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City Council Regular Meeting Minutes

**Monday, January 28, 2019
7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.
Council approved minutes as presented February 11, 2019.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Tom Gamble, Parks and Recreation Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; J. F. Schutz, Police Chief; Kevin Ellingsburg, Police Captain; Keith Hormann, Light and Power Director; Colleen Winters, Library Director (in the audience); Bev Maughan, Executive Assistant to the City Manager (in the audience); and Anna Ruggles, City Recorder.

1. A. EMPLOYEE RECOGNITION:

Mayor Truax, on behalf of the Council, and VanderZanden presented a Certificate of Appreciation honoring Tom Gamble, Parks and Recreation Director, for 30 years of dedicated and exceptional service to the City.

2. CITIZEN COMMUNICATIONS:

Al Young, Hillsboro, addressed Council about the potential sale of real property, noting he has reviewed the Tokola project and, if the city has a need for another housing project, he would like to negotiate selling his property to the city with help from the Urban Renewal Agency District. Young added his property is located in Forest Grove on 19th Avenue between Cedar Street and Douglas Street, noting the city has more ability than he does to direct construction and work with the adjacent property owners. Council took no formal action.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are 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 remaining Consent Agenda item(s).

- A. Approve City Council Work Session (B/C Interviews) Meeting Minutes of January 14, 2019.
- B. Approve City Council Work Session (Police Facility) Meeting Minutes of January 14, 2019.
- C. Approve City Council Regular Meeting Minutes of January 14, 2019.
- D. Approve City Council Work Session (City-Owned Land Inventory) Meeting Minutes of January 14, 2019.
- E. Accept Historic Landmarks Board Meeting Minutes of December 18, 2018.
- F. Accept Library Commission Meeting Minutes of December 11, 2018.
- G. Accept Parks and Recreation Commission Meeting Minutes of December 19, 2018.
- H. Accept Planning Commission Meeting Minutes of December 3, 2018.
- I. Accept Public Arts Commission Meeting Minutes of December 13, 2018.
- J. Accept Public Safety Advisory Commission Meeting Minutes of September 26 and October 24, 2018.
- K. Accept Sustainability Commission Meeting Minutes of November 15, 2018.
- L. **RESOLUTION NO. 2019-07 MAKING APPOINTMENT TO BUDGET COMMITTEE (APPOINTING WOLANDA GROOMBRIDGE, TERM EXPIRING DECEMBER 31, 2021).**
- M. **RESOLUTION NO. 2019-08 MAKING REAPPOINTMENT TO COMMUNITY FORESTRY COMMISSION (REAPPOINTING LANCE SCHAMBERGER, TERM EXPIRING DECEMBER 31, 2021).**
- N. **RESOLUTION NO. 2019-09 MAKING REAPPOINTMENT TO PUBLIC ARTS COMMISSION (REAPPOINTING KATHLEEN LEATHAM, AT-LARGE, TERM EXPIRING DECEMBER 31, 2021).**
- O. Accept Resignation on Public Safety Advisory Commission (Ray Arkus, At-Large, Term Expiring December 31, 2021).

MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to approve the Consent Agenda as presented. **MOTION CARRIED 7-0 by voice vote.**

4. ADDITIONS/DELETIONS:

VanderZanden added to the Agenda: Item 5. C. Small Cell Tower Process Presentation.

