moved from Aloha to Forest Grove was because of Forest Grove's livability and Forest Grove seemed quieter. Rinier referenced his written testimony noted above and showed Council a video to demonstrate the level of noise imminenting from a construction-related job that was occurring near his home in a residential area.

No one else testified and no written comments were received.

Others:

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No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Miller voiced concern pertaining to the equity between properties located within the City limits and unannexed islands located within County jurisdiction, noting the unannexed islands would fall under the County code provisions.

In response to Johnston's inquiry pertaining to issuance of a variance, Ashbaugh referenced Page 8 of the proposed ordinance, noting a variance permit could be granted by the City Manager pursuant to the provisions outlined in the proposed ordinance.

In response to BeLusko's inquiry about the Public Safety Advisory Commission's (PSAC) recommendation, Ashbaugh advised that the PSAC could not reach a consensus on whether to allow or prohibit construction-related activity from occurring on Sunday. In addition, BeLusko indicated the City should be proud to have construction-related projects occurring during this economic turndown.

In response to Thompson's inquiry pertaining to the number of complaints received, Ashbaugh indicated he was uncertain of how many complaints had been received involving construction-related activity, noting the Police Department does respond to such complaints, but generally, no formal action is taken.

Lowe indicated she is having second thoughts after learning construction-related activity would be occurring soon during the construction of the new Joseph Gale Elementary School. Lowe advised that she does not support allowing construction-related activity to occur on Sunday and pointed out that domestic power tools have a lower noise impact than heavy equipment.

Uhing indicated she tends to agree with Lowe that there is a definite difference between noise levels of domestic power tools versus heavy equipment and agrees with Miller about the equity concern of unannexed islands.

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At the conclusion of the above-noted discussion and hearing no further discussion from the Council, the following motion was made.

MOTION TO AMEND: Councilor Lowe moved, seconded by Councilor Miller, to amend Ordinance No. 2010-08, Section 5.255(1), by striking out language to prohibit construction activities from occurring on Sunday.

Council Discussion:

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

ROLL CALL VOTE MOTION TO AMEND: AYES: Councilors Johnston, Lowe, Miller, and Mayor Truax. NOES: Councilors BeLusko, Jr., Thompson, and Uhing. MOTION CARRIED 4-3.

Mayor Truax announced the above-noted motion passed, and as a result, the Council approved to strikeout language to prohibit construction activities from occurring on Sunday.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of February 14, 2011, as amended pursuant to the above-noted motion.

Elsner read Ordinance No. 2010-08 by title for second reading as amended pursuant to the above-noted motion.

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

7. **PUBLIC HEARING AND FIRST AND SECOND READING OF ORDINANCE NO. 2011-04 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)**

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**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**

Staff Report:

Foster and Cole presented the above-proposed ordinance for Council consideration, noting the proposed ordinance is assessing the final costs to property owners (listed in Exhibit A) who voluntarily consented to sidewalk repairs pursuant to the City-Wide Voluntary Sidewalk Local Improvements District Program. Foster and Cole reported the first phase of program began December, 2010, and is expected to be completed soon, noting rather than waiting until all sidewalk repairs are completed, staff is submitting for Council consideration the completed projects on a monthly basis so reimbursement costs to the City can be assessed immediately thereafter. Cole outlined the repayment terms, noting property owners who submit installment agreements for payment option 1B, pursuant to Resolution No. 2010-67, the installment period will be 60 months at an interest rate of 4.25% with no pre-payment penalty. For property owners who submit installment agreements for payment option 1C, the installment period will be 120 months at an interest rate of 6.50% with no pre-payment penalty. Property owners whose payment becomes delinquent will be assessed a penalty of \$10 per every 30-day period payments are or remain delinquent. Cole advised the assessments would be listed in the City's lien docket and if unpaid (along with accrued and unpaid interest and penalties), the City could lien pursuant to ORS. In conclusion, Cole advised staff is recommending Council declare the proposed ordinance as an emergency in order for the City Recorder to file the assessment liens in a timely manner.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2011-04 for first and second reading, declaring an emergency pursuant to City Charter.

Elsner read Ordinance No. 2011-04 by title for first and second reading, declaring an emergency pursuant to City Charter.

MOTION: Councilor Lowe, moved, seconded by Councilor BeLusko, Jr. , to approve First and Second Reading and adopt Ordinance No. 2011-04 Specifying the Assessments to be made on properties

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pecially 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.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Written Objections Received:

No written objections to the assessments were received prior to the published deadline of February 28, 2011, 7:00 p.m.

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.

Council Discussion:

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

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

8. RESOLUTION NO. 2011-20 ADOPTING COMMUNITY ENHANCEMENT PROGRAM (CEP) PROCESS FOR FISCAL YEAR 2011-12 AND REPEALING RESOLUTION NO. 2010-19

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting staff is seeking Council approval to adopt the Community Enhancement Program (CEP) application process as

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amended for Fiscal Year 2011-12. Downey reported the Council met in work session at the Council Retreat on February 19, 2011, to discuss the CEP application process and funding allocation, noting staff has modified the process based on comments heard at the Council retreat. Downey indicated the Council will be asked to follow the funding allocation process for Fiscal Year 2011-12 as outlined in the attached Exhibit A, noting after CEP presentations, Councilors will score the projects by allocating funds to each project. No Councilor can allocate more than one-seventh of an individual project's requested funds and at least four Councilors must ultimately allocate funding to a particular project or that project will not be funded. Downey reported the amount of CEP funds available for distribution have significantly decline due to a lesser amount of tonnage being collected at the transfer station, noting in the current year, \$75,689 in grants was funded and in Fiscal Year 2011-12, the funding available to distribute, including 25% of the Fund Balance, is projected to be \$61,110 or \$8,730 per Councilor. In conclusion, Downey reported as directed by Council, staff has removed the hanging baskets project from the CEP funding, approximately \$7,500 will be proposed in the City's operating budget to fund the hanging baskets project.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-20.

Elsner read Resolution No. 2011-20 by title.

MOTION: Councilor BeLusko, Jr. , moved, seconded by Councilor Lowe, to approve Resolution No. 2011-20 adopting Community Enhancement Program (CEP) process for Fiscal Year 2011-12 and Repealing Resolution No. 2010-19.

Council Discussion:

In response to Uhing's inquiry pertaining to unfunded projects from previous year, Downey explained if the funds are not issued to a project, the funds are reallocated back into the fund balance to be used the following year.

In response to Lowe's inquiry pertaining to each Councilor's allotted funds, Downey addressed the various scenarios posed by Lowe, noting a work session will be held to allow Council the opportunity to discuss the projects that did not receive funding allocations from at least four Councilors.

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

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

9. QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING DECEMBER 31, 2010

Downey presented the quarterly financial report ending December 31, 2010, noting the report outlines the revenues and expenditures for each department in the General Fund and revenue and expenditures for all other funds. Downey reported projections should show the City finishing the fiscal year with a surplus, mostly due to vacancies and departments not spending all their budgeted funds. Downey noted property taxes were assessed at 2.3% compared to a projected 3% increase used to prepare the budget, noting this will result in \$38,873 less property taxes for Fiscal Year 2010-11; however, the prior year, property taxes were significantly higher than budgeted so the difference will offset the lower than projected property taxes. Downey reported staff is monitoring Municipal Court, noting citation volume has declined significantly, and as a result, the Court is barely covering operating costs. Downey noted the Building Permits Fund activity is doing better than originally projected when the budget was adopted due to an uptick in activity and higher than budgeted revenue. In conclusion, Downey addressed concerns pertaining to various line items, including the Water Fund revenue and expenditures, noting the City is not generating much additional revenue even after a 6% water rate increase in Fiscal Year 2009-10 and an 8% percent water rate increase in Fiscal Year 2010-11, mostly due to the economic turndown and declining water consumption.

10. RESOLUTION NO. 2011-21 ADOPTING CITY COUNCIL GOALS FOR FISCAL YEAR 2011-12

Staff Report:

Sykes presented the above-proposed resolution for Council consideration, noting at the Council Retreat, held on February 19, 2011, Council collectively agreed to keep the following three key goals as amended for

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Fiscal Year 2011-12:

- GOAL 1 PROMOTE SAFE, LIVABLE, AND SUSTAINABLE
NEIGHBORHOODS AND A PROSPEROUS DYNAMIC,
GREEN CITY**

- GOAL 2 PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN
EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE
CITY**

- GOAL 3 PROMOTE THE INTERESTS AND NEEDS OF FOREST
GROVE IN LOCAL, STATE, AND NATIONAL REGIONAL
AFFAIRS**

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-21.

Elsner read Resolution No. 2011-21 by title.

MOTION: Councilor Miller moved, seconded by Councilor Uhing, to approve Resolution No. 2011-21 Adopting City Council Goals for Fiscal Year 2011-12.

Council Discussion:

Hearing no concerns or 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. ADOPTING CITY COUNCIL TEAM AGREEMENT FOR 2011

Staff Report:

Mayor Truax presented a copy of the Council Team Agreement as amended by Council at the Council Retreat, held on February 19, 2011, noting Council collectively agreed to change one word (~~beware~~ to be aware) noted in bullet number 7 for clarity purposes.

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Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council members reviewed their amended Council Team Agreement.

Hearing no concerns or discussion from the Council, Mayor Truax asked for consensus from the Council to adopt the Council Team Agreement for 2011 as amended.

VOICE 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. In addition, Sykes highlighted the League of Oregon Cities legislative agenda priorities for 2011. Sykes conducted an overview of the 2010 Citizen Attitude Survey, noting 710 citizens responded to the survey, which was slightly higher than previous years. 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.

13. COUNCIL COMMUNICATIONS:

BeLusko reported on Economic Development Commission (EDC)-related and Public Arts Commission (PAC)-related activities, tasks, and discussion topics. In addition, BeLusko reported on various meetings and events he attended and other information of interest and reported on various upcoming meetings and events he was planning to attend.

Johnston reported on Public Safety Advisory Commission (PSAC)-related activities, tasks, and discussion topics. Johnston reminded Council about the upcoming Joint Work Session with Forest Grove Rural Fire Protection District, which is scheduled for Monday, April 4, 2011. 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 Mayor Truax for the excellent job he did in presenting the *State of the City Address*.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 28, 2011 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 13**

Lowe reported on various upcoming meetings she was planning to attend.

