

CITY COUNCIL MONTHLY MEETING CALENDAR

April-11

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 If I Were Mayor Contest Opens	2
3	4 CITY COUNCIL & RURAL FIRE BOARD JT Dinner & Work Session 7:00 pm - Library Rogers Room 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 EDC Noon	8 JWC Noon	9
10	11 CITY COUNCIL 5:45 PM - WORK SESSION (B&C Interview) 6:00 PM - Work Session (Sign & ROW Codes) 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 Fire Awards Banquet 7pm - Armory Council CEP Worksheets Due	30 Prescription Turn-In 10am - Police CFC Arbor Day 9am - Lincoln Pk

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 Shred Day Event 9am - Council/Ash
8	9 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	10 Library 6:30pm	11	12 PAC 5pm	13	14 Island Annexation Open House 9am - Comm Aud
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 If I Were Mayor Contest Entries Due				

June-11

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



FOREST GROVE CITY COUNCIL

Monday, April 11, 2011

5:30 PM – Work Session (B&C Student Advisory Interviews) Community Auditorium
6:00 PM – Work Session (Sign and Right-of-way Codes) 1915 Main Street
7:00 PM – Regular Meeting Forest Grove, OR 97116

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

PETER B. TRUAX, MAYOR

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

Camille Miller
Ronald C. Thompson
Elena Uhing

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

➔ Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

➔ Citizen Communications – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder at 503-992-3235.

A G E N D A

Anna Ruggles City Recorder	5:30	<u>WORK SESSION: B&C STUDENT ADVISORY INTERVIEWS</u>
Jon Holan Community Development Director	6:00	<u>WORK SESSION: SIGN AND RIGHT-OF-WAY CODES</u> The City Council will convene in the Community Auditorium 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

Stephanie Beall
 Community Forestry
 Commission Chair

1. A. **PROCLAMATIONS:**

- *National Earth Day, April 22, 2011*
- *National Library Week; April 10-16, 2011*
- *Forest Grove Arbor Day, April 30, 2011*

1. B. **AWARD PRESENTATION:**

- *Tree City USA® Recognition, Growth Award*

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. • *Legislative Update, Senator Bruce Starr*
- 7:30 5. B. • *Earth Day Celebration Community Events, Mikaila Way, Pacific University*

Jon Holan
 Community Development
 Director
 James Reitz
 Senior Planner

- 7:40 6. **CONTINUE PUBLIC HEARING FROM MEETING OF MARCH 28, 2011, AND SECOND 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**

Richard Matzke
 Interim Light and Power
 Director

- 7:50 7. **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)**

Rob Foster
 Public Works Director
 Derek Robbins
 Civil Engineer

- 8:05 8. **RESOLUTION NO. 2011-26 ACCEPTING THE CITY ENGINEER'S REPORT ON THE FORMATION OF A PROPOSED SANITARY SEWER REIMBURSEMENT DISTRICT PURSUANT TO CITY CODE FOR WILLAMINA AVENUE BETWEEN BREANNA STREET AND SUNSET DRIVE**

Rob Foster
Public Works Director
Derek Robbins
Civil Engineer

8:20

9. RESOLUTION NO. 2011-27 SETTING AN INFORMATIONAL PUBLIC HEARING ON THE FORMATION OF A PROPOSED SANITARY SEWER REIMBURSEMENT DISTRICT PURSUANT TO CITY CODE FOR WILLAMINA AVENUE BETWEEN BREANNA STREET AND SUNSET DRIVE; GIVING DIRECTION TO THE CITY RECORDER AS TO THE PUBLICATION OF NOTICE OF THE HEARING ON SAID PROPOSED REIMBURSEMENT DISTRICT

Michael Sykes
City Manager

8:30

10. DEPARTMENT WORK PLANS FOR FY 2011-12
- Fire Department
 - Engineer/Public Works Department
 - Administrative Services Department
 - Community Development Department

Michael Sykes
City Manager

9:30

11. CITY MANAGER'S REPORT:

9:45

12. COUNCIL COMMUNICATIONS:

10:00

13. ADJOURNMENT

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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 Work Session (B&C Student Advisory Interviews) Meeting Minutes of March 28, 2011.
 - B. Approve City Council Work Session (BPA Settlement Agreement) Meeting Minutes of March 28, 2011.
 - C. Approve City Council Regular Meeting Minutes of March 28, 2011.
 - D. Accept Committee for Citizen Involvement Meeting Minutes of February 15, 2011.
 - E. Accept Parks and Recreation Commission Meeting Minutes of January 19, 2011.
 - F. Accept Planning Commission Meeting Minutes of March 21, 2011.
 - G. Accept Public Safety Advisory Commission Meeting Minutes of February 23, 2011.
 - H. Community Development Department Monthly Building Activity Informational Report for March 2011.
 - I. **RESOLUTION NO. 2011-25 ADOPTING PUBLIC SAFETY ADVISORY (PSAC) BYLAWS.**
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PROCLAMATION

National Earth Day – April 22, 2011

WHEREAS, on April 22, 1970, twenty million Americans, led by students, took to the streets in protest of the rampant pollution throughout the country; and

WHEREAS, together, these men and women gave birth to the modern environmental movement; and

WHEREAS, as a result, the U. S. government responded by establishing U. S. Environmental Protection Agency and passing the first generation of environmental protections, including Clean Air and Water Acts and the Endangered Species Act; and

WHEREAS, today, the global community now faces extraordinary challenges, such as environmental degradation, climate change, food and water shortages, and global health issues; and

WHEREAS, Earth Day is the perfect platform for elected officials and students to re-ignite the environmental concerns of the nation, teach new audiences about climate and clean energy, and address environment concerns; and

WHEREAS, in celebration of Earth Day's 41st Anniversary, Pacific University student leaders and peers are organizing events that will unite their campus around individual acts of green and alter their community's perception of the environment for a more sustainable future.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM APRIL 22, 2011, AS "EARTH DAY"

In Forest Grove, Oregon, and urges all students and all community members of all ages to participate in the special Earth Day events planned throughout the month of April. The Forest Grove City Council hereby pledges this **Earth Day, April 22, 2011**, to support environmental initiatives in our city and to encourage others to undertake similar actions. All events are free and open to the community. For more information about the Earth Day events, please visit Pacific University Sustainability Committee event calendar at: <http://www.pacificu.edu/sustainability>.



WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Forest Grove, Oregon, to be affixed this 11th day of April, 2011.

Peter B. Truax, Forest Grove Mayor

PROCLAMATION

National Library Week

April 10 – April 16, 2011

WHEREAS, libraries provide free access to all – from books and online resources for families to library business centers that help support entrepreneurship and retraining; and

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy; and

WHEREAS, the Forest Grove City Library serves as a crucial technology hub for community members in need of free Web access, computer training, assistance in finding job resources, and many other services; and

WHEREAS, in times of economic hardship, Americans turn to – and depend on – their libraries and librarians; and

WHEREAS, as a member of the Washington County Cooperative Library Service, the Forest Grove City Library offers its cardholders access to more than 1.6 million items. Borrow books, magazines, music, audio books, DVDs, language tapes, Spanish language materials and more; and

WHEREAS, libraries, library employees, and library supporters across America are celebrating National Library Week with the theme “*Create your own story @ your Library*”.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM THE WEEK OF APRIL 10 – APRIL 16, 2011, AS

NATIONAL LIBRARY WEEK

In Forest Grove, Oregon, and invites all community members of all ages to participate in special April events that showcase our local library as an information and cultural center. We encourage all community members to take advantage of the wonderful library resources available at your local library. We also encourage you to visit our event calendar throughout the year at: <http://www.fqlibrary.plinkit.org/happenings/lib-cal>.



WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Forest Grove, Oregon, to be affixed this 11th day of April, 2011.

Peter B. Truax, Forest Grove Mayor

PROCLAMATION



WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling cost, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees in our City increases property value, enhance the economic vitality of our business areas and beautify our community; and

WHEREAS, the National Arbor Day Foundation has recognized the City of Forest Grove as a recipient of the 2011 "Tree City USA® Recognition, Growth Award" (the 21st consecutive year Forest Grove has received this national recognition); and

WHEREAS, the National Arbor Day Foundation has also bestowed upon the City the "Tree City USA Growth Award" for the second consecutive year, to recognize our community's commitment to tree care.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM AS FOLLOWS:

Section 1. The citizens of Forest Grove are urged to support efforts to protect our trees, to support Forest Grove's Tree Management Program, and to plant trees to promote the well-being of present and future generations.

Section 2. The citizens of Forest Grove are urged to support the State of Oregon Department of Forestry in recognition of the value of trees and forest by proclaiming April 30, 2011, as Arbor Day in the City of Forest Grove.

Section 3. The citizens of Forest Grove are urged to commemorate Arbor Day 2011 by attending a free tree planting clinic hosted by the Community Forestry Commission and to be held at Lincoln Park beginning at 9:00 a.m. on Saturday, April 30, 2011.



WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Forest Grove, Oregon, to be affixed this 11th day of April, 2011.

Peter B. Truax, Forest Grove Mayor

TO: Mayor Peter Truax and City Councilors

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

DATE: April 11, 2011

SUBJECT: B&C Student Advisory Recruitment Interview

Attached you will find the following items for the Student Advisory Boards, Committees, and Commissions interviews that are scheduled for April 11, 2011.

- Boards, Committees, and Commissions Applicant List and Vacancy.
- Possible Interview Questions; and
- Application (Note: Two applicants pulled their application due to time constraints)

RECOMMENDATION: Conduct interview of student who expressed interest in serving as a Student Advisor on Boards, Committees, and Commissions. Determine new appointment. Based on Council's recommendation, resolution making formal appointment 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

Possible Questions for B&C Applicant Interviews:

What can you offer the advisory board on which you would like to serve?

What do you hope to gain from your volunteer experience?

What ideas do you have for increasing citizen involvement in Forest Grove?

Is there an area in which you think the City may be letting its citizens down? If so, what would that be?

What do you see as a critical need that is currently facing the City?

Do you favor growth or do you feel the City is currently big enough?

How would you respond to an unpopular decision that is strongly criticized? Such as making an unpopular decision that may go against property owners' desire or that is not supported by your friends and neighbors.

Do you have any grant-writing experience? _____

In addition, Mayor, please ask:

Do you have any conflict with the meeting date(s) and time(s) of the advisory board to which you have applied? _____

If we cannot appoint you to your first choice, are there any other advisory boards that interest you? May we keep your application on file? _____

Do you have any questions for us? _____

Note: Once Council renders a decision on the status of the selected appointment(s), the City Recorder will notify immediately thereafter.

Memorandum

To: City Council

From: Jon Holan, Community Development Director

Rob Foster, Public Works Director

Michael Sykes, City Manager

Date: April 11, 2011

Re: Work Session on Proposed Amendments to Sign and Right-of-Way Codes

There have been issues raised by members of the community regarding the availability of signs for businesses located away from the couplet and for open house real estate signs. The Council has asked staff to prepare potential amendments to the codes to address these issues.

Attached are proposed draft revisions to the Sign and Right-of-Way ordinances that staff would like to discuss with the Council in this work session. At the work session, we would like to comment on the proposed approach taken and receive feed back. If this is the appropriate approach, then staff would continue the review of these draft proposals with EDC and the Chamber.

Draft to Sign Code

To Allow Offsite Temporary Signs In Residential Areas And City Erected Signs For Businesses Located More Than Two Blocks From The Couplet

10.8.800 PURPOSE

The purpose of sections 10.8.800 through 10.8.870 is:

- A. To promote the neat, clean, orderly and attractive appearance of the community;
- B. To accommodate the need of sign users while avoiding nuisances to nearby properties;
- C. To ensure safe construction, location, erection and maintenance of signs; and
- D. To minimize distractions for motorists on public highways and streets.

10.8.805 GENERAL PROVISIONS

- A. Compliance with Other Laws and Regulations. It is not the purpose of this section to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other City ordinance, or state or federal law.
- B. Oregon Motorist Information Act. This section adopts by reference the provisions of the Oregon Motorist Information Act, ORS Chapter 377.

10.8.810 EXEMPTED SIGNS

The following signs shall not require planning approval for their use though some may require a building permit to ensure compliance with structural requirements. Use of these signs does not affect the amount or type of signage otherwise allowed by this ordinance. All signs listed in this section are subject to all other applicable provision(s) of this Chapter.

- A. Official signs placed or authorized by the city, county, state, or federal government in the publicly owned right-of-way as well as official signs required by city, state, or federal government located on private property. These signs shall include but not limited to signs for tourist oriented businesses approved and erected by a governmental agency with jurisdiction of the roadway where the sign is to be erected.
 - 1. Eligible tourist oriented establishments must be located at least two blocks north of Pacific Avenue or two blocks south of 19th Avenue.
 - 2. Not more than one sign is allowed per business and only one sign shall be allowed on a street sign pole. More than one sign can be approved by the applicable jurisdiction on other poles.
 - 3. For signs on City streets, the Public Works Director shall have authority.
- B. Flags adopted or endorsed by a governmental agency.
- C. Tablets, cornerstones, or commemorative plaques.
- D. Signs intended to be viewed from within a building.
- E. Seasonal decorations on private property.
- F. Signs erected by a recognized neighborhood watch group.
- G. Handheld signs.

- H. Accessory signs.
- I. Landmark signs.
- J. Signs for hospital or emergency services and railroads.
- K. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than three (3) signs allowed for each permitted structure.
- L. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area. This type of sign is typically used to identify and locate a property feature.
- M. Any sign which is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel.
- N. One indirectly illuminated or non-illuminated wall sign not exceeding one-and-one-half (1.5) square feet in area placed on any residential building. This type of sign is typically used as a name or address plate.
- O. Signs placed in or attached to a motor vehicle, bus, railroad car, or light rail car that is regularly used for purposes other than the display of signs.
- P. Signs, up to four (4) square feet and no taller than two (2) feet, constructed or placed within a parking lot. These signs are typically used to direct traffic and parking.
- Q. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected where there is a danger to the public or to which public access is prohibited.
- R. Signs located within a sports stadium or athletic field, or other outdoor assembly area which are intended and oriented for viewing by persons within the facility.
- S. Covered flier boxes under one (1) square foot in area when attached to a temporary or permanent sign.
- T. Banner signs placed or authorized by the City in the publicly owned right-of-way.

10.8.815 PROHIBITED SIGNS

The following signs are prohibited:

- A. Signs or sign structures which may pose a hazard to pedestrian or vehicular traffic, including but not limited to signs which obstruct clear vision areas as defined in Section 10.8.155 *Clear Vision Areas*.
- B. Signs not in compliance with applicable setback requirements.
- C. Signs within or which overhang the public right-of-way except signs installed or authorized by a governmental agency or public utility as permitted under the provision(s) of Section 3.900 et. seq. *Public Way Use Permits*.
- D. Portable signs in the following categories:
 1. Signs on a parked vehicle unless the vehicle is being used for transport in the normal day-to-day operations of a business.
 2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Billboards.
- F. Moving signs.
- G. Festoons.
- H. Balloon signs.
- I. Hazardous signs.
- J. Flashing signs.
- K. Roof signs.
- L. Off-premise signs.

- M. Signs that appear similar to traffic control devices.
- N. Signs not in compliance with this Chapter.

10.8.820 TEMPORARY SIGNS

General temporary sign provisions.

- A. Temporary signs may be erected and maintained only in compliance with the following provisions. They shall:
 - 1. contain no moving parts and shall not be lighted.
 - 2. be affixed to a permanent structure.
 - 3. be placed no higher than the building's eave, top of wall, or parapet.
- B. Permitted temporary signage. Temporary signage shall be allowed for each lot as follows:
 - 1 Residential (R-5, R-7, R-10, SR, RML, RMH) Zones (no permit shall be required for such signs):
 - i. One temporary sign per frontage, not exceeding four (4) square feet in area, per side, which is erected for a maximum of eight (8) days in any calendar year and is removed by sunset on any day it is erected. Such signs are typically used for garage sales. No permit shall be required for such signs.
 - ii. Two temporary signs not exceeding 24 (twenty-four) square feet in area allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No sign may be erected for an inhabited residence.
 - iii. One temporary sign per lot, not exceeding six (6) square feet in area and 30 (thirty) inches in height.
 - iv. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.
 - v. Up to two temporary signs located anywhere in a residential zone district within the public right-of-way with each sign not exceeding six (6) square feet in size and 30 (thirty) inches in height. Said signs are allowed from 12 noon on Friday to 6 p.m. the next Sunday and must be removed promptly thereafter.
 - 2 Commercial (CC, CN, TC) and Industrial (LI, GI) Zones:
 - i. Up to two temporary signs not exceeding 100 square feet each (such as banner signs).
 - ii. Temporary signs shall be erected for no more than 30 consecutive days and for no more than sixty (60) days per calendar year.
 - iii. One temporary sign per frontage, not exceeding thirty-two (32) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.
 - 3 Institutional Zone:
 - i. Up to two temporary signs not exceeding 100 square feet each (such as banner signs).
 - ii. Temporary signs shall be erected for no more than 120 days per calendar year.

- iii. One temporary sign per frontage, not exceeding thirty-two (32) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.

C. All Zones:

1. Signs not exceeding six (6) square feet each in area during the period from six (6) weeks prior to a public election or the time the election is called, whichever is earlier, to 14 (fourteen) days after the public election. No permit shall be required for such signs.
2. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within 30 (thirty) days of the completion of any construction, landscaping, or remodeling.

10.8.825 PORTABLE SIGNS

General portable sign provisions. Portable signs may be erected and maintained only in compliance with the following provisions:

- A. Portable signs shall be permitted in Commercial (CN, CC, TC), Industrial (LI, GI), and Institutional zones only.
- B. Portable signs shall be professionally prepared, contain no moving parts and shall not be lighted.
- C. Each property shall be permitted one portable sign, not exceeding six (6) square feet in area. The sign shall be located on private property directly adjacent to the business or institution to which the sign pertains, unless permitted to be in the public right-of-way under the provision(s) of Code Section 3.900 et. seq. *Public Way Use Permits*.
- D. Portable signs shall be removed at the close of the business day.

10.8.830 PERMANENT SIGN REGULATIONS

Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. General permanent sign provisions.
 1. No signs are permitted within a public right-of-way unless authorized by a public agency.
 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 4. Minimum clearance for projecting, canopy, blade and hanging signs when over a walkway or access area is eight (8) feet. Signs shall not project beyond the canopy.
 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over 24 (twenty-four) square feet in area on each side.
 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet the clear-vision provision(s) of section 10.8.155 *Clear Vision Areas*.

B. Residential (R-5, R-7, R-10, SR, RML, RMH) Zones.

1. Each subdivision, manufactured home park, or multi-family complex is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. The sign shall be non-illuminated or indirectly illuminated.
2. Each church or public school is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. Each sign may include changeable copy (manual or electronic). Any electronic changeable copy sign shall have all illumination turned off between the hours of 9 p.m. and 7 a.m. Each sign shall meet the setbacks applicable to the residential zone in which it is located.
3. Home occupation signs, not exceeding six (6) square feet in area, non-illuminated and professionally prepared.

C. Institutional Zone.

1. Each institution is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. Each sign may include changeable copy (manual or electronic). Any electronic changeable copy sign shall have all illumination turned off between the hours of 9 p.m. and 7 a.m. Each sign shall meet the setback provision(s) of section 10.3.220(C) *Setbacks*.
2. In lieu of a monument sign, each institution is permitted a wall sign of up to 40 (forty) square feet in area.

D. Commercial (CC, CN) and Industrial (LI, GI) Zones. Signs in the commercial and industrial zones may be directly or indirectly lit and shall meet all setback provision(s) of its zone.

1. Monument Signs: Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed 40 (forty) square feet in area and eight (8) feet in height per 400 feet of frontage, not to exceed three (3) per site or multi-tenant complex.
2. Wall signage (including window signage) shall have a gross area not greater than 15% of the face of the building to which the sign is attached or painted.
3. Canopy or hanging signs shall not exceed 15% of each wall face of the building to which the sign is attached.
4. No more than two (2) lighted signs shall be permitted in the windows of each business.

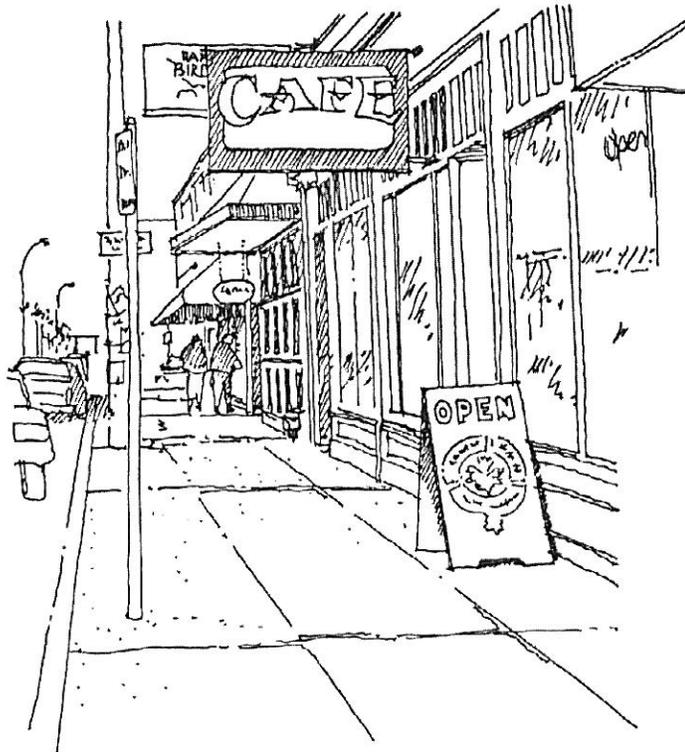
E. Commercial (CC) Zone:

1. In lieu of a monument sign, no more than one (1) pylon sign shall be allowed per street frontage. Multiple-tenant developments may be allowed additional pylon signs as provided in section (D)(1) above.
2. All pylon signs shall have a minimum clearance of ten (10) feet below the sign and shall have a maximum, overall height of twenty (20) feet above grade. No pylon sign shall have a total area of more than forty (40) square feet per face, except as provided in section (3) below.
3. Pylon signs for properties with three or more businesses may have up to seventy (70) square feet per face.

