

**CITY COUNCIL MONTHLY MEETING CALENDAR**

October-13									
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday			
		1	2	3	4 <i>Nyuzen Delegation Returns</i> FGS&CC 1st Friday Dinner	5			
6	Council & Dept Dirs Retreat	7	Council & Dept Dirs Retreat	8	9	10			
	Planning Comm 7pm	Library 6:30pm	MPAC 5pm	PAC 5pm	JWC - Noon	Public Safety Open House 10am-2pm @ Fire Dept Birds & Brew 8am - Fernhill Wetlands			
13	<b>CITY COUNCIL</b> 5:30 PM - EXECUTIVE SESSION (Labor) 5:45 PM - EXECUTIVE SESSION (Litigation) 6:15 PM - WORK SESSION (Times Litho) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	14	Ford Institute Leadership 4pm - 8:30pm - Comm Aud	15	Municipal Court P&R 7am  CFC 5:15pm CWAC 5:30pm	16	17	18	19
		Fernhill Wetlands 5pm			CCI 5:30pm Dairy Creek Food Web 7:30pm	ODF 8am  Watershed Tour Meet at Eng 8:45 am Tour 9am-2pm	Mayor's Dinner & Auction 6pm - FGS&CC		
20	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	21	22	23	24	25	26		
		HLB 7:15pm		PSAC 7:30am MPAC 5pm	Sustainability 5:30pm WEA Bkft Forum 7:30 am		Prescription Drug Turn-In @ Police Dept 10am-2pm		
27	<b>CITY COUNCIL</b> 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	28	29	30	31				
			Bureau of Reclamation 6pm - Comm Aud		<i>Nyuzen Student Delegation Arrives</i>				

November-13						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
					Red Cross Drive 1- 6pm Comm Aud FGS&CC 1st Friday Dinner	
					<i>Nyuzen Student Visit</i>	
3	4	5	6	7	8	9
Daylight Savings	Planning Comm 7pm		Municipal Court			
	<i>Nyuzen Student Delegation Departs</i>		Rural Fire Bd 7pm	EDC Noon		
10	11	12	13	14	15	16
	<b>CITY OFFICES CLOSED</b>	<b>CITY COUNCIL MEETING TO BE ANNOUNCED</b>	MPAC 5pm	PAC 5pm		
		Library 6:30pm	<b>National League of Cities Conference - Seattle</b>			
17	18	19	20	21	22	23
	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5pm	Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	CCI 5:30pm Dairy Creek Food Web 7:30pm		
24	25	26	27	28	29	30
	<b>CITY COUNCIL</b> 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC 7:30am MPAC - No Mtg	<b>CITY OFFICES CLOSED</b>  Holiday Tree Lighting 6pm		

December-13						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	Planning Comm 7pm		Municipal Court RWPC-EC 5:30pm Rural Fire Bd 7pm	EDC Noon	FGS&CC 1st Friday Dinner	Holiday In The Grove Light Parade 5pm
8	9	10	11	12	13	14
	<b>CITY COUNCIL</b> 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Library 6:30pm	MPAC 5pm	PAC 5pm		
15	16	17	18	19	20	21
	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5pm	Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	CCI 5:30pm Dairy Creek Food Web 7:30pm		
22	23	24	25	26	27	28
	<b>NO CITY COUNCIL MEETING SCHEDULED</b>	HLB 7:15pm	<b>CITY OFFICES CLOSED</b>	Sustainability 5:30pm WEA Bkft Forum 7:30 am		
29	30	31				



# FOREST GROVE CITY COUNCIL

## Monday, October 14, 2013

### Meeting Agenda

5:30 PM – Executive Session (Labor Negotiations)  
5:45 PM – Executive Session (Litigation)  
6:15 PM – Work Session (Times Litho Update)  
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.

**EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC.**

Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

The City Council will convene in the Community Auditorium – Conference Room to hold the following executive session(s):

Michael Sykes, City Manager Brenda Camille, Human Resources Manager	<b>5:30</b>	In accordance with <u>ORS 192.660(2)(d)</u> to conduct deliberations with person designated by the governing body to carry on labor negotiations.
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Michael Sykes, City Manager Paul Downey, Administrative Services Director	<b>5:45</b>	In accordance with <u>ORS 192.660(2)(h)</u> to discuss Council’s legal rights and duties with regard to current litigation or litigation likely to be filed.
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Michael Sykes, City Manager George Cress, Light and Power Director Jeff King, Economic Development Coordinator	<b>6:15</b>	<p><b><u>WORK SESSION: TIMES LITHO UPDATE</u></b></p> 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)
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|-------------|--|
| <b>7:00</b> | <ol style="list-style-type: none"> <li>1. <b><u>REGULAR MEETING:</u></b> Roll Call and Pledge of Allegiance</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></li> </ol> |
|-------------|--|

Rob Foster, Public Works Director Michael Sykes, City Manager	<b>7:05</b>	5. A. <ul style="list-style-type: none"> <li>• <i>2013 Timber Harvest Report, Scott Ferguson, Consultant</i></li> </ul>
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Jon Holan, Community  
Development Director  
Dan Riordan, Senior Planner  
Michael Sykes, City Manager

7:15

6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2013- 12 ANNEXING A TRACT OF LAND INTO THE CITY LIMIT OF FOREST GROVE AND WITHDRAWING THE TRACT FROM WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCES DISTRICT, AND FOREST GROVE RURAL FIRE PROTECTION DISTRICT. THE TERRITORY TO BE ANNEXED CONSISTS OF ONE PARCEL, TOTALING 5.6 ACRES, LOCATED AT 3351 THATCHER ROAD. WASHINGTON COUNTY TAX LOT NO. 1N4260000400. APPLICANT: BRADFORD AND LINDA TAYLOR, OWNER-INITIATED. FILE NO. ANX-12-01074

George Cress,  
Light and Power Director  
Paul Downey, Administrative  
Services Director  
Michael Sykes, City Manager

7:30

7. PUBLIC HEARING AND RESOLUTION NO. 2013-65 ADOPTING NEW LIGHT AND POWER ELECTRIC RATE SCHEDULES AND DEFINITIONS AND DESCRIPTIONS AND REPEALING RESOLUTION NO. 2011-73

Michael Sykes, City Manager

7:45

8. CITY MANAGER'S REPORT:

8:00

9. COUNCIL COMMUNICATIONS:

8:15

10. ADJOURNMENT

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3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
- A. Approve City Council Work Session (B&C Interviews) Meeting Minutes of September 9, 2013.
  - B. Approve City Council Work Session (Parking Code Regulations) Meeting Minutes of September 9, 2013.
  - C. Approve City Council Regular Meeting Minutes of September 9, 2013.
  - D. Accept Economic Development Commission Meeting Minutes of September 12, 2013.
  - E. Accept Historic Landmarks Board Meeting Minutes of August 27, 2013.
  - F. Accept Library Commission Meeting Minutes of July 16, 2013.
  - G. Accept Public Arts Commission Meeting Minutes of August 8, 2013.
  - H. Accept Public Safety Advisory Commission Meeting Minutes of July 24, 2013.
  - I. Community Development Department Monthly Building Activity Report for September 2013.
  - J. Library Department Monthly Circulation Statistics Report for September and October 2013.
  - K. Accept Resignation on Historic Landmarks Board (Bryan Corke, Term Expiring December 31, 2014, and Paul Waterstreet, Term Expiring December 31, 2013).
  - L. **RESOLUTION NO. 2013-63 MAKING APPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (APPOINTING STEPHANIE ROSE, TERM EXPIRING DECEMBER 31, 2013).**
  - M. **RESOLUTION NO. 2013-64 MAKING APPOINTMENT TO PUBLIC SAFETY ADVISORY COMMISSION (APPOINTING LAURA HALE, AT-LARGE, TERM EXPIRING DECEMBER 31, 2013).**
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October 14, 2013

**WORK SESSION: TIMES-LITHO SITE REDEVELOPMENT**

**PROJECT TEAM:** Jeff King, Economic Development Manager  
Jon Holan, Community Development Director  
George Cress, Light and Power Director  
Paul Downey, Administrative Services Director  
Michael Sykes, City Manager

**ISSUE STATEMENT:** This is a work session with the City Council to provide an update on the Times-Litho redevelopment potential. Jerry Johnson, economist for Johnson-Reid, will present his findings of a market study and re-development scenarios. Staff will present an overview of the progress by the internal ad-hoc committee and outline the next steps.

**BACKGROUND:** The City purchased the 2.68 acre "Times-Litho" site on December 31, 2012. The site consists of a total 54,647 square feet (sf) of vacant space. The buildings include a 46,000 sf industrial building, a 6,649 sf office building (with a 600 sf basement) and a 1,000 sf single family home.

The first step was an internal review of the condition of the buildings and a determination of what would be needed to return them to operable condition. On March 18, we presented our findings to Council and discussed opportunities for long-term redevelopment. It was determined that the best prospects for the site lie in future development. As outlined in the March 18 memo, the following steps have been completed:

- Meetings with mixed-use developers to obtain feedback and gauge potential interest.
- Established an internal ad-hoc committee of community leaders with diverse and complimentary skills along with key City staff.
- Conduct committee meetings with the goal of presenting site development recommendations to City Council.
- Selecting an economist/consultant to complete a market study and development scenarios.
- Developing a path and schedule for Council to consider that would lead to releasing a Request for Proposals to developers.

Jerry Johnson of Johnson and Reid met with the committee twice to discuss his findings and outline the opportunities. This was a critical step both for the committee to understand feasible development options and economic underpinning of a project as

well as for developers who would not proceed on a project without completion of a market study and economic analysis. The market study highlights included:

- Site is a strong location of retail uses including the possibility of a grocery store. The fact that Forest Grove has significant ‘retail leakage’ reinforces that opportunity.
- There is an opportunity for market rate or higher end apartment rentals.
- Residential condominiums and office space are less likely, although townhomes somewhere on the site are a possibility.
- Nearly all of the development scenarios show a financial gap depending on the design and quality. A vertical mixed-use project with uses on top of each other and with underground parking is the most expensive and shows the largest financial gap.

Staff believes that it is important to have Jerry Johnson share his study with Council as well.

The internal committee has been reviewing this information as well as discussing the other potential benefits such as jobs, long-term property tax gain, a downtown showcase project and stimulating future downtown development.

The next step in the committee process is a tour of other successful mixed-use projects in the Portland metro area. The committee will then meet to formulate recommendations for the site that will be presented to Council. A tentative future schedule is attached.

Forest Grove  
Ad-Hoc Times Litho Redevelopment Committee  
**Schedule & Agenda**

- October 14**      **Jerry Johnson Presentation to City Council**  
Present market study findings, financing tools.
- October 18**      **Meeting #7**  
Site Tour to Portland –Mixed use Projects
- Mid/late Oct**      **Meeting #8**  
Site Development elements – what the committee would like to see the project include. Related issues: City space needs, Wells Fargo site, connectivity, how downtown strategies support.
- Early November**      **Meeting #9**  
Committee discussion on recommendations
- Nov 12 or 25**      **Presentation to City Council**  
Feedback on plan and recommendations; next steps

**Other Steps**

- November/ December, 2013**  
Staff Development and Completion of Times Litho RFP
- January, 2014**      Release of RFP of Redevelopment Proposals
- February 2014**      Deadline for Development proposal
- Feb/March 2014**      Reconvene Ad-Hoc Advisory Commission; Developer proposal presentations
- Late March, 2014**      Ad-Hoc Committee Recommends a Development Proposal
- April-May, 2014**      Developer and City negotiate and finalize agreement

**FOREST GROVE CITY COUNCIL WORK SESSION  
(BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEW)  
SEPTEMBER 9, 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 Work Session to order at 5:32 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **COUNCIL ABSENT:** Richard Kidd and Victoria Lowe, excused. **STAFF PRESENT:** Michael Sykes, City Manager, and Anna Ruggles, City Recorder.

**2. WORK SESSION: BOARDS, COMMITTEES, AND COMMISSIONS (B&C) INTERVIEW**

The following applicants were interviewed for the following positions:

- Stephanie Rose, Committee for Citizen Involvement and Parks and Recreation Commission
- Laura Hale, Committee for Citizen Involvement, Parks and Recreation Commission, Planning Commission and Public Safety Advisory Commission

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the above-noted interview. After Council deliberation, Council collectively made recommendation to appoint Rose to Committee for Citizen Involvement, Term Expiring December 31, 2013, and Hale to Public Safety Advisory Commission, Term Expiring December 31, 2013. Resolutions making formal appointments will be considered at the next regular Council Meeting of Monday, October 14, 2013.

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

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 5:58 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 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 6:11 p.m. **ROLL CALL:**  
**COUNCIL PRESENT:** Thomas Johnston, Council President; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **COUNCIL ABSENT:** Richard Kidd and Victoria Lowe, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Elsner, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Administrative Services Assistant Director; Rob Foster, Public Works Director; Janie Schutz, Police Chief; Sue Hudson-Rau, Municipal Court Coordinator; and Anna Ruggles, City Recorder.

**2. WORK SESSION: PARKING CODE REGULATIONS**

Cole, Hudson-Rau, Schutz, Foster, Downey, and Sykes facilitated the above-noted work session, noting the purpose of the work session was to review and discuss proposed Code amendments to Chapter 6, Parking Regulations. Cole reported staff has been reviewing City Code, Chapter 6, Parking Regulations, for over a year to “clean-up” sections of the Code, noting there are inconsistencies as well as sections relating to parking in Chapters 5 and 9 making it difficult for officers to enforce certain regulations in the Code.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued as staff reviewed each of the following proposed Code amendments as outlined in the staff report.

Section 6.010, adding new definitions, i.e., “Curbed parkway” to distinguish it from a parkway without a curb and “Enforcement Officer” to enable flexibility of assigning positions to enforce the Code, constant with ORS.

Sections 6.015 – 6.030, Administration, amends “Police Officer” to “Enforcement Officer”

Sections 6.040 – 6.035, Construction Zones, moved from Section 6.260 and renumbered.

Sections 6.040 – 6.050, Traffic Control Devices, consolidates language

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 2**

pertaining to traffic control devices from other areas of the Code. Sections 6.025, 6.030 and 6.430 renumbered to the above-noted new sections.

Sections 6.055 – 6.105 and 6.245, General Regulations and Penalties, parking violation fines are set by Council resolution; motor vehicle violations are set by State statutes as infractions; or set in the Code at a minimum of \$100 and capped at \$250.

Adding New Section 6.070, Throwing Rubbish from a Motor Vehicle or Bicycle, Class C Traffic Infraction.

Section 6.075, Speed Limits in Parks, renumbered from Section 6.105, Class D Traffic Infraction.

Section 6.080, Roller Skates, Sleds, and Similar Devices and 6.125, Bicycles, Prohibits skateboarding, similar devices, and bicycles on City sidewalks in certain areas; replaces "Central Business District" with "Town Center Area" with designated boundaries prohibiting skateboards and similar devices on west of Cedar Street to B Street and north of 19<sup>th</sup> Avenue to 21<sup>st</sup> Avenue. Staff noted it was apparent that skateboarding has grown as a means of mobility and the proposed boundaries strike to provide a good balance between skateboards and pedestrian safety.

In response to staff comments, Council discussion ensued pertaining to the proposed boundaries and skateboarding in bicycle lanes. At the conclusion of Council discussion, staff advised they would research State statutes pertaining to allowing skateboards and similar devices to travel on designated bike lanes and report the findings back to Council at a later work session.

Section 6.110 – 6.120, Pedestrians, renumbered from Section 6.320, Class D infraction.

Section 6.145 – 6.170, Parades and Processions, renumbered from Sections 6.340 – 6.360 and minor language amendments for consistency with current policies. In response to staff comments, City Attorney Elsner advised requesting certain personal information on the parade permit form may be prohibited, noting he would research further and make a recommendation to staff when he conducts legal review of the proposed ordinance.

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 3**

Section 6.205, Prohibited Stopping, Standing or Parking, incorporates State statutes pertaining to motor vehicle laws and makes prohibitions against stopping, standing or parking a vehicle a violation and allows citations to be issued into Municipal Court. Staff explained this amendment is to help clarify and consolidate all prohibitions into one section of the Code without having to cross-reference State statutes. Staff also displayed photographs as examples of parking on a curbed parkway and uncurbed parkway, noting “curbed parking” distinguishes parkways that are curbed from those that are not curbed. The proposed amendment makes it a parking violation if parked on a curbed parkway, subject to a \$15 parking fine.

In response to Council President Johnston’s concern pertaining to existing areas with uncurbed parkways, Foster explained the City does not have a replacement program or funding mechanism to install curbs and gutters for parkways that are uncurbed at this time.

Section 6.085, Damaging Sidewalks and Curbs; Liability Damage, replaces language “roadside planting strip” to “curbed parkway” for consistency purposes.

Staff noted the proposed amendments also affect Section 9.620, Prohibitions; language amended to distinguish parkway as a “curbed parkway” for consistency purposes throughout the Code.

Section 6.095, Prohibited Storage of Vehicles and Property, language added to replace time limits for parking from 48 hours and storing vehicles for seven days and instead consolidates both restrictions to a 72-hour parking limit and adds public parking lots. Staff advised by making the time limits consistent and extending time to 72 hours, it allows for a three-day weekend in an effort to reduce citizen complaints. Staff noted Section 6.095(3) contains new language clarifying that personal property, such as rocks, dirt, PODS, etc., cannot be stored on a street or public property, including a curbed parkway in excess of 24 hours, unless a permit extending the time limitations is granted by the City.

Section 6.210, Prohibited Parking, consolidates language regarding 72-hour parking limit (Section 6.095) for parked vehicles on public streets and public property and consolidates types of vehicles prohibited from parking in a

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 4**

residential zone, which are restricted from parking within 50 feet of an intersection and parking near a driveway within 15 feet instead of 30 feet. Section 6.215, Exemptions of Parking, Stopping, and Standing Regulations, adds the ability to park momentarily to pick up or drop off a passenger.

Section 6.240, Recreational Vehicle Stay, renumbered from Section 5.247 and consolidates language pertaining to vehicles and parking and deletes the ability for a person to live in an RV on public property, such as a street or City parking lot, unless otherwise permitted by the City.

In response to staff comments, Council discussion ensued pertaining to parking in City parking lots, i.e., church bus, and living in an RV timeframe, to which Chief Schutz explained currently the Code allows the City Manager to extend timeframes and suggested perhaps issuing a permit, such as a placard card, so officers are aware of which vehicles and RVs are in compliance with the Code.

Section 6.280, Bicycle License Required, Section 6.285, Renting Bicycles, and Section 6.290, Bicycle Dealers, proposed to be deleted. Staff advised the above-noted provisions of the Code are not consistently followed by the public or enforced by the City. Staff reported most all cities have repealed requiring bicycles to be licensed and dealers to report every sale of a bicycle to the police department. Chief Schutz concurred, noting the provisions are very difficult for officers to enforce and pointed out that serial numbers are traceable. Section 6.135, Impounding of Bicycles, will remain in the Code, language deleted pertaining to licenses.

Section 6.300, Citation on Illegally Parked Vehicle, amends paying a parking citation within 10 calendar days instead of five days, consistent with other sections in the Code, and clarifies the owner of the vehicle, not the operator, is responsible for the parking citation.

Section 6.305, Failure to Comply with Parking Citation, allows 10 calendar days to pay citation, consistent with other sections of the Code, and adds language that a vehicle that has been immobilized or impounded due to unpaid parking citations, the owner must pay the fines and other charges or the vehicle will be disposed of in the same manner prescribed in Section 6.665 and 6.670.

Section 6.415, Issuance of Residential Parking Permit, adds language to

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
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distinguish posted time limits in designated areas.

Section 6.500, Impounded Vehicles, renumbered from Code 6.420.

Section 6.600 – 6.670, Abandoned Vehicles, reduces timeframe, notice requirements, and adds trailers to the definitions. Staff is proposing language that reduces the timeframe notification (currently, the process takes at a minimum seven days before an abandoned vehicle can be towed) allowing an officer to post a notice on an abandoned vehicle or trailer 24 hours after the officer first observes it. The notice shall state the vehicle or trailer is deemed abandoned and will be towed after 24 hours of the date posted on the notice.

Section 6.700 – 6.765, Discarded Vehicles, clearly defines a discarded vehicle and adds boats, aircraft, recreation vehicles and trailers to the definitions.

Section 6.710, Discarded Vehicles Prohibited Action, allows a discarded vehicle to be kept on private property for up to 72 hours; currently, the Code does not allow any time period.

In conclusion of the above-noted review, staff responded to various inquiries, concerns and scenarios Council presented pertaining to various proposed Code amendments as mentioned above, noting no new penalties were added, existing language pertaining to penalties and violations were renumbered coinciding with the appropriate sections.

In response to code enforcement concerns, Chief Schutz advised the proposed Code amendments will make the code enforcement process more efficient. Chief Schutz indicated she eventually foresees the Code being enforced by a Code Enforcement Officer instead of complaint-driven, noting it will take some time to get the new Code Enforcement Officer fully trained.

In addition, staff reported the next step is to meet with the Economic Development Committee and Public Safety Advisory Commission to incorporate their perspectives, conduct a legal review with City Attorney, and lastly, bring back the proposed Code amendments to Council for formal consideration and adoption.

Council took no formal action nor made any formal decisions during the above-

**FOREST GROVE CITY COUNCIL WORK SESSION  
(PARKING CODE REGULATIONS)  
SEPTEMBER 9, 2013 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
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noted work session.

**3. ADJOURNMENT:**

Mayor Truax adjourned the work session at 6:50 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL REGULAR MEETING  
SEPTEMBER 9, 2013 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:04 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **COUNCIL ABSENT:** Richard Kidd and Victoria Lowe, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Elsner, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Administrative Services Assistant Director; Rob Foster, Public Works Director; Jon Holan, Community Development Director; George Cress, Light and Power Director; Michael Kinkade, Fire Chief (in the audience); Janie Schutz, Police Chief (in the audience); and Anna Ruggles, City Recorder.

**2. CITIZEN COMMUNICATIONS:**

Tammy Schaaf, Forest Grove, signed-in inquiring about Pacific University's new expansion as it relates to its parking plans, to which Mayor Truax addressed concerns and deferred to City Manager to provide additional information.

Alec Lecarno, Forest Grove, signed-in inquiring if the City has made a decision of opening the retention ponds near Willamina Avenue for public fishing, to which Mayor Truax advised staff is providing an update to Council pursuant to Agenda Item 5. C. (refer below).

Shawn Billman, Forest Grove, signed-in voicing concerns pertaining to a recent news article pertaining to a citizen who was cited for City Code violations and indicated that City staff is trespassing on private property in order to tag vehicles, to which Mayor Truax addressed concerns and deferred to City Manager to provide additional information.

- 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).

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- A. Approve City Council Work Session (Jurisdictional Transfer of Roadways) Meeting Minutes of August 12, 2013.
- B. Approve City Council Work Session (L&P Master Plan Update) Meeting Minutes of August 12, 2013.
- C. Approve City Council Regular Meeting Minutes of August 12, 2013.
- D. Accept Historic Landmarks Board Meeting Minutes of July 23, 2013.
- E. Accept Parks and Recreation Commission Meeting Minutes of July 17, 2013.
- F. Accept Planning Commission Meeting Minutes of July 15 and August 5, 2013.
- G. Community Development Department Monthly Building Activity Informational Report for August 2013.
- H. Library Department Monthly Circulation Statistics Report for August 2013.

**MOTION: Councilor Uhing moved, seconded by Council President Johnston, to approve the Consent Agenda as presented. ABSENT: Councilors Lowe and Kidd. MOTION CARRIED 5-0 by voice vote.**

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

5. **PRESENTATIONS:**

- 5. A. 2013 Legislative Session Update:  
Senator Bruce Starr, District 15, provided an overview of legislative bills introduced during the 2013 Legislative Session, noting the session was positive overall. Starr addressed Council inquiries pertaining to human services programs, Highway 47/Highway 8 (Quince intersection project) as well as other legislative-related issues, noting Governor Kitzhaber is poised to call the Legislature into special session on September 30, 2013, to take up additional Public Employee Retirement System (PERS) and revenue reforms.
- 5. B. Quarterly Financial Report for Period Ending June 30, 2013:  
Cole and Downey presented a PowerPoint presentation outlining the quarterly financial report ending June 30, 2013, noting this is the fourth

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quarter of the City's fiscal year ending June 30, 2013. Cole explained while the fourth quarter report represents the end of the Fiscal Year, the report does not represent the final financial results, noting the City's finances have not been audited, an annual procedure that occurs in the fall of each year and is finalized around the new calendar year. Cole advised the annual audit could include entries that may change the numbers presented in the fourth quarter report. In addition, Cole explained the first part of the report is a graphical representation of the quarterly status of the City's major operating departments and funds; the second part of the report contains comments on other funds where material events have or are projected to occur; and the third part of the report is the line item detail, noting the actual revenues received or expenditures disbursed through the end of the quarter are compared to the quarterly budget allotment and expressed in the detail report as both a dollar variance and percent variance. In conclusion of the above-noted presentation, Cole highlighted graphs pertaining to the General Fund, Building Services Fund, Information Systems Fund, Light Fund, Street Fund, Sewer Fund, Water Fund, Surface Water Management Fund, and Equipment Fund, noting the General Fund ended the year in good shape with revenues higher than budget projections and expenditures under budget projections.

**5. C. Staff Follow-Up to Citizen Comment at Council Meeting of June 10, 2013 (Water Quality Facility):**

Foster reported the purpose of this report was to provide an update to Council, noting Alex Lecarno and his father testified in front of Council on June 10, 2013, asking that two city-owned ponds (water quality facility) off Willamina Avenue be opened for fishing, to which Council asked staff to assess the possibility of allowing public access to the ponds for fishing.

Foster displayed photographs showing the two city-owned ponds, noting the water quality facility is located behind houses along Willamina Avenue. Foster reported the ponds are used to capture stormwater runoff from a nearby subdivision and runoff from the street system is flushed into the ponds; pollutants and chemicals from the runoffs accumulate in the ponds and are allowed to settle before the water flows into nearby creeks. Foster added the ponds are not fenced (fencing would cost approximately \$15,000) and there are no defined pedestrian walking trails around the ponds and the banks are hidden with weeds, noting current development standards require fencing around the perimeter of a water quality facility to prevent public access. Foster

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noted fencing is for the purpose of safety as well as to protect the plants that grow on the banks, which are specifically selected for absorbing contaminants from stormwater runoff. In conclusion of the above-noted staff report, Foster addressed various Council inquiries pertaining to signage, costs of fencing and the number of existing facilities that have fencing, noting staff recommends not allowing public access to the water quality facility, including fishing or any other activity, due to the fact that the ponds are unsafe for fishing as well as the other safety concerns mentioned above. In conclusion of Council comments, Mayor Truax addressed Lecarno, apologizing and stressing that the ponds are not meant as a public recreational area or as a recreation-fishing hole, noting Lecarno's safety also is very concerning.

**6. CONTINUE PUBLIC HEARING FROM AUGUST 12, 2013: SECOND READING OF ORDINANCE NO. 2013-09 ADOPTING THE FOREST GROVE TUALITY HEALTHCARE DISTRICT MASTER PLAN, DATED JANUARY 25, 2013, AS AMENDED BY THE CITY OF FOREST GROVE**

The first reading of Ordinance No. 2013-09 by title occurred at the meeting of August 12, 2013.

**Staff Report:**

Holan had nothing further to report.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of August 12, 2013.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

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**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 motion made at the meeting of August 12, 2013.

Elsner read Ordinance No. 2013-09 by title for second reading.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.

7. **CONTINUE PUBLIC HEARING FROM AUGUST 12, 2013: SECOND READING OF ORDINANCE NO. 2013-10 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FOREST GROVE TO REZONE CERTAIN TRACTS OF LAND FROM RMH (MULTIPLE-FAMILY (HIGH) RESIDENTIAL) TO INST (INSTITUTIONAL) FOR 1809 MAPLE STREET, WASHINGTON COUNTY TAX LOT NOS. 1S3-5BB-3800 AND 3801; APPLICANT: TUALITY HEALTHCARE. FILE NO. ZNC-13-00808**

The first reading of Ordinance No. 2013-10 by title occurred at the meeting of August 12, 2013.

**Staff Report:**

Holan had nothing further to report.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of August 12, 2013.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

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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 motion made at the meeting of August 12, 2013.

Elsner read Ordinance No. 2013-10 by title for second reading.

**ROLL CALL VOTE: AYES: Councilors Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.**

**8. RESOLUTION NO. 2013-60 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GOVE AND WASHINGTON COUNTY FOR THE TRANSFER OF JURISDICTION OF CERTAIN COUNTY ROADS**

**Staff Report:**

Foster, Cole, and Downey presented the above-proposed resolution authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the City and Washington County in order to accept jurisdictional transfer of several roadways as noted below, which are within the City limits and are currently under County's jurisdiction. Staff reported Washington County has agreed to pay the City \$262,889.89 to take over jurisdiction of Willamina Avenue, 26<sup>th</sup> Avenue and Hawthorne Street, and two local access roads, Raymond Street and Firwood Lane (the two access roads do not need formal jurisdictional transfer as the City has jurisdiction pursuant to recent annexation). In conclusion of the above-noted staff report, Foster and Cole advised staff is recommending adoption of the proposed IGA as outlined in Exhibit A of Resolution No. 2013-60, which will allow the City to accept the County funds. In addition, Foster and Cole advised Resolution No. 2013-61 (Agenda Item 9) is formally requesting the County to transfer jurisdiction of the above-noted roadways.

Before proceeding with Council discussion, Mayor Truax asked for a

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motion to adopt Resolution No. 2013-60.

Elsner read Resolution No. 2013-60 by title.

**MOTION: Councilor Miller moved, seconded by Council President Johnston, to adopt Resolution No. 2013-60 Authorizing the City Manager to Execute an Intergovernmental Agreement between the City of Forest Gove and Washington County for the Transfer of Jurisdiction of Certain County Roads.**

**Council Discussion:**

In response to Council President Johnston's inquiry pertaining to timeline of when the roadways will be improved, Foster indicated he anticipates the roads will be included as part of the City's pavement overlay program next summer; however, 26<sup>th</sup> Avenue will need more discussion with Council. Sykes added once the roadways are transferred, staff will be meeting with property owners to explore options for financing road improvements as well as look at potential Community Development Block Grant (CDBG) funds.