Miller reported on Committee for Citizen Involvement (CCI)-related activities, tasks, and discussion topics. In addition, Miller reported on various upcoming community-related events and meetings she was planning to attend.

Thompson reported on Community Forestry Commission (CFC)-related activities, tasks, and discussion topics; reported on Forest Grove Senior and Community Center-related activities and information of interest; and reported on Ride Connection-related activities, grants, and services. In addition, Thompson reported on upcoming meetings he was planning to attend.

Uhing reported on Historic Landmarks Board (HLB)-related activities, tasks, and discussion topics. In addition, Uhing reported on 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 on his plans to attend the upcoming National League of Cities Congressional Conference in Washington, DC, noting he will be meeting with congressional leaders during his visit. Mayor Truax highlighted the League of Oregon Cities legislative agenda priorities for 2011. In conclusion, Mayor Truax reported on his presentation of the *State of the City Address* and thanked Teri Koerner, Chamber Director, for allowing him to present the City Address at the Chamber Luncheon.

14. ADJOURNMENT:

Mayor Truax adjourned the meeting at 9:55 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

CITY OF FOREST GROVE COMMUNITY FORESTRY COMMISSION MEETING MINUTES - JANUARY 19, 2011

Members in Attendance:

Stephanie Beall, David Hunter, Mindy Laird-Garcia, Sebastian Lawler, Mark Nakajima, Dale Wiley

Members Absent:

Lance Schamberger

Staff and Councilors Present:

Dan Riordan, Steve Huffman, Councilor Ron Thompson

Agenda Items

1. Call to Order and Approval of Minutes

- The meeting was called to order at 1808 hours.
- The meeting minutes for November 17, 2010 and December 15, 2010 were reviewed by the Commission members. Stephanie noted a typo to be corrected in the November 17, 2010 minutes changing "Tree Car Workshop" to "Tree Care Workshop".
- Mark Nakajima moved and Sebastian Lawler seconded that the minutes be accepted as corrected. Motion passed unanimously.

2. Citizen Communication

- There was no citizen communication.

3. New Business

a. Welcome of New Member Sebastian Lawler.

The commission members welcomed Sebastian to the group. Each commissioner, staff member and councilor gave a self-introduction detailing their time with the CFC, their background and education.

b. Election of Officers for Calendar Year 2011

Chair: Mindy Laird-Garcia accepted the nomination for CFC Chair. It was moved by Sebastian and seconded by Dale that Mindy be elected chair of the CFC for 2011. The motion passed unanimously.

Co-Chair: David Hunter accepted the nomination for CFC Co-Chair. It was moved by Dale and seconded by Mark that David be elected co-chair of the CFC for 2011. The motion passed unanimously.

Secretary: Stephanie Beall volunteered to act as secretary.

c. **Goal Setting for Calendar Year 2011**

The CFC set the following goals and made the following project assignments for 2011:

- **Tree City USA and Tree Growth Awards**
 - **Goal:** Complete activities in 2011 to renew Tree City USA status and to earn the Tree Growth Award from the National Arbor Day Foundation.
 - **Lead:** Mindy Laird-Garcia, CFC Chair
 - **Support:** All commission participants.
 - **Discussion:** Dan noted that our 2010 Tree City USA and Tree Growth Awards have been approved and that the CFC's goals for 2011 should meet application requirements.

- **Tree Board University**
 - **Goal:** To have all CFC members complete the Tree Board University program in 2011. This program is hosted by the National Arbor Day Foundation.
 - **Discussion:** David mentioned that he had completed the online course for certification. The group decided it would be good for all CFC members to complete the course as it is sponsored by the National Arbor Day Foundation and by Oregon Department of Forestry Paul Reis. It may qualify on the Tree City USA and Tree Growth applications.

- **Tree Care Workshop**
 - **Goal:** To hold two tree care / planting workshops open to Forest Grove Residents.
 - **Lead:** David Hunter
 - **Support :** Dale Wiley and Sebastian Lawler
 - **Scheduled Workshops:** April 30, 2011 and November 19, 2011.
 - **Location:** Lincoln Park
 - **Discussion:** The group decided to set dates for two tree care workshops. David will be the lead on developing a lesson plan. He would like to target planting as well as general tree care. Stephanie noted that she might have some mortality trees for exhibits after reforestation season. Sebastian and Dale volunteered to help develop the workshops. David will have a draft lesson plan for the April workshop to the group by the April 20th meeting.

- **Calendar Fund Raiser**
 - **Goal:** To produce a 2012 calendar to be sold as a CFC fundraiser.
 - **Lead:** Stephanie Beall
 - **Discussion:** Stephanie is expecting to see photos from Pacific students in April for the calendar. Dale noted that the OSU online tree resource has a lot of photographs that would also be appropriate for the calendar. The target is to have calendars for sale by the June Farmers Market.

- **Commemorative Trees**
 - **Goal:** To create a program providing citizens the opportunity to be commemorated by a tree in the city for a donation.
 - **Lead:** Mark Nakajima
 - **Discussion:** Mark and his son are continuing work on the program.

- **Tree Inventory**
 - **Goal:** To complete a tree inventory of street and register trees in the targeted area of Painters Woods and a random sampling city wide.
 - **Lead:** Mindy Laird-Garcia
 - **Support:** Lance Schamberger, Interns, Dan Riordan
 - **Discussion:** Mindy will work with Dan to orient the interns for the project. There will be accompanying photo documentation of the trees.

- **Tree Tour Brochure**
 - **Goal:** Update and produce second edition of Tree Tour Brochure by the April 2011 Tree Care Workshop.
 - **Lead:** Sebastian Lawler
 - **Support:** Dan Riordan
 - **Discussion:** The Tree Tour Brochure has been a hit – it consistently runs out of stock. It needs some updating and re-formatting. Sebastian will get the current version on disk from Dan and will have a draft for review by the March meeting. The goal is to have brochures as a handout in at the April Tree Care Workshop.

- **Grants**
 - **Goal:** To obtain funding for tree planting and arborist inspections.
 - **Lead:** Stephanie Beall and Mindy Laird-Garcia
 - **Discussion:** Stephanie will work with Mindy on the FG Community Enhancement Grant and will explore eligibility / feasibility of an OWEB grant. The Community Enhancement Grant is due in March – the CFC will be requesting money for arborist inspections for registry trees (about 5 properties, up to 3 trees per property, est. \$175 per inspection) and for money to fund a Neighborwoods contract tree planting targeting the Painters Woods historic district. Dan will check with James Holan regarding the tree installation fee.

- **Oak Project**
 - **Goal:** To produce items from oak planking for distribution, recognition, and fundraising.
 - **Lead:** Dale Wiley and Steve Huffman

- **Discussion:** The group looked at the oak planking in the parks shop. The group decided that some of the items that should be made are: name plate holders for the City Council and a sign for the CFC.

4. Project Reports

- Project Reports were covered during the Goal Setting portion of the agenda. Assignments were updated as per that agenda item.

5. Other Business

- David Hunter raised a concern about the City of Forest Grove sidewalk project that is currently in progress is violating the City's Tree Ordinance. He tried to address these concerns with the engineering department and felt that his concerns were not given appropriate consideration. David asked for action by the CFC to address the situation.
- The recommended actions are:
 - for the CFC to communicate via letter to the City of Forest Grove Planning and Engineering departments that the project as observed didn't adhere to code or even to best practices.
 - For the CFC to request a review presentation of the sidewalk project including the inventory identifying registered and street trees, particularly those impacted by the project.
- Stephanie will work to draft an appropriate letter from information provided by David via e-mail.
- David Hunter mentioned that the annual Oregon Urban Forestry Conference will be June 2 in Portland. It was moved by Dale and seconded by Mark for the CFC to fund two delegates to the conference. The motion passed unanimously. David will be one of the delegates.

6. Adjourn

- It was moved by David and seconded by Sebastian that the meeting be adjourned at 1945 hours. The motion passed unanimously and the meeting adjourned.

Monthly Building Activity Report

February-11

2010-2011

Category	Period: February-10		Period: February-11	
	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Sing-Family New	6	\$1,237,487	3	\$980,140
SFR Addition & Alt/Repair			6	\$52,048
Mult. Fam. New/At	1	\$8,807		
Group Care Facility				
Commercial New				
Commerical Addition				
Commercial Alt/Repair	2	\$41,000	4	\$502,920
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs	1	\$10,000		
Grading				
Demolitions				
Total	10	\$1,297,294	13	\$1,535,108

Year-to-Date

2009-2010		2010-2011	
Permits	Value	Permits	Value
113	\$15,868,953	147	\$17,032,591

**FOREST GROVE CITY LIBRARY
CIRCULATION STATISTICS REPORT: FEBRUARY 2011**

	JAN 2011	DEC 2010	JAN 2010
MONTHLY TRAFFIC			
Eye Count (Daily count of patrons for month)	15,619	15,161	16,436
Number of Days Open to the Public:	24	24	24
New Registrations (New Patron card issued)	161	122	154
CIRCULATION:			
Total Check-outs:	34,782	31,270	30,658
Total Check-ins:	24,790	23,485	22,871
ILLs (Inter-library loans/out of county):	114	86	103
COURIER:			
Intra-library Holds to Forest Grove:	14,141	12,637	11,237
Intra-library Holds from Forest Grove:	9,555	9,236	8,104
PROGRAMS:			
Adult Programs	9	6	1
Adult Attendance at Adult Programs	80	46	10
Youth Programs (Children and Teens):	21	18	17
Youth Attendance at Children's Programs	446	226	369
Adult Attendance at Children's Programs:	232	133	201
# of families at Early Childhood Discovery Time	15	24	NA
REFERENCE:			
Reference Questions	NA	NA	NA
SELF CHECK-OUT:			
Self-Check Out Patrons Accepted	974	974	1,180
Self-Check-Out Patrons Denied	435	417	140
Self-Check-Out Total Items	3,830	3,871	4,416
Self-Check-Out Items Denied	45	42	41
Self Check-Out Items Renewed	37	30	34
VOLUNTEERS:			
Number of volunteers	34	41	26
Volunteer hours	443	482	213
COMPUTER USE:			
# of sessions	2,882	2,569	2,834
Total user hours	1,619	1,444	1,754
Average session time in minutes	33	34	37

MEMORANDUM

TO: Mayor Peter Truax and City Councilors

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

DATE: March 28, 2011

SUBJECT: Appointment to Committee for Citizen Involvement

BACKGROUND:

There currently exists one vacancy on Committee for Citizen Involvement (CCI). Susan Aguilar, who is currently serving on Public Safety Advisory Commission since 2006, has advised staff that she is interested in serving on CCI as well. Resolution No. 2006-10 allows members to serve on more than one board, committee for commission. Staff finds that Susan Aguilar's qualifications are well suited to serve on CCI; refer to her attached application.