5. PRESENTATIONS:

5. A. Police Body Worn Camera Program Implementation

Police Captain Ellingsburg and Police Chief Schutz presented a PowerPoint presentation overview on the Police Department's Body Worn Camera (BWC) Pilot Program, which was initiated in 2016, and subsequently, the implementation of Policy No. 421, Portable Audio/Video Recorders, which was requested by Council and reviewed by police labor representatives with no substantive concerns. Ellingsburg

reported the pilot program tested three Axon and Motorola camera systems, noting the Motorola system was superior and allowed integration with the portable radio units, on-scene review of video footage, excellent audio and video recordings and a far better intuitive evidence management system. Ellingsburg reported Council was briefed at two work session over the last three years and also during the budget process, noting Council initially appropriated funds to deploy cameras in FY2016-17 and in FY2018-19, \$50,000 was budgeted to fund full deployment of cameras and computer system program. Ellingsburg advised staff received a five-year quote from two vendors for deployment of 24 cameras, including all capital and operating expenses, noting Axon's quote was \$127,500 (\$25,500 per year) and Motorola's quote was \$99,900 (\$19,980 per year), noting staff is recommending utilizing the Motorola Si500 system as this system is less expensive and integrates and performs better with the new police radios. In conclusion of the above-noted presentation, Ellingsburg and Chief Schutz addressed various Council inquiries pertaining to other agencies, law enforcement officers' use of cameras and overall expenditures, noting the above-noted policy provides guidelines for use of cameras, such as privacy expectations, law enforcement member responsibilities, permitted uses, prohibited uses, system integration, data storage and preservation and retention of recordings in compliance with Oregon Administrative Rules 166 and Oregon Revised Statute 133.741.

5. B. Rogers Park Project: Phase I Update

Gamble presented a PowerPoint presentation overview on Rogers Park Project and timelines, noting Phase I, pre-fabricated restroom, is under construction and is expected to be completed by April 1, 2019. In conclusion of the above-noted presentation, Gamble reported Phase II (Anna and Abby's Yard) design is 75 percent completed; Harper's Playground fundraising is progressing; and construction is expected to begin July 1, 2019, with a grand opening planned on October 20, 2019.

5. C. Small Cell Towers Process

Downey and Hormann presented a PowerPoint presentation overview on the Federal Communications Commission's (FCC) Order on small cell towers/facilities (SCF) in the public rights-of-way (ROW), effective January 14, 2019, noting the three major components include:

- Caps on application fees: Sets a presumptive application fee of \$500 for up to five sites, and \$100 per site for each site thereafter. Fee above that amount puts the burden on the city to justify the costs.
- Limits on recurring fees (rent): Sets a presumptive recurring fee of \$270 per site, per year. Fee above that amount puts the burden on the city to justify the costs.
- Timeframe to process applications: Sets 60 days to process applications, if installed on pre-existing facilities in the ROW and 90 days if a new structure is required.
- City action needed: Sets a deadline of April 15, 2019, to enact local jurisdiction

Design Standards Ordinance, which must be reasonable, comparable to requirements for other ROW users, and published in advance. In addition, a fee resolution if the local jurisdiction determines presumptive fee caps are not adequately recapturing actual, reasonable administrative costs.

In addition, Downey and Hormann reported the city's utility poles can handle the increase load of the SCF; however, installations on streetlight poles are requiring new poles per other cities who have addressed similar issues. Downey added staff has been gathering examples of design standards and proposed fees from other cities. In addition, Downey advised the City has not received any applications as of today, noting if the City does not act by the deadline of April 15th, applications will be deemed granted. In conclusion of the above-noted presentation, Downey and Hormann addressed various Council inquiries pertaining to FCC litigation, 5G deployment, installation and maintenance requirements, noting staff has a follow-up work session scheduled with Council on February 25th to review proposed design standards and proposed fees. Downey advised if the ordinance is drafted and ready, staff will make recommendation to adopt the proposed ordinance for first reading on February 25, 2019; however, if the ordinance is not drafted by then, staff will make a recommendation to adopt the ordinance as an emergency on March 18, 2019.

6. CITY COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Boards/Commissions Annual Recognition Reception, noting he liked this year's format. Johnston reported attending the Annual Town Meeting (ATM) and commended Committee for Community Involvement (CCI) and staff for a job well done. Johnston noted the Historic Landmarks Board was pleased that Council approved the grant application for the proposed downtown historic district. Johnston pointed out a member from Public Arts Commission (PAC) (Amy Callahan Tracewell) was present at Urban Renewal Agency Work Session earlier, noting PAC is working on its strategic plan and exploring forming a public arts foundation. In addition, Johnston reported on other related matters of interest and other upcoming meetings he was planning to attend.