Uhing indicated she would like staff to research and provide a list with opportunities for citizens who may need financial assistance, to which Foster concurred, noting staff will be exploring all financing options and pointed out the City has been successful in obtaining CDBG funds for roadways in the past.

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, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.**

9. **RESOLUTION NO. 2013-61 OF THE CITY OF FOREST AUTHORIZING THE REQUEST OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OREGON, TO TRANSFER JURISDICTION OF PORTIONS OF WILLAMINA AVENUE, HAWTHORNE STREET AND 26<sup>TH</sup> AVENUE WITHIN THE CORPORATE LIMITS OF THE CITY OF FOREST GROVE**

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**Staff Report:**

Foster, Cole, and Downey presented the above-proposed resolution authorizing staff to make official request to the Board of Washington County Commissioners to relinquish and transfer to City jurisdiction Willamina Avenue, 26<sup>th</sup> Avenue and Hawthorne Street, as outlined in the map attached as Exhibit A of Resolution No. 2013-61.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-61.

Elsner read Resolution No. 2013-61 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Uhing, to approve Resolution No. 2013-61 of the City of Forest Authorizing the Request of the Board of County Commissioners of Washington County, Oregon, to Transfer Jurisdiction of Portions of Willamina Avenue, Hawthorne Street and 26<sup>th</sup> Avenue within the Corporate Limits of the City of Forest Grove.**

**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, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.**

**10. RESOLUTION NO. 2013-62 APPROVING TO CANCEL SEPTEMBER 23, 2013, CITY COUNCIL MEETING**

**Staff Report:**

Sykes presented the above-proposed resolution requesting to cancel the Council Meeting of September 23, 2013, due to a lack of agenda items and management staff and Councilmembers who are unable to attend due to conferences.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-62.

Elsner read Resolution No. 2013-62 by title.

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**MOTION:** Councilor Uhing moved, seconded by Councilor Miller, to adopted Resolution No. 2013-62 Approving to Cancel September 23, 2013, City Council Meeting.

**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, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.

**11. DESIGNATION OF VOTING DELEGATE AT 2013 LEAGUE OF OREGON CITIES CONFERENCE ANNUAL BUSINESS MEETING HELD SATURDAY, SEPTEMBER 28, 2013**

**Staff Report:**

Sykes reported the League of Oregon Cities is requesting that Council appoint its Voting Delegate and Alternate for the upcoming League of Oregon Cities Annual Business Meeting.

**Council Discussion:**

After brief discussion, the following motion was made.

**MOTION:** Councilor Uhing moved, seconded by Councilor Miller, to appoint Council President Johnston as Voting Delegate and Council Thompson as Alternate. NOES: None. ABSENT: Councilors Kidd and Lowe. MOTION CARRIED 5-0.

**12. CITY MANAGER'S REPORT:**

City Manager Sykes reported on upcoming meetings and events as noted in the Council calendar and reported on dates of significant events of interest as noted in the City Manager's Report. Sykes distributed a news article pertaining to Project Applesauce, which would have created 240 factory jobs, but the City lost the project to City of Coburg, noting staff is hopeful Project Viking, which would initially create 71 food processing jobs, will give Forest Grove the go ahead. In conclusion of the above-noted report, Sykes distributed a copy of his written report, which outlined various meetings he attended and provided updates on

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various City department-related activities, projects, and upcoming city-wide events.

**13. COUNCIL COMMUNICATIONS:**

Before proceeding with Council Communications, Mayor Truax indicated he was expecting citizens to attend this evening to speak under Citizen Communications; however, no one attended, referencing testimony heard at the Council meeting of August 12, 2013, regarding Dream Girl Espresso, a bikini barista, located at the corner of 19<sup>th</sup> Avenue and Elm Street. Mayor Truax advised Councilors wishing to comment to do so as part of their Council Communications, noting Council owes it to the citizens as some sense of closure.

Council President Johnston reported Cleo Howell was elected Forest Grove Rural Fire Protection District Board Chair. Johnston invited the public to attend the September 11<sup>th</sup> Ceremony, noting the ceremony will be held at 9:30 a.m. at the Flag Pole. Johnston asked Sykes to explore the possibility of including city and community-related events in the League of Oregon Cities' event calendar, to which Sykes concurred. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend. In response to testimony heard at the Council meeting of August 12, 2013, Johnston read his statement, noting that throughout his life, he has sworn to uphold the Constitution of Oregon and Constitution of the United States, and he may not have liked certain decisions; however, the laws enacted by the vote of the people must be obeyed.

Kidd was absent.

Lowe was absent.

Miller reported Public Arts Commission is sponsoring a Meet the Artist Dinner, which will be held September 20, 2013. In addition, Miller reported on other matters of interest and upcoming community-related events and meetings she was planning to attend. In response to testimony heard at the Council meeting of August 12, 2013, Miller read her statement, noting the same protection of free speech that allows the public to testify at a Council meeting protects businesses like Dream Girl Espresso.

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Thompson reported citizens and students are using Ride Connection's Community Transit Service, noting ridership projections were exceeded in the third week of operation. Thompson noted he distributed a copy of Forest Grove Senior and Community Center's budget via interoffice mail to Council. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend. In response to testimony heard at the Council meeting of August 12, 2013, Thompson indicated citizens can chose to "vote with their pocketbooks" by not conducting business with companies that patronize the espresso stand. Thompson also indicated he supports the City Attorney's legal opinion, adding that City Code specifies the City's business license program is for revenue purposes as well as for collecting data for police and fire emergency response.

Uhing reported Economic Development Commission sub-committee is assessing home businesses and other business-related matters. Uhing reported (on behalf of Lowe who was absent) Fernhill Wetlands is hosting a Birds & Brew event on October 12, 2013, 8am-Noon. In response to testimony heard at the Council meeting of August 12, 2013, Uhing read her statement, expressing her appreciation to both groups for their courage to speak, noting freedom of speech is the fundamental rights of all citizens. Uhing also indicated she cannot take away the right of a legally established business, noting she must adhere to the legal advice of the City Attorney and protect the City and its citizens from legal actions. Uhing also stressed to Dream Girl Espresso that she hopes the business is respectful to the community and its citizens by remaining a bikini barista as promised.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax distributed invitations to Council to attend the Library Foundations' Friends & Family Night on September 17, 2013, at McMenamins Grand Lodge. Mayor Truax provided an update on the proposed county vehicle tax, noting the Washington County Board of Commissioners will make a decision at a future meeting. Mayor Truax thanked Senator Starr for his report earlier, noting Senator Starr has done a great deal for Forest Grove, Washington County and State of Oregon pertaining to transportation-related issues. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County meetings he attended and upcoming meetings and

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community-related events he was planning to attend. In response to testimony heard at the Council meeting of August 12, 2013, Mayor Truax indicated he is unwilling to put the good name of Forest Grove on the line when the Constitution and First Amendment Bill of Rights are clear on the subject, noting the City Attorney's legal recommendation also cannot be ignored.

**14. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 9:30 p.m.

Respectfully submitted,

---

Anna D. Ruggles, CMC, City Recorder

**APPROVED**

**MEETING MINUTES**

**ATTENDEES:** Tim Budelman, Jeff King, Mark Nakajima, Kelly Marks, Bruce McVeen, Howard Sullivan, Brian Wilbur, Hope Kraemer, Guy Storms, Mark Frandsen, Justin Norman, Lisa Duncan.

**CITY STAFF:** Susan Cole, Sue Hudson Rau, Michael Sykes, Mayor Pete Truax

**ALSO ATTENDING:** Aubrey Lindstrom (Jeff King's Intern), Louis Desitter (Assistant to State Representative Ben Unger)

**1. CALL TO ORDER:** The meeting was called to order by EDC Chair Brian Wilbur @ 12:12 p.m. At this time Brian announced that this will be his last meeting as the acting EDC Chair.

**2. CITIZEN COMMUNICATIONS:**  
NONE.

**3. APPROVAL OF THE EDC MEETING MINUTES FROM JUNE 6<sup>TH</sup>, 2013:**  
Mark Frandsen moved to accept the meeting minutes as presented. Hope Kraemer seconded the motion. The minutes passed unanimously.

**4. ADDITIONS / DELETIONS & STAFF SUMMARY:**

Jeff King reported that there has been quite a bit of activity as far as businesses relocating to, or expanding within Forest Grove. "Project Viking" has moved forward, and has made a limited release of information which includes revealing their company's name. The company involved is Chaucer Foods, which is a freeze dried fruit processor, and they have secured a long term lease with Henningsen Cold Storage. The building that they will lease from Henningsen is 84,600 square feet, and they have applied for building permits to customize the interior of the building space to fit their particular needs. Once they are up and running, they will provide approximately 71 new jobs in Forest Grove.

Jeff also stated that Summit Foods, which is also a food processing company, has purchased the former Cedar Canyon Water building on B Street, which is directly next door the Light & Power Department's building. They are in the process of gutting and renovating the building, and once they are fully functioning, will create approximately 5 to 7 new jobs in Forest Grove.

Other new business or businesses who have expanded recently include PASCOR, who added 17,000 square feet to their operation, plus 9,000 square feet of covered storage

area. They anticipate adding 7 new jobs. Old Trapper is continuing to grow and purchase equipment, which is a direct result of their building expansion. They have applied for the Enterprise Zone Program, and have added 35 new jobs. O'Reilly Auto Parts has recently finished building a brand new building which is 7,500 square feet. They are now located on Pacific Avenue, just east of Quince Street. Napa Vehicle Service and Repair Center is opening a brand new facility which will be located on Pacific Avenue, directly behind the Forest Grove Auto Brokers. Prime Time Restaurant has succeeded in launching a "soft" opening of their new building. They have overcome many hurdles during construction, and plan to have their grand opening and ribbon cutting very soon. The new restaurant is larger than the old one, which was destroyed by fire in November of 2011, and they will provide 70 jobs, which is 19 more than they employed previously. Henningsen Cold Storage has good news to report in that their freezers are completely full at this time. And finally, a new small business named HippocraTeas has come to Forest Grove. They occupy previously vacant commercial space on Hawthorne Street, and have added 3 new jobs to our community.

Lastly, Jeff announced that the Oregon Small Business Fair is coming up very soon. It will be held on September 28, 2013 @ the PSU Business Accelerator in Portland. Also, the Greater Portland Inc. Annual Summit Meeting is coming up in October, and the SBDC will sponsor two scholarships for Forest Grove small businesses again this year. The two businesses that will participate are Café Montecassino, and B.J.'s Coffee roaster (Becky Jo's son).

## **5. BUSINESS:**

### **A. McMenamins Host Update**

Clyde Fulkerson was unable to attend this meeting. Due to that there was no host update this month.

### **B. EDC Board Openings & Officer Recommendations**

Jeff King reported that in the past month Howard Sullivan, Tim Budelman, and Don Jones all met to discuss and to decide on candidates to take over for Brian Wilbur as the new EDC Chair. Tim Budelman explained that the original list wasn't very long, and that once people were contacted and explained that their schedules were already very busy, that the list was narrowed down even more. The idea of Tim himself taking over as Chair was brought up, and Tim agreed to take on the position if approved by the EDC members. Hope Kraemer agreed to become the Vice Chair if approved. Mark Frandsen moved to approve both Tim as Chair, and Hope as Vice Chair. Guy Storms seconded the motion. The motion passed unanimously to elect Tim & Hope as the new EDC Chair & Vice Chair. Jeff King then thanked Brian Wilbur & Don Jones for their service, time, and dedication as Chair & Vice Chair in the past year.

### **C. Forest Grove Parking Regulations**

Susan Cole and Sue Hudson Rau attended today's meeting to update the EDC on the current City parking regulations, and what is happening to revise and clean up some of that current code. Susan said that she and Sue had attended a work session with the City Council to identify what needed to be changed within the current regulations. They came to the conclusion that first there should be a major code clean-up, followed by implementing new code to reflect more modern policies, and finally identifying how to better address public protection. Susan explained that the code encompasses many issues such as: where is bike riding and skate boarding allowed, how long can a car be parked on public property, are bicycles required to be licensed, what are the rules about parking in City parks overnight, and is parking allowed on Main Street overnight, just to name a very few. It is quite a large undertaking to update this code since it does cover so many issues.

EDC members had several questions for Susan and Sue such as what rights business owners and homeowners have on private property, if the police are called very often about parking issues, would the laws surrounding tractor-trailer parking be addressed, and if the final revision will result in a more easily understood and defined code. Susan and Sue were very helpful and thorough in answering and explaining all of the questions the EDC members had. They said they would update the EDC again once more progress had been made in revising the code.

### **D. Committee Updates**

#### **Industrial & Infrastructure**

Mark Frandsen said that the committee had met recently and had discussed several topics. He said they have decided to continue to send broker letters which will be sure to include all of the new and expanded business that Forest Grove is experiencing. The broker lunches have proven to be successful in the past, so they will pursue organizing more lunches in the future.

Jeff King added that they will be involved in upcoming trade shows, and will continue to advertise on PBS, which includes both T.V. and radio, also they will continue to utilize social media as much as possible, continue handing out the economic development thumb drives along with the newly printed folder, and continue networking as much as possible through groups such as GPI, OEDA, Business Oregon, and the Chamber.

#### **Tourism Committee**

Howard Sullivan spoke for the committee and relayed that the month of September is a very busy one in Forest Grove. Just a few of the events taking place are The Annual Corn Roast, Sidewalk Chalk, Brats & Brewfest, The Annual Historic Home Tour, Oktoberfest @ McMennamins Grand Lodge, and a Crush Party / Grape Stomping Competition @ Montinore Vineyards.

Howard explained that the committee is considering having an event called a Porch-Fest. The way that a Porch-Fest works is that musicians are placed on various porches throughout the city, and people then walk through the city on the specified event date to listen to the different music being performed. This would make Forest Grove a destination place for visitors who may not come to Forest Grove otherwise. Also it would promote the various restaurants and shops that people would pass on their way to hearing the different musical groups throughout the City.

Jeff King noted that there are several events coming up for the holiday season as well including Holiday in the Grove, a performance by the Trail Band, Santa Claus @ McMenamins, and the Holiday Light Parade. He said that the tourism brochures are being widely circulated at this time as well.

### **Small Business**

Jeff King spoke on behalf of this committee. He said that the priority needs of the committee were discussed when they last met. He explained that business management skills and marketing and promotion are the two top concerns at this point. Marketing has changed so drastically in recent years due to the world wide web and technology, that it is a challenge at times to keep up.

Hope Kraemer added that the group reiterated the various resources that small businesses can use, and said that those resources are available through economic development in the form of a folder packet of information which includes the thumb drive that was put together last year. She noted that one of their largest obstacles or hurdles is helping business owners to become aware of the different services and resources available to them.

### **Workforce**

Jeff King spoke briefly, as the meeting was going over time. He said they would be meeting with Work Systems Inc. in October to rebuild communication.

### **E. Strategic Plan & Goals**

Due to time constraints Jeff just noted briefly that it is a good time to revisit and look at the EDC's strategic plan and goals, especially since there is a newly elected Chair and Vice Chair. He also said that the Mental Mapping exercise can prove to be a very valuable tool since it helps to show how people perceive the downtown area of Forest Grove.

**6. COUNCIL COMMUNICATIONS:**

Elena Uhing took a moment to relay some of the upcoming events in Forest Grove. She mentioned the Birds & Brew @ Fern Hill Wetlands, the Public Safety open house, and the Library Friends & Family Night @ McMenamins, to name a few. She also said that there is a cost of service and rate study underway involving the Light & Power Dept., that there is another Times Litho Meeting scheduled for a week from today in which the consultant will reveal his findings and recommendations, and that the City has a new bus service called Grove Link which is free of charge to its passengers.

**7. STAFF & BOARD MEMBER COMMUNICATIONS:**

Pete Truax reported that there is 8 million dollars in funding forthcoming in the next 3 – 4 years from Washington County to improve David Hill Road. Also, the area of Pacific Avenue and Quince Street will get 4 million in funding from the state, or ODOT to improve the intersection. He mentioned that the Glencoe interchange is currently ahead of schedule, and under budget.

**8. ANNOUNCEMENT OF THE NEXT EDC MEETING:**

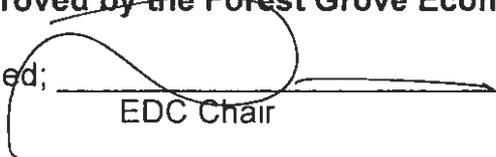
Brian Wilbur announced that the next meeting will be held on October 3<sup>rd</sup>, 2013 @ McMenamins Grand Lodge, in the Alice Inkley Room @ 12:00 noon.

**9. ADJOURNMENT:**

The meeting was adjourned @ 1:40 p.m. by Chair Brian Wilbur.

**Approved by the Forest Grove Economic Development Commission:**

Signed;

  
\_\_\_\_\_  
EDC Chair

Date

10/3/13

**Members Present:** George Cushing, Neil Poulsen, Holly Tsur, Larry Wade, Paul Waterstreet  
(one vacancy)  
**Member Absent:** Bryan Corke  
**Staff Present:** James Reitz  
**Council Liaison:** Richard Kidd was excused  
**Citizens Present:** 01

1. **Call to Order:** Poulsen opened the meeting at 7:18 p.m. **The minutes of the July 23, 2013 meeting were approved with minor corrections.**

Cushing arrived at 7:22 p.m.

2. **Citizen Communication:** None.

3. **Action Items / Discussion:**

- A. **Renovation Grant Request: Blank House at 2117 "A" Street (Washington County tax lot 1N3 31CC-9300). Applicant: Valerie Vickers. File Number HLR-13-01117.** The applicant was present and described her painting project. She plans to use similar colors with the exception of a more red color on the door. The Board discussed with her the dangers of lead paint. Tsur suggested that the applicant's window repair project be completed before the painting begins in order to avoid later repainting. **Tsur/Wade to approve a \$500 grant (the maximum allowable). Motion carried unanimously.**

- B. **Summer Issue Newsletter:** Tsur said she had received the masonry building article from Poulsen and would edit it over the weekend and get it to Reitz at the beginning of next week. Tsur noted that Corke was planning a painting article, and that she had not yet communicated with Kerry VanderZanden concerning his proposed infill article. She restated that she needed a brief biography from both Waterstreet and Corke. She added that Wade had uploaded all newsletters to the website.

Tsur left the meeting at 7:48 p.m.

- C. **Renovation Grant Review Process:** Poulsen reported that the subcommittee (Tsur, Poulsen and Cushing) had met and completed the proposed draft of the process. It was suggested that after Tsur completes the updates on her computer, that they be forwarded to the Board and included on the September 24 agenda for a discussion by the full Board and possibly a vote to adopt.

- D. **Renovation Grants- Alternate funding sources:** This item was again tabled to the next meeting.

4. **Old Business / New Business**

- Council Liaison Report: As Kidd was excused there was no report.
- Staff Update: Reitz had several updates, including:
  - Reitz said that the permit request had been submitted for the Robb-Roberts house porch. Cushing described a casual conversion he'd had with the applicant and her concern that the conditions the Board stipulated for the grant (particularly the turned railing spindles) were expensive and as such she felt she might not be as likely to ask for approvals or grants in the future. He also mentioned that the foundation and siding repairs were being completed by the contractor.

- Reitz then reported that the design standards RFP had been sent to SHPO for review. He noted that at least two architects had expressed interest in this project. The Board requested that the draft RFP be forwarded to them as well for review and comment, and Reitz said he would do so. The Board would also like a chance to participate in the consultant selection process. Reitz said that we hopefully would have the consultant selected by October or November and that the document should be ready for the adoption process by next spring.
- Reitz commented that he was still working with the owners of an infill lot on “A” Street in the Walker-Naylor District to try and make their new home plans compatible with the neighborhood.
- Other - Website Update: Wade said that he and Tsur had met with City staff and had been trained on the website program “Joomla” a content-management system. They are now able to update the website. He discussed the limitations and requirements of what the Board will be able to update and what information must be sent through to City staff first, including such things as links, outside files, and source documents.

**5. Adjournment:** The August 27, 2013 meeting adjourned at 8:36 p.m.

These minutes respectfully submitted by George Cushing, Secretary

APPROVED

*Library Commission approved minutes as amended on Sep 11, 2013.*

**1. CALLED TO ORDER AND ROLL CALL:**

Pamela Bailey, Chair, called the meeting of the Library Commission to order at 6:30pm Jul 16, 2013.

**Members Present:** Pamela Bailey, Chair; Annie Hicks; Doug Martin; Kathleen Poulsen, Vice-Chair; Dayla Smoland; Jon Youngberg, Secretary.

**Members Absent:** None.

**Staff:** Colleen Winters, Library Director

**Council Liaison:** Peter Truax, Mayor

**Others:** None.

**2. ADDITIONS/DELETIONS: None.**

**3. APPROVE LIBRARY COMMISSION MEETING MINUTES OF (Jun 11, 2013):**

**MOTION:** Doug moved, seconded by Annie, to approve the Jun 11, 2013 minutes as presented. **MOTION CARRIED** by all.

**4. CITIZEN COMMUNICATIONS: None.**

**5. INFORMATIONAL ITEMS:**

**5a. FOUNDATION REPORT:** Colleen Winters reported that the Library Foundation of Forest Grove had met recently, and discussed:

a) The Ed Carpenter art project for the library, to be installed in the ceiling near the library's circulation desk. Contract and memo of understanding with Ed have been signed. See Ed Carpenter's website: (<http://www.edcarpenter.net/home/home.html>).

b) The artwork, once installed, will be owned by the City of Forest Grove, which will also be responsible for maintenance, insurance, etc. The Foundation will pay for installation. The installation will meet city regulations.

c) Timelines for installation (early 2014) and fundraising events (fall 2013)

and early 2014) have been set. A music concert at Pacific University by Ed's wife, Lauren Sheehan will be held in Oct/Nov 2013, and a lecture to introduce Ed Carpenter and his work is planned. Sept 17, 2013 date has been chosen for Friends and Family night at McMenamins, with 50% of proceeds after 5 PM going to the Foundation.

d) The Forest Grove Arts Commission is a partner & advocate for the Ed Carpenter art project. Has voted \$3000 of their funds from CEP grants from Metro Community Enhancement Program (from Waste Management).

e) See Foundation web site ([www.fglf.org](http://www.fglf.org)).

**5b. FRIENDS REPORT:** Colleen Winters reported:

a) The Friends do not meet in the summer.

b) The Friends web site is at ([fglibraryfriends.org](http://fglibraryfriends.org)).

**5c. COUNCIL LIAISON REPORT:**

a) Work on the City Budget was completed at the end of June 2013.

b) Fire and Police Department employee recognition.

c) Draft of Sustainability Plan.

d) Metro quarterly visit from councilor Kathryn Harrington. Climate Smart communities. Alternate and mass transportation – goals and plans.

e) Continuing efforts are being made to reduce paper usage for City Council meetings. "Going paperless" and saving money. Large amounts of paper for each council meeting to be replaced by small personal electronic devices with the documents for each meeting to be supplied on a memory stick.

f) Two new bus routes are being added in August that circle inside the City of Forest Grove, and that meet up with existing TriMet bus route 57 at various locations. This is a joint TriMet program with Ride Connection smaller buses to Forest Grove industrial sites like ViaSystems, Forest Grove schools, the Senior Center, and a different route through downtown Forest Grove.

g) City of Forest Grove to help Cornelius with community development, saving money for City of Cornelius.

**5d. LIBRARY DIRECTOR'S REPORT:** Colleen Winters reported these items:

a) The Forest Grove Library is losing a Library Associate Angela to Pacific University's library. Angela has been with the Forest Grove library for over 20 years. Vicki will be promoted to Library Associate (a "Person in Charge") from Library Assistant. So, looking for a new Library Assistant. Kate is the second Library Associate.

b) Staff meeting held to discuss safety and security issues, a review of all procedures for security of staff, visitors, the building, and the library collection. The back door area, alarmed exit door, is a continuing but reduced problem. Visibility to both main entrance doors from the circulation desk needs to be improved. Police visit and lectures are planned. Currently there are no daily police walkthroughs. Increased staff walkthroughs are planned, by study rooms, etc.

c) IT issues being studied – consultants to help with issues – will write report to City Manager and IT person. Several systems & communication concerns. Older system(s). Library has own server. PCs are connected to WCCLS. Two PCs are connected to City system. Circulation IT requirements, etc.

d) A diaper changing table is being considered to be added in the bathroom area at the children's end of the library. Looking at options: One diaper changing station inside each bathroom, or one diaper changing station out in the foyer area with a curtain. Cleaning, disposal, privacy concerns were mentioned. Foundation and funding are not a concern.

## **6. DISCUSSION OF ITEMS:**

a) Continuing discussion of the Library Room Use Policy. A subcommittee of the Library Commission (Pam, Annie, Jon, Colleen) has met and nearly completed the information gathering process. At least one more meeting may be needed before a draft of the Library Room Use Policy could be shown to the full commission. Have made progress on philosophy, mission statement, and information gathering.

b) Pamela handed out a proposed Quick Facts document that could be given to possible renters of the Rogers Room. Some items in this document were questioned, as to whether they were necessary. If some person or some organization decided to rent the Rogers Room, they would get a larger document from library staff with more and detailed rules, and a tour of the room. Alcohol and tobacco not allowed. Doug asked about what would happen if a group made requests for too-frequent meetings. The reservation and calendar system was explained, where the year's important library related events were scheduled for the year, starting each Fall.

c) Pamela discussed Philosophy items decided: We want the Rogers Room to be used often, for library and non-library events that are available for the public to attend. Mayor Truax and Jon discussed the possible idea that anyone should be able to rent the Roger Room (a public meeting room), and therefore the public should be able to attend any event held there.

d) The room rental fee is currently \$13 per hour for the full Rogers Room, and \$6.50 per hour for half of the room. Difficulty of setting up the Rogers

Room into half rooms, because of necessary and difficult divider curtain movement, was described. Suggestion was made that cost of renting the half room, could be increased to \$10 per hour. Mentioned that \$2500 cost would make the divider curtain easier to use.

e) Colleen mentioned the library's study rooms, and the need for the room use policy to cover them as well, to replace the current (and inadequate) informal "honor system". Library staff is anxious for the new room use policy, and for it to cover the study rooms.

7. **ANNOUNCEMENT OF NEXT MEETING:**

The next Library Commission meeting will be held on Tues Sep 10<sup>th</sup>, 2013 at 6:30PM in the Rogers Conference Room at the Forest Grove Library. There will be no commission meeting in August.

8. **ADJOURNMENT:**

Hearing no further business, Chair Bailey adjourned the meeting at 8PM.

Minutes respectfully submitted by:

Jon Youngberg, Library Commission Secretary

APPROVED

Minutes approved by the PAC on September 12, 2013.

- 1) **CALL TO ORDER:** Kathleen Leatham called the meeting to order at 5:05 PM.  
**PRESENT:** Kathleen Leatham, Linda Taylor, Helvi Smith, Pat Truax, Rebecca Twist and Staff Liaison Colleen Winters and Council Liaison Camille Miller.  
**ABSENT:** Kathy Broom, Victoria Hampton. Dana Lommen, Dana Zurcher, and Laura Frye  
**Guests:** Linda Saari and Kaely Summers.
  
- 2) **CITIZEN COMMUNICATION:** None
  
- 3) **APPROVAL OF PAC MEETING MINUTES** Linda clarified her correction to the June minutes referred to the number of activities available at the summer lunch program. Linda moved and Helvi Smith seconded a motion to approve the minutes for the July 11<sup>th</sup> meeting as corrected. The vote was favorable.
  
- 4) **ADDITIONS/DELETIONS:** 5d. Meet the Artist Dinner, September 20, – Linda Taylor
  
- 5) **BUSINESS:**
  - a) **Mini-Grant from Cocina Latina Art/Cooking Demonstration-** Kaely Summers presented a mini grant request from Adelante Mujeres/Forest Grove Farmer’s Market in the amount of \$500.00 to purchase a guest artist/author Marcella Kriebel for a cooking demonstration. She will use produce from the market and provide bi-lingual recipe cards for participants to paint. Pat Truax moved to approve this grant using 2013 CEP funds, Rebecca Twist seconded the motion. The vote was favorable.
  - b) **Walking Art Tour Brochure:** Victoria Hampton will be using this brochure as one of her class projects. The commission is asked to each bring a list of 10 destinations for the September meeting. We will combine, collaborate and select our top 10 spots in September.
  - c) **A Guide to Classes in the Arts Brochure Follow-up:** Linda Taylor noted the brochure had been completed and copies were distributed at First Wednesday and are available in the Library.
  - d) **Meet the Artist Dinner – Friday, September 20,** is the date for the next Meet the Artist Dinner, Charlene Murdock and Richard White will host this event. The menu and food will be prepared by artist/author Marcella Kriebel. She will feature items from her cookbook. The cost of the tickets is \$75 per person with a limit of 26 guests.
  - e) **Updates**
    - Ed Carpenter Project- Linda Saari reports that a ‘Garden of Knowledge’ brochure is in the final stages. Upcoming events: September 17 will be the ‘Friends and Family Night’

at McMenamins; October 19 is the date selected for the Lauren Sheehan concert at Pacific University. A complete time line of events is still in the works.

- Fire Department Mural Plan – Rebecca reports that Professor Junko Iijimo from Pacific has volunteered to take on this project. In a conversation with Chief Kinkade, funds for art supplies will come from the Firefighters Association.
- Finance Report – Reviewed and accepted.

**6) COMMISSIONERS COMMENTS:**

**7) STAFF COMMUNICATIONS:** Colleen reports that the summer reading programs held at the FG Library has been a success for all age groups. The celebration was held involving 195 children, 85 adults and 9 volunteers. Colleen was also a tour guide for the city manager, library director and others from the city of Astoria. They are gathering information for work on the library in Astoria.

**8) Agenda items for September** – Fact finding for mini grant to provide activities for the summer lunch program

**9) ADJOURNMENT:** The meeting adjourned at 6:15pm. The next meeting will be September 12, 2013, in the Rogers Room of the City Library.

Respectfully Submitted by Pat Truax

APPROVED

1. **ROLL CALL:**

Meeting called to order by Chairman Mills at 7:30 am.

**Members Present:**

Robert Mills, Chairman, John Rinier, Mike Bernhardt, Drue Garrison and Allyn Clark

**Members Absent:**

Tim Dierickx & Nathan Seable

**Liaisons Present:**

Guy Storms & Pete Truax, Mayor and Council Liaison

**Liaisons Absent:**

Harold Roark, Bryon Schmidkofer

**Others Present:**

Police Chief Janie Schutz, Fire Chief Michael Kinkade, Kari Bray, Deeda Schraeder & Sharon Cox

2. **INTRODUCTIONS**

3. **CITIZEN COMMUNICATIONS**

4. **APPROVAL OF MINUTES**

There was a motion to approve the minutes from the June 26, 2013 meeting with one (1) correction, to change the date from April 24, 2013 to June 26, 2013.

**MOTION CARRIED 5-0** Dierickx & Seable absent

5. **ADDITIONS/DELETIONS**

Chairman Mills asked to have the topic of Membership added to the agenda under New Business.

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

**City Council**

Mayor Pete Truax reported the Council will be addressing backyard burning. They adopted the City's budget and evaluated the City Manager. They are moving forward with going paperless and the possibility of using iPads. There will be a delegation going to Nuyzen for their 60<sup>th</sup> anniversary in October.

8. **OLD BUSINESS**

**Graffiti update –**

Chairman Mills reported they have an account set up at Ace hardware to purchase paint and supplies.

Allyn Clark brought in a board with six colors painted on it. They decided to go with "Beautiful Brown Eyes" as the Forest Grove fence color.

They have their first project to paint which is near Neil Armstrong Middle School. There is one property owner that has opted out of participating. They are hoping to change his mind, but otherwise all of the fence will be painted except his section. They decided to paint the fence on Saturday, September 7<sup>th</sup>, at 10:00 am.

They asked Chief Kinkade if the Fire Department could hose off the fence prior to painting. He said he would arrange to get it washed a few days before. Also, the owners need to know we will be there to clean; dogs are under control, etc.

The sub-committee will work on a reminder flyer and communicate with the homeowners a few days before.

Chairman Mills said he would get in touch with Yvonne Curtis, FGSD Superintendent to discuss how the school district could be involved in assistance, prevention, diversion (planting shrubs, etc), PTO or other ideas

Chief Schutz said the PSAC members can stop by the Police Department during business hours any day to get their ID cards made.

9. **NEW BUSINESS**

**Possible PSAC roles & Strategic Planning** – Chairman Mills lead the discussion regarding other roles that PSAC could help with. Those included burning regulations, consolidation studies, residential sprinkler regulations, October Open House participation, CERT , strategic planning for both Fire & Police, graffiti abatement, National Night Out, Neighborhood Watch and Code Enforcement.

He suggested they work on a Mission Statement for the Commission as well as a strategic plan.

Chief Kinkade referred to a document that a sub-committee put together in June 2012. It was read and nothing else has been done with it. He said that unless they develop their Mission & Vision Statements and Strategic Plan they will continue to struggle with their purpose.

Mayor Truax said the Council has goals they set for themselves each year. He said he sees a role for PSAC within the council goals. He said a Mission Statement is imperative to achieve your goals.

Chief Kinkade showed the group the model he uses for developing the Mission & Vision Statements and Strategic Planning. He said he would be able to assist the Commission but is currently helping a couple of other groups with their plans. They concurred on beginning the process in October. All of the members must be committed to participating.

**Membership** – Chairman Mills reviewed the current members' terms. There will be 4 terms expiring in December. 1 at large position needs to be filled as well as 1 Rural District position. He said he would like to see the Commissioners help recruit people to fill the vacant positions.

10. **ANNOUNCEMENT OF NEXT MEETING** – No meeting in August. Next meeting will be September 25, 2013 @ 7:30 am,

11. ADJOURN

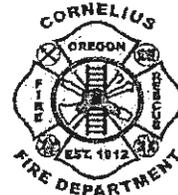
The meeting was adjourned at 9:07 am.

Recorded & submitted by:  
Sharon Cox, Administrative Assistant



# 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.

## 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.
- 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.



## Fire Chief's Report

Reporting Period: May 1-31, 2013



- 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).

### 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 adapted, laws and administrative rules are reviewed and modified, and educational materials are developed and distributed.




TOP: Forest Grove Fire & Rescue Division Chief David Neimeyer (left), center, flanked by Forest Grove Fire Chief Michael Knudson to his right and State Fire Marshal Mark Wallace to his left, receives his Golden Spire award in recognition of his leadership in fire prevention and safety.



# 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



FIRE & RESCUE

## Fire Chief's Report

Reporting Period: May 1-31, 2013



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 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.



# Fire Chief's Report

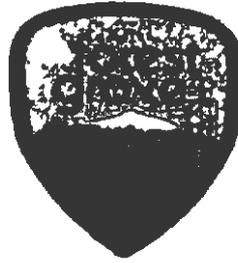
Reporting Period: May 1-31, 2013



- 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.



**Forest Grove Police Department / June 2013**

- The vacant reserve position was offered to Eduardo Sanchez today. He accepted. He will begin department firearms and defensive tactics training this summer and begin the reserve academy in September.
- Applicants for a vacant police officer position are taking the ORPAT exam this week and will go through interviews next week.
  - Interviews for the vacant Evidence Specialist position take place Monday.
  - ORPAT (Oregon Physical Agility Test) administered for Recruit Police Officer Applicants
- Oral boards for out of area Recruit Police Applicants conducted.
- Attended MIP / Shoulder Tapping meeting with other County agencies.
- Conducted Use of Force Instructors meeting for upgrading and enhancing current Use of Force Training options for managers.
- Ongoing preparations for National Night Out and Neighborhood Watch events.
- The Evidence Specialist position was offered to the first finalist, however, she failed her background so HR has contacted the second finalist to make the conditional job offer.
- Oral boards and Chief interviews were conducted for our Police Officer position. The position will be announced by the end of this week.
- The CSO opening has been closed and oral boards will occur next week.
- \*The graffiti abatement process is moving forward with PSAC members and the police chief having done a trial run on graffiti abatement on a fence on Beaver Way. Though there are still obstacles to overcome, further plans were laid out to bring the volunteers out on a selected date, along with media, and complete the fence project.
- \* Captain Ellingsburg and Lisa Cannon attended a grant meeting and will be applying for additional radios.
- \* The Police Department will be hosting a Public Safety Awareness, Crime Prevention, and Neighborhood Watch Open House. Members of the Forest Grove Police Department and Neighborhood Watch participants from around the community will gather to discuss a wide range of topics dealing with neighborhood safety, graffiti abatement, National Night Out and community involvement and volunteer programs. This will take place on Saturday, June 29, 2013 10:00am at the Forest Grove Community Auditorium.
- \* Ongoing preparations for National Night Out and Neighborhood Watch events in early August
- The graffiti abatement process is moving forward.
- Captain Ellingsburg and Lisa Cannon attended a grant meeting and will be applying for additional radios.
- Ongoing preparations for National Night Out and Neighborhood Watch events.

Forest Grove Police Department  
2102 Pacific Avenue  
Forest Grove, OR 97116

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# Monthly Building Activity Report

## September-13

### 2013-2014

Category	Period: September-12		Period: September-13	
	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Sing-Family New	5	\$1,250,426	4	\$ 1,182,982.07
SFR Addition & Alt/Repair	3	\$73,699	4	\$ 279,190.44
Mult. Fam. New/At				
Group Care Facility				
Commercial New	1	\$120,000	1	\$ 5,891,380.00
Commerical Addition	1	\$13,489		
Commercial Alt/Repair	3	\$31,100	7	\$ 484,426.32
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs				
Grading			2	
Demolitions	1		2	
<b>Total</b>	<b>14</b>	<b>\$1,488,714</b>	<b>20</b>	<b>\$7,837,979</b>

#### Fiscal Year-to-Date

2012-2013		2013-2014	
Permits	Value	Permits	Value
50	\$4,950,768	83	\$18,320,918

**FOREST GROVE CITY LIBRARY CIRCULATION STATISTICS REPORT: SEPTEMBER 2013**  
**(CHANGED TO 3M COMMAND CENTER REPORTS July 1, 2013)**

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	AUG 2013	JULY 2013	AUG 2012
<b>MONTHLY TRAFFIC</b>			
Eye Count (Daily count of patrons for month)	14,530	14,310	17,550
Number of Days Open to the Public:	27	26	25
New Registrations (New Patron card issued)	146	131	122
<b>CIRCULATION:</b>			
Total Check-outs:	32,026	34,343	34,631
Total Check-ins:	23,868	25,841	25,643
ILLs (Inter-library loans/out of county):	106	93	77
<b>COURIER:</b>			
Intra-library Holds to Forest Grove:	11,418	11,692	12,075
Intra-library Holds from Forest Grove:	9,257	9,631	9,777
<b>PROGRAMS:</b>			
# of Adult Programs	3	3	5
Adult attendance at Adult Programs	28	28	30
Teen attendance at Adult Programs	2	0	1
Children attendance at Adult Program	1	1	NA
# of Children's Programs	2	10	8
Children's attendance at Children's Programs	198	317	407
Adult attendance at Children's Programs:	88	196	170
Teen attendance at Children's Programs	0	0	0
# of Community Programs	0	0	0
Adult attendance at Community Programs	0	0	0
Children's attendance at Community Programs	0	0	0
Teen attendance at Community Programs	0	0	0
# of Teen Programs	0	1	1
Teen attendance at Teen Programs	0	4	16
Adult attendance at Teen Programs	0	6	1
Children's attendance at Teen Programs	0	3	2
# of Early Childhood Discovery Time Programs	0	0	0
<b>REFERENCE:</b>			
# of Reference Questions	1,336	1,277	1,415
<b>SELF CHECK-OUT:</b>			
Self-Check Out Patrons Accepted	2,793	2,768	2,734
Self-Check-Out Patrons Denied	220	230	237
Self-Check-Out Total Items	10,594	11,716	10,682
Self-Check-Out Items Denied	142	140	177
Self Check-Out Items Renewed	66	42	144
<b>VOLUNTEERS:</b>			
Number of volunteers	44	45	51
Volunteer hours	336	334	509
<b>COMPUTER USE:</b>			
# of sessions	2,802	2,553	2,447
Total user hours	1,791	1,616	1,566
Average session time in minutes	38	38	38

**FOREST GROVE CITY LIBRARY CIRCULATION STATISTICS REPORT: OCTOBER 2013  
(CHANGED TO 3M COMMAND CENTER REPORTS July 1, 2013)**

	SEPT 2013	AUG 2013	SEPT 2012
<b>MONTHLY TRAFFIC</b>			
Eye Count (Daily count of patrons for month)	12,356	14,530	16,642
Number of Days Open to the Public:	24	27	25
New Registrations (New Patron card issued)	143	146	146
<b>CIRCULATION:</b>			
Total Check-outs:	29,688	32,026	30,952
Total Check-ins:	22,111	23,868	21,828
ILLs (Inter-library loans/out of county):	74	106	56
<b>COURIER:</b>			
Intra-library Holds to Forest Grove:	10,826	11,418	11,907
Intra-library Holds from Forest Grove:	8,946	9,257	9,396
<b>PROGRAMS:</b>			
# of Adult Programs	4	3	5
Adult attendance at Adult Programs	49	28	55
Teen attendance at Adult Programs	2	2	0
Children attendance at Adult Program	0	1	0
# of Children's Programs	13	2	13
Children's attendance at Children's Programs	113	198	75
Adult attendance at Children's Programs:	62	88	47
Teen attendance at Children's Programs	0	0	0
# of Community Programs	2	0	1
Adult attendance at Community Programs	2	0	5
Children's attendance at Community Programs	0	0	5
Teen attendance at Community Programs	0	0	0
# of Teen Programs	0	0	0
Teen attendance at Teen Programs	0	0	0
Adult attendance at Teen Programs	0	0	0
Children's attendance at Teen Programs	0	0	0
# of Early Childhood Discovery Time Programs	4	0	0
<b>REFERENCE:</b>			
# of Reference Questions	1,230	1,336	1,164
<b>SELF CHECK-OUT:</b>			
Self-Check Out Patrons Accepted	2,415	2,793	2,426
Self-Check-Out Patrons Denied	146	220	229
Self-Check-Out Total Items	9,844	10,594	9,595
Self-Check-Out Items Denied	105	142	163
Self Check-Out Items Renewed	70	66	95
<b>VOLUNTEERS:</b>			
Number of volunteers	42	44	50
Volunteer hours	271	336	517
<b>COMPUTER USE:</b>			
# of sessions	2,160	2,802	2,279
Total user hours	1,391	1,791	1,396
Average session time in minutes	39	38	37

## Memorandum

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**To:** Mayor Truax and City Councilors  
**From:** Anna D. Ruggles, CMC, City Recorder  
**Subject:** Accept Resignation on Historic Landmarks Board  
**Date:** October 14, 2013

---

Bryan Corke, Historic Landmarks Board (HLB), Term Expiring December 31, 2014, has informed staff of his desire to resign from the HLB as per his attached e-mail notification.

**STAFF RECOMMENDATION:**

Staff recommends Council accept the above-noted resignation and deem the seat vacant.

**Anna Ruggles**

Oct 14, 2013  
CE mtg

**From:** [REDACTED]  
**Sent:** Saturday, September 28, 2013 1:13 PM  
**To:** Peter Truax  
**Subject:** Historical Landmark Preservation Board

Dear Hon. Mayor

It is with regret that I, Bryan Corke, wish to tender my resignation from the HLPB. I have found that my philosophy and idealism about preserving the "city treasures" of Forest Grove are at odds with the other members present during the September 24 meeting. This has caused me great contemplation and a conclusion that a man of my moral and ethical values does not belong on this board. I am both grateful and sad for the opportunity to serve this great city. Grateful for the insights of how great a community that Forest Grove is, and sad because the other members present that night acted in such a hypocritical fashion. I just don't fit in. I believe that my time is best served elsewhere. I am sorry for the necessity of this action. I am sure that you will find others to fill my vacancy who will toe the line of the said board's agenda. I want no part of it. Respectfully, Bryan Corke

9/30/2013

Team GRP 12/3/14

## Memorandum

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**To:** Mayor Truax and City Councilors  
**From:** Anna D. Ruggles, CMC, City Recorder  
**Subject:** Accept Resignation on Historic Landmarks Board  
**Date:** October 14, 2013

---

Paul Waterstreet, Historic Landmarks Board (HLB), Term Expiring December 31, 2013, has informed staff of his desire to resign from the HLB as per his attached e-mail notification.

**STAFF RECOMMENDATION:**

Staff recommends Council accept the above-noted resignation and deem the seat vacant.

**Anna Ruggles**

Form EXP 12/3/13

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**From:** James Reitz  
**Sent:** Wednesday, October 09, 2013 12:50 PM  
**To:** Anna Ruggles  
**Subject:** HLB

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**From:** [REDACTED]  
**Sent:** Sunday, October 06, 2013 5:27 PM  
**To:** [REDACTED]  
**Cc:** g [REDACTED]  
**Subject:** RE: Aluminum clad windows

Commission members;

Looking forward at my schedule I will not be able to attend anymore of the commission meetings, school commitments and some out of town events. I think to be fair, I will be sending in my resignation from the commission.

I have learned a lot and enjoyed my short time on the commission  
Paul

## MEMORANDUM

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

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

**DATE:** October 14, 2013

**SUBJECT:** Appointment to Committee for Citizen Involvement

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**BACKGROUND:**

There currently exist vacancies on the Committee for Citizen Involvement (CCI).

The Council interviewed Stephanie Rose in Work Session, held Monday, September 9, 2013, and made recommendation to appoint Rose to CCI to fill a vacant seat with term expiring December 31, 2013. Staff has contacted Rose who has advised staff that she is available and very interested in serving and filling the vacancy on CCI.

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**STAFF RECOMMENDATION:**

Staff is recommending the City Council consider approving at the Council meeting of October 14, 2013, a resolution making the above-noted appointment. If Council desires not to make this appointment, Council may reject placing this item on the Consent Agenda and/or discuss separately.

**RESOLUTION NO. 2013-63**

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

**WHEREAS**, Resolution No. 1991-57 has provided for a Committee for Citizen Involvement; and

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

**WHEREAS**, there currently exist vacancies on the Committee for Citizen Involvement; and

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

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

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

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>
Bannister-Lawler	Sebastian	December 31, 2015
Kronen	Jordan	December 31, 2014
Pariera	Debbie	December 31, 2014
Perrault	Michael	December 31, 2015
<b>ROSE</b>	<b>STEPHANIE</b>	<b>December 31, 2013</b>
Salgado	Marissa	December 31, 2015
Somes	Brenda	December 31, 2015

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

**PRESENTED AND PASSED** this 14<sup>th</sup> day of October, 2013.

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

**APPROVED** by the Mayor this 14<sup>th</sup> day of October, 2013.

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



Sept 9, 2013  
5:30pm

### CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED  
JUL 25 REC'D  
BY: \_\_\_\_\_

(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 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 (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

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

NAME: Stephanie Rose

RESIDENCE ADDRESS: [REDACTED]

MAILING ADDRESS: \_\_\_\_\_

EMPLOYER: Shields Consulting, LLC

HOME PHONE: N/A

BUSINESS PHONE: [REDACTED]

E-MAIL: [REDACTED]

OCCUPATION/PROFESSION: Executive Assistant/Event Fundraiser

Years living in Forest Grove? 5 Live in City limits? yes How did you hear of this opportunity? FG Website

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? My father when I was growing up, was always a part of school districts, campaigns, as well as worked very closely with the City Council back home in Phoenix. He has lots of love for that City so he uses his time to help make it a better place. I started to work for him and some of that has rubbed off onto myself. I think it would be a great opportunity to live up Forest Grove with events, and charity drives etc.!

What contributions do you feel you can/will make to the Board/Committee/Commission? I believe that I am creative when it comes to gathering the community together to get out and enjoy the parks. Another thing I had in mind was doing some sort of clothes drive for needy families. There are not that many clothes bins around so doing an annual clothes drive would bring in lots of donations.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I worked for the Cesar Chavez Foundation for the past 3 years organizing the annual dinner they have along with running the books for fundraising. I have worked with some of the City of Phoenix Council as well as the City Manager and many of the big corporations out there in Arizona. I believe that we can bring some exciting events to the parks and get the locals out to enjoy them.

Previous/current appointed or elected offices: \_\_\_\_\_

Previous/current community affiliations or activities: Cesar Chavez Foundation

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

Signature <u>Stephanie Rose</u>	Date: <u>7/24/2013</u>
<i>I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.</i>	

Term Exp 12/31/2013

(App 12/12)

## MEMORANDUM

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

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

**DATE:** October 14, 2013

**SUBJECT:** Appointment to Public Safety Advisory Commission

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**BACKGROUND:**

There currently exist vacancies on the Public Safety Advisory Commission (PSAC).

The Council interviewed Laura Hale in Work Session, held Monday, September 9, 2013, and made recommendation to appoint Hale to PSAC to fill an At-Large vacant seat with term expiring December 31, 2013. Staff has contacted Hale who has advised staff that she is available and very interested in serving and filling the vacancy on PSAC.

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**STAFF RECOMMENDATION:**

Staff is recommending the City Council consider approving at the Council meeting of October 14, 2013, a resolution making the above-noted appointment. If Council desires not to make this appointment, Council may reject placing this item on the Consent Agenda and/or discuss separately.



RESOLUTION NO. 2013-64

RESOLUTION MAKING APPOINTMENT  
TO THE CITY OF FOREST GROVE  
PUBLIC SAFETY ADVISORY COMMISSION

**WHEREAS**, Resolution No. 2005-56 has provided for a Public Safety Advisory Commission; and

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

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

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

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

<u>Last Name</u>	<u>First Name</u>	<u>Position:</u>	<u>Term Expires</u>
Bernhardt	Mike	At-Large	December 31, 2016
Clark	Allyn	At Large	December 31, 2016
Dierickx	Tim	Rural Fire	December 31, 2013
Garrison	Drue	At Large	December 31, 2013
<b>HALE</b>	<b>LAURA</b>	<b>AT LARGE</b>	<b>December 31, 2013</b>
Mills	Robert	At Large	December 31, 2016
Rinier	John	At Large	December 31, 2013
Seable	Nathan	At Large	December 31, 2013
Vacancy		Rural Fire	December 31, 2016

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

**PRESENTED AND PASSED** this 14<sup>th</sup> day of October, 2013.

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

**APPROVED** by the Mayor this 14<sup>th</sup> day of October, 2013.

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



Sept 9, 2013  
5:40pm

### CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED  
AUG 13 REC'D  
BY: \_\_\_\_\_

(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 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 (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

_____ Budget Committee	3-4 times in May	_____ Library Commission	2 <sup>nd</sup> Tuesday, 6:30pm
<u>3</u> _____ Committee for Citizen Involvement	3 <sup>rd</sup> Thursday, 5:30pm	<u>4</u> _____ Parks & Recreation Commission	3 <sup>rd</sup> Wednesday, 7am
_____ Community Forestry Commission	3 <sup>rd</sup> Wednesday, 5:15pm	<u>1</u> _____ Planning Commission	1 <sup>st</sup> & 3 <sup>rd</sup> Monday, 7pm
_____ 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	<u>2</u> _____ Public Safety Advisory Commission	4 <sup>th</sup> Wednesday, 7:30am

NAME: Laura Hale

RESIDENCE ADDRESS: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_

EMPLOYER: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_  
BUSINESS PHONE: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
OCCUPATION/PROFESSION: Housewife/Property Management

Years living in Forest Grove? 30 Live in City limits? yes How did you hear of this opportunity? From one of the council members

How would you currently rate City's performance?  Excellent  Good  Fair  Poor

What ideas do you have for improving "Fair" or "Poor" performance? I would promote more community involvement. I believe there is a need to challenge residents to become more proactive in Forest Grove. Performance can change from "poor" by encouraging residents to give their input and involvement on key issues.

Why are you interested in serving on the Advisory Board/Committee/Commission? I love the town of Forest Grove. I support the mission statement of our city. I have lived in Forest Grove most of my life. I see the need in our city for positive change and realize, change starts with me. I would like to gain the wisdom on just how a city is governed.

What better way to learn than getting involved?

What contributions do you feel you can/will make to the Board/Committee/Commission? I feel my background as a property manager, wife, mother, and grandmother gives me a diverse perspective on the needs of our city. My husband and I have adopted our grandchildren ages: 5, 7, & 10. We plan on raising them here in Forest Grove. I'm excited at the opportunity of joining others in making Forest Grove the best it can be.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I have great communication skills. I have the ability to see the potential for good in any situation. I have worked as a property manager for 14 years, this background gave me the knowledge of marketing, budgets, operational planning, community events, problem resolution, and the ability to better the properties in my portfolio. I also worked closely with local law enforcement agencies.

Previous/current appointed or elected offices: NA

Previous/current community affiliations or activities: Member of the Chamber of Commerce for 5 years (Carmichael, CA), Rental Housing Association Member

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

Signature: Laura L. Hale Date: 8/13/13  
*I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.*

Term Exp 12/31/13 At-Large

Date: October 14, 2013

## 2013 TIMBER HARVEST REPORT

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

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**ISSUE STATEMENT:** The 2013 tree harvest is complete. This seasons harvest included 42 acres of ground thinning and 7 acres of patch cuts in the Homestead stand and 2 acres of thinning and 8 acres of patch cuts in the 57 Year-Old stand. Scott Ferguson, of Trout Mountain Forestry, will present a PowerPoint presentation to Council.

**BACKGROUND:** As part of the Watershed Stewardship Management Plan, an annual tree harvest is completed. The emphasis of tree harvest on the watershed is to maintain and improve the long-term productivity and biological integrity of the entire forest ecosystem. The desired future forest will feature mixed species stands of older, larger trees, with sufficient harvesting and regeneration to assure adequate younger stands to balance the age of the forest. Timber harvests will be both even-aged and uneven-aged to help create structures that benefit wildlife, such as gaps in the canopy, increased light for understory shrub and forb growth, snags and down woody debris. All timber harvests are subject to the over-riding stewardship goals and policies governing protection of water quality, aquatic habitat and wildlife habitat in the watershed. Harvest levels shall be based on forest health and other ecological goals, and shall not be revenue driven. A system of selection thinning, patch cutting and variable retention harvest shall be used to maintain forest health and structure. No clearcutting is allowed.

**FISCAL IMPACT:** The 2013 final harvest volume is 1,484,250 board feet with final net revenue of \$681,864.78 to the Water Fund.

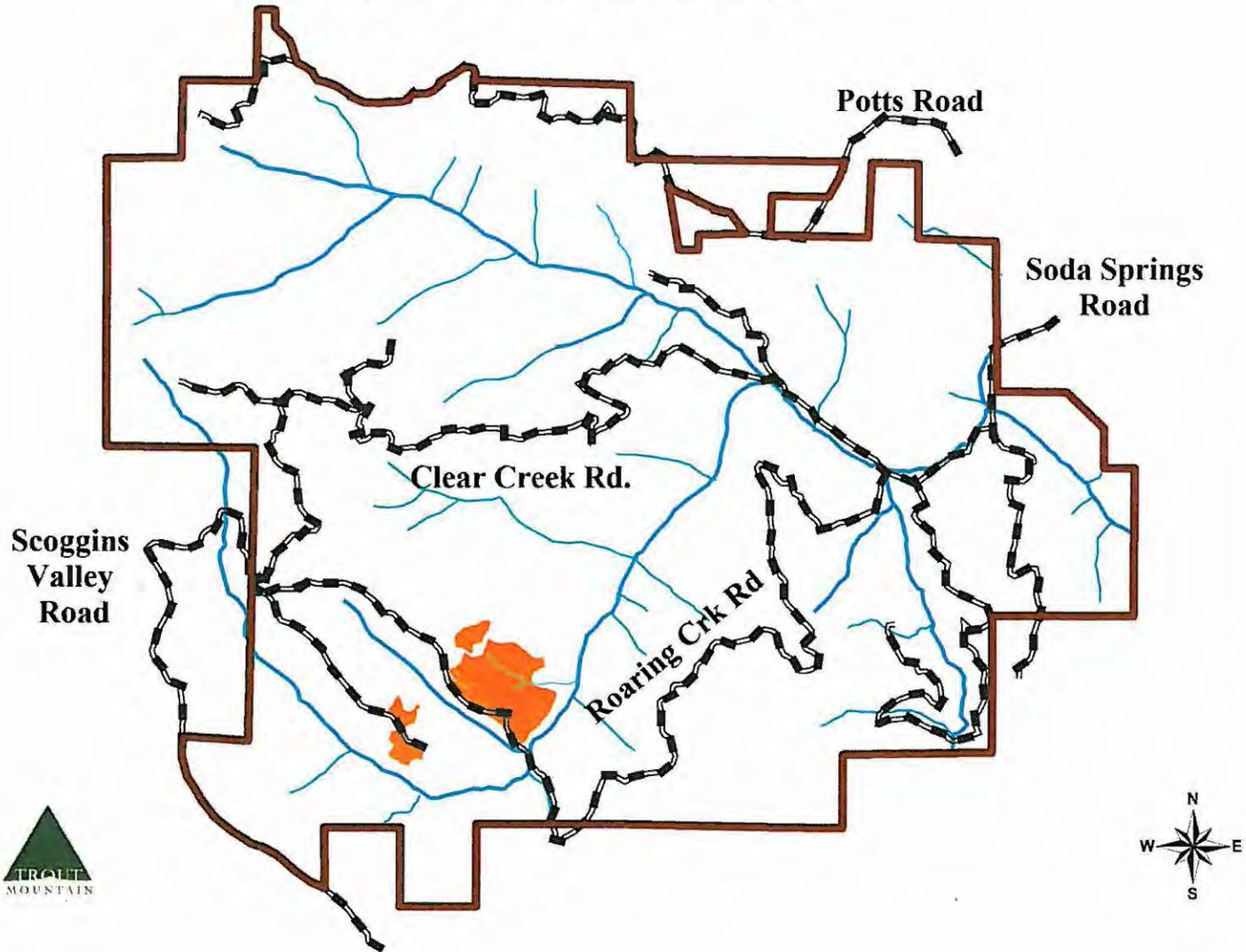
**STAFF RECOMMENDATION:** No action required of City Council.

# FOREST GROVE WATERSHED

2013 HARVEST REPORT

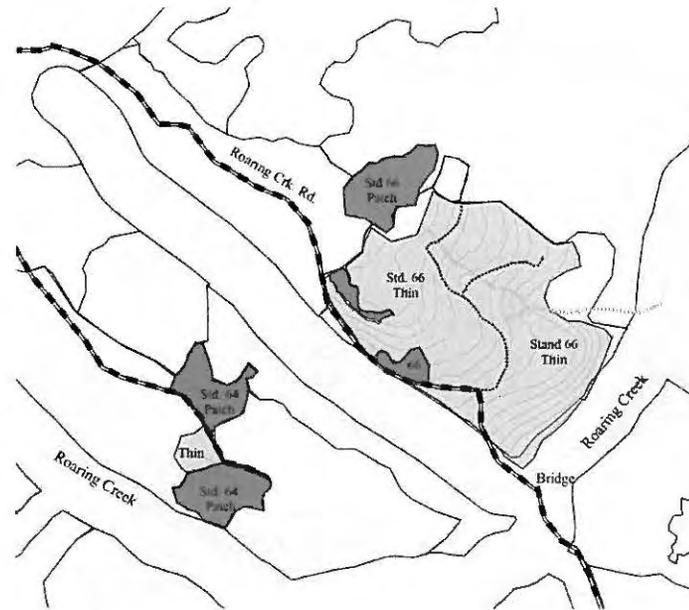


# 2013 Harvest Area



# FOREST STAND VIEW

Forest Grove Watershed  
2013 Harvest Area



- DIRT ROADS
- - - ROCKED ROADS
- STREAMS (by Type)
  - 'Medium Creek'
  - 'Small Creek'
- STANDS
- Watershed Boundary
- Topographic Countours (20')

Scale = 1 : 650.00 (In : Feet)



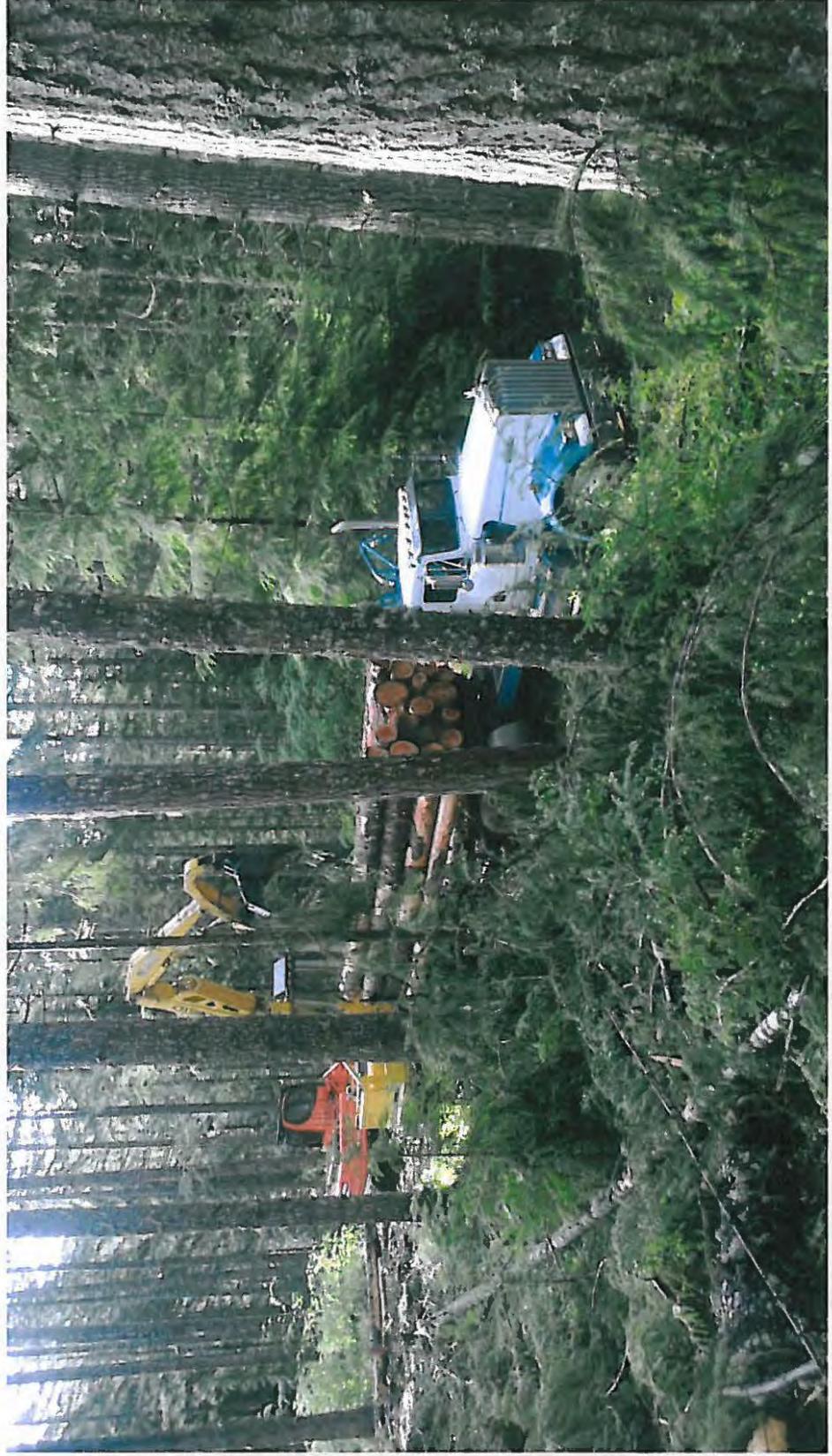
# BUSH & SONS LOGGING



THINNING 85 YEAR-OLD  
"HOMESTEAD" STAND



# SKILLED AND EFFICIENT LOGGING



STANDS THINNED TO INCREASE VIGOR  
PATCHES PROVIDE ROOM FOR NEW SEEDLING  
ESTABLISHMENT



## HARVEST DESCRIPTION

### Homestead Stand

- 42 acres of ground thinning
- 7 acres of patch cuts

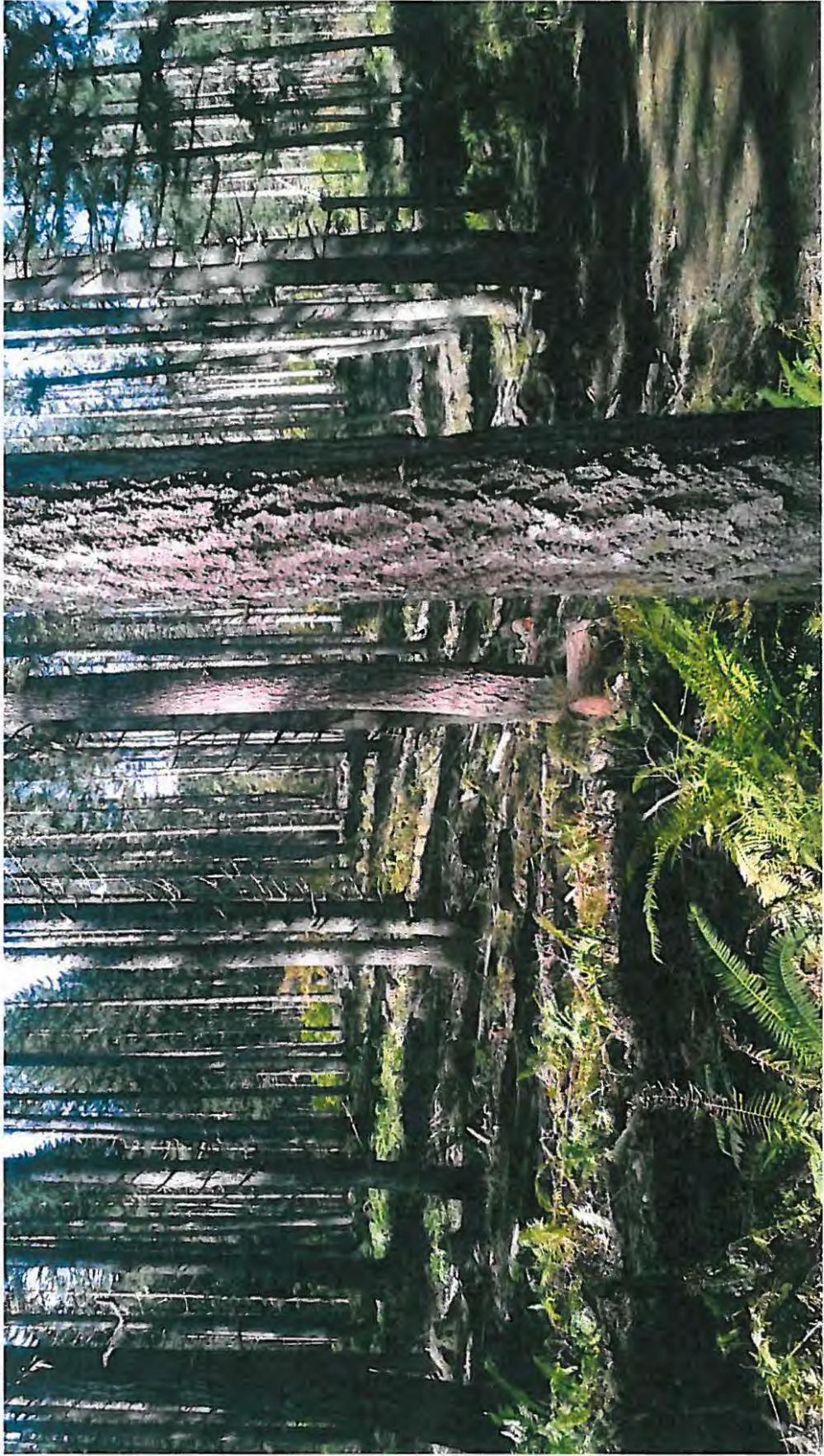
### 57 Year-old Stand

- 2 acres of thinning
- 8 acres of patch cuts

# AFTER THINNING



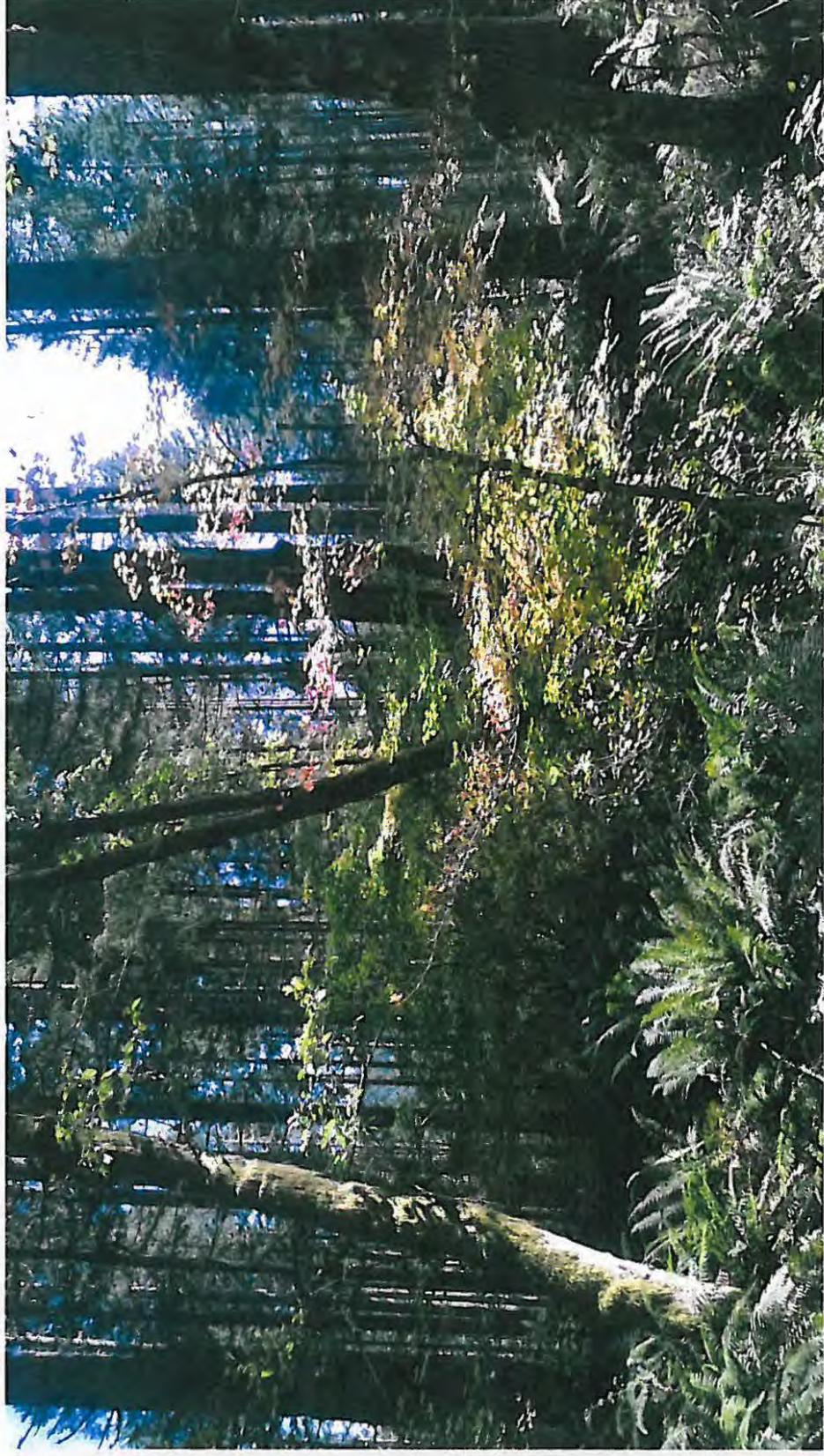
# ROOM TO GROW



# PATCH WITH RETENTION AND DOWN WOOD FOR HABITAT



# UNDISTURBED AREA WITHIN STAND



# HARVEST REVENUES AND EXPENSES

Revenues - 2013 Timber Harvest			
Mill/ Species	Volume, Board Feet	Unit Price, per 1,000	Gross Revenue
Banks Lumber	1,379,230	\$639	\$881,324.80
D.R. Johnson Lumber	98,680	\$650	\$64,177.80
McCormick (poles)	6,340	\$785	\$4,977.00
<b>Totals</b>	<b>1,484,250</b>	<b>\$640</b>	<b>\$950,479.60</b>

Expenses - 2013 Timber Harvest			
Method/ Item			Expense
Logging/ Hauling			\$194,816.25
Forester			\$66,533.57
Misc.			\$7,265.00
<b>Total</b>			<b>\$268,614.82</b>

<b>NET</b>	<b>(72% of gross)</b>	<b>\$681,864.78</b>
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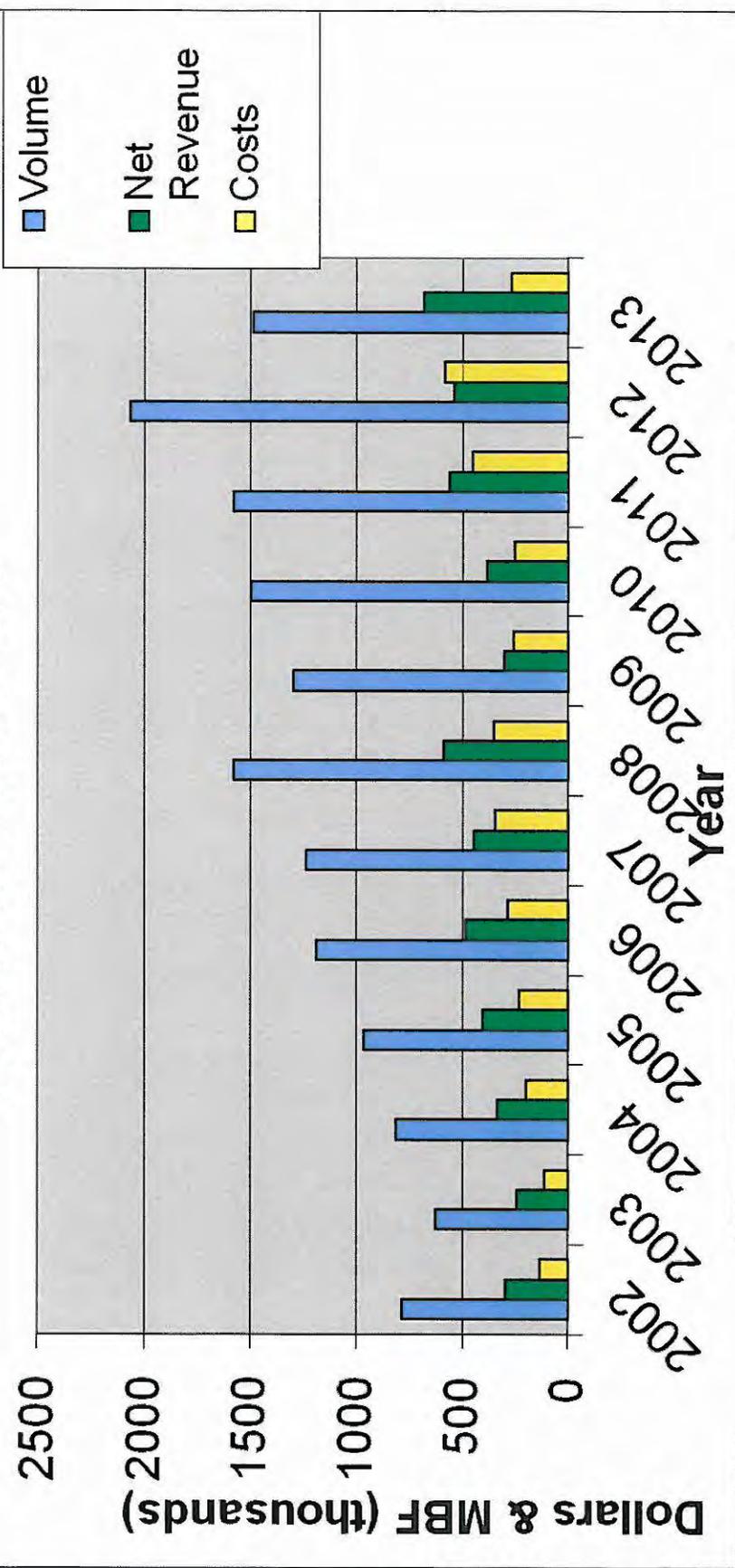
# HARVEST STATUS

## Harvest Complete

**Final Harvest Volume:  
1,484,250 board feet**

**Final Net Revenue: \$681,864.78**

# Watershed Harvests



# SNAG CREATION DURING 1<sup>ST</sup> THINNING



October 14, 2013

**PUBLIC HEARING AND ORDINANCE ANNEXING A TRACT OF LAND INTO THE CITY LIMIT OF FOREST GROVE AND ORDER ASSIGNING CITY ZONING DESIGNATION AT 3351 NW THATCHER ROAD (WASHINGTON COUNTY TAX LOT NUMBER 1N4260000400): ANX-12-01074/ZNC-13-00253**

**PROJECT TEAM:** Daniel Riordan, Senior Planner  
Jon Holan, Community Development Director  
Michael Sykes, City Manager

**ISSUE STATEMENT:** City Council consideration of:

1. An ordinance approving a property owner petition for annexation of property located at 3351 NW Thatcher Road; and
2. City Council consideration of the Planning Commission recommendation and an order assigning a City of Forest Grove zoning designation to the subject property effective upon annexation.

**BACKGROUND:** The property owners, Bradford and Linda Taylor, submitted a property owner initiated annexation petition for property located at 3351 Thatcher Road. The subject property is located west of Thatcher Road approximately 0.2 miles north of David Hill Road (Attachment A). The site is approximately 5.6 acres +/- in land area. The subject territory is adjacent to property previously annexed into the City in 2007 through the voluntary annexation program. The adjacent property is similar to the subject property with respect to topography, availability of municipal services and other constraints potentially affecting development as explained more fully below.

The annexation proposal was initiated by a consent petition of the property owner Bradford and Linda Taylor. The petition meets the requirements of set forth by ORS 222.170(2) – double majority annexation law and Metro Code 3.09.040(a). The application was submitted to the City of Forest Grove on December 11, 2012 and resubmitted on January 31, 2013. The application was deemed complete by staff on March 6, 2013. The City Council must review the annexation proposal and determine compliance with the applicable criteria described in the following sections of this report.

The property owner is pursuing annexation to allow for future access to municipal services when available and the future issuance of building permits. The property owner is considering a co-housing development concept that uses land sustainability with on-site treatment of waste water and sewage. In essence, this project will be a demonstration of sustainable development principles and a new form of housing not found elsewhere in the community. Under the proposed R-10 (Single Family Residential) zoning designation for the property discussed below the site could accommodate up to 24 housing units. The site currently contains one single family

dwelling an accessory buildings/structures.

Co-housing is a form of development where residents actively participate in the design and management of their neighborhood. Co-housing residents are committed to living as a community. The design of a co-housing development encourages social interaction as well as individual space. In a co-housing development private homes contain all of the features of a conventional home but residents also have access to extensive common facilities such as open space, courtyards, a playground and common buildings.

The availability of municipal services, especially sanitary sewer, is an identified impediment to development of this site as well as adjacent property already in the City. To address this issue, the property owner has proposed an interim solution where sewage would be treated on-site until such time municipal services are available. The property owner initiated discussions with the City Engineering Division and Washington County Department of Health and Human Services, Environmental Health and Sanitation Division regarding the adequacy of the site for on-site disposal of sewage. The Sanitation Division determined the site is adequate for installation of one on-site disposal system in accordance with ORS 454.605 through 454.755 and applicable Washington County Code Chapters 12.12 and 12.16 (Attachment B).

The property owner has had several discussions with Forest Grove Community Development and Engineering Division staff about the co-housing development concept and on-site treatment of sewage. At this time, Engineering Division staff has not made a *final* determination regarding the possible municipal service requirements necessary to serve such a development. However, the Engineering Division is open to the concept of the interim sanitary treatment solution provided approval is granted by the Washington County Environmental Health Division.

Preliminary analysis shows the property could be served with necessary utilities in the future, however timing is uncertain. A final determination regarding adequacy of services will be made at time of building permit application. Annexing the property into the City is a necessary first step in the development process and is required under the Urban Planning Area Agreement between the City and Washington County.

The next section of this report identifies the decision criteria pertinent to an annexation application and specific findings of fact addressing the criteria.

### **Decision Criteria**

#### **Property Owner Annexation Petition**

Under Article 2, Section 10.2.150 of the Forest Grove Development Code, annexation is reviewed according to the procedures on Oregon Revised Statutes Chapter 222 (Boundary Changes, Mergers and Consolidations) and Chapter 3.09 of the Metro Code (Local Government Boundary Changes).

Under Chapter 3.09 of the Metro Code the City Council must adopt findings that the

annexation is consistent with:

1. Adopted urban service agreements and annexation plans;
2. Comprehensive Plan provisions applicable to annexation;
3. Consistency with applicable standards for boundary changes contained in the Metro Regional Framework Plan or any functional plan; and
4. Applicable provisions contained in adopted public facility plans

In addition, the City Council must consider whether the annexation would:

5. Promote the timely, orderly, and economic provision of public facilities and services;
6. Affect the quality and quantity of urban services; and
7. Eliminate or avoid unnecessary duplication of facilities and services.

Compliance with these criteria is discussed in the Analysis of Decision Criteria and Findings of Fact section below.

#### Assignment of City of Forest Grove Zoning Designation

The Forest Grove Development Code establishes specific criteria for the assignment of a City zoning designation to unincorporated property subject to annexation. Zoning of property annexed into the City of Forest Grove must meet the review criteria in Section 10.2.770 of the Forest Grove Development Code as follows:

- A. The zone change is consistent with the Comprehensive Plan Map;
- B. The zone change is consistent with the relevant goals and policies of the Comprehensive Plan, as identified by the Community Development Director;
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites in the vicinity;
- D. The zone change is consistent with the adopted Transportation System Plan;
- E. Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting uses allowed by the zone; and
- F. The establishment of a zone district is not subject to the meeting of conditions.

Compliance with these criteria is discussed in the Analysis of Decision Criteria and Findings Fact section which follows.

#### Analysis of Decision Criteria and Findings of Fact

This section identifies the decision making criteria pertinent to annexations and describes the findings necessary to ensure compliance with the criteria.

#### Annexation Petition

Oregon Revised Statutes Chapter 222.125 establishes procedures for property owner initiated annexation petitions where all the owners of land in the subject territory and not less than 50% of the electors, if any, residing in the territory consent to the annexation.

Finding: The subject property is owned by Bradford and Linda Taylor. All property owners and electors affected by the annexation have consented to the annexation through the filed annexation petition.

**Metro Code Criteria 1: The annexation must be consistent with adopted urban service agreements and annexation plans under ORS 195.** Finding: Although the City has not adopted formal annexation agreements under Oregon Revised Statutes Chapter 195, the City and Washington County have adopted an Urban Planning Area Agreement (UPAA). The UPAA, among other considerations, identifies County and City responsibilities for provision of urban services within the unincorporated urban growth boundary area proximate to Forest Grove. The UPAA requires annexation into the City before development occurs and before urban services are provided to the site. The property owner is seeking annexation at this time as the initial step necessary for future development approval and issuance of building permits. Since this annexation request is consistent with the UPAA staff finds that the annexation petition is consistent with the intent of this criterion.

**Metro Code Criteria 2: The annexation must be consistent with Comprehensive Plan provisions applicable to annexation.** Finding: The subject property is located within the Forest Grove planning area and subject to the Forest Grove Comprehensive Plan policies including Land Use, Urbanization, and Housing as explained below:

*Comprehensive Plan Land Use Policy: Adopt land use map designations for all land use categories based on the findings, goals and policies in the Comprehensive Plan.* Finding: The Forest Grove Development Code implements this provision of the Comprehensive Plan. Article 3 of the Development Code establishes permitted uses for land use designations. The proposed zone designation for the subject property is R-10. The R-10 zone is a single family residential zone providing opportunities for construction of needed housing. Additional analysis supporting the re-designation of the property to R-10 is provided elsewhere in this report.

*Comprehensive Plan Housing Policy: Provide for an adequate supply of new housing thus avoiding shortages and adverse impacts on price, rents and choice of housing.* Finding: Zoning property for residential development, in combination with the annexation process, expands opportunities for increasing the supply of needed housing. Metro long range projections show approximately 94% of the subject area will be developed by the year 2025. Annexation of the subject is the first step in making land available to meet this expected housing demand. Since assignment of the R-10 zoning designation, concurrent with annexation, supports an adequate supply of land for new housing this rezoning actions meets the intent of this housing goal contained in the Forest Grove Comprehensive Plan.

*Comprehensive Plan Urbanization Policy: Land shall be made available within the urban growth boundary to meet all urban land use needs.* Finding: The urban growth boundary establishes the limits for long term land use needs. The annexation process makes unincorporated land within the urban growth boundary available for future development. In addition, annexation provides the

opportunity for the provision of municipal services in the future to support development.

*Comprehensive Plan Urbanization Policy: All lands within the urban growth boundary shall be assigned priorities for urban development. Priorities shall be based on the City's ability to provide urban services and the orderly and efficient timing of service extension. These priorities shall be the basis for making decisions on all development proposals and requests for annexation. Finding:* The subject property is not a high priority for urban development given that existing water and sewer lines are located distant from the subject property. Annexation will treat the subject property similar to adjacent property located to the west of the subject property annexed in 2007. Therefore, annexation will provide an opportunity for future development similar to nearby properties already in the City.

*Comprehensive Plan Urbanization Policy: Provide for an urban growth management strategy to set forth policies on the urbanization of vacant and agricultural land. The policies should cover the extension of water and sewer service, land partitioning requirements, zoning and annexations within the UGB. The strategy shall provide for the orderly and cost-efficient accommodation of anticipated growth for the next ten years. Finding:* The Urban Planning Area Agreement addresses the extension of water and sewer services, zoning and annexations within the urban growth boundary.

*Comprehensive Plan Urbanization Policy: Sewer and water utilities shall not be extended beyond the City's corporate limits and shall be provided only after annexation. Finding:* Annexation into the City provides an opportunity to extend sewer services and water utilities to the site when needed to accommodate future development. It is unlikely that sewer and water lines will be extended in the near term given that existing lines are located 1,000 to 1,500 feet to south. The property owner has indicated interest in pursuing an alternative method on-site method for addressing sanitary sewerage treatment and disposal needs prior to the extension of municipal services. The Washington County Environmental Health Division has determined the site is adequate for alternative methods of sanitary sewerage treatment and disposal. Under such an approach, the property owner will be required to hook-up to the municipal sewer system when available.

It should be noted, a final determination regarding this issue will be required prior to issuance of building permits by the City as required by Forest Grove Development Code Section 10.1.130(E):

A land use or building permit that would allow for the construction of a structure shall not be issued unless all applicable and needed services including vehicular access, power, sewerage, domestic and fire water supply and storm drainage are available to the site where the structure is to be built. This provision does not apply to permits for a structure that do not require such services (such as a storage shed).

This issue to be resolved is what sewerage services are applicable and needed for the proposed development if the interim on-site treatment solution is acceptable to all parties.

For the reasons stated above staff finds the annexation request is consistent with the Forest Grove Comprehensive Plan policies related to Housing, Land Use, Urbanization and Public Facilities and Metro Code Criteria 2.

***Metro Code Criteria 3: The annexation is consistent with applicable standards for boundary changes contained in the Metro Regional Framework Plan or any functional plans.*** Finding: The subject territory is located inside Metro's jurisdictional boundary and inside the regional urban growth boundary. As such, the annexation is subject to the Regional Framework Plan, which includes the regional urban growth goals and objectives, the Urban Growth Management Functional Plan and the Regional Transportation Plan. These documents were examined for specific standards related to annexation and found not to contain specific standards applicable to boundary changes.

***Metro Code Criteria 4: The annexation is consistent with applicable provisions contained in adopted public facility plans.*** Finding: Staff finds the annexation consistent with applicable provisions contained in adopted public facility plans for the following reasons. Section III.A.109 of the Urban Planning Agreement between the City of Forest Grove and Washington County states that the City is identified as the appropriate provider of local water, sanitary sewer and transportation facilities within the urban planning area. The Sanitary Sewer Master Plan, Storm Sewer (Drainage) Master Plan and Water Master Plan anticipate the extension of urban services to the site. Although the facility plans contemplate serving the site in the future sanitary sewer, storm sewer (drainage) and water are all located more than 300 feet from the subject property. To remedy this situation the applicant proposes an interim on-site solution for handling sewage needs.

The Washington County Environmental Health Division recently evaluated the site for suitability of installation of an on-site sewage disposal system adequate for anticipated needs. The Environmental Health Division concluded the site is suitable for the initial and alternative replacement system proposed by the applicant. The property owner will be required to connect the sanitary sewer line when available to the site. With the requirement for future connection the annexation is consistent with the applicable provisions contained in adopted public facility plans. This is consistent with the intent of the annexation process which provides an opportunity so owners of property subject to the annexation are able to connect to the City's municipal sewer and water system at the owner's discretion or until such time an existing septic system fails.

***Metro Criteria 5: Promote the timely, orderly, and economic provision of public facilities and services.*** Finding: Public facilities are generally lacking within the subject territory. Sewer and water lines are located 1,000 to 1,500 feet from the property. The subject site currently has a septic system and water accessed from a well. The property owner's interim solution for on-site sanitary sewer treatment will promote the timely, orderly, and economic provision of public facilities and services by removing the need for costly extension of service lines past undeveloped and in some

cases unincorporated property. This will allow for the cost-effective incremental extension of service lines. This benefits both the service provider and the property owner. The property owner will be required to connect to the municipal sanitary sewer, storm sewer, and water lines when available to serve the site. Given that this annexation will not require the costly extension of public facilities past undeveloped and in some cases unincorporated land this criterion is met.

**Metro Criteria 6: Affect the quality and quantity of urban services.** Finding: The annexation will not affect the quality and quantity of urban services. The subject property is located within the urban growth boundary. As such, the Water Master Plan, Sanitary Sewer Master Plan, and Storm Water (Drainage) Master Plan envision that the subject territory will be serviced with urban services in the future. The assumed demand for future services are based on current comprehensive plan map designations. The annexation does not include a change to the Comprehensive Plan Map. Therefore, this annexation will not impose demands on this system beyond what is assumed by the master plans. Therefore, this criterion is met.

**Metro Criteria 7: Eliminate or avoid unnecessary duplication of facilities and services.** Finding: The subject territory is located within the Forest Grove planning area and subject to the Urban Planning Area Agreement with Washington County. The UPAA describes the roles and responsibilities for providing urban services to unincorporated areas within the urban growth boundary. Under the UPAA, the City is identified as the responsible party for providing urban services in the subject territory. This is intended to avoid unnecessary duplication of facilities and services. Given the policy for providing urban services contained in the UPAA stated above this criterion is met.

#### Assignment of City Zoning Designation

The following criteria apply to assignment of a City zoning designation to property annexed into the City. These criteria are contained in Forest Grove Development Code Section 10.2.770.

A. *The Zone change is consistent with the Comprehensive Plan map.* Finding: The subject property is designated C-Low on the Forest Grove Comprehensive Plan Map. The C-Low designation is a single family residential district with a target density of 4.35 dwelling units per net acre. The current zoning of the subject property is Washington County FD-10 (Future Development 10 acre minimum lot size). The Planning Commission recommended that the subject property be re-designated to R-10 on the Forest Grove official zoning map. The R-10 designation is a single family residential designation with a target density of 4.35 dwellings per net acre. As such, the R-10 zoning district is the designation that most closely corresponds with the existing comprehensive plan designation. For the reasons stated above this criterion is met.

B. *The zone change is consistent with the relevant goals and policies of the comprehensive plan, as identified by the Director.* Finding: The zone change from Washington County FD-10 (Future Development – 10 Acre Minimum Lot Size) to

Forest Grove R-10 (Single Family Residential – Average 10,000 square foot lot size) is consistent with the relevant goals and policies comprehensive plan. This is because the goals and policies of the Comprehensive Plan were taken into consideration when the C-Low (Single Family Residential) Comprehensive Plan Map designation was applied to the subject property. Since the R-10 zoning designation is consistent with and simply implements the C-Low Comprehensive Plan Map designation the zone change is, by default, consistent with this criterion.

- C. *The site is suitable for the proposed zone and there is a lack of appropriately designated sites within the vicinity.* Finding: The subject property is suitable for the proposed R-10 zone since the recommended zoning designation is consistent with and implements the C-Low Comprehensive Plan Map designation. Furthermore, the site is adjacent with property in the City currently zoned R-10.
- D. *The zone change is consistent with the adopted Transportation System Plan.* Finding: the proposed R-10 zone designation is consistent the existing C-Low Comprehensive Plan Map designation. Since the adopted Transportation System Plan, including analysis of system operations, needs and gaps, is based on the current comprehensive plan designation, the recommended R-10 zone is by default consistent with the Transportation System Plan. Further consideration of specific impacts to the transportation will occur at the time the subject property is undergoing development review.
- E. *Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting uses by the zone.* Finding: Public facilities for water, sanitary sewer and storm drainage are generally lacking in the area and are located more than 1,000 feet from the subject site. Water for the existing single family home is provided by well and the site has an existing septic system. This water supply and method for addressing sanitary waste disposal is adequate for the existing single family home and accessory uses. To support future development the property owner will be required provide a new on-site system for meeting sanitary needs as approved by the Washington County Division of Environmental Health and Forest Grove Engineering Department. This on-site method of addressing sanitary waste disposal will be an interim solution for meeting sanitary needs until municipal sanitary sewer lines are extended to serve the site.
- F. *Police and fire protection services provided by the City are capable of serving the site now and in the future.* Finding: Currently the Forest Grove Fire Department has 19.5 full time equivalent employees. The Forest Grove Police Department has 34.0 full time equivalent employees. These resources are adequate to meet the potential demand for services likely to result from the annexation.
- G. *The establishment of a zone district is not subject to the meeting of conditions.* Finding: Finding: The re-designation of the subject property from Washington County FD-10 to City of Forest Grove R-10 is not subject to the meeting any conditions.

Notification of the City Council public hearing on the annexation petition was provided to

the application, property owners within 300 feet of the subject property and posted as required under Article 1 Section 10.1.610 of the Forest Grove Development Code. In addition, notification of the public hearing was published in the Forest Grove News-Times on Wednesday, October 9, 2013 (Attachment C).

**FISCAL IMPACT:** Annexation of the subject property will have a positive impact on the City's annual property tax revenue collection. Conversely, the annexation will have a negative impact on annual property tax revenue collected by the Forest Grove Rural Fire Protection district, Washington County Urban Road Maintenance District, and Washington County Enhanced Sheriff Patrol District. Specific impacts are described more fully below based on Year 2012-2013 information from the Washington County Assessor's Office.

Based on information from the Washington County Tax Assessor the taxable assessed value of the subject property in 2012-2013 is approximately \$315,000. If the taxable assessed value increases by 3%, as permitted by state law, the taxable assessed value in 2013-2014 will be approximately \$324,450 and \$334,184 in 2014-2015. If the subject property is annexed, the City could expect to collect approximately \$1,322 in revenue in 2014-2015 from the Forest Grove permanent property tax rate of \$3.9554 per \$1,000 of assessed property value and approximately \$535 in revenue from the City's local option levy of \$1.60 per \$1,000 of taxable assessed value. This amount will likely increase 3% annually as permitted by state law.

The annexation will result in withdrawing the property from the Forest Grove Rural Fire Protection District, Washington County Enhanced Sheriff Patrol District, and Washington County Urban Road Maintenance District. As a result, these taxing districts will receive less property tax revenue. The Forest Grove Rural Fire Protection District will lose approximately \$470 in revenue collections after annexation on an annual basis. It is important to note, however, that the City will make-up lost revenue to the Forest Grove Rural Fire Protection District necessary for bond repayment. In addition, the operations between Forest Grove Rural and City Fire and Rescue are seamless. With respect to the Washington County special districts, annexation will result in an annual reduction of revenue of approximately \$410 to the Washington County Enhanced Sheriff Patrol District and \$82 to the Washington County Urban Road Maintenance District.

**STAFF RECOMMENDATION:** Staff recommends approval of the attached Ordinance annexing the subject property (Washington County Tax Lot 1N4260000400) into the City of Forest Grove, removal of the subject property from the Forest Grove Rural Fire Protection District, Washington County Urban Road Maintenance District, and Washington County Enhanced Sheriff Patrol District; and approval of the Order assigning a R-10 (Single Family) zoning designation upon annexation of the subject property consistent with the Planning Commission's recommendation.

**Attachments:**

Attachment A: Vicinity Map

Attachment B: Washington Environmental Health Site Evaluation Report

Attachment C: Public Notice of City Council Public Hearing

**ATTACHMENT A**  
**SITE VICINITY**



**city of  
forest  
grove**

**Annexation Petition  
Tax Lot 1N42600000400  
Vicinity Map**



# ATTACHMENT B

## Washington County Environmental Health Site Evaluation Report



**WASHINGTON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ENVIRONMENTAL HEALTH AND SANITATION**

**SITE EVALUATION REPORT  
(NOT a permit for construction)**



CR #: 12-01074  
Application Date: 8/28/13

Dates of Inspection: 8/28/13

TAX ACCOUNT # \_\_\_\_\_  
TOWNSHIP 20 RANGE 1000 SECTION 1000 T.L.# 1000

Road: 2000 N. WASHINGTON ST. (Rt. 124) (W. of 1st St.)

Applicant: DAVID J. HARRIS, OWNER Parcel Size/Dim.: 1/4 AC. X 100 FT.  
1000 N. WASHINGTON ST. (Rt. 124) (W. of 1st St.) Type of Dwelling: Mobile Home  
1000 N. WASHINGTON ST. (Rt. 124) (W. of 1st St.) Water Supply: Well

An approved site evaluation indicates the above described property is adequate for the installation of one on-site disposal system in accordance with ORS 454.605 through 454.755, the Administrative Rules of the Environmental Quality Commission promulgated thereunder, the Washington County Code, Chapters 12.12 and 12.16.

An approved site is given on the basis that the lot or parcel described above will not be further partitioned, divided or altered in any manner as prohibited by the Statutes, and Ordinances listed above. Any such division, partitioning or alteration voids this approval.

- APPROVED
- DENIED

COMMENTS/CONDITIONS: INSTALL ONE ON-SITE DISPOSAL SYSTEM  
A ONE CELL ONE CELL ON-SITE DISPOSAL SYSTEM(S) SIZED AT 50' / 50' GPD  
(832' OF DRAINLINE PER SYSTEM); TWO CELLS OF DRAINLINES (416' OF DRAINLINE PER CELL) REQUIRED TO BE  
TWO CELLS OF DRAINLINES (416' OF DRAINLINE PER CELL) REQUIRED TO BE  
POSED WITH DUAL/DUPLEX PUMPS; FLOW TO THE DRAINLINE CELLS SHALL BE  
EQUALIZED UTILIZING HYDROPLITER OR PRESSURE DISTRIBUTION; SYSTEM  
DESIGN FLOW IS 2,500 GPD (MAXIMUM); SEE ATTACHED FIELD NOTES FOR  
ADDITIONAL INFORMATION AND TECHNICAL SPECIFICATIONS

Sanitarian's Signature: [Signature] Date: 8/28/13

Washington County Department of Health and Human Services, 11001 1st St., Medford, OR 97504, (503) 753-2000, rev. 08/11/2001

## ATTACHMENT C

**NewsTimes**

**Legal Ads/Public Notice:**

**Publish: Wednesday, October 9, 2013**

**NOTICE OF PUBLIC HEARING  
CITY OF FOREST GROVE CITY COUNCIL  
PROPERTY OWNER INITIATED ANNEXATION PETITION AND  
ASSIGNMENT OF CITY OF FOREST GROVE ZONING DESIGNATION**

**FILE NO. ANX-12-01074**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, October 14, 2013, at 7:00 p.m.**, or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider a property owner initiated annexation petition for property located at **3351 NW Thatcher Rd.** (Washington County Assessor Map and Tax Lot Number 1N4260000400). The subject property is approximately 5.6 +/- acres in land area.

On October 14, 2013, the Forest Grove City Council will consider an ordinance annexing the subject property into the City of Forest Grove and withdrawing the subject property from the Forest Grove Rural Fire Protection District, Washington County Enhanced Sheriff Patrol District and Washington County Urban Road Maintenance District. The proposed ordinance, if enacted by the City Council, would take effect on the thirtieth day (30<sup>th</sup>) after enactment. The Forest Grove City Council will also consider an order assigning a City of Forest Grove Zoning District to the subject property.

Under Article 2, Section 10.2.150, of the Forest Grove Development Code, annexation is reviewed according to the procedures in Oregon Revised Statutes Chapter 222 (Boundary Changes, Mergers and Consolidations) and Chapter 3.09 of the Metro Code (Local Government Boundary Changes).

Under Chapter 3.09 of the Metro Code the City Council must adopt findings that the annexation is consistent with:

1. Adopted urban service agreements and annexation plans;
2. Comprehensive Plan provisions applicable to annexation; and
3. Applicable provisions contained in adopted public facility plans.

In addition, the City Council must consider whether the annexation would:

1. Promote the timely, orderly, and economic provision of public facilities and services;
2. Affect the quality and quantity of urban services; and
3. Eliminate or avoid unnecessary duplication of facilities and services.

Zoning of the property annexed into the City of Forest Grove shall meet the review criteria in Section 10.2.770 of the Forest Grove Development Code as follows:

- A. The zone change is consistent with the Comprehensive Plan Map;
- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director;
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity;
- D. The zone change is consistent with the adopted Transportation System Plan;
- E. Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone; and
- F. The establishment of a zone district is not subject to the meeting of conditions.

Forest Grove City staff and Planning Commission's recommendation is to rezone the subject property upon annexation from FD-10 (County 10-Acre Minimum Lot Size) to R-10 (City) Single-Family Residential (10,000 Square Foot Lot Size).

This hearing is open to the public and interested parties are encouraged to attend. A copy of the report and proposed ordinance 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 information about the proposal, please contact Daniel Riordan, 503-992-3226, or e-mail [driordan@forestgrove-or.gov](mailto:driordan@forestgrove-or.gov).

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

**To be published October 9, 2013**

**Subject Property  
3351 NW Thatcher Road**



**city of  
forest  
grove**

**Annexation Petition  
Tax Lot 1N42600000400  
Vicinity Map**



**ORDINANCE NO. 2013-12**

**FIRST READING:**

**ORDINANCE ANNEXING A TRACT OF LAND (WASHINGTON COUNTY TAX LOT 1N4260000400) INTO THE CITY LIMIT OF FOREST GROVE AND WITHDRAWING THE TRACT FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT, WASHINGTON COUNTY URBAN ROAD MAINTENANCE DISTRICT, AND FOREST GROVE RURAL FIRE PROTECTION DISTRICT  
FILE NO. ANX-12-01074**

**FOREST GROVE MAKES THE FOLLOWING FINDINGS:**

**WHEREAS**, the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

**WHEREAS**, Oregon Revised Statutes Chapter 222.120 and Chapter 222.125 establishes procedures for property owner initiated annexation petitions without election by city electors; and

**WHEREAS**, All of the owners and all of the electors of land in the territory subject to the annexation petition as shown on Exhibit A and Exhibit B consent to the annexation as required by ORS 222.125; and

**WHEREAS**, the annexation petition complies with the requirements of Metro Chapter 3.09; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on October 14 and October 28, 2013, on the annexation petition as consistent with Article 1 of The Forest Grove Development Code (Type III Process – Quasi-Judicial Land Use Decision); and

**WHEREAS**, the tract of land is within the boundary of the Washington Enhanced Sheriff Patrol District; and

**WHEREAS**, the tract of land is within the boundary of the Washington County Urban Roads Maintenance District; and

**WHEREAS**, the tract of land is within the boundary of the Forest Grove Rural Fire Protection District; and

**WHEREAS**, the districts were notified of the annexation proposal and City Council public hearing as a necessary party under Metro Code Chapter 3.09; and

**WHEREAS**, the City conducted public hearings, and mailed, published, and posted notice of the public hearings are required by Article 1 of the Forest Grove Development Code; and

**WHEREAS**, a report was report as required by law, and the City Council having considered the report and the testimony at the public hearing, does hereby favor the annexation of the subject tract of land and withdrawal from the districts based on the findings and conclusions attached hereto as Exhibit C; and

**WHEREAS**, the annexation and withdrawals are not contested by any necessary party.

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

**Section 1.** The tracts of land, described in Exhibit A and depicted on the attached maps (Exhibit B), is declared to be annexed to the City of Forest Grove, Oregon.

**Section 2.** The tract of land annexed by this Ordinance and described in Section 1 are withdrawn for the Washington County Enhanced Sheriff Patrol District, Washington County Urban Road Maintenance District and the Forest Grove Rural Fire Protection District.

**Section 3.** The findings and conclusions attached as Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Oregon Secretary of State as provided by ORS 222.180.

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

**PRESENTED AND PASSED** the first reading the 14<sup>th</sup> day of October, 2013.

**PASSED** the second reading the 28<sup>th</sup> day of October, 2013.

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Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 28<sup>th</sup> day of October, 2013

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Peter B. Truax, Mayor

**DOR 34-P572-2013  
Preliminary Review**



Cadastral Information Systems Unit  
PO Box 14380  
Salem, OR 97309-5075  
fax 503-945-8737

City of Forest Grove  
Planning/DR  
Attn: Daniel Riordan  
PO Box 326  
Forest Grove, OR 97116

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Date: 7/19/2013

This letter is to inform you that the map and description for your PLANNED Annexation to the City of Forest Grove (Taylor) (ANX-12-01074/1301-1.57) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted to the Washington County Assessor and Department of Revenue in final form before March 31, 2014 per ORS 308.225.

Revised Documents Rec'd 7-11-2013 (map & desc. from Joseph McAllister-surveyor)

--Please take care to use Revised Map & Desc. in Final documents.

SEE NOTE: This annexation is being approved with the following note: If Assr's Map 1n4w-26 is added to the Final packet, then make sure the red-line follows the correct line along the eastern boundary of the annexation.

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If you have any questions please contact: Elise Bruch 503-302-8353

**EXHIBIT A**

LEGAL DESCRIPTION  
REVISED TAX LOT 400 (1N-4W-26)  
FOREST GROVE, OREGON  
BRADFORD W. AND LINDA STILES TAYLOR

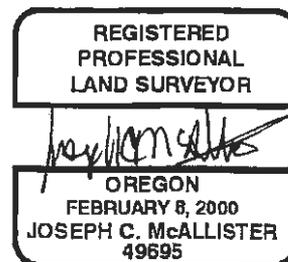
#7148  
2/7/13 JCM

EXHIBIT "A"

A TRACT OF LAND LOCATED IN SECTIONS 25 AND 26, TOWNSHIP 1 NORTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, LOCATED IN THE ORUS BROWN DONATION LAND CLAIM NO. 40 AND IN THE WESLEY MULKEY DONATION LAND CLAIM NO. 53, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

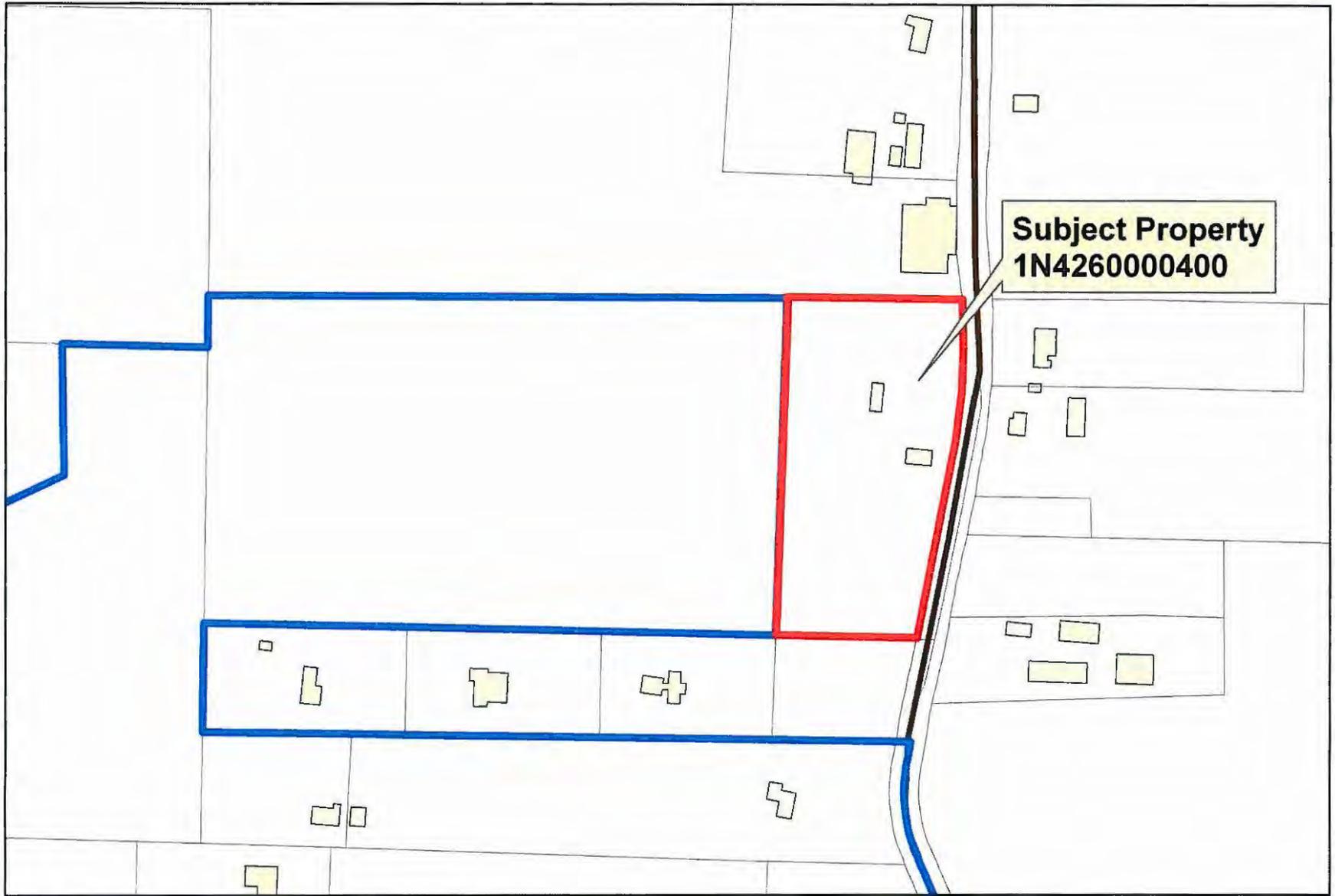
BEGINNING AT THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO RUTH W. ORTMAN, RECORDED IN BOOK 677, PAGE 78, WASHINGTON COUNTY DEED RECORDS, SAID POINT BEING ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO EVA A. ORTMAN RECORDED IN BOOK 403, PAGE 705, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF THE EVA A. ORTMAN TRACT, N.89°55'00"E., 370.00 FEET TO THE NORTHEAST CORNER OF THE EVA A. ORTMAN TRACT; THENCE ALONG THE NORTHEASTERLY LINE OF THE EVA A. ORTMAN TRACT, S.02°00'00"E., 211.20 FEET; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE, S.10°15'00"W., 148.50 FEET TO THE NORTHEAST REENTRANT CORNER OF THE EVA A. ORTMAN TRACT; THENCE S.12°07'27"W., 83.26 FEET TO THE SOUTHEAST REENTRANT CORNER OF THE EVA A. ORTMAN TRACT; THENCE ALONG THE SOUTHEASTERLY LINE OF THE EVA A. ORTMAN TRACT, S.09°00'00"W., 251.75 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO HAROLD ORTMAN, RECORDED IN BOOK 638, PAGE 139, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF THE HAROLD ORTMAN TRACT, N.89°52'00"W., 313.85 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO HAROLD L. ORTMAN, RECORDED IN BOOK 742, PAGE 101, WASHINGTON COUNTY DEED RECORDS, BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO WISMER FAMILY, LLC, RECORDED IN DOCUMENT NO. 2006-147459, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF THE WISMER FAMILY, LLC TRACT, N.01°39'05"E., 686.27 FEET TO THE POINT-OF-BEGINNING, CONTAINING 244,546 SQUARE FEET (5.61 ACRES) MORE OR LESS.

SUBJECT TO THE RIGHTS OF THE PUBLIC IN THAT PORTION WHICH LIES WITHIN THE LINES OF PUBLIC ROADS AND HIGHWAYS, SUBJECT TO TERMS OF AN EASEMENT AS DESCRIBED IN DOCUMENT NO. 86-05086, WASHINGTON COUNTY DEED RECORDS, SUBJECT TO TERMS OF AN EASEMENT FOR A 40 FOOT WIDE ROADWAY AS DESCRIBED IN BOOK 631, PAGE 117, WASHINGTON COUNTY DEED RECORDS.



DATE OF SIGNATURE: 2/8/13  
EXPIRES: 12/31/2014





**Subject Property  
1N4260000400**

**Legend**

-  city\_line
-  taxlots
-  UGB
-  Project Area

**Proposed Annexation  
ANX-12-01074**

**city of  
forest  
grove**

EXHIBIT B

**Ordinance No. 2013-12**

**Proposal ANX-12-01074**

**FINDINGS**

Based on the staff study and the public hearing the City Council finds:

1. Oregon Revised Statutes Chapter 222.125 establishes procedures for property owner initiated annexation applications where all the owners of land in the subject territory and not less than 50% of the electors, if any, residing in the territory consent to the annexation. Finding: The subject property is owned by Bradford and Linda Taylor. All property owners and electors affected by the annexation have consented to the annexation through the filed annexation petition.
2. Under Oregon Revised Statutes Chapter 222.120(6) an ordinance declaring the subject territory annexed is subject to referendum. Finding: The City Council held a duly noticed public hearing on October 14, 2013 for purposes of taking public comment on the Ordinance annexing the subject territory. The Ordinance is subject to referendum as provided for under state law. An election on this matter is not required by the City of Forest Grove City Charter.
3. The annexation is consistent with the Metro criteria for annexations. The Legislature has directed Metro to establish criteria for annexations which must be used by all cities within the Metro boundary. The Metro code states that a final decision shall be based on substantial evidence in the record and that the written decision must include findings of fact and conclusions based on that evidence. The code requires these findings and conclusions to address the following minimum criteria:

**Metro Code Criteria 1: The annexation must be consistent with adopted urban service agreements and annexation plans under ORS 195.** Finding: Although the City has not adopted formal annexation agreements under Oregon Revised Statutes Chapter 195, the City and Washington County have adopted an Urban Planning Area Agreement (UPAA). The UPAA, among other considerations, identifies County and City responsibilities for provision of urban services within the unincorporated urban growth boundary area proximate to Forest Grove. The UPAA requires annexation into the City before development occurs and before urban services are provided to the site. The property owner is seeking annexation at this time as the initial step necessary for future development approval and issuance of building permits. Since this annexation request is consistent with the UPAA staff finds that the annexation petition is consistent with the intent of this criterion.

**Metro Code Criteria 2: The annexation must be consistent with Comprehensive Plan provisions applicable to annexation.** Finding: The subject property is located within the Forest Grove planning area and subject to the Forest Grove Comprehensive Plan policies including Land Use, Urbanization, and Housing as explained below:

**EXHIBIT C**

Ordinance No. 2013-12

Page 1 of 6

*Comprehensive Plan Land Use Policy: Adopt land use map designations for all land use categories based on the findings, goals and policies in the Comprehensive Plan. Finding: The Forest Grove Development Code implements this provision of the Comprehensive Plan. Article 3 of the Development Code establishes permitted uses for land use designations. The proposed zone designation for the subject property is R-10. The R-10 zone is a single family residential zone providing opportunities for construction of needed housing. Additional analysis supporting the re-designation of the property to R-10 is provided elsewhere in this report.*

*Comprehensive Plan Housing Policy: Provide for an adequate supply of new housing thus avoiding shortages and adverse impacts on price, rents and choice of housing. Finding: Zoning property for residential development, in combination with the annexation process, expands opportunities for increasing the supply of needed housing. Metro long range projections show approximately 94% of the subject area will be developed by the year 2025. Annexation of the subject is the first step in making land available to meet this expected housing demand. Since assignment of the R-10 zoning designation, concurrent with annexation, supports an adequate supply of land for new housing this rezoning actions meets the intent of this housing goal contained in the Forest Grove Comprehensive Plan.*

*Comprehensive Plan Urbanization Policy: Land shall be made available within the urban growth boundary to meet all urban land use needs. Finding: The urban growth boundary establishes the limits for long term land use needs. The annexation process makes unincorporated land within the urban growth boundary available for future development. In addition, annexation provides the opportunity for the provision of municipal services in the future to support development.*

*Comprehensive Plan Urbanization Policy: All lands within the urban growth boundary shall be assigned priorities for urban development. Priorities shall be based on the City's ability to provide urban services and the orderly and efficient timing of service extension. These priorities shall be the basis for making decisions on all development proposals and requests for annexation. Finding: The subject property is not a high priority for urban development given that existing water and sewer lines are located distant from the subject property. Annexation will treat the subject property similar to adjacent property located to the west of the subject property annexed in 2007. Therefore, annexation will provide an opportunity for future development similar to nearby properties already in the City.*

*Comprehensive Plan Urbanization Policy: Provide for an urban growth management strategy to set forth policies on the urbanization of vacant and agricultural land. The policies should cover the extension of water and sewer service, land partitioning requirements, zoning and annexations within the UGB.*

*The strategy shall provide for the orderly and cost-efficient accommodation of anticipated growth for the next ten years.* Finding: The Urban Planning Area Agreement addresses the extension of water and sewer services, zoning and annexations within the urban growth boundary.

*Comprehensive Plan Urbanization Policy: Sewer and water utilities shall not be extended beyond the City's corporate limits and shall be provided only after annexation.* Finding: Annexation into the City provides an opportunity to extend sewer services and water utilities to the site when needed to accommodate future development. It is unlikely that sewer and water lines will be extended in the near term given that existing lines are located 1,000 to 1,500 feet to south. The property owner has indicated interest in pursuing an alternative method on-site method for addressing sanitary sewerage treatment and disposal needs prior to the extension of municipal services. The Washington County Environmental Health Division has determined the site is adequate for alternative methods of sanitary sewerage treatment and disposal. A final determination regarding this issue will be required prior to issuance of building permits by the City. Under such an approach, the property owner will be required to hook-up to the municipal sewer system when available.

For the reasons stated above staff finds the annexation request is consistent with the Forest Grove Comprehensive Plan policies related to Housing, Land Use, Urbanization and Public Facilities and Metro Code Criteria 2.

***Metro Code Criteria 3: The annexation is consistent with applicable standards for boundary changes contained in the Metro Regional Framework Plan or any functional plans.*** Finding: The subject territory is located inside Metro's jurisdictional boundary and inside the regional urban growth boundary. As such, the annexation is subject to the Regional Framework Plan, which includes the regional urban growth goals and objectives, the Urban Growth Management Functional Plan and the Regional Transportation Plan. These documents were examined for specific standards related to annexation and found not to contain specific standards applicable to boundary changes.

***Metro Code Criteria 4: The annexation is consistent with applicable provisions contained in adopted public facility plans.*** Finding: Staff finds the annexation consistent with applicable provisions contained in adopted public facility plans for the following reasons. Section III.A.109 of the Urban Planning Agreement between the City of Forest Grove and Washington County states that the City is identified as the appropriate provider of local water, sanitary sewer and transportation facilities within the urban planning area. The Sanitary Sewer Master Plan, Storm Sewer (Drainage) Master Plan and Water Master Plan anticipate the extension of urban services to the site. Although the facility plans contemplate serving the site in the future sanitary sewer, storm sewer (drainage) and water are all located more than 300 feet from the subject property. To remedy this situation the applicant proposes an interim on-site solution for handling sewage needs.

The Washington County Environmental Health Division recently evaluated the site for suitability of installation of an on-site sewage disposal system adequate for anticipated needs. The Environmental Health Division concluded the site is suitable for the initial and alternative replacement system proposed by the applicant. The property owner will be required to connect the sanitary sewer line when available to the site. With the requirement for future connection the annexation is consistent with the applicable provisions contained in adopted public facility plans. This is consistent with the intent of the annexation process which provides an opportunity so owners of property subject to the annexation are able to connect to the City's municipal sewer and water system at the owner's discretion or until such time an existing septic system fails. A final determination regarding this issue will be required prior to issuance of building permits by the City. Under such an approach, the property owner will be required to hook-up to the municipal sewer system when available.

**Metro Criteria 5: Promote the timely, orderly, and economic provision of public facilities and services.** Finding: Public facilities are generally lacking within the subject territory. Sewer and water lines are located 1,000 to 1,500 feet from the property. The subject site currently has a septic system and water accessed from a well. The property owner's interim solution for on-site sanitary sewer treatment will promote the timely, orderly, and economic provision of public facilities and services by removing the need for costly extension of service lines past undeveloped and in some cases unincorporated property. This will allow for the cost-effective incremental extension of service lines. This benefits both the service provider and the property owner. The property owner will be required to connect to the municipal sanitary sewer, storm sewer, and water lines when available to serve the site. Given that this annexation will not require the costly extension of public facilities past undeveloped and in some cases unincorporated land this criterion is met.

**Metro Criteria 6: Affect the quality and quantity of urban services.** Finding: The annexation will not affect the quality and quantity of urban services. The subject property is located within the urban growth boundary. As such, the Water Master Plan, Sanitary Sewer Master Plan, and Storm Water (Drainage) Master Plan envision that the subject territory will be serviced with urban services in the future. The assumed demand for future services are based on current comprehensive plan map designations. The annexation does not include a change to the Comprehensive Plan Map. Therefore, this annexation will not impose demands on this system beyond what is assumed by the master plans. Therefore, this criterion is met.

**Metro Criteria 7: Eliminate or avoid unnecessary duplication of facilities and services.** Finding: The subject territory is located within the Forest Grove planning area and subject to the Urban Planning Area Agreement with Washington County. The UPAA describes the roles and responsibilities for providing urban services to unincorporated areas within the urban growth boundary. Under the UPAA, the City is identified as the responsible party for providing urban services in the subject territory. This is intended to avoid unnecessary duplication of facilities and services. Given the

policy for providing urban services contained in the UPAA stated above this criterion is met.

4. The territory is within the Forest Grove Rural Fire Protection District. The City proposes to withdraw the territory from the District upon the effective date of the annexation.

Finding: The City of Forest Grove provides fire protection through Forest Grove Fire and Rescue, a city department. Adequate resources are shown in the City of Forest Grove Adopted Budget to provide fire services to the affected territory. Upon the effective date of this Ordinance, the subject territory will be withdrawn from the Forest Grove Rural Fire Protection District.

5. The territory to be annexed is within the Washington County Enhanced Sheriff's Patrol District. The City proposes to withdraw the territory from the District upon the effective date of the annexation.

Finding: The City of Forest Grove provides police services through the Forest Grove Police Department. Adequate resources are shown in the City of Forest Grove adopted budget to provide police protection to the affected area. Upon the effective date of this Ordinance, the subject territory will be withdrawn from the Washington County Enhanced Sheriff's Patrol District.

6. The territory to be served is within the Washington County Urban Road Maintenance District. The City proposes to withdraw the territory from the District upon the effective date of the annexation.

Finding: Upon the effective date of this Ordinance, the subject territory will be withdrawn from the Washington County Urban Road Maintenance District and affected property owners will not be required to pay this property tax.

7. Clean Water Services is responsible for storm water management and sewage treatment in Washington County. Development will be contingent upon obtaining annexation into the Clean Water Services district when necessary. Consistent with the City's Intergovernmental Agreement with Clean Water Services, adequate storm water facilities meeting Clean Water Services standards will be required as part of any development approval.

Finding: A separate annexation action will be required by Clean Water Services, prior to development, for the affected territory not already within the Clean Water Services District.

## REASONS FOR DECISION

Based on the findings included in the record, the Forest Grove City Council makes the following determinations:

1. Annexation proposal ANX-12-01074 meets the requirements of ORS 222 procedures for property owner initiated annexation petitions.
2. Annexation proposal ANX-12-01074 is not subject to ORS 195 agreements or ORS 195 annexation plans;
3. Annexation proposal ANX-12-01074 is consistent with applicable provisions of the Urban Planning Agreement between Washington County and the City of Forest Grove dated October 25, 1988;
4. Annexation proposal ANX-12-01074 is consistent with applicable standards for boundary changes contained in the Forest Grove Comprehensive Plan Urbanization chapter and public facility plans including the Forest Grove Water Master Plan and Sewer Master Plan;
5. The property owner will be required to connect to the municipal sewer and water system when available;
6. Annexation proposal ANX-12-01074 is consistent with applicable standards for boundary changes contained in the Metro Regional Framework Plan or any functional plan;
7. Annexation proposal ANX-12-01074 is consistent with the applicable provisions of Statewide Planning Goal 14 regarding urbanization;
8. Annexation proposal ANX-12-01074 promotes and does not interfere with the timely, orderly and economic provision of public facilities and services; and
9. Annexation proposal ANX-12-01074 is consistent with criteria for a boundary change under state and local law including the Forest Grove Development Code.

**ORDER NO. 2013-02**

**ORDER ASSIGNING A CITY OF FOREST GROVE ZONING DESIGNATION, CONSISTENT WITH THE FOREST GROVE COMPREHENSIVE PLAN MAP AS REQUIRED BY FOREST GROVE DEVELOPMENT CODE SECTION 10.2.160 AND 10.2.750, TO A TRACT OF LAND ANNEXED INTO THE CITY LIMIT OF FOREST GROVE. FILE NO. ZNC-13-00253**

**WHEREAS**, Oregon Revised States Chapter 222.120 and ORS Chapter 222.125 establishes procedures for property owner initiated annexation petitions without election by city electors; and

**WHEREAS**, the City desires to annex the subject territory as shown on Exhibit A; and

**WHEREAS**, the zoning of said property is Washington County FD-10 (Future Development – 10 Acre Minimum); and

**WHEREAS**, the Planning Commission considered and recommended assignment of a zoning designation consistent with the Forest Grove Comprehensive Plan map as required by Forest Grove Development Code Section 10.2.160 and 10.2.750; and

**WHEREAS**, the Planning Commission findings and decision is attached as Exhibit B; and

**WHEREAS**, the Forest Grove Comprehensive Plan Map designates the property as C-Low with a target development density of 4.35 dwelling units per net acre; and

**WHEREAS**, the Planning Commission recommended assignment of the R-10 zoning designation to the subject property upon annexation; and

**WHEREAS**, the R-10 zoning district has a target development density of 4.35 dwelling units per net acre consistent with the C-Low Comprehensive Plan Map designation; and

**WHEREAS**, the Planning Commission held a duly-noticed Public Hearing on assigning a City of Forest Grove zoning designation to the subject property; and

**WHEREAS**, notice of the Planning Commission public hearing was mailed, published and posted as required by Article 1 of the Forest Grove Development Code; and

**WHEREAS**, a report was prepared as required by law (Exhibit C) and the City Council having considered the report and testimony at a duly-noticed Public Hearing on October 28, 2013, does hereby favor amendment to the Official Zoning Map as recommended by the Planning Commission.

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

**Section 1.** The City of Forest Grove City Council hereby approves amending the Official Zoning Map from Washington County FD-10 to City of Forest Grove R-10 as shown on Exhibit A.

**Section 2.** The findings and conclusions attached as Attachment B are hereby adopted.

**Section 3.** This Order is enacted by the City Council and shall be effective upon the implementation date of Ordinance No. 2013-12, Ordinance approving the annexation, City File No. ANX-12-01074.

**PRESENTED AND PASSED** on the 28<sup>th</sup> day of October, 2013

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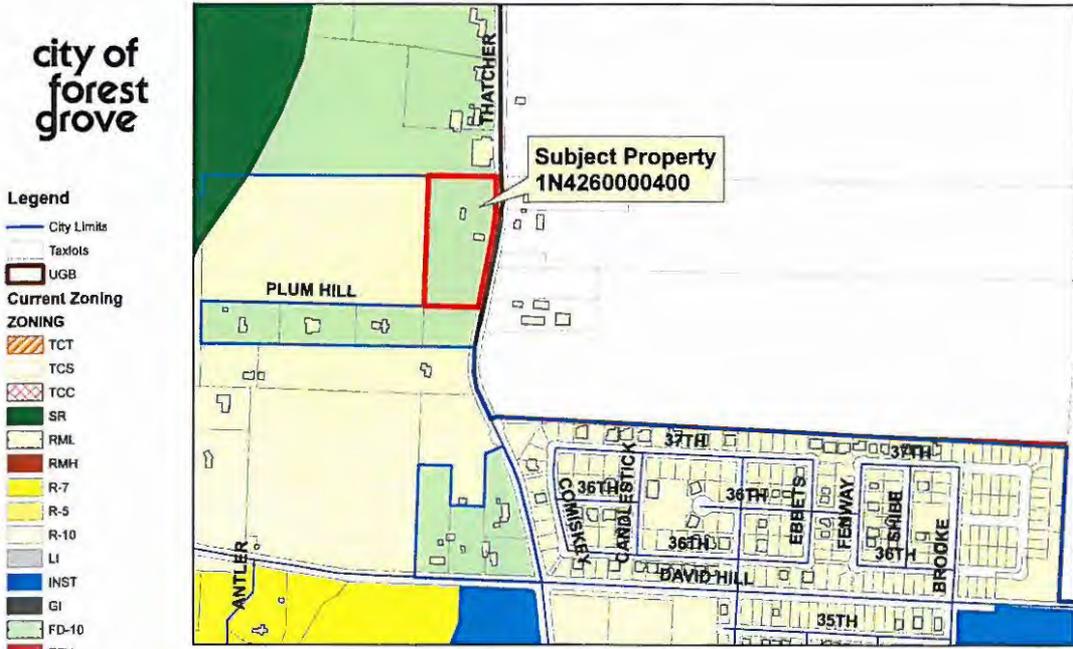
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 28<sup>th</sup> day of October, 2014

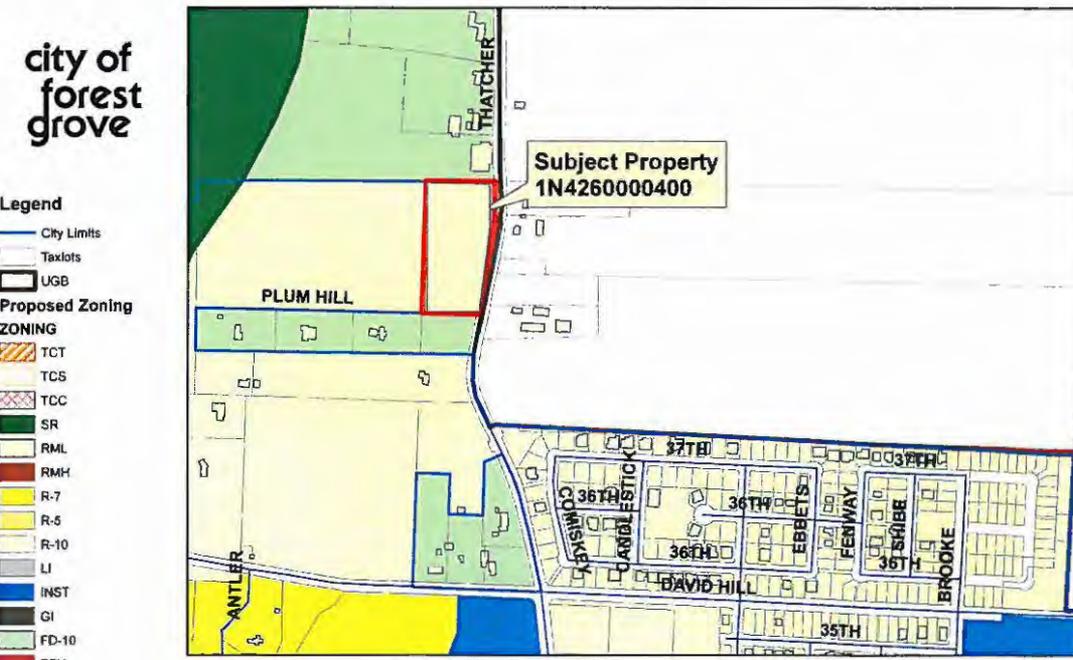
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Peter B. Truax, Mayor

# EXHIBIT A



**Zone Change (ZNC-13-00253)**  
**Current Zoning**



**Zone Change (ZNC-13-00253)**  
**Proposed Zoning**



**Planning Commission Findings and Decision Number 2013-03 to assign City of Forest Grove Zoning Designation to Property Being Considered for Annexation Zone Change ZNC-13-00253**

WHEREAS, the owner of property located at 3351 Thatcher Road (Washington County Map and Tax Lot 1N4260000400) submitted a property owner initiated annexation application on December 11, 2012, and January 31, 2013; and

WHEREAS, the application was deemed complete on March 6, 2013; and

WHEREAS, the Forest Grove Development Code Section 10.2.160 requires assignment of a zoning designation to property annexed into the City of Forest Grove; and

WHEREAS, the zoning of property must meet the review criteria in Section 10.2.770 of the Forest Grove Development Code; and

WHEREAS, on April 15, 2013, the Forest Grove Planning Commission held a duly-noticed public hearing to consider assigning a City of Forest Grove zoning designation to the subject property; and

WHEREAS, the Planning Commission finds that the proposed zoning designation of R-10 is consistent with the Forest Grove Comprehensive Plan Map and substantially complies with the review criteria of Section 10.2.770 of the Forest Grove Development Code.

The City of Forest Grove Planning Commission does hereby make the following findings and recommends the assignment of the R-10 zoning designation upon annexation of the subject property.

1. The Planning Commission adopts by reference the staff report including findings and recommendations dated April 15, 2013.

2. The zoning recommendation substantially complies with Development Code Section 10.2.770: *Zone Change Review Criteria* as follows:

A. The zone change is consistent with the Comprehensive Plan Map.

Finding: The recommended zoning designation of R-10 is consistent with and implements the C-Low Comprehensive Plan map designation. Therefore, the R-10 zoning is the most appropriate zoning designation for the subject property.

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

Finding: The proposed annexation substantially complies with the urbanization policies of the Forest Grove Comprehensive Plan including the Urban Planning Area Agreement (UPAA) with Washington County. The UPAA requires annexation into the City of Forest Grove prior to development at urban densities.

The Washington County FD-10 (Future Development – 10 Acre Minimum Lot Size) zoning designation precludes urban development within the urban growth boundary until such time annexation occurs and a City zoning designation is assigned. Annexation and assignment of a City zoning designation is the first step toward making land available within the urban growth boundary of urban land use needs consistent with the urbanization policies of the Forest Grove Comprehensive Plan. Assignment of a City of Forest Grove zone change is a necessary part of the annexation of unincorporated territory surrounded by the City.

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

Finding: The subject property is approximately 5.4 gross acres in land area. The subject property could accommodate 19 to 24 dwelling units based on the recommended R-10 zoning designation. Residential development on the subject property is appropriate given the size of the parcel and location within an area of the community planned for future residential development. According to Metro, approximately 94% of the development capacity in the area, including the subject property, is projected to be absorbed by the Year 2025.

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

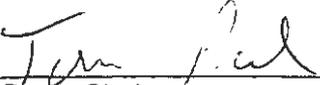
Finding: The recommended R-10 zoning designation is consistent with the land use designation shown on the Comprehensive Plan Map. Transportation needs, including levels of service, identified in the Forest Grove Transportation System Plan, are based on the land use designations shown on the Comprehensive Plan map and projected future development allowed by the Comprehensive Plan. Assignment of a City zoning designation, consistent with the Comprehensive Plan will not substantially impact the functional classification or operation of transportation facilities or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. The subject property is adjacent to Thatcher Road. Thatcher Road is designated as an Arterial Street in the Forest Grove Transportation System Plan.

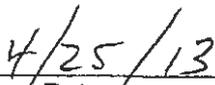
E. Public facilities for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of public services to accommodate those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

Finding: The subject property is within the Forest Grove planning area and urban growth boundary. The Comprehensive Plan and implementing ordinances promote the provision of public facilities in a timely and cost-effective manner to properties within the planning area and urban growth. Police and Fire protection are adequate to serve the residential uses allowed by the R-10 zone. The subject property is located more than 300 feet of an available sewer line. Although, water and sewer service is not currently available to serve the subject property, the City's water and sewer master plans address future provision of services within the area. Based on the master plans, future services will be adequate to serve the projected demands of the site. In addition, consistent with revisions to the Forest Grove Development Code, the City Engineer must certify the adequacy of services prior to development approval. Based on these considerations, the Planning Commission finds the recommended R-10 zoning substantially complies with the Comprehensive Plan. The Planning Commission also finds that the timing of service provision needed for a future development proposal is beyond the purview of the Planning Commission.

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

Finding: The recommended zoning designation is not subject to the meeting of conditions.

  
\_\_\_\_\_  
Tom Beck, Chair

  
\_\_\_\_\_  
Date



**Zoning Map Amendment  
Staff Report and Recommendation**

REPORT DATE: April 8, 2013

HEARING DATE: April 15, 2013

REQUEST: Zoning Map Amendment

FILE NUMBER: ZNC-13-00253

PROPERT LOCATION: 3351 NW Thatcher Rd.

LEGAL DESCRIPTION: Washington County Tax Lot 1N331BB01300 (west of Thatcher Road)

APPLICANT: Bradford and Linda Taylor

PLAN DESIGNATION: C-Low (4.35 dwellings per acre)

CURRENT  
ZONE DESIGNATION: Washington County FD-10 (Future Development)

PROPOSED  
ZONE DESIGNATION: R-10 (4.35 dwellings per acre)

REVIEWING STAFF: Daniel Riordan, Senior Planner

RECOMMENDATION:

Not withstanding the merits of the annexation and timing, staff recommends approval of the zone change from Washington County zoning designation FD-10 to City of Forest Grove zoning designation R-10 for property west of Thatcher Road (3351 Thatcher Road) concurrent with the proposed annexation of the subject territory into the City of Forest Grove.

**EXHIBIT C**

### **Background of Application**

The property owners, Bradford and Linda Taylor, submitted a property owner initiated annexation petition for property located at 3351 Thatcher Road. Attachment A shows the general location of the subject property.

The area subject to the annexation petition is west of Thatcher Road and is approximately 5.4 acres in land area. The subject property is adjacent to undeveloped property immediately to the west currently within the city limits. The adjacent property was annexed to the City in 2007 through the voluntary annexation program. The adjacent property annexed in 2007 is similar to the subject property with respect to availability of municipal services and other constraints potentially affecting development as explained more fully below.

The property owner is pursuing annexation to allow for the future issuance of building permits. The property owner is considering a co-housing development that uses land sustainability with on-site treatment of waste water and sewage. Co-housing is a form of development where residents actively participate in the design and management of their neighborhood. Co-housing residents are committed to living as a community. The design of a co-housing development encourages social interaction as well as individual space. In a co-housing development private homes contain all of the features of a conventional home but residents also have access to extensive common facilities such as open space, courtyards, a playground and common buildings.

The property owner had preliminary discussion with the Engineering Division regarding the co-housing development concept. The Engineering Division made no final determination regarding the co-housing development concept or possible municipal service requirements necessary to serve such a development.

The Engineering Division informed the property owner that the first step in the development process is annexation into the City. Subsequent to discussions with the Engineering Division, the property owner filed the annexation petition since the City was already in the process of annexing unincorporated territory. The annexation of the subject property was not included with the island annexation process because forcible annexation of unincorporated islands is processed under ORS Chapter 222.750. This section of ORS Chapter 222 does not apply to voluntary property owner initiated annexations. Therefore, the annexation request is being processed separately.

Although the timing of the annexation could be considered premature given the lack of available sewer and water service, as explained below, a formal annexation application has been submitted by the property owner and accepted by staff. Therefore, the annexation is being processed pursuant with Article 2 of the Development Code. Filing of this formal annexation application provides an opportunity to formally consider the zoning and annexation of the subject property.

As stated above, the timing of this annexation petition presents some concern due to service availability especially sewer service. The nearest municipal water and sewer lines are located approximately 1,000 to 1,500 feet south of the subject property near

the Parks at Forest Grove development. Given the topography of the area and location of a creek it is unlikely a connection to the existing service lines south of the subject property will be possible. It should be noted, Clean Water Services is planning to extend a trunk line, north of David Hill Road and east of Thatcher Road within the Purdin Road urban reserve area, to serve future development in the David Hill area. Attachment B shows the long term conceptual plan for future sewer lateral and trunk lines prepared by Clean Water Services.

State law and the municipal code do not require that existing development connect to a sewer line if located more than 300 feet from the subject property. The concern is whether a situation similar to the Parks at Forest Grove development would be created if development on the subject property is pursued after annexation. This issue may be minimized since the Development Code amendments being considered by City Council which would require certification by the City Engineer of availability of water and sewer service prior to future development. It is possible that as the area to the west and south of subject property develops there will be a greater likelihood that sewer and water will be available to serve future development on the subject property when needed. Furthermore, as land develops in the vicinity there is the possibility that costs could be shared among benefitting property owners.

It should be noted, all of the land from the subject property to David Hill Road is within the City except for the three parcels adjacent to Plum Hill Lane. If services are extended along Thatcher Road, the distance between city limit boundaries is about 209 feet, making it possible from a cost standpoint to tight line a sewer line through the unincorporated area. However, this analysis does not consider engineering aspects of such a proposal.

The subject property is located outside of the Clean Water Services boundary. Annexation to the City will remove one barrier to future development; however, annexation into the Clean Water Services boundary will be required by Washington County prior to issuance of building permits. Annexation into the Clean Water Services boundary is approved by the Washington County Board of Commissioners.

### **General Background**

Under the City of Forest Grove Development Code, property subject to annexation must be assigned a City of Forest Grove zoning designation (DC 10.2.160). Furthermore, before an annexation is deemed complete, the applicant shall initiate a zone change pursuant to Section 10.2.750 et. seq. Zoning of the property shall meet the review criteria in Section 10.2.770:

#### **Development Code Section 10.2.770: Review Criteria**

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is

the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

This report addresses the review criteria contained in Section 10.2.770.

### **Proposal Background**

Bradford and Linda Taylor submitted an annexation petition on December 11, 2012 and resubmitted on January 31, 2013. The application for annexation and zone change was deemed complete by staff on March 6, 2013.

The City of Forest Grove Development Code (10.2.160) requires filing a concurrent zoning map amendment with the annexation petition. The purpose of the zoning map amendment is to bring the zoning of the subject property into conformance with Forest Grove Comprehensive Plan Map at time of annexation. The annexation petition was submitted to allow for development consistent with the City of Forest Grove comprehensive plan map and to obtain municipal services.

Zoning map amendments are processed through a Type III (Quasi-Judicial) review process under the Forest Grove Development Code. Under a Type III process, zoning map amendments are reviewed by the Planning Commission and approved by City Council. Annexation petitions are reviewed and approved by City Council.

The subject property (Washington County Map and Tax Lot #1N42600000400) is located approximately 3,029 feet north of David Hill Road. The subject property straddles Thatcher Road which also serves as the urban growth boundary. The area subject to the annexation is west of Thatcher Road. This affected land area is approximately 5.4 acres. The property has a single family home. According to the Washington County Assessment and Taxation Office, the 2012-2013 taxable assessed value of the subject property, including the area east of Thatcher Road is \$315,240. The portion of the tax lot east of Thatcher Road is approximately 0.45 acres. This portion of the tax lot is outside the urban growth boundary and is zoned and planned as Exclusive Farm Use. This area is not included in the annexation since the property owner would like to partition the EFU portion and sell it to a neighboring property owner. Discussions with Metro and the Oregon Department of Revenue indicate the City can annex only the portion of the subject property west of Thatcher Road.

Attachment A shows the location of the subject property and immediate vicinity. As the map indicates, access to the property is via Thatcher Road. Thatcher Road is classified as an arterial road by the Forest Grove Transportation System Plan.

The area to the north, to the south and to the east of the subject site are located in unincorporated Washington County. The area adjacent immediately to the west of the subject site is located in the City of Forest Grove.

#### **Comprehensive Plan Map Designation (Attachment C)**

The subject property west of Thatcher Road is designated C-Low by the Forest Grove Comprehensive Plan Map. The entire area within the urban growth boundary, north of David Hill Road and west of Thatcher Road, is designated C-Low on the Comprehensive Plan map. The small portion of the property east of Thatcher Road is outside of the urban growth boundary and is not subject to the Forest Grove Comprehensive Plan Map. Washington County uses a one map system meaning the comprehensive plan and zoning designations are the same. The portion of the property east of Thatcher Road is designated Exclusive Farm Use by Washington County.

The City's C-Low designation is a single family residential designation. The target development density of the C-Low designation is 4.35 dwelling units per net acre. This translates into an average lot size of 10,000 square feet. The minimum development density is 3.45 dwellings per net acre. Therefore, this parcel could accommodate about 19-24 units without considering land lost to roads or common tracts.

#### **Zoning Designation (Attachment D)**

Currently, the subject property is designated Washington County FD-10. The FD-10 zoning designation applies to unincorporated areas within the urban growth boundary subject to annexation by the City. The FD-10 zoning designation is a future development zone with a ten acre minimum lot size. A City zoning designation is assigned a property upon annexation into the City. Unless a comprehensive plan amendment is applied for and approved, the City zoning designation assigned to an annexed property is the one that most closely matches the Comprehensive Plan map designation.

**Surrounding Land Use**

The subject territory is located adjacent to the urban growth within an area identified for residential development. Currently the area has a rural character with some residential homes, accessory buildings, and agricultural and forest land uses.

**Analysis of Criteria for Decision Making**

Water and sewer are located approximately 1,880 feet (0.35 mile) south of the subject site. If necessary the property will be required to extend the water and sewer lines to serve development as required by the City code and approved by the City Engineer.

**Analysis of Zoning Review Criteria**

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

Discussion: The recommended zoning designation is consistent with the comprehensive plan map. The Comprehensive Plan designation is C-Low. The C-Low plan designation allows for single family residential development and a target density of 4.35 dwellings per net acre. The proposed zone is R-10. The R-10 zone allows for single family residential at a target density of 4.35 dwellings per net acre.

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

Discussion: Based on the nature of the application the Director finds that the relevant goals and policies of the Comprehensive Plan include: Citizen Participation; Land Use; Housing; and Urbanization. This determination is based on the rationale for the zone changes which is the assignment of a city zoning designation for property considered for annexation into the City.

**Citizen Participation**

- 1. Encourage and facilitate citizen involvement and inter-agency coordination in the development, implementation and updating of the comprehensive plan.

Discussion: Opportunities for public involvement are provided through the public hearing process. Public hearings on annexation matters are held with the planning commission and City Council. The Planning Commission considers and recommends assignment of a City zoning designation to the subject property. The City Council considers the Planning Commission's zoning assignment recommendation and the merits of the annexation. The City Council adopts an

Order approving the zoning designation concurrent with the annexation. The City Council also adopts an Ordinance approving the annexation.

Notice of the Planning Commission public hearing was provided to property owners within 300 feet of the subject property on March 26, 2013. Notice was also posted at City Hall, the Forest Grove Community Auditorium and Forest Grove Library and the property was posted with a sign announcing the public hearing. In addition, notice of the public hearing was published in the Forest Grove News Times on April 10, 2013.

### Land Use

1. Adopt land use map designations for all land use categories based on the findings, goals and policies in the Comprehensive Plan. Where redevelopment of an existing residential neighborhood is deemed necessary to accommodate other uses, standards shall allow mixing of uses when combined with the appropriate plan review for setbacks, screening, landscaping and compatibility with existing residential uses.

Discussion: The Forest Grove Development Code implements this provision of the Comprehensive Plan. Article 3 of the Development Code establishes permitted uses for land use designations. The proposed zone designation for the subject property is R-10. The R-10 zone is a single family residential zone providing opportunities for construction of needed housing.

### Urbanization

1. Land shall be made available within the urban growth boundary to meet all urban land use needs.

Discussion: The urban growth boundary establishes the limits for long term land use needs. The annexation process makes unincorporated land within the urban growth boundary available for future development and provides an opportunity for the provision of municipal services necessary to support development. As land is annexed into the City a City zoning designation is applied to the property. Unless an amendment to the Comprehensive Plan Map is initiated and approved a zoning designation consistent with the Comprehensive Plan Map is applied to the property subject property. This zone change is consistent with Urbanization Goal 1 since it will make land planned for development available for development.

2. All lands within the UGB shall be assigned priorities for urban development. Priorities shall be based on the City's ability to provide urban services and the orderly and efficient timing of service extension. These priorities shall be the basis for making decisions on all development proposals and requests for annexation.

Discussion: The subject property is not a high priority for urban development given that existing water and sewer lines are located distant from the subject property. Annexation will treat the subject property similar to adjacent property located to the west annexed in 2007. Therefore, annexation will provide an opportunity for future development similar to nearby properties already in the City. The property owner may be required to extend water and sewer lines necessary to serve future urban development based on the type of development proposal and with approval of the City Engineer. Existing sewer and water lines are 1,000 to 1,500 feet to the south. This distance exceeds the 300 foot proximity requirement for required connections to the sewer system when a septic tank fails. As such, the property owner had discussions with the Engineering Division regarding acceptable alternative methods of on-site sewage disposal. Although, additional discussions are necessary to determine feasibility, this issue of sewer services touches on the timing of this annexation request as well as policy discussions about allowing alternative on-site sanitation within the City. Such questions, including whether on-site treatment should occur and if so, under what circumstances, need to be explored further. Since the provision for service certification by the City Engineer will be in place, the annexation could proceed while this policy issue is explored.

Metro's housing projections indicate that approximately 94% of the area north of David Hill Road and east of Thatcher Road within the urban growth boundary will be developed by the Year 2025.

3. Provide for an urban growth management strategy to set forth policies on the urbanization of vacant and agricultural land. The policies should cover the extension of water and sewer service, land partitioning requirements, zoning and annexations within the UGB. The strategy shall provide for the orderly and cost-efficient accommodation of anticipated growth for the next ten years.

Discussion: The City of Forest Grove has an Urban Planning Area Agreement (UPAA) with Washington County. The UPAA addresses the extension of water and sewer services, zoning and annexations within the urban growth boundary.

4. Sewer and water utilities shall not be extended beyond the City's corporate limits and shall be provided only after annexation.

Discussion: This criterion presents the critical issue with this annexation, its timing. To receive services at this time would require the extension through unincorporated territory. Therefore, this criterion is not met and suggests the request is premature. However, the services, particularly sewer, could be tight lined through the unincorporated territory. As an alternative, service might be obtained from another unanticipated direction. As an interim solution, the City might consider an alternative sewerage treatment and disposal solution. An interim solution would likely require concurrence by the Washington County sanitarian and Clean Water Services prior to development approval and issuance of building permits.

## Housing

1. Provide for an adequate supply of new housing thus avoiding shortages and adverse impacts on price, rents and choice of housing.

Discussion: Zoning property for residential development, in combination with the annexation process, expands the supply of land for construction of new housing within the Forest Grove portion of the urban growth boundary. Metro long range housing projections show approximately 94% of the subject area will be developed by the Year 2025. Annexation of the subject property is necessary to make the land available to meet this expected housing demand. Since assignment of the R-10 zoning designation, concurrent with annexation, supports an adequate supply of land for new housing this rezoning action meets the intent of this housing goal contained in the Forest Grove Comprehensive Plan.

2. Minimum density standards shall apply in all zones allowing residential use.

Discussion: Assignment of the R-10 zoning designation to the subject property will establish a minimum density of 3.48 dwellings per net acre. The target density of the R-10 zone is 4.35 dwellings per acre.

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

Discussion: The site is suitable for the proposed R-10 zone. The subject property is designated C-Low on the Forest Grove Comprehensive Plan Map. The R-10 zone implements the C-Low zoning designation. The land area of the property subject to the annexation is approximately 5.4 acres. Under the R-10 zoning designation, the subject site could accommodate 24 dwelling units if developed at the target density of 4.35 dwellings per acre. The subject property is located within an area identified for future residential development. Metro growth projections suggest that 94% of the residential development capacity will be absorbed by the Year 2025.

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

Discussion: Complete build-out of the site under the City proposed zone designation could generate between 19 to 24 peak hour trips bade in the Institute

of Transportation Engineers Trip Generation manual. The zone change is consistent with the Forest Grove Transportation System Plan. The TSP assumes development and associated traffic impacts based on adopted Comprehensive Plan Map designations. The assignment of a City zoning designation to property considered for annexation implements the adopted Comprehensive Plan Map designation. The Transportation System Plan is based reflects expected travel demand over the next 20 years. Thatcher Road is classified as an arterial street on the Forest Grove Transportation System Plan map. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan.

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

Discussion: Currently water and sewer service are not provided by the City of Forest Grove. The property owner will be required to extend water and sewer lines to City specifications to support future development. Forest Grove Police Department and Forest Grove Fire and Rescue are capable of providing service to the subject property. The subject site is planned for single family residential development on the Forest Grove Comprehensive Plan. Public facilities and services for water supply, sanitary waste disposal, stormwater disposal are not in place to serve the site. Contingent on the type of development proposed after annexation, the property owner may be required to extend water and sewer lines to support the development. Police and fire protection services are capable of supporting the single family residential use allowed by the R-10 zone. The projected service demand of the subject site is 24 single family residential homes. The average household size in Forest Grove is 2.7 persons. Therefore, this zone change could result in a service demand of approximately 64 additional persons.

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

Discussion: This zone change is not subject to conditions.

#### **Metro Functional Plan Requirements**

The proposed zone change is consistent with the Metro Functional Plan. The Metro Functional Plan implements the Metro Regional Framework Plan (Region 2040 Growth Concept). The Functional Plan is divided into various Titles addressing specific policy areas. Titles applicable to this request include Title 1 (Requirements for Housing and Employment Accommodation); Title 7 (Housing Choice); and Title 8 (Compliance Procedures).

## **Title 1**

Discussion: One goal of the Framework Plan is the efficient use of land. Title 1 promotes the efficient use of land within the urban growth boundary by increasing the capacity of land to accommodate housing and employment.

The proposed Zoning Map Amendment meets the intent of Title 1 by promoting the efficient use of land within the urban growth boundary. Rezoning the property to R-10 will allow for the construction of single family residential structures within the urban growth boundary consistent with the Forest Grove Comprehensive Plan.

## **Title 7**

Discussion: Cities within the Metro region must ensure that their comprehensive plans and implementing ordinances, including the Zoning Map, include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

The proposed zoning map amendment will increase the supply of housing within the urban growth boundary. The R-10 zoning district allows for a variety of housing options including single family detached, single family attached, accessory units, duplexes, and manufactured homes on individual lots.

## **Title 8**

Discussion: Title 8 requires that amendments to comprehensive plans and implementing ordinances comply with Metro Functional Plan. The proposed zoning map amendment complies with the Metro Functional Plan for the reasons stated above.

## **Statewide Land Use Planning Goals**

The proposed zone change is consistent with applicable Statewide Land Use Planning Goals. Applicable goals include: Goal 1: Citizen Involvement; Goal 2: Land Use Planning; Goal 10: Housing; Goal 11: Public Facilities and Services; Goal 12: Transportation; and Goal 14: Urbanization.

**Goal 1: Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

Discussion: Opportunity for citizen involvement occurred during development of the Forest Grove Comprehensive Plan. The Comprehensive Plan establishes the policy framework for land use decisions within the Forest Grove portion of the Portland regional urban growth boundary. Opportunity for citizen involvement was provided through the zone change public hearing process. Public notices are published in the Forest Grove News Times and mailed to property owners within 300 feet of the subject property. In addition, the property is posted with a public hearing announcement.

**Goal 2: Land Use Planning. To establish a land use planning process and policy framework as a basis for all decision and actions related to the use of land and to assure an adequate factual base for decision and actions.**

Discussion: The Forest Grove Comprehensive Plan and Development Code establish the policy and process framework for land use decisions within the City of Forest Grove. The Forest Grove Development Code includes the criteria for evaluating zone changes.

**Goal 10: Housing. To provide for the housing needs of the citizens of the state.**

Discussion: The R-10 zone is intended for development of housing at a target density of 4.35 dwelling units per acre. Detached single family housing is the most common housing type in the R-10 zone. Accessory dwelling units, duplexes, and attached housing types are also permitted subject to the density limitations of the zone. A limited range of compatible non-residential uses such as parks and schools are also permitted or allowed with conditional use approval.

The proposed Zoning Map Amendment meets the intent of Goal 10 by promoting the efficient use of land within the urban growth boundary. Rezoning the property to R-10 will allow for the construction of residential structures within the urban growth boundary.

**Goal 11: Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

Discussion: The subject property is not located within 300 feet existing public facilities (water and sewer service). In addition, annexation of the subject property is not required for the extension of public facilities to serve nearby property. Therefore, this annexation proposal does not directly support a timely, orderly and efficient arrangement of public facilities to serve as a framework for urban and rural development.

**Goal 12: Transportation. To provide and encourage a safe, convenient, and economic transportation system.**

Discussion: The subject territory is located adjacent the Thatcher Road. Thatcher Road is classified as an arterial road in the Forest Grove Transportation System Plan.

**Goal 14: Urbanization. To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

Discussion: The Urban Planning Area Agreement (UPAA) between Forest Grove and Washington County establishes the process for an orderly and efficient transition from rural to urban land use within the urban growth boundary. The UPAA gives Forest Grove planning responsibilities for unincorporated land within the Forest Grove portion of the Portland regional urban growth boundary. The annexation process promotes the orderly transition since municipal service cannot be extended until land is annexed into the City. The annexation process requires a zone change. In this case the zone change is from Washington County FD-10 to Forest Grove R-10.

### **Comprehensive Plan Compliance**

The proposed zoning map amendment complies with the Forest Grove Comprehensive Plan. If approved, the zoning map amendment will apply a zoning designation (R-10) that is consistent with and implements the C-Low Comprehensive Plan designation.

### **Citizen Participation Goals and Policies**

Discussion: The zoning map amendment is consistent with Comprehensive Plan citizen participation goals and policies. The Comprehensive Plan encourage and facilitate citizen involvement and inter-agency coordination in the development, implementation and updating of the comprehensive plan. Opportunities for citizen involvement are provided through the public hearing process. Public hearings are held with the Planning Commission and City Council. Notice of the public hearing is provided to property owners within 300 feet of the subject property, posted at the property, published in the Forest Grove News Times and posted at City Hall, Library, and at least one other location in the City. Notice was also sent to the Oregon Department of Land Conservation and Development. In addition, the proposal was discussed with Metro.

### **Land Use Goals and Policies**

Discussion: The zoning map amendment is consistent with Comprehensive Plan land use goals and policies. The land use chapter of the Comprehensive Plan establishes land use map designations for all land use categories based on the findings goals and policies in the Comprehensive Plan. The Forest Grove Development Code implements this provision of the Comprehensive Plan. Article 3 of the Development Code establishes permitted uses for land use designations. The proposed zone designation for the subject property is R-10. The R-10 zone is a single family residential zone providing opportunities for construction of needed housing identified by the Comprehensive Plan.

### **Housing Goals and Policies**

Discussion: The Housing Chapter of the Comprehensive Plan establishes policies for supply of housing. In particular, the Plan calls for an adequate supply of new housing to avoid shortages and adverse impacts on price, rents, and choice of housing. Zoning property for urban residential development, in combination with the annexation process, expands the supply of land for construction of new housing exists within the Forest Grove portion of the Portland regional urban growth boundary. As result this zone change application meets the intent of the housing goal contained in the Forest Grove Comprehensive Plan. The plan also calls for establishing minimum density standards in all zones allowing residential development. The Forest Grove Development Code implements this provision of the Comprehensive Plan. The Development Code establishes minimum density standards for all zoning districts. The minimum density of the R-10 zone is 3.48 dwellings per net acre.

### **Legal Notice**

Changes to the Zoning Map are classified as a Type III (Quasi-Judicial) land use decision. Notice of the public hearing on Type III applications are provided in accordance with the provisions of ORS 197 .763 and Section 10.1.610 of the Forest Grove Development Code. Notice must be published in a newspaper of general

circulation at least five days before the public hearing. Notice of the public hearing for this request was provided to the Forest Grove News Times for publication on April 10, 2013.

Notice of the hearing must also be sent by mail at least twenty days before the public hearing to interested parties including the applicant and all property owners within 300 feet of the boundaries of the subject property. Notice was sent by mail to interested parties on March 26, 2013.

In addition to the published notice a notice must be posted in three conspicuous places in the City. Notice of the public hearing was placed in the Forest Grove City Hall, Forest Grove Community Auditorium and Forest Grove Library. Notice of was also posted near the affected property.

Notice of this matter will also be provided in a similar manner as above in advance of the City Council hearing to consider an order approving the zoning recommendation and ordinance approving the annexation.

### **Conclusion**

Based on the staff analysis the proposed zone change from Washington County FD-10 to Forest Grove R-10 at 3351 Thatcher Road, as shown on Attachment A, meets the review criteria contained in Forest Grove Development Code and policies contained in Forest Grove Comprehensive Plan, Metro Urban Growth Management Functional Plan, and the Oregon Statewide Land Use Planning Goals.

### **Alternatives**

The Planning Commission has the following alternatives:

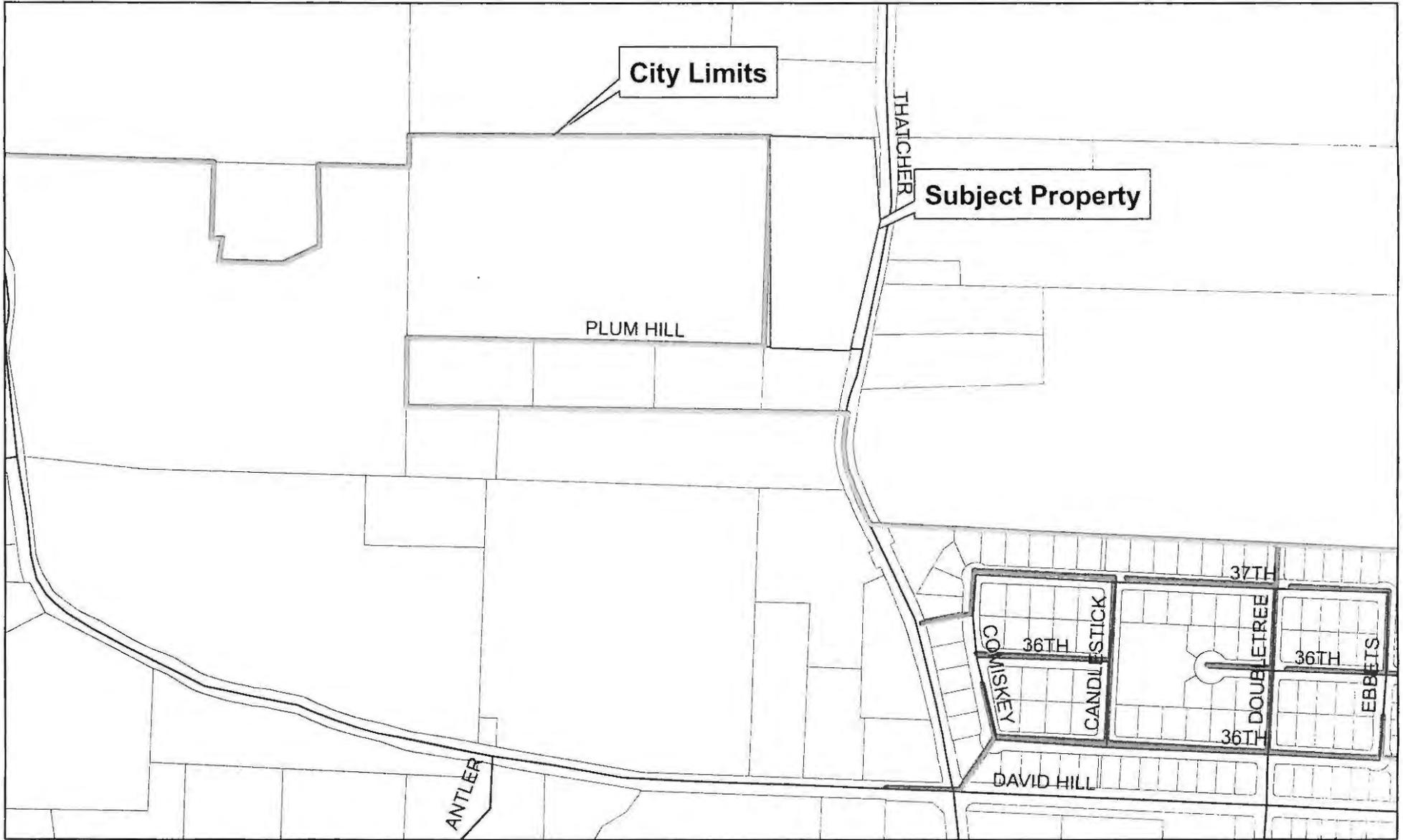
1. Recommend approval of the zoning map amendment as proposed;
2. Deny the zoning map amendment as proposed; or
3. Continue the matter for further consideration.

### **Recommendation**

Notwithstanding the merits of the annexation and timing, staff recommends approval of the zone change from Washington County zoning designation FD-10 to City of Forest Grove zoning designation R-10 for property west of Thatcher Road (3351 Thatcher Road) concurrent with the proposed annexation of the subject territory into the City of Forest Grove.

### **Attachments**

- A. Vicinity Map
- B. Clean Water Services Sewer Line Map
- C. Comprehensive Plan Map
- D. Zoning Map



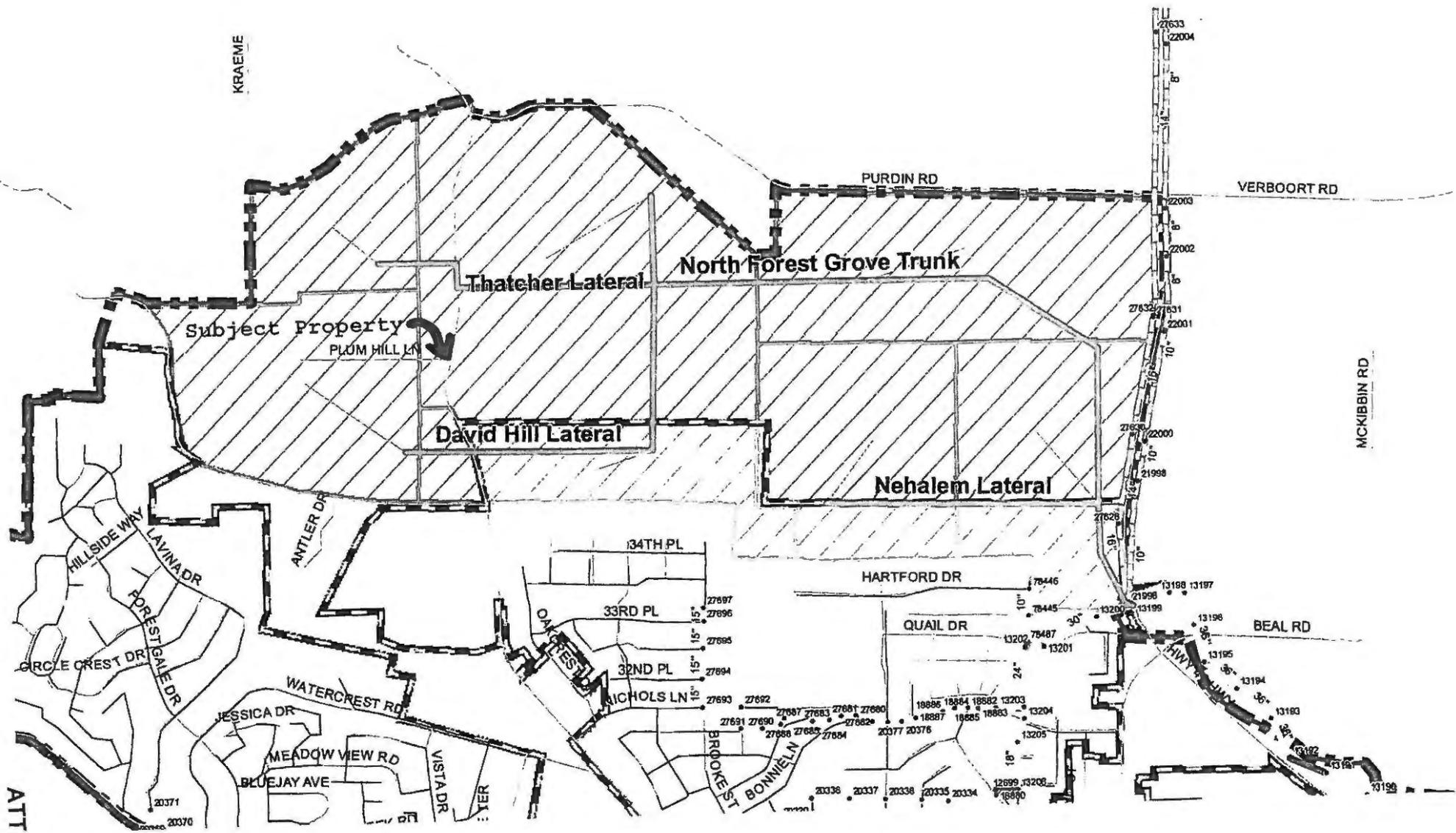
ATTACHMENT A

city of  
forest  
grove

— Sewer Lines

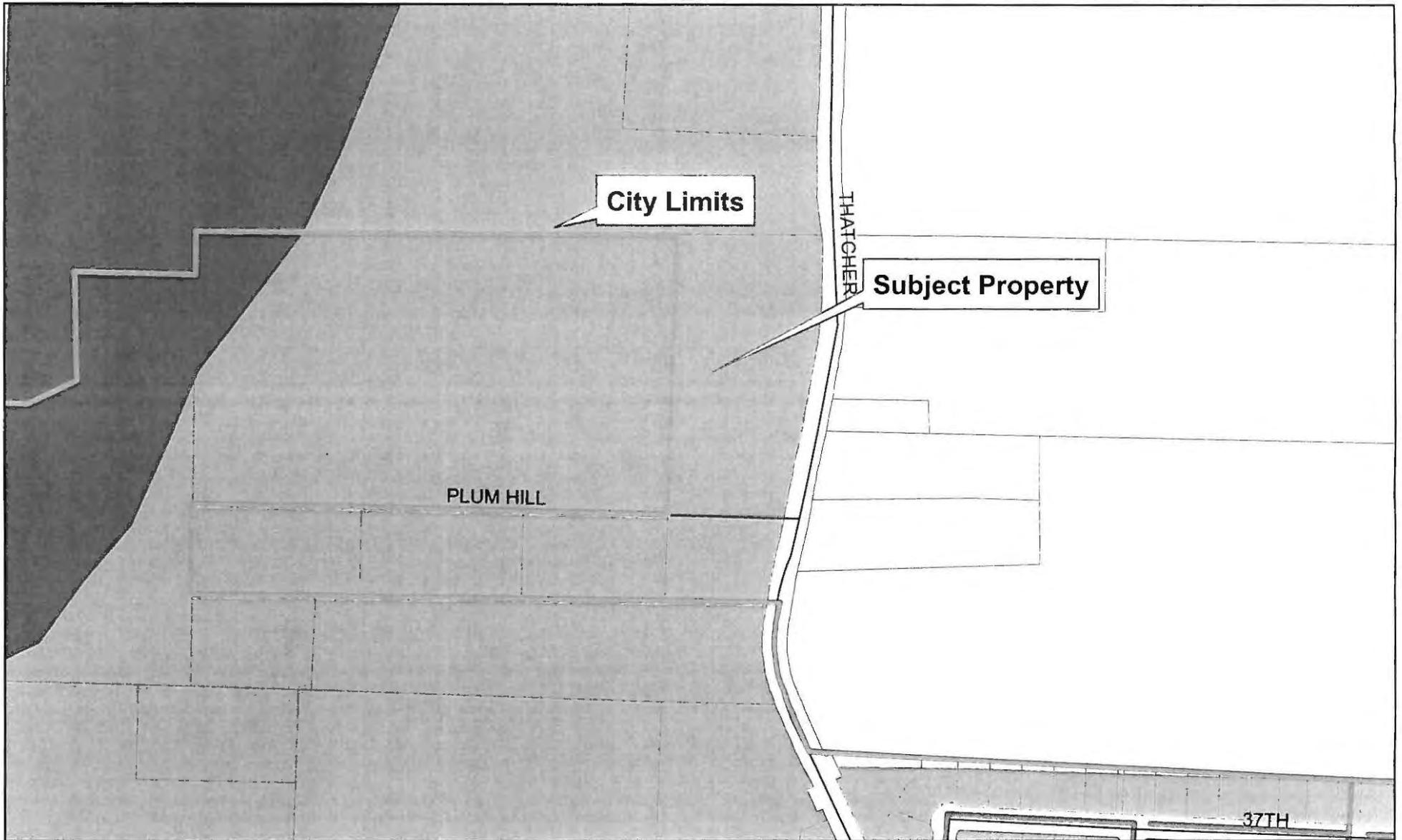
**Annexation Petition  
Tax Lot 1N331BB01300  
Vicinity Map**





ATTACHMENT B

Dark Blue Line = Sanitary Basin Boundary  
 Light Blue Line With Cross Hatching = Future Growth Area  
 Purple Line = Future Sewer



**Plan Designations**

COMP\_PLAN

 C-Low

 D-Suburban

 EFU



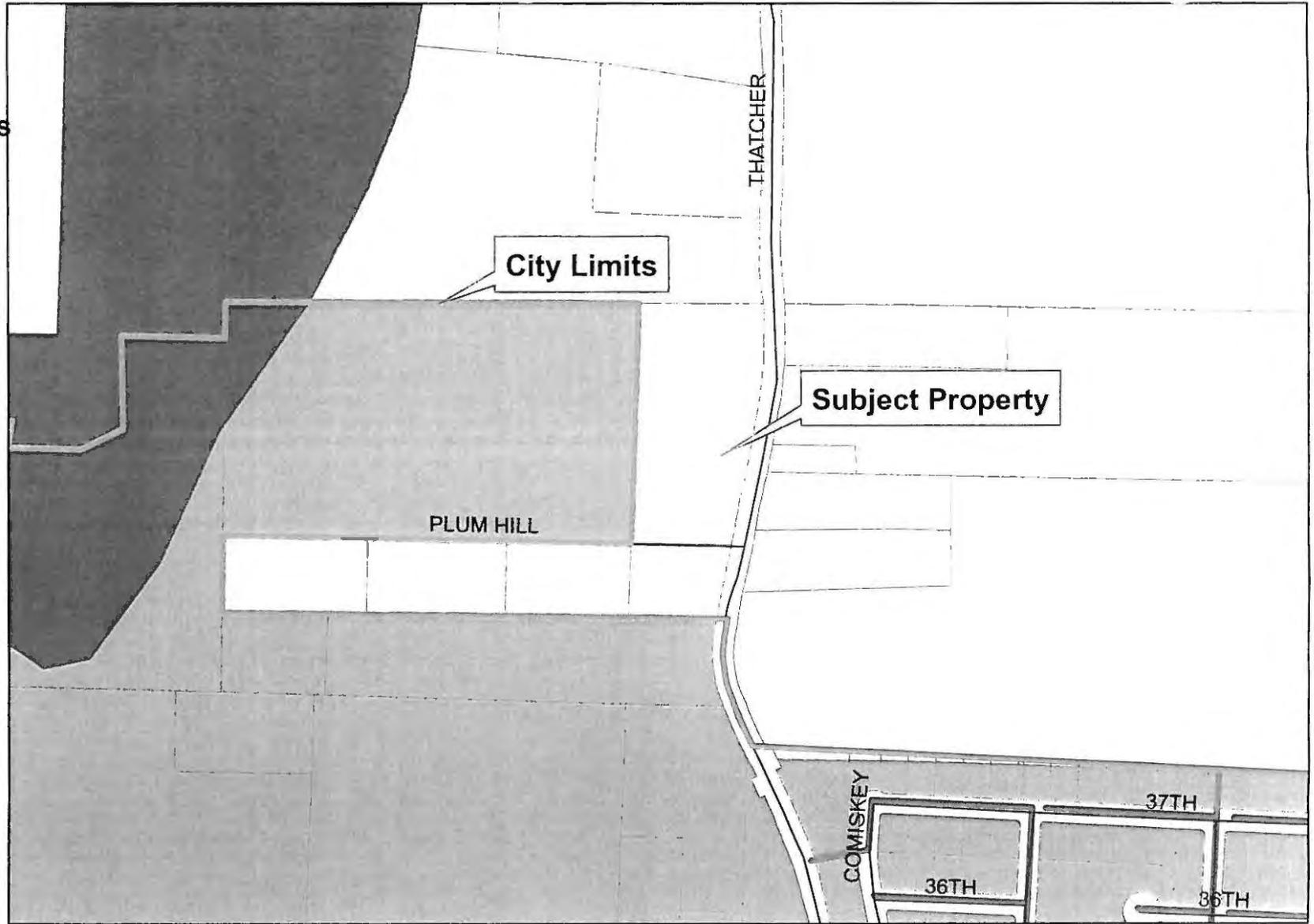
**Annexation Petition  
Tax Lot 1N331BB01300  
Plan Designations**



# Zoning Designations

## ZONING

-  CC
-  CN
-  CPD
-  FD-10
-  GI
-  INST
-  LI
-  R-10
-  R-5
-  R-7
-  RMH
-  RML
-  SR
-  TCC
-  TCS
-  TCT



ATTACHMENT D



# Annexation Petition Tax Lot 1N331BB01300 Zoning Designations



# Planning Commission April 15, 2013

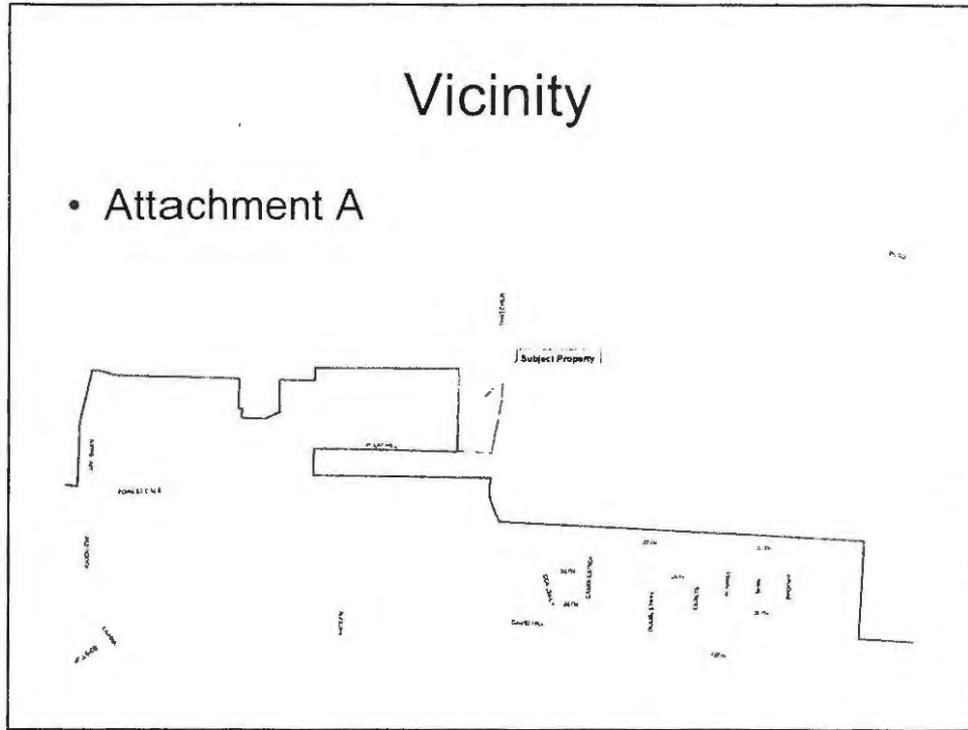
Zone Change  
ZNC-13-00253  
3351 Thatcher Road

## Overview of Staff Report

- The Written Staff Report Addresses:
  - Background of Application
  - General Background
    - Zone change criteria
  - Proposal Background
  - Comprehensive Plan Designation
  - Zoning Designation
  - Analysis of Review Criteria
  - Alternatives
  - Staff Recommendation

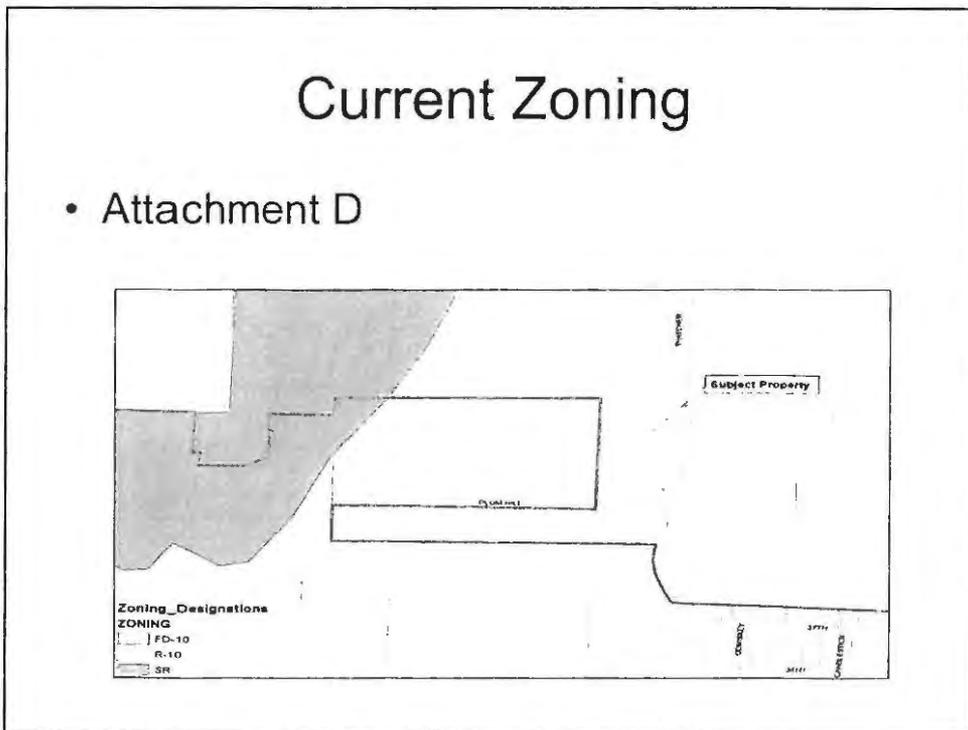
# Vicinity

- Attachment A



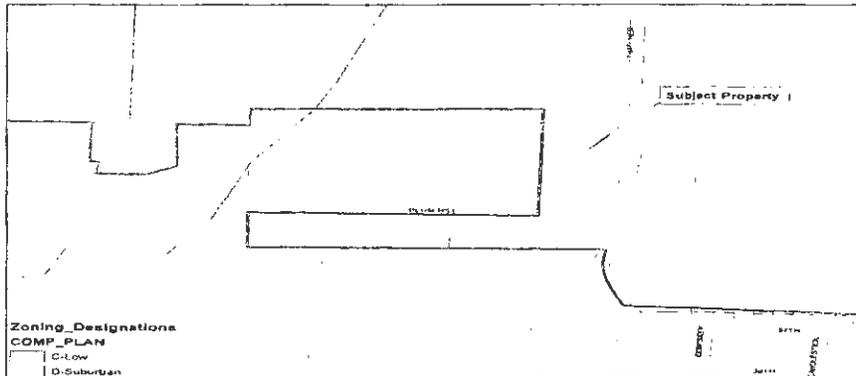
# Current Zoning

- Attachment D

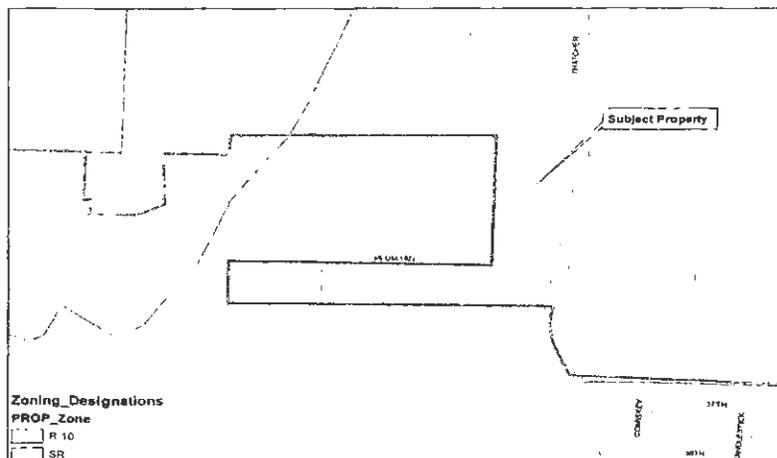


# Comprehensive Plan Map

- Attachment C



# Proposed Zoning



## Purpose of Zone Change

- Assign City of Forest Grove Zone
  - To property under consideration for annexation into the City
- Zone change Required by DC
  - Article 2, Section 10.2.160
- Current Zoning:
  - Washington County FD-10
  - Future Development -10 Acre Minimum

## Zone Change Criteria

- Development Code Section: 10.2.770
  - Zone change must be consistent with comprehensive plan map;
  - Zone change must be consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director;
  - The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity;
  - The zone change is consistent with the adopted transportation system plan;
  - Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone;
  - The establishment of the zone district is not subject to meeting of conditions.

## Staff Finds

- The proposed zone change is consistent with the Comprehensive Plan map:
  - The proposed zoning designation is R-10 (4.35 dwellings per net acre).
  - The Comprehensive Plan map designation is C-Low (4.35 dwellings per net acre)
  - The subject property is approximately 5.4 acres in land area and includes land within the UGB
  - Under the R-10 zoning the site could accommodate 19 to 24 dwelling units.

## Staff Finds

- The proposed zone change is generally consistent the goals and policies of the Comprehensive Plan.
  - An exception is the criteria for logical and orderly extension of municipal services most notably sewer service
  - Connection to sanitary is not required if an available line is more than 300' distant
  - Extension of sewer service to serve the property would require traversing through unincorporated territory
  - The Development Code amendments being approved by the City Council would require City Engineer certification of municipal service availability prior to development

## Staff Finds

- The lack of municipal service also affects property annexed into the City in 2007 adjacent to and directly west of the subject property
- The applicant has an interim solution to address the lack of sanitary sewer availability
- The Development Code amendments considered by City Council will preclude another Parks situation:
  - Certification of services by the City Engineering required; and
  - Issuance of building permits is predicated on adequate services as required by the City.

## Staff Finds

- The site is suitable for proposed residential development consistent with the Comprehensive Plan map
- The zone change is consistent with the Transportation System Plan
  - The Transportation System Plan takes into account potential future traffic based on the C-Low Comprehensive Plan Map designation
  - Thatcher Road is an arterial street on the Transportation System Plan map

## Staff Finds

- Criterion E of Section 10.2.770 addresses public facilities and services:
  - Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands
  - As explained earlier there is a concern about the availability of services
  - The subject territory is inside the UGB and the public facility master plans envision serving lands within the UGB based on Comprehensive Plan map designations and projected demands
  - The applicant has a strategy for addressing services needs on an interim basis prior to full build-out of the site.
  - Under the recommended zoning the subject site will accommodate 19 to 24 dwelling units.

## Staff Finds

- The establishment of the zone change is not based on conditions

## Staff Recommendation

- Notwithstanding the merits of the annexation and timing, staff recommends approval of the zone change from Washington County designation FD-10 to City of Forest Grove zoning designation R-10 for property west of Thatcher Road (3351 Thatcher Road) concurrent with the proposed annexation of the subject territory in the City of Forest Grove.

## Alternatives

- The Planning Commission has the following alternatives:
  - Recommend approval of the zoning map change to the City Council as proposed
  - Deny the zoning map change as proposed
  - Continue the matter for further discussion

**city of  
forest  
grove**

Daniel Riordan, Senior Planner  
[driordan@forestgrove-or.gov](mailto:driordan@forestgrove-or.gov)  
(503) 992-3226

October 14, 2013

**REPORT ON RESOLUTION ADOPTING NEW LIGHT AND POWER  
ELECTRIC RATE SCHEDULES AND DEFINITIONS AND DESCRIPTIONS  
AND REPEALING RESOLUTION NO. 2011-73**

**PROJECT TEAM:** George Cress, Light and Power Director  
Paul Downey, Administrative Services Director  
Michael Sykes, City Manager

**ISSUE STATEMENT:** On July 23, 2013, Bonneville Power Administration (BPA) issued the Administrator's Final Record of Decision July 2013, BP-14-A-02, in the 2014 Wholesale Power and Transmission Rate Adjustment Proceeding (BP-14) which established the Power Rate Schedules for BPA's 2014 and 2015 fiscal years (October 1, 2013 through September 30, 2015). Forest Grove is served under the Priority Firm Power Rate (Schedule PF-14). The overall average rate increase for Priority Firm customers is 7.52 percent (7.52%); however, the City is proposing a pass-through rate increase of 3.79 percent (3.79%) to all utility customers

**BACKGROUND:** Forest Grove began taking delivery from BPA under the new Power Contract which implements the Tiered Rate Methodology beginning October 1, 2013. The wholesale rate increase of concern at this time involves the charges for Tier 1 power purchases. The new rate schedules include pricing for Tier 2 power, but Forest Grove does not anticipate any Tier 2 purchases during the rate period.

**DISCUSSION:** Most electric bills have two components: 1) customer charge, and 2) energy charge. Some larger commercial and industrial customers will also have a demand charge. The customer charge pays for the costs of having an electric meter at that site and the costs of servicing that account. The City recovers the power and transmission costs through the energy charge which also has other cost components as part of that charge. Staff has calculated that a 3.79% rate increase in the energy charge is needed to recover the costs of the BPA wholesale power and transmission charges.

The average residential energy bill in 2012 was \$73.68 of which \$13.26 was the customer charge and \$60.42 was the energy charge. The proposed increase of 3.79% in the energy charge will increase the average residential energy bill by \$2.29 per month or an overall increase in the total monthly bill of 3.1%.

**FISCAL IMPACT:** BPA has published a Rate Impact Model for each utility customer. BPA has projected a rate impact of 8.1% to Forest Grove based on forecast purchases for the 2013 BPA fiscal year (October 1, 2012 through September 30, 2013). Light and Power staff has performed a cost comparison of our power purchases for the period July 2012 through June 2013 including purchases from the Grant County PUD projects and BPA transmission costs.

The total budget impact of the BPA increase is approximately \$618,000 in additional costs which will require an increase in the energy charge of 3.79%. This rate increase will solely cover the increases in BPA wholesale power and transmission costs. The City is just beginning its Electric Cost of Service and Rate Study which will review all Light and Power Department costs. This study is scheduled to be completed in April 2014, at which time; the Council will be presented with the results of the study which may include additional rate adjustments for the Council to consider.

Light and Power is proposing increasing rates for electric usage on or after November 1, 2013. Customers will see the rate increases on their utility bills received after December 1, 2013.

**STAFF RECOMMENDATION:** Staff recommends that the City Council approve the attached resolution which authorizes an across-the-board 3.79% increase in the energy charge to all Light and Power Rate Schedules (excluding the Green Power Rate), effective for usage on or after November 1, 2013. Revisions are shown in red in the attached Exhibit A.



October 2, 2013

NewsTimes

Legal Ads/Public Notice:

To be published: Wednesday, October 9, 2013

## **NOTICE OF PUBLIC HEARING ELECTRIC UTILITY RATE INCREASE FOR THE CITY OF FOREST GROVE**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, October 14, 2013, at 7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a resolution that would increase electric utility rates by 3.79 percent (3.79%) for all Forest Grove customers (excluding Green Power Rate). The proposed new electric utility rates would be effective upon approval by the City Council and shall become effective for services rendered on or after November 1, 2013.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the report and resolution listing the proposed rate schedules 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, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call the City Recorder's Office at 503.992.3235.

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

**To be published October 9, 2013**

RESOLUTION NO. 2013-65



**RESOLUTION ADOPTING NEW LIGHT AND POWER DEPARTMENT  
ELECTRIC RATE SCHEDULES AND DEFINITIONS AND DESCRIPTIONS  
AND REPEALING RESOLUTION NO. 2011-73**

**WHEREAS**, the City, through the Light and Power Department, provides electric service to customers within the City and some surrounding areas; and

**WHEREAS**, the Bonneville Power Administration (BPA) has increased its wholesale power and transmission costs; and

**WHEREAS**, revised Light and Power electric rates are necessary to ensure appropriate department revenues; and

**WHEREAS**, the City of Forest Grove published a hearing notice on this proposed resolution in the *NewsTimes* on October 9, 2013; and

**WHEREAS**, a duly-noticed Public Hearing was held Monday, October 14, 2013, on the proposed rate resolution.

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

**Section 1.** The City Council adopts the revised Light and Power Electric Rate Schedules and Definitions and Descriptions marked Exhibit A.

**Section 2.** The new Light and Power Electric Rate Schedules shall be effective for services rendered on or after November 1, 2013.

**Section 3.** Resolution No. 2011-73 is hereby repealed upon the effective implementation date of the foregoing Light and Power electric rates.

**Section 4.** This resolution is effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 14<sup>th</sup> day of October, 2013.

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

**APPROVED** by the Mayor this 14<sup>th</sup> day of October, 2013.

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Peter B. Truax, Mayor

**ELECTRIC SERVICE**  
**DEFINITIONS AND DESCRIPTIONS**

**RESIDENTIAL SERVICE:**

Service furnished to customers using energy for domestic purposes in single family dwellings, apartments where each dwelling unit is separately metered, mobile homes being utilized as a family dwelling, and farms.

Where a portion of the electric energy in a residential premise is used regularly for the conduct of a business or profession, electric service used in such portion must be metered separately and billed under a nonresidential schedule; otherwise, the entire premises will be classified as nonresidential.

Service through one meter to two dwelling units will be classified as residential where an existing dwelling unit is or has been divided into two dwelling units. However, in the case where service is supplied through one meter to two or more new dwelling units, or to three or more existing dwelling units, service will be classified as nonresidential.

Additional meters on residential premises will be classified as residential, provided energy is used for domestic purposes and each such meter is on a separate building or structure separated from the other meters by such distance that service through the same point of delivery is impractical. Should any portion of the energy used on an additional meter on a residential premises be used for the conduct of a business or profession, the service will be classified as nonresidential. Service through additional meters will be supplied only when additional facilities can be installed under the Department's line extension rules. All residential customers are billed according to the terms and rates as stated in Schedule 1.

**SWIMMING POOL SERVICE:**

Existing service furnished to residential swimming pools which is a separate service in addition to the service to the dwelling. This service is limited to providing electrical energy to equipment directly related to the operation and maintenance of domestic swimming pools and only to those having had the service previously installed. All Swimming Pool Service customers are billed according to the terms and rates as stated in Schedule 6.

**GENERAL SERVICE:**

Nonresidential service furnished to businesses and professions whose electrical energy requirements are limited to less than 50 KW demand for any month during the prior 12-month period. This service is further limited to exclude irrigation customers. General Service customers are billed according to the terms and rates as stated in Schedule 2.

**LARGE COMMERCIAL AND INDUSTRIAL SERVICE:**

Nonresidential service furnished to businesses and professions whose electrical energy requirements include three phase service and with a demand of over 50 KW for any month during the previous 12-month period. This service is further limited to exclude irrigation service, and any electrical service having a measured demand of 5,000 kW or greater. This service is also limited to exclude any electrical service exceeding 22,000,000 annual kWh consumption. Large Commercial and Industrial Service customers are billed according to the terms and rates as stated in Schedule 3.

**IRRIGATION SERVICE:**

Nonresidential service provided only for agricultural irrigation and drainage pumping. This service is totally limited to the described usage and, therefore, absolutely no portion of this electrical service may be used for any other function or process. Irrigation Service customers are billed according to the terms and rates as stated in Schedule 8.

**STREET LIGHTING SERVICE:**

Service provided to City and publicly owned streets, highways, roadways, bikeways, walkways, parking lots, parks and traffic control lights. Street Lighting Service customers are billed according to the terms and rates of Schedule 4.

**NONMETERED GENERAL SERVICE:**

Nonresidential service provided to loads utilizing relatively small amounts of electrical energy and demand and, which remain constant from day to day. Typical loads are telephone booths, cable television in-line amplifiers, etc. This service is provided only at the option of the Light and Power Department. Monthly billing is a fixed amount computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department. Nonmetered General Service customers are billed according to the terms and rates of Schedule 5.

**OUTDOOR AREA LIGHTING SERVICE:**

Outdoor rental light service is available and provided upon request to all Light and Power Department customers. The type and size of lighting fixtures, poles, and related equipment that can be provided is limited to the Department's normal inventory items. Outdoor Area Lighting Service customers are billed according to the terms and rates of Schedule 7.

**CONTRACTED SERVICE:**

Any special services not covered by the aforewritten definitions (i.e., services at transmission voltages, services having a demand of 5000 KW or greater, and alternate service) are provided in accordance with a negotiated service contract.

**ALTERNATE SERVICE:**

Service provided to a customer from a second, electrically independent primary voltage circuit. This service is available to 3 phase large commercial and industrial customers only who have a higher than normal degree of need for service continuity. The design and arrangement of both the preferred and alternate services will be the option of the Light and Power Department. Customers receiving alternate service will be billed an additional amount on their normal monthly demand charge.

**DISCONNECT/RECONNECT CHARGES AND METER TAMPERING:**

The Reconnection Service fee shall apply during normal business hours, and the After-Hours Reconnection Service fee shall apply during the hours of 5:01 pm – 8:00 pm, Monday through Friday, for reconnection service resulting from failure to pay. An Electric Meter Tamper/Damage Fee shall be imposed where applicable. Referenced fees are published in the Forest Grove Fee Schedule as adopted by City Council.

**SURGE SUPPRESSION SERVICE:**

Utility-provided whole-house surge suppression service is available through a utility installed, meter mounted device. This service is available to residential customers and small commercial customers with single phase, self-contained meters only.

**TIME OF USE SERVICE**

All large commercial and industrial customers with demand metered service will be billed for energy usage on a time of use basis. Time of use service will be available to all general service customers at their option. This service will feature a separate kilowatt hour rate for heavy load hours and light load hours. Heavy load hours are from 6:00am to 10:00pm Monday through Saturday. Light load hours are all other times.

## **NET METERING**

The City will enter into an agreement with customer-generators that own a net metering facility. A net metering facility is an electric generation facility that uses solar, wind, fuel cell, or hydroelectric power to generate electricity. The rated generating capacity of any customer-generator facility cannot exceed 25 kilowatts. The net metering facility must be located on the customer's property, must comply with all applicable safety provisions, and must be compatible with the City's distribution system. The primary intent of the net metering facility will be to offset part or all of the customer's own electric power requirements. The Customer will be required to enter into a net metering agreement with the City, and all customer-generation facilities must be inspected by the City prior to inter-connection. The energy charge for customers with an approved Net Metering facility will be determined by net kWh consumption (kWh delivered by City less kWh generated by customer).

## **GREEN POWER SERVICE**

Voluntary program to support green power resources. Green power may be purchased in 200 kWh units. This program is available to all electric customers of the City of Forest Grove.

## **ENERGY ANALYSIS SOFTWARE**

Voluntary service offered to large commercial and industrial customers. The Energy Analysis Software is a web-based energy management/analysis service that provides customers with interval usage data depicted in charts and graphs for the purpose of comparing current and historic load data, identifying anomalies in usage, tracking savings from efficiency projects, and understanding usage.

## **CUSTOMER CHARGE**

Customer Charge is defined as a flat fee charged per billing interval when the meter is read which may or may not coincide with a calendar month. The Customer Charge is assessed when a new billing interval begins or when occupancy changes and a different customer is established on the account.

**SCHEDULE 1**  
**RESIDENTIAL SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to domestic use of all residential and farm customers.

Service under the residential rate shall apply only to electrical service in a single private dwelling and its appurtenances, for general farm service or for heating or pumping water in a private swimming pool, and not for resale to others.

Electricity consumed in that portion at a private dwelling regularly used for the conduct of a business will be separately metered and billed under the General Service Rate. If separate circuits are not provided by the customer, the entire premises shall be classified as non-residential and billed accordingly.

The residential rate shall not apply to service institutions such as clubs, fraternities, orphanages or homes, to recognized rooming or boarding houses, or to the spaces in an apartment or other residential building primarily devoted to use as an office or studio for professional or other gainful purposes or to general use by tenants.

**CHARACTER OF SERVICE:**

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:	\$13.26
Energy Charge:	0-1000 kWh at 5.27 cents/kWh 1001+ kWh at 6.20 cents/kWh

**SURGE SUPPRESSION SERVICE:**

At the customer's option, whole house surge suppression service is available at a monthly rate of \$4.50.

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City, as set out in Sections 4-200 through 4-215 of the Code and elsewhere.

**SCHEDULE 2**  
**GENERAL SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to commercial, non-agricultural pumping and other non-residential electrical service. Not applicable to agricultural irrigation or pumping, or services with a demand of 50 KW or more for any month during the previous 12-month period..

Energy supplied under this schedule shall not be resold to others.

**CHARACTER OF SERVICE:**

Single phase or three phase, sixty hertz alternating current at such voltage as the Light and Power Department may have available.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:	\$15.26 - Single-phase service \$23.89 - Three-phase service
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Energy Charge:	5.91 cents/kWh
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**OPTIONAL TIME OF USE RATE:**

Customer Charge:	\$15.26 - Single-phase service \$23.89 - Three-phase service
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Energy Charge:	
Heavy Load hours	6.21 cents/kWh
Light Load hours	5.52 cents/kWh

**SURGE SUPPRESSION SERVICE:**

For qualified customers, surge suppression service is available at a monthly rate of \$4.50.

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

**NOTE: Customers opting for time of use service will be charged a one-time meter conversion fee of \$100.00.**

**SCHEDULE 3**  
**LARGE COMMERCIAL AND INDUSTRIAL SERVICE**

Page 1 of 2

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to commercial, industrial, non-agricultural pumping, and other non-residential electrical service with a minimum electrical demand of 50 KW for any month during the previous 12-month period. Not applicable to any electrical service exceeding 5,000 kW measured demand. Not applicable to any electrical service exceeding 22,000,000 annual kWh consumption. Not applicable to agricultural irrigation or pumping.

Energy supplied under this schedule shall not be resold to others.

**CHARACTER OF SERVICE:**

Three Phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:	\$49.99
Energy Charge:	
Heavy Load hours	4.23 cents/kWh
Light Load hours	3.52 cents/kWh
Demand Charge:	\$5.79/kW

**DEMAND CHARGE:**

Based on the highest 15 minute average demand recorded during the billing period measured in kilowatts (kW).

**REACTIVE DEMAND:**

In addition to the energy and demand charges, the customer shall pay \$2.11 for each kilovolt ampere of reactive demand in excess of 40 percent of the kilowatt billing demand.

**ENERGY ANALYSIS SOFTWARE:**

Energy analysis software is available as an optional service at a monthly rate of \$50.00 per meter. Customer is responsible for installation costs.

**SCHEDULE 3**  
**LARGE COMMERCIAL AND INDUSTRIAL SERVICE**  
Page 2 of 2

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply to the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

**ALTERNATE SERVICE:**

Customers receiving alternate service under this rate schedule shall pay an additional \$0.75 per kilowatt of demand per month.

**SPECIAL CONDITIONS:**

If the Department's transformers are used exclusively for service to the customer, the Department may, at its option, permit installation of metering equipment on the primary voltage side of the transformers. In this case, billing will be based on meter registration less a deduction of 2.0 percent to compensate for transformer losses. Metering equipment will be installed at customer expense and all distribution and service facilities on the load side of the meter, except for transformers, will be owned and maintained by the customer.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

**SCHEDULE 4**  
**STREET LIGHTING SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available within the corporate city limits of the City of Forest Grove.

**APPLICABILITY:**

Applicable for lighting of City owned streets, roadways, bikeways, walkways, parking lots, parks and traffic control lights.

**CHARACTER OF SERVICE:**

From dusk to dawn daily, controlled by photo-electric control or time switch.

**CHARGES PER BILLING INTERVAL:**

Energy Charge: 5.88 cents/kWh

**ANNUAL INVESTMENT CHARGE:**

The investment in property and equipment used as a basis for the investment charge shall consist of the installed cost of the property and equipment used solely for lighting purposes such as fixtures, brackets, mast-arms, conductors, poles, posts, standards, control equipment, switches, transformers, etc. computed on June 30 of each year. The annual investment charge shall be 10.5 percent of such investment.

**LIGHT SYSTEM MAINTENANCE:**

All maintenance expenses shall be borne by the City Light and Power Department.

**METERING:**

For billing purposes, the total energy consumed by the street lighting system shall be computed by application of a meter multiplier to the meter reading of a selected part of the system which is metered. The meter multiplier shall represent the ratio of the entire system load to the load being metered. Accuracy of the meter multiplier will be verified at least annually by the Light and Power Department and any changes reported to the City Management and Finance Department.

If more than one part of the street lighting system is metered, the meter multiplier shall be applied to only one selected meter and the other metered loads shall not be included in the multiplier calculation. In the event of multiple meters, the readings shall be consolidated for billing purposes.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City, as set out in Code Sections 4-200 through 4-215 and elsewhere.

**SCHEDULE 5**  
**NONMETERED GENERAL SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to commercial service where both electric demand and energy usage are small and constant such as telephone booths, traffic signals, cable television, in-line amplifiers, etc. Under such circumstances, and at the Light and Power Department's option, service may be provided without metering. A monthly billing amount will be computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department and thereafter will be a fixed charge.

**CHARACTER OF SERVICE:**

Single phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:	\$8.42
Energy Charge:	5.79 cents/kWh

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery point. Charges for a separate supply for the same customer at other points of consumption shall be computed on the same rate basis but may be consolidated on a common monthly bill.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

**SCHEDULE 6**  
**SWIMMING POOL SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available only to those customers and for those loads presently served under this rate schedule.

**APPLICABILITY:**

Applicable to residential customers for heating water for private swimming pools and for other electrical loads directly related to swimming pool operation.

**CHARACTER OF SERVICE:**

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:	\$6.32
Energy Charge:	5.97 cents/kWh (for all kWhs)

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

**SPECIAL CONDITIONS:**

A customer being served under this rate schedule may continue to be served only so long as no increase in capacity is made in this service equipment. If such changes are needed by the customer, the entire service load will be reclassified as Residential Service, Schedule 1. The customer may, at his option and expense, combine this load with his existing Residential Service.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

**SCHEDULE 7**  
**OUTDOOR AREA LIGHTING SERVICE**

Page 1 of 2

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to outdoor area lighting.

**CHARACTER OF SERVICE:**

Outdoor area lighting from dusk to dawn daily, by means of Department-owned luminaries mounted on Department-owned poles, in accordance with Department specifications as to equipment, installation, maintenance and operations.

Maintenance by the Department includes lamp replacement on a scheduled basis. Individual lamps will be replaced on burnout as soon as reasonably possible after notification by the customer and subject to the Department's operating schedules and requirements. Current standard lamps will be used for replacement purposes.

**CHARGES PER BILLING INTERVAL:**

<u>LAMP TYPE AND WATTAGE</u>		<u>FIXTURE STYLE</u>	<u>RATE PER MONTH</u>
<u>HPS</u>	<u>MH</u>		
100	---	Security	7.31
100*	---	Post Top and Pole	12.31
100*	---	Post Top w/o Pole	7.53
100	---	Projection Flood	8.16
200	---	Projection Flood	12.05
250*	---	Projection Flood	12.31
400	400	Projection Flood	18.73
---	1000	Projection Flood	39.31
100	---	Cobra Head Type	6.68
200	---	Cobra Head Type	9.53
400	---	Cobra Head Type	14.68

HPS - High Pressure Sodium MH - Metal Halide  
 \* No new service offered.

**SCHEDULE 7**  
**OUTDOOR AREA LIGHTING SERVICE**

Page 2 of 2

All rates, except that for the post top light and pole, are based on mounting the light fixture on an existing pole. Special poles required for service hereunder will be billed according to the following schedule:

<u>POLE TYPE</u>	<u>LENGTH</u>	<u>FIXTURE HEIGHT</u>	<u>RATE PER MONTH</u>
Pressure Treated Wood	30'	25 ft.	\$2.30
Pressure Treated Wood	45'	39 ft.	4.30
Galvanized Steel with Arm*	25'	26 ft.	4.25
Aluminum with Arm*	25'	26 ft.	4.25
Fiberglass with Arm	30'	25 ft.	4.95

**INSTALLATION CHARGES:**

Installation charges will be calculated and billed to the customer for lighting systems not mounted on existing power poles, for those systems employing underground electrical feed, and for temporary installations. Such charges will be paid upon completion of the lighting system installation.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

\* No new service offered.

**SCHEDULE 8**  
**IRRIGATION SERVICE**

Page 1 of 2

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable only to agricultural irrigation and drainage pumping electrical service.

Energy supplied under this schedule shall not be resold to others.

**CHARACTER OF SERVICE:**

Single or three phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

**CHARGES PER BILLING INTERVAL:**

Customer Charge:

March 16-October 15	\$14.21
October 16-March 15	none

Energy Charge: **4.92** cents/KWh

**SEASONAL DEFINITION AND BILLING:**

Irrigation season is defined as starting on March 16 and ending on October 15. All irrigation services will be available for use during this period. Use outside of this period must be specifically requested by the customer.

Meters will be read on March 15 and again on October 16 and will be the basis for the seasonal energy billings. Customers will receive monthly service charge bills only during the irrigation season. No disconnect/reconnect charges will be assessed.

**SCHEDULE 8**  
**IRRIGATION SERVICE**

Page 2 of 2

**CONNECTION CHARGE:**

Line Extension charges will be calculated and billed to the customer for all electrical services provided under the Irrigation Service Schedule. Connection charges must be paid upon completion of service installation. At the City Light and Power Department's option, all or part of the connection charge may be in the form of facilities provided by the customer for the Department's use. Such facilities must be inspected by the Department and must meet all applicable City, County, State, and National Electrical Codes.

**DELIVERY POINT:**

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 4-200 through 4-215 and elsewhere.

**SCHEDULE 9**  
**GREEN POWER SERVICE**

Page 1 of 1

**AVAILABILITY:**

Available in all territory served by the City Light and Power Department.

**APPLICABILITY:**

Applicable to all customers who sign up for the voluntary program to help support the production of green power.

**CHARACTER OF SERVICE:**

Funds collected in this program will be used to purchase renewable energy resources, which will in turn use the funds to support the production of new green power sources throughout the region.

**CHARGES PER BILLING INTERVAL:**

Customer Charge: \$4.00 /200kWh unit

**SPECIAL CONDITIONS:**

Customers may sign up voluntarily for the program. A minimum six-month commitment to the program is required.

**RULES AND REGULATIONS:**

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 3-200 through 4-215 and elsewhere.