F. Commercial (TC) Zones:

1. Canopy or hanging signs shall not exceed 15% of each wall face of the building to which the sign is attached.
2. Wall signage (including window signage) shall have a gross area not greater than 15% of the face of the building to which the sign is attached or painted.
3. No wall sign shall project more than 18 inches from the wall to which it is attached.
4. Businesses with ground-floor entrances which have the front building line within five (5) feet of the public right-of-way shall be permitted one (1) projecting sign on the front building face, side, or corner in lieu of a wall sign. Projecting signs shall project no more than six (6) feet, have a maximum vertical dimension of six (6) feet, and be limited to a maximum of 24 (twenty-four) square feet of area per face.
5. Lighting for signs in the TC zones shall be limited to internal lighting, where the light source is inside the sign, or to indirect lighting screened from view, where the light source is located below the sign, and is part of an ornamental feature of the sign structure. Braces and struts which support indirect lighting from the top or sides of the sign are prohibited. This Section shall not be applicable for signs and lighting approved through Town Center Track 2 *Design Guidelines*.
6. No more than two (2) lighted signs shall be permitted in the windows of each business.
7. A lighted sign visible to and located within 100 feet of a residential zone shall be turned off from 10:00 p.m. to sunrise.

Figure 8-11: Signs in the Town Center



G. Video display and changeable copy signs (manual and electronic) are subject to the following standards:

1. Video display signs shall only be allowed as part of a permanent monument or wall sign.
2. Manual changeable copy signs shall be allowed as part of a permanent monument, wall, or pylon sign.
3. The video display and changeable copy portion of a sign may not exceed 24 (twenty-four) square feet in area.
4. Electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display shall not change at intervals of less than twenty (20) seconds.
5. Video display and electronic changeable copy signs shall not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk and dawn as measured from the sign's face at maximum brightness.
6. Video display and electronic changeable copy signs shall have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour (1-1/2 hrs) before sunset and one half-hour (1-1/2 hrs) after sunrise.

10.8.835 SIGN PERMITS

No sign which is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining City approval. Such approvals are not required for signs listed as exempt or for routine sign maintenance.

- A. Permits for modifications of existing signs, or to legalize signs for which a permit was not obtained when it was constructed, will be processed by means of a Type 1 procedure.
- B. A permit for new signs will be processed by means of a Type 1 procedure, using the standards of this chapter as approval criteria.

10.8.840 PERMIT REQUIREMENTS

An applicant for a sign permit shall supply the following information on forms provided by City:

- A. Size, height, location, description, and material of the sign;
- B. Name of the manufacturer, contractor, owner, and business advertised;
- C. Scaled drawing(s) and description of copy, structure, and lighting;
- D. Photo(s) or drawing(s) of the proposed sign location(s); and
- E. Signature of property owner or designee.
- F. Other information required to demonstrate compliance with this chapter.

10.8.845 LANDMARK AND ABANDONED SIGNS

Landmark signs and abandoned signs are subject to the following provisions:

- A. Landmark Signs may be exempted from the provisions of this chapter upon the recommendation of the Historic Landmarks Board.
- B. Abandoned signs shall be removed or made conforming within 45 (forty-five) days of

the date they become classified as abandoned.

10.8.850 CONSTRUCTION AND MAINTENANCE STANDARDS

The following standards apply to the construction and maintenance of signs in the City:

- A. All permanent signs shall be constructed and erected in accordance with the design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.
- B. All illuminated signs shall be subject to the provisions of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.
- C. All signs shall be maintained at all times in a state of good repair. No person shall maintain or permit to be maintained on their premises any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

10.8.855 NONCONFORMING SIGNS

- A. Non-conforming signs shall be brought into compliance when:
 - 1. The sign is physically modified to the extent that a building permit is required; or
 - 2. The use of the building or tenant space to which the sign pertains changes (e.g., office to retail); or
 - 3. The site is subject to conditional use permit review, or design review as defined in Section 10.2.310.
- B. All temporary or portable signs not in compliance with the provisions of this code shall be removed or made compliant immediately following adoption of this ordinance.

10.8.860 VARIANCES

Signs not consistent with the provision(s) of this code may be approved pursuant to section 10.2.720 *Variance Review Criteria*.

10.8.865 ENFORCEMENT

The Community Development Director or designee shall have the authority to order or effect the removal of any sign which does not conform to the provision(s) of this ordinance.

10.8.870 PENALTY IMPOSED

A person responsible for a violation of any provision(s) of this ordinance shall be subject to a civil penalty in an amount of not less than \$100 for the first violation, \$500 for the second violation, and \$1,000 for any subsequent violation occurring in a two-year period starting from the issuance of the first notice of violation. The Community Development Director or designee may cite the violator into Municipal Court for said violations.

10.8.875 PERMIT FEE

The fee for a sign permit described above shall be set by City Council by resolution.

Amendment to Section 10.12.210

T2. Tourist Oriented Business shall mean facilities that offers a cultural, historical, recreational, educational, entertaining or food service activity, or unique and unusual commercial activity whose major income or visitors is derived from motorists not residing in the immediate area of the business. Bed and breakfast establishments conforming to the requirements of Section 10.7.025 to 10.7.035 of the Development Code shall be included as tourist oriented.

DRAFT AMENDMENT TO RIGHT-OF-WAY ORDINANCE

TO ALLOW OFFSITE TEMPORARY SIGNS IN RESIDENTIAL AREAS AND CITY ERECTED SIGNS FOR BUSINESSES LOCATED MORE THAN TWO BLOCKS FROM THE COUPLET

3.900 PERMITTED USES OF THE PUBLIC WAY

The purpose of Code Sections 3.900 through 3.940 is to reduce congestion and unsightly clutter, to keep public rights-of-way clear for safe and convenient travel by pedestrians, and to protect the City from claims of liability based upon the placement of obstructions within the public way. Notwithstanding the applicable provisions of this ordinance pertaining to signs not adjacent to a premise, Obstructions permitted by a city, county, regional, state, or federal agency are exempt from the provisions of this Code.

3.905 DEFINITIONS

- (1) BENCH - A privately-owned bench placed on a sidewalk, including any structure on which patrons of businesses and members of the public can sit.
- (2) LONG-TERM – A period in excess of 45 consecutive days.
- (3) MOVABLE – Not affixed to the pavement.
- (4) OBSTRUCTION – Vending machine, table, bench or other seating object; bike rack, flower box, trash receptacle, display of stock in trade, sign or any other object placed by a person in the public way.
- (5) PERSON - A natural person, corporation, partnership, or other entity regardless of form.
- (6) PUBLIC WAY – Includes any public street, road, sidewalk, or public easement.
- (7) SALE – The exchange of any object of merchandise or food for any form of consideration, whether at retail or wholesale, regardless of whether a profit is made.
- (8) SIDEWALK - Any public improved path for pedestrians within a public way.
- (9) STRUCTURE – Anything constructed or erected adjacent to, on, or above a public way.
- (10) TEMPORARY – A period of less than 45 consecutive days.
- (11) Tourist Oriented Business - facilities that offers a cultural, historical, recreational, educational, entertaining or food service activity, or unique and unusual commercial activity whose major income or visitors is derived from motorists not residing in the immediate area of the business. Bed and breakfast establishments conforming to the requirements of Section 10.7.025 to 10.7.035 of the Development Code shall be included as tourist oriented.

(142) VENDING MACHINE - Any self-service box, container, storage unit or other dispenser used for the display and/or sale of any item, such as (but not limited to) beverages, newspapers, periodicals, magazines, books, pictures, photographs, advertising circulars, and records.

3.910 OBSTRUCTIONS TO PUBLIC PASSAGE

(1) No person shall place an obstruction within the public way unless otherwise permitted under this or any other City Ordinance.

(2) All obstructions shall comply with the following restrictions and conditions:

(a) No obstruction shall be placed:

- i) Within three (3) feet of any marked pedestrian crosswalk as measured from the point of intersection between a crosswalk and the sidewalk curbing closest to the intended location of said object.
 - ii) Within five (5) feet of any intersecting driveway, alley or street.
 - iii) In a manner reducing the clear, continuous sidewalk width to less than five (5) feet.
 - iv) In a manner interfering with ingress or egress from private property or public facilities.
 - v) Such that the placement causes a hazard for pedestrian or vehicular traffic or obstructs the view of such traffic from the public way.
- (b) No object or obstruction shall be attached in any way to a fire hydrant or other emergency equipment, traffic signal controller, traffic sign, light pole, utility pole, or street tree.
- (c) Temporary obstructions shall be removed by the expiration date on the permit.
- (d) Other than signs, no commercial advertising shall be permitted on long-term obstructions.
- (e) All objects shall be maintained by the owner of the object at all times, in a clean, neat and attractive condition and in good repair. The area around said object shall be kept free of debris and litter at all times.
- (f) No sign, awning or architectural features shall be located less than eight (8) feet in height as measured from the sidewalk surface.
- (g) Temporary signs within the public right-of-way shall be subject to the following provisions:
- i) Each commercially or industrially-zoned property shall be permitted one portable sign, either on the premises or in the right-of-way located directly adjacent to the property to which the sign pertains. Signs shall be professionally prepared, shall not be larger than six (6) square feet, shall contain no moving parts and shall not be lighted. Signs shall be removed at the close of business each day. Obstructions other than signs can be placed anywhere in the public way subject to the provisions of this Code.

(h) ii) One temporary sign shall be permitted per frontage in the right-of-way located directly adjacent to the property to which the sign pertains, not exceeding four (4) square feet in area, which is erected for a maximum of eight (8) days in any calendar year and is removed by sunset on any day it is erected. Such signs are typically used for garage sales. No permit shall be required for such signs.

iii) Up to two temporary signs located anywhere in a residential zone district within the public right-of-way with each sign not exceeding six (6) square feet in size and 30 (thirty) inches in height. Said signs are allowed from 12 noon on Friday to 6 p.m. the next Sunday and must be removed promptly thereafter. No permit shall be required for such signs.

(h) Obstructions other than vending machines shall be located directly adjacent to the property to which the obstruction pertains.

(i) Signs for tourist oriented businesses on streets under City jurisdiction. Said signs shall be approved and erected by the Public Works Director.

i) Eligible tourist oriented establishments must be located at least two blocks north of Pacific Avenue or two blocks south of 19th Avenue.

ii) Not more than one sign is allowed per business and only one sign shall be allowed on a street sign pole.

iii) More than one sign can be approved by the Public Works Director on other poles.

(2) In addition to the provisions of subsections (1) and (2) above, non-movable obstructions shall:

(a) be located at least ten (10) feet as measured along the curb from any fire hydrant or other emergency equipment or facility;

(b) be located at least three (3) feet from any traffic signal controller, traffic sign, light pole or utility pole.

(c) shall not be located over a utility vault, meter cover, manhole or access cover.

3.915 LOCATION PERMIT

The Public Works Director is hereby authorized to review application(s) and issue/deny permit(s) for placement of obstruction(s) in the public way, upon a clear showing by an applicant of conformity with the provisions of Code Section 3.910. Permits for permanent obstructions shall be valid for one (1) year from the date of approval. Permits for temporary obstructions shall be valid for no more than 45 days from the date of approval. No more than two (2) temporary permits shall be issued per property per calendar year.

3.920 OBJECTS TO BE REMOVED UPON NOTICE

Any object placed within a public way shall be removable. Such object shall be removed immediately upon written notice from the Public Works Director or designee to the owner requiring the object's removal for safety reasons, for purposes of construction or

maintenance activities by the City or other public agency, or because the object does not comply with the provisions set forth in Code Section 3.910.

3.925 ENFORCEMENT

The Public Works Director or designee shall have the authority to order or effect the removal of any object deemed to be an obstruction under this Code. The Public Works Director or designee shall also have the authority to order removal of any object, if its owner fails to comply with written notice of removal provided by the City or an order to enforce the provisions of this Code.

3.930 RESPONSIBILITY

Notwithstanding the provisions of Code Sections 3.115 and 3.120, any person locating, placing or installing any object within the public way shall be solely responsible for any damage or injury to persons or property caused thereby.

3.935 PENALTY IMPOSED

A person responsible for a violation of any provision(s) of this Code shall be subject to a civil penalty in the amount of not less than \$100 for the first violation, \$500 for the second violation, and \$1,000 for each subsequent violation occurring in a two (2) year period starting from the issuance of the first notice of violation. The Public Works Director or designee may cite the violator into Municipal Court for said violations.

3.940 PERMIT FEE

The fee for a public way use permit described above shall be as set by the City Council by resolution.



**FOREST GROVE CITY COUNCIL WORK SESSION
(BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEWS)
MARCH 28, 2011– 5:30 P.M.
COMMUNITY AUDITORIUM – CONFERENCE ROOM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 5:30 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Council President, Victoria Lowe, Camille Miller, Ronald Thompson, and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager, and Anna Ruggles, City Recorder.

2. WORK SESSION: STUDENT ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEW

The following student applicants were scheduled for an interview as follows:

- Samantha Lee (scheduled for 5:30 p.m. was a no show)
- Kasandra Salmeron (scheduled for 5:40 p.m. was a no show)
- Anh Ho (scheduled for 5:50 p.m. called to reschedule interview)

Council Discussion:

Council waited until 6:00 p.m. for the above-noted applicants. Samantha Lee and Kasandra Salmeron were a no show and Anh Ho called to reschedule interview. In conclusion, Council asked Ruggles to contact the above-noted student applicants and attempt to reschedule their interviews.

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:00 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

**FOREST GROVE CITY COUNCIL WORK SESSION
(BONNEVILLE POWER ADMINISTRATION SETTLEMENT AGREEMENT)
MARCH 28, 2011 – 6:00 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 6:00 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas BeLusko, Jr., Thomas Johnston, Council President, Victoria Lowe, Camille Miller, Ronald Thompson, and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Richard Matzke, Interim Light and Power Director; and Anna Ruggles, City Recorder.

2. WORK SESSION: BONNEVILLE POWER ADMINISTRATION SETTLEMENT AGREEMENT UPDATE

Matzke and Sykes facilitated the work session, noting the purpose of the work session was review and discuss the proposed Bonneville Power Administration (BPA) Settlement Agreement. Matzke reported the Settlement Agreement is the result of a mediation process involving 50 litigants and other parties that began in April of 2010. Matzke introduced Kevin Farleigh, BPA Account Executive, who gave an overview of the key elements of the proposed BPA Settlement Agreement, noting the purpose of the Settlement Agreement is to resolve challenges over BPA's implementation of the Residential Exchange Program (REP). Farleigh explained 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). Farleigh gave a summary prepared by BPA regarding the REP Settlement background and current status, REP Settlement and BPA rates process going forward; key elements of the proposed Settlement Agreement; BPA's staff analysis of the proposed Settlement Agreement; and next steps, noting 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 percent 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. BPA must then decide in early July if they will sign the Agreement. In conclusion, Matzke advised that Forest Grove's savings pursuant to the Settlement Agreement (2012 to 2028) is estimated to be \$7,741,339. Matzke noted the Agreement will not become effective unless all required parties have signed and returned the Agreement to BPA by April 15, 2011.

**FOREST GROVE CITY COUNCIL WORK SESSION
(BONNEVILLE POWER ADMINISTRATION SETTLEMENT AGREEMENT)
MARCH 28, 2011 – 6:00 P.M.
COMMUNITY AUDITORIUM – CONFERENCE ROOM
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Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the elements of the Settlement Agreement and the risks of not signing the Agreement. Farleigh addressed various Council concerns, inquiries, and various scenarios posed by Councilmembers pertaining to high water mark, Tier II loads and rates, and lookback credits, noting BPA staff has evaluated the proposed 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. Farleigh advised that BPA's analysis demonstrates the COUs would likely receive more protection from REP benefits costs under the REP Settlement Agreement than would likely occur if BPA were to continue to perform the rate test in each rate proceeding over the next 17 years. In addition, Farleigh referenced various charts, which were attached to the staff report, highlighting payments to IOUs through the REP or Settlement Agreement; REP benefits scenarios; and REP benefits risk scenarios. In conclusion of the above-noted discussion, Councilmembers collectively voiced concern of not having adequate time to closely review the Settlement Agreement and there was uncertainty if the other regional utility providers were supportive or unsupportive of the Agreement. As a result, Council collectively directed staff to monitor the actions of other utility providers, consult with non-supporters of the Settlement Agreement, and inquire what position the other regional utilities were planning to take on the Settlement Agreement and report back to Council at the meeting of April 11, 2011.

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

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:59 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder



**FOREST GROVE CITY COUNCIL REGULAR MEETING
MARCH 28, 2011 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:06 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, and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Kerry Aleshire, Police Chief; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Tom Gamble, Parks and Recreation Director; Jon Holan, Community Development Director; Richard Matzke, Interim Light and Power Director; Colleen Winters, Library Director; Jeff King, Economic Development Coordinator; Nick Kelsay, Project Engineer; James Reitz, Senior Planner; Aaron Ashbaugh, Police Captain (in the audience); Mandy Hayes, Police Records Supervisor (in the audience); and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS: None.

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

- A. Approve City Council Regular Meeting Minutes of February 14, 2011.
- B. Approve City Council Work Session (Council Retreat) Meeting Minutes of February 19, 2011. **ITEM REMOVED, REFER BELOW.**
- 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

**FOREST GROVE CITY COUNCIL REGULAR MEETING
MARCH 28, 2011 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

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. Jordy's, 2104 Main Street (Limited On-Premises Sales)
(Added to Consent Agenda)
 - 8. Pac Thai, 1923 Pacific Avenue (Limited On-Premises sales)
(Added to Consent Agenda)

MOTION: Councilor Johnston, seconded by Councilor Thompson, to approve the Consent Agenda as amended. **ABSENT:** Councilor Uhing. **MOTION CARRIED 6-0 by voice vote.**

3. B. APPROVE CITY COUNCIL WORK SESSION (COUNCIL RETREAT) MEETING MINUTES OF FEBRUARY 19, 2011

Johnston removed the above-noted Consent Agenda Item 3. B., referencing Page 7, Goal 1(2), noting it should state, "as proposed by Johnston BeLusko", which Ruggles amended as noted.

MOTION: Councilor Johnston, seconded by Councilor Thompson, to

**FOREST GROVE CITY COUNCIL REGULAR MEETING
MARCH 28, 2011 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

approve the Consent Agenda Item 3. B. as amended. **ABSENT:**
Councilor Uhing. **MOTION CARRIED 6-0 by voice vote.**

4. ADDITIONS/DELETIONS:

Ruggles added Consent Agenda Item 3. J. 8 and 9 (as noted above).

5. PRESENTATIONS:

5. A. Annual Town Meeting Report

Josiah Bartlett, Committee for Citizen Involvement (CCI) Chair, presented a PowerPoint presentation outlining the results of the Annual Town Meeting (ATM), noting the ATM was held Saturday, January 29, 2011, and approximately 54 citizens attended. Bartlett reported the topic for this year's ATM was "Small Town, Your Town...Be a Part of It!" and focused on enhancing community involvement and volunteerism. Bartlett distributed copies of the ATM evaluation surveys, noting 42 surveys were returned and the survey suggested the topic for next year's ATM should focus on "Growth, planning and sustainability". In conclusion, Bartlett addressed Council inquiries pertaining to this year's ATM and outlined CCI's Action Plan for 2012 ATM, noting CCI plans to publicize the ATM earlier in the year; address 2011 survey questions in utility billing and online (this month: Mass Transit); include boards, committees, and commissions in 2012 ATM planning process; and develop a Neighborhood Liaison Program.

5. B. Recap of 2010 Citywide Sidewalk Improvements Program

Foster and Kelsay presented a PowerPoint presentation outlining the results of the 2010 City-Wide Voluntary Sidewalk Local Improvement District Program, noting approximately 12,000' of sidewalk was replaced and seven new wheelchair ramps were installed as part of the 2010 sidewalk improvement program. Foster and Kelsay recapped the status of program, noting of the 659 property owners the City notified, 74 property owners voluntarily consented to sidewalk repairs and participated in the 2010 program and 27 property owners repaired sidewalk segments on their own accord. Foster and Kelsay displayed photographs showing the sidewalk segments before and after improvements and referenced a map showing the sidewalk improvement areas, noting staff divided the City into five areas in order to appropriately manage the program in phases. In conclusion, Foster and Kelsay asked for Council consensus to open the process for the 2011 City-Wide Voluntary Sidewalk Local

**FOREST GROVE CITY COUNCIL REGULAR MEETING
MARCH 28, 2011 – 7:00 P.M.
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PAGE 4**

Improvement District Program so construction would occur during the summer months, to which Council collectively and enthusiastically urged staff to continue the next phase of the City-Wide Voluntary Sidewalk Local Improvement District Program.

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**

Staff Report:

Foster and Downey 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 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. Foster 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. Foster 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, Foster and Downey 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.

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Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2011-05 for first and second reading, declaring an emergency pursuant to City Charter.

Sykes read Ordinance No. 2011-05 by title for first and second reading, declaring an emergency pursuant to City Charter.

MOTION: Councilor Lowe moved, seconded by Councilor Miller, to approve First and Second Reading and adopt 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.

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 March 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, and Mayor Truax. NOES: None. ABSENT:

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Councilor Uhing. MOTION CARRIED 6-0.

**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**

Staff Report:

Holan and Reitz presented the above-proposed ordinance for Council consideration, noting the proposed ordinance would approve the City to initiate a street vacation, vacating 27th Place, a segment of Osburn Street, between 27th Place and 28th Place and abutting 10' public utility easement as described in the map attached as Exhibit A. Reitz reported staff met with Council to review the above-proposed vacation request at the regular meeting held on February 14, 2011. Reitz reported the segments 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 complex, noting staff believes the right-of-way should be redesigned to provide better traffic flow in the neighborhood. Reitz noted the applicant has submitted tentative plans for the apartment complex, which are currently under staff review pending the outcome of this request. In conclusion, Reitz reported the Notice of Vacation was published twice in the *NewsTimes*; Notice of Vacation was posted on and adjacent to the site; and Notice of Vacation was mailed to property owners within 400' of the site and all relevant public utilities as required by ORS and the City's Development Code.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2011-06.

Sykes read Ordinance No. 2011-06 by title for first reading.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Lowe, to adopt Ordinance No. 2011-06 Vacating 27th Place, a Segment of Osburn Street and the adjacent Public Utility Easements. File No. VAC-11-00105.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

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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:

In response to Miller's inquiry pertaining to receiving any objections or concerns from any specific property owner, Reitz advised that staff received a few telephone calls from nearby residents, all of whom were unaware the rights-of-way existed; however, no formal objections were received from specific property owners or public utilities.