Rippe reported attending Public Safety Advisory Commission (PSAC) meeting, noting PSAC voted in favor of continuing as a commission (proposed B/C reforms). PSAC also held its elections for Chair (Jayne Cravens) and Vice-Chair (Glenn VanBlarcom). Rippe reported attending the ATM, noting the event went very well. Rippe reported attending City Day at the Capitol. Rippe noted he plans on attending as many of the state of city addresses as he is able to attend. Rippe announced the City is planning to send an adult delegation to Nyuzen on June 12-19, 2019, noting applications are being accepted until April 1st. In addition, Rippe reported attending other community-related events, reported on other related matters of interest and upcoming meetings he was planning to attend.

Thompson reported on Ride Connection and state public transportation budget cuts. In addition, Thompson reported on other related matters of interest and upcoming

meetings he was planning to attend.

Uhing reported Sustainability Commission (SC) did not have a quorum so its meeting was canceled, noting SC would like Council to consider vacating a member's seat due to a lack of attendance (four consecutive absences), to which Ruggles advised she would follow-up with the school district's voting member and report back. Uhing announced SC is planning to host a road clean-up event for Earth Day in April, to which Mayor Truax advised reaching out to citizenry groups who are already (lawfully) authorized under the Adopt-A-Road Program. Uhing also voiced concern that Waste Management may phase-out its free one-scoop mulch program, to which Downey advised he was unaware of this concern and he would follow-up with Waste Management. In addition, Uhing reported attending other community-related events, reported on other related matters of interest and upcoming meetings she was planning to attend.

Valfre reported attending his first Boards/Commissions Annual Recognition Reception, noting he liked the forum. Valfre noted he plans on attending as many of the state of city addresses as he is able to attend. In addition, Valfre reported attending other community-related events, reported on county-related matters of interest and upcoming meetings he was planning to attend.

Wenzl reported attending the Boards/Commissions Annual Recognition Reception and commended Ruggles for all her work. Wenzl gave an overview of the ATM, noting this year's ATM was held at Forest Grove High School, and was an open house-style Emergency Disaster Preparedness Fair. Wenzl reported the event was well attended with over 200 people in attendance and about 18 different agencies and city departments showcased services at information booths and answered questions. Wenzl indicated a few attendees asked why Council was not taking questions, noting this feedback was appreciated. Wenzl commended CCI for coming together strongly as a committee and organizing an outstanding ATM. Wenzl also commended staff who participated and assisted with the ATM. Wenzl reported attending Parks and Recreation Commission meeting, noting P&R discussed its volunteer of the year nominations and selection. In addition, Wenzl reported on other related matters of interest and upcoming meetings she was planning to attend.

7. City Manager's Report:

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. VanderZanden gave an overview of the upcoming Council Goal-Setting Retreat, which will be held Saturday, February 2, 2019, at Pacific University.

8. MAYOR'S REPORT:

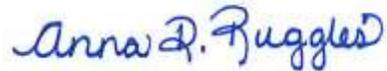
Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending the Boards/Commissions Annual Recognition Reception and commended Ruggles for all

her work. Mayor Truax reported attending City Day at the Capitol. Mayor Truax reported the Solid Waste Community Enhancement Program (CEP) Committee Meeting is scheduled for February 11, 2019, 5:30 p.m., noting Juan Carlos Gonzalez, newly-elected Metro Councilor District 4, will continue the role of Vice-Chair. In addition, Mayor Truax reported on various legislation and local, regional, Metro, and Washington County-related meetings he attended and upcoming community-related events and meetings he was planning to attend.

9. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 8:45 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder