

**CITY COUNCIL MONTHLY MEETING CALENDAR**

**July-13**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Planning Commission 7pm	2	3 Rural Fire Bd 8pm	<b>CITY OFFICES CLOSED</b> Fireworks - Tom McCall 7pm	4 FGS&CC 1st Friday Dinner <i>Mayor returns</i>	5 6
7	<b>CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM</b>	8 Library 6:30pm	9 Municipal Court MPAC 5pm	10 Notary Training Seminar 1pm-4pm-Comm Aud (No Cost) EDC Noon - Cancelled PAC 5pm	11 12 JWC Noon	13
<i>Kidd returns</i>	<i>City Managers Association Summer Conference - Bend</i>					
14	15 Chamber Luncheon - Noon FGSC Bd Mtg 6:30pm Planning Comm 7pm	16 Fernhill Wetlands 5pm	17 P&R 7am CFC 5:15pm CWAC 5:30pm Rep Unger's Town Hall 6pm - Comm Aud	18 CCI 5:30pm Dairy Creek Food Web 7:30pm	19	20 Rotary Concours Pacific University
21 Rotary Concours Pacific Univ.	<b>NO CITY COUNCIL MEETING</b>	22 HLB 7:15pm	23 Municipal Court PSAC 7:30am MPAC 5pm	24 WEA Bkft Forum 7:30 am Sustainability 5:30pm	25 26	27
28	29	30	31	<i>Oregon Mayors Association Summer Conference - Corvallis</i>		
<i>Johnston returns</i>						

**August-13**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 FGS&CC 1st Friday Dinner	2 3 FGS&CC Paws 9am Lincoln Park
4	5 Planning Comm 7pm	6	7 Municipal Court Rural Fire Bd 8pm	8 PAC 5pm	9	10 DCCFW FUNctional Food Gardens Tour 10am
11	<b>CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM</b>	12 Library 6:30pm	13 MPAC 5pm	14 CCI 5:30pm Dairy Creek Food Web 7:30pm	15	16 17
18	19 Chamber Luncheon - Noon FGSC Bd Mtg 6:30pm Planning Comm 7pm	20 Fernhill Wetlands 5pm	21 Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	22 Sustainability 5:30pm WEA Bkft Forum 7:30 am	23 Red Cross Blood Drive 1-6pm Comm Aud	24
25	<b>NO CITY COUNCIL MEETING</b>	26 HLB 7:15pm	27 PSAC 7:30am MPAC - No Mtg	28	29	30 31
<i>Kidd out August 22 - September 10</i>						

**September-13**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	<b>CITY OFFICES CLOSED</b>	2 Planning Comm 7pm	3 Municipal Court RWPC-EC 5:30pm Rural Fire Bd 8pm	4	5 FGS&CC 1st Friday Dinner	6 7
8	<b>CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM</b>	9 Library 6:30pm <i>Kidd Returns</i>	10 MPAC 5pm	11 EDC Noon PAC 5pm	12	13 14
15	16 Chamber Luncheon - Noon FGSC Bd Mtg 6:30pm Planning Comm 7pm	17 Flu Shot Clinic 7:30am - Comm Aud Fernhill Wetlands 5pm	18 Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	19 CCI 5:30pm Dairy Creek Food Web 7:30pm	20 JWC-MC Mtg	21
22	<b>CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM</b>	23 HLB 7:15pm	24 PSAC 7:30am MPAC 5pm	25 Sustainability 5:30pm WEA Bkft Forum 7:30 am	26	27 28 <i>Nyuzen Delegation Departs</i>
29	30			<i>LOC Conference Sept 26 - 28</i>		



# FOREST GROVE CITY COUNCIL

## Monday, July 8, 2014

### Meeting Agenda

5:45 PM – Work Session (B&C Interview)  
6:00 PM – Work Session (Council E-Packets)  
7:00 PM – Regular Meeting

Community Auditorium  
1915 Main Street  
Forest Grove, OR 97116

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit <http://www.tvctv.org/government-programming/government-meetings/forest-grove>.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President  
Richard G. Kidd III  
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.

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

Anna Ruggles, City Recorder	<b>5:45</b>	<b><u>WORK SESSION: B&amp;C INTERVIEW</u></b> The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s)
Anna Ruggles, City Recorder Paul Downey, Administrative Services Director Michael Kinkade, Fire Chief Michael Sykes, City Manager	<b>6:00</b>	<b><u>WORK SESSION: COUNCIL E-PACKETS</u></b> 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)
	<b>7:00</b>	<ol style="list-style-type: none"> <li>1. <b><u>REGULAR MEETING:</u></b> Roll Call and Pledge of Allegiance           <ol style="list-style-type: none"> <li>1. A. <b><u>FIRE DEPARTMENT EMPLOYEE RECOGNITION:</u></b> <ul style="list-style-type: none"> <li>• <i>Dwight W. Lanter, Fire Captain</i></li> </ul> </li> <li>1. B. <b><u>FIRE DEPARTMENT SWEARING-IN CEREMONY:</u></b> <ul style="list-style-type: none"> <li>• <i>Jordan M. Ruiz, Firefighter</i></li> </ul> </li> <li>1. C. <b><u>POLICE DEPARTMENT SWEARING-IN CEREMONY:</u></b> <ul style="list-style-type: none"> <li>• <i>James M. Kimsey, Police Officer</i></li> <li>• <i>Eduardo Sanchez-Quiroz, Police Reserve Officer</i></li> </ul> </li> </ol> </li> <li>2. <b><u>CITIZEN COMMUNICATIONS:</u></b> Anyone wishing to speak to Council on an item <u>not on the agenda</u> may be heard at this time. <i>Please sign-in before the meeting on the Citizen Communications form posted in the foyer.</i> In the interest of time, please limit comments to two minutes. Thank you.</li> <li>3. <b><u>CONSENT AGENDA:</u></b> See Page 4</li> <li>4. <b><u>ADDITIONS/DELETIONS:</u></b></li> <li>5. <b><u>PRESENTATIONS:</u></b> <ol style="list-style-type: none"> <li>5. A.               <ul style="list-style-type: none"> <li>• <i>Strategic Sustainability Plan Update</i></li> </ul> </li> <li>5. B.               <ul style="list-style-type: none"> <li>• <i>Metro Quarterly Exchange Update, Kathryn Harrington, Metro Councilor District 4</i></li> </ul> </li> </ol> </li> </ol>
Jon Holan, Community Development Director	<b>7:15</b>	
	<b>7:30</b>	

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|--|------|---|
| Paul Downey, Administrative Services Director<br>Susan Cole, Administrative Services Assistant Director  | 7:45 | 6. <u>PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2013-07 AMENDING FOREST GROVE CODE CHAPTER 2 BY ADDING NEW CODE SECTION 2.615 ENTITLED MUNICIPAL UTILITY BILLINGS; PRIORITIZATION OF PAYMENT; SUSPENSION/TERMINATION OF UTILITY SERVICE</u> |
| Paul Downey, Administrative Services Director<br>Susan Cole, Administrative Services Assistant Director<br>Rob Foster<br>Public Works Director | 7:55 | 7. <u>PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2013-08 AMENDING FOREST GROVE CODE CHAPTER 4 BY ADDING NEW SUB-CHAPTER 4.300 ENTITLED STREETLIGHT FEE</u>   |
| Paul Downey, Administrative Services Director<br>Jon Holan, Community Development Director   | 8:05 | 8. <u>RESOLUTION NO. 2013-54 AUTHORIZING MAYOR AND CITY MANAGER TO EXECUTE A CITY OF CORNELIUS – CITY OF FOREST GROVE INTERGOVERNMENTAL BUILDING SERVICES AGREEMENT</u>   |
| Michael Sykes<br>City Manager  | 8:15 | 9. <u>CITY MANAGER'S REPORT:</u>  |
|  | 8:30 | 10. <u>COUNCIL COMMUNICATIONS:</u>  |
|  | 8:45 | 11. <u>ADJOURNMENT</u>  |

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3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
- A. Approve City Council Executive Session (City Manager Evaluation) Meeting Minutes of June 24, 2013.
  - B. Approve City Council Work Session (Comprehensive Plan and Transportation System Plan Updates) Meeting Minutes of June 24, 2013.
  - C. Approve City Council Regular Meeting Minutes of June 24, 2013.
  - D. Accept Historic Landmarks Board Meeting Minutes of May 28, 2013.
  - E. Accept Parks and Recreation Commission Meeting Minutes of April 17 and May 15, 2013.
  - F. Accept Public Safety Advisory Commission Meeting Minutes of May 22, 2013.
  - G. Endorse New Liquor License Application (Limited On-Premises Sales) for Behind The Flag Deli, 3034-C Pacific Avenue (Applicant: Michael Johnson)
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**TO:** Mayor Peter Truax and City Councilors

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

**DATE:** July 8, 2013

**SUBJECT:** B&C Recruitment Interviews

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**BACKGROUND:**

Attached you will find the following items for the Citizen Advisory Boards, Committees, and Commissions interview(s) scheduled for Monday, July 8, 2013, City Council Work Session.

- Boards, Committees, and Commissions Applicant List and Vacancy.
- Possible Interview Questions; and
- Application(s)

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



## 2013 – BOARDS, COMMITTEES & COMMISSIONS VACANCY

COMMISSION	REQUIREMENTS	# VACANCIES	TERM EXPIRES
BUDGET Meets in April/May	7-Members 3-Year Term All members must live in City per ORS		
COMMITTEE FOR CITIZEN INVOLVEMENT Meets 3 <sup>rd</sup> Tuesday 5:30 pm	7-Members 4-Year Term	1 – Vacancy 1 – Vacancy	12/31/2013 12/31/2014
COMMUNITY FORESTRY COMMISSION Meets 3 <sup>rd</sup> Wednesday 5:15 pm	7-Members 3-Year Term 3 members may live outside City – Currently 2	1 – Vacancy 1 – Student Vacancy	12/31/2015 12/31/2013
ECONOMIC DEVELOPMENT COMMISSION Meets 1 <sup>st</sup> Thursday Noon	19-Members 3-Year Term 6 Public & Non-Profit 12 Business 1 At-Large	1 – Student Vacancy	12/31/2013
HISTORIC LANDMARKS BOARD Meets 4 <sup>th</sup> Tuesday 7:15 pm	7-Members 4-Year Term 2 members may live outside City – Currently 2	1 – Vacancy 1 – Student Vacancy	12/31/2016 12/31/2013
LIBRARY Meets 2 <sup>nd</sup> Tuesday 6:30 pm	7-Members 2-Year Term	1 – Vacancy 1 – Student Vacancy	12/31/2014 12/31/2013
PARKS & RECREATION COMMISSION Meets 3 <sup>rd</sup> Wednesday 7:00 am	9-Members 4-Year Term 2 members may live outside City – Currently 1 NNW = Forest Glen, Knox Ridge, Thatcher/Loomis; NW = Lincoln, Hazel Sills, Aquatic Center, Talisman; SW = Rogers; SE = Joseph Gale; and NE = Bard and Stites Parks		
PLANNING COMMISSION Meets 1 <sup>st</sup> and 3 <sup>rd</sup> Monday 7:00 pm	7-Members 4-Year Term 2 members may live outside City – Currently 1 1 member in real estate for profit – Currently 1 2 members same trade/occupation – Currently none		
PUBLIC ARTS COMMISSION Meets 2 <sup>nd</sup> Thursday 5:00 pm	9-Members 3-Year Term 3 At-Large Voting Reps Chamber; School Dist; Pacific University; Senior Center; Theater In The Grove; and Valley Art		
PUBLIC SAFETY ADVISORY COMMISSION Meets 4 <sup>th</sup> Wednesday 7:30 am	7-Members 4-Year Term 2 members within Rural Fire Dist – Currently 1 Non-Voting Reps Rural Fire Dist; Chamber; School Dist; and Pacific University	1 – Citizen At-Large 1 – Rural Fire District 1 – Student Vacancy	12/31/2013 12/31/2016 12/31/2013

**Possible Questions for B&C Applicant Interviews:**

***Please feel free to use any questions and/or information that you wish in order to conduct a successful interview. Please note: 10-minutes are allotted for question and answer time.***

*If there were one area you've always wanted to improve upon, what would that be?*

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

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*What do you hope to gain from your volunteer experience?*

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

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

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

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

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*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.*

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*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.***

Interview  
July 8 @ 5:45pm



STUDENT ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

Applicant is interested in applying as a voting member as well.

Please complete, sign and date application form and return to:  
City of Forest Grove  
Attn: Anna Ruggles, City Recorder  
1924 Council Street • P. O. Box 326  
Forest Grove, OR 97116-0326  
Fax • 503.992.3207 Office • 503.992.3235  
aruggles@forestgrove-or.gov

Please check the Student Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-8). Terms are one year, expiring December 31<sup>st</sup>. (Please note: The meeting dates/times are subject to change with advance notice).

<u>1</u>	Committee for Citizen Involvement	3 <sup>rd</sup> Thursday, 5:30pm	<u>3</u>	Library Commission	2 <sup>nd</sup> Tuesday, 6:30pm
<u>2</u>	Community Forestry Commission	3 <sup>rd</sup> Wednesday, 5:15pm		Parks & Recreation Commission	3 <sup>rd</sup> Wednesday, 7am
	Economic Development Commission	1 <sup>st</sup> Thursday, Noon		Public Arts Commission	2 <sup>nd</sup> Thursday, 5pm
	Historic Landmarks Board	4 <sup>th</sup> Tuesday, 7:15pm		Public Safety Advisory Commission	4 <sup>th</sup> Wednesday, 7:30am

NAME: Jordan Kronen  
RESIDENCE ADDRESS: [REDACTED]  
MAILING ADDRESS: [REDACTED]  
SCHOOL: Pacific University

HOME PHONE: [REDACTED]  
OTHER PHONE: [REDACTED]  
E-MAIL: [REDACTED]  
GRADE ENROLLED: Senior

Years living in Forest Grove? 3 Live in City limits? Yes How did you hear of this opportunity? Professor  
How would you currently rate City's performance?  Excellent  Good  Fair  Poor  
What ideas do you have for improving "Fair" or "Poor" performance? \_\_\_\_\_

Why are you interested in serving on the Advisory Board/Committee/Commission? I would like to help cultivate better involvement of the public citizenry. Also, I would like to foster a stronger connection between Pacific University and the City of Forest Grove.

What contributions do you feel you can/will make to the Board/Committee/Commission? I believe I can contribute a thoughtful perspective and dedication to obtaining the goals of the Commission. Experience with water registration and other citizen involvement experiences like

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Administrative background from working for the Democratic National Committee. Previous experience as a Student Representative for Lacey City Council. Communication and Leadership skills.

Previous/current appointed offices: Lacey City Council Parks and Recreation Board, 2009-2010

Previous/current community affiliations or extracurricular activities: MLK Day March, Ben Unger Campaign, College Democrats,

If not appointed at this time, may we keep your name on file?  Yes  No

Signature: [Signature] Date: 6/26/13  
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

RA  
dist. es  
will help  
too.  
OLCU  
assistant  
NPHH  
chairman,  
Resident  
Assistant

## WORK SESSION: COUNCIL MEETING AGENDA E-PACKETS

**PROJECT TEAM:** Anna D. Ruggles, CMC, City Recorder  
Paul Downey, Administrative Services Director  
Michael Kinkade, Fire Chief  
Michael Sykes, City Manager

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**BACKGROUND:** The Legislative and Executive (L&E) Department has been exploring the possibility of a conversion from printed Council Meeting Agenda Packets to electronic Council E-Packets to conserve printing costs and reduce staff time collating and distributing printed Council Meeting Agenda Packets, and updating the City's technology.

For as long as the City has been incorporated, since 1872, the scene has looked the same for anyone walking into the City Recorder's Office on the afternoon the Council packet was being printed; hundreds of sheets of paper covering the counter, waiting to be separated and inserted into Council binders in preparation for final distribution.

In 2002, the City Recorder printed over 30 Council meeting packets for each meeting, creating an average of 189,000 pages per year (printing costs as high as \$6,000 per year, plus staff time). Currently, 13 Council packets are printed, averaging 81,900 pages per year (printing costs as low as \$2,000 per year, plus staff time). Council Meeting Agenda Packets are currently printed for Council (6); City Attorney (1); City Manager (1); Directors (3); and City Recorder (2). The Press, Chamber, some department directors, staff, boards, committees and commissions, and other interested parties, receive on-line Council Meeting Agenda Packets via the City's website.

In 2008, the City Recorder began scanning and uploading the Council Meeting Agenda Packets and posting Council approved meeting minutes making these documents available as PDF's on-line via the City's website, reducing the amount of printed Council Meeting Agenda Packets and reducing paper and copying use; however, this method still requires staff time to integrate the documents prior to uploading the documents on-line. The City Recorder currently spends 2-4 hours preparing printed Council Meeting Agenda Packets –vs– 1 hour to 1-1/2 hours preparing on-line document integration.