STAFF RECOMMENDATION:

Staff is recommending the City Council consider approving at the Council meeting of March 28, 2011, a resolution appointing Susan Aguilar to the Committee for Citizen Involvement to fill a vacancy, term expiring December 31, 2014. If Council desires not to make this appointment, Council may reject placing this item on the Consent Agenda and/or discuss separately.

RESOLUTION NO. 2011-22

**RESOLUTION MAKING APPOINTMENTS
TO THE CITY OF FOREST GROVE
COMMITTEE FOR CITIZEN INVOLVEMENT**

WHEREAS, the City of Forest Grove has provided for a Committee for Citizen Involvement;
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 Committee for Citizen Involvement; and

WHEREAS, the City Council has received applications from citizens desiring to serve on
the Committee for Citizen Involvement, and subsequently interviewed citizens making application
for service on this Committee.

**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
Committee for Citizen Involvement for the following term (new appointment noted in **CAPS** and
BOLD and reappointment noted in **BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>
AGUILAR	SUSAN	DECEMBER 31, 2014
Bartlett	Josiah	December 31, 2011
Greenfield	Deborah	December 31, 2011
Hua	Len	December 31, 2014
Kottkey	Kristy	December 31, 2013
Nkiwane	N. Mo	December 31, 2011
Perrault	Michael	December 31, 2011

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

PRESENTED AND PASSED this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter B. Truax, Mayor



FOR CITY USE ONLY
 (Please return to City Record 35.1)
 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: Ballad Town Billiards

APPLICANT/BUSINESS ADDRESS: 2036 Pacific Avenue – Forest Grove

EVENT DATE/LOCATION: _____

CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED:
Application is being made for

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

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Kerry Aleshire, Chief of Police
 - or Designee

3-11-11

Date



FOR CITY USE ONLY
(Please return to City Recorder)

3.5.2

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: La Sierra Mexican Restaurant

APPLICANT/BUSINESS ADDRESS: 2331 Pacific Avenue – Forest Grove

EVENT DATE/LOCATION: _____

CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED:

Application is being made for

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

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

3.11.11
Date



FOR CITY USE ONLY 35.9
(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: McMenamins Grand Lodge

APPLICANT/BUSINESS ADDRESS: 3505 Pacific Avenue – Forest Grove

EVENT DATE/LOCATION: _____

CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED:
Application is being made for

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

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

3.11.11
Date



FOR CITY USE ONLY (Please return to City Recorder) 35.4

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: My Place Tavern
APPLICANT/BUSINESS ADDRESS: 1930 21st Avenue - Forest Grove
EVENT DATE/LOCATION:
CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED: Application is being made for

Form with three columns of license options: ACTION (Renewal checked), FULL ON-PREMISES SALES, LIMITED ON-PREMISES SALES (checked), BREWERY - PUBLIC HOUSE, OFF-PREMISES SALES, and various business types.

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

3.11.11
Date



FOR CITY USE ONLY
 (Please return to City Recorder)

35.4

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: Super Mercado La Montana
APPLICANT/BUSINESS ADDRESS: 1905 Mountain View Lane, Suite 100 – Forest Grove
EVENT DATE/LOCATION: _____
CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED:
Application is being made for

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

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

3.11.11
 Date



FOR CITY USE ONLY
(Please return to City Recorder)

35-7

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: The Friendly Vine

APPLICANT/BUSINESS ADDRESS: 2004 Main Street – Forest Grove

EVENT DATE/LOCATION: _____

CITY BUSINESS LICENSE: Issued

TYPE OF LICENSE REQUESTED:

Application is being made for

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

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

3.11.11
Date

2010 SIDEWALK IMPROVEMENT PROGRAM (SIP)

End of Project Report

March 28, 2011

Report

- **The 2010 SIP is nearing an end. The property owners were very happy with the program and were satisfied with the how the entire process evolved.**
- **Approximately 12,000sf of sidewalk was replaced and 7 new wheelchair ramps were installed as part of the project.**

Statistics

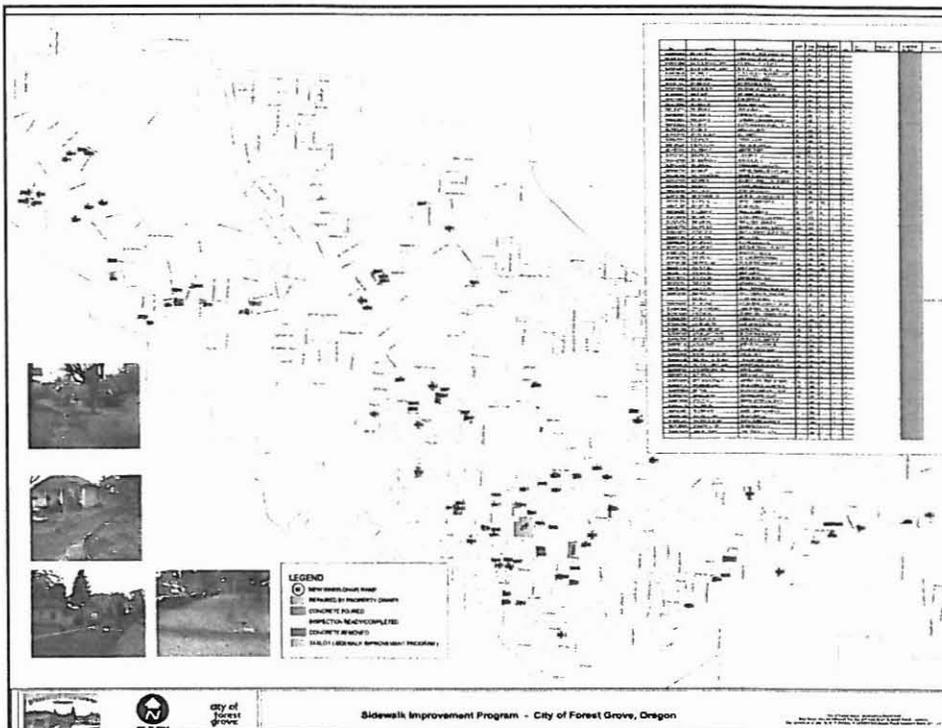
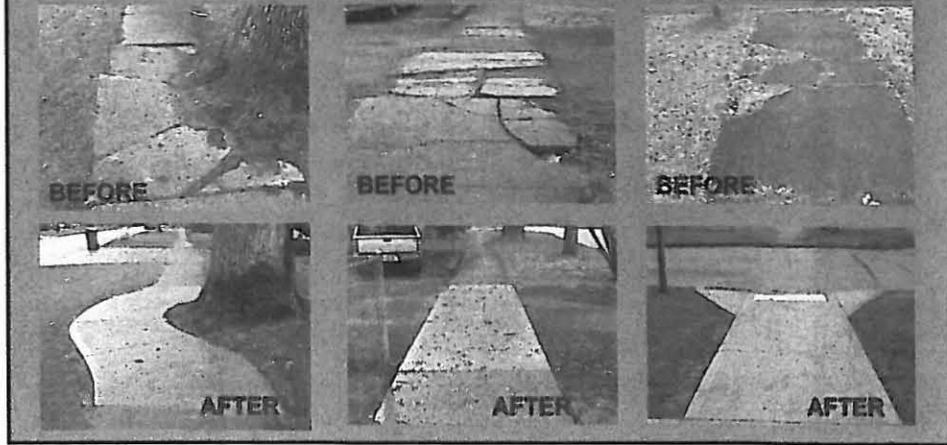
The City notified 659 property owners with defective sidewalk segments adjacent to their property.

Of the 659 property owners that were notified, 74 (or 11.23%) participated in the program.

Additional Statistics

27 (or 4.1%) of the notified property owners repaired the damaged segments on their own. These property owners applied for a City excavation permit and hired a private contractor to complete the work for them.

Project Photos



Upcoming News

Upon the City Council's consensus, the Engineering Department will start this year's Sidewalk Improvement Program.

Questions? Comments?

The End



First & Second Reading
Declaring An Emergency

March 28, 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; 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 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 nearly complete. Rather than wait until all sidewalk repairs are completed, those repairs that are completed each month will be batched 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: The February sidewalk repairs amounted to \$7,679. Because some property owners have chosen to pay the City back over time, some of the assessments include interest, increasing the total amount assessed by the City to \$8,005. 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. 2011-05 as an emergency so staff can assess those properties that benefitted from sidewalk repairs completed in February, 2011.



March 17, 2011

NewsTimes

Legal Ads/Public Notice:

To be published: Wednesday, March 23, 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, March 28, 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 (30th) 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
STAGNITTI MELANIE R & JON M	1S306BA06800	\$3,245.10
WEDELL ELIZABETH B	1S306BA02600	\$1,631.41
RUIZ VIRGIL & CINDY W	1S306BA04801	\$536.80
DOUGLAS CENTER COMPANY	1S306BA03300	\$838.75
DOUGLAS CENTER COMPANY INC	1S306BA01400	\$1,753.13

The calculation of the proposed final assessment(s) was made consistent with the methodology adopted by the Forest Grove City Council at it 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 March 28, 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. 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.

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

To be published Wednesday, March 23, 2011

First & Second Reading
Declaring An Emergency

ORDINANCE NO. 2011-05

6.

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; 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 \$8,005.18;

WHEREAS, the City Recorder has, consistent with FGMC 3.440, sent notice to each affected property owner the necessary information and has received zero timely objections to the assessments; and

WHEREAS, the City Council has held a duly-noticed Public Hearing on March 28, 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 (\$8,005.18) 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 Council Resolution 2010-67.

Section 3. For those property owners who chose payment option 1B of Council Resolution 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 May 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 Council Resolution 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 May 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 28th day March, 2011.

PASSED the second reading this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter B. Truax, Mayor

Exhibit A
Sidewalk Assessment Roll

Sidewalk Completion Report

Tax Lot ID	Address	Property Owner	Assessment
1S306BA06800	1839 ASH ST	STAGNITTI MELANIE R & JON M	\$ 3,245.10
1S306BA02600	1919 CEDAR ST	WEDELL ELIZABETH B	\$ 1,631.41
1S306BA04801	2217 19TH AVE	RUIZ VIRGIL & CINDY W	\$ 536.80
1S306BA03300	2337 19TH AVE	DOUGLAS CENTER COMPANY	\$ 838.75
1S306BA01400	2338 PACIFIC AVE	DOUGLAS CENTER COMPANY INC	\$ 1,753.13
			\$ 8,005.18

**REPORT AND ORDINANCE ON THE PROPOSED VACATION
OF 27TH PLACE, A SEGMENT OF OSBURN STREET,
AND ABUTTING PUBLIC UTILITY EASEMENTS
FILE NO. VAC-11-00105**

PROJECT TEAM: James Reitz, AICP, Senior Planner
Rob Foster, Public Works Director
Jon Holan, Community Development Director
Michael Sykes, City Manager

ISSUE STATEMENT: Two street segments and two public utility easements were dedicated as part of the now-defunct Karen's Glenn Planned Residential Development. Neither the streets nor the easements have been improved with any facilities. The abutting land has now been sold to a new developer. Staff has developed a realigned street configuration that would better serve both the City and the new applicant. To accommodate the realigned right-of-way, the existing streets and utility easements must be vacated.

RECOMMENDATION: Staff recommends that the City Council approve the vacation of 27th Place, the segment of Osburn Street between 27th Place and 28th Place, and the abutting ten-foot-wide public utility easements.

BACKGROUND: In 2008 27th Place and a segment of Osburn Street were deeded as public right-of-way as part of the Karen's Glenn PRD. Also dedicated was the standard ten-foot-wide public utility easement abutting these two streets. The Karen's Glenn project is now defunct. The right-of-way was never improved with streets or utilities; it exists only on paper.

The site has been sold to a new developer who proposes to use it for an apartment project. While the applicant's project could be designed using the existing right-of-way, staff believes that the right-of-way should be redesigned to provide for better traffic flow in the neighborhood. To do so would require vacation of the existing right-of-way. The application for the apartment complex - with the new street alignment - has been submitted and is undergoing completeness review. Approval of the apartment project would be conditioned on the dedication of new right-of-way.

Vacation of right-of-way is regulated by ORS Chapter 271. In the usual case, an applicant files a petition with the City. This petition must have the signatures of the owners of all abutting properties, plus the owners of at least two-thirds of a defined area (ORS 271.080). Statute also provides an alternative to initiate vacation proceedings: ORS 271.130 allows the City Council to initiate and make such vacation without a petition or consent of the abutting property owners. The City Council made that motion on February 14, 2011.

All relevant utility companies were mailed notice of the vacation request on February 22, 2011. As of the date of this report, no objections or concerns have been received.

The vacation procedure is as follows.

- (A) A hearing date must be set. *The Council set the hearing date for March 28, 2011.*
- (B) Notice of the hearing must be published in the local paper as least once a week for two consecutive weeks prior to the hearing, and notice must be posted at or near each end of the proposed vacation.

Notice was published in the Forest Grove News-Times on March 16 and 23, 2011. Notice was posted at or near the proposed vacation site on March 10, 2011. Notice was mailed to property owners and residents within 400 feet of the site (to include the affected area as defined by statute), on March 7, 2011.

Notice was also provided to area utility providers including Frontier, Northwest Natural Gas, and AT&T. No objections to the proposed vacation have been received from any utility provider.

- (C) At the hearing, the Council must determine if a majority of the owners of the area affected have objected in writing to the vacation. Affected property is defined as that land lying on either side of the street for a distance of 200 feet, and the land beyond each terminus for a distance of 400 feet, of the part of the street proposed for vacation. The calculation of affected property does not include public right-of-way. *Staff has received several phone calls from nearby residents, all of whom were simply unaware that these rights-of-way existed. As of the writing of this report, no objections have been received from any property owner or residents within the notification area.*
- (D) Rights-of-way may not be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. *The abutting property owner supports the vacation of these rights-of-way and easements. The abutting property owner will deed to the public a reconfigured right-of-way that will provide a more direct route between 28th Place and Juniper Street, and that will consume less land than the current alignment.*
- (E) If matters are determined in favor of the vacation, the City shall by ordinance make such determination a matter of record and vacate the right-of-way. *An ordinance to vacate the requested area is attached.*
- (F) The City may, upon hearing, make such reservations (conditions) as appear to be for the public interest. *As no improvements of any kind are present in these rights-of-way or public utility easements, no reservations are necessary.*



NOTICE OF STREET and EASEMENT VACATION

A Public Hearing will be held before the Forest Grove City Council to review the following:

PROPOSAL: Vacation of the public rights-of-way for 27th Place and a segment of Osburn Street, and the abutting 10-foot-wide public utility easements

Applicant: City of Forest Grove

File Number: VAC-11-00105

CRITERIA: Applicable criteria for review and approval of this request are contained in Oregon Revised Statutes Chapter 271.005 through 271.170.

This Public Hearing before the City Council will take place on **Monday, March 28, 2011, at 7:00 p.m.** The hearing will be held in the Community Auditorium, 1915 Main Street, in Forest Grove. At such time and place all persons will be given a reasonable opportunity to give testimony for or against this proposal. If an issue is not raised in the hearing (in person or by letter) or if the issue is not explained in sufficient detail to allow the City Council to respond to that issue, then that issue cannot be used as the basis for an appeal.

If additional documents or evidence is provided in support of the application, any party shall be entitled to a continuance of the hearing. Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing.

Information pertaining to this proposal may be obtained from Senior Planner James Reitz at the Community Development Department, 1924 Council Street, (503) 992-3233, between 8 a.m. and 5 p.m. (jreitz@forestgrove-or.gov). The staff report will be available seven days prior to the hearing; copies will be available at cost. This notice is sent by the authority of the Forest Grove City Council.

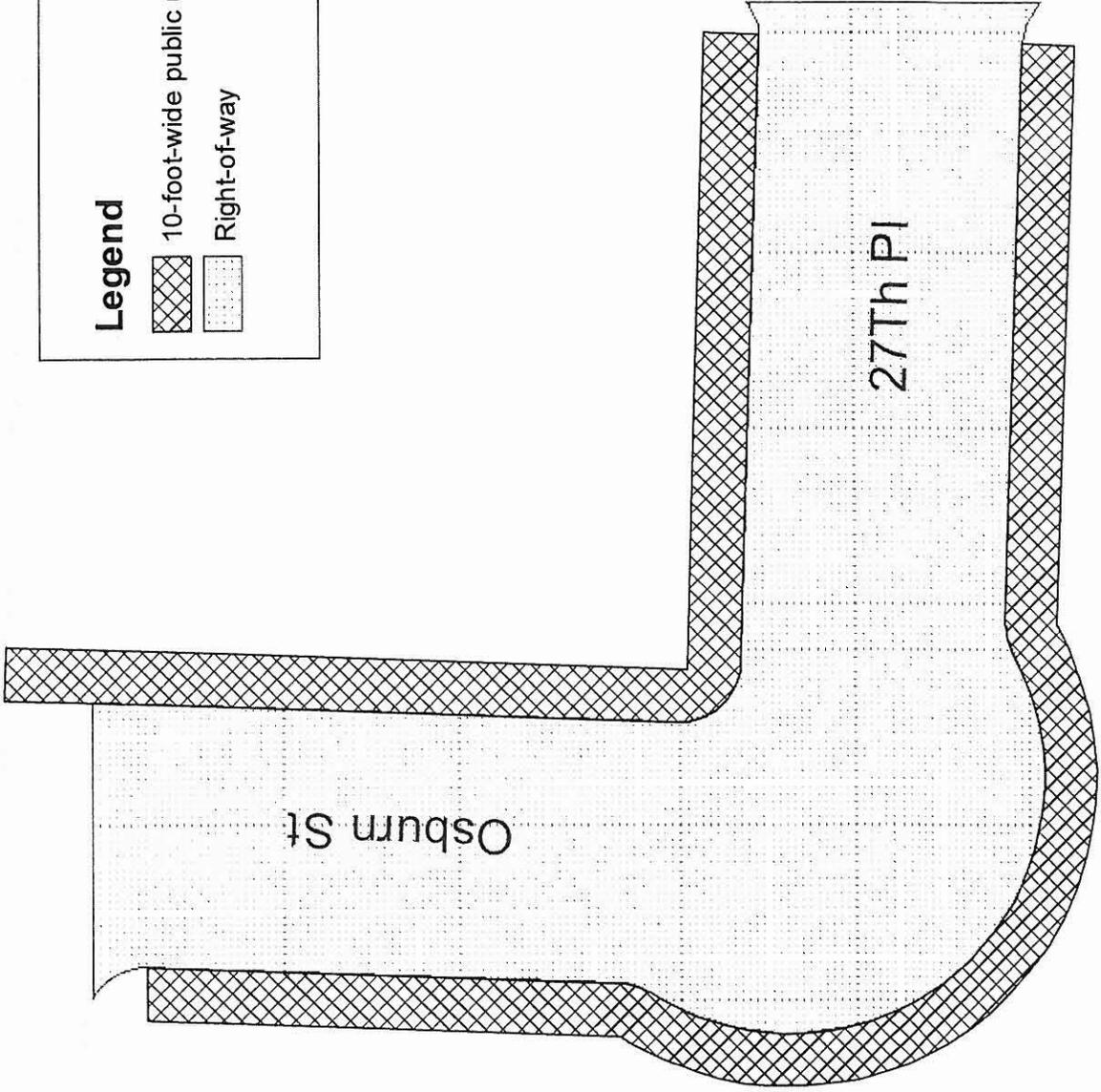
Anna Ruggles, CMC, City Recorder

To be published March 16 and 23, 2011

28 Th PI

Legend

-  10-foot-wide public utility easement
-  Right-of-way



NOT TO SCALE

First Reading M.

ORDINANCE NO. 2011-06

**ORDINANCE VACATING 27TH PLACE, A SEGMENT OF OSBURN STREET,
AND THE ADJACENT PUBLIC UTILITY EASEMENTS
FILE NO. VAC-11-00105**

WHEREAS, the Forest Grove City Council initiated the vacation of 27th Place, a segment of Osburn Street, and the adjacent ten-foot-wide utility easements on February 14, 2011, pursuant to ORS 271.130; and

WHEREAS, the City Council held public hearings concerning this vacation on March 28 and April 11, 2011 and has made a determination pursuant to ORS 271.120 on the basis of the findings contained in Section 1 below.

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

Section 1. The following findings are hereby adopted:

- (1) Notice of the proposed vacation was published in the *Forest Grove News-Times* on March 16 and 23, 2011, as required by ORS 271.110(1).
- (2) Notice of the proposed vacation was posted on and adjacent to the site proposed for vacation on March 10, 2011, as required by ORS 271.110(2).
- (3) Notice of this proposal was mailed on March 7, 2011, to property owners and residents within 400 feet of the site, as required by Development Code Section 10.1.170.
- (4) The existing rights-of-way and easements are unimproved with either streets or utilities.
- (5) Vacation of these rights-of-way is required in order to allow for a reconfigured roadway alignment which will still connect 28th Place and Juniper Street.
- (6) Based upon the above findings, the public interest will not be prejudiced by the vacation of 27th Place, a segment of Osburn Street between 27th Place and 28th Place, and the adjacent ten-foot-wide utility easements, as described herein.

Section 2. On the basis of the above findings, 27th Place, a segment of Osburn Street between 27th Place and 28th Place, and the adjacent ten-foot-wide public utility easements as described in attached Map Exhibit "A" are hereby vacated.

Section 3. This ordinance shall be effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading this 28th day of March, 2011.

PASSED the second reading this 11th day of April, 2011.

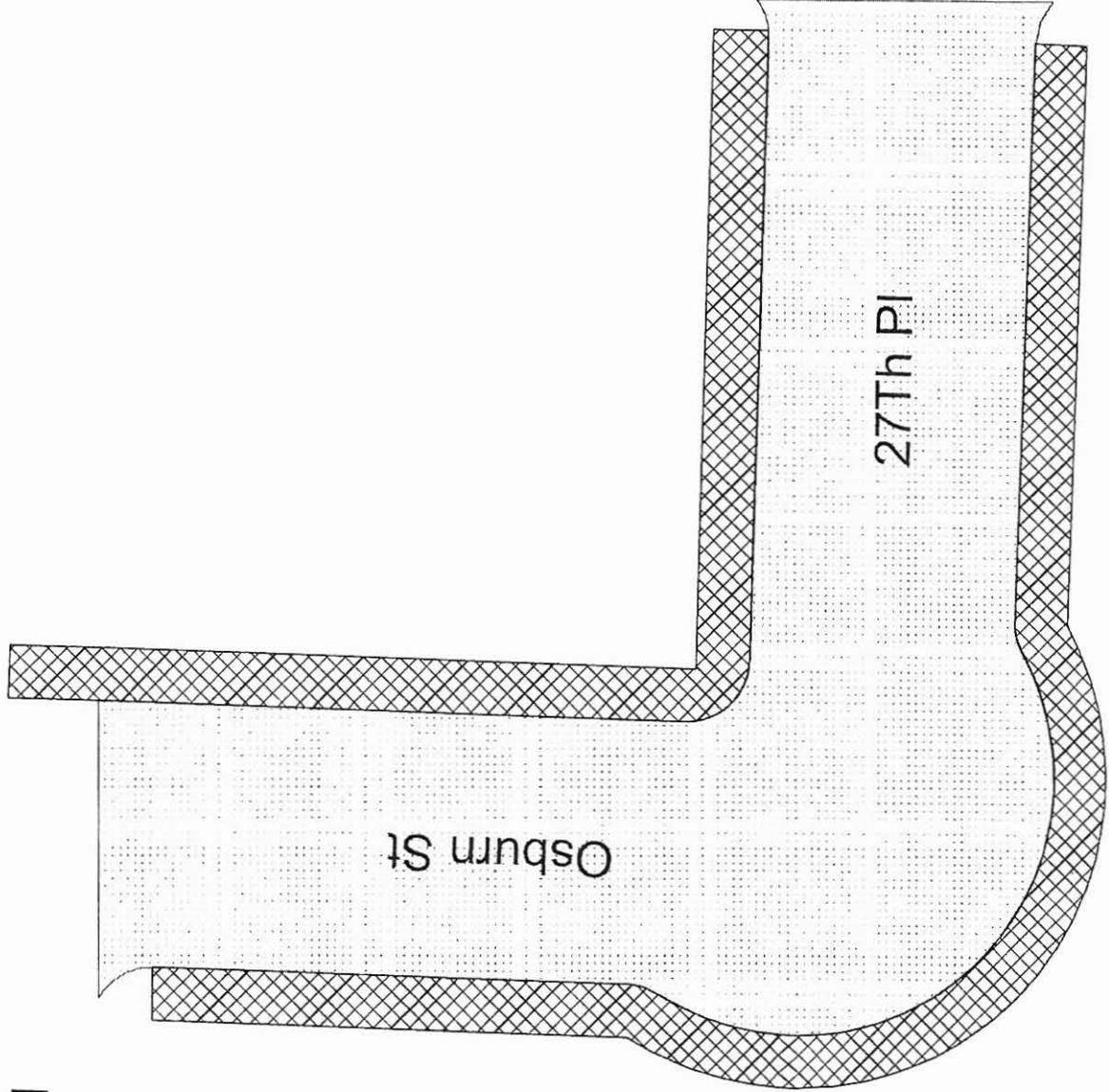
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2011.

Peter B. Truax, Mayor

EXHIBIT A

28 Th PI



NOT TO SCALE

Legend

-  10-foot-wide public utility easement
-  Right-of-way

March 28, 2011

8.

**REPORT AND RESOLUTION ADOPTING BUSINESS INCENTIVE PROGRAM
FOR OCCUPYING VACANT SPACE BY WAIVING CERTAIN FEES AND
CHARGES AND SETTING AN INSTALLMENT PAYMENT PLAN PROGRAM
FOR FINANCING WATER SYSTEM DEVELOPMENT CHARGES**

PROJECT TEAM: Jeffrey King, Economic Development Coordinator
Michael Sykes, City Manager

ISSUE STATEMENT: The deep recession has resulted in significant job loss and failed businesses. In Forest Grove, as in other communities across Oregon, there is an increase in vacant industrial, commercial and storefront space. In some cases this can also lead to a reduction in assessed property taxes. In this changed economic environment, businesses are scrutinizing all costs closely. Furthermore, some of our competitor cities in the Portland metro area are offering incentives for occupying vacant buildings. To help support business attraction and local expansion and retention, staff is proposing temporary financial incentives to reduce financial barriers for businesses occupying vacant space and allow for an installment payment plan for financing any water system development charges that may arise.

DISCUSSION: The effects of the recession will continue to have an impact on Forest Grove and Oregon's economy over the near term of several years. In Forest Grove, 16 industrial buildings account for 631,530 square feet (sf) of vacant space (3 buildings account for over half of that number) and another 16 commercial/retail spaces totaling 53,640 sf are also vacant. States and communities are as competitive as ever to create more business activity that will add jobs and fill vacant space. Gresham, Troutdale, Beaverton, and soon Hillsboro have enacted incentives to fill available space.

In response to both the impacts of the recession and the actions of competitor communities, staff has proposed a modest program of incentives to encourage businesses to occupy vacant buildings/space. The incentives would be temporary until the area's economy more fully recovers. The incentives are designed to last until June 30, 2012, and then will automatically sunset unless council chooses to continue the programs. The incentive elements and program eligibility are:

Incentives:

- Waiver of business license fee. Fee savings of up to \$275
- Fee waiver of Building Permit, including 12% state surcharge, Fire and Life Safety and Structural fees up to \$5,000

- Fee waiver of Site Plan Review fees up to \$2,000
- Waiver of Sign Permit fees up to \$1,000 if the applicant meets certain design standards.
- Water System Development Fee can be paid over a period up to 5 years; an interest rate would be charged and a lien placed on the property.

Eligibility:

- Receive a permanent Certificate of Occupancy for a commercial/industrial tenant between April 1, 2011 and June 30, 2012.
- Occupy a vacant building or space.
- Be new to the City **OR** the business currently exists within the City and is:
 - expanding into adjacent commercial/industrial space; or
 - opening a new additional satellite location; or
 - relocating from a former location and will increase square footage by at least 10%
- Sign an agreement with the City covering terms, obligations and timeliness.

Not Eligible: The following do not qualify for incentives:

- Expands by new construction either as a new building or new addition.
- Government office or agency;
- Relocates or expands but occupies less than 10 percent additional square footage at the new or expanded location.
- Applies for permits limited to the repair and/or maintenance of structures at the business's existing location without expanding.
- Fails to begin construction within 30 days of issuance of a commercial/industrial tenant improvement building permit or fails to obtain a permanent Certificate of Occupancy within 180 days of issuance of permit and before June 30, 2012.

While businesses occupying a vacant space of any size are eligible. This proposal is of value to the entire business community including large and medium sized businesses. It could be packaged with other incentives such as enterprise zones, energy conservation funding and state programs. It would also provide an opportunity to provide a sustained message that Forest Grove continues to provide a supportive environment for business and values new jobs. This proposal has been reviewed and approved unanimously by the Forest Grove Economic Development Commission.

FISCAL IMPACT: The maximum incentive a business can receive under this program is \$8,275. However based on our research it is unlikely that an individual business will actually get that close to \$8,275. This is based on several reasons. 1) Creating additional vacant space through new construction is ineligible, 2) to receive the maximum fee waiver of \$5,000 from the building permit incentive element, a business would have to spend \$370,000 in tenant improvements, 3) our research on commercial and residential occupancy of 7,500 sf or less (see Attachment A) showed that if this program had been in place over the last three years an average of 4 small businesses a year would qualify. The loss in building

permit fees was an average of \$278. Total loss to the City averaged \$1,112 a year. In the attached study, the two largest projects listed would most likely not even be eligible for this incentive as it appears that one project converted existing office space into physical therapy space and the second was a speculative improvement by a building owner, 4) this is a targeted incentive with a limited duration. Only projects between April 1, 2011, and June 30, 2012, are eligible and only those businesses occupying vacant space.

The waiver of site plan review fees is up to \$2,000. The cost of site plan review is based on the hourly rate of community development staff time. The Community Development Director has stated that for tenant improvement projects, the cost of staff time almost never reaches \$2,000.

Assuming that there would be one larger project of up to \$100,000 in tenant improvements and 5-6 smaller projects occupying vacant space, we estimate a total "cost" of fees foregone to be in the \$10,000 range. However these are fees are from businesses that may not locate or expand in Forest Grove without incentive and other recruiting activities. The 12% surcharge on building permits fees would still need to be paid to the state by the City. Based on the above projections we estimate this hard cost at \$600-\$1,000.

STAFF RECOMMENDATION: Staff is recommending that the City Council approve the accompanying resolution authorizing the Business Incentive Program to encourage the occupancy of vacant commercial and industrial space.

ATTACHMENT A

Business Vacancy Incentives Program Building Permit Valuation—Potential Project Incentive

Type of Project	Value of the work	Building Permit Fee w/12% surcharge & Plan review that would be waived
Large/extensive	\$370,000	\$5,000
Major Remodel	\$200,000	\$3,082
Remodel/upgrades, Add/remove walls, accommodate new use	\$100,000	\$1,986

Date	Permit #	Business	Valuation of Tenant Improvements	Permit Fee (includes all components)
	Bldg 08-00008	Cascade Investments * John Hamilton, 2030 Main St.	\$70,000	\$1,288
	Bldg 08-00067	Wynwood Sr. Living ** convert office space to phy. ther	\$42,619	\$1,163
2/24/10	Bldg 08-00021	Hot Spot 2305A Pacific Ave	\$36,000	\$1,023
8/28/00	Bldg 08-00131	MIC Total Recycle 1280 Fernhill Rd	\$21,280	\$700
11/2/2010	Bldg 10-00955	The Farm Store 1922 19 th Ave	\$11,400	\$342
3/5/10 7/21/10	Bldg 10-00018 Bldg 10-00652	Stecchino Bistro 2014 Main St.	\$6,000	\$210
11/6/10	Bldg 10-00821	Dominos 2835 19 th Ave	\$5,582	\$205
6/12/08	Bldg 08-00083	Izgara 2036 Main St.	\$5,000	\$182
12/16/08	Bldg 08-00192	Caffe Montecassino 1932 21 st Ave	\$2,000	\$115
2/23/09	Bldg 09-00116	Cascade Investments John Hamilton 2030 Main St	\$1,800	\$104
11/20/2008	Bldg 10-00185	Pac Thai 1923 Pacific Ave	\$1,500	\$88
9/3/2010	Bldg 10-00815	Dance School 1819 Pacific Ave	\$1,200	\$84
	Bldg 08-00011	Diamond Place 1921 Main St	\$500	\$53
6/12/09	Bldg 09-00078	Dollar Store 1918 Main Street	\$500	\$53
10/21/08	Bldg 08-00174	FG Sushi 1905 Birch St Expand for to go, no renovations	\$0	\$0

* Most likely would not have been eligible; property owner speculative renovations, no tenant at the time

** Most likely would not have been eligible for incentives, space appears to be vacant prior to remodel; used as office.



March 17, 2011

NewsTimes

Legal Ads/Public Notice:

To be published: Wednesday, March 23, 2011

**NOTICE OF PUBLIC HEARING
PROPOSED RESOLUTION ESTABLISHING BUSINESS
INCENTIVE PROGRAM AND SETTING FEES
FOR THE CITY OF FOREST GROVE**

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing **Monday, March 28, 2011, at 7:00 p.m. or thereafter**, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a resolution that would establish a business incentive program and set fees. The proposed resolution would be effective immediately upon approval by the City Council.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the report and proposed resolution are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent 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, at 503.992.3235

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

To be published Wednesday, March 23, 2011

8.

RESOLUTION NO. 2011-23

**RESOLUTION ADOPTING BUSINESS INCENTIVE PROGRAM
FOR OCCUPYING VACANT SPACE BY WAIVING CERTAIN FEES AND
CHARGES AND SETTING AN INSTALLMENT PAYMENT PLAN PROGRAM
FOR FINANCING WATER SYSTEM DEVELOPMENT CHARGES**

WHEREAS, the United States, Oregon and Forest Grove economies have been experiencing a deep and protracted recession and a slow, uneven recovery; and

WHEREAS, commercial and industrial areas of Forest Grove have been plagued by higher vacancy rates as a result of the recession; and

WHEREAS, a high level of commercial and industrial vacancies detracts from the economic activity of surrounding businesses and threatens even further decline; and

WHEREAS, the establishment and expansion of businesses in Forest Grove will bring new customers and activity that also benefits existing businesses but the current economic conditions are making it difficult, especially for entrepreneurs, to bring their business ideas to market; and

WHEREAS, it is the goal of the City of Forest Grove to support existing business expansion and to encourage new business development through targeted economic development tools which will strengthen and diversify our local economy, and

WHEREAS, Forest Grove Code, Chapter 3, Section 3.808 Collection of Charge for Water System Development Charges, currently allows for financing of Water Systems Development Charges for certain commercial and industrial projects, and

WHEREAS, the Forest Grove City Council has determined that certain fees be waived or reduced for a limited period of time; and

WHEREAS, the City Council held a duly-noticed Public Hearing on March 28, 2011.

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

The City Council hereby authorizes a Business Incentive Program as follows:

Section 1. To qualify for the Business Incentive Program for Vacant Space, a business must:

- Occupy a vacant commercial or industrial building or space that had received approval of final building inspection(s) on or before March 1, 2011
- Be a business that is new to the City or be an existing Forest Grove business that is:

- a. Expanding into adjacent existing commercial or industrial space,
 - b. Opening a new satellite location,
 - c. Relocating within Forest Grove and increasing occupied square footage by 10%.
- Receive a permanent Certificate of Occupancy for a commercial or industrial tenant between April 1, 2011, and June 30, 2012
 - Sign an agreement with the City covering terms, obligations and timeliness.

Section 2. Notwithstanding Section 1, a business does not qualify for the Business Incentive Program if the business:

- Relocates or expands but occupies less than ten percent additional square footage at the new or expanded locations; or
- Expands existing commercial or industrial space by constructing a new building or an addition that adds additional floor area; or
- Converts occupied or vacant residential space to commercial or industrial space; or
- Is a government office or agency; or
- Does not commence tenant improvement construction within thirty days of issuance of tenant improvement building permit, fails to vigorously and continuously perform the construction improvement work, or fails to obtain a permanent certificate of occupancy within 180 days of issuance of the tenant improvement building permit.

Section 3. The fees and charges for a qualifying business as stated in Section 1 of this resolution that are subject to waivers under this Business Incentive Program shall be as described in Exhibit A.

Section 4. The financing plans for a qualifying business as stated in Section 1 of this resolution under this Business Incentive Program shall be as described in Exhibit B.

Section 5. This Program shall automatically sunset on June 30, 2012, unless extended by resolution of the City Council.

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

PRESENTED AND PASSED this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter Truax, Mayor

EXHIBIT A

BUSINESS INCENTIVE PROGRAM AFFECTED FEES AND CHARGES

Fees and charges that are subject to waivers under the Business Incentive Program are:

Waiver of Business License Fee including first time application fee if applicable

Waiver of Building Permit, Fire and Life Safety, and Structural fees including state 12% surcharge, up to \$5,000*

Waiver of Site Plan Review Fees up to \$2,000

Waiver of Sign Permit fees up to \$1,000 if the applicants meet certain design requirements

*payment of 12% state building permit surcharge paid by General Fund

EXHIBIT B

BUSINESS INCENTIVE PROGRAM WATER SYSTEM DEVELOPMENT CHARGES PAYMENT PLAN

A qualified business may make installment payments up to five years for the collection of Water System Development Charges pursuant to Forest Grove Code, Chapter 3, Section 3.808.

- The Water System Development Charges Installment Payment Plan Financing Option Program is for non-residential projects that meet eligibility requirements as defined in Section 1 of this resolution.
- Certain eligible projects in commercial, town center or industrial zones may qualify to enter into an installment payment agreement to finance the SDC.
- A maximum of five years will be allowed for repayment.
- The term of financing plan will be set at time of repayment agreement.
- An interest rate will be charged using the current prime interest rate plus 2 percent (2%).
- The obligation to pay the SDC pursuant to a financing installment payment agreement shall be secured by a lien against the property upon which the improvement will be located. The lien shall be entered into the City's lien docket as provided in Forest Grove Code Section 2.300, and may be collected in the same manner as allowed by law for collection of assessment liens.
- The City Manager has final approval over projects to be financed under this program.



March 28, 2011

9.

**REPORT AND RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE THE
RESIDENTIAL EXCHANGE PROGRAM (REP) SETTLEMENT AGREEMENT BETWEEN
CITY OF FOREST GROVE AND BONNEVILLE POWER ADMINISTRATION (BPA)**

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

ISSUE STATEMENT: The City was presented a copy of the Residential Exchange Program (REP) Settlement Agreement for signature on March 4, 2011. This agreement is the result of a mediation process involving 50 litigants and other parties that began in April of 2010. The agreement will not become effective unless all required parties have signed and returned the agreement to BPA by April 15, 2011.

DISCUSSION: The REP was established by the Pacific Northwest Electric Power Planning and Conservation Act of 1980 to share benefits of the Federal Columbia River Power System with residential and small-farm customers of utilities with high cost of resources relative to BPA. The REP has in general benefitted customers of investor-owned utilities (IOUs) through higher rates to consumer-owned utilities (COUs) and Direct Service Industries (DSIs). The program has a long history of disagreement between participants and issues regarding proper implementation of the REP have been in litigation since May 2007.

The proposed REP Settlement Agreement, if approved will resolve the ongoing challenges over BPA's implementation of the REP in return for a stream of REP benefits to the IOUs for a term of 17 years (end of the current BPA contract in 2028). Following is a summary document prepared by BPA regarding the REP background, key elements of the settlement agreement and next steps.

The region's six IOUs, PUCs for the states of Washington, Oregon, Idaho, the Citizen's Utility Board of Oregon, PPC, PNGC and NRU, and a "critical mass" of COUs accounting for 91% of COU Transition High Water Mark load must sign the agreement and return it to BPA by April 15, 2011, to meet the signing threshold. Finally, BPA must decide in early July if they will sign the Agreement. If approved, the payment period would be effective October 1, 2011, through September 30, 2028.

FISCAL IMPACT: BPA has modeled the cost of the Settlement Agreement compared with cost of the status quo situation and several possible litigation outcomes and predicts that all COUs will have lower costs under the Settlement Agreement. Northwest Requirements Utilities estimates Forest Grove's total savings under the Settlement Agreement (2012 to 2028) will be \$7,741,339.

RECOMMENDATION: Staff has invited a representative from BPA to review the above-noted agreement within City Council in Work Session. It is recommended that the City Council adopt the attached Resolution approving and authorizing the City Manager to endorse the Residential Exchange Program (REP) Settlement Agreement.

RESOLUTION NO. 2011-24

RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE THE RESIDENTIAL EXCHANGE PROGRAM (REP) SETTLEMENT AGREEMENT BETWEEN CITY OF FOREST GROVE AND BONNEVILLE POWER ADMINISTRATION (BPA)

WHEREAS, the City of Forest Grove owns and operates an electric utility for the benefit of its citizens and electric customers; and

WHEREAS, the City of Forest Grove has contracted with Bonneville Power Administration (BPA) to provide electric energy through the year 2028; and

WHEREAS, the BPA Power Contract provides for the Residential Exchange Program (REP); and

WHEREAS, issues regarding BPA's implementation of the REP have been in litigation since May 2007; and

WHEREAS, participants in the REP have negotiated a final Settlement Agreement; and

WHEREAS, the City Council finds that participation in the Settlement Agreement is predicted to have a long-term financial benefit to the City of Forest Grove.

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

Section 1. The City Council of the City of Forest Grove hereby approves the Residential Exchange Program (REP) Settlement Agreement, Contract No. 11PB12322, between the City of Forest Grove and Bonneville Power Administration (BPA), payment period effective October 1, 2011, through September 30, 2028 (attached as Exhibit A).

Section 2. The City Manager is authorized to execute the agreement on behalf of the City of Forest Grove.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter B. Truax, Mayor

**BONNEVILLE POWER ADMINISTRATION
CONTRACT NO. 11PB-12322**

**RESIDENTIAL EXCHANGE PROGRAM (REP)
SETTLEMENT AGREEMENT**

A copy of the above-noted agreement
is available for inspection at:

City Recorder's Office
1924 Council Street, Second Floor
Forest Grove, OR 97116
Phone: 503.992.3235

E-mail: aruggles@forestgrove-or.gov

March 28, 2011

**REPORT AND RESOLUTION ADOPTING CITY COUNCIL GOAL OBJECTIVES
FOR FISCAL YEAR JULY 1, 2011, THROUGH JUNE 30, 2012**

**Project Team: Michael J. Sykes, City Manager
Department Directors
Anna D. Ruggles, CMC, City Recorder**

BACKGROUND:

Pursuant to City Council Rules of Procedure, Section 16, the City Council must set its goals annually. The goals shall include *Short-Term Goals and Objectives* that the Council plans to complete within the next 12-months and *Long-Term Goals and Objectives* that the Council plans to work on during their term of office and/or future goals and objectives that may take longer to complete. The *Goals and Objectives* that Council sets annually help guide City administration and departments as they plan for the upcoming budget year.

DISCUSSION:

The City Council adopted three key Council Goals for Fiscal Year 2011-12 pursuant to Resolution No. 2011-21. City Council and management staff met in Council Goal Setting Work Sessions on February 19 and February 28, 2011, to discuss goal objectives for Fiscal Year 2011-12. This year, City Council established a Work Plan with four new objectives (shown in bold and italics) to be addressed and carried over 23 pending objectives from the previous year. The City Council ranked these objectives in the order that they believed were the most important. The objectives were grouped within one of the three key City Council Goals.

Department Work Plans:

Upon adoption of the City Council Goal Objectives for Fiscal Year 2011-12, Department Directors will be asked to incorporate the priority Council goals/objectives into their work plans. It is recognized that not all of the objectives can be financially accomplished in the upcoming budget year; however, this will provide a framework for each department to focus their activities and prioritize resources during budget preparations. In some cases, funds may be available; in other cases, this will help guide efforts to find resources, such as grants. Department Directors will be presenting their finalized department work plans to Council at the meetings scheduled for March 28 and April 11, 2011.

RECOMMENDATION:

Management staff is requesting that City Council approve the attached resolution adopting the City Council Goal Objectives for Fiscal Year 2011-12.

RESOLUTION NO. 2011-25

**RESOLUTION OF THE CITY OF FOREST GROVE CITY COUNCIL
ADOPTING CITY COUNCIL GOAL OBJECTIVES FOR FISCAL YEAR 2011-12**

WHEREAS, the City Council adopted three key Council Goals for Fiscal Year 2011-1 pursuant to Resolution No. 2011-21; and

WHEREAS, the City Council and Management Team met in Council Goal Setting Work Sessions on February 19 and February 28, 2011, to discuss goal objectives for Fiscal Year 2011-12; and

WHEREAS, the City Council has identified, ranked, and prioritized the City Council Goal Objectives for Fiscal Year 2011-12 as attached in Exhibit A.

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

Section 1. That the City of Forest Grove City Council hereby adopts the City Council Goal Objectives for Fiscal Year 2011-12 as attached in Exhibit A.

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

PRESENTED AND PASSED this 28th day of March, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2011.

Peter B. Truax, Mayor

2011-12 CITY COUNCIL GOALS AND OBJECTIVES

Each year, the City Council determines its goals and objectives for the coming year. These goals and objectives are adopted by City Council and becomes the City's Work Plan and guide for City Council and City Staff as they move forward throughout the year. City Council identified four (4) new objectives (shown in bold and italics) for 2011-12 and carried over 23 pending objectives from the previous year. The City Council ranked these objectives in the order that they believed were the most important. The objectives have been grouped within one of the three key City Council Goals. The City Manager will assign each of the Council goal objectives accordingly. The proposed City Council Goals and Objectives for Fiscal Year 2011-12 are as follows:

GOAL 1									
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY									
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)									
									Total Pts:
1.	Examine methods to enhance pedestrian/safe routes to Thatcher Park and Thatcher Road/Forest Gale Drive (flashing yellow light/crosswalks)								24
2.	Examine installing sidewalks near schools, bus #57 stop, and TV Hwy (east end of Mtn View Lane; Karen's Corner)								22
3.	Continue strengthening public relations and marketing to better communicate City services and accomplishments								22
4.	Complete Watershed Master Plan and Logging Contracts								22
5.	Continue maintaining a livable community through code enforcement with emphasis on graffiti and crime prevention								20
6.	Complete Periodic Review								20
7.	Pursue completion of Emerald Necklace (grant monies)								19
8.	Pursue Electric Charging Stations and other alternate energy sources								19
9.	Continue encouraging support of FG Senior and Community Center								19
10.	Continue improving Council/Citizen Outreach (table at Farmers' Market)								18
11.	Continue pressure for Light Rail; high capacity transit; and other transportation modes								18
12.	Complete Parks Master Plan Update								18

**2011-12 CITY COUNCIL
GOALS AND OBJECTIVES**

GOAL 1 (Continued)									
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY									
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)									
									Total Pts:
13.	Continue pressure for new Post Office or Retail Store								16
14.	Continue coordinating efforts for promoting Public Art								16
15.	<i>Explore Evergreen Road Extension (bypass)</i>								16
16.	Pursue holding a Council meeting at High School								14
17.	Evaluate an area for a Town Center Plaza								14
18.	Survey banning backyard burning and draft proposed ordinance								14
19.	<i>Explore Downtown Corridor Transportation Flow</i>								13
20.	<i>Explore Downtown Facade Improvement Program (awning)</i>								9
21.	<i>Explore the need for a Sustainability Committee</i>								8
GOAL 2									
PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE CITY									
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)									
									Total Pts:
22.	Prepare a balanced budget								28
23.	Support business retention and promote recruitment efforts								26
24.	Continue Sidewalk Improvement District Program (LID)								25
25.	Pursue Island Annexation Program								20

**2011-12 CITY COUNCIL
GOALS AND OBJECTIVES**

GOAL 3							
PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE IN LOCAL, STATE AND NATIONAL AFFAIRS							
Rating Scale from 4 to 0 (4 = top priority; 3 = 2nd tier priority; 2 = important; 1 = low priority; and 0 = no priority)							
							Total Pts:
26.	Support Legislative Agenda and Regional, Local, State, and Metro Partnerships (WC Forum)						25
27.	Promote Tourism Opportunities and Marketing Efforts (wineries, Fernhill, local events, branding logo, external marketing)						21

11.

PRESENTATION OF
DEPARTMENT WORK PLANS
FOR FISCAL YEAR 2011-12

March 28, 2011

- Library Department
- Light and Power Department
- Parks and Recreation Department
- Police Department
- Economic Development
- Legislative and Executive

FOREST GROVE CITY LIBRARY ANNUAL WORK PLAN

FISCAL YEAR 2011-12

1. WCCLS RFID project

(Start date: July, 2011)

- a. Project Manager chosen
- b. County-wide conversion to RFID tagging
- c. Purchase and installation of security gates

(Completion date: June, 2012)

2. Library Foundation Campaign for furniture and artwork

(Start Date: already in progress)

- a. Work with campaign committee
- b. Work with campaign grant writer
- c. Raise \$250,000
- d. Select and purchase furniture and artwork

(Completion Date: December, 2011)

3. Assist Library Commission in completion of 2011-12 goals

- a. Annual goal –setting retreat scheduled for April 12
- b. Complete review of library policies develop technology plan and study room policy. Present policies to City Council

4. Volunteer Program

(Start Date: already in progress)

- a. Implement changes/improvements form recent evaluation
- b. Explore future development of program

(Completion Date: September, 2011)

5. Evaluate Public Desk Management

(Start Date: Already in progress)

- a. Work flow and work load issues
- b. Patron expectations
- c. Scheduling
- d. Service to Latino patrons
- e. Alternative means of providing services

(Completion date: December, 2011)

6. Programming and Publicity Assessment

(Start date: already in progress)

- a. Maintain current programs: Storytime; Toddler Time; Teen book group; Discovery Time; Fun at Four; Friends Cultural Series; Adult Summer Reading; Bi-lingual storytime; Intercambios
- b. Increase publicity/participation in current programs
- c. Explore opportunities to expand and enhance library programming

(Completion date: December, 2011)

7. Reference Program Evaluation

(Start date: already in progress)

- a. scheduling and desk coverage
- b. provision of service
- c. technology opportunities
- d. patron expectations and demand
- e. participate in Oregon Virtual Reference Summit

(Completion date: December, 2011)

8. Unfinished Business

(Start Date: already in progress)

- a. STAFF – job description analysis, training; cross-training; focus on options for increasing staff presence and effectiveness
- b. BUILDING – signage, computer support, maintenance and repair;
- c. OUTREACH – activate the space, provide services to all ages, increased public relations; improved service to Latino patrons
- d. COLLECTION DEVELOPMENT- weeding; selection; interlibrary loans; displays; databases; re-cataloging and collection security

(Completion Date: Ongoing)

City of Forest Grove

Parks

Recreation

Aquatics



Aquatic Center



❖ Evaluate space requirements for:

Community Based program in cooperation with PCC.

Swim Club, Water Polo, Scuba Lessons and Instruction Programs

❖ Lifeguard Program:

All Staff retrained in Current Red Cross Training.

Provide staff with updated training opportunities.



Park Projects

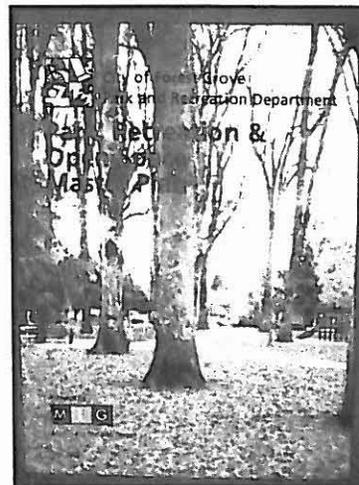


Fernhill Wetlands
Shelter
Restrooms

Thatcher Park
Trail Development

Master Plan

- ❖ Continued Implementation of Master Plan
- ❖ Trail Development
- ❖ Explore Grant Opportunities



Forest Grove Police Department

2011-2012 Work Plan



Foundational Activities

- ❑ Patrol Activities – Response to criminal activities and other events
- ❑ Code Enforcement
- ❑ Investigations Activities – Detectives
- ❑ Administrative Activities – Management of Department Resources
- ❑ Evidence/Property Management
- ❑ Records Management



Community Outreach

- ❑ Reserve Officer Program
- ❑ Domestic Violence Volunteer
- ❑ Public Safety Advisory Commission
- ❑ National Night Out
- ❑ Citizen's Academy
- ❑ Support of Special Olympics
- ❑ Neighborhood Watch
- ❑ Proactive Crime Prevention



Training

- Firearms
- Defensive Tactics
- First Aid/CPR
- Bloodborne Pathogens
- Hazardous Materials
- Emergency Vehicle Operations
- Mental Health Awareness
- Leadership/Management/Supervision\
- Lexipol Policy Training



Collaboration

- OACP Board Membership
- Law Enforcement Council – Wash. Co.
- Major Crimes Team
- Child Abuse Multi-Disciplinary Team
- Elder Abuse Multi-Disciplinary Team
- School Resource Officer
- Gang Resistance Education and Training
- School-To-Work Program
- Work with City Club



Administration

- ❑ Staffing
- ❑ Grant Management and Research
- ❑ Training Management / Professional Development
- ❑ Equipment / Technology
- ❑ Lexipol Policy Management and Review
- ❑ Emergency Management / NIMS Compliance
- ❑ City Ordinance Review / Proposals
- ❑ Personnel Management

Questions

12 month Economic Development Workplan & Timeline 7.1.11– 6.30.12		
Task Name	Begin	Complete
2011-2012 City Council Goals		
Goal 2: Support business retention and promote recruitment efforts	On-going	On-going
Goal 3: Promote Tourism Opportunities and Marketing Efforts	On-going	On-going

Economic Development Commission Priority Goals		
Implement top 5 priorities: <ul style="list-style-type: none"> • Inventory Data and Develop Business Recruitment Information • Develop and Implement Business Recruitment Marketing Strategies • Support Business Retention and Expansion • Expand the Tourism Economy and Marketing Opportunities 	July 1, 2011	6/30/2012

Category : Business Recruitment/Attraction	{Council	Goal}
Respond to Business Leads. Prepare customized response packages	ongoing	ongoing
Prepare periodic customized marketing letters and package to leading Portland Metro area industrial and commercial brokers. Seek to make presentation at various brokerage industries.	ongoing	ongoing
Maintain website. Keep site profile information current. Add expanded information on greentech support, power advantages, Forest Grove schools	ongoing	ongoing
Participation in select in-state and out of state trade shows as budget allows. Share costs with other area/state organizations such as Washington County, OEDA, Regional Partners to expand participation. Distribute Forest Grove materials	ongoing	ongoing
Participation in earned (free) media with other organizations as budget allows. Includes placement of press releases, business events, stories, photos, etc.	ongoing	ongoing
Purchase paid print ads in select targeted in state and out of state print media as budget allows.	ongoing	ongoing
Create and maintain active web links to as many complimenting/affiliated web sites as possible	ongoing	ongoing

Research business organizations in Oregon and other targeted nearby states. (cost of joining, access to mailing lists, etc. or purchase mailing lists. Review feasibility of coordinating targeted marketing with other areas such as Washington County. Prepare and send out targeted mailing package	From 4/1/2011	ongoing
Participate with Regional Partners in their periodic site selector dinners to promote Oregon and area	ongoing	ongoing
Identify and inventory list of national site selectors. Prepare mailing packages.	7/1/2011	12/30/2011
Update economic, market and demographic data to be used in marketing material and website	ongoing	ongoing
Encourage developers and property owners to create new flex space, commercial space and to update existing facilities to meet current market needs	ongoing	ongoing
In conjunction with largest employers, work to recruit their supplier businesses to Forest Grove	7/1/2011	2/28/2012
Work to attract family restaurant to Forest Grove	ongoing	ongoing

Category : Business Retention	{Council	Goal}
Conduct Business Outreach and Visitation to existing employers. Provide technical assistance as needed. Establish supportive relationship. Maintain log.	ongoing	ongoing
Complete and maintain business email lists by categories of industrial, downtown, wineries, nurseries, farms and produce to keep businesses informed of new resources, regulations and events	On-going	12/15/2011
Work with City Departments, others to maintain supportive business climate.	ongoing	ongoing

Category: Tourism & Branding	{Council	Goal}
Help insure productivity of Tourism Council in addressing and promoting tourism	ongoing	ongoing
Work to implement branding strategy; trademark, logo use agreement, photos, roll-out, message development on websites and brochures, educate Tourism business. Use in all event marketing	ongoing	ongoing
Help secure WCVA grant. Work with tourism council and Forest Grove Chamber to complete and distribute tourism brochure	7/1/2011	4/1/2012
Maintain and update visitor section of website	ongoing	ongoing
Install first round of wayfinder signs funded by WCVA grants. Reconvene ad-hoc group to discuss		

additional program goals		
Assist and Promote Wine events		
-Main Course	2/2012	6/30/2012
-FG Uncorked	3/2012	8/2012
Develop and Maintain Annual Forest Grove Events Calendar. Place on Website.	12/2011	2/2012

Category: Small/New Business		
Participate with Regional Partners in securing "economic gardening" services to assist Forest Grove small businesses identify new growth opportunities.	ongoing	ongoing
Develop guide and local business service provider network for use by business start-ups/entrepreneurs in Forest Grove	7/1/2012	12/30/2012
Complete "starting a business" resource CD and make copies available.	7/1/2012	12/30/2012
Create and offer a business counseling service for business start-ups as budget allows using a mix of free and paid counselors.	ongoing	ongoing
Collaborate with Hillsboro on establishing periodic "pub-talk" mentor meetings and training for small and new businesses.	ongoing	ongoing

Category: Workforce Development & Training		
Maintain Forest Grove Workforce Partnership with PCC, School District, Pacific University, private businesses to serve as a forum to identify workforce resources for businesses. Promote programs	ongoing	ongoing
Explore opportunities to expand services such as small business training, coordinate with high school on trades; library on employment search, additional training programs	ongoing	ongoing

Category : Downtown Revitalization/Commercial Corridor		
Develop marketing strategies to recruit/target new private sector retailers and services into downtown. Continue to distribute downtown marketing brochure	ongoing	ongoing
Promote "blade" sign incentives as budget allows	ongoing	ongoing
Market and development "Albertsons and Haggens site. Provide project assistance to developers	ongoing	ongoing
Work with City Club to support downtown events such as First Wednesdays & Light Parade	ongoing	ongoing

Urban Renewal District Feasibility. Work with Community Development Dept.	ongoing	ongoing
Category: Grants/Special Projects/Other		
Collaborate on City grant applications for CDBG, business development, tourism and outdoor recreation as needed.		
Provide oversight and support for a part time economic development intern	7/1/2012	12/30/2012
Promote Forest Grove and build support through Portland Regional Partners for Economic Development, OEDA, Westside Alliance and others	ongoing	ongoing

Forest Grove Legislative & Executive 2011-12 Work Plan

- Solicit Accomplishments and Annual Work Plans from Department Directors
- Boards & Commissions Recognition Dinner
- Council Retreat
- Council Goal Setting Sessions
- Assist with Annual Town Meeting
- Develop and Adopt Budget
- Develop and Monitor Work Plans
- Conduct Monthly One-on-One Sessions with 8 Department Directors and Economic Development Coordinator
- Hold Bi-monthly Department Directors meetings to review issues and goals
- Attend all 24 meetings and/or work sessions with City Council
- Negotiate three union contracts
- Organize two regional meetings
- Attend all EDC meetings
- Implement EDC Strategic Plan
- Enhance communication with citizens including regular updates on the website; Face Book, City Scene Update, utility bill inserts, and City ads and articles in the News Times
- Hire new Light & Power Director