In response to Johnston's inquiry pertaining to the roadway configuration, Reitz advised the roadway configuration has not changed from what was originally proposed.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of April 11, 2011.

8. 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

Staff Report:

King presented the above-proposed resolution for Council consideration, noting staff is seeking 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 met with Council to review the specific elements of the program and the proposed fee waivers in work session on February 28, 2011, noting staff is proposing the City offer a

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temporary financial incentive program to help reduce financial barriers for businesses occupying vacant space. 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. In addition, King highlighted the Business Incentive Program eligibility and proposed fee waivers as outlined in the attached Exhibit A and Exhibit B. In conclusion, King explained the Business Incentive Program is proposed to expire automatically on June 30, 2012, unless Council extends the program, and advised the proposed Business Incentive Program has been reviewed and approved unanimously by the Economic Development Commission (EDC).

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-23.

Sykes read Resolution No. 2011-23 by title.

MOTION: Councilor BeLusko, Jr. , moved, seconded by Councilor Lowe, to approve 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.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Proponents:

Teri Koerner, Chamber of Commerce Executive Director, 2417 Pacific Avenue, testified on behalf of the Chamber and as a member of Economic Development Commission, noting the Board wholeheartedly supports the City's approach and desire to offer business incentives. Koerner affirmed there are folks looking at Forest Grove, pointing out the City recently lost one potential prospector. Koerner reported that unfortunately, Forest Grove has older property that is in need of improvements requiring significant investments, noting this program will be one more tool to help encourage these types of investments in Forest Grove.

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Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Council Discussion:

Lowe voiced concern and sensitivity of waiving fees that impact the General Fund, noting the City sets its fees based on cost-of-services. Lowe indicated the two-year expiration period of the program elevates some of her concern, noting she is hopeful the program will be successful.

In response to Lowe's inquiry pertaining to any new prospects, King advised there are currently a number of home-occupant businesses that may be interested in expanding into the community and pointed out that other cities in the metro region are also offering business incentives. Koerner commented as well; refer to above testimony.

BeLusko indicated he is extremely supportive of the program, noting he views this proposal as one more marketing tool for staff and EDC and pointed out the City recently adopted a reimbursement district (financing public improvements).

Johnston indicated the costs to the City would outweigh the overall benefits the program will have in the community. Johnston stressed the importance of ensuring future property owners are aware of the financial obligations placed onto the property, to which King referenced Exhibit B, noting property owners would be required to enter into a repayment financial plan agreement with the City, which will be recorded as an assessment lien against the property.

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: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

9. **RESOLUTION NO. 2011-24 AUTHORIZING CITY MANAGER TO ENDORSE THE RESIDENTIAL EXCHANGE PROGRAM (REP)**

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**SETTLEMENT AGREEMENT BETWEEN CITY OF FOREST GROVE
AND BONNEVILLE POWER ADMINISTRATION (BPA)**

Staff Report:

Matzke reported that staff and a representative from Bonneville Power Administration (BPA) met with Council in work session earlier this evening to discuss the key elements of the above-proposed BPA Settlement Agreement, noting the purpose of the Settlement Agreement is to resolve challenges over BPA's implementation of the Residential Exchange Program (REP). Matzke reported 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 percent 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. BPA must then decide in early July if they will sign the Agreement. In conclusion, Matzke advised that Forest Grove's savings pursuant to the Settlement Agreement (2012 to 2028) is estimated to be \$7,741,339, noting the agreement is the result of a mediation process involving 50 litigants and other parties that began in April of 2010. Matzke noted the agreement would not become effective unless all required parties have signed and returned the agreement to BPA by April 15, 2011. In conclusion, Matzke recapped the discussion heard at the work session, noting Councilmembers collectively voiced concern of not having adequate time to closely review the Settlement Agreement and there was uncertainty of what other utility providers were proposing.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council recapped the information provided during the work session. Mayor Truax reported that at the work session, Council collectively directed staff to monitor the actions of other utility providers; consult with non-supporters of the Settlement Agreement; and inquire what position the other regional utilities were planning to take on the Settlement Agreement; and report back to Council at the meeting of April 11, 2011. As a result, Council collectively concurred to table Resolution No. 2011-24 until the meeting of April 11, 2011, in order to allow staff additional time to gather the information requested by Council as noted above.

**10. RESOLUTION NO. 2011-25 ADOPTING CITY COUNCIL KEY GOALS
AND OBJECTIVES FOR FISCAL YEAR 2011-12**

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Staff Report:

Mayor Truax and Sykes presented the above-proposed resolution for Council consideration, noting Council met in work session on February 19 and February 28, 2011, to discuss setting its Council Goal Objectives for Fiscal Year 2011-12. Sykes reported the Council identified, ranked, and prioritized the goal objectives as outlined in the attached Exhibit A at the work session held on February 28, 2011, noting Council identified four new goal objectives and carried over 23 pending goal objectives from the previous year. Sykes noted 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 budgeting and/or staff resources in order to be accomplished. In conclusion, Sykes advised that staff recognizes that not all of the objectives can be financially accomplished; however, the objectives provide a framework for departments to focus their activities and prioritize resources during budget preparations.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2011-25.

Sykes read Resolution No. 2011-25 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to approve Resolution No. 2011-25 Adopting City Council Goal Objectives for Fiscal Year 2011-12.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council reviewed Exhibit A, Council Goal Objectives for Fiscal Year 2011-12. At the conclusion of the above review, Mayor Truax advised that Goal No. 19, Explore Downtown Corridor Transportation Flow, would remain on the list as assigned to Johnston for review with the Public Safety Advisory Commission. Mayor Truax advised Goal No. 20, Explore Downtown Façade Improvement Program, would be removed from the list due to this goal receiving a score of nine points. Mayor Truax advised Goal No. 21, Explore the Need of a Sustainability Committee, will remain on the list even though this goal received nine points, noting the intent of Goal 21 is to appoint an Ad-hoc Committee to study sustainability.

In response to Lowe's inquiry about posting on the City's website, Ruggles

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advised once Council formally adopts Resolution No. 2011-25, she would post onto the website the adopted Council Goal Objectives shown in Exhibit A.

Hearing no further discussion from the Council, Mayor Truax asked for a motion to amend Resolution No. 2011-25 as follows.

MOTION TO AMEND: Councilor Miller moved, seconded by Councilor Lowe, to amend Resolution No. 2011-25 by deleting Goal No. 20, Explore Downtown Façade Improvement Program, from Exhibit A.

Council Discussion:

Mayor Truax advised that as a result of the above motion, Council is being asked to adopt the three new goal objectives and carry over 23 pending goal objectives from the previous year.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on Resolution No. 2011-25 as amended.

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston, Lowe, Miller, Thompson, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

11. DEPARTMENT WORK PLANS FOR FY 2011-12

Library Department:

Winters presented a PowerPoint presentation outlining the Library Department's Work Plan for 2011-12 as noted in her staff report. Winters's report focused on the Library Department's implementation of a county-wide RFID self-check conversion program and purchasing and installing security gates for the system; Library Foundation's campaign efforts for purchasing furniture and artwork; assisting Library Commission in completion of its 2011-12 goals; implementing changes/improvements to the current volunteer program; evaluating public desk management; maintaining library-related programs; and increasing publicity. In addition, Winters reported on other various department-related projects and goals and responded to Council inquiries pertaining to electronic readers and eBooks.

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Light and Power Department:

Matzke presented a PowerPoint presentation outlining the Light and Power Department's Work Plan for 2011-12 as noted in his staff report. Matzke's report focused on Bonneville Power Administration rates; conducting a study of costs-of-service for electric rates; maintenance and assessment of major equipment replacement; substation equipment replacement needs; various distribution projects; aging pole replacement program; and energy conservation programs. In addition, Matzke reported on other various department-related projects and goals and responded to Council inquiries pertaining to the possibility of using watershed poles for aging pole replacement program; conducting a rate study for usage of electric vehicle charging stations; and future discussions pertaining to ratepayer reimbursement of funds received from BPA Settlement Agreement.

Parks and Recreation Department:

Gamble presented a PowerPoint presentation outlining the Parks and Recreation Department's Work Plan for 2011-12 as noted in his staff report. Gamble's report focused on various ongoing Aquatic Center-related programs; park-related projects; Parks Master Plan update; exploring and pursuing various trails development; pursuing various grant opportunities; and exploring student advisory and youth-related programs. In addition, Gamble reported on other various department-related projects and goals and provided an update on Fernhill Wetlands.

Police Department:

Aleshire and Ashbaugh presented a PowerPoint presentation outlining the Police Department's Work Plan for 2011-12 as noted in the staff report. Aleshire's and Ashbaugh's report focused on police-related activities and programs; community outreach programs; police-related training; and collaboration with various county-wide agencies. In addition, Aleshire and Ashbaugh reported on other various department-related projects and goals and provided updates on the status of neighborhood liaisons and domestic violence coordinator.

Economic Development:

King presented a PowerPoint presentation outlining the Economic Development's Work Plan for 2011-12 as noted in his staff report. King's report focused on the Economic Development Commission's priority

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goals; business recruitment efforts; business retention efforts; tourism and branding efforts; small/new business collaboration efforts; workforce development and training opportunities; and downtown revitalization and commercial corridor marketing strategies. In addition, King reported on various grant-related opportunities and other various department-related projects and goals.

Legislative and Executive:

Sykes presented the Legislative and Executive Work Plan for 2011-12 as noted in his staff report. In addition, Sykes reported on various Council-related accomplishments and goals; budget adoption; and other various department-related projects and goals.

12. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes reported the City has been informed it will need to go out for a Request for Proposal for a new auditor, noting he is asking to appoint two councilors to assist with the process, to which Mayor Truax appointed Councilors BeLusko and Johnston to oversee the process. In addition, Sykes reported on various meetings he attended and provided updates on various City department-related activities and projects. In conclusion, Sykes commended the department directors for presentation of Work Plans, noting he is pleased to be able to share the various work plans with Council.

Customer Assistance Program for Energy:

Sykes distributed a report titled "Customer Assistance Program for Energy (CAPE)", noting the \$75,000 that was allocated in budget year 2010-11 for the CAPE program has been reached. Sykes reported the City has provided assistance to over 500 customers for year 2010, noting he is asking for Council consensus to allocate from the Light and Power Department budget an additional \$25,000 to continue the CAPE program for the remainder of the fiscal year.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council reviewed the CAPE report and discussed allocating additional funds to the CAPE program. In conclusion of the above-noted discussion, Council collectively concurred to allocate an additional \$25,000 from the

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Light and Power Department budget to the CAPE program.

13. COUNCIL COMMUNICATIONS:

BeLusko reported on Public Arts Commission (PAC)-related activities and reported he was unable to attend the last Economic Development Commission meeting. In addition, BeLusko reported on other information of interest and reported on various upcoming meetings he was planning to attend.

Johnston provided an update on legislative-related matters and reported on his trip to Washington, DC. Johnston reminded Council about the upcoming Joint Work Session with Forest Grove Rural Fire Protection District, noting the meeting is Monday, April 4, 2011, 7:00 p.m. in the Library Rogers Room. 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.

Lowe provided insight on her meeting with Pacific University Sustainability Committee students, noting there are various opportunities for the community to participate in the events the students have planned during Earth Week. Lowe noted the events would be posted on the City's website calendar once staff receives the information. In addition, Lowe reported on other information of interest and reported on various upcoming meetings she was planning to attend.

Miller commended Josiah Bartlett, Committee for Citizen Involvement Chair, for his outstanding presentation on the Annual Town Meeting. In addition, Miller reported on various community-related events and upcoming meetings she was planning to attend.

Thompson reported on Community Forestry Commission (CFC)-related activities and reported he was unable to attend the last Forest Grove Senior and Community Center meeting. In addition, Thompson reported on upcoming meetings he was planning to attend.

Uhing was absent.

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,

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Mayor Truax reported on his visit to Washington, DC, noting he gave a presentation on Community Development Block Grant Program funding. In conclusion, Mayor Truax reported on Friends of the Library and Library Foundation-related matters and other various matters of interest.

14. ADJOURNMENT:

Mayor Truax adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

APPROVED

CITY OF FOREST GROVE
COMMITTEE FOR CITIZEN INVOLVEMENT
COMMUNITY AUDITORIUM CONFERENCE ROOM, 1915 MAIN STREET
TUESDAY, FEBRUARY 15, 2011 - 5:30 P.M.



Councilor Camille Miller

Josiah Bartlett (Chair)
Mo Nkiwane
Deborah Greenfield

Michael Perrault
Kristy Kottkey
Len Hua

All public meetings are open to the public and all persons are permitted to attend any meetings except as otherwise provided by ORS 192:

→ Citizen Communications – Anyone wishing to speak 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. Each person must state his or her name and give an address for the record.

All public 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.

Present: Kristy Kottkey, Deborah Greenfield, Mo Nkiwane, Michael Perrault , Len Hua

Absent: Josiah Bartlett,

City Staff: Jon Holan Community Director

City Council: Camille Miller

Call to Order: Mo Nkiwane (acting chairperson) called the meeting to order at 5:45 pm at Izgara's Restaurant.

Minutes from last meeting were read and accepted. Deborah Greenfield made 1st motion to approve the minutes, and Kristy Kottkey seconded. Minutes were approved.

Communication Box: None

Old Business:

1. Debriefing of ATM.
2. Camille Miller stated that many folks approached her and thanked her for a good ATM, this year.
3. Jon Holan said that the turn out was not as good as last year. We only had about 40 folks attending (not including City Council people, other Committee folks, guest speakers, etc) compared to last year, where we had about 100 folks attending.
4. We need to examine what we can do differently for next year's ATM.

New Business:

1. Jon Holan said that The Action Plan should be re-examined every 5 years, and that we should concentrate on this for the next ATM and what can we do in preparation for the next 5 years? Jon Holan said that the living part of the document is part of the Action Plan.
2. The Vision Statement needs to get out to the community. How do we propose to do that? Jon Holan said that there were 136 people interested in the Vision Statement. CCI is the caretakers to see that the Vision Plan is being carried out. We constantly need to check to see "how we are doing"....feedback required.
3. We need to also check in with the other committees and boards for feedback.
4. There was a consensus that we need to get the word out much earlier about ATM, and to

- contact more places with flyer's, bulletins, banners, news blurbs, etc.
5. Len Hua thought that if folks see an overly crowded room, that they may not want to attend the ATM. he also said that this being his first ATM, he thought it was well organized and well executed.
 6. It was suggested to reach out to The Elks Club to solicit their help, maybe by using their facility for the ATM or getting The Elks more involved with ATM.
 7. So what can we do to improve next year's ATM, to increase attendance? What is our PR plan?
 8. Our strategy plan or goals are to focus on something each month in preparation for the ATM.
 9. First off.....we need to decide on a topic/title for next year, as Jon Holan suggested. It should be catchy and "sexy".
 10. Kristy Kottkey suggested that the neighborhood liaison's should have meetings with their neighbors in order to get the word out.
 11. Articles about ATM should appear more often in The News Times.
 12. It was decided that we should address, each month in the utility bill insert, a question that folks asked on the ATM questionnaire.
 - a. For March.....we will answer "Why are there 2 logos for Forest Grove?"
 - b. For April.....we will answer the question about "Mass Transit", i.e. Max, Light Rail
 - c. Jon Holan told us that Metro has extended the Light Rail to Milwaukie >Southwest>Portland>Tigard>Sherwood.
 13. Our assignment for next meeting is for all to come up with a list on how we can market ATM better, how to contact people about the ATM in a more successful manner, and how to design a "sexier" ATM and topic.
 14. We should also look at the list of questions submitted by the town folks, and decide which ones we want to address in the upcoming utility bill inserts.
 15. Kristy Kottkey, also suggested a CCI newsletter.

Next Meeting: Tuesday March 15th at 5:30 PM. at Grendal's Restaurant, corner of Main and Pacific Ave.

Adjourn: The meeting adjourned at 7:10 PM. Mo Nkiwane made 1st motion to adjourn, and Kristy Kottkey seconded.

Minutes taken and typed by Deborah Greenfield

Respectfully Submitted
Marcia Phillips
City of Forest Grove Permit Coordinator

APPROVED**RECREATION COMMISSION
MINUTES**

Wednesday, January 19, 2011
7:00 a.m. – Park Shop

- 1) **ROLL CALL:**
 - a) **Commissioners** – Susan Taylor (chair), Ralph Brown, Quinn Johnson, Dick Kover, Anna Lund, Mike Olson, Brian Seitz and Paul Waterstreet.
 - b) **Staff** – Tom Gamble and Steve Huffman
 - c) **Council Liaison** – none present
 - d) Glen VanBlarcom was introduced as a new commissioner.

- 2) **CITIZEN COMMUNICATIONS:** None

- 3) **APPROVAL OF MINUTES:** The minutes of the December 15, 2010 meeting were approved.

- 4) **ADDITION/DELETIONS:**
 - a) **Election of Officers**
 - i) Chair – Susan Taylor
 - ii) Vice Chair – Paul Waterstreet

- 5) **OLD BUSINESS:**
 - a) **Eagle Scout Projects**
 - i) Scout Drew O’Brien is working on the Thatcher Woods Trail.
 - (1) Oregon Department of Forestry is helping with the design and layout of the trail. Two representatives will be helping with the actual work as well.
 - (2) Work is set to begin on January 29 and will require approximately 6 full work days.
 - (3) Drew has enlisted lots of helpers to complete 3000 feet of trail complete with wood chips.
 - ii) Aquatic Center project
 - (1) Many of the slats in the cyclone fence will be replaced.
 - (2) Three octagonal picnic tables will be installed.
 - iii) Eagle Scout Projects:
 - (1) Steve Huffman has been very involved with the Eagle Scouts for many years.
 - (2) There have been more than 30 projects completed in our departments, which saves the City a lot of money. The dog park project alone saved the City about \$20,000.
 - (3) The Commission wondered about recognition for the Scouts. They are occasionally recognized before the City Council and at the grand openings, but usually it is just a letter.

 - b) **“B” Street Trail Willow Structure**

- i) Anna has dubbed the structure “Willow Villa”.
- ii) Planting of the willows is scheduled to begin March 5 and 6. Anna is hoping for about 15 people, a mix of Pacific students, children from the community school and citizens from the community.
- iii) They will work with Clean Water Services to make sure all their plans are o.k. Then they will begin harvesting willows from the surrounding wetland and planting them on both sides of the trail. There will be two rows of Golden willows and two rows of Flanders red willows spaced three feet apart.
- iv) They will use a total of 240 native Pacific willows and pussy willows. They will also purchase 80 specialty basket willows.
- v) There will be black landscape plastic placed under the plantings and they are thinking about under planting with melons or squash the first few years.
- vi) Anna is also filling out a mini grant application.

6) NEW BUSINESS:

a) Pacific University Football Report

- i) The original easement agreement did not allow for football. The City agreed to a two year trial period for football before the agreement is changed.
- ii) Tom pushed for better drainage and the problem was addressed.
- iii) The usage schedule was adjusted to accommodate the team.
- iv) The plan called for moving the bleachers out after every game, but they were left in the end zones instead because it was felt there would be more damage with the constant moving. This seemed to work out well.
- v) During practices they placed material on the track for protection, but the coverage was not good and it left lint everywhere.
- vi) Some parking issues did arise. There seemed to be adequate parking places, but the buses on Main Street blocked driveways and hindered sight lines.
- vii) Safety wasn’t an issue and both the Police and Fire chiefs felt things went well. Alcohol usage was not an issue.
- viii) Tailgates did spill over into people’s yards, so a plan needs to be in place to deal with that issue. The complaints were dealt with as needed. The second game security took a more pro-active approach.
- ix) Pacific employed both their campus security and a private security firm.
- x) Overall Pacific was in compliance with our agreement.

7) COMMISSIONER’S REPORTS: None

8) STAFF REPORTS:

- a) Tom reported that a large part of the baseline on the football/soccer field will be netted to keep balls out of the neighbors’ yards.
- b) Steve said the parks crew is in tree trimming mode while the parks activity level is light.
- c) There were questions about the Stites property.
 - i) There is no Capital plan at this point. The ability to fund it is based on housing revenues. The parks department agreed with City Council not to add amenities until more staff can be added.

- ii) There will eventually be a play structure and a small ball field, but the majority will be left natural. This will be down the road a ways and is not in our five year plan.
- d) Weather related issues:
 - i) There has been some sliding at Forest Glen Park on Circle Crest.
 - ii) There is a drainage issue and a catch basin needs to be added on Lavina.
 - iii) Flooding on "B" Street Trail was planned for. We knew it would happen since the area is low and includes wetland.

9) **ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be Wednesday, March 16 at 7:00 a.m.

10) **ADJOURNMENT:** The meeting was adjourned at 8:30 a.m.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

March 21, 2011 -7:00 P.M.

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APPROVED

3F

1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:00 p.m.

Planning Commission Present: Tom Beck, Al Miller, Lisa Nakajima, Luann Arnott

Absent: Carolyn Hymes, Fred Smith, Charles Kingston

Staff Present: Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Marcia Phillips, Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

Neil Poulsen, member of the Historic Landmarks Board (HLB), said the Walker-Naylor historic district is now official. Poulsen said Forest Grove has three of the four historic districts in Washington County. Poulsen said he was appearing before the Planning Commission to promote a dialogue on how to preserve the character of these neighborhoods. Poulsen said he had talked to staff, and it was suggested a team of Historic Landmarks Board members and Planning Commissioners could develop a white paper to document strategies to help promote the dialogue.

Commissioner Arnott said a meeting with the whole Planning Commission and HLB would be good.

Chairman Beck stated that this is a good time with Periodic Review coming up, and different attributes could be discussed. It was decided to schedule the discussion for the April 4th Planning Commission meeting. Beck said the focus of the meeting will be on empty land and housing that may be torn down and replaced.

2.2 PUBLIC HEARING: None Scheduled.

2.3 ACTION ITEMS: None.

2.4 WORK SESSION ITEMS:

A. Presentation by Tony Ainsworth and Dale Farr of Fletcher-Far-Ayotte Inc. architects on the Orenco Station project.

Mr. Holan: The City of Forest Grove issued a press release regarding the transit station study for the City. As a result, the architects of Orenco Station in Hillsboro called the City and offered to do a presentation on what they learned through the process.

Mr. Riordan: This will be a good perspective as we go through the process. At the last Transit Oriented Development (TOD) meeting two alternatives for a station in the City were presented, so this is timely.

**PLANNING COMMISSION MEETING MINUTES
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Mr. Ainsworth: Orenco Station was a ground breaker for its time. Some information was included in your packets, and you have probably been there. Cornell Road bisects the site, and development has been to the north. Light rail is clear to the south of the site. As others bought land and developed, the original vision was lost. The connection to light rail has not really happened.

Chairman Beck: Has the project succeeded because of Cornell Rd. or because of light rail? Would it really be more successful in this day where people drive cars?

Mr. Farr: Light rail was the key for the project to move forward. If light rail were down the middle, the project would have been more successful.

(7:22 pm)

Mr. Ainsworth: It would have been better to have the development between Cornell Rd. and light rail. In an ideal world, it would have been interesting to have had light rail run down the middle of Cornell Rd.. You cannot subjugate the car.

Mr. Farr: People enjoy the residential and retail aspect. In the beginning we had one developer(who could see the big picture), the design team, and public agencies. There was absolutely nothing there, so we had to develop everything.

Chairman Beck: This is a big issue for Forest Grove – it is more challenging when you do not have a big empty field.

Mr. Farr: We experienced challenges. It took a long time to slow traffic on Cornell Rd. The developer would not allow national chains except Starbucks and New Seasons.

Mr. Ainsworth: The area had to be rezoned. Orenco was a 190 acre site in an industrial zone in a suburban setting. It was rezoned to a higher density residential. Mr. Ainsworth showed a map of the site.

Chairman Beck: At Orenco Station you have small shops where you can walk, then just down the road is a big shopping center.

Mr. Farr: Connectionwise the big shopping center does not help the pedestrians and visually it does nothing.

Chairman Beck: We cannot transplant all of Orenco Station out here, so if we transplant one part will it work?

Mr. Ainsworth: There may be things in place in Forest Grove that you can pair up with residential to produce the synergy.

**PLANNING COMMISSION MEETING MINUTES
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Chairman Beck: We have a downtown we are trying to keep from dying.

Mr. Farr: To me the closer to downtown the better. You have the character of downtown going for you.

Mr. Holan: We need a station in both downtown and another area (perhaps Oak St.) that will enhance downtown – not detract from it. The downtown terminus would probably occur before the station out by Oak St.

Chairman Beck: The danger is if one develops first, it could be detrimental. They should develop together.

Commissioner Nakajima: Were you going after people with good paying jobs?

Mr. Ainsworth: Yes. With Intel nearby, people from other countries are here for a few years, and Orenco Station meets their needs.

Commissioner Nakajima: We do not have that here.

Chairman Beck: Forest Grove has a lot of retired people, but they are not wealthy. How many people in Orenco Station work within a couple of miles? Intel built a new plant nearby.

Mr. Farr: There are older people who sold their larger homes and moved to smaller ones at Orenco Station. There are younger people living there also, but Orenco Station is not oriented to children.

Mr. Ainsworth: In the beginning we did a situation analysis. Metro required high density, and the required density was not allowed. We had no role model. There were no natural amenities. There was a potential seven-lane road bisecting the site. It was an inexperienced jurisdiction with transit oriented development and wanted a neo-traditional plan, but had no staff to implement.

Mr. Farr: Perhaps half of Orenco Station's core is residential and half retail and parking. There is a park, and those lots around the park sold first. These units were rear-loaded and cars park on the street.

Mr. Holan: Given the total units and assuming half the site in residential, that pencils out to twenty units per acre. The zoning would allow it to be done here in Forest Grove.

Mr. Ainsworth: There were positives about the Orenco site. There was a future light rail line, a growing high tech job base, a cooperative jurisdiction, a strong financial partner, and an open minded market.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

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Mr. Farr: The light rail is a part of it, but not the whole. People can walk to the little retail area. People feel good, because light rail is there – even if they do not use it.

Mr. Ainsworth: Research goals would be to determine the breadth and depth of the market for high density residential, determine what buyers would want and how much they would pay, and determine how to market this new concept.

Chairman Beck: Once you get into quantitative research you can determine if a project will work. I hope this has been done in Forest Grove. It would be good to see the numbers.

Mr. Holan: Yes, this has been done and it was determined Forest Grove is in the ballpark.

Mr. Ainsworth: The market research methodology used for Orenco Station included: direct mail questionnaire, competitive market analysis, focus groups, and demographic data.

Mr. Farr: Since this was the first of its kind, they were really in the dark. Now people are familiar with row houses. Back then they could not visualize it, and asked to see pictures. That is what we did. The City of Hillsboro and Metro instigated the developer, and the Fletcher-Farr Ayotte Architects were hired.

Mr. Ainsworth: There were several development tenets which included: light rail must become a major amenity, land plan must be pedestrian-oriented and deemphasize cars, the architecture must evoke strong emotion, and the town center must provide services. The Town Center is mixed use, and buildings have a look to function as Town Center – the Main Street U.S.A look.

Mr. Farr: The retail on Main St. was done first, then the residential. The residential includes residential lofts, live/work under product, and senior housing near Town Center. Orenco Station has more of a Boston Walk-up look. There is a Home Owners Association Fee. The City wanted to have one main park, because maintenance would be easier.

Mr. Ainsworth: The live/work units were not as successful. There were a number of code issues involved. The work component was half a story down below grade, and we had to put in lifts to get people down there.

Mr. Holan: In California, live/work units were very popular with artists. That might be an opportunity in Forest Grove.

Mr. Ainsworth: Residential planning included: tree-lined streets with setback sidewalks, garages to the rear to eliminate driveways, and a park as open space.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

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There were a number of issues with Town Center financing which included: it was an unconventional product for suburbs, lenders perceived it as high risk, there were no anchor tenants, and too much retail in relation to residential. The land development costs do not mean much now. There were 426 units at \$27,000.00 per unit. There is a little mailbox place next to the market, where people go to get their mail.

Commissioner Arnott: That is nice. It draws people to the market.

Mr. Ainsworth: Marketing included: appropriate positioning in the market place to sell/rent (focus groups were used to determine this), quality materials, and there was a consistent message presented in brochures, advertising, website and signage.

Mr. Farr: Something we learned in the process is to control your vision image and do not sell your created value too early (“patient money”).

Mr. Ainsworth: In conclusion:

- The market will reward those who create a sense of place
- The market will do so to the degree that a sense of place is created
- There are diseconomies in mixed use development
- Public-private ownership is crucial and incentives should be considered
- The models are out there
- Teamwork is crucial

Chairman Beck: How much housing is over retail?

Mr. Farr: The first block is residential over retail, and then wraps to the west. It is not over the market.

How much was dependent upon residential over shops?

Mr. Farr: It is proportion you want – that narrow street feel with tall buildings. You could put offices above.

Chairman Beck: Give us your opinion of why the Beaverton project on light rail failed.

Mr. Farr: You see the parking lot first. You see the station through a sea of cars. There are odd elements – it does not work. The five-story parking garage is out of scale.

Chairman Beck: It is the residential around Orenco Station that makes it work.

Mr. Ainsworth: Orenco is very accessible for cars and pedestrians. It is logical – it

**PLANNING COMMISSION MEETING MINUTES
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makes sense. People feel they can go to the restaurant and know how to get in and out. In Beaverton the logistics are terrible. Plan for the car while you plan for TOD.

Chairman Beck: These are examples of one project that works and one that does not.

Mr. Ainsworth: With Orenco the City was involved to get it going, then the developer built it to make money. In Beaverton the City remained involved, and as a rule cities are poor developers.

Commissioner Arnott: Orenco is a destination. I feel good when I go there. It draws me.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES: Commissioner Miller made a motion to approve the minutes from the February 21st and March 7th meetings. Commissioner Nakajima seconded. Motion passed 4-0.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR'S REPORT: None.

3.4 ANNOUNCEMENT OF NEXT MEETING: Next meeting will be held on April 4, 2011. This will be a joint work session with the Historic Landmarks Board.

3.5 ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Respectfully submitted by:

Marcia Phillips

Assistant Recorder

APPROVED

1. **ROLL CALL:**

Chair Russ Redmond called the meeting to order at 7:32 am

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

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

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

MEMBERS NOT PRESENT: Drue Garrison

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

2. **CITIZEN COMMUNICATIONS:** None

3. **APPROVAL OF MINUTES:** February 23, 2011 minutes approved and seconded

4. **ADDITIONS/DELETIONS:** None

5. **ACTION ITEMS/DISCUSSION:**

PSAC:

Nomination: Rob Dahl nominated Chere Sandusky and was seconded. Chere Sandusky was voted in as the new chair for PSAC 2011.

Bylaws: PSAC will discuss by-laws at next meeting.

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

7. **STAFF REPORT:**

Police:

Monthly Department Report: See attached

Press Release: Captain Ashbaugh verified everyone is now receiving the press releases.

Mental Health Forum: A forum was held regarding mental health and how to handle the problem. This was held in Portland and was very well attended. Information was forwarded to the state.

Bi Mart Burglary: Two arrested in the Bi Mart Burglary. Great job was done by our Detectives.

Staffing: Police officer position is closed at this time and nine laterals are being interviewed for this position. Captain's position will be opened this week and will close March 19, 2011. The position for Community Service Officer is also closing soon and it will

Reserve Officers: The reserve officers have graduated from the academy.

Annual Report: The annual report is out so if anyone has not received one and would like to have on just let us know.

Citizen's Academy: This year's citizen's academy has started with 29 people attending. The department has received exception feed back on the 8 week course.

Prescription Drug Take Back: The department is having another drug take back day. It will be scheduled for the end of April.

Fire:

Monthly Department Report: See attached

Staffing: There are concerns with the level of staffing to be able to provide coverage to daily calls.

8. **OLD BUSINESS:**

Levy: Filing deadline is March in which the laws apply at that time.

Sub committee: Tom Johnston will inform the city manager of a sub-committee. Several members of PSAC have already volunteered.

Utility Bill Survey: It was suggested to send a brief survey in the utility bill to find out what is important to the citizens of Forest Grove. See attached example.

9. **ANNOUNCEMENT OF NEXT MEETING:** March 30, 2011

10. **ADJOURNMENT:**

Russ Redmond adjourned the meeting at 08:57 a.m.

Respectfully submitted by:

Carol Lorenz

2010 Forest Grove Fire and Rescue Accomplishments

1. Forest Grove Fire responded to 2639 call in 2010
2. Forest Grove Fire conducted over 10,858 hours of training in 2010
3. Forest Grove Fire obtained 82 new certifications for personnel from DPSST and recertified all other existing certifications for personnel with 397 DPSST Certifications
4. Forest Grove fire provided the following fire and life safety inspections in 2010
 - a. 87 Regular inspections completed
 - b. 21 Re-inspections completed
 - c. 19 Special inspections
 - d. 131 Hazards were noted
 - e. 24 Hazards were abated
 - f. 16 Rural residential driveways were inspected
 - g. 21 Commercial plans for construction were reviewed for access and water supply
 - h. 4 Residential construction projects were reviewed for access and water supply
 - i. 10 Complaint based inspections were initiated
5. Forest Grove Fire Marshal's Office provided the following public education and community affairs
 - a. 44 public education programs in our K-12 schools for 1,506 students
 - b. 2 public education programs in our business community for 100 participants
 - c. 11 station tours (FMO only) where 262 people visited our fire stations
 - d. 14 other public education programs in our community for 2,171 people
 - e. 4039 total people were contacted by our Public Education Programs
 - f. 25 smoke alarms were installed in our residences
 - g. 19 media releases or advisories were issued
 - h. 53 separate media interviews were completed
 - i. 7 youths went through intervention programs related to fire setting.
 - j. 126 rural address signs were installed
6. Developed public partnership with City of Cornelius to provide Fire Chief services for the Cornelius Fire Department.
7. Completed development and implementation of City of Forest Grove Emergency Operations Plan.
8. 85% completion of department strategic plan.
9. Successfully managed three third-alarm wildland fire incidents within our jurisdiction during the 2010 fire season.
10. Coordinated annual Toy Drive program for community, providing gifts for 170 families in Forest Grove, 100 in Cornelius, with over 1000 children receiving assistance.
11. Received State Homeland Grant for Station 7 generator and satellite phone (approximately \$35,000).
12. Conducted joint Forest Grove-Cornelius National Fire Protection Association Pumper Operator class.

13. Participated in planning and coordination for the return of football to Pacific University – provided incident action plan and standby crew for each game.
14. Completed research and purchase of two used Type III engines.
15. Assisted Cornelius Fire with their Captain's promotional assessment center.
16. Hosted the EMT-Basic training program held through Western Washington County Training Officers Association.
17. Worked with Pacific University to establish a dispatch zone on campus so that their campus security would be notified (and can respond to) 911 calls on campus.
18. Provided two full day training programs for Forest Grove and Cornelius firefighters in advanced use of thermal imaging cameras.
19. Completed purchase and began installation of electronic sign for Fire Station 4.
20. Licensed Rescue 4 with Oregon Health Division as transport capable ambulance.
21. Participated (ongoing) in pilot program where we provide ambulance transport at times of system overload. Four successful transports to date.
22. Provided on-going maintenance and support of community flag pole, transferring responsibility and funding from Forest Grove Rotary to the Forest Grove Firefighter's Association.
23. Fire Chief completed third year class of four year program at National Fire Academy Executive Fire Officer program.
24. Fire Chief graduated from George Fox University with BA in Management and Organizational Leadership
25. Fire department purchased, trained and implemented automatic defibrillator program with Forest Grove Police Department.
26. Fire Chief served second term as President of the Oregon Fire Instructors Association
27. Fire Chief served as incident commander for the annual Oregon Firefighter Safety Symposium and deputy incident commander for the January 2011 conference.
28. Training Chief served third term as President of Western Washington County Training Association.
29. Continued work on Natural Hazards Mitigation Plan (grant funded, \$20,000) and coordinated adding Cornelius to this process.
30. Achieved new records with our social media programs, with over 550 Twitter followers, 1280 Facebook followers (third largest fire service Facebook site in Oregon) and a fire department blog where one educational blog post per week is provided.
31. Continued our partnership with the Forest Grove School district with our fire cadet program.
32. Completed purchase of equipment and training of personnel in confined space rescue.
33. Conducted statewide class in live-fire training in acquired structures.
34. Purchased rescue trailer and placed in service for technical rescue responses.
35. Conducted first Community Emergency Response Team (CERT) training class.

36. Entered into partnership with Washington County EMS office to provide oxygen cascade system in Forest Grove for use by Western Washington County fire departments.
37. Ordered and placed the following equipment in service:
 - a. New staff vehicle in service (Chevy Tahoe).
 - b. Replacement gurney for Rescue 4
 - c. Emergency Operation Center trailer (EOC 4 – 90% grant funded)
 - d. Two thermal imaging cameras
38. Sold two surplus fire engines and one staff vehicle for \$25,000.
39. Staffed Gales Creek station with career firefighters during recent Gales Creek Road closure in partnership with the Washington County Roads division.
40. Promoted Dave Nemeyer to Division Chief/Fire Marshal.
41. Fire Chief and Fire Marshal continue to serve on the Oregon State Fire Marshal incident management overhead teams.
42. Dave Nemeyer received the Award of Excellence at the Oregon Fire Service Meritorious Awards Banquet.
43. Participated in May countywide disaster exercise, including EOC set up and demonstration to City employees.
44. Conducted four live-fire training events.
45. Significantly expanded and enhanced our pre-plan program (grant funded).
46. Provided regional arson investigation training class.
47. Participated in on-going prehospital medical study with Oregon Health Services University.
48. Fire Chief published article in professional journal “Fire Engineering.”
49. Provided juvenile fire-setter intervention counseling to several families in the community.
50. Evaluated possible remodel options for Gales Creek Station.
51. Conducted successful AIC testing program – four personnel successfully passed the testing process.
52. 26 firefighters completed annual NFPA medical exams.
53. Created new fire and rescue protocols.
54. Conducted fall and spring volunteer recruitment and participated in Western Washington County Training Association training academy - 30 new volunteers were trained in 2010.
55. Conducted multiple hazardous materials and other training events with local industries (Viasystems, Hennigsen Cold Storage, and Pacific University).
56. Participated or conducted the following events:
 - a. Medical coverage at all Forest Grove High School football games.
 - b. Conducted annual Public Safety Open House with an estimated 1000 people attending.
 - c. Medical and command coverage at all Pacific University Football games.
 - d. Medical coverage at the Verboort Sausage and Kraut Dinner event

- e. Provided 1500 light-sticks in our "Be Seen at Halloween" campaign.
- f. Raised over \$ for muscular dystrophy with the IAFF firefighter "Fill the Boot" campaign.
- g. Monthly child safety seat inspection program
- h. Bi-monthly community CPR training program
- i. Annual Corn Roast and 5k Lions Club Run
- j. Conducted Annual September 11 Memorial Service
- k. Conducted Annual Memorial Day observance service.
- l. Forest Grove "Uncorked" fundraising event for the Forest Grove Firefighters Association.
- m. National Night Out Campaign
- n. Fourth of July fireworks safety and enforcement campaign with FGPD
- o. Cornelius Fred Meyer Safety Fair with over 200 people attending
- p. Annual City Employee Breakfast
- q. Seattle Firefighter's Stairclimb, raising over \$2500 for leukemia research
- r. Annual Fire Department Banquet
- s. Volunteer firefighter breakfast fundraiser

Public Safety Advisory Committee
Fire Chief's Report
February 23, 2011
Reporting Period: January 26-February 22, 2011

Notable Calls and Events

1. Forest Grove residential structure fire on Timber Road on Sunday morning (0430). The occupant awoke to a fully involved living room fire (awakened by smoke detectors). He attempted to call 9-1-1 but the line burned through resulting in a dropped 9-1-1 call. Sheriff's were sent to investigate and discovered a fully involved manufactured house fire 23 minutes later. First arriving fire units arrived to a fully consumed building. Due to the extensive destruction an exact cause is impossible to determine, but it is expected that it was started lights and heaters used in the living room for a medical marijuana growing operation. Estimated loss was \$50,000. In addition to units from Forest Grove fire apparatus from Banks, Cornelius and Gaston assisted in responding to this fire.
2. Forest Grove fire personnel assisted in the body recovery of a contractor that died while clearing trails 1.8 miles from Gales Creek camp.

Training

1. Forest Grove new volunteer firefighter orientation and equipment issue for 11 new volunteers was held Wednesday.
2. Forest Grove conducted AIC and Volunteer Lieutenant testing on Friday – 2 career staff achieved AIC Lieutenant, 2 volunteers achieved Lieutenant rank.
3. Completed joint hose load project between Forest Grove and Cornelius.
4. Joint: conducted joint training in hose loads, strategy and tactics, large area search, and rope rescue with both agencies.
5. Joint: Division Chief O'Connor conducted training for sixteen Forest Grove and Cornelius firefighters at the MERTS fire training facility in Astoria on Friday.
6. Forest Grove: conducted tours of Forest Grove High School with all three career shifts.

Fire Prevention/Community Risk Reduction

1. Joint: Division Chief Nemeyer working on proposed joint vacant building arson prevention program with both Forest Grove and Cornelius police and code enforcement.
2. Forest Grove: Division Chief Nemeyer began review of construction documents for new Joseph Gale School, conducted after school program at Neil Armstrong Middle School, and completed re-inspection of Sake One Brewery.
3. Forest Grove Fire and Rescue held their monthly child safety seat clinic. Forest Grove Fire and Rescue will be working on an outreach program to educate OB/GYN physicians, midwives and hospital birth centers on the available Washington County car seat clinics.
4. Site inspection for new LDS church for fire protection systems.
5. Fire Marshal Dave Nemeyer began process of adopting the 2010 Oregon Fire Code for the City of Forest Grove.

6. Submitted annual report to the Oregon State Fire Marshal for our exempt jurisdiction certification.

Projects and Administration

1. Forest Grove: Conducted formal promotional ceremony for Dave Nemeyer, promoting him to Division Chief/Fire Marshal.
2. Cornelius: attended City Council work session Wednesday and presented goals for Cornelius Fire Department. These include:
 - Evaluation and implementation of intergovernmental agreement for fire chief services
 - Development of a strategic plan.
 - Adoption and implementation of emergency operations plan.
3. Fire Chief participated in disaster exercise design for May 10 disaster drill and attended class on disaster exercise design class at TVFR.
4. Joint: Fire Chief conducted meeting of the Oregon Fire Instructors Association (OFIA current president).
5. Joint: Began preparation for union negotiations for both Cornelius and Forest Grove.
6. Joint: Assessed Cornelius and Forest Grove physical agility test to look a possibility of combining these tests to improve operations and reduce costs.
7. Forest Grove: Began work on placing used Type III engines (designated as Heavy Brush 4 and Heavy Brush 7) in-service.
8. Forest Grove Fire received formal notification of a FEMA and DHS Assistance to Firefighters grant award for a mobile fire training simulator. The total grant award is \$425,000 (\$382,500 federal match, \$42,500 local match).
9. Forest Grove hosted the 6th annual Washington County Fire District Directors meeting and dinner. This dinner was attended by fire district representatives from Washington County District 2, TVFR, Forest Grove, Cornelius, and Banks. Reports were given by each district, Metro West, Washington County EMS, Fire Defense Board, and ODF. Sharon Cox did an outstanding job of coordinating this.
10. Completed recommendation on allocation of funds from IGA with Cornelius and presented to City Manager. Recommendation includes:
 - Funds for part-time fire inspector beginning July 1, 2011.
 - Expansion of intern program from six to nine interns.
 - Funding for medical surveillance and fitness programs.
11. Completed work on staff report on City residential burns
12. Career firefighters in Cornelius and Forest Grove began participating in Pacific University firefighter health study.
13. Updated vehicle replacement schedule with new apparatus.

Forest Grove Fire & Rescue

Incident Type Report (Summary)

Alarm Date Between {01/26/2011} And {02/23/2011}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
100 Fire, Other	2	1.08%	\$700	1.20%
111 Building fire	4	2.16%	\$56,000	96.05%
114 Chimney or flue fire, confined to chimney	2	1.08%	\$1,000	1.71%
131 Passenger vehicle fire	1	0.54%	\$200	0.34%
160 Special outside fire, Other	1	0.54%	\$400	0.68%
	10	5.40%	\$58,300	100.00%
3 Rescue & Emergency Medical Service Incident				
300 Rescue, EMS incident, other	5	2.70%	\$0	0.00%
311 Medical assist, assist EMS crew	27	14.59%	\$0	0.00%
321 EMS call, excluding vehicle accident with	92	49.72%	\$0	0.00%
322 Motor vehicle accident with injuries	2	1.08%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	6	3.24%	\$0	0.00%
	132	71.35%	\$0	0.00%
4 Hazardous Condition (No Fire)				
445 Arcing, shorted electrical equipment	1	0.54%	\$0	0.00%
	1	0.54%	\$0	0.00%
5 Service Call				
511 Lock-out	1	0.54%	\$0	0.00%
551 Assist police or other governmental agency	1	0.54%	\$0	0.00%
552 Police matter	1	0.54%	\$0	0.00%
553 Public service	2	1.08%	\$0	0.00%
554 Assist invalid	5	2.70%	\$0	0.00%
561 Unauthorized burning	1	0.54%	\$0	0.00%
571 Cover assignment, standby, moveup	2	1.08%	\$0	0.00%
	13	7.02%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	2	1.08%	\$0	0.00%
611 Dispatched & cancelled en route	1	0.54%	\$0	0.00%
611A Cancelled en route - Automatic Fire Alarm	6	3.24%	\$0	0.00%
611B Cancelled en route - Medical Calls	9	4.86%	\$0	0.00%
611C Cancelled en route - Motor Vehicle	1	0.54%	\$0	0.00%
611D Cancelled en route - Wrong Location	1	0.54%	\$0	0.00%
611F Cancelled en route - Mutual Aid Fire	2	1.08%	\$0	0.00%
622 No Incident found on arrival at dispatch	2	1.08%	\$0	0.00%
631 Authorized controlled burning	1	0.54%	\$0	0.00%

Forest Grove Fire & Rescue

Incident Type Report (Summary)

Alarm Date Between {01/26/2011} And {02/23/2011}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
	25	13.51%	\$0	0.00%
7 False Alarm & False Call				
733 Smoke detector activation due to	1	0.54%	\$0	0.00%
743 Smoke detector activation, no fire -	2	1.08%	\$0	0.00%
744 Detector activation, no fire -	1	0.54%	\$0	0.00%
	4	2.16%	\$0	0.00%

Total Incident Count: 185

Total Est Loss: \$58,300

FOREST GROVE EMERGENCY OPERATIONS PLAN HAZARD SPECIFIC ANNEX (HSA 7) WINTER STORM

PURPOSE

To supplement the actions listed in the Forest Grove EOP to be taken in the event of adverse winter weather, and to define the roles and responsibilities and coordinate the resources of City resources during adverse winter weather.

SITUATION

- Forest Grove can expect to receive adverse weather conditions during the winter months of October to April. Based on the severity of each storm, portions of this annex may be implemented to mitigate the effects on transportation, commerce and the general welfare.
- Record snowfalls occurred in 2008. A serious storm in 1937 created drifts 25 feet in height. In 1950 Forest Grove reported 59”.
- Specific action will be based on the conditions declared by the National Weather Service.



*Forest Grove Fire Station, winter storm
December 2008*

- Without protection, extreme cold with storm driven winds can lower body temperatures and quickly cause frost bite, hypothermia or death.
- Winter storms can be accompanied by strong winds creating blizzard conditions with blinding wind-driven snow, severe drifting, and dangerous wind chill.
- Heavy snow can immobilize Forest Grove. Commuters can be stranded, commerce stopped, and police, fire, and ambulance

services disrupted by severe snowstorms.

- Heavy accumulation of ice can bring down trees, electrical wires, utility poles and lines, and communication towers.
- Communication and electric power can be disrupted for days while utility companies' work to repair extensive damage.
- Based on the strength of the winds and the type of precipitation (snow, ice, freezing rain, sleet, etc.) winter storms may last several days shutting down highways, businesses, governments and schools.

- Refer to Washington County Office of Consolidated Emergency Management Natural Hazards Mitigation Plan for more info on hazard identification, vulnerability assessment, risk analysis and mitigation plans for this hazard.

ASSUMPTIONS

- Washington County OCEM monitors weather forecasts on a daily basis, depending on the National Weather Service (NWS) for storm assessments or forecasts. Using the media, NWS will warn the public.
- Temporary shelters will be opened, if necessary.
- Animals may also require shelter, food, and water

CONCEPT OF OPERATION

- Activate Forest Grove Emergency Operations Center as appropriate.
- Strategic priorities shall be Preservation of Life, Incident Stabilization, and Property Conservation.
- Begin callback or retention of essential personnel depending on scope of problem.
- Develop strategies for on-duty employees to contact their family members and determine their safety as required.
- Appoint EOC Incident Commander; begin initial development of strategies and written Incident Action Plan for first operational period.
- Forest Grove's EOP is integrated with Washington County Consolidated Emergency Operations Basic Plan, Functional Annexes and other plans. Refer to these plans as functional annexes to the Forest Grove EOP Basic Plan:
 - Alert and Warning Annex
 - Damage Assessment Annex
 - Donations Management Annex
 - Emergency Public Information
 - EMS Resource Management
 - Law Enforcement Annex
 - Transportation Annex
 - Public Health Annex
 - Resource Management
 - Transportation Annex
 - Community Wildfire Protection Plan
 - Natural Hazards Mitigation Plan
 - Regional Emergency Transportation Routes
 - Regional Utility Coordination Plan
 - Regional PIO ConOps Plan
- Debris management should be in accordance with *Public Assistance Debris Management Guide* (FEMA July 2000)
- Consider drive-by assessments of critical facilities to facilitate resource dispatch.
- Consider need for developing plans for special-needs populations.

- Consider alternative methods for disseminating public information, depending on infrastructure. Examples include banners, mobile and stationary electronic signs, social media, etc.
- School closures will be coordinated by the Forest Grove School District.
- Coordinate shelter openings with American Red Cross.
- Departments should be prepared for frozen water lines and high call volumes for flooding once the temperatures rise.
- Prepare plans for debris removal and management.
- Develop coordinated management strategies for de-icing roads, plowing snow, clearing roads of fallen trees, and clearing debris from public and private property.
- Consider notifying residents that live in areas where snow removal is not possible.
- Provide winter storm aid and assistance to the public.
- Continuously monitor energy and power conditions.
- Expedite fuel deliveries to first responders.
- Communicate and coordinate road openings and closings.
- Monitor openings and closings (food stores, gas stations, etc.).
- Issue appropriate winter storm directives and recommended courses of action to the public.
- **DECLARATIONS**
 - There will be four (4) winter storm classifications that will follow National Weather Service lead. They are:
 - *Winter Storm Outlook*: Issued when winter storm conditions are forecast for the State within the next 12 hours.
 - *Winter Storm Watch*: Issued when the possibility of a hazardous winter weather event has increased significantly, but its occurrence, location, and/or timing is uncertain. It is intended to provide lead-time to set emergency plans into motion.
 - *Winter Storm Advisory/Warning*: Issued when a hazardous winter weather condition is occurring, is imminent, or has a very high probability of occurring. A warning is used for conditions posing a threat to life or property. Advisories are for less serious conditions that could cause significant inconvenience and, if caution is not exercised, could lead to situations that may threaten life and/or property.
- *Winter Storm Emergency Statements*: Issued at frequent intervals to amplify watches, warnings, and advisories by reinforcing the message, indicating what is expected, and outlining appropriate suggested response actions.
- Departments are to list activities that can be taken to develop individual plans to save lives and minimize winter storm damage while enhancing speedy storm response operations:

- Identify essential personnel, equipment, and materials to be maintained during winter storm emergency conditions.
- Maintain systems, supplies, and equipment in winter storm operational readiness.
- Pre-position personnel and equipment, if warranted.
- Cancel all non-essential events, activities and projects, as necessary.
- Removal of additional/excess snow and/or debris.

ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

- Refer to Forest Grove Basic Plan

CONTINUITY OF GOVERNMENT

- Refer to the Forest Grove Basic Plan for specific responsibilities.

ADMINISTRATION AND LOGISTICS

- Department personnel will be responsible for maintaining lists of resources to include available personnel, supplies, and equipment.
- Each response agency shall develop standard operating guidelines (SOGs) and implementation checklists to ensure response and recovery actions in this plan are performed in a timely manner. A generic checklist is included.
- All organizations involved in winter storm emergencies shall maintain detailed records which later may be used for reimbursement.
- The Emergency Program Manager shall prepare an after action report describing the situation and response & recovery actions of local, municipal and private organizations in the City.
- Based on after-action reports and critiques, each department shall update and maintain their SOGs, etc. to facilitate preparedness for subsequent winter storm incidents.

AUTHORITY AND REFERENCES

- Refer to the Forest Grove Basic Plan

APPENDIXES

- HSA-7 Appendix A - Winter Storm Tips

HSA APPENDIX A – WINTER STORM TIPS:

- Monitor upcoming weather conditions.
- Prepare personal survival kits to include extra clothes, canned food and drinks, fruit, chocolate and other high-energy foods, flashlight, small portable radio with extra batteries, and necessary medications.
- Stay indoors as the storm hits, if possible.
- Always dress in layers, before you go out.
- If possible, avoid overexertion - cold weather normally stresses your body systems. Always try to stay dry. Keep your feet dry.
- Beware of frostbite. Cover all extremities. Wear a hat and gloves.
- During a storm, travel only as necessary. If you must travel, try not to travel alone, and then only during daylight on major roads.
- Always let someone know your schedule and destination.
- If your vehicle gets stuck, don't leave the vehicle unless you are sure you can make it and/or help is in sight. Otherwise, stay in the vehicle and ensure proper ventilation. Periodically run the engine to keep warm. Remember; vehicle exhaust is dangerous!
- Signal a "request for help" by raising the hood and tying a cloth on the antenna, or turning on the flashers.
- Check on neighbors, frail elderly and single parent families with young children.

To: "emory and chere sandusky" <sandcher@comcast.net>
Sent: Thursday, December 02, 2010 1:50 PM
Subject: RE: Hey

First, I don't think the City Council would ever agree to split out public safety from the general levy – they need that in there to pass the levy and they know it.

That being said, the Second issue is that you can't load the questions to get the result you want – the questions have to be both neutral and give results which would be helpful for decision making. I suggest the following:

1. I would like to see each Forest Grove ballot measure for a levy:
 - a. Be limited to a single service.
 - b. Combine similar services.
 - c. Combine all services.
 - d. Be left to the discretion of the City Council.

2. I believe that public services provided by Forest Grove:
 - a. Are of equal importance.
 - b. Are all necessary services.
 - c. That some are of more importance than others.
 - d. That only the City Council should determine their importance.

3. Number the following City Services in order of importance to you:
 - ___ Library services.
 - ___ Roads.
 - ___ Planning and Permits for building.
 - ___ Public Safety (Police and Fire Departments).
 - ___ Schools.
 - ___ Sanitary services.
 - ___ General administrative functions.
 - ___ Environmental.
 - ___ Code enforcement.

Looking at the above three questions, I'd suggest having #3 be first, the #2, then #1.

It doesn't matter if the service listed is in-fact provided by the City or not. It's a good idea to have several listed including some that don't exist – it gives you a better idea of what is really important to the voters.

I hope this helps.

LvD



Forest Grove Police Department Monthly Report - January 2011



Patrol Division Activities

Homicide	Robbery	Rape	Sexual Assaults	Burglary	Theft	Agg. Assault	Domestic Assault	Simple Assault	DUII	Graffiti	Detox	Motor Vehicle Crash	Traffic Citations	Arrests
0	1	0	1	9	33	2	6	7	4	3	2	4	136	41

Highlights:

- Assisted Portland Police Bureau with search warrant service
- Robbery investigation at Domino's Pizza
- Residential burglary arrest in 1600 Block of Ash Street
- Continued instruction in the G.R.E.A.T. program at Tom McCall Upper Elementary School
- Conducted DUII Saturation patrols over Christmas and New Year's holiday weekends
- Patrol personnel serviced 1,563 calls for service
- Armed Robbery at Bi-Mart

Investigations Division Activities

Assigned Cases	Cases Closed	Arrests	Charges	Reports	Follow-Up Reports	Hours on Patrol	Search Warrants	Patrol Search Warrant	Major Crimes Team Calls
15	8	2	2	12	54	0	0	0	0

Highlights:

- Sex abuse case involving possibly multiple victims. Suspect is employee of local church and is being restricted access to children.
- Armed take over robbery- Bi-Mart. No suspects identified. Several persons of interest are being looked at.
- Elder Abuse case involving local attorney will be prosecuted by Department of Justice. Grand jury up and coming.
- Additional information learned reference Fitzgerald Homicide suspect Josh Nicholas. Nicholas is person of interest in Douglas County homicide.

Community Service Officer Activities

Community Meetings	NW Contacts	Events	Contacts	Fingerprint	Graffiti Checked	Graffiti Removed	Observed Abandoned Vehicles	Removed Abandoned Vehicles	Towed Abandoned Vehicles	Parking Citations	Parking Warnings
0	6	2	59	2	5	0	27	16	0	37	7

Highlights:

- Worked with 3 private property issues. Progress shown with all 3
- Counseled with 3 families with behavior issues -juvenile
- Toured 72 children through the department
- Facilitated West Side Crime Landlord Forum w/Hillsboro Officer Blevins
- Attended meeting of area crime prevention officers to brainstorm events



Forest Grove Police Department Monthly Report - January 2011



Significant Department Training Accomplished

- Executive staff attended Executive Leadership Training Seminar
- CPR Training
- Domestic Violence Training



Monthly Building Activity Report

March-11

2010-2011

Category	Period: March-10		Period: March-11	
	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Sing-Family New	16	\$3,544,798	6	\$1,451,976
SFR Addition & Alt/Repair	6	\$183,033	6	\$107,125
Mult. Fam. New/At	1	\$5,275		
Group Care Facility				
Commercial New				
Commerical Addition			1	\$2,200
Commercial Alt/Repair	4	\$98,307	2	\$7,885
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs	1	\$10,000	1	\$2,000
Grading				
Demolitions				
Total	28	\$3,841,413	16	\$1,571,187

Year-to-Date

2008-09		2009-10	
Permits	Value	Permits	Value
141	\$19,710,367	163	\$18,603,778



RESOLUTION NO. 2011-25

**RESOLUTION ADOPTING THE FOREST GROVE
PUBLIC SAFETY ADVISORY COMMISSION BYLAWS**

WHEREAS, the City Council of the City of Forest Grove has established a Forest Grove Public Safety Advisory Commission (PSAC) to advise and make recommendations to City Council regarding public safety issues; and

WHEREAS, the City Council has appointed its members and a Council Liaison to serve on the PSAC; and

WHEREAS, the PSAC has proposed Bylaws for the regulation of the Commission's business and responsibilities, which were unanimously recommended for adoption by the Commission at their meeting of March 23, 2011.

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

Section 1. That the City Council of the City of Forest Grove hereby adopts the Forest Grove Public Safety Advisory Commission Bylaws attached as Exhibit A.

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

PRESENTED AND PASSED 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

CITY OF FOREST GROVE PUBLIC SAFETY ADVISORY COMMISSION BY-LAWS

Section I – Name:

Forest Grove Public Safety Advisory Commission (PSAC)

Section II – Established:

The Public Safety Advisory Commission was established October 10, 2005, by an act of the Forest Grove City Council by Resolution No. 2005-56, to provide advice and recommendations to the City Council on public safety issues.

Section III – Responsibilities and Functions:

The Commission is charged with the responsibility:

1. To advise the City Council and make recommendations regarding public safety policy, service levels, fiscal budgetary impacts, and sustain safe and livable neighborhoods.
2. To advise Council on educating the community about public safety issues, concerns and programs.
3. To review and recommend public safety policies and plans.
4. To facilitate Forest Grove community involvement in public safety and increase citizen awareness.

In line with the above stated objectives, the following are examples of issues for the Public Safety Advisory Commission:

1. Advise the City Council on:
 - a. Disaster preparedness
 - b. Emergency management
 - c. Emergency Medical Services
 - d. Fire and Rescue services
 - e. Police services
 - f. Public safety at city facilities
 - g. Public safety legislation

- h. Post-incident management
 - i. Traffic Management
- 2. Identify public safety needs in Forest Grove.
- 3. Develop educational programs and materials to increase community awareness.
- 4. Organize and conduct public forums on public safety agencies.
- 5. Promote opportunities for citizens to assist public safety agencies through volunteer activities like: Neighborhood Watch Program, volunteer firefighters, police reserve program, community emergency response teams, Red Cross volunteers and Search and Rescue.

Section IV – Internal Organization:

- 1. Membership and Terms:
 - a. The Public Safety Advisory Commission will consist of nine (9) voting members appointed by the Mayor with consent of the City Council. The members will be residents of Forest Grove or the Forest Grove Rural Fire Protection District, with at least seven members residing within the City limits (Resolution No. 2010-27, adopted by City Council on March 8, 2010).
 - b. The Forest Grove Rural Fire Protection District may also nominate a board member as a non-voting liaison. The Commission may also include the following non-voting liaisons:
 - i. The Chief of Police or designee
 - ii. The Fire Chief or designee
 - iii. A representative from the Forest Grove School District designated by the Superintendent
 - iv. A representative from Pacific University designated by the University President
 - v. A representative from the Chamber of Commerce designated by the Chamber board
 - c. The Commission may involve additional people as adjunct, non-voting advisors for special projects based on expertise.
 - d. The Public Safety Advisory Commission members will serve four-year, staggered terms (four and three each term). Vacancies can be filled at any time to complete a given term.
 - e. The City Council will select one of its members to serve as its non-voting liaison to the Commission.

2. Chairperson:

- a. The chairperson and vice chairperson shall be elected annually in January by the committee following new or continuing appointments to the PSAC by the City Council. The chairperson is accountable to the committee for the following designated functions in all respects. Specific responsibilities of the chairperson may be changed by committee action at any time by majority vote of the entire membership.
- b. Routine functions and responsibilities of the chairperson shall include:
 - i. Development of a written agenda in sufficient time to allow for distribution to the committee prior to any regular meeting.
 - ii. Chairing all meetings. In the event the chairperson cannot be present the vice chairperson shall assume these duties.
 - iii. Presents the yearly major activity report to the Council. The report will be written and presented orally in a public forum with the assistance of staff.

3. Meetings (Regular and Special):

- a. The Commission will attempt to meet monthly and will be guided by Oregon statute on public meetings. Special meetings may be called by vote of the committee at any regular meeting, by the chairperson, by request from the Council's liaison, or by written petition by three or more members. All regular and special meetings are open to the public. Citizens in attendance shall be given an opportunity to participate, without vote, in any discussion.

4. Quorum:

- a. A majority of the voting members of PSAC as appointed by Council.

5. Voting and Decision Making:

- a. Consensus will be used during the meetings where possible or feasible. Any member may object to the use of a consensus decision at any time on any given issue. If there is an objection, the chairperson shall commit the issue to a vote by the commission.
- b. Decisions by voting shall be decided by a majority of those voting members present and voting. A quorum (5 voting members) must be present for decisions to be made.

- c. A change in the voting procedure described in previous item 5. B. may be used on any specific item if the committee, prior to the vote, agrees by consensus or vote to require more than a majority for passage.
- d. The chairperson has the right to vote whenever a vote is cast. In case of a tie vote with the chairperson voting, the motion fails.

6. Role of Council Liaison to PSAC :

- a. Council's liaison shall have the freedom of the floor at all times to present Council's views and to comment, recommend, or suggest actions to the PSAC.
- b. Council's liaison shall not vote at PSAC meetings.
- c. Council's liaison is not responsible to convey the majority and/or the minority PSAC actions and recommendations to the Council. This is the chairperson's responsibility.
- d. Further, the liaison is not obligated to support PSAC opinions and recommendations during formal meetings of the Council.

Section V – Issues:

The rules contained in Robert's Rules of Order Newly Revised shall govern this Commission in all cases where these by-laws are insufficient in specification of procedure. The PSAC will operate in the general public interest serving the community as a whole. The PSAC will serve no special interests and will not endorse any commercial product or enterprise.

Section VI – Amending the PSAC By-Laws:

A majority of all members must vote affirmatively to modify the committee's by-laws on at least two separate regular meetings. Final decisions on a by-law change shall not be made until at least the next regular meeting following the introduction of the motion. All by-law changes adopted by the PSAC must be approved by Council. The by-laws shall be reviewed annually in January.

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.