The Mayor was one of the first proponents of paperless Council Meeting Agenda Packets. In 2012, the Mayor began receiving his Council E-Packets via a USB drive, which is used to download the Council Meeting Agenda Packets to his electronic device. The reason for using a USB drive is because the Council packets on-line may contain redactions to protect personal information from being posted on the Internet and to protect confidential information that may otherwise be exempted from public disclosure. In addition, the City has taken other paper/copying-related saving measures, including printing Council Meeting Agenda Packets double-sided, printing colored copies only when necessary, and requesting that department directors and staff print only the Council Meeting Agenda and staff reports that pertain to their specific agenda items.

**DISCUSSION:** Management staff has been analyzing the various options available for electronic devices, such as eReader vs. Tablet vs. iPad vs. Laptop. E-Readers cost substantially less but score poorly in readability, available applications and usability. Tablets and laptops perform many of the same functions; however, laptops are more expensive, costing approximately \$1,500 each. Most laptops run either Windows or Mac; whereas, an iPad costs approximately \$730 each (32GB with Wi-Fi, plus cellular data plan) and runs Apple's proprietary iOS operating system, the same platform used by Apple's iPhone. Also, the iPad only works with software downloaded from the included App Store program, while a laptop platform allows software installation from many sources. An iPad maintains a 10-hour battery life, giving it a longer life span than most laptops, and is lightweight, user-friendly, and the most affordable in up-front and long-term costs. An iPad also has program applications available that allow the user to underline, highlight, and make notes on documents as if it was an actual piece of paper. At the work session, Fire Chief Kinkade will be giving a live tutorial presentation using the iPad technology.

All the above-mentioned electronic devices require some form of Internet or wireless connectivity; data plans range from \$15 to \$50 depending on how much Internet data usage is needed. An iPad requires a fee of at least \$15 each month (AT&T for 250MB or Verizon \$20 for 1GB) and can access the Internet using cellular data networks and/or using Wi-Fi networks at home or in wireless hotspots. An added benefit of having continuous Internet service on an electronic device is that the device would allow Council to receive/send electronic (e-mail) communications in a timely manner, as well as the ability to access the City website, intergovernmental agencies' websites, and perform duties more efficiently while away from home computers.

**FISCAL IMPACT:** This is a work session for the purpose of gathering information to determine if the City should proceed with a conversion from printed Council Meeting Agenda Packets to Council E-Packets. This conversion may not be a huge cost savings to the City upfront; however, it will allow the City to save resources, labor, and energy and provide better efficiency for Council, staff, and the general public. If Council approves going paperless, funds have been allocated in Fiscal Year 2013-14 budget to purchase the necessary equipment, programs and/or software. Staff Recommendation is noted below showing estimated costs and factors to consider.

**STAFF RECOMMENDATION:** Management staff will address questions and concerns Council may have and seek Council input during the work session on the following options:

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**Option 1:**

- Purchase own electronic device:

Council may elect to have the City provide a one-time Council Electronic Media-Device Stipend of \$750 (based on feedback from other cities) during term of office to offset costs for purchasing own electronic device, such as a laptop, tablet, or iPad, and the device would remain the property of the Councilor. Councilor would keep the electronic device when their term expires or service on the Council ends. Any additional accessories, such as keyboards, cases, and adapters would be at own expense. The software programs necessary to access Council E-Packets and City e-mail would be installed by the City and must remain on the electronic device. Hardware and software upgrades will be recommended by IT Department as needed. The IT Department would not be responsible to provide support on non-City equipment, except to assist in ensuring Council can access Council E-packet and City e-mail. The use of non-City equipment for City business use could be subject to disclosure pursuant to public records law or court orders. In addition, any Councilor who elects purchasing their own electronic device may elect to have the City provide a Council Electronic Media-Device Internet Stipend of \$20 per month for maintaining 1GB Internet service, any data over and beyond would be at own expense.

- If each Councilor elects to purchase their own electronic device at \$750 stipend, plus \$20 per month Internet stipend, total costs are \$11,970, four-year term (\$1,710 per Councilor, four-year term).
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**Option 2:**

- Use personal existing electronic device:

Council may elect to use an existing personal electronic device, such as a laptop, tablet, or iPad and may elect to have the City provide a Council Technology Stipend of \$35 per month (based on feedback from other cities). The purpose of this stipend is to offset costs associated with use of own electronic device and maintaining Internet service. The software programs necessary to access Council E-Packets and City e-mail could be installed by the City and must remain on the electronic device. The IT Department would not be responsible to provide any support on non-City equipment, except to assist in ensuring Council can access Council E-Packets and City e-mail. The use of non-City equipment for City business use could be subject to disclosure pursuant to public records law or court orders.

- If each Councilor elects to use an existing personal electronic device at \$35 per month Technology stipend, total costs are \$11,760, four-year term (\$1,680 per Councilor, four-year term).

**CONCLUSION:**

Going paperless would allow the City to do away with printouts of Council agendas, reports, and other-related documents. Instead, the Council Meeting Agenda Packets would be made available electronically as PDF files for Council, staff and general public. Staff is seeking direction from the Council as noted below:

- Should the City Council integrate to a paperless Council Meeting Agenda Packet and perhaps consider going paperless for other meeting documents as well, such as budget documents?
- If so, should the City offer both options noted above depending on preference?
- Should the E-Packet policy be optional for Councilmembers who prefer not to integrate to a paperless Council Meeting Agenda Packet?

If Council consensus is to offer one and/or both options depending on preference for the above-noted technology stipends, a proposed resolution will be brought back for Council consideration at the next regular meeting setting the Council Technology Stipends, along with a draft form "Request for Council Technology Stipend" that would be required to be submitted by any Councilor who elects to have the City provide a stipend.

3A

**FOREST GROVE CITY COUNCIL EXECUTIVE SESSION  
ORS 192.660(2)(I) CITY MANAGER EVALUATION  
JUNE 24, 2013 – 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 Executive Session to order at 5:35 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager.

**2. EXECUTIVE SESSION:**

The City Council met in Executive Session in accordance with:

ORS 192.660(2)(I) to review and evaluate the employment-related performance of the City Manager.

**3. ADJOURNMENT**

Mayor Truax adjourned the Executive Session at 6:04 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

3B

**FOREST GROVE CITY COUNCIL WORK SESSION  
(TSP AND COMP PLAN UPDATES)  
JUNE 24, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 1**

*Minutes are unofficial until approved by the Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 6:09 p.m. **ROLL CALL:**  
**COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd (arrived at 6:50 p.m.); Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing, and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

**2. WORK SESSION: TSP AND COMP PLAN UPDATES**

Holan, Riordan, and Sykes facilitated the above-noted work session, noting the purpose of the work session was to provide an update to Council on work that has been completed to date for completion of Periodic Review (updates to Transportation System Plan (TSP) and Comprehensive Plan (Comp Plan). Riordan referenced the following three aspects of Periodic Review:

- 1. The update of the Forest Grove Transportation System Plan;
- 2. Various chapters/elements of the Comprehensive Plan;
- 3. The preferred land use concept/Comprehensive Plan Map.

Riordan reported the Comp Plan adoption process, including the TSP, is expected to begin in July/August with a completion of Periodic Review scheduled for December, 2013. Riordan advised the Council has already reviewed the Housing and Economy elements in prior work session, noting Council's review of the Public and Community Facilities Chapter remains outstanding, which includes the water and sewer systems, light and power, police, fire protection, library, solid waste, parks and recreation, telecommunications, and healthcare. Riordan noted the water, sewer, and parks sections in the Comp Plan Update will be based on the adopted master plans.

Riordan referenced the following attachments and explained each attachment in detail as noted in the staff report.

Attachments:

- A. TSP Draft Executive Summary

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- B. Transportation Goals and Policies
- C. Transportation System Performance Measures
- D. Preferred Roadway Network
- E. Comprehensive Plan Draft Background Chapter
- F. Comprehensive Plan Preferred Land Use Concept
- G. Draft Land Use Element Goals and Policies
- H. Draft Urbanization Element Goals and Policies
- I. Draft School Facilities and Education Element Goals and Policies
- J. Draft Natural Resources and Hazards Element Goals and Policies
- K. Draft Community Sustainability Element Goals and Policies

Riordan referenced the staff report and provided background information and purposes of the current TSP Update as noted below:

Purpose of current TSP Update is to:

1. Extend the planning time horizon from the Year 2030 to the Year 2035;
2. Assess the potential impact of the preferred land use concept developed as part of the Periodic Review/Comprehensive Plan Update; and
3. Address the Regional Transportation Plan adopted in 2010 including the Regional Transportation Framework Plan.

Riordan highlighted the following topics pertaining to the TSP Update as noted below and in the staff report:

- *TSP background*, noting the existing TSP is based on a 2030 planning horizon and does not include all aspects of Metro's 2035 Regional Transportation Functional Plan so the City must update its existing TSP.
- *Executive Summary* (Attachment A) describing existing conditions, future household and employment growth, future transportation needs, transportation funding resources and financially constrained transportation project list.
- *TSP Goals and Policies* (Attachment B/C) form the vision of how the transportation system will be developed and maintained over the next 20 years.
- *Performance Measures* addressing transportation system safety, congestion, freight reliability, walking, biking, transit and non-automobile mode share, and climate changes. Attachment C

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shows how Forest Grove's TSP addresses each performance area.

- *Existing Conditions* have changed between the current TSP and the updated TSP, noting the number of households has increased between 2005 and 2010 by approximately 3.2 percent and employment has decreased by approximately 1,665 jobs reflecting the recent economic downturn.
- *Estimated Motor Vehicle Volumes* have not increased much between 2005 and 2010 base years, noting this could be due to persons using alternative modes of transportation and due to the recent economic downturn reducing commute trips. The motor vehicle trips is expected to increase at a greater rate likely to the results of the revised household growth projections prepared by Metro for 2035 and land use changes recommended for the TSP Update.
- *Intersection and Road Performance* showing PM Peak Hour intersection performance, noting several intersections are identified in the TSP as having deficiencies: Gales Creek Road at Thatcher Road; Porter Road/Oak Street/Highway 47; Martin Road/Highway 47; 24<sup>th</sup> Avenue/Highway 47; Maple Street/Highway 47; Elm Street/Highway 47; B Street/Highway 47; Adair Street/Yew Street; and Pacific Avenue/Quince Street.
- *Preferred Roadway Network (Solution)* (Attachment D), noting several refinement areas are shown in the preferred roadway network map to address outstanding issues: Westside planning areas; David Hill Road and Purdin Road urban reserve area; and Martin Road area.
- *Revenue Update*, noting revenue is expected to increase to \$58.434 million by 2035, a 12.7 percent increase above the current TSP attributing to increased Transportation Development Tax revenue based on recently released growth projections prepared by Metro.
- *Financially Constrained Project List* (Page 7), total project costs are estimated at \$112 million during the 20-year planning period. The City's share amounts to \$31.4 million up from \$22.4 million in the existing TSP.

Riordan highlighted the following topics pertaining to the Comp Plan Update as noted below and in the staff report:

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- *Comp Plan Update*, during each major update of the Comp Plan, the City's land needs for the next 20 years is projected, and the adequacy of land within the Urban Growth Boundary to meet projected needs is evaluated. Attachment E provides background information and summarizes significant changes since the last Comp Plan Update, role of Forest Grove in the region, issues and opportunities addressed in the Plan, and legal authority. The background section also includes the Forest Grove Vision Statement and overview of Metro's 2040 Growth Concept.
- *Preferred Land Use Concept* (Attachment F), noting four land use alternatives were prepared for the Planning Commission and public: 1) Keeping the existing Comp Plan designations; 2) Promoting and more suburbanized Forest Grove; 3) Promoting a mixed-use development pattern; and 4) creating an 18-hour Town Center.
- *Taylor Way Industrial Area* (Attachment F) is designated General Industrial on the official Zoning Map. The historic A. T. Smith House is located within the Taylor Way Industrial Area, noting the Planning Commission directed staff to re-designate the area to "Institutional" on the Zoning Map to reflect the preferred use. This designation will be incorporated into the proposed land use plan to be considered for formal adoption.
- *Comprehensive Goals and Policies* summarizing draft goals and policies for various elements of the Comp Plan, including Land Use (Attachment G); Urbanization (Attachment H); School Facilities and Education (Attachment I); Natural Resources and Hazards (Attachment J); and Community Sustainability (Attachment K).

In conclusion of the above-noted staff report, Holan and Riordan advised the update of the TSP is not intended to reconsider prior Planning Commission recommendations and City Council decisions regarding the goals and objectives of the TSP or decisions regarding the transportation network and specific projects. Riordan explained other than the three aspects of Periodic Review mentioned above, the update of the TSP will reflect revisions to the TSP previously adopted by the Council in 2011.

**Council Discussion:**

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Mayor Truax opened the floor and roundtable discussion ensued as Council and staff discussed and reviewed the proposed TSP and Comp Plan updates. Holan and Riordan responded to various inquiries, concerns and scenarios Council presented pertaining to the roadway network plan map pertaining to future study areas and future refinement areas (Attachment D); Comp Plan land use concept map (Attachment F) pertaining to lot size; density increased in the Town Center area; and other land use and zoning designations. In conclusion of the above-noted discussion, Holan and Riordan explained the next steps for completion of the TSP and Comp Plan are as noted below:

Transportation System Plan Update

- ✓ Complete work required for the TSP grant (May 2013)
- ✓ Complete the draft TSP (May 2013)
- ✓ Prepare the TSP adoption findings including consistency with the Oregon Transportation Planning Rule and Statewide Land Use Planning Goals (May 2013).
- ✓ Complete performance measures to comply with the Regional Transportation Functional Plan (May 2013)
- ✓ Proceed with the local adoption process (July/August 2013)

Comprehensive Plan Update

- ✓ Finalize the preferred land use concept (May 2013)
- ✓ Complete the public facilities element and sustainability element (June 2013)
- ✓ Reconcile various elements of the comprehensive plan (June 2013)
- ✓ Proceed with the local adoption process (July/August 2013)

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

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3. **ADJOURNMENT:**  
Mayor Truax adjourned the work session at 6:57 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

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*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:07 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Susan Cole, Administrative Services Assistant Director; Rob Foster, Public Works Director; George Cress, Light and Power Director (in the audience); Michael Kinkade, Fire Chief (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 Executive Session (City Manager Evaluation) Meeting Minutes of June 10, 2013.
- B. Approve City Council Regular Meeting Minutes of June 10, 2013.
- C. Accept Library Commission Meeting Minutes of May 21, 2013.
- D. Accept Planning Commission Meeting Minutes of June 3, 2013.
- E. Accept Public Arts Commission Meeting Minutes of May 9, 2013.
- F. Library Department Monthly Circulation Statistics Report for June 2013.

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

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by voice vote.

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

Washington County Road Maintenance Funding Options:

Foster and Cole presented a PowerPoint presentation highlighting Washington County's road maintenance funding options, noting Washington County is proposing to implement, pursuant to House Bill 2001, a vehicle registration fee of a maximum of \$43 per year for all vehicle classes subject to the fee in order to generate revenue to maintain road maintenance county-wide at an acceptable level for the next 20 years. Staff reported Washington County's proposed fee will be used for road system maintenance, excluding other needs, such as bridges, bike lanes, curbs and other infrastructure, noting certain vehicle classes will be exempted from the County fee, including farm vehicles, trucks over 26K lbs., campers/travel trailers, government and school vehicles, antique vehicles, and disabled veterans. Staff indicated the County is proposing to retaining 60 percent of the funds collected and cities will be allocated 40 percent based on population, noting Forest Grove's share is estimated to be approximately \$480,000 per year if the County adopts the fee of \$43 per year. Staff advised the City has identified an annual need for street overlays of approximately \$390,000 per year, with only \$100,000 of funding, noting staff is recommending the City support Washington County's efforts.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council and staff discussed and reviewed Washington County's proposed vehicle registration fee for county-wide road maintenance. Foster and Cole responded to various inquiries, concerns and scenarios Council presented pertaining to the formula used for funding allocations and exemption of various vehicle classes, noting the County is looking to apply the fee to all passenger vehicles at the time of vehicle registration.

Uhing asked if mobile homes on wheels, classified as a residence, would be exempted from the vehicle registration fee, to which Foster indicated recreational vehicles are proposed to be exempted so he believes mobile

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homes would also be exempted. Uhing added that she would also like to see a written strategy defining how the County plans to prioritize the roadwork.

Lowe proposed taxing all users and suggested a “wheel tax”, i.e., motorcycles and bicycles paying a lower fee, so the fee is spread equitably among everyone who uses the roadways regardless of mode of transportation, to which Foster noted bicycles in particular are difficult to register.

Council President Johnston advised he would like to see a 50-50 split between the County and cities rather than 60-40 split, noting most residents live within city limits.

In conclusion of the above-noted discussion, Council collectively voiced support of the County’s proposed vehicle registration fee; however, there were concerns as noted above, to which Mayor Truax advised he would take Councilors’ concerns, along with the City’s overall support, to the next Washington County Coordinating Committee’s meeting.

**6. PUBLIC HEARING AND RESOLUTION NO. 2013-42 OF THE CITY OF FOREST GROVE APPROVING THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$120,000,000 TO FINANCE AND REFINANCE PROJECTS FOR PACIFIC UNIVERSITY**

**Staff Report:**

Downey presented the above-proposed resolution for Council consideration, noting Pacific University is requesting an additional \$50,000,000 in new bonds to refinance prior bonds issued by the City and to finance new capital projects at Pacific University Campus in Forest Grove. Downey reported the Council previously adopted an ordinance authorizing the issuance of the bonds, not to exceed \$120,000,000, to refinance prior bonds and finance new capital projects, noting the new projects to be financed with the proceeds of the bonds include: 1) construction of an approximately 400-bed student residence hall to be located on Forest Grove’s campus, northeast of Washburne Hall (referred to as the University Center); 2) the remodel and approximately 40,000’ expansion of the University’s Center building, located at 2163 College

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Way; 3) the demolition of an existing 50-year old student residence hall known as Clark Hall, located at 2140 University Avenue; and 4) other capital improvements, including landscaping, traffic flow improvements, and pedestrian paths located on or adjacent to the University's campus, located at 2043 College Way. As part of the process, the Council is required to holding a Public Hearing to allow public comment regarding the issuance of the bonds and the uses and purposes of the proceeds of the bonds. In conclusion of the above-noted staff report, Downey advised the City of Hillsboro held its hearing on June 8, 2013, to approve the issuance of the bonds, since some of the projects being refinanced (College of Health Professions) are located in Hillsboro, noting construction of the new student housing is scheduled to be completed in time for the start of classes in August, 2014.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-42.

Sykes read Resolution No. 2013-42 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Uhing, to adopt Resolution No. 2013-42 of the City of Forest Grove Approving the Issuance of Tax-Exempt Revenue Bonds in an Aggregate Principal Amount not to exceed \$120,000,000 to Finance and Refinance Projects for Pacific University.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June 24, 2013, 7:00 p.m.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

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**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

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

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

**7. A. PUBLIC HEARING AND RESOLUTION NO. 2013-42 ADOPTING BUDGET FOR FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014**

**Staff Report:**

Downey and Cole presented the above-proposed resolution for Council consideration, noting the Budget Committee approved at its May 30, 2013, meeting a proposed budget of \$82,847,697 for Fiscal Year commencing July 1, 2013, and ending June 30, 2014. Downey reported the proposed budget includes the increased Local Option Levy of \$1.60 per \$1,000 assessed value that was passed by the voters in May 2012, and is effective July 1, 2013. There are limited staff increases proposed as follows: a vacant 0.50 FTE Community Service Officer is proposed to increase to 1.00 FTE with a primary focus on code enforcement; a 0.50 FTE utility worker in the Parks and Recreation Department is proposed to be added; a 1.00 FTE Building Inspector in the Building Permits Fund is proposed to be added; an apprentice lineman position in the Light and Power Department will be added back due to the departure of the Temporary Systems Engineer; and minor reclassifications of FTE in some departments. In addition, Downey advised staff is submitting an amendment to Agenda Item 7. B., Resolution No. 2013-44, Making Appropriations for Fiscal Year 2013-14, noting staff is proposing an \$85,000 increase in the Water Fund so staff can complete the City's refinance of its 2003 Full Faith and Credit Obligations in the Water Fund.

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Downey reference two options for refinancing the bonds as noted in the staff report, noting staff is looking at Option 1, which is a bank-qualified loan at the advice of the City's financial advisor. Downey explained if the City uses a bank-qualified loan, the City would need to pay upfront closing costs of approximately \$52,000 in accrued interest and \$33,000 in issuance costs in order for the Water Bond refunding to be deemed a bank-qualified loan. Downey further explained the reason the City has to pay the upfront closing costs is because the City can only issue less than \$10 million in bonds per calendar year, noting Pacific University's bonds issuance (refer to Agenda Item 6) counts against the City's \$10 million per calendar year limit even though the City is not receiving any of the proceeds. Downey advised paying the upfront closing costs does not change the overall savings, since the City would not be financing the upfront closing costs over the ten-year loan term. In conclusion of the above-noted staff report, Downey advised staff is recommending approval of the proposed budget of \$82,847,697 and increasing the Water Fund Appropriated amount by \$85,000 for Fiscal Year 2013-14.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-43.

Sykes read Resolution No. 2013-43 by title.

**MOTION: Councilor Kidd moved, seconded by Council Miller, to approve Resolution No. 2013-43 Adopting Budget for Fiscal Year Commencing July 1, 2013, and Ending June 30, 2014.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June 24, 2013, 7:00 p.m.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

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No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Lowe voiced concern of hearing for the first time that there is an impact to the City by issuing bonds on Pacific University's behalf. In response to Lowe's concern pertaining to if the City could use the monies the City will collect from Pacific University for their bond issuance to help offset the appropriations in the Water Fund, Downey advised the fees collected from Pacific University would go into the General Fund.

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

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

**7. B. RESOLUTION NO. 2013-44 MAKING APPROPRIATIONS FOR THE CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014**

**Staff Report:**

Downey and Cole presented the above-proposed amended resolution making the necessary appropriations for Fiscal Year commencing July 1, 2013, and ending June 30, 2014, as outlined in the staff report and as proposed in the amended resolution. Downey referenced Agenda Item 7. A., noting staff is submitting an amendment to increase the Water Fund by \$85,000 so staff can complete the City's refinance of its 2003 Full Faith and Credit Obligations in the Water Fund.

Before proceeding with Council discussion, Mayor Truax asked for a

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motion to adopt Resolution No. 2013-44 as amended.

Sykes read Resolution No. 2013-44 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt amended Resolution No. 2013-44 Making Appropriations for the City of Forest Grove, Washington County, Oregon, for the Fiscal Year Commencing July 1, 2013, and Ending June 30, 2014.**

**Council Discussion:**

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

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

**7. C. RESOLUTION NO. 2013-45 LEVYING AND CATEGORIZING TAXES FOR FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014**

**Staff Report:**

Downey and Cole presented the above-proposed resolution levying and categorizing taxes imposed at the rate of \$5.554 per \$1,000 of assessed value for Fiscal Year commencing July 1, 2013, and ending June 30, 2014 as outlined in the staff report and as proposed in the resolution. In conclusion of the above-noted staff report, Downey advised the proposed resolution includes three taxes the City levies as follows: 1) The General Fund – Permanent Rate of \$3.9554; 2) The first year of the City's five-Year Local Option Levy of \$1.6000; and 3) The City's property tax levy of \$515,124 to pay the debt service on its General Obligation Debt.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-45.

Sykes read Resolution No. 2013-45 by title.

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**MOTION:** Councilor Miller moved, seconded by Councilor Thompson, to adopt amended Resolution No. 2013-45 Levying and Categorizing Taxes for Fiscal Year Commencing July 1, 2013, and Ending June 30, 2014.

**Council Discussion:**

Mayor Truax advised it may seem that Council will be rushing through the budget adoption process, but noted prior to this evening's Council meeting, there were a series of joint meetings with the Budget Committee, which held its Public Hearing as required by law.

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

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

**8. RESOLUTION NO. 2013-46 ADOPTING THE FISCAL YEAR 2013-18 CAPITAL IMPROVEMENTS PROGRAM**

**Staff Report:**

Downey and Cole presented the above-proposed resolution adopting the Fiscal Year 2013-18 Capital Improvements Program (CIP), noting the CIP forms the basis for planning capital projects over a five-year period and aids in setting system development charges (SDC) for the City. Downey reported staff added two new projects to the CIP approved by the Budget Committee as follows: 1) a project to the Water Fund to plan for the purchase of land in the watershed drainage area with the long-term objective of the City owning all of the land in the watershed drainage area as identified in the adopted 2013 Watershed Stewardship Management Plan Update, and 2) a project to the Parks Department due to securing grant funds to make playground improvements at Bard Park and Talisman Park. In conclusion of the above-noted staff report, Downey advised the projects to be accomplished for Fiscal Year 2013-14 are identified in the appropriate funds in the adopted budget, noting projects funded by SDC must be listed in the CIP in order for SDC funds to be expended on those projects.

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Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-46.

Sykes read Resolution No. 2013-46 by title.

**MOTION: Councilor Lowe moved, seconded by Councilor Kidd, to approve Resolution No. 2013-46 Adopting Fiscal Year 2013-18 Capital Improvements Program.**

**Council Discussion:**

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

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

**9. A. PUBLIC HEARING AND RESOLUTION NO. 2013-47 DECLARING CITY'S ELECTION TO RECEIVE STATE REVENUES**

**Staff Report:**

Downey and Cole presented the above-proposed resolution declaring the City's intent to receive State Revenue Sharing for Fiscal Year 2013-14 as outlined in the staff report and as proposed in the resolution. In conclusion of the above-noted staff report, Downey advised the City is projected to receive \$285,000 in Alcohol Tax Revenue; \$28,380 in Cigarette Tax Revenue; and \$199,500 in State Revenue Sharing, noting for budgetary purposes, Alcohol Tax is allocated to the Police Department; Cigarette Tax is allocated to the Fire Department; and State Shared Revenue goes into the General Fund Discretionary Revenue.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-47.

Sykes read Resolution No. 2013-47 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to**

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**adopt Resolution No. 2013-47 Declaring City's Election to Receive State Revenues.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June 24, 2013, 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.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing

**Council Discussion:**

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

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

**9. B. PUBLIC HEARING AND RESOLUTION NO. 2013-48 CERTIFYING SERVICES PROVIDED BY THE CITY OF FOREST GROVE**

**Staff Report:**

Downey and Cole presented the above-proposed resolution certifying services provided by the City for Fiscal Year 2013-14 as outlined in the staff report and as proposed in the resolution. In conclusion of the above-staff report, Downey advised the City is required to certify the services

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provided by the City in order to receive State Shared Revenue.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-48.

Sykes read Resolution No. 2013-48 by title.

**MOTION: Councilor Lowe moved, seconded by Councilor Thompson, to adopt Resolution No. 2013-48 Certifying Services Provided by the City of Forest Grove.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June 24, 2013, 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.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing

**Council Discussion:**

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

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

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**10. PUBLIC HEARING AND RESOLUTION NO. 2013-49 ADOPTING  
CAPITAL IMPROVEMENTS PROGRAM EXCISE TAX AND REPEALING  
RESOLUTION NO. 2012-44**

**Staff Report:**

Downey and Cole presented the above-proposed resolution imposing the Capital Improvements Program (CIP) Excise Tax for the purpose of funding public safety and general government programs within the CIP for Fiscal Year 2013-14. Downey reported the City expects to collect approximately \$215,000 in revenue from the CIP Excise Tax in Fiscal Year 2013-14. Downey advised based on Council work session and Budget Committee meetings, staff is proposing increasing the monthly fees on each electric meter in Fiscal Year 2013-14 as follows: 1) Residential from \$2.00 to \$2.80; 2) Commercial – Single Phase from \$5.00 to \$7.00; and 3) All others from \$10.00 to \$14.00. Downey explained a majority of the fee increase will allow the City to continue accumulating sufficient funds for the purchase of fire apparatus, police vehicles, and other public safety equipment in accordance to the replacement schedules. In conclusion of the above-noted staff report, Downey advised the CIP Excise Tax is accounted for in a separate fund to ensure the tax proceeds are spent as required by the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-49.

Sykes read Resolution No. 2013-49 by title.

**MOTION: Councilor Miller moved, seconded by Councilor Lowe, to approve Resolution No. 2013-49 Adopting Capital Improvements Program Excise Tax and Repealing Resolution No. 2012-44.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June 24, 2013, 7:00 p.m.

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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.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

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

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

**11. RESOLUTION NO. 2013-50 ADOPTING SUPPLEMENTAL BUDGET AND AUTHORIZING THE EXPENDITURE OF TRANSPORTATION SERVICES FUNDS**

**Staff Report:**

Downey and Cole presented the above-proposed resolution authorizing the expenditures of transportation services grant funds received from the Department of Human Services for the purpose of Ride Connection's transit services as outlined in the staff report and as proposed in the resolution.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-50.

Sykes read Resolution No. 2013-50 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Thompson, to approve Resolution No. 2013-50 Adopting**

**Supplemental Budget and Authorizing the Expenditure of  
Transportation Services Funds.**

**Council Discussion:**

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

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

**12. PUBLIC HEARING AND RESOLUTION NO. 2013-51 ADOPTING FISCAL YEAR 2012-13 SUPPLEMENTAL BUDGET AND INCREASING APPROPRIATIONS WITHIN SEWER SYSTEM DEVELOPMENT CHARGE FUND**

**Staff Report:**

Downey and Cole presented the above-proposed resolution authorizing supplemental budget and increasing appropriations in the Sewer System Development Charge (SDC) Fund in order to pay Clean Water Services (CWS) for SDC collected on behalf of CWS as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-51.

Sykes read Resolution No. 2013-51 by title.

**MOTION: Councilor Lowe moved, seconded by Councilor Thompson, to approve Resolution No. 2013-51 Adopting Fiscal Year 2012-13 Supplemental Budget and Increasing Appropriations within the Sewer System Development Charge Fund.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of June

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24, 2013, 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.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

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

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

**13. RESOLUTION NO. 2013-52 TRANSFERRING APPROPRIATIONS WITHIN VARIOUS FUNDS FOR FISCAL YEAR 2012-13**

**Staff Report:**

Downey and Cole presented the above-proposed resolution transferring various appropriated amounts for Fiscal Year 2012-13 as outlined in the staff report and as proposed in the resolution.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-52.

Sykes read Resolution No. 2013-52 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Resolution No. 2013-52 Transferring Appropriations within Various Funds for Fiscal Year 2012-13.**

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**Council Discussion:**

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

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

14. **RESOLUTION NO. 2013-53 AMENDING CITY MANAGER'S COMPENSATION PLAN AND AMENDING CITY MANAGER'S EMPLOYMENT AGREEMENT AND AUTHORIZING COMPENSATION AND SETTING ANNUAL VEHICLE ALLOWANCE FOR THE CITY MANAGER FOR FISCAL YEAR 2013-14, EFFECTIVE JULY 1, 2013, THROUGH JUNE 30, 2014**

**Staff Report:**

Mayor Truax presented the above-proposed resolution authorizing to amend the City Manager's Employment Agreement and setting compensation for the City Manager for Fiscal Year 2013-14, effective July 1, 2013, through June 30, 2014. Mayor Truax reported the City Manager's performance evaluation for period ending June 30, 2013, has been signed by each Councilor. Mayor Truax advised the proposed resolution contains a cost-of-living salary increase for the City Manager of 2.3 percent (2.3%); providing the option of receiving a monthly vehicle allowance (set at \$350) in lieu of using a city-owned vehicle for city business purposes; and amending the City Manager's vacation and sick leave so it accrues at the same rate established for other non-represented management employees (25 days per year). In conclusion of the above-noted report, Mayor Truax advised the proposed resolution is amending Sections 5, 9 and 14 of the City Manager's Employment Agreement to reflect the above-proposed amendments.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-53.

Mayor Truax read Resolution No. 2013-53 by title.

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**MOTION:** Councilor Kidd moved, seconded by Councilor Miller, to adopt Resolution No. 2013-53 Amending City Manager's Compensation Plan and Employment Agreement and Authorizing Compensation for the City Manager for Fiscal Year 2013-14. Amending Section 5, Compensation, City Manager's salary shall be \$11,129/monthly / \$133,548/annually, Effective July 1, 2013, through June 30, 2014. Amending Section 5, Compensation, setting a monthly vehicle allowance of \$350 in lieu of providing a city-owned vehicle for city business purposes, Effective July 1, 2013, through June 30, 2014. Amending Section 9, Automobile, the amount of the vehicle allowance shall be set annually by the City Council as part of the City Manager's salary resolution. Amending Section 14, Vacation/Sick Leave, Effective July 1, 2013, the City Manager shall accrue vacation and sick leave at the same rate established for non-represented management employees as set by Council resolution.

**Council Discussion:**

Uhing made note the City Manager's compensation and vehicle allowance is above what has been provided to other employees.

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

**ROLL CALL VOTE:** AYES: Councilors BeLusko, Jr., Johnston, Lowe, Miller, Thompson, and Mayor Truax. NOES: Councilor Uhing. MOTION CARRIED 6-1.

**15. 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 provided an update on various staff trainings, noting recently all supervisors attended a half-day training, sponsored by Local Government Personnel Institute (LGPI), on labor relations. Sykes informed Council the Land Use Board of Appeals (LUBA) has upheld the City's island annexation action, noting the appellants have 21 days (July 5<sup>th</sup> deadline) to file an appeal with the Court of Appeals. Sykes reported staff met with Washington County officials and there is significant interest and focus on 26<sup>th</sup> Avenue, Willamina Avenue, Hawthorne Street, Firwood Lane, and

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Raymond Street as well as bringing Thatcher Road up to standards, noting overall the meeting was positive. Sykes noted staff will schedule a work session with Council to seek feedback on the proposed jurisdictional road transfers. Sykes reported Ride Connection has received over 200 responses so far on the transit survey, noting the deadline to complete the survey is July 19, 2013. Sykes commended Police and Fire Departments for doing great work on graffiti abatement, noting former Fire Chief Bob Mills is volunteering and assisting the departments with graffiti cleanup. In addition, Sykes distributed a copy of his written report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and upcoming city-wide events.

**16. COUNCIL COMMUNICATIONS:**

Council President Johnston reported attending the Washington County Consolidated Communications Agency meeting. Johnston reported attending a sub-committee meeting regarding Times Litho property, noting he gleaned some good information from the meeting. Johnston announced he has accepted the League of Oregon Cities Executive Director's request to serve on the State Interoperability Committee Board. In addition, Johnston reported on other matters of interest and referenced his scheduled July vacation dates as noted in the Council calendar.

Kidd reported on Historic Landmarks Board (HLB)-related meeting and activities, noting discussion focused on distribution of grant funds and rewriting HLB's grant application form. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported on Parks and Recreation Commission (P&R)-related meeting and activities, noting discussions focused on selection of playground equipment and coordinating the P&R annual volunteer recognition program. Lowe noted Howard Sullivan, Chamber Executive Director and P&R member, is exploring the possibility of incorporating the P&R volunteer recognition program as part of the Corn Roast event, to which Miller indicated she serves on the Corn Roast and will see what she can do to assist.

In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

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Miller apologized for missing the last Public Arts Commission meeting, noting she was out of town. Miller announced the Chamber has appointed three new board members: Michelle Gilbertson, Bank of the West-Cornelius, Jill Wilson, Stich-N-Again, and Dennis Poulin, McDonald's. In addition, Miller reported on other matters of interest and upcoming meetings she was planning to attend.

Thompson reported the last Community Forestry Commission meeting was cancelled due to lack of a quorum. Thompson provided an update on Forest Grove Senior and Community Center-related activities. Thompson provided an update on Ride Connection's Community Transit Service Questionnaire, noting he has visited individual businesses and most churches and assisted living centers handing out information, and he encouraged everyone to complete the online survey. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

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

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax reported attending at the League of Oregon Cities (LOC) Board meeting. Mayor Truax read a draft letter, addressed to Representative Suzanne Bonamici, which he is submitting as Chair of the Policy Advisory Board of Washington County's Community Development Block Grant (CDBG), noting the letter is expressing a great deal of frustration of the actions of the House of Representatives T-HUD Bill. Mayor Truax advised the House is moving to adopt a budget that contains a \$1.4 billion dollar reduction in CDBG funding and additional cuts in the HOME Program. Mayor Truax asked for Council's support and endorsement of the letter, noting the letter is stating opposition to the proposed CDBG funding cuts. Kidd noted that he served on the CDBG board and expressed his appreciation to Mayor Truax for taking action. Kidd urged Councilmembers to support endorsement of the letter, to which the following motion was made:

**MOTION: Council President Johnston moved, seconded by**

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**Councilor Kidd, expressing Council's endorsement and opposition to the proposed CDBG funding cuts. MOTION CARRIED 7-0 by voice vote.**

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

**17. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 8:55 p.m.

Respectfully submitted,

---

Anna D. Ruggles, CMC, City Recorder

# APPROVED

**Members Present:** Bryan Corke, George Cushing, Neil Poulsen, Holly Tsur, Paul Waterstreet (one vacancy)  
**Members Excused:** Larry Wade  
**Staff Present:** James Reitz  
**Council Liaison:** Richard Kidd was excused  
**Citizens Present:** -0-

1. **Call to Order:** Poulsen opened the meeting at 7:15 p.m. **The minutes of the April 23, 2013 meeting were approved as submitted.**

2. **Citizen Communication:** None.

3. **Action Items / Discussion:**

**A. Spring Issue Newsletter:** Tsur reported she had completed editing the newsletter and had submitted it to Reitz; he found a few minor typos and, once corrected, noted that the newsletter would then be ready for publication.

Waterstreet asked if emailing the newsletter might be more cost effective. It was noted that we had put that very question to the readership in a recent newsletter without much response. Reitz said he got two comments back, one for email and one for paper, out of about 300 potential respondents. Corke said he suspected many people do in fact prefer email.

Tsur noted that Poulsen was working on the summer newsletter (masonry buildings and earthquake preparedness) and that we need a topic for the fall issue. Reitz noted that we need a draft by August 1 and a final by August 30 for the summer issue.

Tsur recommended we prepare some articles for both standby (in case the lead article is delayed) and for filler (in case there is some room remaining). Cushing said he would forward a sustainability article written by Ira Wyatt of Golden Rule Construction. It was also suggested that Kerry Vanderzanden be approached to do an article on how to design a home to fit within an existing area. Cushing offered to follow up with him.

**B. Preservation Fair Re-cap:** Cushing said he had reviewed the response cards completed by the exhibitors; the overall response was positive with only one specifically mentioning the disappointing turnout. He noted there were some very good suggestions including having a list of exhibitors with their contact information available for the participants. Another suggestion was that all vendors be given a five-minute spotlight with three minutes to speak and two minutes for questions. There were many suggestions for more promotion, signage and advertising. Corke suggested placing a banner over Pacific Avenue, as a lot of people would see it there. Reitz noted that we have one placed for Preservation Month but that another might be possible, given enough notice. Cushing offered to see what it would cost to have another banner made. Reitz recommended keeping the text fairly simple, such as *Historic Preservation Fair This Saturday* that could be used every year.

Do-it-yourself projects were also suggested, as were more active demonstrations, and a street fair type of event.

Corke suggested that we partner with local retailers such as Ace Hardware for future fairs. The local lumber yards would be great also. Waterstreet offered to start talking to retailers about the possibilities. Reitz noted that sponsorships of various levels can be very effective. Options for retailers could include booth space as well as coupons for goods and services.

**C. Renovation Grants Process:**

▪ **Mock (practice) application review:**

Reitz prepared a sample grant application that enabled the Board to go through the process to better understand the issues that may come up. Poulsen said that after visiting Astoria last year and observing their process, he thinks that the process should be these four steps: 1) Statement of the project; 2) Presentation of the application; 3) Deliberate; and 4) vote.

Step One would be a review of the application and verification that it is complete, including two estimates, and that the applicant is a qualified applicant. Although staff would try to verify this information the Board had the final determination of the completeness. Also included at this point would be verification of the grant amount requested.

Step Two would be to give the applicant an opportunity to describe the project and answer any questions presented by the Board. It was agreed that the applicant could bring a contractor in to offer advice on any technical questions. While the Board would prefer only a single general contractor, other specialist contractors describing their parts of a project would be acceptable.

Step Three would involve discussion of the project, including its historical correctness. If it was determined that there were serious deficiencies with the proposal, the applicant would be advised to return to a later meeting. If there are multiple design and / or material options on the project, and one is determined to be more historically-correct, the applicant would be advised at this time of the correct choice and that the grant award would be so-conditioned.

Step Four: After reviewing all grant proposals, the Board would vote on the requests.

Other procedural issues discussed included:

- If a grant is requested from a Board member, they must recuse themselves before any discussion begins, and have someone else present their application to avoid any conflict of interest.
- Any questions by an applicant outside of the HLB meeting should be directed to staff to avoid any possible favoritism.
- If an applicant is told to come back and resubmit at a later meeting, they will not be assured of funds being available at a later meeting. They would be the first presenter but no other courtesies would be available.
- The Board will not compel an applicant to accept the lowest bid.
- Only one project could be undertaken at a time. Additional projects could be undertaken later in the grant cycle if money is still available.

In determining grant amounts three criteria would be applied: 1) total project costs; 2) the total amount of the grant request; and 3) the amount of grant money available. Grant amounts might be less than the requested amount.

Tsur requested that everyone try to organize their suggestions on how to refine the review process and forward them to everyone else and staff for further consideration. Poulsen said he would also forward Astoria's procedure to the Board for review.

- **Alternate funding sources:** Due to the lateness of the hour, discussion of this topic was postponed to the next meeting.

**4. Old Business / New Business**

- Council Liaison Report: None, as Kidd was excused.
- Poulsen presented the Stewart Award to the City Council prior to the meeting; Tsur, Cushing and Waterstreet were also in attendance.
- Staff Update: Reitz said that the grant project at 1806 Elm Street had been completed and needed to be inspected. Cushing said he would do so. Tsur requested that we get more “before” and “after” pictures of grant projects and Poulsen said he would try to do that.

Reitz also reported that the City Council would vote tonight on the CEP awards, and that the Board had been tentatively awarded \$4,696 for the renovation grant program.

**5. Adjournment:** The May 28, 2013 meeting adjourned at 9:37 p.m.

These minutes respectfully submitted by George Cushing, Secretary

# APPROVED

BE

PARKS AND RECREATION COMMISSION REGULAR MEETING  
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COMMUNITY AUDITORIUM-CONFERENCE ROOM  
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- 1) **ROLL CALL:**
  - a) **Commissioners** –Mike Olson, Brian Seitz, Susan Taylor and Glenn VanBlarcom.  
Absent: Ralph Brown, Quinn Johnson, Nathan Seable, Howard Sullivan and Paul Waterstreet.
  - b) **Staff** – Tom Gamble, Steve Huffman, Cindy Donovan
  - c) **Council Liaison** – Victoria Lowe
  - d) **Student Advisor** – Jonathan Faris
  
- 2) **CITIZEN COMMUNICATIONS:**
  
- 3) **APPROVAL OF MINUTES:** The minutes of the March 20, 2013 meeting were approved.
  
- 4) **ADDITION/DELETIONS:** None
  
- 5) **OLD BUSINESS:**
  - a) **Thatcher Woods Urban Forest Discussion with the Forestry Commission**
    - i) Thatcher Woods encompasses 9 acres of second growth Douglas Firs. The area was logged off about 50 years ago.
    - ii) The health of trees was assessed and a number of them were diseased. Those identified as potential hazards (15 to 20 trees) were felled, made safe and left on site. They attempt to make it as natural looking as possible.
    - iii) The disease issue is being monitored and is not curable. There is white rot and brown rot, which are both soil borne pathogens. That will require that we continue to take down trees over time as necessary.
    - iv) To mitigate risk we need to decide what we want the property to look like in the future, what types of trees. The recommendation would be for different types of species.
    - v) The Forestry Commission has resources to help make those kinds of decisions which would be useful for other City parks as well.
    - vi) It was suggested that we have a Thatcher Wood Forest Management Plan that recognizes issues and helps to manage risks.
    - vii) Victoria noted that “Trout Mountain”, a green sustainable company, is under contract with the City to maintain the water shed. Perhaps we could tap into their expertise.
    - viii) The Forestry Commission feels the greatest risks are at Thatcher.
    - ix) We need to start the ball rolling on this issue, so when the Parks Master Plan is redone this piece could be added along with the trails plan.

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- x) We need to educate the public about what is happening with the trees in the City. Different education pieces, such as Oregon white oaks like dry feet.
- b) **2013-14 Budget Items**
  - i) Decision packages have been presented to the City Leaders.
  - ii) Staff positions in Aquatics and Parks are Tom's number one priority.
  - iii) Number two for Aquatics is painting the outside of the building and for Parks it is Bard Park.
  - iv) Next Wednesday is the general informational meeting and the report on the five year outlook for the operating budget.
  - v) May 23 is the next Budget Committee meeting.
- 6) **NEW BUSINESS:**
  - a) **Regional Trails Nomination**
    - i) Metro is revisiting the Regional Trail Plan.
    - ii) The Council Creek trail is slated to run from the MAX line in Hillsboro to the head of the Banks/Vernonia Linear Trail. The exact alignment is still being discussed.
    - iii) The Hillsboro/Cornelius/Forest Grove piece would link Jackson Bottom Wetlands to Fernhill Wetlands to make a regional trail. There would be an off-road link.
      - (1) Tom is willing to write the nomination for this trail.
  - b) **Grant Application**
    - i) The application for a lottery fund grant was turned in last week.
    - ii) This is for an easement at 14<sup>th</sup> and Birch to complete the Old Town Loop Trail.
  - c) **Smoking In Parks**
    - i) The question came up, do we want to push for no smoking in all our parks. The Commission felt this would be difficult to enforce at this time.
- 7) **COMMISSIONER'S REPORTS:** None
- 8) **STAFF REPORTS:**
  - a) Tom
    - i) The Big Sky Conference track meet is coming to Pacific, May 7 thru May 11. They expect about 1000 to 1500 people a day.
    - ii) Laurie Maitland will be recognized at the City Council meeting on May 13 at 7:00 p.m. for her many years of service at the Aquatic Center.
  - b) Steve
    - i) Visited the Hillsboro stadium, which is a very nice multi use stadium. This will be the new venue for the Hillsboro Hops baseball team. They are adding a grassy viewing knoll as part of this project.

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- ii) There will be a memorial tree planting at Thatcher at 2:00 p.m., Friday, April 19<sup>th</sup>.
  - iii) The Parks crew is up to their eyeballs in grass.
  - iv) He attended a seminar on the management of natural verses synthetic fields.
  - c) Jonathan (our Student Advisor)
    - i) Asked that anyone who has time, to go to the high school on Friday, April 26 between the hours of 8:00 a.m. and 5:30 p.m. and test drive a Ford. This fundraiser benefits different programs at the high school, such as swimming.
- 9) **ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be Wednesday, May 15, 2013 at 7:00 a.m.
- 10) **ADJOURNMENT:** The meeting was adjourned at 8:15 p.m.

# APPROVED

PARKS AND RECREATION COMMISSION REGULAR MEETING  
WEDNESDAY, MAY 15, 2013  
COMMUNITY AUDITORIUM-CONFERENCE ROOM  
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- 1) **ROLL CALL:**
  - a) **Commissioners** – Ralph Brown, Quinn Johnson, Nathan Seable and Paul Waterstreet  
Absent: Mike Olson, Brian Seitz, Howard Sullivan, Susan Taylor and Glenn VanBlarcom.
  - b) **Staff** – Tom Gamble, Steve Huffman, Cindy Donovan
  - c) **Student Advisor** – Jonathan Faris
- 2) **CITIZEN COMMUNICATIONS:**
- 3) **APPROVAL OF MINUTES:** The minutes of the April 17, 2013 meeting were not approved because there was not a quorum.
- 4) **ADDITION/DELETIONS:** None
- 5) **OLD BUSINESS:**
  - a) **Urban Forest Master Plan Process**
    - i) We will push forward with the Urban Forest Master Plan.
    - ii) While we address the concerns about the trees at Thatcher Park, we need to focus on trees community wide verses just one park at a time.
    - iii) The State Recreational Immunity statue helps in mitigating hazards.
    - iv) There needs to be a transition from second growth fir trees to deciduous trees that won't succumb to diseases that are present.
  - b) **Budget Up-date FY 13-14**
    - i) The next budget meeting is Thursday, May 16 at 7:00 p.m. with the final approval coming in June.
    - ii) It's looking positive for small steps, with the partial addition of some positions, painting the outside of the Aquatic Center and top dressing the grass field at Lincoln Park.
    - iii) We are trying for a trail grant for the loop to complete B Street Trail.
    - iv) Tom also learned about a new grant program for playground equipment, so he has applied for Bard Park.
      - (1) We would have to pay for shipping and installation of the equipment.
      - (2) ORPA MACS does installation at different areas and Steve feels we would probably qualify for this program.

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**6) NEW BUSINESS:**

**a) Volunteer Recognition 2013** – tabled for now because there were not enough commission members present.

**b) Summer Schedule/Events**

**i) Baseball Changes**

(1) Representatives from the different groups joined us:

- (a) Doug Bonny – FGJB
- (b) Rick Vanderkin – FGJB
- (c) Steven Aleman – Little League

(2) The goal is to bring both organizations together under one umbrella by next year, so they are not duplicating services. This would make it easier to schedule events and field use.

(3) Little League covers minors 8 years old and under.

(a) Currently there are 10 t-ball teams and 6 minors teams.

(4) Junior Baseball has 3 skill levels for 3 different age levels, 10 and under, 11 and 12 (Juniors) and 13 and 14 (seniors) so no one is cut:

- (a) National – low
- (b) American – mid
- (c) Federal – high

(5) Junior Baseball has the opportunity to participate in a State tournament.

(6) There are also 12 to 13 softball teams.

(7) Neil Armstrong has one field that is ready for play.

(8) All the fields need to be improved to have enough facilities. They are counting on volunteers to help with this.

**ii) Aquatic Schedule Changes**

(1) For the 10 weeks of summer the noon swim is moving to 11:30 a.m. to 1:30 p.m. Revenue from lessons is the biggest part of the budget and we're hoping the change will enable our lesson schedule to run smoother. This also eliminates the cross over of aerobics/arthritis and the fitness swim, which has been the cause of problems the last few years.

**7) COMMISSIONER'S REPORTS: None**

**8) STAFF REPORTS:**

**a) Steve**

**i) Six Scout projects – two completed, four in progress.**

- (1) Adam Calder – completed trail work and bench at Thatcher Woods.
- (2) Clay Luedlof – finished the six tables for the shelter at Fern Hill Wetlands.
- (3) Mac Brewer – working on garbage can holders for the parks.
- (4) Parker Drew – working on drainage for the Forest Glen Trail.

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(5) Natan Lizier-Zmudzinski – working on pavers for the way finder sign and BBQ's at Lincoln Park.

(6) Parker Shaw – working on 80 feet of retaining wall at the City's north entrance.

ii) Additional summer staff:

(1) Two 40 hours a week positions – one started this week and the second will start next week.

(2) One 10 hour weekend position will start this weekend.

iii) Clean Water Services will be adding ¼" of compacted gravel on the path at Fern Hill Wetlands. They are also redoing the driveway and have built an overflow parking lot.

9) **ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be Wednesday, June 19, 2013 at 7:00 a.m.

10) **ADJOURNMENT:** The meeting was adjourned at 8:22 a.m.

*Official minutes approved by the Public Safety Advisory Commission June 26, 2013.*

1. **ROLL CALL:**

Meeting Called to Order by Chairman Mills at 7:30 am.

**Members Present:**

Robert Mills, Chairman, Allyn Clark, Nathan Seable, & Mike Bernhardt

**Liaisons Non-Voting Representatives Present:**

Guy Storms

**Members Absent:**

Tim Dierickx, John Rinier & Drue Garrison

**Liaisons Absent:**

Harold Roark, Bryon Schmidlkofer & Tom Johnston, Council Liaison

**Liaisons Present:**

**Others Present:**

Police Chief Janie Schutz, Fire Chief Michael Kinkade, Kari Bray, Kristin Tarnowski and Adelidah Devi with Dogs Assisting Diabetics

2. **INTRODUCTIONS**

3. **CITIZEN COMMUNICATIONS**

Kristin & Adelidah presented their request for a community fundraising event called Dogs Assisting Diabetics.

4. **APPROVAL OF MINUTES**

There was a motion to approve the minutes from the April 24, 2013 meeting.

**MOTION CARRIED 4-0** Dierickx, Rinier & Garrison absent

5. **ADDITIONS/DELETIONS**

6. **ACTION ITEMS/DISCUSSION**

None

7. **STAFF'S REPORT**

**Police Department –**

Police monthly report presented by Chief Schutz – see attached

**Fire Department -**

Fire monthly report presented by Chief Kinkade – see attached

8. **OLD BUSINESS**

**Graffiti update –**

Mike Bernhardt reported they have a list of volunteers to work on the abatement.

Captain Herb is working on the legal forms that give the volunteers permission to enter the property.

Storage is one of the items they need to discuss – Guy Storms said they could offer some space at Henningsen's Cold Storage.

Someone will need to manage the grant funds the committee will receive – they have been awarded \$2,664.

There was discussion regarding applying to create a non-profit group to handle the grant funds as well as any donations received from property owners.

There was a motion for the President to investigate the other non-profits that are related to other city commissions.

**MOTION CARRIED 4-0** Dierickx, Rinier & Garrison absent

They will need to negotiate with local paint suppliers for donations and/or discounts on paint and supplies.

They will need safety vests with "volunteer" imprinted on them.

Tracking of volunteer hours.

They are ready to respond and will work through some of the obstacles until they get everything set in place.

**NEW BUSINESS**

None at this time.

**ANNOUNCEMENT OF NEXT MEETING** – June 26, 2013 @ 7:30 am

**ADJOURN**

The meeting was adjourned at 8:30 am.

Recorded & submitted by:  
Sharon Cox, Administrative Assistant

- Sergeant Mike Hall started his new supervisor duties and has been assigned to the detective unit.
- 6 candidates applied and went through a selection process for an open 5-year detective position vacated by Sgt. Hall's appointment. Officer Joe Martino was selected and will begin his new duties July 1.
- The department is processing 176 applications for an open officer position.
- The department completed an active shooter table top exercise with the Forest Grove School District Administration on April 22nd at the district office. This now will be followed up with similar exercises at each school with staff member involvement.
- Prescription Drug Turn-in Day resulted in the collection of 175.8 pounds of unwanted/expired prescription drugs.
- Captain Herb is working with the Oregonian in developing a "Virtual Ride-a-Long" with Forest Grove Police using social media. It will be a first in the metro area if not the state. This is being planned for later this month or early June and will receive local media attention.
- Evidence Tech Allyson Cameron resigned from her full time position effective 5/8/13. We are preparing a recruitment process for the new position which will have likely be re-titled to better reflect duties of the position.
- In the next few weeks, the agency will likely recruit for additional reserve officers as we have two openings not filled in the last process.
- Officer Troy Maslen was selected for the motor position which starts a new 5 year rotation January of 2014.
- Forest Grove Police hosted the Westside Crime Prevention Coalition Landlord Forum at PCC on 5/8/13. Several experts including an attorney presented and gave free advice on solving problems that occur with rental properties.
- We are in the final stages of background for our reserve officer position.
- The department has posted the evidence position, which closes today. Evidence Tech Cameron was initially going to work part-time but has now tendered her official resignation from both full and part-time due to family obligations.
- We are planning the format for National Night Out which will be the same as last year. Officers/reserves/volunteers will go out into the community educating and providing literature on promoting community involvement and building camaraderie within the neighborhoods.
- The police officer process is moving along, with ORPAT being the next step and scheduled for June 5th and 6th.
- The department will be focusing it's first graffiti abatement efforts in the Mt. View/19th area with the assistance of volunteers.
- The police department joined the fire department along with other area public safety entities in working a terrorism/disaster drill on May 22nd.
- Support Unit Supervisor Lisa Cannon attended a RegJIN workshop in Portland. This is to help with input on a new tri-county records management system slated to begin in 2015.
- Forest Grove Police hosted a county wide police commanders meeting on Thursday May 16th.
- Chief Schutz, Captain Herb and Captain Ellingsburg attended the Law Enforcement Memorial Ceremony at the Hillsboro Civic Center.



# Fire Chief's Report

Reporting Period: May 1-31, 2013



## Notable Calls and Events

- Cornelius: 2nd alarm rural residential fire on Hergert Road on May 5. Crews arrived within 6 minutes and found a 2 story log-cabin style home with heavy fire coming from the back. Firefighters made an interior attack on the flames, but they grew more intense and they had to withdraw from the structure, fighting the flames from outside. After over an hour of attacking the flames with multiple hoses, firefighters were able to extinguish a majority of the flames. Crews spent many hours on scene extinguishing hot spots.
- Forest Grove: Promotional ceremony and EMS Week celebration held at City Council meeting for Captain Chris Woodford, Lieutenant Tony Carter and Firefighter Cassie Knierim.
- Cornelius: Fire department assisted with Cornelius Clean Up day by providing support and the outstanding BBQ cooking of Lt. Ty Augustine on May 18.
- Forest Grove: Responded to house fire in 1600 block of Cedar Street. Working room and contents fire upon arrival, E421 crew made an interior attack and contained the fire, search by Lt. Carter found two unconscious corgi mix dogs in the upstairs, dogs were resuscitated by Carter and FFs Knierim and Shinpaugh and taken by Chaplain Danielson to a nearby vet where they recovered fully. Investigation revealed that the fire was likely started by a series of "daisy chained" power strips that ran from a functioning outlet in a bathroom, across the house to the bedroom.
- Forest Grove: Division Chief David Nemeyer was honored on May 13 at the annual Forest Grove Daybreak Rotary Club Banquet with an honorary Paul Harris Fellowship award. The PHF is awarded to members of the community who exhibit outstanding service to the community.
- Joint: Fire Department hosted Memorial Day ceremonies at the FG "Big Flag." Speakers included Mayor Truax, BC Rob Hutchens and a representative from the local National Guard unit.
- Forest Grove: Forest Grove Firefighters' Association hosted a community pancake breakfast on May 26, 2013 to raise money for their community projects.
- Forest Grove: Fire Department hosted the annual Employee Breakfast on June 6, 2013.
- Joint: Forest Grove and Cornelius participated in countywide disaster exercise, setting up EOC and providing training on May 22. Scenario was a coordinated terrorism attack.

## Projects and Administration

- Forest Grove: Provided medical standby coverage at Pacific University Commencement ceremonies on May 18.
- Cornelius: Captain Mark Reckmann and crew attended carnival event at Emmaus Christian School and provided fire education and awareness.



**FIRE & RESCUE**

## Fire Chief's Report

Reporting Period: May 1-31, 2013



- Forest Grove: Division Chief Ian O'Connor completed training house burn on Ritchey Road. House was used over the last month for wall breaching, vertical ventilation, basement fire attack and pulling ceiling
- Joint: Lt. Keith Baas and Fire Chief reorganized rope rescue equipment for both departments to create a simplified and standardized inventory.
- Joint: Division Chief Ian O'Connor scheduled Retired TVFR Fire Captain Tim Dietz to provide his "Scenes of Compassion" class and Retired TVFR Assistant Chief Paul LaSage to provide his "Crew Resource Management" training to both departments in June.
- Joint: Fire Chief completed the week-long International Public Safety Leadership Institute (IPSLI) train-the-trainer program at DPSST for our officer development program.
- Forest Grove: Captain Chris Woodford and Lt. Keith Baas completed installation of new fuel tank in Boat 4.
- Joint: Captain Marc Reckmann and FF Ted Penge received new fire hose order and placed hose in service.
- Joint: Fire Chief participated in first WCCCA committee to examine cost allocation (black box) system for user fees.
- Forest Grove: Captain Mike Lanter completed coordination of Station 4 major repairs to air conditioning system and emergency generator.
- Forest Grove: Completed 3rd meeting of union negotiations with IAFF 1660.
- Joint: Completed meeting with PPE Team to review and update program and goals with new PPE Coordinator Lt. Tony Carter.
- Forest Grove: Fire Prevention completed plans reviews of Casey Meadows subdivision, test of fire alarm system at FGHS, fire system sprinkler test at PASCOR.
- Joint: Forest Grove and Cornelius firefighters graced this years covers of the Oregon State Fire Marshal's Annual Report (see below).



# Fire Chief's Report

Reporting Period: May 1-31, 2013



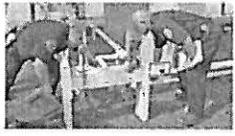
Office of State Fire Marshal  
Annual Report 2012



A division of the Oregon State Police



Building cooperative partnerships with the fire service, regulated industries, and stakeholders is key to ensuring the OSFM successfully meets and sustains its mission and vision for life safety and property conservation. The OSFM strives to create and maintain relationships with constituents, partners, and employees through leadership and innovative strategies and programs.



Our synergistic collaborations amplify our reach and success. It is how we create a solid foundation on which to build even greater and more effective programs to accomplish our mission.



The OSFM also works with a variety of agencies and public officials to share knowledge and training. Through this proactive collaboration, fire and life safety policies are crafted, fire codes are amended and adopted, laws and administrative rules are reviewed and modified, and educational materials are developed and distributed.

TOP: Forest Grove Fire & Rescue Division Chief David Nemever (front, center), flanked by Forest Grove Fire Chief Michael Knize to his right and State Fire Marshal Mark Wallace to his left, receives his Golden Sparky award in recognition of his tireless work in fire prevention and safety.

- Forest Grove: Captain Dwight Lanter announced his retirement date, July 1, 2013.
- Forest Grove: A conditional job offer was provided to Intern Jordan Ruiz, with a start date of July 1, 2013.
- Forest Grove: Provided medical standby coverage at Pacific University Commencement ceremonies on May 18.
- Joint: Fire Chief selected by Washington County EMS Office to coordinate strategic planning process for Washington County EMS.
- Joint: Fire Chief provided ICS 100 training to FG library and joint city staff. 90% of all City employees have now completed this training (both city's).
- Forest Grove: Fire Chief participated in meeting to examine city IT services. A consultant is being hired to review the system and make recommendations for improvement.
- Forest Grove: Fire Chief attended two City budget commission meetings. No changes were made to the proposed fire department budget.
- Cornelius: Fire Chief attended City budget commission meeting. No changes were made to the proposed fire department budget.
- Forest Grove: Fire Chief attended Cornelius Rural Fire District and Forest Grove Rural Fire District budget commission meetings – no changes were made to the proposed budgets.



## Fire Chief's Report

Reporting Period: May 1-31, 2013



### FIRE & RESCUE

- Cornelius: Warranty work on new Type III was completed by Captain George Robards.
- Cornelius: Completed purchase of equipment to place new Type VI in-service.
- Forest Grove: Medic 4 provided transport to one critical patient on June 2 due to long response time from ambulance.
- Forest Grove: Chief Ian O'Connor is working with a team on a review and update to our bloodborne pathogens exposure control plan and training program.
- Cornelius: Captain Steve Black worked with the American Red Cross to establish an emergency shelter at Centro Cultural in Cornelius (first one). Currently working on a backup location.
- Cornelius: Lt. Tad Buckingham assisted Cornelius Fire with acquiring eye protection for all personnel. Safety equipment is on order.
- Cornelius: Making major changes to CFD emergency medical program, including standardization of the EMS kits with Forest Grove, the addition of narcotics (pending DEA approval), and the upgrade to their current cardiac monitor. Currently working with TVFR to acquire a second monitor (donated) that was purchased with UASI funds.
- Forest Grove: FF Chad Toomey continues to coordinate planning and marketing for July 4<sup>th</sup> Fireworks program, hosted by the Forest Grove Firefighter's Association
- Forest Grove: Lt. Keith Baas completed a review of the "Blue Card" tactical training program created by the Brunacini's. His recommendation is to not proceed with this program at this time.
- Forest Grove: EMS Officer Will Murphy has completed 90% of the paperwork to obtain a Medicare billing number.



# Fire Chief's Report

Reporting Period: May 1-31, 2013



## FGFR Mission, Vision, and Value Statements

### Mission Statement

Everything we do, we do for the people and the communities we proudly serve. With education and training, we prevent harm. With rapid and professional response, we protect lives and property. Through the desire to serve and courage to act, we are the model of a successful fire and rescue agency for the State of Oregon. "Prevent, Protect, Serve"

### Vision Statement

To be the leading fire and rescue agency in Oregon by setting the standard of excellence in training, prevention, protection, and service for all people and communities who call upon us in a time of need.

### Value Statement

We achieve our mission and vision by building upon our core values and being loyal to our duty to serve. We work with a continued focus in the direction of leadership and excellence. Our defining core values include Professionalism, Teamwork, Leadership, Compassion, Integrity, and Service Excellence. We hold ourselves accountable to these values.

#### • Professionalism

We believe our professionalism defines who we are. We believe in honor, competency, integrity and outstanding public service to the community. We strive to be positive role models for future generations of firefighters and continue the legacy of service excellence.

#### • Teamwork and Leadership

We believe all individuals have the capacity to lead, and our organization values leadership at all levels. Our lives depend on a well-functioning team of people. Teamwork and shared leadership are integral to our organization. We seek out and value the opinions of our members.

#### • Compassion

We believe in caring for our community members who are suffering from significant events in their lives, and with mercy and compassion, we do all that is possible to assist in stabilizing the situation.

#### • Integrity

We believe in living by moral and ethical principles. We understand the trust placed in us by the public and our colleagues is integral to the performance of our duties. We are



# Fire Chief's Report

Reporting Period: May 1-31, 2013



## FIRE & RESCUE

honorable to our profession and we inspire each other to maintain trustworthiness and openness in all our activities.

### • Service Excellence

We believe the pursuit of excellence and demonstrated high professional standards are critical to our work. To ensure the best possible service to our community, we do all we can to meet the needs of our neighbors through a committed, competent, and well trained, efficient agency.

### Strategic Goals

Strategic plan update is posted here:

<http://dl.dropbox.com/u/56302195/Strategic%20Plan%20-%20Strategies.png> or you can use this shorter link, <http://tinyurl.com/FGFRstrategicplan> . Once the page opens click to zoom in, use the arrow keys on your keyboard to move around. Our progress is updated frequently. This update can also be accessed on our web site.

Forest Grove Fire and Rescue have identified the following strategic goals:

#### 1. Develop and maintain the highest possible level of service delivery.

- Meet or exceed established benchmarks for fire suppression, prevention, rescue and EMS. Create a Standard of Cover to reflect current and projected community needs and expectations.

#### 2. Maintain long-term strategic planning.

- Continuously evaluate, maintain, and update our strategic plan to enhance our service delivery in a financially responsible manner.

#### 3. Expand community outreach to meet our vision.

- Increase our visibility and participation in the communities we serve in order to meet our mission statement.

#### 4. Utilize available technology to enhance our service delivery and efficiency.

- Utilize technological innovations to enhance service delivery and improve cost-effectiveness, recordkeeping and data analysis, to the full extent possible.

#### 5. Develop and maintain strategic partnerships.

- Seek ways to become more cost-effective, reduce duplication and enhance service delivery through partnerships whenever possible.

#### 6. Enhance internal relations and communication, and employee development.

- Create a safe and productive work environment for all employees through effective communication, cooperation, and a shared vision.



**35**

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

The City of Forest Grove  
Recommends that license be

**Granted**                       **Denied**

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

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

## FOREST GROVE POLICE DEPARTMENT LIQUOR LICENSE RECOMMENDATION

**NAME OF APPLICANT/BUSINESS:** The Flag Deli (Applicant: Michael Johnson)

**APPLICANT/BUSINESS ADDRESS:** 3034-C Pacific Avenue – Forest Grove

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

**CITY BUSINESS LICENSE:** BL- Pending

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

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

**APPLICABLE CRIMINAL/DRIVING RECORD:**

NONE                                       SUPPORTING DOCUMENTATION ATTACHED

**RECOMMENDED ACTION:**

FORWARD WITH APPROVAL                       REJECT APPLICATION (Memorandum Required)

\_\_\_\_\_  
**Jamie Schutz, Chief of Police**  
 - or Designee

Date 12/28/2013



OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION



Application is being made for:

**LICENSE TYPES**

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

**ACTIONS**

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other \_\_\_\_\_

**90-DAY AUTHORITY**

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

**APPLYING AS:**

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

**CITY AND COUNTY USE ONLY**

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

The City Council or County Commission:

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

recommends that this license be:

- Granted
- Denied

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

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

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

**OLCC USE ONLY**

Application Rec'd by: [Signature]

Date: 6-26-13

90-day authority:  Yes  No

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

① BEHIND THE FLAG DELI, INC ③ [Redacted]

② [Redacted] ④ \_\_\_\_\_

2. Trade Name (dba): THE FLAG DELI

3. Business Location: 3034-C PACIFIC AVE FOREST GROVE, WA, OR 97116  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Same  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-504-7071 - Temporary  
(phone) (fax)

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

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

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

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

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

11. Contact person for this application: MICHAEL D. JOHNSON 503-504-7071  
(name) (phone number(s))  
3034-B PACIFIC AVE FOREST GROVE 503-359-4121 JOHNSON16@FRONTIER  
(address) (fax number) (e-mail address) com

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

Applicant(s) Signature(s) and Date:

① Behind the Flag Deli Date 6-24-13 ③ [Signature] Date 6-24-13  
② Michael D Johnson Date 6-24-13 ④ \_\_\_\_\_ Date \_\_\_\_\_



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type Behind The Flag Deli Inc
Applicant Name: MICHAEL D. JOHNSON Phone: 503-504-7071
Trade Name (dba): Behind The Flag Deli, Inc (The Flag Deli)
Business Location Address: 3034-C Pacific Ave
City: FOREST GROVE, OR ZIP Code: 97116

DAYS AND HOURS OF OPERATION

Business Hours: Sunday 10:00 to 7:00, Monday 10:00 to 7:00, Tuesday 10:00 to 7:00, Wednesday 10:00 to 7:00, Thursday 10:00 to 7:00, Friday 10:00 to 7:00, Saturday 10:00 to 7:00
Outdoor Area Hours: Sunday to Saturday
The outdoor area is used for: [ ] Food service, [ ] Alcohol service, [ ] Enclosed, how
The exterior area is adequately viewed and/or supervised by Service Permittees.
(Investigator's Initials)

Seasonal Variations: [ ] Yes [X] No If yes, explain :

ENTERTAINMENT

Check all that apply:
[ ] Live Music [ ] Karaoke
[X] Recorded Music [ ] Coin-operated Games
[ ] DJ Music [ ] Video Lottery Machines
[ ] Dancing [ ] Social Gaming
[ ] Nude Entertainers [ ] Pool Tables
[X] Other: TRADITIONAL Lottery

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: 12 Outdoor:
Lounge: Other (explain):
Banquet: Total Seating: 12

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

I understand if my answers are not true and complete, the OLCC may deny my license application.
Applicant Signature: Michael D Johnson Date: 6-24-13

# Community of Forest Grove Strategic Sustainability Plan

Report to the City Council  
June 24, 2013



## Process & Public Input

- October 8, 2011 – Sustainability Institute, Formation of Sustainability Ad Hoc Committee
- Sustainability Summits:
  - October 2011
  - February 2013
  - April 2013

Town Hall Meeting January 2013

Approximately 200 people attended the various meetings

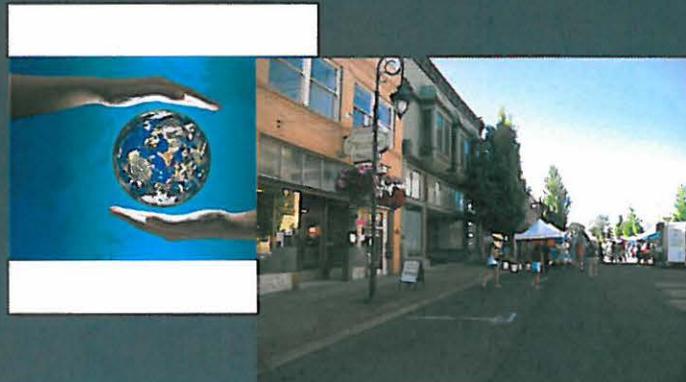


## Sustainability Definition

The definition of sustainability used by the committee is: Using all resources (societal, economic and natural) in an efficient and equitable manner. Sustainability in Forest Grove means considering long-term environmental, economic and social impacts of our actions. Sustainability prioritizes long-term needs over short-term gains to ensure that resources necessary to sustain life are available now and in the future.

## Mission

The Mission of the Committee is to develop a Sustainable Strategic Action Plan to implement sustainable practices in the community.



## Strategic Plan

- ▣ Six topical areas
- ▣ Each topical area includes:
  - Vision Statement
  - Goals
  - Strategies
  - Measures
  - Timeframe

## Topic Areas

The following topic areas were chosen as the focus areas for sustainability in Forest Grove:

- ▣ Materials Management
- ▣ Energy Conservation & Green Building
- ▣ Food
- ▣ Social Equity
- ▣ Natural resources
- ▣ Transportation

## Materials Management

Vision: Forest Grove will be a city that focuses on the recapture, reduction, and elimination of its material stream to enable a high quality of life for all citizens.



## Materials Management

- **Goal 1-** In an effort to reduce the waste stream, Forest Grove community members will be aware of options concerning the disposal of all materials that cannot be recycled curbside
- **Goal 2-** Implement a city-wide composting program
- **Goal 3-** Provide the means to collect material which is difficult to recycle
- **Goal 4 -** Establish a safe location for the year-round disposal of pharmaceuticals
- **Goal 5 -** Utilize Pacific University and the Center for Sustainable Society as involved participants in reducing waste

## Energy Conservation & Green Building

Vision: Forest Grove will become a leader in the support of green building practices and the promotion of energy and natural resource conservation.



## Energy Conservation and Green Building

- Goal 1 - Implement and maintain an ongoing education campaign on the individual economic benefits of energy conservation and reduced resource consumption.
- Goal 2 - Retrofit 100% of older, single and multifamily housing stock with energy conservation measures
- Goal 3 - Reduce energy used by buildings in both new and retrofit construction
- Goal 4 - Reduce energy used for lighting
- Goal 5 - Implement a financially feasible program to add solar domestic hot water in residences
- Goal 6 - Reduce Greenhouse gas production in the community
- Goal 7 - Investigate other sources of energy production

## Food

Vision: Forest Grove will be a thriving food community in which all residents have the opportunity to grow, prepare and consume nutritious local food in order to support the health of the land and its people.



## Food

- ❑ Goal 1 - Develop partnership systems to sustainably feed all Forest Grove area people experiencing ongoing hunger
- ❑ Goal 2 - Develop school gardens and nutrition education programs at every Forest Grove public school
- ❑ Goal 3 - Increase the use of sustainably grown, local food
- ❑ Goal 4 - Develop year-round farmers markets in the Forest Grove area
- ❑ Goal 5 - Develop and implement adequate local community kitchens for increasing micro-enterprise development and teaching/learning food preparation and processing
- ❑ Goal 6 - Support farmers

## Social Equity

Vision: Forest Grove is a place that welcomes and supports equitable and sustainable opportunities for all community members by providing the means for human needs to be met.



## Social Equity

- ❑ **Goal 1** – Support equitable access to opportunity and the distribution of resources
- ❑ **Goal 2** – Increase sustainable, local businesses
- ❑ **Goal 3** – Increase the sustainable, living wage of Forest Grove citizens
- ❑ **Goal 4** – Strengthen the representation and community engagement of all people in the decision-making process of city-wide issues and of the sustainability committee's efforts
- ❑ **Goal 5** – Promote affordable housing

## Natural Resources

Vision: The citizens of Forest Grove demonstrate good stewardship of our natural resources by preserving the health of our watershed, forest, air, and greenspace for future generations.



## Natural Resources

- **Goal 1** - Increase the amount of tree canopy while planting species adapted to this area
- **Goal 2** - Reduce average per capita water consumption
- **Goal 3** - Increase the amount of park/natural areas
- **Goal 4** - Continue to support the restoration of natural areas such as Fern Hill Wetland
- **Goal 5** - Reduce the use of pesticides and herbicides
- **Goal 6** - Inform and educate the citizens of Forest Grove on the benefits, care, and maintenance of trees for aesthetics, shade, and carbon storage.

## Transportation

Vision: To develop a safe, affordable, reliable, sustainable, and connected transportation system that is energy efficient while supporting other transportation modes.



## Transportation

- ❑ **Goal 1** - To make Mass transportation more accessible to a larger portion of the community
- ❑ **Goal 2** - Increase the use of bicycle transportation
- ❑ **Goal 3** - Increase the safety of bicycling in Forest Grove
- ❑ **Goal 4** - Retrofit electric car charging station with plugs/adapters to fit all types of cars
- ❑ **Goal 5** - Add peak hour express buses from Forest Grove to Hillsboro Transit Center
- ❑ **Goal 6** - Expand light rail to Forest Grove
- ❑ **Goal 7** - Fit new city vehicles and Ride Connection buses to run on electric power

## Future Steps

- ▣ Public Presentations and Review
- ▣ City Council consideration to Adopt Strategic Plan



# District 4 Metro update



## Forest Grove City Council



Councilor Kathryn Harrington  
July 8, 2013



Metro | *Making a great place*



# Overview

- FY 13-14 budget
- Natural Areas Levy – next steps
- Zoo Bond
- OCC hotel
- Climate Smart Communities
- Community Investment Initiative
- Active Transportation
- Support for local jurisdictions
  - RTO grants
  - CP&D grants
  - Eco-efficient Employment pilot
  - SW Corridor
  - Nature in Neighborhoods grants

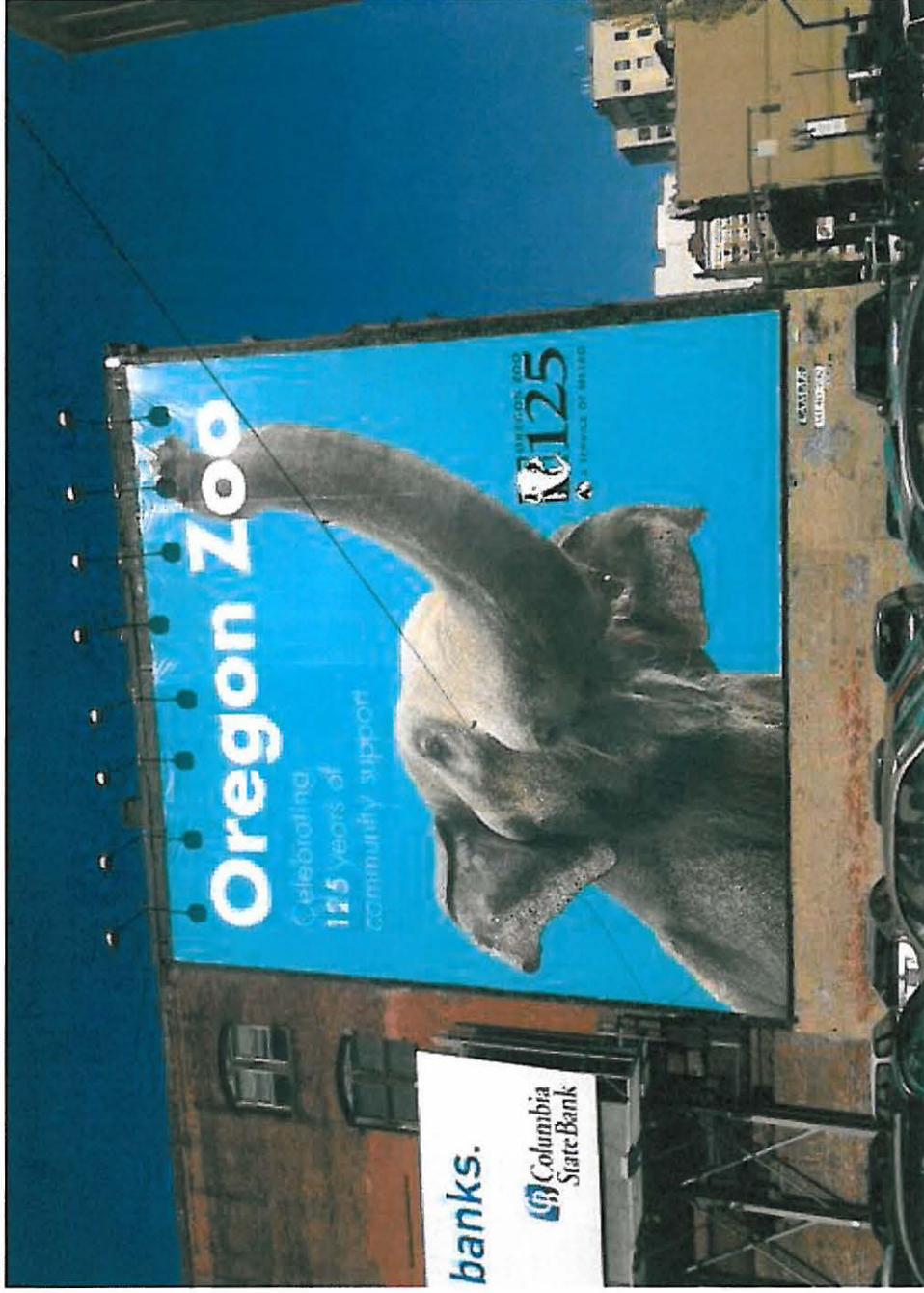


## 2013-14 budget adopted

- Reductions in work force across the agency
- While cuts to planning and transportation were necessary, the budget will continue to implement the 2040 vision
- Delivers on bond promises for Natural Areas acquisitions and zoo projects
- Solid Waste rates will increase at the lowest rate since 2006



**Natural areas local option levy – Next steps**



# Oregon Zoo bond projects



Oregon Convention Center Hotel  
Preliminary Rendering - May 2013

# OCC Hotel

# Climate Smart Communities

- State requires region to reduce carbon emissions from cars and small trucks by 20% by 2035



- Focus on investments in transit, safe and walkable communities, access to jobs
- Phase 2 analysis underway – findings expected in October
- Region must adopt a preferred scenario by December 2014
- More information at [www.oregonmetro.gov/climatescenarios](http://www.oregonmetro.gov/climatescenarios)



# Community Investment Initiative

# Active Transportation

- Regional trail accomplishments
- Westside Trail Master Plan
- Council Creek Trail Master Plan
- Active Transportation Plan (ATP)



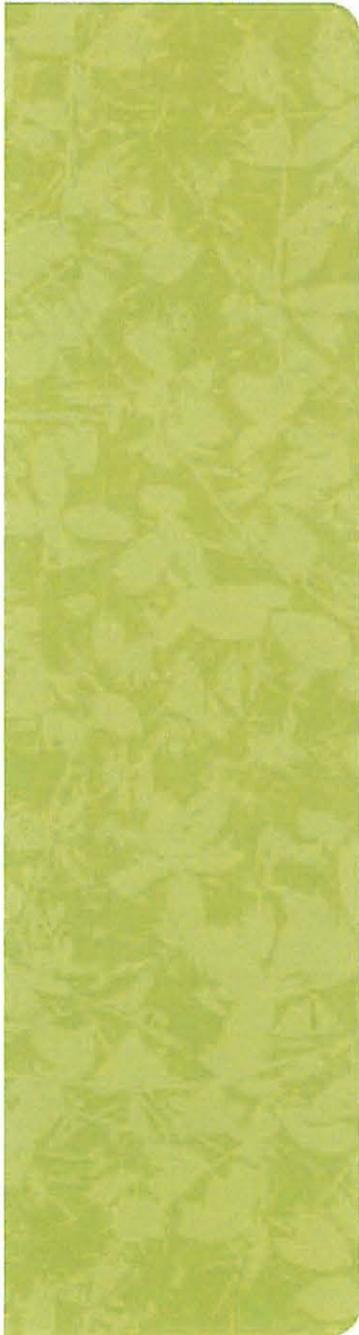
# ATP Next steps

- **July 1**-final plan available for review
- **July 19**- TPAC discussion
- **August 1** – JPACT discussion
- **July-August** – staff responds to input, refines plan, meets w/stakeholders
- **August 31**- TPAC recommendation
- **Sept 12** – JPACT action
- **Sept 26**- Metro Council action
- **Oct-June 2014** – work with jurisdictions, agencies and stakeholders to incorporate ATP into RTP



# Ongoing work to support local jurisdictions

- Eco-efficient Employment Pilot
- SW Corridor
- RTO grants
- CP&D grants
- Nature in Neighborhoods grant programs



# Eco-efficient Employment Pilot



- Home to 11% of the Portland Metropolitan area population and 26% of the jobs in the tri-county area
- Both projected to grow significantly
- Two years of work with local jurisdictions to identify land use and development goals
- July 22 significant milestone

# Regional Travel Options grants

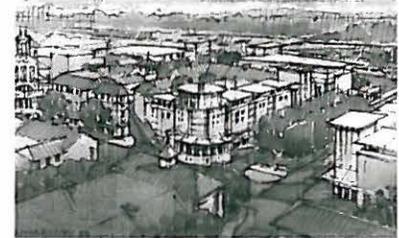
- Support projects that:
  - Reduce driving alone
  - Improve air quality
  - Address community health
- Grants awarded April 10



More information at [www.oregonmetro.gov/rtogrants](http://www.oregonmetro.gov/rtogrants)

# Community Planning and Development Grants

- Grants support planning for community and economic development
- Grants also support planning in urban reserves
- Grants awarded summer 2013



More information at [www.oregonmetro.gov/grants](http://www.oregonmetro.gov/grants)

# NIN Capital and Restoration/Enhancement Grants

- Capital grants
  - 6<sup>th</sup> round awarded in May
  - 2006 Natural Areas bonds
- Restoration and Enhancement grants
  - 7<sup>th</sup> round awarded in May



# Your questions...

Kathryn Harrington

Metro Councilor, District 4

503-797-1553

kathryn.harrington@oregonmetro.gov

optin

PORTLAND-VANCOUVER AREA ONLINE PANEL



[www.oregonmetro.gov/connect](http://www.oregonmetro.gov/connect)



July 8, 2013

**STAFF REPORT AND ORDINANCE AMENDING FOREST GROVE  
CODE CHAPTER 2, ADDING NEW CODE SECTION 2.615,  
MUNICIPAL UTILITY BILLINGS PRIORITIZATION OF PAYMENT**

**PROJECT TEAM:** Susan Cole, Assistant Director, Administrative Services  
Paul Downey, Director, Administrative Services  
Michael Sykes, City Manager

**ISSUE STATEMENT:** The City issues a combined utility bill once a month to customers in order to collect payment for the provision of various utility services and for various taxes, charges and fees. The progressive penalty structure for non-payment ends with the termination of electric services and then water utility service if the customer has a separately metered water service. The attached ordinance modifies City Code to clarify and specify the order in which customer payments are applied to ensure the timely payments of all rates, taxes, charges and fees.

**BACKGROUND/UPDATE:** The City currently follows administrative procedures that specify the order of applying payments to the monthly customer utility bills. The City issues a combined utility bill each month to each customer. This combined utility bill includes a CIP Excise Tax, charges for non-metered services such as Surface Water Management and Sewer Services, green power units, surge arrestors, etc, and charges for metered services of water and electricity. Administratively, payments are applied in that order, once all past due balances have been satisfied. Not all utility billing customers have all of the charges listed. The sequence of events for encouraging customers to pay their monthly bill include mailing a monthly bill, mailing a reminder notice if the bill goes unpaid, mailing the next month's bill with a balance forward, mailing a cut-off notice, issuing an automated phone call if the first bill remains unpaid, placing a door hanger on the customer's residence or business, cutting electric service off, and lastly, if the bill remains unpaid, cutting the water service if the customer has a separately metered water service. The City eventually sends unpaid bills to its Collection Agency, and also places a lien on owner-occupied properties for uncollected amounts.

The attached ordinance modifies City code to specify that customer payments are applied lastly to the water charges, and then to the electric charges.

**FISCAL IMPACT:** No fiscal impact, as the ordinance is codifying current practice.

**STAFF RECOMMENDATION:** Staff recommends the City Council adopt the attached ordinance amending City Code to specify and clarify the order of applying customer payments to utility bills.



June 27, 2013

NewsTimes

Legal Ads/Public Notice:

To be published: Wednesday, July 3, 2013

**NOTICE OF PUBLIC HEARINGS  
PROPOSED ORDINANCES AMENDING FOREST GROVE  
CITY CODE PERTAINING TO MUNICIPAL UTILITY BILLINGS  
AND ESTABLISHING A STREETLIGHT FEE AND PROPOSED  
RESOLUTION SETTING A STREETLIGHT FEE**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold Public Hearings on **Monday, July 8, 2013, at 7:00 p.m. or thereafter**, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting an ordinance that would add a new section to the Forest Grove City Code, Code Section 2.615, relating to municipal utility billings and an ordinance that would add a new subchapter to the Forest Grove City Code, Chapter 4.300, establishing a streetlight fee, and a resolution setting a streetlight fee of \$1.50 per meter per month. The proposed ordinances, if enacted by the City Council, would take effect 30 days immediately after enactment. The proposed resolution, if enacted by the City Council, would take effective upon the implementation date of proposed ordinances.

These hearings are open to the public and interested parties are encouraged to attend. A copy of the staff reports, proposed ordinances, and proposed resolution are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, PO Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, at 503.992.3235.

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

**To be published July 3, 2013**

**ORDINANCE NO. 2013- 07**

**ORDINANCE AMENDING FOREST GROVE CODE CHAPTER 2  
BY ADDING NEW CODE SECTION 2.615, ENTITLED MUNICIPAL  
UTILITY BILLINGS; PRIORITIZATION OF PAYMENT;  
SUSPENSION/TERMINATION OF UTILITY SERVICE**

**WHEREAS**, the City Council believes it necessary and appropriate to explicitly set out in the Forest Grove City Code the payment priority for fees, taxes and other charges imposed by the City for provision of municipal services which fees, taxes and other charges are included on city utility billings; and

**WHEREAS**, notice of the City Council hearing on this ordinance was published in the *News Times* on July 3, 2013; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on the proposed ordinance on July 8, 2013.

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

**Section 1.** The Forest Grove City Council does hereby approves and adopts the provisions setting payment priority for utility billings and amends Forest Grove Code Chapter 2 by adding new Code Section 2.615, entitled Municipal Utility Billings; Prioritization of Payment; Suspension/Termination of Utility Service, as set forth in the attached Exhibit A.

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

**PRESENTED AND PASSED** the first reading the 8<sup>th</sup> day of July, 2013.

**PASSED** the second reading the 12<sup>th</sup> day of August, 2013.

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

**APPROVED** by the Mayor this 12<sup>th</sup> day of August, 2013.

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

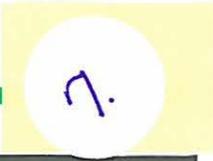
**ORDINANCE NO. 2013-07**

**EXHIBIT "A"**

**FOREST GROVE CODE CHAPTER 2, GOVERNMENT AND ADMINISTRATION  
ADDING NEW CITY CODE SECTION 2.615**

**2.615      Municipal Utility Billings; Prioritization of Payment;  
Suspension/Termination of Utility Service.**

- (1) Fees, taxes, rates and other charges imposed or collected by the City designed to pay costs associated with delivery (either by the City or other governmental unit) of services may be made part of and included with any billing statement(s) issued by the City for its municipal water and electricity utilities.
- (2) Payments received by the City as part of its municipal utility billing process shall be prioritized so charges imposed for the City's water and electricity utilities are, in that order, deemed the last to be paid.
- (3) In the event the City receives less than full payment of the fees, taxes rates and other charges listed on City utility billing statement(s), the City shall have the right but not the obligation to terminate or suspend delivery of either or both of its utility services to the affected property or structure until the City receives (or is assured of) payment in full. Notwithstanding the foregoing, prior to termination or suspension of City utility service(s) for non-payment of fees, taxes rates or other charges, the City shall provide the person responsible for payment with written notice of the proposed suspension or termination which notice shall describe the manner and time in which the person may contest said suspension or termination.



July 8, 2013

**STAFF REPORT AND ORDINANCE AMENDING FOREST GROVE CODE CHAPTER 4 BY ADDING NEW SUB-CHAPTER 4.300, ENTITLED STREETLIGHT FEE**

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

**ISSUE STATEMENT:** In order to adequately fund the annual Street overlay program in the Street fund, the City is adding a Streetlight fee to fund the operations and maintenance of streetlights in lieu of the gas tax, thereby freeing up gas tax dollars to fund the overlay program.

**BACKGROUND/UPDATE:** As reported to the City Council during a work session on May 28, 2013, the Street Fund has reached a financial turning point where either expenditures need to be significantly reduced, or a new revenue source needs to be identified, in order to adequately fund the annual street overlay program.

Staff in the Street Department has estimated that the annual need for overlaying streets is approximately \$390,000 as seen in Table 1. However, current projections show that the Street Fund will only be able to dedicate about \$100,000 to the overlay program.

**Table 1: Forest Grove Overlay Estimate**

		 FG Street Maintenance \$ Projections			
			Maint. Item	Cost/unit	Total Replmnt. Cost
Tot. Length (LF)	386,590		FOG Seal	\$1.00/SY	\$1,433,954
			AC Grind 2"	\$1.50/SY	\$2,150,931
Tot. Area (SY)	1,433,954		2in AC @ \$85/ton	.055 ton/sy/lin	\$13,407,472
<hr/>					
Replacement Cycle	20 year	25 year	30 year	40 year	
<i>Funded - Materials &amp; Services</i>					
FOG Seal	\$71,698	\$57,358	\$47,798	\$35,849	
<i>Capital Overlay Program</i>					
<i>Additional Resources Needed</i>					
Grind-2"	\$107,547	\$86,037	\$71,698	\$53,773	
AC-2"	\$670,374	\$536,299	\$446,916	\$335,187	
<b>Total Estimated Need:</b>	<b>\$777,920</b>	<b>\$622,336</b>	<b>\$518,613</b>	<b>\$388,960</b>	

Overlaying streets is important to ward off irreversible deterioration that leads to expensive reconstruction. Because gas taxes have failed to come in as hoped due many factors such as the recession, high gas prices, and more fuel efficient vehicles, the Street Fund is not able to continue with an on-going street overlay program that is necessary to keep the City streets in fair to good condition. Staff feels a good revenue enhancement would be to charge a separate Streetlight Fee.

The Streetlight fee would pay for the electricity and maintenance of street lights, that are now paid from the gas taxes received. The total spent for street lights from the gas taxes is about \$150,000 per year. This separate Streetlight Fee will be used to pay for the street lights, and the gas taxes previously used will be directed toward the street overlay program. The Streetlight Fee will be administered through the monthly utility bills. A Streetlight Fee of \$1.50 per month is estimated to bring in the \$150,000 per year needed for the street lights.

The attached ordinance adds the authority for the City to charge a Streetlight Fee to City the Municipal Code, and requires two readings. A resolution setting the Streetlight Fee will be proposed at the second reading of the Streetlight Fee ordinance.

**FISCAL IMPACT:** The fiscal impact from implementing a Streetlight Fee in the Street Fund would be to enhance that Fund's revenues by about \$150,000 to fund the operations and maintenance of the City's streetlights. This fee frees up gas taxes which can be directed to the annual overlay program.

**STAFF RECOMMENDATION:** Staff recommends the City Council adopt the attached ordinance amending City Code to add authority to charge a Streetlight Fee.



June 27, 2013

NewsTimes

Legal Ads/Public Notice:

To be published: Wednesday, July 3, 2013

**NOTICE OF PUBLIC HEARINGS  
PROPOSED ORDINANCES AMENDING FOREST GROVE  
CITY CODE PERTAINING TO MUNICIPAL UTILITY BILLINGS  
AND ESTABLISHING A STREETLIGHT FEE AND PROPOSED  
RESOLUTION SETTING A STREETLIGHT FEE**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold Public Hearings on **Monday, July 8, 2013, at 7:00 p.m. or thereafter**, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting an ordinance that would add a new section to the Forest Grove City Code, Code Section 2.615, relating to municipal utility billings and an ordinance that would add a new subchapter to the Forest Grove City Code, Chapter 4.300, establishing a streetlight fee, and a resolution setting a streetlight fee of \$1.50 per meter per month. The proposed ordinances, if enacted by the City Council, would take effect 30 days immediately after enactment. The proposed resolution, if enacted by the City Council, would take effective upon the implementation date of proposed ordinances.

These hearings are open to the public and interested parties are encouraged to attend. A copy of the staff reports, proposed ordinances, and proposed resolution are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, PO Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, at 503.992.3235.

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

**To be published July 3, 2013**



**ORDINANCE NO. 2013-08**

**ORDINANCE AMENDING FOREST GROVE CODE CHAPTER 4  
BY ADDING NEW SUB-CHAPTER 4.300, ENTITLED STREETLIGHT FEE**

**WHEREAS**, the City Council believes it necessary and appropriate to establish a stable funding device to pay the costs associated with the operation, installation, maintenance and replacement of streetlights in or owned by the City; and

**WHEREAS**, staff has recommended the City Council establish a Streetlight Fee the monies from which are to be placed in a dedicated fund and used to pay the direct and indirect costs associated with the operation, installation, maintenance and replacement of street lighting in or owned by the City; and

**WHEREAS**, notice of the City Council hearing on this ordinance was published in the *News Times* on July 3, 2013; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on the proposed ordinance on July 8, 2013.

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

**SECTION 1.** The Forest Grove City Council does hereby approves and adopts the provisions establishing a Streetlight Fee and amends Forest Grove Code Chapter 4 by adding new sub-chapter 4.300, entitled Streetlight Fee, as set forth in the attached Exhibit A.

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

**PRESENTED AND PASSED** the first reading the 8<sup>th</sup> day of July, 2013.

**PASSED** the second reading the 12<sup>th</sup> day of August, 2013.

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

**APPROVED** by the Mayor this 12<sup>th</sup> day of August, 2013.

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

**ORDINANCE NO. 2013-08**

**EXHIBIT "A"**

**FOREST GROVE CODE CHAPTER 4, UTILITIES**

**ADDING NEW SUB-CHAPTER 4.300**

**STREETLIGHT FEE**

**4.300 Streetlight Fee Established.**

A Streetlight Fee (SLF) is hereby created and imposed on consumers of the City of Forest Grove's electric utility, the amount of which is to be set by Council resolution. The revenue from the SLF shall be used to pay direct and indirect costs associated with the operation, maintenance, installation and replacement of street lighting owned operated or controlled by the City. The SLF is premised on both the direct and indirect use of or benefit from provision and use of the City's street lighting and is neither a property tax nor subject to the limitations of Article XI, Section 11 of the Oregon Constitution.

**4.310 Dedicated Fund.**

All revenues generated by the SLF shall be placed in a dedicated fund and used only to pay only the direct and indirect costs associated with the operation, maintenance, installation and replacement of street lighting owned, operated or controlled by the City.

**4.320 Billing.**

The SLF shall be billed to and collected from the person identified for each metered site in the City's electric utility records as responsible for payment of electric energy charges. SLF billings will be a separately identified on any utility billing statement and will be due and payable on the same schedule as that set for the electric utility. Payments on the utility billing statement shall be applied in a priority consistent with that set up in Code Section 2.615. Failure to pay the SLF when due subjects the metered site to discontinuance of electric utility service consistent with the terms of Code Sections 4.210(4) and 2.615.



Date: July 8, 2013

**STAFF AND RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER  
TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT  
FOR CORNELIUS BUILDING SERVICES**

**PROJECT TEAM:** Jon Holan, Community Development Director  
Paul Downey, Finance Director  
Michael Sykes, City Manager

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**ISSUE STATEMENT:** Staff is requesting the City Council to consider a proposed Intergovernmental Agreement (IGA) presented to staff from the City of Cornelius to provide building services.

**BACKGROUND:**

**Overall:** Cornelius and Forest Grove city managers directed staffs to explore the viability of taking over the building permit function for the City of Cornelius. The reason for the request is that there is insufficient building activity in Cornelius to generate the revenue needed to support the full costs of operating the program. There are three main questions staff sought answers:

- Can the City of Forest Grove absorb the additional work load;
- What is the amount of revenue that could be expected; and
- Based on the answers to the first two questions, is assuming Cornelius' building program worth the effort for Forest Grove?

The following table compares permit activity for Forest Grove and Cornelius for the past two and one-half years:

	F/Y 10-11		F/Y 11-12		F/Y 12-13	
	Forest Grove <u>Total</u>	Cornelius <u>Total</u>	Forest Grove <u>Total</u>	Cornelius <u>Total</u>	Forest Grove <u>Total</u>	Cornelius <u>Total</u>
July			65	13	53	11
August			67	20	72	18
September			72	25	45	7
October			52	16	82	21
November			54	17	61	19
December			69	28	43	10
January	41	9	66	23	57	20
February	47	10	41	12	109	18
March	58	16	77	15	90	17
April	42	16	66	16	106	15
May	49	16	77	21	111	32
June (as of 6/25)	61	14	70	14	105	13
<b>Total</b>	<b>298</b>	<b>81</b>	<b>776</b>	<b>220</b>	<b>934</b>	<b>201</b>

(Note: The first six months of F/Y 10/11 not reported since data from Cornelius were not available.)

As can be seen, the permit activity in Forest Grove far exceeds that in Cornelius. Further, many of the permits in Cornelius are considered minor permits (e.g. mechanical permits for furnaces, etc.) as evidenced by the low revenue per permit indicated in the table below. However, occasionally a large project has occurred (i.e. Virginia Garcia Medical Clinic, Fred Meyer remodel and Wilco). Very few new single family homes have been constructed in Cornelius (four for the above reporting period) while Forest Grove has been quite active (279 new houses over the reporting period).

Staff's expectation is that the overall permit activity generated by Cornelius can be absorbed without significant impacts on services to Forest Grove clients. Cornelius is virtually built out and there is little new, undeveloped area to accommodate rapid residential growth. There is opportunity for new non-residential development (i.e. commercial and industrial) given vacant lands on the Highway 8 corridor and the vacant industrial lands on the north side of the community. However, the expectation is these types of development will likely to be slow due to the difference in market conditions (when compared with residential development).

Revenue received by Cornelius for the above permit activity by fiscal year is as follows:

<b>6 Month periods by Fiscal Year</b>	<b>Total Building Revenue</b>	<b>Revenue per Permit</b>
2011 in F/Y 10-11 (6 Months)	\$ 28,691.28	\$ 354.22
2011 in F/Y 11-12	\$ 131,698.09	\$ 1106.71
2012 in F/Y 11-12	\$ 28,098.55	\$ 278.20
Total	\$ 159,796.64	\$ 726.35
2012 in F/Y 12-13	\$ 17,041.04	\$ 198.15
2013 in F/y 12-13 (as of June 25, 2013)	\$ 52,362.41	\$ 455.33
Total	\$ 69,403.45	\$ 345.29

The revenue is based on the building fee schedule for Cornelius which is slightly higher than Forest Grove. Staff's expectation is that Cornelius activity would generate about \$50,000 to \$70,000 annually even based on Forest Grove's fee structure. (The low amount for F/Y 10/11 would likely be attributed to the recessionary period at the time. Conversely, the robust fees for F/Y 11/12 are heavily influenced by the Virginia Garcia project.)

As the City Council is aware, the F/Y 13/14 Building Division budget includes one additional building inspector. The additional revenue from Cornelius will provide the opportunity to help offset the cost of this new position.

**Background – Agreement:**

Exhibit A to the attached Resolution is the proposed Intergovernmental Agreement (IGA) with the City of Cornelius. Overall, Forest Grove will assume the Building Permit program for the City of Cornelius. Staff will provide all plan reviews, inspections and enforcement (building) in Cornelius. Unlike other service transfers between the two communities, this re-organization will require close ongoing coordination between Forest Grove and Cornelius staffs. This is due to the close connection between planning and land use review (still conducted by Cornelius staff) and building review (conducted by Forest Grove staff). Staff's from both communities have met to discuss this situation and a doable process is being developed.

Keys elements to the IGA are as follows:

- Forest Grove will be responsible for building related services (see Section 1 A 1 to 3);
- Building records will be maintained by Forest Grove until final occupancy is issued. After that, the files will be returned to Cornelius for records retention (see Section 1 A 4);
- No personnel from Cornelius will be transferred to Forest Grove (Section 1 B 2);
- Forest Grove will collect and retain all building related fees based on the Forest Grove fee schedule (Sections 1 B 3 and Section 1 C);
- City of Cornelius will continue to collect system development charges, transportation development taxes and construction excise taxes (Section 1 B 4). This will reduce

errors in assessment and accounting and fund transfer responsibility for Forest Grove;

- Forest Grove will confirm with Cornelius the land use approval and business license prior to issuing any building permit (which occurs after submittal and review of the building permit application) (Section 1 B 6);
- Cornelius will retain responsibility regarding utility related needs (Section 1 B 7)
- Section 2 addresses transition. There are three situations involving transitions. They all involved the review of building plans (as opposed to inspections):
  - Building permits filed and reviewed by Cornelius;
  - Projects where an initial building permit has been approved by Cornelius but there will be subsequent plans filed (a deferred submittal); and
  - Building permits reviewed by Forest Grove.

The agreement will take effect on Monday, July 15<sup>th</sup>. That is, upon that date, new building permit applications would be filed with Forest Grove. Any applications that were filed before that date but require inspections after July 15<sup>th</sup> will be performed by Cornelius until August 1<sup>st</sup>. This will allow a transition period on small projects for revenue considerations. (All building related costs including inspections are collected via the building permit fee. There is no separate inspection fee.) Any applications that were filed before July 15<sup>th</sup> but include deferred submittals for further plan review will be the responsibility of Cornelius although Forest Grove will perform the inspections. Forest Grove will charge an investigative fee (\$73.25 per hour) for any inspections performed by Forest Grove where the building permit was issued (and revenue collected) by Cornelius.

- Section 3 addresses dispute resolution through negotiations and if that fails, mediation and binding arbitration.
- Section 4 allows both parties to terminate the agreement immediately or by either party after a 120 day notice.
- Section 5 H provides indemnification provisions.

**FISCAL IMPACT:** The proposed IGA is expected to generate about \$50,000 to \$70,000 in additional building fee revenue. This will help defray the cost of an additional building inspector which has already been approved by the budget. There will be some additional demand on staff services which is not expected to be significant due to relatively low daily permit load expected from Cornelius and the addition of another building inspector to City staff.

**STAFF RECOMMENDATION:** Staff recommends the City Council adopt Resolution 2013-54 authorizing the Mayor and City Manager to execute the Intergovernmental Agreement with the City of Cornelius for Building Services (Exhibit A).

RESOLUTION NO. 2013-54**RESOLUTION AUTHORIZING MAYOR AND CITY MANAGER TO EXECUTE A CITY OF CORNELIUS – CITY OF FOREST GROVE INTERGOVERNMENTAL BUILDING SERVICES AGREEMENT**

**WHEREAS**, the cities of Cornelius and Forest Grove have been reviewing having the City of Forest Grove provide building services for the City of Cornelius; and

**WHEREAS**, both cities have determined the provision of building services by the City of Forest Grove will benefit both cities; and

**WHEREAS**, the City Attorney has prepared an Intergovernmental Agreement (IGA) for Forest Grove to administer the operations of building services; and

**WHEREAS**, the city staff from both cities have agreed upon the language in the IGA.

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

**Section 1.** The City Council hereby approves the IGA for the City of Forest Grove to assume the operations of building services for City of Cornelius under the terms in the IGA.

**Section 2.** The Mayor and the City Manager are hereby authorized to sign the IGA.

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

**PRESENTED AND PASSED** this 8<sup>th</sup> day of July, 2013.

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

**APPROVED** by the Mayor this 8<sup>th</sup> day of July, 2013.

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

## EXHIBIT A

### CITY OF CORNELIUS – CITY OF FOREST GROVE INTERGOVERNMENTAL BUILDING SERVICES AGREEMENT

This Agreement is between the City of Cornelius (Cornelius) and the City of Forest Grove (Forest Grove), both of which are municipal corporations duly existing under Oregon law and collectively referred to hereinafter as Parties.

#### FINDINGS

1. This Agreement is made pursuant to ORS Chapter 190, which permits local government units to enter into agreements to further economy and efficiency.
2. The State of Oregon has promulgated the State Building Codes in the Oregon Revised Statutes and the City of Cornelius has enacted ordinances relating to buildings and construction in Title 15 of the Cornelius City Code, both hereafter referred to as "building codes".
3. The State has authorized municipal administration and enforcement of the State Building Codes.
4. The cities of Cornelius and Forest Grove have each elected to administer and enforce the State Building Codes pursuant to ORS Chapter 455 and seek to jointly administer the State Building Codes pursuant to that Chapter.
5. Cooperation between Cornelius and Forest Grove in jointly administering and enforcing the building codes is believed to promote administrative and operational efficiencies all of which result in cost effective delivery of building services.

#### AGREEMENT

##### 1. SERVICES PROVIDED/COMPENSATION

A. Except as otherwise set forth in this Agreement, beginning July 15, 2013, Forest Grove shall provide any and all services necessary to administer and enforce the building codes within the municipal limits of Cornelius. Such services shall include, but not be limited to:

1. Examining building plans, issuing permits and providing building inspection services to determine compliance with the building codes;
2. Taking any and all actions such as conducting inspections, obtaining administrative warrants and providing testimony that are necessary for the enforcement of the building codes within the municipal limits of Cornelius;
3. Maintaining all records, including financial records, in compliance with all applicable laws and as necessary for accounting and auditing purposes in the same manner as Forest Grove does for the administration and enforcement of building codes within the municipal limits of Forest Grove;
4. Returning completed permits to Cornelius for records retention purposes.

{00317467; 2 }

- B. In order to implement this Agreement, Cornelius and Forest Grove agree that:
1. Forest Grove shall provide and be responsible for hiring, supervising, disciplining, terminating and compensating any employees necessary to provide the services set forth in paragraph 1(A).
  2. No Cornelius employees will transfer to Forest Grove pursuant to ORS Chapter 236.
  3. Forest Grove will use the fee schedule it has adopted for building services to perform work under this Agreement.
  4. Forest Grove will collect and remit to appropriate agencies any and all other charges or fees due and payable at the time of the issuance of a building permit, provided that Cornelius shall remain responsible for collecting any system development charges, transportation development taxes, and construction excise taxes due and payable at the time of or before the issuance of a building permit. Cornelius shall notify Forest Grove when such charges and fees have been paid and/or provide documentation to the applicant to take to Forest Grove to demonstrate payment of such charges and fees. Prior to issuing any building permit, Forest Grove will confirm that all applicable charges and fees have been paid by the applicant. As part of its duties under this subsection, each City agrees to comply with and complete any necessary and applicable reporting requirements for the charges and fees that it collects.
  5. Forest Grove will provide to Cornelius a monthly financial report in a format agreed to by the Parties within 30 calendar days of the end of the previous month setting forth the building services fees collected by Forest Grove for work performed under this Agreement as well as any other charges or fees collected by Forest Grove as set forth in section 1(B)(4).
  6. Prior to issuing any building permit, Forest Grove will confirm with Cornelius that: (1) the contractor, business or individual performing construction work on the project holds a Cornelius business license; and (2) the project has received any necessary land use approvals from Cornelius.
  7. Forest Grove will notify Cornelius Public Works when there are utility related needs. Cornelius shall remain responsible for arranging utility notifications for customers within the municipal limits of Cornelius.
  8. Any administrative appeals permitted or required by the building codes shall be conducted and conform to the procedures adopted by Forest Grove.
  9. Cornelius shall provide final land use approval prior to Forest Grove issuing Occupancy Permit.
- C. In consideration for the services provided pursuant to this Agreement, Forest Grove shall be entitled to retain any and all fees or other monies collected pursuant to the fee schedule it has adopted for building services for work performed within the municipal limits of Cornelius.

## 2. EXISTING/PENDING PERMITS

The parties recognize and agree that Cornelius will have issued building permits that have not received a certificate of occupancy and/or have plans under current review or have accepted requests for deferred submittals of plan review as of July 15, 2013. The parties agree that as of August 1, 2013, Forest Grove will perform all inspection services for such pending projects. The parties further agree that Cornelius shall remain responsible for all pending and deferred plan reviews. Once Cornelius has approved any such plans, Cornelius will forward the approved plans to Forest Grove so that Forest Grove may issue any necessary building permits and collect any applicable fees and charges. Forest Grove shall be reimbursed by Cornelius for any inspections performed on building permits issued by the City of Cornelius. The reimbursement for such inspections shall be based on the Forest Grove Building Investigative Fee.

On July 15, 2013, Cornelius shall provide Forest Grove a list of any existing/pending permits covered by this section. Thereafter, Forest Grove shall provide a monthly invoice to Cornelius for any work performed on such permits pursuant to this Agreement. Cornelius will notify Forest Grove of any disputed charges on such invoices within 30 calendar days. Any disputed charges shall be resolved pursuant to the dispute resolution provisions of this Agreement. Invoices with no undisputed charges shall be paid within 30 days of the invoice date.

### 3. DISPUTE RESOLUTION

The Parties agree that resolution of any and all disputes arising out of the terms of this Agreement or interpretation thereof shall follow a prescribed process beginning with negotiation and subsequently (potentially) moving to mediation and then to binding arbitration using the Arbitration Service of Portland, Inc., provided the dispute remains unresolved. Within thirty (30) days following receipt of written notice regarding a dispute, the Disputing Parties shall assign a representative to participate in good faith negotiations for a period not to exceed sixty (60) days.

If the dispute remains unresolved by the use of negotiations, it shall (unless the mediation described below is first used) then be resolved by arbitration in accordance with the then effective arbitration rules of (and by filing a claim with) Arbitration Service of Portland, Inc., and judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

The Parties acknowledge mediation helps parties settle their disputes and either Party may propose mediation whenever appropriate using the Arbitration Service of Portland, Inc. or any mediator selected by the Parties. If either Party wishes to employ the mediation process, they shall commence it by providing the other with written notice, briefly setting forth the subject of the dispute, claim or controversy and relief requested. Within ten (10) days after receipt of the foregoing notice, the responding party shall deliver a written response. The initial mediation session shall be held within thirty (30) days after the initial notice and both Parties agree to share equally the costs and expenses of the mediation (which shall not include the expenses incurred by each party for its own legal representation in {00317467; 2 }

connection with the mediation). If the dispute is not resolved during the mediation process, then the dispute shall be resolved by arbitration as described above.

The parties acknowledge and agree that mediation proceedings are settlement negotiations and, to the extent allowed by applicable law, all offers, promises, conduct and statements (whether oral or written) made in the course of the mediation by any of the Parties or their agents shall be confidential and inadmissible in any arbitration of the dispute; provided, however, that evidence otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation. Both Parties shall bear its own legal and expert witness fees at all stages of the dispute resolution process including in arbitration. Nothing shall prevent the Parties from waiving any of the steps outlined above by mutual written consent.

#### 4. TERM AND TERMINATION

This Agreement shall take effect on the date of the signatures below. This Agreement shall continue indefinitely, unless terminated by mutual written agreement in writing; or terminated by any Party by providing 120 days prior written notice to the other Party. This Agreement shall automatically terminate if either City is no longer authorized to administer and enforce the building codes.

#### 5. GENERAL TERMS

A. Records. Each Party agrees that the other and its authorized representatives will have free access to such records and to other books, documents, papers, plans and writings relating to this Agreement to perform examinations and audits, and to make excerpts and transcripts during any such time as state law requires the retention of such records.

B. Waiver. No Third Party Beneficiary. The failure of either Party to enforce any provision of this Agreement does not constitute a waiver of it or any other provision. Cornelius and Forest Grove are the only parties to this Agreement and as such are the only parties entitled to enforce its terms. Nothing in this Agreement gives or shall be construed to give or provide any benefit (direct, indirect or otherwise) to any third party.

C. Compliance with Laws. Cornelius and Forest Grove will comply with all applicable laws in performing their obligations under this Agreement.

D. Other Necessary Acts. Each Party shall execute and deliver to the others all such further instruments and documents as may be reasonably necessary to carry out this Agreement.

E. Severability. If one or more of the provisions contained in this Agreement is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall continue in full force and effect.

F. Notices. Any notice herein required or permitted to be given shall be given in writing, shall be effective when actually received, and may be given by hand delivery or by United States mail, first class postage prepaid, addressed to the parties as follows:

City Manager  
City of Cornelius  
1355 N. Barlow Street  
Cornelius, OR 97113

City Manager  
City of Forest Grove  
1924 Council Street, (P.O. Box 326)  
Forest Grove, Oregon 97116

These addresses may be changed by written notice to the other Parties.

G. Applicable Law. The Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.

H. Indemnification. To the maximum extent permitted by law and subject to the limitations of the Constitution and laws of the State of Oregon regarding units of local government, the Parties shall hold harmless, defend, and indemnify each other, its governing bodies, officers and employees, from any claims for damages to property or injury to persons or for any penalties or fines, which may be occasioned in whole or in part by the indemnitor's performance or failure to perform under this Agreement.

I. Amendments. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by both parties.

J. Clarification/Memoranda. Upon identification of provisions of this Agreement that need interpretation or clarification, the Parties may prepare memoranda of understanding detailing the agreed-upon interpretation of this Agreement. Such memoranda may include amendments to sections 1(B) and (2) of this Agreement, which the parties deem necessary for administrative purposes.

K. Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions of this Agreement

L. Merger Clause & Counterparts. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. This Agreement may be executed in two or more counterparts, which collectively shall represent a single binding agreement

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IN WITNESS WHEREOF, the Parties have, pursuant to official action, duly authorized their respective officers to execute this Agreement on their behalf.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2013.

**Signatures:**

**FOR THE CITY OF FOREST GROVE**

**FOR THE CITY OF CORNELIUS**

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

\_\_\_\_\_  
*Jeff Dalin, Mayor*

\_\_\_\_\_  
*Michael J. Sykes, City Manager*

\_\_\_\_\_  
*Robert Drake, City Manager*

**ATTESTED:**

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

\_\_\_\_\_  
*Debby Roth, City Recorder*