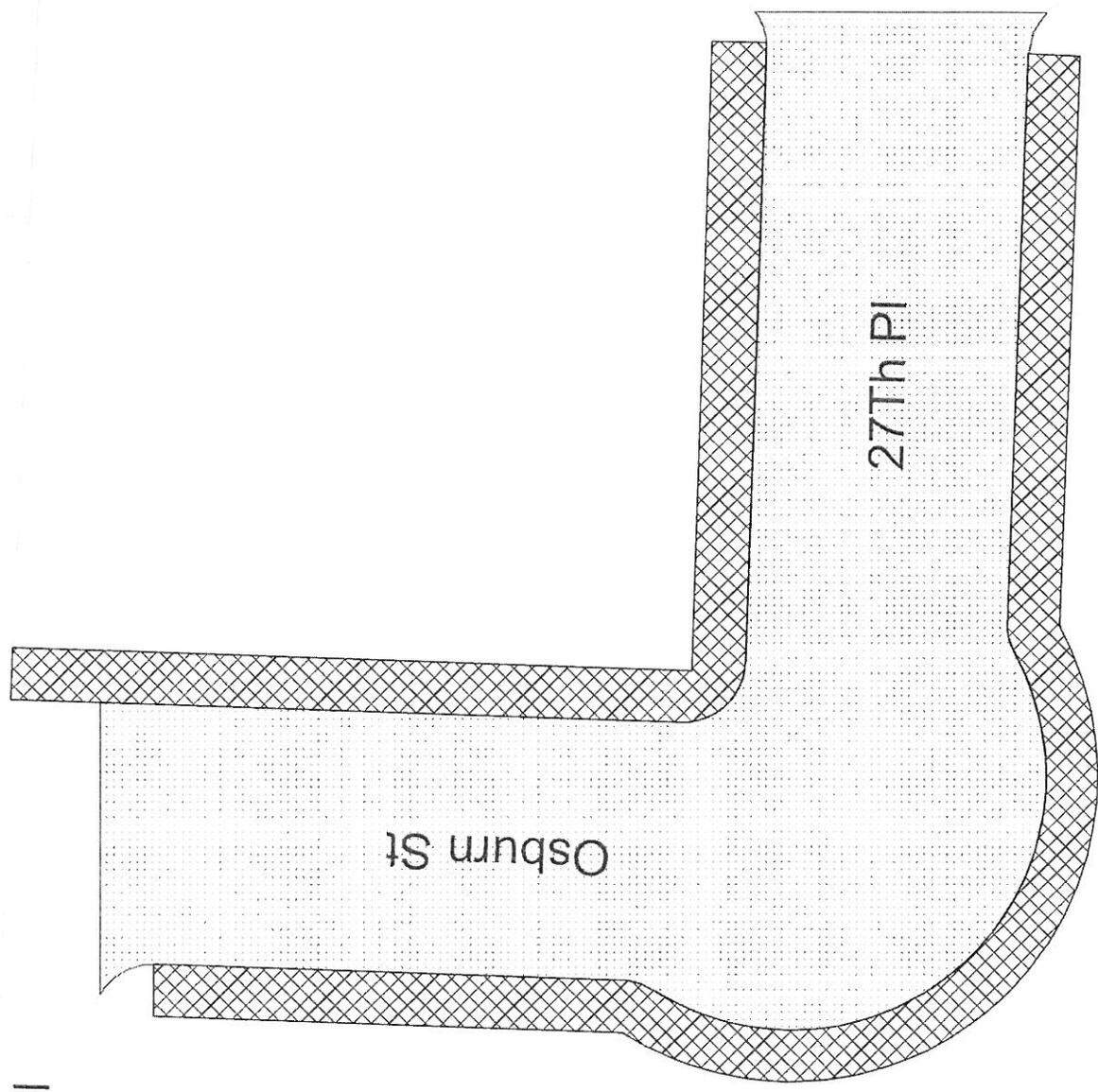
PASSED the second reading this 11th day of April, 2011.

Anna D. Ruggles, City Recorder

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

Peter B. Truax, Mayor

EXHIBIT A



Legend

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

April 11, 2011

**REPORT AND RESOLUTION AUTHORIZING CITY MANAGER
TO EXECUTE THE RESIDENTIAL EXCHANGE PROGRAM
SETTLEMENT AGREEMENT**

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. A representative from BPA reviewed the Agreement at a Council Work Session on March 28, 2011, and the Agreement was presented by staff at the City Council Meeting. After discussion, Council directed staff to monitor the actions by other utilities and required signers up to the next City Council Meeting on April 11th. Council also requested staff talk to non-supporters of the Agreement and inquired what position the Citizen's Utility Board of Oregon will take.

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.

Since the March 28th City Council Meeting staff has talked with Canby Utility Board and they had not determined if they will recommend that their Board sign the Settlement Agreement. Canby believes they have a strong case in the litigation and may possibly do better with the Court decision. Grays Harbor PUD also believes that they have a strong case. They believe that BPA methodology used prior to 2002 in applying the rate test to the Average System Cost was more correct. The previous methodology limited REP benefits to roughly \$50 million annually. Grays Harbor believes they should be able to continue their lawsuit even if other parties have agreed to settle. Grays Harbor PUD will hold a public workshop on the Residential Exchange Program Settlement agreement prior to their Board of Commissioners Meeting on April 4, 2011.

We visited with the Staff Attorney for the Citizens Utility Board (CUB) of Oregon. They signed the Agreement in Principle to Settlement in September 2010 and have been active in the Settlement negotiations. The CUB board has authorized their CEO to sign the Agreement, but that had not taken place as of March 30th.

The Public Utility Commission (PUC) of Oregon is scheduled on April 5th to consider the requests by Portland General Electric and Pacific Power to sign the REP Settlement Agreement as well as whether the PUC will sign the Agreement.

On Thursday, April 7th, the Public Power Council's Executive Committee is scheduled to vote on authorizing the Executive Director to sign the Agreement.

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. Attached is a graph prepared by the Public Power Council showing Forest Grove's obligation for Residential Exchange Benefits under the status quo, under the Settlement Agreement, and under possible litigation outcomes.

RECOMMENDATION: After reviewing the additional information, staff believes that it is in the City's best interest to sign the Settlement Agreement. If the City signs the Agreement and it goes forward, then our costs of the Residential Exchange Program will be less than under BPA's present implementation of the REP and several possible litigation outcomes. If the City signs the Agreement and it does not go forward, then we have not lost anything by signing. If the City does not sign and the agreement goes forward, then we will have exposure to any legal action taken against non-signers. Staff is requesting that the City Council approve the resolution authorizing the City Manager to endorse the Residential Exchange Program Settlement Agreement.

REP Costs in PF Rate



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*.

Background and Summary of the Residential Exchange Program Settlement Agreement

Paul M. Murphy
March 16, 2011

Background

The Pacific Northwest Electric Power Planning and Conservation Act of 1980 (“Northwest Power Act”) sets up a Residential Exchange Program (“REP”) that requires BPA to subsidize the residential and small farm consumers of the higher cost utilities in the Pacific Northwest. The cost of the REP increases BPA’s Priority Firm (“PF”) rate to consumer owned utilities (“COUs”) and the Industrial Power (“IP”) rates for power sold to direct service industries (“DSIs”). The impact of the REP on the PF rate is moderated, but not eliminated, by section 7(b)(2) of the Northwest Power Act. Section 7(b)(2) establishes a rate ceiling applicable to the PF preference rate based on five assumptions listed in section 7(b)(2), including the assumption that BPA is not participating in the REP.

BPA’s participation in the REP has been controversial from its inception. Only two years after the REP began, BPA modified the methodology for calculating the subsidy in response to complaints from COUs and DSIs that the cost of the REP was too high. The investor owned utilities (“IOUs”), which were the primary beneficiaries of the REP, sued BPA in the United States Court of Appeals for the Ninth Circuit to restore the initial methodology, but the Court upheld BPA’s modifications.

In the mid 1990’s, BPA significantly lowered the subsidy again in response to falling market power prices, and this time the IOUs turned to Congress. Congress gave the IOUs a temporary reprieve from the reduced subsidy, but basically allowed BPA’s action to stand. However, the governors of the four states in the Pacific Northwest forced BPA to re-think how it would implement the REP and its power marketing program generally beginning as of October 1, 2001.

In response to the pressure from the governors, BPA adopted what it called a Subscription Strategy that radically changed how BPA would implement the REP. Under BPA’s Subscription Strategy, BPA decided to

abandon the REP and the section 7(b)(2) rate protection to the COUs as set up by the Northwest Power Act. BPA substituted a much more expensive “REP Settlement” that it negotiated with the IOUs and the utilities commissions of the four Northwest states.

Several COUs took BPA to the United States Court of Appeals for the Ninth Circuit, and challenged both the negotiated REP Settlement for its failure to comply with the REP established by the Northwest Power Act and the PF rate BPA had developed to pay the higher REP costs without regard to the section 7(b)(2) rate ceiling. In May of 2007, the Ninth Circuit issued two opinions; one opinion overturned BPA’s REP Settlement with the IOUs¹, the other opinion ruled that BPA had failed to provide the COUs the section 7(b)(2) rate protection required by law and directed BPA to “set rates in accordance with this opinion.”²

In response to the two Court orders, BPA stopped paying REP Settlement benefits to the IOUs, but it did not stop collecting the cost of those benefits in the PF rate. BPA also initiated discussions among the COUs and IOUs in an attempt to reach an alternative settlement of the REP acceptable to the COUs. Although BPA, the IOUs and COUs came close to reaching an agreement, the settlement effort ultimately failed, in part because BPA believed it needed to respond to the Court’s orders before the passage of too much time.

The WP-07S Proceeding and Subsequent Litigation

In February 2008, BPA initiated the WP-07S proceeding to respond to the Ninth Circuit’s orders. This proceeding addressed a number of issues regarding the REP and BPA’s rates including: 1) how much REP benefits should the IOUs have received during FY 2002 through FY 2008; 2) how much section 7(b)(2) rate protection should the COUs have received during those same years; 3) how should BPA recover any over-payments of REP benefits from the IOUs; 4) how should BPA refund such over-payments to the COUs; 5) what adjustment did BPA have to make to its rates for FY 2009 to respond to the Court’s order; and, 6) how should BPA determine the

¹ *Portland General Electric Company v. Bonneville Power Administration*, 501 F.3d 1009 (9th Cir. 2007).

² *Golden Northwest Aluminum Inc. v. Bonneville Power Administration*, 501 F.3d 1037 (9th Cir. 2007).

section 7(b)(2) rate protection for the future. At the same time, BPA conducted a separate proceeding to revise its Average System Cost Methodology, which is an important element of determining the REP benefits and costs. The WP-07S case was hotly contested on all issues by the IOUs, the COUs and a group of industrial customers of the COUs (the Association of Public Agency Customers or “APAC”).

In September 2008, BPA issued its decision in the WP-07S case. As part of its decision, BPA retroactively modified the way it calculated the section 7(b)(2) rate protection in a manner that substantially reduced the rate protection that was available under BPA’s prior section 7(b)(2) implementation and increased the cost of REP. BPA also modified its section 7(b)(2) methodology prospectively in a manner that would further reduce the section 7(b)(2) rate protection. In the parallel proceeding, BPA revised the Average System Cost Methodology in a manner that also increased the cost of the REP. Even with these adverse modifications, BPA concluded that it had overcharged the COUs by about \$1 billion from FY 2002 through FY 2008. Part of this overcharge was quickly refunded from the money BPA had collected from the COUs but withheld from the IOUs. BPA has been refunding the remaining amount over time by reducing the IOUs’ REP benefits below the level BPA now calculates they are entitled to. As of October 1, 2011, the as yet not refunded overcharges, plus interest, will be \$510 million. Only \$398 million of that amount would ever be refunded to the COUs because \$112 million is owed by Idaho Power who, absent a settlement, is unlikely to qualify for REP benefits.

No party was happy with BPA’s decision. The COUs and APAC sued BPA claiming that BPA had misinterpreted section 7(b)(2) to their detriment, and that BPA had failed to order the return of all of the amounts by which the COUs had been overcharged. The IOUs and their regulatory commission sued BPA claiming that BPA’s interpretation of section 7(b)(2) was too generous to the COUs, and that BPA had entered into a binding agreement not to recover any amount actually paid to the IOUs, so all refunds were unlawful. The 14 lawsuits challenging BPA’s administrative determinations for FY 2002 through FY 2008 in the WP-07S lawsuit have been consolidated into a single court proceeding, and the parties have fully briefed the issues. The seven lawsuits addressing the IOUs contract claim against BPA have been consolidated into a separate court proceeding, and the parties have briefed the issues in that proceeding as well. Oral argument

and any further action by the Court have been stayed pending the parties' attempt to settle their disputes.

Several additional lawsuits have been filed challenging the REP costs in the PF rate for FY 2009 through FY 2011. These cases have not yet been briefed, but they have been stayed pending the settlement negotiations.

Renewed Settlement Efforts

After the parties had completed briefing of the cases that addressed only the FY 2002 through FY 2008 period, they agreed to engage in mediated settlement discussions. There were several reasons that motivated the parties to try again to settle the REP even though they had been unsuccessful in the 2007 discussions. One big reason was the recognition that settlement was the only way to achieve any fairly prompt resolution of their disputes. The disputes relating to the initial REP Settlement of 2000, which the COUs had not been party to, have still not been resolved ten years later in spite of two Ninth Circuit decisions arising out of that settlement. It is the nature of court decisions to identify errors, if any, committed by agencies, but courts do not generally specify how those errors should be corrected. Thus, even if the court were to reverse BPA's WP-07S decision in some fashion, it is very likely that BPA would retain ample discretion on how to "correct" its error.

A second factor is the large amount of deference a court is required to afford an administrative agency like BPA. Courts reverse agency decision only if the agency has acted clearly beyond the law, and they give the agency the benefit of the doubt on the agency's interpretation of the law. A third factor to be considered is that courts are not predictable. As much as a party may believe its position in court to be correct, there is always the risk that the court may rule against them. Most cases settle precisely because the parties have more confidence in their own ability to weigh the merits of the case than they have in the court's ability to weigh the merits.

In this case, with the help of a mediator, the COUs and IOUs were able to reach an Agreement in Principle as of September 1, 2010 to settle all issues relating to REP for the IOUs for the period FY 2002 through FY 2028, at which time the COUs' RD Power Contracts with BPA expire. The COUs, the IOUs and BPA then started to negotiate a detailed "Settlement

Agreement” to implement the Agreement in Principle, and to fill in the many gaps and details left open by the Agreement in Principle.

Terms of the Settlement Agreement

The Settlement Agreement reflects agreement on all of the elements of the settlement among the parties. The Agreement is fairly long and quite technical in places, but the essential elements affecting the rights and obligations of the COU parties are straight forward.

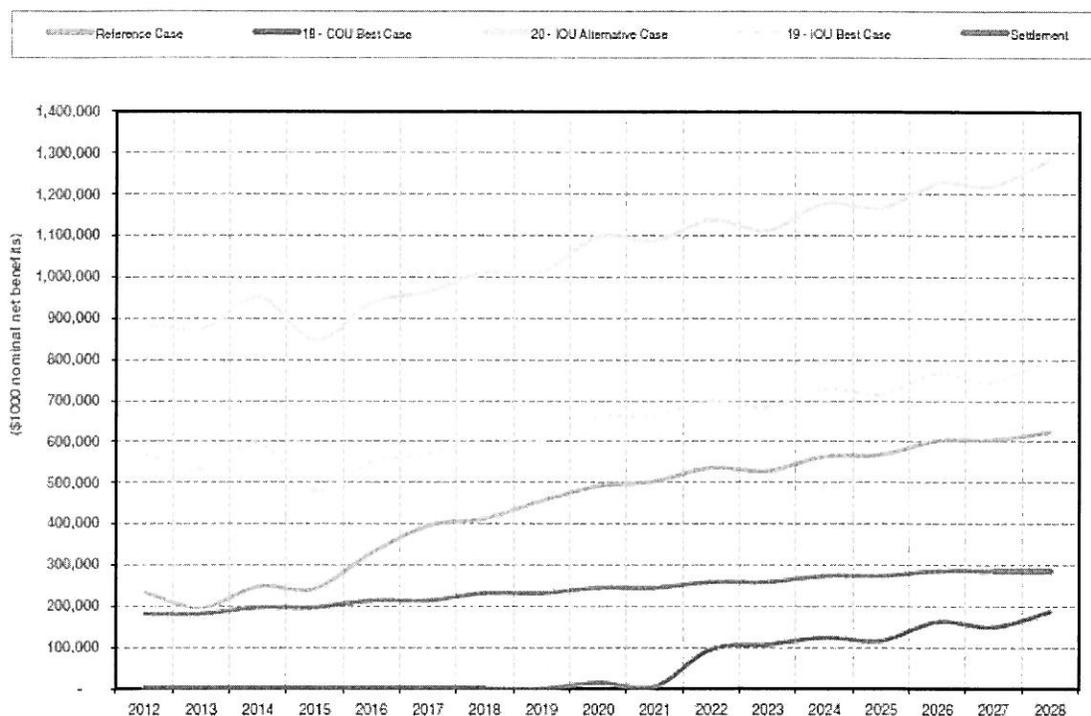
Section 3 of the Settlement Agreement is the most important. The parties have agreed to an amount of money and “Environmental Attributes” that the IOUs as a group will receive from BPA in each year FY 2012 through FY 2028. The dollar amounts are contained in Table 3.1 on page 11 of the Settlement Agreement. The Environmental Attributes are defined as 14% of the new tradable Renewable Energy Credits or Carbon Credits, if any, that may in the future be assigned by law to BPA’s existing Tier 1 resources. It is unlikely there will ever be any “Environmental Attributes” for the IOUs to share in.

The dollar amounts in Table 3.1 can best be thought of as consisting of two components; one component is the REP benefits the IOUs would be entitled to during FY 2012 through FY 2028; the other component is an adjustment to the future REP benefits to take into account resolution of the disputes over the proper lever of REP benefits for the period FY 2002 through FY 2011. The parties never quantified these separate components, they simply agreed to the net amounts, but the net amounts were heavily influenced by the parties’ expectations that the COUs were likely to be entitled to hefty refunds if the cases were to proceed to judgment in the Ninth Circuit.

The dollar amounts agreed to by the parties are significantly lower than the REP amounts, net of refunds, which would result from BPA’s decisions in the WP-07S case being upheld in their entirety and applied for the term of the Settlement. This can be seen by comparing the orange line (the forecast results of BPA’s WP-07S decision, called the “Reference Case”) with the red line (the Settlement Amounts) on the following Figure

1.³ As a result of the high degree of deference that the Ninth Circuit is required to give to BPA’s determinations, this Reference Case has to be considered a reasonably probable outcome of the pending litigation.

Figure 1: REP Benefits Extreme Scenarios
 Base Case "No Settlement" Lockback Setoff and Idaho Deemer Reduction (Except IOU Best Alternative)
 IOU Load growth met 50% IRP, 50% Market; COSA Escalated at Inflation + 2%



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In each year, the Settlement amount is less than the net-REP benefits (benefits less refunds) for the same year in the Reference Case. In the early years the difference between the Settlement and the Reference Case is modest because the refund of past over charges offsets part of the high REP benefits in the Reference Case. But by the midpoint of the Settlement term, the Settlement amounts are less than half the Reference Case benefits, a savings of \$250 -\$300 million per year. Figure 1 also illustrates the huge gap between the positions taken by the IOUs and COUs in the litigation, roughly \$1 billion per year on average between the solid green line at the top

³ Figure 1 is one of BPA’s exhibits in the pending REP-12 proceeding in which BPA is evaluating whether to enter into the Settlement Agreement.

of the chart (the IOUs alternative case) and the blue line at the bottom (the COUs best case).

Another key section of the Settlement Agreement is Section 7. In Section 7.2 and Section 7.3, the COUs and IOUs waive any right they may have had in the absence of the Settlement Agreement to more rate protection (in the case of the COUs) or higher REP benefits (in the case of the IOUs). These waivers are designed to assure that, even if the Settlement is found not to be binding on non-settling entities because it is not consistent with what the law would provide, the settling parties will nonetheless get to keep the Settlement they agreed to. This works because parties are free to waive rights they have under the law.

The waivers do not apply to non-settling COUs. Any COU that does not enter into the Settlement Agreement does not get the benefit of the IOU's waivers of higher REP benefits, and will therefore be exposed, even if they are not parties to the lawsuits, to the possibility that a court rules that the IOUs are entitled to more benefits. The remainder of Section 7 releases all the pending claims in the litigation among the settling parties while retaining for the IOUs any claims they may have for more REP benefits from non-settling entities.

Section by Section Summary of the Settlement Agreement

Section 1 sets a high threshold of public power participation in the Settlement Agreement (91% of load) by April 15, 2011, as a precondition to its effectiveness, and delays most of the substantive terms until after BPA completes its now ongoing REP-12 proceeding to evaluate the settlement.

Section 2 is a list of definitions used throughout the Settlement Agreement.

Section 3 specifies the REP benefits to be paid to the IOUs and defines exactly how the cost of such benefits is to be recovered in rates. The rate provisions apply to all BPA's customers whether or not they are parties to the Settlement Agreement unless a court rules non-settling entities are not subject to the Settlement. If a court rules that non-settling entities are not subject to the Settlement rates, then the rates for these entities may differ from the rates for settling parties. This section also includes a provision to

continue for eight years a refund payable primarily to the utilities who were overcharged in FY 2002 through FY 2006.

Section 4 provides for the release to certain IOUs by BPA of certain funds BPA had previously determined it owes to those IOUs.

Section 5 and its referenced Exhibit C provide for the transfer to the IOUs of 14% of the value of any new Renewable Energy Credits or Carbon Credits that may, but probably will not, be created in the future for BPA's Tier 1 resources. The 14% represents the percent of the value of any such credits that the IOUs would receive under BPA's current REP methodology.

Section 6 specifies how the REP benefits are allocated among the IOUs. This section does not affect the COUs' rights or obligations.

Section 7 contains waivers designed to preserve the Settlement as between settling parties even if a court concludes the Settlement does not comport fully with all statutory requirements. This section also discharges all of the pending claims among the parties relating to the REP or its effect on PF rates for the period FY 2002 through FY 2011.

Section 8 requires parties to seek legislative authorization from Congress for BPA to perform the Settlement Agreement according to its terms. The primary purpose of this provision is to avoid protracted litigation over the validity of the Settlement Agreement and to authorize BPA to engage in binding arbitration of any dispute over BPA's implementation of the Settlement Agreement. Each party is authorized to discontinue its support for, or even oppose, the legislation if it concludes the legislative effort may produce adverse consequences.

Section 9 addresses dispute resolution. It provides for binding arbitration of all disputes if legislative authorization has been obtained. Under current law, BPA is not authorized to engage in binding arbitration of most issues. Therefore, if legislative authorization has not been obtained, the COUs and IOUs agree to binding arbitration among themselves over purely dollar issues (whether the REP benefits were collected through rates to COUs and disbursed to the IOUs as required by the Settlement Agreement) and BPA agrees to make prospective bill adjustments to the COUs and IOUs bills, if necessary, to implement the arbitrator's decision.

Section 10 obligates the parties to attempt to stay the current litigation over the REP pending BPA's evaluation of the Settlement Agreement and to dismiss the current litigation if BPA does approve the Settlement Agreement. The parties also agree to press for expedited review of the Settlement Agreement if it is challenged in Court. If a Court sets aside the Settlement Agreement as it affects the parties, then the Settlement Agreement terminates. If a Court only deems the Settlement Agreement inapplicable only to non-parties, then the Settlement Agreement stays in full force and effect for Parties.

Section 11 provides that the Settlement Agreement will have no lasting effect beyond its term at the end of FY 2028.

Sections 12 and 13 are fairly standard contract boilerplate.

Section 14 provides a mechanism to terminate the Settlement Agreement with no further obligations among the parties if both: (i) there is a change in law or other authority applicable to BPA such that the cost basis for BPA's rates applicable to COUs is modified, and (ii) BPA's rates applicable to COUs rise to greater than 79% of the average of the average system cost of power of all of the Pacific Northwest IOUs.

Overall Summary

For years BPA has periodically modified its method for calculating the REP benefits payable to the IOUs and paid for primarily by higher rates to the COUs. BPA's current methodology for establishing REP benefits (which is now under review in the Ninth Circuit) is more costly to COUs than most of BPA's prior methodologies. The alternative provided for in the Settlement Agreement is significantly less costly to COUs than BPA's current methodology. While it is possible that litigation could produce a result that is less costly to COUs than the Settlement Agreement, it is far more likely that even success in the litigation would result in a remand that allows BPA ample discretion to create REP benefits and costs at least as high as provided for in the 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 11th day of April, 2011.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 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

EXHIBIT A

April 11, 2011

**STAFF REPORT AND RESOLUTIONS
WILLAMINA AVENUE SEWER
REIMBURSEMENT DISTRICT
ACCEPTING THE CITY ENGINEER'S REPORT AND SETTING A PUBLIC HEARING**

Project Team: Derek Robbins, Civil Engineer
Rob Foster, Public Works Director
Paul Elsner, City Attorney
Michael Sykes, City Manager

ISSUE STATEMENT: The Oregon Rehabilitation Association (OAR) at 2432 Willamina Avenue, has made application to enter into an agreement with the City for the establishment of a Reimbursement District associated with sanitary sewer improvements on Willamina Avenue between Breanna Street and Sunset Drive (see Attachment 1). Upon future development or redevelopment of adjacent properties, the Applicant desires to recoup a portion of the improvement costs. Pursuant to Ordinance No. 2011-02 and City Code 3.10.005 to 3.10.075, the objective of this report is to make a recommendation to Council as to the merit of establishing a Reimbursement District.

BACKGROUND/UPDATE: On January 11th 2011, Council adopted Ordinance No. 2011-02 that would allow the City to create a process for development of reimbursement districts as a means to finance public improvements.

Engineering has evaluated an application from OAR and has determined that the sewer improvements proposed by OAR will likely benefit adjacent properties when they develop. Therefore, the Applicant (OAR) may be entitled to recoup a portion of the improvement costs. City Code 3.10.005 to 3.10.075 requires the following specific information:

1. Whether the Public Improvement for which reimbursement is sought has capacity sufficient to allow use thereof by property other than property owned by the applicant;

The Applicant has proposed a sewer improvement to serve property other than that owned by the Applicant.

2. The area proposed to be included in the reimbursement district;

The Reimbursement District includes properties on the north and south side of Willamina Avenue between Sunset Drive and Breanna Street (see Attachment 1). Owner names and tax lot numbers are based on latest Washington County Assessor information and may not be the actual or current owner. Legal Descriptions are attached in Attachment 2.

3. The actual or estimated cost of the improvements within the area of the proposed Reimbursement District and the portion thereof for which the applicant should be reimbursed;

All project costs were taken from a March 2011 opinion of probable construction cost estimate by Land Tech, Inc. Details are included in Table 1. Actual costs will be determined after acceptance of improvements by the City.

Table 1: Construction Cost

	Description	Quantity		Unit Price	Amount
1	Mobilization	1	LS	\$ 5,500.00	\$ 5,500.00
2	8" PVC Pipe with Rock Back Fill	1073	LF	\$ 37.00	\$39,701.00
3	4" PVC Pipe Lateral with Rock Back Fill	232	LF	\$ 26.00	\$6,032.00
4	Standard 48" Manhole	3	EA	\$ 3,150.00	\$9,450.00
5	Connect To Existing Manhole	1	EA	\$ 1,100.00	\$1,100.00
6	SawCut Existing Pavement	2700	LF	\$ 1.10	\$2,970.10
7	Chip Seal (Approx. 2,230 SY)	1	LS	\$ 9,925.00	\$9,925.00
8	Asphalt Concrete Patch	1	LS	\$ 10,205.00	\$10,205.00
9	Traffic Control	1	LS	\$ 2,250.00	\$2,250.00
	Total				\$87,133.00

4. A methodology for allocating the cost among the parcels within the proposed district and, where appropriate, defining a "unit" for applying the Reimbursement Fee to property which may be partitioned, subdivided or otherwise modified at some future date;

Sewer improvements on Willamina Avenue have the potential to benefit 7 other tax lots as shown in Attachment 1. The costs for the sewer extension were allocated to the tax lots based on frontage and tax lot area as shown in Table 2.

Table 2: Distribution of Improvement Costs

Eligible Reimbursement Cost				
Construction	\$ 87,133			
Engineering (15% const. cost)	\$ 13,070			
Legal	\$ -			
Financing	\$ -			
Property Acquisition	\$ -			
Total Eligible Reimbursement Cost	\$ 100,203			
Estimated Cost To Property Owners Assessed Cost Breakdown				
Property	Area (25%)	Frontage (25%)	Density (50%)	Total
1N331BD01200 (applicant)	\$ 2,912	\$ 3,704	\$ 6,263	\$ 12,878
1N331BD01400	\$ 1,755	\$ 2,760	\$ 6,263	\$ 10,778
1N331BD01401	\$ 1,904	\$ 2,530	\$ 6,263	\$ 10,697
1N331BD01500	\$ 5,115	\$ 5,222	\$ 6,263	\$ 16,599
1N331BD01600	\$ 3,472	\$ 2,829	\$ 6,263	\$ 12,564
1N331BD01700	\$ 3,472	\$ 2,829	\$ 6,263	\$ 12,564
1N331BD01800	\$ 2,837	\$ 2,346	\$ 6,263	\$ 11,446
1N331BD01900	\$ 3,584	\$ 2,829	\$ 6,263	\$ 12,676
Total	\$ 25,051	\$ 25,051	\$ 50,101	\$ 100,203
Unit Cost Per % of Frontage + Area + Density to Property owner				\$1,002.03

5. The amount to be charged by the City for administering the project,

1	Reimbursement District Application Review Fee	\$1,000.00
	(City Engineer: \$139/Hr)	
	(Engineering Technician: \$33.50/Hr)	
2	Notification and Postage: \$5/property, 2 notices each, 2 properties	\$80.00
3	Reimbursement District Agreement Administrative Fee: \$35/property	\$280.00
	Sub Total	\$1,360
4	Public Improvement Agreement Deposit: 2.5% of Total Project Cost	\$3,081.00
5	Current System Development Charge	\$4,100.00
6	Current Plumbing Permit Fee: \$50 LF	TBD
	Total	\$8,541

All fees except items 4 thru 6 (Total \$1,360) shall be paid prior to entering into a reimbursement district agreement with the applicant.

6. The period of time that the right to reimbursement exists;

Pursuant to City Code, the right to reimbursement exists for ten years from the district formation date. Upon application for an extension, the City Council at its sole discretion may authorize up to 10 more years for total reimbursement period not to exceed twenty years.

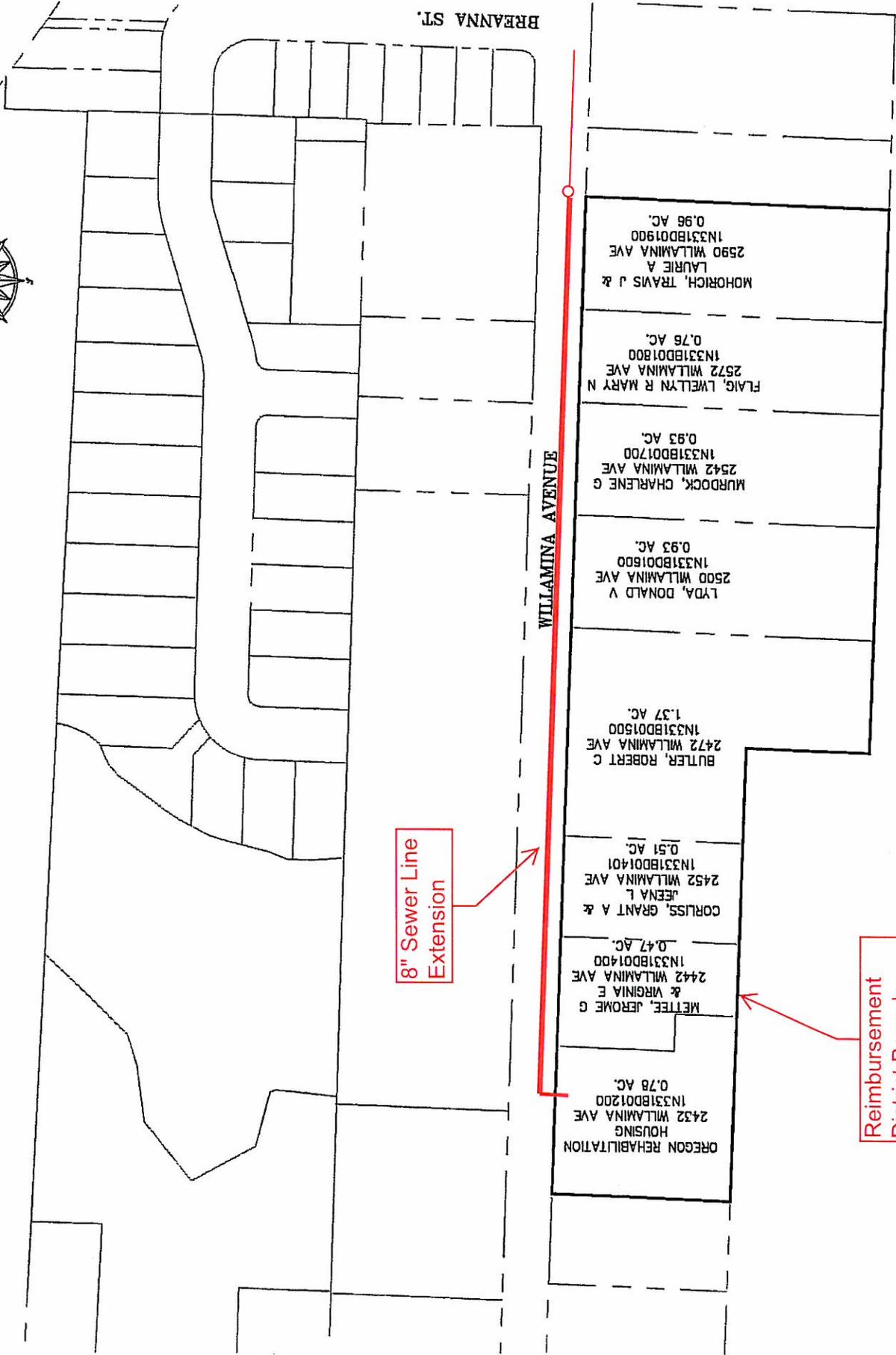
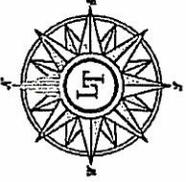
7. Whether the improvements will meet or have met City standards.

The improvements will be reviewed and inspected by the City and completed by the Applicant in accordance with City standards.

RECOMMENDATION: Staff recommends the City Council approve the attached Resolution accepting the City Engineer’s Report (Exhibit A) and approve the attached Resolution setting the Public Hearing date for May 9, 2011. Staff would like to move forward with this application as identified below in the next three steps:

1. Notice of Public Hearing - Persons impacted by the creation of the Reimbursement District shall be given the opportunity to comment. Notice of the hearing shall be given not less than 10 or more than 30 days prior to the public hearing date.
2. Execute Resolution and Reimbursement District Agreement – The City Council has the sole discretion, after the public hearing, to decide whether the District is to be formed or not. If a District is to be formed, a resolution approving and forming the reimbursement district shall be adopted. If the Council approves the City Engineer’s Report and thereafter creates a District, the City Manager shall cause the creation of an Agreement between the Applicant and City (see Attachment 3).
3. Construction – Form public improvement agreement and implement construction. Applicant would like to start construction in June.
4. Project Completion Public Hearing - If a reimbursement district is formed prior to construction of the improvement(s), a second public hearing shall be held after the improvement has been accepted by the City when the Council may modify the resolution to reflect the cost of the improvement(s).

ATTACHMENT 1
Willamina Avenue Sewer Reimbursement District



8" Sewer Line Extension

Reimbursement District Boundary

(N.T.S.)

2432 Willamina Ave
Forest Grove OR 97116



Property Information

Owner(s)	Oregon Rehabilitation Housing	Parcel #	R0743663
Property	2432 Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	1655 25th St SE Salem , OR 97302	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal Lot Number	NORTH FOREST GROVE ACRES, LOT PTS 8-9, ACRES .78, NON-ASSESSABLE.		
Block		Tract Number	
		Subdivision	North Forest Grove Acres

Characteristics

Use	Charitable Organization	Year Built	1997	Sq. Feet	3232
Zoning	RML	Lot Size	.78 / 33976.8	# of units	
Bedrooms	3	Bathrooms	2	Fireplace	
#Rooms		Quality		Heating	Heated
Pool/Spa	N	Air	N	Style	
Stories		Improvements		Parking	Carport
Flood	C	Gross Area	3232	Garage Area	
Basement Area					

Attributes	Composition Shingle ; Gable ; Cont. Footing			
Other				
Property Sale Information				
Sale Date		\$/Sq. Ft.	\$52.60	2nd Mtg.
Sale Price	\$170,000.00	1st Loan		Prior Sale Amt.
Doc No.	62751	Loan Type		Prior Sale Dt.
Doc Type	Warranty Deed	Xfer Date	06/12/1998	Prior Doc No. 828-996
Seller	Forest Grove Company Of Lender			Prior Doc Type Deed (reg)
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet				

Tax Information

Imp Value	\$148,340.00	Exemption	
Land Value	\$167,680.00	Tax/Area	/015.19
Total Value	\$316,020.00	Tax Value	\$316,020.00
Tax Amount		Improved	47%

Information compiled from various sources and is deemed reliable but not guaranteed.

2442 Willamina Ave
Forest Grove OR 97116

FASTWeb
Property Profile

Property Information

Owner(s)	Mettee Jerome G / Mettee Virginia E	Parcel #	R0743707
Property	2442 Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	2442 Willamina Ave Forest Grove , OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, ACRES .47.		
Lot Number	10	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1980	Sq. Feet	2328
Zoning	RML	Lot Size	.47 / 20473.2	# of units	
Bedrooms	4	Bathrooms	2	Fireplace	1
#Rooms		Quality		Heating	Forced Air
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	Carport
Flood	C	Gross Area	2328	Garage Area	
Basement Area					

Attributes Composition Shingle ; Gable ; Cont. Footing

Other

Property Sale Information

Sale Date	10/29/2001	\$/Sq. Ft.	\$92.78	2nd Mtg.	
Sale Price	\$216,000.00	1st Loan	\$172,000.00	Prior Sale Amt.	
Doc No.	112934	Loan Type	Conv	Prior Sale Dt.	08/13/1993
Doc Type	Warranty Deed	Xfer Date	11/01/2001	Prior Doc No.	
Seller	Godsil Gary L & Lisa A Lender	Scme Mtg Bankers Inc		Prior Doc Type	Warranty Deed
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet					

Tax Information

Imp Value	\$143,970.00	Exemption	
Land Value	\$128,640.00	Tax Year/Area	2009/015.19
Total Value	\$272,610.00	Tax Value	\$272,610.00
Tax Amount	\$3,280.90	Improved	53%

Information compiled from various sources and is deemed reliable but not guaranteed.

2452 Willamina Ave
Forest Grove OR 97116

FASTWeb
Property Profile

Property Information

Owner(s)	Corliss Grant A / Corliss Jeena L	Parcel #	R0743716
Property	2452 Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	2452 Willamina Ave Forest Grove, OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, LOT PTS 10-11, ACRES .51.		
Lot Number	10,11	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1966	Sq. Feet	1990
Zoning	FD-10	Lot Size	.51 / 22215.6	# of units	
Bedrooms	4	Bathrooms	3	Fireplace	1
#Rooms		Quality		Heating	Electric Baseboard
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	Garage
Flood	C	Gross Area	1990	Garage Area	552
Basement Area					

Attributes Composition Shingle ; Gable ; Cont. Footing
Other

Property Sale Information

Sale Date	10/14/1997	\$/Sq. Ft.	\$100.00	2nd Mtg.	
Sale Price	\$199,000.00	1st Loan	\$159,200.00	Prior Sale Amt.	
Doc No.	97736	Loan Type	Conv	Prior Sale Dt.	
Doc Type	Warranty Deed	Xfer Date	10/20/1997	Prior Doc No.	987-602
Seller	Lee Marshall M	Lender	Advanced Mtg Rsrcs	Prior Doc Type	Deed (reg)
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet					

Tax Information

Imp Value	\$126,330.00	Exemption	
Land Value	\$132,310.00	Tax Year/Area	2009/015.19
Total Value	\$258,640.00	Tax Value	\$258,640.00
Tax Amount	\$2,985.50	Improved	49%

Information compiled from various sources and is deemed reliable but not guaranteed.

2472 Willamina Ave
Forest Grove OR 97116



Property Information

Owner(s)	Butler Robert C	Parcel #	R0743725
Property	2472 Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	2472 Willamina Ave Forest Grove , OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, LOT PTS 11-12, ACRES 1.37.		
Lot Number	12,11	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1946	Sq. Feet	1432
Zoning	FD-10	Lot Size	1.37 / 59677.2	# of units	
Bedrooms	2	Bathrooms	1	Fireplace	
#Rooms		Quality		Heating	Wall
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	Detached Garage
Flood	C	Gross Area	1432	Garage Area	880
Basement Area					

Attributes Wood Shake ; Hip ; Cont. Footing
Other

Property Sale Information

Sale Date	08/04/1995	\$/Sq. Ft.	\$83.45	2nd Mtg.	
Sale Price	\$119,500.00	1st Loan	\$113,500.00	Prior Sale Amt.	
Doc No.	55514	Loan Type	Conv	Prior Sale Dt.	09/12/1990
Doc Type	Warranty Deed	Xfer Date	08/09/1995	Prior Doc No.	
Seller	Kurtz Arnold J & Rosemary J	Lender	Weyerhaeuser Mtg Co	Prior Doc Type	Deed (reg)
	Trs				

*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet

Tax Information

Imp Value	\$47,010.00	Exemption	
Land Value	\$245,750.00	Tax Year/Area	2009/015.20
Total Value	\$292,760.00	Tax Value	\$292,760.00
Tax Amount	\$2,047.41	Improved	16%

Information compiled from various sources and is deemed reliable but not guaranteed.

2500 Willamina Ave
Forest Grove OR 97116



Property Information

Owner(s)	Lyda Donald V	Parcel #	R0743734
Property	2500 Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	8711 NW Kansas City Rd Forest Grove, OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	503-357-9681
Legal	NORTH FOREST GROVE ACRES, LOT 13, ACRES .93.		
Lot Number	13	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1942	Sq. Feet	882
Zoning	FD-10	Lot Size	.93 / 40510.8	# of units	
Bedrooms	2	Bathrooms	1	Fireplace	
#Rooms		Quality		Heating	Forced Air
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	
Flood	C	Gross Area	882	Garage Area	
Basement Area					

Attributes Composition Shingle ; Gable ; Masonry
Other

Property Sale Information

Sale Date	10/14/1994	\$/Sq. Ft.	\$101.47	2nd Mtg.	
Sale Price	\$89,500.00	1st Loan	\$71,600.00	Prior Sale Amt.	
Doc No.	94874	Loan Type	Conv	Prior Sale Dt.	
Doc Type	Warranty Deed	Xfer Date	10/17/1994	Prior Doc No.	
Seller	Bailey Guy F & Madeline H Lender	Home Svgs/America		Prior Doc Type	
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet					

Tax Information

Imp Value	\$22,100.00	Exemption	
Land Value	\$192,950.00	Tax Year/Area	2009/015.20
Total Value	\$215,050.00	Tax Value	\$215,050.00
Tax Amount	\$1,500.78	Improved	10%

Information compiled from various sources and is deemed reliable but not guaranteed.

2542 NW Willamina Ave
Forest Grove OR 97116

FASTWeb
Property Profile

Property Information

Owner(s)	Murdock Charlene G	Parcel #	R0743743
Property	2542 NW Willamina Ave Forest Grove, OR 97116	Map Coord	591-J3; 1N-3W-31-NW-SE
Mailing Addr	2542 NW Willamina Ave Forest Grove, OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, LOT 14, ACRES .93.		
Lot Number	14	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1940	Sq. Feet	1248
Zoning	FD-10	Lot Size	.93 / 40510.8	# of units	
Bedrooms	2	Bathrooms	1	Fireplace	
#Rooms		Quality		Heating	Forced Air
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	Carport
Flood	C	Gross Area	1248	Garage Area	
Basement Area					

Attributes	Composition Shingle ; Gable ; Cont. Footing		
Other			
Property Sale Information			
Sale Date	10/01/1984	\$/Sq. Ft.	\$28.04
Sale Price	\$35,000.00	1st Loan	
Doc No.		Loan Type	
Doc Type	Deed (reg)	Xfer Date	
Seller		Lender	
		2nd Mtg.	
		Prior Sale Amt.	
		Prior Sale Dt.	
		Prior Doc No.	
		Prior Doc Type	
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet			

Tax Information

Imp Value	\$50,370.00	Exemption	
Land Value	\$197,090.00	Tax Year/Area	2009/015.20
Total Value	\$247,460.00	Tax Value	\$247,460.00
Tax Amount	\$1,889.02	Improved	20%

Information compiled from various sources and is deemed reliable but not guaranteed.

2572 Willamina Ave
Forest Grove OR 97116

FASTWeb
Property Profile

Property Information

Owner(s)	Flaig Lwellyn R Mary N	Parcel #	R0743752
Property	2572 Willamina Ave Forest Grove, OR 97116	Map Coord	591-H3; 1N-3W-31-NW-SE
Mailing Addr	2572 Willamina Ave Forest Grove, OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, LOT 15 & PT 16, ACRES .76.		
Lot Number	15	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Sfr	Year Built	1960	Sq. Feet	1435
Zoning	FD-10	Lot Size	.76 / 33105.6	# of units	
Bedrooms	3	Bathrooms	2	Fireplace	1
#Rooms		Quality		Heating	Wall
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	Carport
Flood	C	Gross Area	1435	Garage Area	
Basement Area					

Attributes Composition Shingle ; Gable ; Cont. Footing
Other

Property Sale Information

Sale Date		\$/Sq. Ft.		2nd Mtg.	
Sale Price		1st Loan		Prior Sale Amt.	
Doc No.	505-146	Loan Type		Prior Sale Dt.	
Doc Type	Deed (reg)	Xfer Date		Prior Doc No.	
Seller		Lender		Prior Doc Type	
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet					

Tax Information

Imp Value	\$49,910.00	Exemption	
Land Value	\$174,620.00	Tax Year/Area	2009/015.20
Total Value	\$224,530.00	Tax Value	\$224,530.00
Tax Amount	\$2,093.01	Improved	22%

Information compiled from various sources and is deemed reliable but not guaranteed.

2590 Willamina Ave
Forest Grove OR 97116

FASTWeb
Property Profile

Property Information

Owner(s)	Mohorich Travis J / Mohorich Laurie A	Parcel #	R0743761
Property	2590 Willamina Ave Forest Grove, OR 97116	Map Coord	591-H3; 1N-3W-31-NW-SE
Mailing Addr	2590 Willamina Ave Forest Grove , OR 97116	Census Tract	0332.00
		County	Washington
		Owner Phone	
Legal	NORTH FOREST GROVE ACRES, LOT PTS 15-16, ACRES .96.		
Lot Number	15,16	Tract Number	
Block		Subdivision	North Forest Grove Acres

Characteristics

Use	Residential (nec)	Year Built	2004	Sq. Feet	2109
Zoning	FD-10	Lot Size	.96 / 41817.6	# of units	
Bedrooms	3	Bathrooms	2	Fireplace	1
#Rooms		Quality		Heating	
Pool/Spa	N	Air		Style	
Stories		Improvements		Parking	
Flood	C	Gross Area	2109	Garage Area	
Basement Area					

Attributes

Other			
Property Sale Information			
Sale Date	11/01/1979	\$/Sq. Ft.	2nd Mtg.
Sale Price		1st Loan	Prior Sale Amt.
Doc No.		Loan Type	Prior Sale Dt.
Doc Type	Deed (reg)	Xfer Date	Prior Doc No.
Seller		Lender	Prior Doc Type
*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet			

Tax Information

Imp Value	\$71,350.00	Exemption	
Land Value	\$196,140.00	Tax Year/Area	2009/015.20
Total Value	\$267,490.00	Tax Value	\$267,490.00
Tax Amount	\$2,083.18	Improved	27%

Information compiled from various sources and is deemed reliable but not guaranteed.

Attachment 3 – Draft Reimbursement District Agreement

REIMBURSEMENT AGREEMENT
between
OREGON REHABILITATION ASSOCIATION and
THE CITY OF FOREST GROVE, OREGON
relating to the
WILLAMINA AVENUE SEWER REIMBURSEMENT DISTRICT

THIS AGREEMENT is made and entered into this _____ day of _____, 2011, by and between the City of Forest Grove, a municipal corporation of the State of Oregon, hereinafter called City and Oregon Rehabilitation Association, hereinafter called Applicant.

WHEREAS, Applicant due to failing septic system has been forced to install public sewer improvements in Willamina Avenue that have potential to benefit adjacent properties upon further development; and

WHEREAS, the City held a duly-noticed Public hearing, according to the Forest Grove City Code, to receive testimony and evidence regarding the application for formation of a proposed Reimbursement District; and

WHEREAS, the City Council adopted Resolution No. 2011-____ approving the City Engineer's Report as to the properties which will benefit from the installation of said improvements and forming the proposed Reimbursement District; and

WHEREAS, that Resolution authorizes the City Manager to enter into an Agreement in the form required by the Forest Grove City Code; and

WHEREAS, the City Engineer has determined that the Applicant has met the requirements and is entitled to reimbursement for the share of that cost attributable to other benefited properties consistent with the Engineer's Report and Resolution of the City Council.

WHEREAS, if reimbursement district is formed prior to construction of the improvement(s), a second public hearing shall be held after the improvement has been accepted by the City when the Council may modify the resolution to reflect the actual cost of the improvement(s).

NOW, THEREFORE, the parties agree as follows:

1) Cost of the Public Improvements:

The total cost of public improvements eligible for reimbursement is \$100,203 as specified in the Engineers Report.

2. Description of the Improvement:

Improvements subject to reimbursement include proportionate shares of 8-inch sewer in Willamina Avenue between Sunset Drive and Breanna Street.

3. Properties Within the Reimbursement District:

The affected parcels of land, the owners thereof, and the methodology employed by the City to spread the construction cost for the improvement is attached hereto as Exhibits "A" and "B".

4. When Reimbursements are Due and Payable:

Property owners shall pay the reimbursement established herein prior to City approval of further development of the affected property including, but not limited to; subdivision, partition, site and design, conditional use, and additional structures. The reimbursement shall be due and payable for all or any combination of improvements which actually benefit the affected property. Thereafter, within ninety days of the City's receipt of the reimbursement, it shall pay such reimbursement to the Applicant.

In the case of subdivision or partition, payment shall be made prior to City approval of the final plat. Payment shall also be made prior to City issuance of any building permits on the affected property or as otherwise determined by the City Engineer.

The City will make reasonable efforts to properly account for and collect the reimbursement fee from any affected property, but is not liable for any failure to collect such fee.

5. Guarantee of Improvement:

All work performed in making the improvements shall be guaranteed by the Applicant for a period of twelve months from the date of acceptance by the City. Upon approval of the City Engineer, which approval shall not be unreasonably withheld, the City may accept a guarantee from the entity responsible for performing the work in lieu of or in addition to the guarantee required from the Applicant pursuant to City Code.

6. Indemnification:

Applicant agrees to fully indemnify and defend the City, its officers, agents and employees and hold them harmless from any and all liability, causes of action, claims, losses, damages, judgments or other costs or expenses including attorneys fees and related litigation costs at both trial and appeal level, whether or not a trial or appeal ever takes place, that have been incurred by the City since the formation of the District or may be asserted by any person or entity which in any way arise from or are connected with the City's establishment of the Reimbursement District or entering into this Agreement.

7. Complete Agreement:

This Agreement and any referenced attachment constitute the complete agreement between the City and Applicant and supersede all prior written or oral discussions.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives on the date set forth above.

CITY OF FOREST GROVE

ATTEST:

Michael J. Sykes
City Manager

Anna D. Ruggles
City Recorder

Paul Elsner
City Legal Counsel

APPLICANT

Granton West

STATE OF OREGON)
County of Washington)

Personally appeared before me the above-named Michael J. Sykes, City Manager of the City of Forest Grove, and acknowledged that the foregoing agreement is the voluntary act and deed of the City of Forest Grove, Oregon before me this _____ day of _____, 2011.

Notary Public for Oregon

My Commission Expires

STATE OF OREGON)
County of Washington)

Personally appeared before me the above named Granton West and acknowledged the foregoing agreement to be his voluntary act before me this _____ day of _____, 2011.

Notary Public for Oregon

My Commission Expires

RESOLUTION NO. 2011-26

**ACCEPTING THE CITY ENGINEER'S REPORT ON THE FORMATION
OF A PROPOSED SANITARY SEWER REIMBURSEMENT DISTRICT
PURSUANT TO CITY CODE FOR WILLAMINA AVENUE
BETWEEN BREANNA STREET AND SUNSET DRIVE**

WHEREAS, the City Engineer, consistent with the requirements of Forest Grove Municipal Code (FGMC) 3.10.005 to 3.10.075, prepared a written report addressing formation of proposed sanitary sewer reimbursement district and presented said report to the Council at the Council meeting of April 11, 2011; and

WHEREAS, the Council, reviewed the Engineer's Report and heard from the City Engineer thereon.

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

Section 1. That the City Council hereby accepts the City Engineer's Report on the formation of a proposed sanitary sewer reimbursement district for Willamina Avenue, between Breanna Street and Sunset Drive as written in Exhibit A (City Engineer's Report).

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

PRESENTED 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



RESOLUTION NO. 2011-27

SETTING AN INFORMATIONAL PUBLIC HEARING ON THE FORMATION OF A PROPOSED SANITARY SEWER REIMBURSEMENT DISTRICT PURSUANT TO CITY CODE FOR WILLAMINA AVENUE BETWEEN BREANNA STREET AND SUNSET DRIVE; GIVING DIRECTION TO THE CITY RECORDER AS TO THE PUBLICATION OF NOTICE OF THE HEARING ON SAID PROPOSED REIMBURSEMENT DISTRICT

WHEREAS, the City Engineer, consistent with the requirements of Forest Grove Municipal Code (FGMC) 3.10.005 to 3.10.075, prepared a written report addressing formation of proposed sanitary sewer reimbursement district and presented said report to the Council at the Council meeting of April 11, 2011; and

WHEREAS, the Council, approved the City Engineer's report on April 11, 2011, pursuant Resolution No. 2011-26; and

WHEREAS, the City Engineer's report identified a methodology and estimated cost associated with sanitary sewer improvements as well as the specific parcels that would be included in the sewer reimbursement district and could benefit from the improvement thereof; and

WHEREAS, the City will notify property owners whose property are included in the sewer reimbursement district; and

WHEREAS, the City Engineer's report identified a method of assessing the benefiting properties whereby only those who decided to participate voluntarily meeting obligations as described in FGMC 3.10.065, shall be assessed the cost of those improvements; and

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

Section 1. It is the intention of the City of Forest Grove to form a reimbursement district, for sanitary sewer improvements; and

Section 2. The proposed sanitary sewer reimbursement district program and boundary are described on the attached Exhibit A (City Engineer's Report); and

Section 3. That the City Council will hold a Public Hearing in the Community Auditorium, 1915 Main Street, on Monday, May 9, 2011, at 7:00 p.m., or shortly thereafter, at which time persons impacted by the creation of the Reimbursement District shall be given the opportunity to comment thereon.; and

Section 4. That the City Recorder is directed to serve notice of the improvement consistent with the requirements of FGMC 3.10.030 by certified mail, return receipt requested or by personal to the owners of each lot benefited by the proposed improvement; and

Section 5. The City Engineer's estimated cost of the proposed improvements, is described on the attached Exhibit A (City Engineer's Report); and

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

PRESENTED 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

DEPARTMENT WORK PLAN
PRESENTATION
FISCAL YEAR 2011-12
April 11, 2011

- Fire Department
- Engineer/Public Works Department
- Administrative Services Department
- Community Development Department

**DEPARTMENT WORK PLAN
PRESENTATION
FISCAL YEAR 2011-12**

Fire Department



Forest Grove Fire and Rescue Annual Work Plan Fiscal Year 2011-12

ID	Projects, Tasks, Programs	Start	Program Notes	2011							2012						
				Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	Strategic Plan Implementation	6/30/2011	Implementation of strategic plan and goals	Strategic Plan Implementation													
2	Summer hydrant inspection/flush	7/1/2011	Hydrant flush and inspection to meet ISO	Summer hydrant inspection/flush													
3	Grant preparation/submission	7/1/2011	Includes AFG Fire Prevention, SAFER and Safety grants	Grant preparation/submission													
4	ISO Rating Preparation	7/1/2011	Sets fire insurance rates for city, current rating 4	ISO Rating Preparation													
5	Budget preparation	2/2/2012	Annual budget preparation	Budget preparation													
6	Medical surveillance/fitness programs	7/1/2011	National Fire Protection Administration standard	Medical surveillance/fitness programs													
7	Emergency operations plan review	2/2/2012	Coordinate with Washington County EOP	Emergency operations plan review													
8	Community Risk Reduction Programs	7/1/2011	Includes Child safety seats, fire safety, cadet, CPR, etc.	Community Risk Reduction Programs													
9	Fire Prevention Week	10/1/2011	Annual Open House in October	Fire Prevention Week													
10	Fire Inspection program	7/1/2011	On-going business inspection program	Fire Inspection program													
11	Quick access pre-plan program	7/1/2011	Fire pre-plan program for high risk occupancies	Quick access pre-plan program													
12	Quarterly vehicle extrication training	7/1/2011	Firefighter vehicle extrication training - quarterly	Quarterly vehicle extrication training													
13	Regional disaster exercise	3/28/2012	Participate in State/County disaster exercises, NIMS	Regional disaster exercise													
14	EMS Week	5/9/2012	Annual EMS public education and prevention week	EMS Week													
15	EMS training	7/1/2011	On-going EMS training for new protocols, meds, refresher	EMS training													
16	Fall volunteer academy	9/10/2011	New volunteer training academy	Fall volunteer academy													
17	Spring volunteer academy	1/14/2012	New volunteer training academy	Spring volunteer academy													
18	Structural Suppression Training	7/1/2011	On going training in commercial/residential fire suppression.	Structural Suppression Training													
19	Annual wildland training/prep	1/2/2012	Includes mandatory training, equipment prep, public ed	Annual wildland training/prep													
20	Cold Weather Training/Prep	10/15/2011	Training, equipment prep, chimney safety public ed	Cold Weather Training/Prep													
21	Intern Recruitment	7/1/2011	Recruit from local community colleges to expand program	Intern Recruitment													
22	Officer development program	6/30/2011	Career and officer volunteer development program	Officer development program													
23	Promotional testing process	10/1/2011	Create criteria for career and volunteer promotional testing	Promotional testing process													
24	Hose Testing	8/14/2011	Mandatory testing to meet NFPA and ISO standard	Hose Testing													
25	Type VI vehicle purchase/in-service	6/26/2011	Replacement for current Type VI Engine	Type VI vehicle purchase/in-service													
26	Station 7 remodel	7/1/2011	Increased space for expanded volunteers	Station 7 remodel													

Forest Grove Fire and Rescue 2011/2012 Annual Work Plan



Management Goals

- Strategic Plan Implementation
- Public and Private Partnerships
- ISO Rating Preparation
- Budget Preparation
- Medical Surveillance/Fitness Programs
- Emergency Preparedness



Fire Prevention/Public Education Goals



- Community Risk Reduction Programs
- Fire Prevention Week
- Fire Inspection Program
- Quick Access Pre-Planning
- EMS Week



Training Goals



- Vehicle Extrication Training
- Regional Disaster Exercise
- EMS Training
- Volunteer Academy – Spring and Fall
- Structural Suppression Training
- Wildland Suppression Training
- Technical Rescue Training
- Intern Recruitment
- Officer Development Program
- Promotional Testing Process



Other Goals

- Hose Testing
- Type VI Engine purchase
- Building improvements



**DEPARTMENT WORK PLAN
PRESENTATION
FISCAL YEAR 2011-12**

**Engineering/Public Works
Department**

**CITY OF FOREST GROVE
PUBLIC WORKS 2010-2011 WORK PLAN**

4/5/2011

TRANSPORTATION	2011												2012																
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D					
David Hill Road (extention)	Design					Construction																							
B" Street & Bonnie Ln. Drainage													Design		Constructin														
Bicycle Shelters													Construction																
Crosswalk at Thatcher & David Hill													Plan		Construction														
Crosswalk at Gales Cr & Forest Gale													Plan		Construction														
Sidewalk Maintenance Program	Program Development					Implementation																							
Highway 8 Pavement Imprvmt.													maintenance																
Annual Pavement Overlay Program													Construction																
Install Wayfinder Signs													Con																
Safe Routes to School Grant													Design		Constructin														
TV Hwy at Quince St. intersection	Work with Metro Regional Flex Funds and WCCC on project selection																												
Council Creek Regional Trail	Planning & Funding												Preliminary Design																
Design & Develop Light Rail MOU & Alternatives Analysis	MOU												Alternatives Analysis																
Nichols Ln. extension	Design review																												
Overlay 19th Avenue (Hwy 47 to Mt.V)													maintenance																
Annual Pavement Marking													maint.																
Jurisdictional Transfer with Wash. Co.	Review																												
SEWER	2011												2012																
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D					
Sewer Main Replacement (23rd Ave.)	Design			Constructin																									
Cedar St. alley (main replacement)																													
Sewer Main Inspection	maintenance																												
Sewer Main Cleaning	maint.															maintenance					maint.								
Manhole Inspection & Sealing													maint.																
Fat, Oils, and Grease (FOG) Program	Program Development					Implementation																							
WATER	2011												2012																
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D					

CITY OF FOREST GROVE PUBLIC WORKS 2010-2011 WORK PLAN

4/5/2011

Water Main Replacement (Dvd Hill Rd)	Design	Construction																						
Distribution Main Flushing	maintenance		maintenance																					
Leak Detection		maintenance	maintenance																					
Valve Locale and Testing	maintenance																							
Backflow Prevention Program	maintenance																							
Meter Testing and Replacement		maintenance	maintenance																					
Fire Hydrant Maintenance	maintenance		maintenance																					
WATERSHED	2011				2012																			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Annual Harvest																								
Forester Contract																								
Watershed Management Plan																								
STROM DRAINAGE	2011				2012																			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Detention Basin Maintenance																								
Catch Basin Cleaning																								
Street Sweeping																								
Leaf Pickup Program																								
Strom Pipe Inspection																								
ENGINEERING	2011				2012																			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Nichols Ln. design review & inspect.																								
Juniper Gardens																								
Development Review																								
Sidewalk & Driveway Inpection																								
As-built Location Information																								
GIS Map Development																								

CITY OF FOREST GROVE

PUBLIC WORKS 2011-12 WORK PLAN



Public Works Departments

- Transportation
- Water
- Sanitary Sewer
- Storm Drainage
- Engineering

TRANSPORTATION

Construction 2011

- David Hill Road Extension - construction
- Bicycle shelters (RTO grant) – construction
- Sidewalk Improvement Program
- Crosswalk at Thatcher Rd. and David Hill
- Crosswalk at Gales Ck. Rd. and Forest Gale Dr.
- Annual Overlay Program – 19th Ave at Mountain view Ln.
- Install Wayfinder signs at 10 locations

TRANSPORTATION

Planning:

- Safe Routes to School grant – B Street Sidewalk.
- TV Hwy at Quince St intersection improvements – Federal Grant (Metro MTIP program)
- Council Creek Regional Trail
- Design/Develop Light Rail MOU & Analysis
- Jurisdiction Transfer with Washington Co.

TRANSPORTATION

Design Review:

- Nichols Ln

SEWER

- 23rd Avenue (sewer main replacement)
- Cedar St. alley (sewer main replacement)
- Willamina Sewer (reimbursement district)
- Fat, Oils, and Grease (FOG) Program

WATER

- David Hill Road Water Main (part of road prj.)
 - Radio read water meters – replacement proj.
 - Water storage tank site analysis
- 
- The background of the slide features several faint, concentric circular ripples, resembling water droplets hitting a surface, positioned in the lower right quadrant.

WATERSHED

- Annual Timber Harvest 2011
- Timber Inventory
- Update Watershed Management Plan
- Forest Manager Contract – RFP

STORM DRAINAGE

- B Street & Bonnie Lane Drainage
- Private Water Quality Facilities - inspection
- Leaf Pickup Program

ENGINEERING

- Public Improvements design review:
 - School District Projects:
 - Forest Grove Highschool
 - Nichols Ln. extension to B Street
 - Joseph Gale Elementary
 - Harvey Clark Elementary
- Juniper Gardens

THE END

**PUBLIC WORKS 2011-12
WORK PLAN**



**DEPARTMENT WORK PLAN
PRESENTATION
FISCAL YEAR 2011-12**

**Administrative Services
Department**

**DEPARTMENT WORK PLAN
PRESENTATION
FISCAL YEAR 2011-12**

**Community Development
Department**

Community Development Work Program FY11-12

Program	15 Month Costs												Total Costs						
	Personnel Hours	Cost	Other Costs	2011															
				A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	
Station Community Study	80	\$4,147	\$800																\$4,947
Code Enforcement #1	1,658	\$78,746	\$11,500																\$90,246
Island Annexation #2	150	\$7,363	\$2,400																\$9,763
Periodic Review #3	1,950	\$107,399	\$7,300																\$114,699
Town Center Plaza			see Periodic Review																
Sustainability			see Periodic Review																
Urban Renewal Feasibility Study #4	220	\$11,409	\$89,300																\$100,709
Transit Committee Implementation	100	\$4,816	\$0																\$4,816
Development Code Changes	60	\$3,085	\$600																\$3,685
Reserves #6	140	\$8,682	\$600																\$9,282
Urban Renewal Formation #5	220	\$11,409	\$40,700																\$52,109
Station Community Study - Code Changes #7	80	\$4,147	\$1,000																\$5,147
TSP Update (Part of Periodic Review) #8	150	\$7,588	\$30,000																\$37,588
Light Rail Corridor Study #9	140	\$7,262	\$80,200																\$87,462
Concept Plan (Urban Reserves) #10	220	\$11,184	\$41,500																\$52,684
Commission support	300	\$15,111	\$1,050																\$16,161
Grading Permits	40	\$2,222	\$0																\$2,222
Erosion Control	240	\$11,841	\$0																\$11,841
Process LU Permits	575	\$25,562	\$10,600																\$36,162
Process Bldg Permits	4,975	\$233,271	\$1,720																\$234,991
Maintain LU Database	75	\$3,612	\$0																\$3,612
Counter Coverage	2,115	\$96,134	\$520																\$96,654
Tree Permits and Inspection	90	\$4,130	\$0																\$4,130
Public Outreach	150	\$7,556	\$350																\$7,906
GIS maintenance	25	\$1,204	\$0																\$1,204
Street Trees	220	\$10,163	\$17,120																\$27,283
Support for Other																			
Departments																			
General Transportation	450	\$26,173	\$0																\$26,173
David Hill Connection	20	\$1,413	\$0																\$1,413
Light Rail	110	\$6,648	\$0																\$6,648
Trail Connection to Thatcher Park	20	\$1,413	\$0																\$1,413
Economic Dev	160	\$8,933	\$0																\$8,933
Business License	110	\$5,630	\$0																\$5,630
Historic Preservation	170	\$7,785	\$10,130																\$17,915
Vision Statement Imp.	90	\$5,067	\$0																\$5,067
MTAC/MPAC	90	\$6,360	\$0																\$6,360
JPAC/TPAC	100	\$5,041	\$0																\$5,041
UGR/UGB Expansion	90	\$5,235	\$0																\$5,235
Greenhouse Gas Reduction	90	\$5,910	\$0																\$5,910
General Management/Admin	1,030	\$70,429	\$0																\$70,429
Total	15,453	\$779,023	\$211,990																\$991,013

Ongoing Tasks
 Projects